



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

**REGULAR MEETING
Tuesday, February 20, 2018
6:00 P.M.**

**Historic City Hall Council Chambers
6500 Palma Avenue, 4th Floor
Atascadero, California 93422**

CALL TO ORDER

Pledge of Allegiance

Roll Call: Chairperson Jerel Seay
Vice Chairperson Tom Zirk
Commissioner Duane Anderson
Commissioner Ryan Betz
Commissioner Mark Dariz
Commissioner Josh Donovan
Commissioner Jan Wolff

APPROVAL OF AGENDA

PUBLIC COMMENT

*(This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Speakers are limited to **three minutes**. Please state your name for the record before making your presentation. The Commission may take action to direct the staff to place a matter of business on a future agenda.)*

CONSENT CALENDAR

(All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Commission or public wishes to comment or ask questions.)

1. APPROVAL OF DRAFT MINUTES OF PLANNING COMMISSION MEETING ON FEBRUARY 6, 2018



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PLANNING COMMISSION BUSINESS

COMMUNITY DEVELOPMENT STAFF REPORTS

NONE

PUBLIC HEARINGS

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Prior to a project hearing Planning Commission Members must disclose any communications they have had on any quasi-judicial agenda items. This includes, but is not limited to, Tentative Subdivision Maps, Parcel Maps, Variances, Conditional Use Permits, and Planned Development Permits. This does not disqualify the Planning Commission Member from participating and voting on the matter, but gives the public and applicant an opportunity to comment on the ex parte communication.

(For each of the following items, the public will be given an opportunity to speak. After a staff report, the Chair will open the public hearing and invite the applicant or applicant’s representative to make any comments. Members of the public will be invited to provide testimony to the Commission following the applicant. Speakers should state their name for the record and can address the Commission for three minutes. After all public comments have been received, the public hearing will be closed, and the Commission will discuss the item and take appropriate action(s).)

2. PLN 2017-1674, TENTATIVE PARCEL MAP FOR 6907 EL CAMINO REAL

Applicant:	City of Atascadero, 6500 Palma Ave., Atascadero, CA 93422
Project Title:	PLN 2017-1674 – Tentative Parcel Map
Project Location:	6907 El Camino Real, Atascadero, CA APN 029-361-045 (San Luis Obispo County)
Project Description:	A Tentative Parcel Map is proposed to subdivide the former Creekside City Hall parcel to create 3 separate lots. The existing Transit Center on Capistrano Ave. and the existing public plaza area near the Centennial Bridge will become separate parcels that will be retained by the City. The remaining parcel housing the Creekside building and adjacent improvements will be sold for private uses.
Proposed Environmental Determination:	A Notice of Intent to Adopt a Negative Declaration was circulated from 12/4/17 to 12/24/17.
City Staff:	Callie Taylor, Senior Planner, ctaylor@atascadero.org, Phone: (805) 470-3448.
Recommendation:	Staff recommends that the Planning Commission adopt PC Resolution 2018-A approving the subdivision map.

3. PLN 2017-1679, CITYWIDE TREE ORDINANCE AMENDMENTS

Applicant:	City of Atascadero, 6500 Palma Ave., Atascadero, CA 93422
Project Title:	PLN 2017-1679 – Citywide Tree Ordinance Amendments
Project Location:	Citywide, Atascadero, CA, (San Luis Obispo County)



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Project Description:	The Planning Commission will review Tree Ordinance Text Updates of the Atascadero Municipal Code including amendments to the Atascadero Native Tree Ordinance and Tree Guidelines including changing the level of review required for trees exceeding 24” dbh from Planning Commission approval to staff approval and establishing a Heritage Tree list for native and non-native landmark trees that will require Planning Commission review and approval.
Proposed Environmental Determination:	Exempt from CEQA (Section 15061(b)(3). No significant environmental impact.
City Staff:	Kelly Gleason, Senior Planner, kgleason@atascadero.org, Phone: (805) 470-3446.
Recommendation:	Staff recommends that the Planning Commission adopt PC Resolution 2018-A recommending that the City Council adopt proposed amendments to the Atascadero Native Tree Ordinance and the Native Tree Guidelines and Standards.

COMMISSIONER COMMENTS AND REPORTS

DIRECTOR’S REPORT

ADJOURNMENT

The next regular meeting will be on March 6, 2018, at 6:00 p.m. at City Hall Council Chambers, 6500 Palma Avenue, Atascadero.

Please note: Should anyone challenge in court any proposed development entitlement listed on this Agenda, that person may be limited to raising those issues addressed at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, this public hearing.



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*City of Atascadero***WELCOME TO THE ATASCADERO PLANNING COMMISSION MEETING**

The Planning Commission meets in regular session on the first and third Tuesday of each month at 6:00 p.m. at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero. Matters are considered by the Commission in the order of the printed Agenda.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the Community Development Department and are available for public inspection during City Hall business hours at the Front Counter of City Hall, 6500 Palma Avenue, Atascadero, and on our website, www.atascadero.org. All documents submitted by the public during Commission meetings that are either read into the record or referred to in their statement will be noted in the minutes and available for review in the Community Development Department. Commission meetings are audio recorded, and may be reviewed by the public. Copies of meeting recordings are available for a fee. Contact the City Clerk for more information (470-3400).

In compliance with the Americans with Disabilities Act, **if you need special assistance to participate in a City meeting or other services offered by this City**, please contact the City Manager's Office or the City Clerk's Office, both at (805) 470-3400. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA

Under Agenda item, "PUBLIC COMMENT", the Chairperson will call for anyone from the audience having business with the Commission to approach the lectern and be recognized.

1. Give your name for the record (not required)
2. State the nature of your business.
3. All comments are limited to 3 minutes.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.

This is when items not on the Agenda may be brought to the Commission's attention. A maximum of 30 minutes will be allowed for Public Comment Portion (unless changed by the Commission).

TO SPEAK ON AGENDA ITEMS (from Title 2, Chapter 1 of the Atascadero Municipal Code)

Members of the audience may speak on any item on the agenda. The Chairperson will identify the subject, staff will give their report, and the Commission will ask questions of staff. The Chairperson will announce when the public comment period is open and will request anyone interested to address the Commission regarding the matter being considered to step up to the lectern. If you wish to speak for, against or comment in any way:

1. You must approach the lectern and be recognized by the Chairperson.
2. Give your name (not required).
3. Make your statement.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.
6. All comments limited to 3 minutes.

If you wish to use a computer presentation to support your comments, you must notify the Community Development Department at 470-3402 at least 24 hours prior to the meeting. Digital presentations brought to the meeting should be on a USB drive or CD. You are required to submit to the Recording Secretary a printed copy of your presentation for the record. Please check in with the Recording Secretary before the meeting begins to announce your presence and turn in the printed copy.

The Chairperson will announce when the public comment period is closed, and thereafter, no further public comments will be heard by the Commission.



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**CITY OF ATASCADERO
PLANNING COMMISSION**

DRAFT MINUTES

**Regular Meeting – Tuesday, February 6, 2018 – 6:00 P.M.
City Hall Council Chambers
6500 Palma Avenue, Atascadero, California**

CALL TO ORDER - 6:04 p.m.

Chairperson Anderson called the meeting to order at 6:04 p.m. and Commissioner Betz led the Pledge of Allegiance.

ROLL CALL

Present: Commissioners Betz, Dariz, Zirk, Wolff, Vice Chairperson Seay, and Chairperson Anderson

Absent: Commissioner Donovan (excused absence)

Others Present: Recording Secretary, Annette Manier

Staff Present: Community Development Director, Phil Dunsmore
Senior Planner, Callie Taylor

APPROVAL OF AGENDA

MOTION: By Commissioner Wolff and seconded by Commissioner Betz to approve the Agenda.

Motion passed 6:0 by a roll-call vote.

PUBLIC COMMENT

None

Chairperson Anderson closed the Public Comment period.

CONSENT CALENDAR

- 1. APPROVAL OF DRAFT MINUTES OF PLANNING COMMISSION MEETING ON JANUARY 16, 2018**

MOTION: By Commissioner Zirk and seconded by Commissioner Wolff to approve the Consent Calendar.

Motion passed 6:0 by a roll-call vote.

PLANNING COMMISSION BUSINESS

A. Election of Chairperson and Vice Chairperson

The Commission will select a Chairperson and Vice Chairperson.

Chairperson Anderson accepted nominations for Chairperson.

MOTION: By Commissioner Wolff and seconded by Commissioner Dariz to nominate Vice Chairperson Seay as Chairperson. Vice Chairperson Seay accepted the nomination.

Motion passed 6:0 by a roll-call vote.

Chairperson Anderson accepted nominations for Vice Chairperson.

MOTION: By Commissioner Wolff and seconded by Commissioner Dariz to nominate Commissioner Zirk as Vice Chairperson. Commissioner Zirk accepted the nomination.

Motion passed 6:0 by a roll-call vote.

Vice Chairperson Seay was seated as Chairperson and Commissioner Zirk was seated as Vice Chairperson at the dais.

COMMUNITY DEVELOPMENT STAFF REPORTS

2. PLN 2017-1671, TREE REMOVAL PERMIT FOR 8390 SANTA YNEZ AVE.

Property Owner:	Mekhail Aloush
Representative:	Nelson Bernal, NRB Drafting
Certified Arborist:	Whit's Turn Tree Care, PO Box 1724, Templeton, CA 93465
Project Title:	PLN 2017-1671 – Tree Removal Permit
Project Location:	8390 Santa Ynez Ave., Atascadero, CA (San Luis Obispo County) APN 031-291-039
Project Description:	The applicant requests to remove a 40-inch diameter California Black Walnut tree. The proposed project includes construction of two (2) new detached residential units on a multi-family lot. There is one existing residence onsite which will remain. A carport is proposed to be attached at the existing residence to provide covered parking.
Proposed Environmental	Categorical Exemption CEQA

Determination:	
City Staff:	Callie Taylor, Senior Planner, ctaylor@atascadero.org, Phone: (805) 470-3448.
Recommendation:	Staff recommends that the Planning Commission adopt PC Resolution 2018-A approving Tree Removal Permit 2017-0218.

EX PARTE COMMUNICATIONS

Commissioners Anderson and Dariz heard this project at the DRC.

Senior Planner Taylor gave the staff report and answered questions from the Commission.

PUBLIC COMMENT

None

MOTION: By Commissioner Dariz and seconded by Commissioner Wolff to adopt PC Resolution 2018-A approving PLN 2017-1671/Tree Removal Permit 2017-0218 to allow the removal of one (1) 40” native black walnut tree, based on findings and subject to mitigation.

Motion passed 6:0 by a roll-call vote.

3. PLN 2018-1683, TREE REMOVAL FOR 9425 BARRANCO ROAD

Property Owner:	Robert Emslie
Certified Arborist:	Whit’s Turn Tree Care, PO Box 1724, Templeton, CA 93465
Project Title:	PLN 2018-1683 – Tree Removal Permit
Project Location:	9425 Barranco Rd., Atascadero, CA (San Luis Obispo County) APN 054-311-016
Project Description:	The applicant requests to remove a 36” Valley Oak tree adjacent to the project area where the applicant has applied for a building permit to repair and reconstruct existing decks and patio areas surrounding the existing residence.
Proposed Environmental Determination:	No Project – Ministerial Project
City Staff:	Kelly Gleason, Senior Planner, kgleason@atascadero.org, Phone: (805) 470-3446.
Recommendation:	Staff recommends that the Planning Commission adopt PC Resolution 2018-A recommending approval of Tree Removal Permit 2018-0220.

Senior Planner Taylor gave the staff report and answered questions from the Commission.

PUBLIC COMMENT

None

MOTION:

By Commissioner Anderson and seconded by Commissioner Dariz to adopt PC Resolution 2018-A approving PLN 2018-1683/Tree Removal Permit 2018-0220 to allow the removal of one (1) Valley Oak tree, based on findings and subject to mitigation.

Motion passed 6:0 by a roll-call vote.

PUBLIC HEARINGS

None

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Community Development Director Dunsmore announced that the next meeting is scheduled for February 20, 2018. On that agenda will be revisions to the City's Tree Ordinance and a parcel map for the Creekside building. In the future, the La Plaza project may come back before the Commission. Director Dunsmore answered questions in regards to Santa Maria Brewing and the Carls Jr. Sign.

ADJOURNMENT – 6:32 p.m.

The next Regular meeting of the Planning Commission is scheduled for **February 20, 2018, at 6:00 p.m.** at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant



Atascadero Planning Commission

Staff Report – Community Development Department

PLN 2017-1674 Tentative Parcel Map AT-18-016

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution 2018-A approving Tentative Parcel Map 2017-0107 (AT-18-016) to subdivide one commercial parcel into three commercial parcels, subject to Conditions of Approval and based on findings.

Project Info In-Brief: A Tentative Parcel Map is proposed to subdivide the former Creekside City Hall parcel at 6907 El Camino Real to create three separate lots. The existing Transit Center on Capistrano Avenue and the existing public plaza area near the Centennial Bridge will become separate parcels that will be retained by the City. The remaining parcel housing the Creekside Building and adjacent improvements will be sold for private uses.

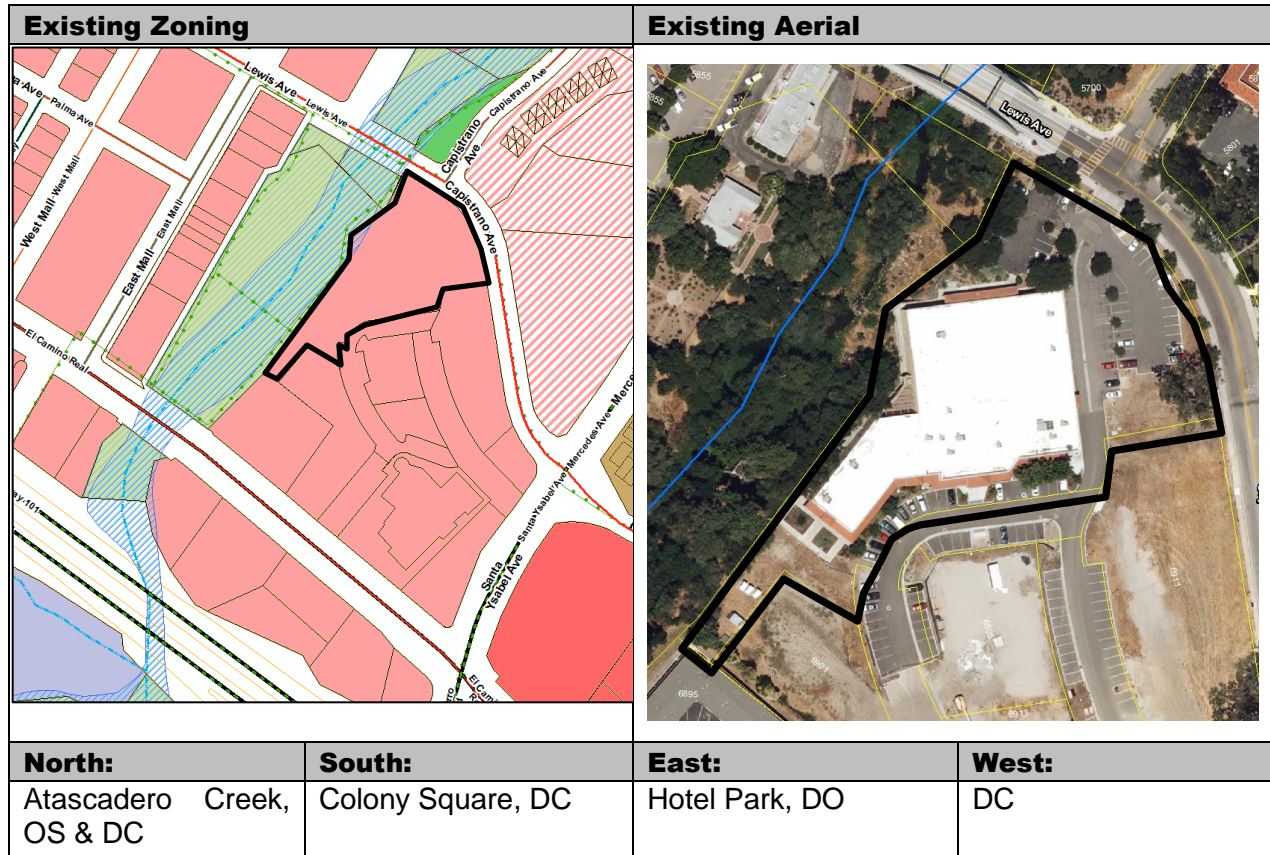
PROJECT ADDRESS:	6907 El Camino Real	Atascadero, CA	APN	029-361-045
PROJECT PLANNER	Callie Taylor Senior Planner	470-3448	ctaylor@atascadero.org	
APPLICANT	City of Atascadero			
PROPERTY OWNER	Successor Agency to the Redevelopment Agency			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
Downtown Commercial (DC)	Downtown Commercial (DC)	2.16 acres	Office building, public improvements	Same uses as existing
ENVIRONMENTAL DETERMINATION				
<input type="checkbox"/> Environmental Impact Report SCH: _____ <input checked="" type="checkbox"/> Negative / Mitigated Negative Declaration No. <u>2017-0029</u> <input type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 153_____ <input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____ <input type="checkbox"/> No Project – Ministerial Project				

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
 6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

DISCUSSION:

Surrounding Uses: The property is located in the Downtown Commercial zoning district.



Background:

The subject site is a 2.16 acre Downtown Commercial parcel, which includes a 31,000 square foot office building (Creekside Building) which was previously used as the temporary City Hall from 2005 to 2013. The site is owned by the Successor Agency to the Community Redevelopment Agency of Atascadero, which has been working to sell the property for the past several years.

In 2012 the City constructed the Transit Center on a portion of the subject property across from the library on Capistrano. Recently, the Centennial Bridge was constructed to connect Colony Square to the Sunken Gardens. The bridge landing and walkways are located on the subject parcel at 6907 El Camino Real. The Transit Center and bridge landing need to be separated from the existing parcel in order to facilitate the sale of the Creekside Building.

In January 2018, the Oversight Board for the Successor Agency to the Community Redevelopment Agency approved a sale agreement of the Creekside Building to Clint Pearce, representing Colony Creekside, LLC. While a proposed use for the property has not been finalized, the agreement does include restrictions on the use of the



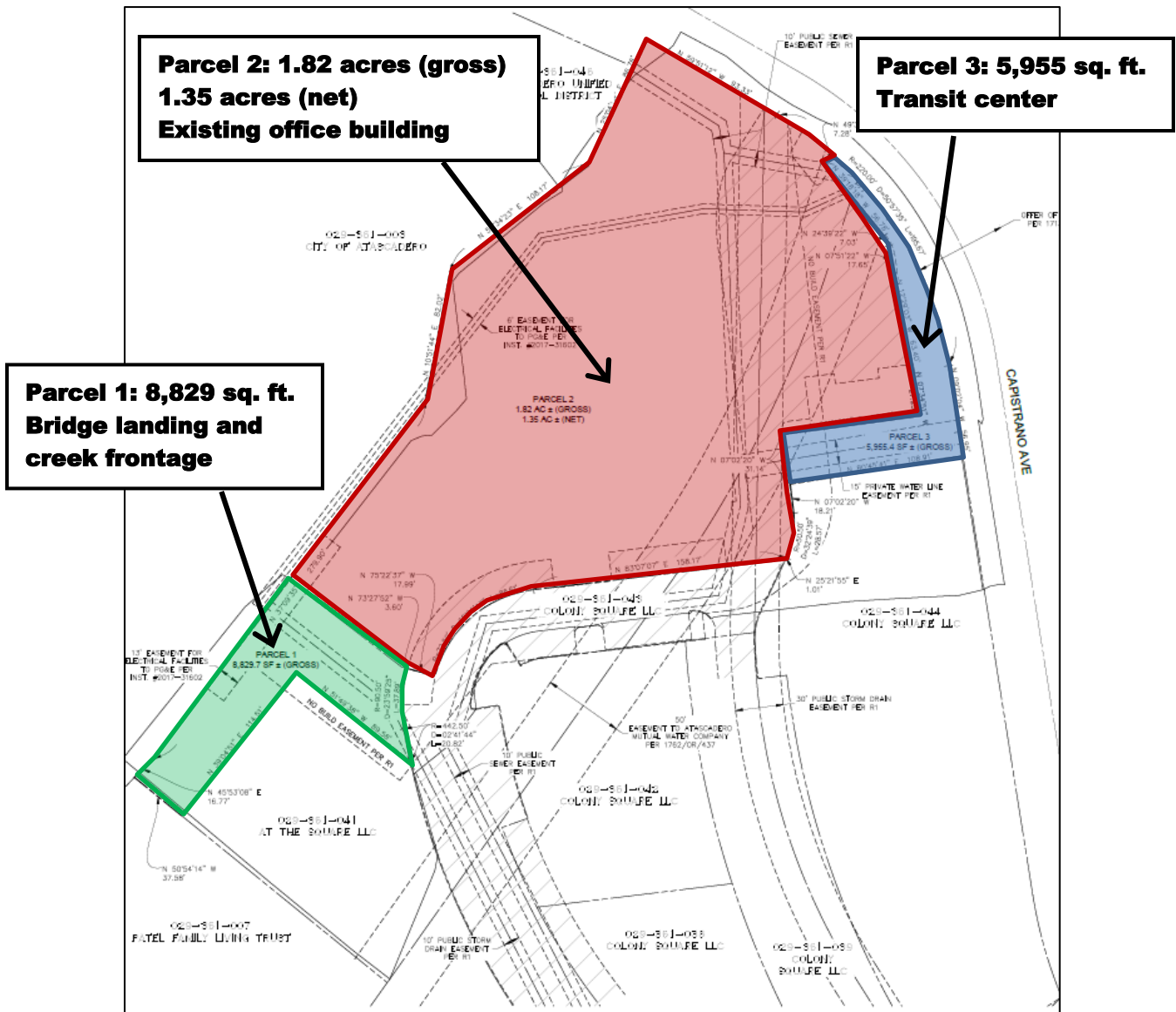
property after closing of the sale, limiting use to professional office, retail, or restaurant to fulfill the economic development goals of the property. As a condition of the sale, a subdivision map is necessary to allow the City to retain ownership of the Transit Center and bridge public improvements.

Analysis:

The City of Atascadero has prepared a Tentative Parcel Map to subdivide the existing 2.16 acre parcel into three separate lots. The three parcels are proposed as follows:

- Parcel 1: 8,829 sq. ft. (gross) – bridge landing and creek frontage
- Parcel 2: 1.82 acres (gross) / 1.35 acres (net) – existing office building
- Parcel 3: 5,955 sq. ft. (gross) – transit center

Proposed Parcel Configuration



There is no minimum lot size in the Downtown Commercial zone. The new parcels will retain the existing Downtown Commercial Zoning. No construction is currently being proposed on site.

ENVIRONMENTAL DETERMINATION:

The City of Atascadero prepared an Initial Study to determine if the sale of the property and the subsequent minor lot split would have a significant adverse effect on the environment. The Initial Study found that there are no significant impacts created by the project and that no mitigation measures will be required. A Negative Declaration was prepared (see Attachment 2). The Oversight Board for the Successor Agency to the Community Redevelopment Agency certified Negative Declaration No. 2017-029 in January, 2018, thereby satisfying the requirements of CEQA for the Creekside building sale and subdivision.

FINDINGS:

To approve Tentative Parcel Map 2017-0107, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in attached Resolution B.

Tentative Parcel Maps / Tentative Subdivision Maps

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and the proposed Specific Plan (Government Code §§ 66473.5 and 66474(a) and (b)), and;
2. The site is physically suitable for the type of development (Government Code § 66474(c)), and;
3. The site is physically suitable for the proposed density of development (Government Code § 66474(d)), and;
4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Government Code § 66474(e)), and;
5. The design of the subdivision or the type of improvements will not cause serious health problems (Government Code § 66474(f)), and;
6. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision (Government Code § 66474(g)).



ALTERNATIVES:

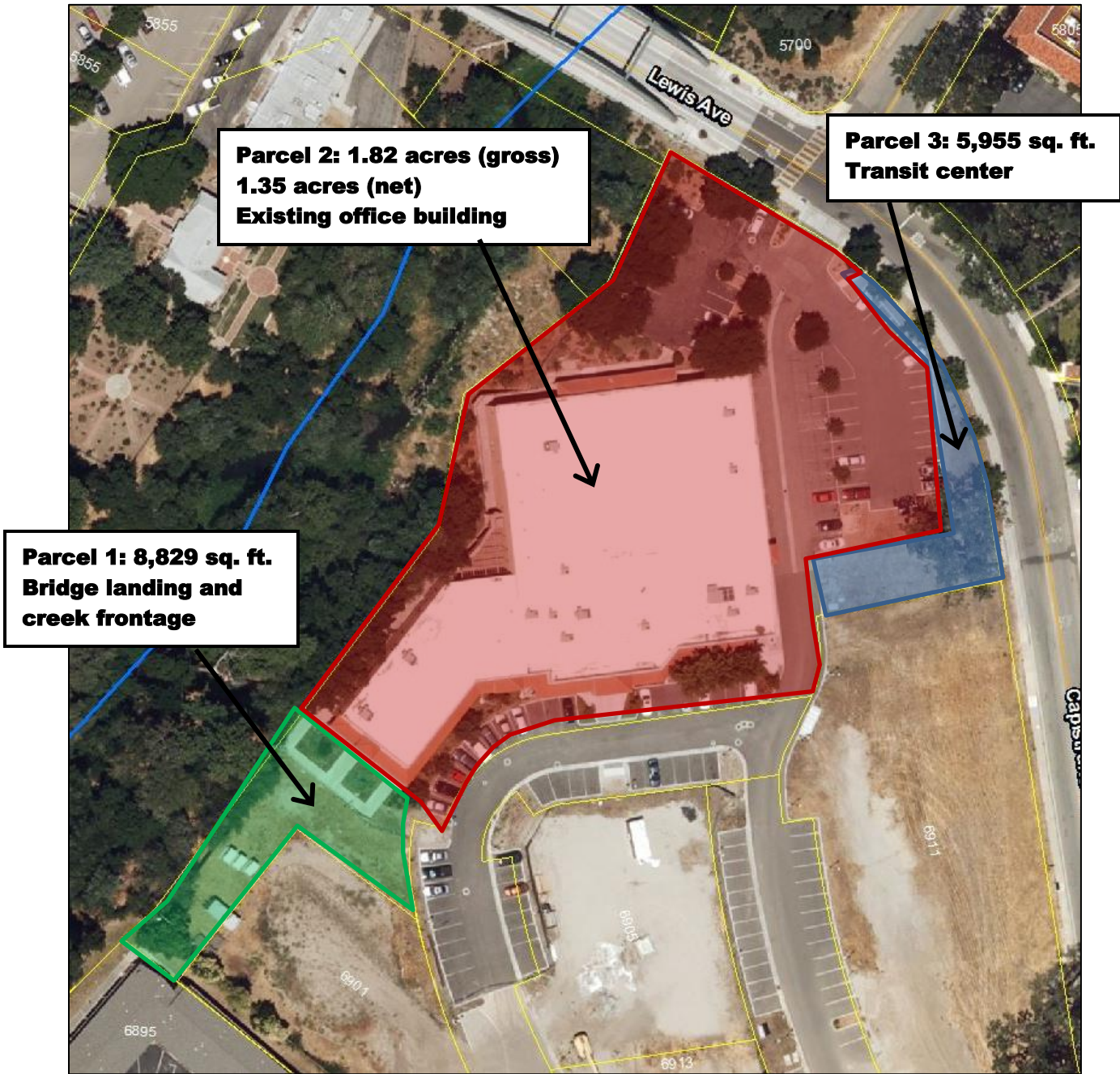
1. The Planning Commission may include modifications to the project and/or Conditions of Approval for the project. Any proposed modifications, including Conditions of Approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made and provide a brief oral statement based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

ATTACHMENTS:

1. Aerial photo
2. Certified Negative Declaration
3. Draft Resolution PC 2018-A



**ATTACHMENT 1: Aerial Photo
PLN 2017-1674**



ATTACHMENT 2: Certified Negative Declaration
PLN 2017-1674

See Attached





CITY OF ATASCADERO

COMMUNITY DEVELOPMENT DEPARTMENT

(ENDORSED)
FILED

DEC 04 2017

TOMMY GONG, COUNTY CLERK

DEPUTY CLERK

Notice of Intent to Adopt Negative Declaration

PLN NO.	2017-1676	Environmental Document No.	2017-0029
PROJECT TITLE	Minor Subdivision and sale of the Creekside building property		
APPLICANT NAME & PHONE NUMBER	City of Atascadero	Email	pdunsmore@atascadero.org
MAILING ADDRESS:	6500 Palma Ave.	Atascadero, CA	93422
STAFF CONTACT:	Phil Dunsmore	(805) 470-3488	pdunsmore@atascadero.org
PROJECT ADDRESS:	6907 El Camino Real	Atascadero, CA 93422	APN: 029-361-045

PROJECT DESCRIPTION:

The project involves the sale of property located at 6907 El Camino Real by the Successor agency of the Redevelopment Agency of the City of Atascadero. The sale would convey the property to a private buyer with the intent of retaining the building for uses that are currently allowed under the City's zoning ordinance. A component of the sale also includes the subdivision of portions of the subject property that will create a total of 3 lots, two of which will be retained by the City and one that will be the subject of the building sale. The minor subdivision will separate the existing transit center and the existing public plaza areas into separate parcels that will be retained by the City, while the remaining parcel housing the Creekside building and adjacent improvements at 6907 El Camino Real will be sold for private uses.

The property (including the Creekside Building) was used by the City as a temporary City Hall following an earthquake in December 2003, which caused substantial damages to the Historic City Hall. The City moved back into the Historic City Hall after repairs were completed in 2013. Since 2013, the Creekside Building has remained vacant as the Successor Agency attempted to find a buyer for the Property.

The sale of the Property to a private buyer will allow the existing building to be put back into a conforming land use. No construction or changes to the building or site are proposed as part of this sale or minor subdivision of land.

LEAD AGENCY: City of Atascadero
Community Development Department
6500 Palma Avenue
Atascadero, CA 93422

DOCUMENT AVAILABLE ONLINE: <http://www.atascadero.org/environmentaldocs>

STATE CLEARING HOUSE REVIEW: Yes NO

REVIEW PERIOD BEGINS: 12/4/2017 **REVIEW PERIOD ENDS:** 12/24/2017

PUBLIC HEARING REQUIRED:

No Yes

January 9, 2018 at 6PM, City Hall, Council
Chambers, 6500 Palma Avenue, Atascadero,
CA 93422

PUBLIC NOTICE:

The City of Atascadero is releasing a draft Initial Study and Negative declaration at the above project address for review and comment to all effected agencies, organizations, and interested parties. Reviewers should focus on the content and accuracy of the report and the potential impacts upon the environment. The notice for this project is in compliance with the California Environmental Quality Act (CEQA). Persons responding to this notice are urged to submit their comments in writing. Written comments should be delivered the City (lead agency) no later than 5pm on the date listed as "review period ends". Submittal of written comments via email is also accepted and should be directed to the Staff contact at the above email address. This document may be viewed by visiting the Community Development Department, listed under the lead agency address, or accessed via the City's website.



CITY OF ATASCADERO

COMMUNITY DEVELOPMENT DEPARTMENT

Initial Study Summary – Environmental Checklist

PLN NO. 2017-1676 **Environmental Document No.** 2017-0029
PROJECT TITLE: Creekside building sale and minor subdivision of land

Environmental Factors Potentially Affected: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further analysis.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards / Hazardous Materials	<input type="checkbox"/> Transportation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Water / Hydrology
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services / Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Community Development Director finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Phil Dunsmore, AICP  12-9-17
Prepared by (print) **Signature** **Date**

Phil Dunsmore, AICP  12-9-17
Reviewed by (Print) **Signature** **Date**

PROJECT ENVIRONMENTAL ANALYSIS

The City of Atascadero’s environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes Staff’s on-site inspection of the project site and surrounding and a detailed review of the information on file for the proposed project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geological information, significant vegetation and/or wildlife resources, water availability, wastewater disposal service, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of this initial study. The City of Atascadero uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies, or organizations interested in obtaining more information regarding the environmental review process for a project should contact the Community Development Department, 6500 Palma Avenue, Atascadero, CA 93422 or call (805) 461-5035.

A. PROPOSED PROJECT

Description: The project involves the sale of the property located at 6907/6901 El Camino Real by the Successor agency of the Redevelopment Agency of the City of Atascadero. The sale would convey the property to a private buyer with the intent of retaining the building for uses that are currently allowed under the City’s zoning ordinance. A component of the sale also includes the subdivision of portions of the subject property that will create a total of 3 lots, two of which will be retained by the City and one that will be the subject of the building sale. The minor subdivision will separate the existing transit center and the existing public plaza areas into separate parcels that will be retained by the City, while the remaining parcel housing the Creekside building at 6907/6901 El Camino Real will be sold for private uses.

The property (including the Creekside Building) was used by the City as a temporary City Hall following an earthquake in December 2003, which caused substantial damages to the Historic City Hall. The City moved back into the Historic City Hall after repairs were completed in 2013. Since 2013, the Creekside Building has remained vacant as the Successor Agency attempted to find a buyer for the Property.

The sale of the Property to a private buyer will allow the existing building to be put back into a conforming land use. No construction or changes to the building or site are proposed as part of this sale or minor subdivision.

Assessor parcel number: 029-361-045

Other public agencies whose approval is required: None

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C. ENVIRONMENTAL ANALYSIS

During the initial study process, no issues were identified as having a potentially significant environmental effect (see following Initial Study).



**CITY OF ATASCADERO
INITIAL STUDY CHECKLIST**

1. AESTHETICS – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Have a substantial adverse effect on an adopted scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero Creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision. The proposed project is not located within an adopted scenic vista and there are no natural scenic resources on site or within the vicinity. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square Theater and restaurants, and the Sunken Gardens Park. The existing building is one-story in height, and contains standard commercial lighting.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building.

MITIGATION / CONCLUSION: There will be no new construction as part of the proposed property subdivision and sale. New building occupants will conform to the City's Zoning Ordinance. No impacts will occur.

2. AGRICULTURE RESOURCES – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland zoned Timberland Production?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The current general plan land use designation is Downtown (D) and currently contains existing non-residential development and which will remain. There are no agriculture activities occurring on-site.

MITIGATION / CONCLUSION: Agriculture resources are not located on-site, therefore no impact.

3. AIR QUALITY – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
(including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision of land. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park. Any new uses will conform to the City's Zoning Ordinance.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building. Occupancy of this building will be similar to the building's previous use; therefore no changes to air quality will occur.

MITIGATION / CONCLUSION: There will be no new construction as part of the proposed property subdivision and sale. New building occupants will conform to the City's Zoning Ordinance. No impacts will occur.

4. GREENHOUSE GAS EMISSIONS – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision of land. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building. Occupancy of this building will be similar to the building's previous use; therefore no changes to greenhouse gas emissions will occur.

MITIGATION / CONCLUSION: There will be no new construction as part of the proposed property subdivision and sale. New building occupants will conform to the City's Zoning Ordinance. No impacts will occur.

5. BIOLOGICAL RESOURCES – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or CDFW and USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with policies or ordinances protecting biological resources, such as the tree native tree ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The project site consists of previously developed parcels that are presently underdeveloped, vacant, or in use as non-residential uses in the downtown. All areas of the site have been previously disturbed and are not home to any known native or threatened species. The site has been previously graded and has an average slope below 5%. The site is adjacent to El Camino Real, Atascadero Creek, and is in the Downtown.

PROPOSED PROJECT: The project would involve the sale and occupancy of an existing building. No changes to the adjacent creek or impacts to the creek area and associated riparian habitat are anticipated. No new construction or modifications to the building or adjacent areas are proposed.

MITIGATION / CONCLUSION: No biological resources are on-site, nor directly adjacent to the project site, nor are any trees proposed to be removed. The site has been previously developed and is located between an arterial road and Highway 101, therefore no biological impacts are anticipated.

6. CULTURAL RESOURCES – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Cause a substantial adverse change in the significance of a historical resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero Creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision of land. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building.

MITIGATION / CONCLUSION: There will be no new construction as part of the proposed property subdivision and sale. New building occupants will conform to the City’s Zoning Ordinance. No impacts will occur. Since occupancy of the building and separation of developed sites surrounding the building will not result in physical changes to the site, there are no anticipated impacts to cultural resources.

7. GEOLOGY AND SOILS – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Result in the exposure to or production of unstable earth conditions including the following: <ul style="list-style-type: none"> • Landslides; • Earthquakes; • Liquefaction; • Land subsidence or other similar hazards? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be within a California Geological Survey “Alquist-Priolo” Earthquake Fault Zone, or other known fault zone? (consultant Division of Mines and Geology Special Publication #42)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from proposed improvements such as grading, vegetation removal,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
excavation or use of fill soil?				
d) Include any structures located on known expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Be inconsistent with the goals and policies of the City's Safety element relating to geologic and seismic hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: Based on the City's Geographical Information Systems (GIS), the project site is in a location with a high risk of liquefaction and low risk of landslide or subsidence. The site is located relatively close to a known fault line but is not located within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone. A GIS expansion determination indicates that the bearing soils lie in the "Moderate" expansion potential ranges. Although there are no known faults within the project area, there are faults located near the City that have been known to create seismic events.

PROPOSED PROJECT: The proposed project does not involve any changes to the existing building. The existing building meets current seismic standards and is not on the City's list of unreinforced masonry buildings.

MITIGATION / CONCLUSION: No new construction is proposed. No mitigation is required.

8. HAZARDS AND HAZARDOUS MATERIALS – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The project site does not have any documented hazardous materials on or around the site. The proposed project is within the urban core and not located near wildlands. Geographical Information Systems (GIS) shows the project site to be in a medium fire hazard zone. The City of Atascadero adopts the California Building Code in addition to the 2015 Wildlife Urban Interface Code that specifically regulates construction methodology in high fire risk areas.

PROPOSED PROJECT: No development or construction is proposed as part of the building sale. The proposed project does not generate or involve the use of significant amounts of hazardous materials. There are no known hazardous materials on the site or nearby, therefore, there is no impact. The project will not impair implementation of an adopted emergency response plan within the City.

MITIGATION / CONCLUSION: No construction or site modification is proposed as part of the building sale and minor subdivision of land. Therefore, no mitigation is required.

9. WATER QUALITY / HYDROLOGY – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero Creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building.

CONCLUSION: No new construction is proposed and no modifications to the site are proposed, therefore, no impact.

10. LAND USE & PLANNING – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The site’s general plan designation is Downtown (D). The site’s zoning district is Downtown Commercial (DC) which allows a variety of office, retail, and hospitality uses.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building.

CONCLUSION: The proposed project will not have any adverse effects on land use and planning. All existing development will remain. No new development is proposed.

11. MINERAL RESOURCES – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero Creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park. There are no known mineral resources on the site.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public

improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building.

MITIGATION / CONCLUSION: Mineral resources are not located on-site, and no development proposed as a result of the building sale, therefore, no impact.

12. NOISE – Will the project result in:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The City’s General plan identified the site to be within noise contours generated by both El Camino Real and Highway 101. The City’s Noise Contour Map has identified the site as outside of the 65 decibel contour due to its proximity to El Camino Real and the Highway 101 as the site is located on the interior of the property. There are no airports within the project vicinity and the project is not located within an airport land use plan.

PROPOSED PROJECT: The proposed project includes the sale of property and the minor subdivision of the parcel in order for the City to retain ownership of the public space areas. The building has remained vacant since 2013 while an owner for the building was sought. Re-occupancy of the building will increase the number of people on the site compared to existing conditions, however, the existing building is part of a commercial center in the Downtown core and was occupied for a number of years prior to 2013.

MITIGATION / CONCLUSION: No new construction or site modifications are proposed as part of the building sale or subdivision of land. Any noise increase from re-occupancy of the building is expected to be minor and in keeping with the vibrant character of the surrounding area.

13. POPULATION & HOUSING – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The existing site contains one commercial building, a pedestrian plaza, and a transit center along the Capistrano Ave frontage. No housing is located on the project site.

PROPOSED PROJECT: The project includes the sale of property and minor subdivision of land. The subdivision will allow the City to retain portions of the existing property currently housing a city transit facility and a pedestrian plaza. The development will not displace any current residences. Sale and occupancy of the building will result in the potential for new jobs in the vicinity and slight increases in local employment. Currently, the City of Atascadero is experiencing an imbalance in the number of jobs vs. the number of residential units. Most residents travel outside the city to seek employment. Occupancy of this site will aid the City's jobs/housing imbalance.

MITIGATION / CONCLUSION: No new construction or site modification is proposed. The proposed project will not have any significant negative impact on population and housing.

14. PUBLIC SERVICE:

Will the proposed project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
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Will the proposed project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Emergency Services (Atascadero Fire)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Services (Atascadero Police)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Public Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EXISTING SETTING: The existing building is currently served by existing City services. The site is developed with one commercial building, a pedestrian plaza, and transit center along the Capistrano Ave frontage.

PROPOSED PROJECT: This project involves only the sale of the building and the subdivision of land to create 3 parcels, 2 of which contain existing public facilities and will be retained by the City of Atascadero. No development is proposed. No changes to the level of services that were previously triggered by the existing building are anticipated to occur. The proposed project is within the Atascadero Urban Services Line and will not result in the need for new or altered public services outside of the slight increase in people working and occupying the site upon occupancy. However, these occupancy levels will not exceed levels previously experienced at this site and will not exceed levels anticipated with the general plan.

MITIGATION / CONCLUSION: No new construction or site modification is proposed. Occupancy levels will not exceed levels previously experienced at this site and will not exceed levels anticipated with the general plan. The proposed project will not have any significant negative impact on public services.

15. RECREATION:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero creek. Prior to the building being converted to office uses, it

was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision of land. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park.

PROPOSED PROJECT: The proposed project involves the sale of property. As a condition of the sale, small portions of the property are to be subdivided/separated so that the existing public improvements (public plaza and transit center) can be separated from the Creekside Building site to allow for sale to be limited to the building and associated adjacent site improvements only. No changes are proposed to the plaza, transit center, or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building.

MITIGATION / CONCLUSION: The proposed project will not have any significant impacts on recreational uses.

16. TRANSPORTATION / TRAFFIC – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision of land. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park. The property abuts the City's Regional Transit Center.

PROPOSED PROJECT: The proposed project involves the sale of the property. As a condition of the sale, small portions of the property are to be subdivided/separated from the building sale to be retained for public use. These two portions include an existing transit center on Capistrano Avenue and an existing plaza and vacant portion of land adjacent to Atascadero creek. No changes are proposed to the plaza, transit center or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building. Occupancy levels will be similar to previous/historic uses on the site.

CONCLUSION: No changes to area or on-site traffic and circulation changes are anticipated to occur with the sale and/or occupancy of the building. The proposed project will not have any significant impacts on transportation or traffic.

17. UTILITIES AND SERVICE SYSTEMS – Will the project:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The existing building has sewer service from the City and water services from Atascadero Mutual Water Company (AMWC). Existing drainage facilities on-site includes run-off from private drainage systems to the City's storm drain system, as the existing parcels were previously developed. The site is currently serviced by Atascadero Waste Alternatives, which transports solid waste to the Chicago Grade landfill. No changes to these services would occur as part of the sale or occupancy of the building.

PROPOSED PROJECT: The proposed project involves the sale of the property. As a condition of the sale, small portions of the property are to be subdivided/separated from the building sale to be retained for public use. These two portions include an existing transit center on Capistrano Avenue and an existing plaza and vacant portion of land adjacent to Atascadero creek. No changes are proposed to the plaza, transit center or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building. Occupancy levels will be similar to previous/historic uses on the site.

CONCLUSION: No changes to water or wastewater are anticipated to occur with the sale and/or occupancy of the building. The future occupancy will be similar to previous occupancy of the building. Any changes to the occupancy would require further review and no such changes are proposed at this time.

18. TRIBAL & CULTURAL RESOURCES – Will the project:

Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
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	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe?:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Impact a listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impact a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The lead agency shall consider the significance of the resource to a California native American Tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The existing unoccupied building and commercial site is not listed as a significant cultural or historic resource, nor is it located near one. The site is not listed and not eligible for listing through local register of places significant to Atascadero’s history.

PROPOSED PROJECT: This project only involves a change in ownership of an existing building and property.

CONCLUSION: A change in ownership or building occupancy will not impact cultural resources.

19. MANDATORY FINDINGS OF SIGNIFICANCE:

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Impact Requires Mitigation	Insignificant Impact	Not Applicable
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXISTING SETTING: The proposed project is located within a developed retail center adjacent to El Camino Real and Atascadero Creek. Prior to the building being converted to office uses, it was utilized as a bowling alley. No changes to the existing building or site are proposed in conjunction with the building sale or minor subdivision of land. Surrounding uses include non-residential uses, Atascadero City Hall, the recently completed pedestrian bridge, Colony Square commercial development, and the Sunken Gardens Park. The property abuts the City's Regional Transit Center.

PROPOSED PROJECT: The proposed project involves the sale of the property. As a condition of the sale, small portions of the property are to be subdivided/separated from the building sale to be retained for public use. These two portions include an existing transit center on Capistrano Avenue and an existing plaza and vacant portion of land adjacent to Atascadero Creek. No changes are proposed to the plaza, transit center or any portion of land to be separated from the property containing the building. The sale of the building does not involve any changes or construction associated with the building or site. It is assumed that the sale of the building will result in a new tenant that will occupy the building. Occupancy levels will be similar to previous/historic uses on the site.

The existing building is consistent with the underlying zoning district, Downtown Commercial (DC), and meets the goals, policies, and implementation of both the General Plan, and the Downtown Revitalization Plan. The proposed project and the cumulative effects will not have an impact on existing and future projects, nor does the proposed project have any environmental effects which will cause substantial adverse effects on residents, either directly or indirectly.

CONCLUSION: The proposed project will not have a significant cumulative impact.

For further information on California Environmental Quality Act (CEQA) or the City's environmental review process, please visit the City's website at www.atascadero.org under the Community Development Department or the California Environmental Resources Evaluation System at: <http://resources.ca.gov/ceqa/> for additional information on CEQA.

Exhibit a – Initial Study References & Outside Agency Contacts

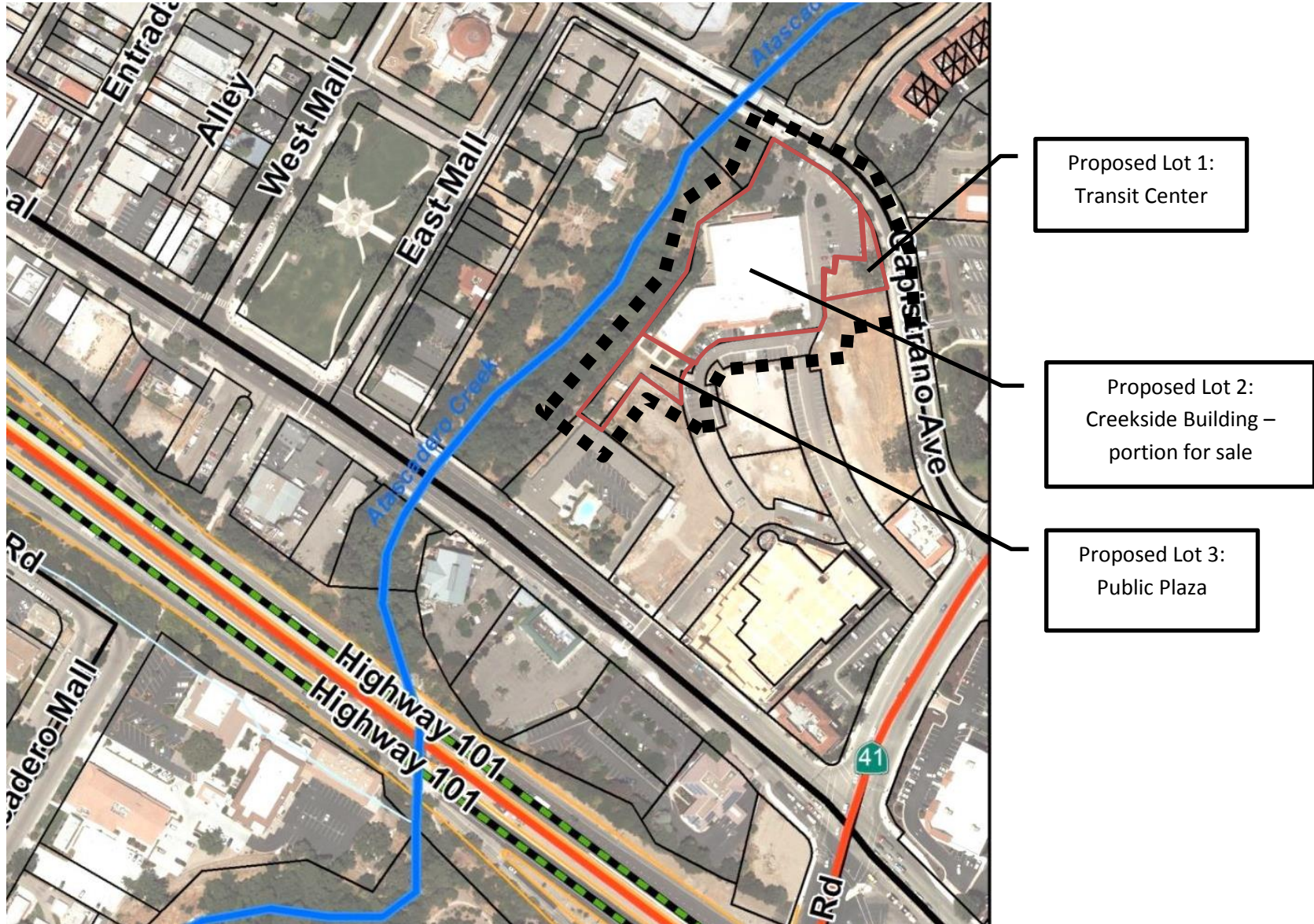
The Community Development Department of the City of Atascadero has contacted various agencies for their comments on the proposed project. With respect to the proposed project, the following outside agencies have been contacted (marked with a ☒) with a Notice of Intent to Adopt a Proposed Negative / Mitigated Negative Declaration.

- | | |
|--|--|
| <input checked="" type="checkbox"/> Atascadero Mutual Water Company
<input checked="" type="checkbox"/> Atascadero Unified School District
<input checked="" type="checkbox"/> Atascadero Waste Alternatives
<input type="checkbox"/> AB 52 – Salinan Tribe
<input type="checkbox"/> AB 52 – Northern Chumash Tribe
<input type="checkbox"/> AB 52 – Xolon Salinan Tribe
<input type="checkbox"/> AB 52 – Other
<input type="checkbox"/> California Highway Patrol
<input type="checkbox"/> California Department of Fish and Wildlife (Region 4)
<input type="checkbox"/> California Department of Transportation (District 5)
<input checked="" type="checkbox"/> Pacific Gas & Electric
<input type="checkbox"/> San Luis Obispo County Planning & Building
<input type="checkbox"/> San Luis Obispo County Environmental Health Department
<input type="checkbox"/> Upper Salians – Las Tablas RCD
<input type="checkbox"/> Central Coast Information Center (CA. Historical Resources Information System)
<input type="checkbox"/> CA Department of Food & Agriculture
<input type="checkbox"/> CA Department of Conservation
<input type="checkbox"/> CA Air Resources Board
<input type="checkbox"/> Address Management Service | <input type="checkbox"/> Native American Heritage Commission
<input checked="" type="checkbox"/> San Luis Obispo Council of Governments
<input checked="" type="checkbox"/> San Luis Obispo Air Pollution Control District
<input type="checkbox"/> San Luis Obispo Integrated Waste Management Board
<input type="checkbox"/> Regional Water Quality Control Board District 3
<input type="checkbox"/> HEAL SLO – Healthy Communities Workgroup
<input checked="" type="checkbox"/> US Postal Service
<input checked="" type="checkbox"/> Pacific Gas & Electric (PG&E)
<input checked="" type="checkbox"/> Southern California Gas Co. (SoCal Gas)
<input checked="" type="checkbox"/> San Luis Obispo County Assessor
<input type="checkbox"/> LAFCO
<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Charter Communications
<input type="checkbox"/> CA Housing & Community Development
<input type="checkbox"/> CA Department of Toxic Substances Control
<input type="checkbox"/> US Army Corp of Engineers
<input type="checkbox"/> Other:
<input type="checkbox"/> Other:
<input type="checkbox"/> Other: |
|--|--|

The following checked (“☒”) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the Community Development Department and requested copies of information may be viewed by requesting an appointment with the project planner at (805) 461-5000.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Project File / Application / Exhibits / Studies | <input checked="" type="checkbox"/> Adopted Atascadero Capital Facilities Fee Ordinance |
| <input checked="" type="checkbox"/> Atascadero General Plan 2025 / Final EIR | <input type="checkbox"/> Atascadero Inclusionary Housing Policy |
| <input checked="" type="checkbox"/> Atascadero Municipal Code | <input checked="" type="checkbox"/> SLO APCD Handbook |
| <input checked="" type="checkbox"/> Atascadero Appearance Review Manual | <input checked="" type="checkbox"/> Regional Transportation Plan |
| <input checked="" type="checkbox"/> Atascadero Urban Stormwater Management Plan | <input checked="" type="checkbox"/> Flood Hazard Maps |
| <input type="checkbox"/> Atascadero Hillside Grading Guidelines | <input checked="" type="checkbox"/> CDFW / USFW Mapping |
| <input type="checkbox"/> Atascadero Native Tree Ordinance & Guidelines | <input type="checkbox"/> CA Natural Species Diversity Data Base |
| <input checked="" type="checkbox"/> Atascadero Climate Action Plan (CAP) | <input checked="" type="checkbox"/> Archeological Resources Map |
| <input checked="" type="checkbox"/> Atascadero Downtown Revitalization Plan | <input checked="" type="checkbox"/> Atascadero Mutual Water Company Urban Water Management Plan |
| <input type="checkbox"/> Atascadero Bicycle Transportation Plan | <input type="checkbox"/> CalEnvironScreen |
| <input checked="" type="checkbox"/> Atascadero GIS mapping layers | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Other _____ |

Figure 2 – Aerial Mapping



**ATTACHMENT 3: Draft Resolution PC 2018-A
PLN 2017-1674**

DRAFT PC RESOLUTION 2018-A

**RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF ATASCADERO, CALIFORNIA, APPROVING
PLN 2017-1674 / TPM 2017-0107 TO ALLOW A THREE-LOT SUBDIVISION**

**PLN 2017-1674
CITY OF ATASCADERO
6907 EL CAMINO REAL (APN 029-361-045)**

WHEREAS, an application has been received from the City of Atascadero, 6500 Palma Ave., Atascadero, CA 93422 (Applicant) and the Successor Agency to the Redevelopment Agency of Atascadero, 6500 Palma, Atascadero, CA 93422 (Owner), to consider a project consisting of Tentative Parcel Map 2017-0107 to allow the subdivision of one parcel into three parcels at 6907 El Camino Real (APN 029-361-045); and,

WHEREAS, the site's current General Plan Designation is Downtown Commercial (DC); and

WHEREAS, the site's current zoning district is Downtown Commercial (DC); and

WHEREAS, there is no minimum lot size within the Downtown Commercial (DC) zone, consistent with the Atascadero Municipal Code; and

WHEREAS, the site has a net area of 2.16 acres; and

WHEREAS, an Initial Study and Certified Negative Declaration 2017-0029 were prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the state and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

WHEREAS, the Planning Commission of the City of Atascadero held a public hearing on February 20, 2018, to consider the Initial Study and Negative Declaration; and

WHEREAS, a timely and properly noticed Public Hearing upon the subject Tentative Parcel Map application was held by the Planning Commission of the City of Atascadero, at which hearing evidence, oral and documentary, was admitted on behalf of said Tentative Parcel Map; and



WHEREAS, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on February 20, 2018, studied and considered Tentative Parcel Map 2017-0107;

NOW, THEREFORE, the Planning Commission of the City of Atascadero takes the following actions:

SECTION 1. Findings for approval of Tentative Parcel Map. The Planning Commission finds as follows:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan (Government Code §§ 66473.5 and 66474(a) and (b)), and

Fact: The General Plan designation for the site is Downtown Commercial with no minimum lot size. The lots created will be 8,829 sq. ft., 5,955 sq. ft., and 1.35 acres (net.) The new lots will also have a General Plan designation of Downtown Commercial.

2. The site is physically suitable for the type of development (Government Code § 66474(c)), and

Fact: Parcel 2 is already developed with a 31,000 sq. ft. office building. In order to sell the office building for private use, the public improvements for the Transit Center and the Centennial Bridge and plaza must be separated from the existing parcel so they can be retained by the City of Atascadero for public use. No new construction is proposed with the project.

3. The site is physically suitable for the proposed density of development (Government Code § 66474(d)), and

Fact: No new construction is proposed with the subdivision. The subdivision will facilitate ownership of private and public lots with existing improvements.

4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Government Code § 66474(e)), and

Fact: The parcel map is for a three lot subdivision with existing improvements. No new construction is proposed.

5. The design of the subdivision or the type of improvements will not cause serious health problems (Government Code § 66474(f)), and

Fact: The subdivision map will not cause serious health problems. The subdivision facilitates the sale of existing office building for private use.



6. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision (Government Code § 66474(g)).

Fact: No existing easements are affected by this subdivision. All existing easements for parking, access, and utilities are shown the Tentative Parcel Map and will remain.

SECTION 2. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on February 20, 2018, resolved to approve Tentative Parcel Map 2017-0107 (AT-18-016) subject to the following:

EXHIBIT A: Conditions of Approval

EXHIBIT B: Tentative Parcel Map AT-18-016



On motion by Commissioner _____, and seconded by Commissioner _____ the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

ADOPTED:

CITY OF ATASCADERO, CA

Jerel Seay
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary

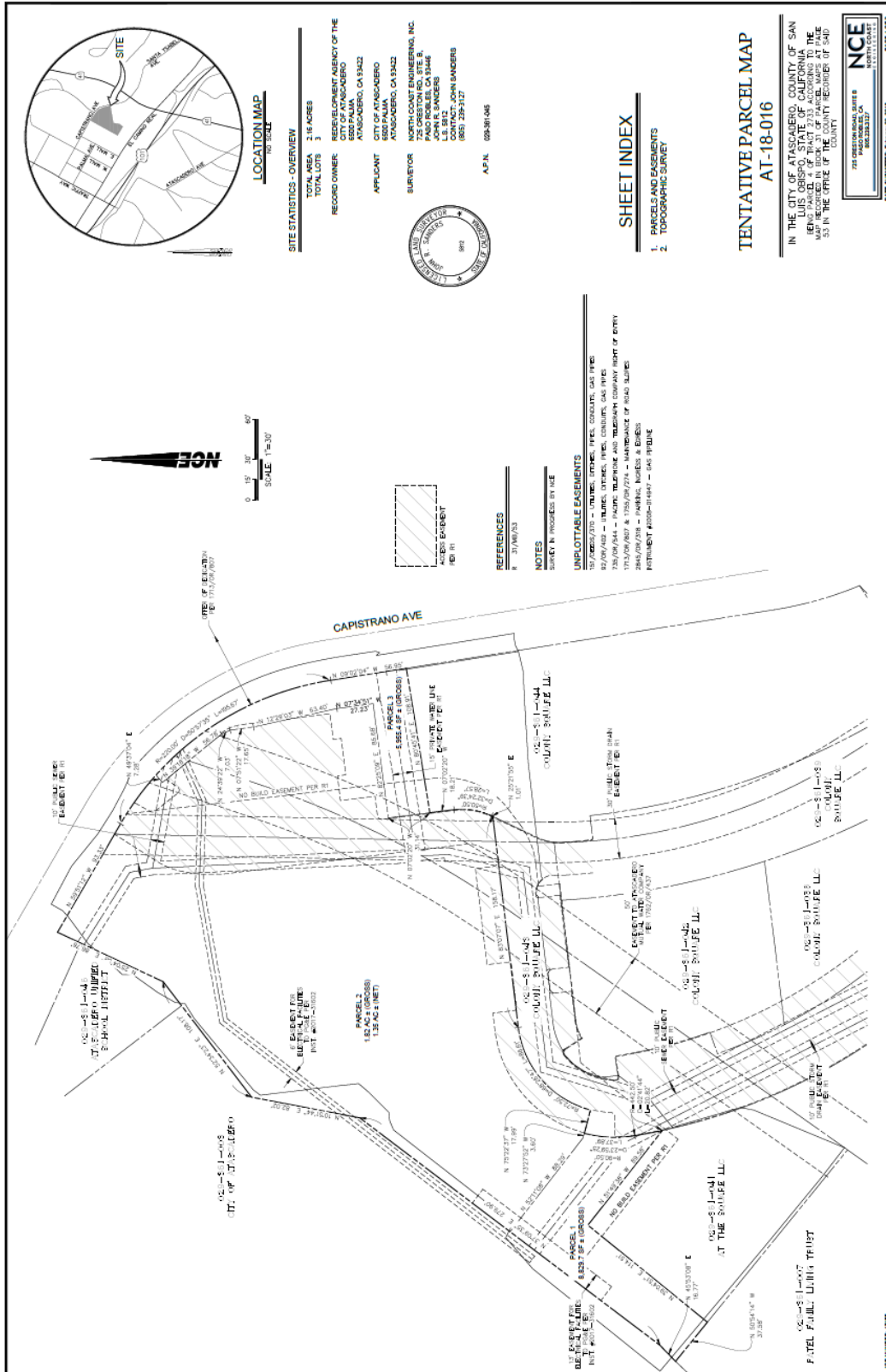


EXHIBIT A: Conditions of Approval PLN 2017-1674 / TPM 2017-0107

Conditions of Approval	Timing
<p><i>Tentative Parcel Map AT-18-016</i> 6907 El Camino Real PLN 2017-1674 / TPM 2017-0107</p>	<small>BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy</small>
Planning Services	
1. Tentative Parcel Map 2017-0107 (AT-18-016) shall be for the subdivision of 6907 El Camino Real, Assessor's Parcel Number 029-361-045, as generally shown in attached Exhibit B, regardless of owner.	Ongoing
2. The approval of this application shall become final, subject to the completion of the Conditions of Approval, fourteen (14) days following the Planning Commission approval, unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing
3. Approval of this Tentative Parcel Map shall be valid for a period of twenty-four (24) months and shall expire on February 20, 2020 , consistent with Section 66452.6(a)(1) of the California Subdivision Map Act, unless a Final Map is recorded or a time extension approved.	FM
4. The approved Tentative Parcel Map may be extended consistent with Section 66452.6(e) of the California Subdivision Map Act. A one (1) year extension may be granted consistent with Section 9-2.117(a) of the Atascadero Municipal Code. Any subsequent tentative map extensions shall be consistent with Section 11-4.23 of the Atascadero Municipal Code.	FM
5. The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a construction design issue that is not substantive to the Tentative Parcel Map.	FM
6. The Subdivider shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning the subdivision.	Ongoing



**Exhibit B: Tentative Parcel Map: 6907 El Camino Real
 PLN 2017-1674 / TPM 2017-0107**





ITEM NUMBER: 3

DATE: 2-20-18

Atascadero Planning Commission

Staff Report - Community Development Department

Phil Dunsmore, Community Development Director, 470-3488, pdunsmore@atascadero.org

Kelly Gleason, Senior Planner, 470-3446, kgleason@atascadero.org

Title 9 Tree Ordinance Update PLN 2017-1679 (City of Atascadero)

SUBJECT:

This action consists of proposed Zoning Ordinance Text Amendments to The Atascadero Native Tree Ordinance Title 9, Chapter 11 to streamline the review process for native tree removals and establish a heritage tree list. The Atascadero Native Tree Guidelines is proposed to be amended for consistency with the ordinance changes.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution PC 2018-A, recommending the approval of PLN 2017-1679 to the City Council, based on findings.

SITUATION AND FACTS:

- | | |
|------------------------------|---|
| 1. Applicant: | City of Atascadero, 6500 Palma Ave.
Atascadero, CA 93422 |
| 2. General Plan Designation: | Citywide |
| 3. Zoning District: | Citywide |
| 4. Environmental Status: | Exempt from CEQA (Section 15061(b)(3). No significant environmental impact. |

DISCUSSION:

Background:

The Atascadero Native Tree Ordinance was established in 1998 and includes the process, methods, and findings for native tree protection and removal. The Tree Ordinance was adopted to protect the oak woodlands that blanket Atascadero while allowing for the reasonable removal when conflicts with development occur or safety risks arise. The Ordinance is designed to require regeneration of the native woodland habitat by encouraging replanting of trees when a removal is necessary. Mitigation funds are collected to fund projects aimed at restoration and revegetation of native trees. Exceptions to allow the management of native trees within existing single family neighborhoods and for emergency situations are included to allow landowners flexibility in managing trees on private lots.

The Ordinance includes standards and procedures for tree removal when a construction activity is proposed or when trees are within commercial or multi-family areas. The Ordinance currently requires Planning Commission review and approval for any native tree proposed for removal that is 24" or greater in diameter. Smaller tree removals may be approved by staff without Planning Commission review; however, mitigation is still required.

The City Council has directed staff to evaluate code amendments that help to save staff time and reduce processing time in an effort to preserve staff resources. An amendment to the Tree Ordinance to reduce the level of review was one of the code amendments that was suggested since most tree removals do not generate significant community or Planning Commission discussion. This amendment would streamline the process by transferring review authority to staff for most native tree removals, thereby saving staff time, public hearing time, and other costs associated with the public hearing process.

Analysis:

Chapter 11 of Title 9 of the Atascadero Municipal Code, known as the Atascadero Native Tree Ordinance, sets forth procedures for the review of projects that impact native trees as well as review authority and findings for any native tree proposed for removal. Currently, all trees measuring 24" diameter at breast height (dbh) or greater must be brought before the Planning Commission for review and approval. Staff has the authority to approve native tree removals of less than 24" dbh. All native tree removals must meet at least one of the 5 findings listed in the Ordinance, whether approved by staff or Planning Commission.

Tree removals are generally requested when conflicts arise with proposed new development or when trees are found to be diseased or dead and become a safety hazard to adjacent structures or people. Dead or diseased trees are exempt from removal permit fees, although mitigation payment is still required.

The proposed amendments are summarized below:

1. Transfer review authority from the Planning Commission to staff

Staff has proposed amendments to the Ordinance that would allow native tree removals, except for those trees designated as Heritage Trees, to be reviewed and approved by staff. Heritage trees would still be referred to the Planning Commission for review. The same findings would remain and be required to be made by staff prior to approval.

2. Establishment of a Heritage Tree List and procedures for removal

There are a number of trees throughout the City that have historic, cultural, or neighborhood significance that continue to warrant heightened review and public input. Staff has developed a list of such trees and a procedure for review by the Planning Commission for any proposed removal. Staff has included this list as part of the Native Tree Guidelines so that changes can be adopted by resolution rather than by Ordinance. The draft list includes the following trees within public property:

- Deodar Cedar trees in Sunken Gardens.
- Oak trees lining East and West Mall.
- Sycamore Trees lining Atascadero Avenue between the Atascadero High School and Curbaril Ave.
- Sycamore trees lining Tecorida Avenue between Marchant and San Andres.
- Valley Oak trees at Atascadero Lake Park.
- Large Oak trees lining El Camino Real north of Del Rio Road.
- Large Valley and Live Oaks at Paloma Park.

Staff is proposing a procedure for public nomination that will allow trees on private property to be included on the list. The nomination process requires that the landowner of the property initiate the nomination and that a deed notification be recorded to notify any future property owners of the removal process and restrictions.

3. Clarifying Tree Protection Plan Requirements

An arborist report is currently requested by staff when construction activities encroach within the dripline of protected trees. Arborist reports can vary widely in content and format. Staff utilizes very specific information from these reports to determine native tree impacts. The proposed amendments include specification of a tree impact chart as part of the Tree Protection Plan which would eliminate the need for a full arborist report for a majority of projects that we see. Most arborists already include this chart in their reports. This change would standardize the information that staff receives, reduce the need for arborist reports in some cases, and streamline the process.

4. Elimination of Ordinance language related to permit fees for dead or diseased trees

Currently the Tree Ordinance specifies that permit fees are exempt for the removal of dead or diseased trees. With tree removals switching to staff approval, permit fees will be reduced for trees 24" or greater and removing fee references in the ordinance will allow for the City Council to consider full cost recovery for all tree removals during the next fee update. This amendment would discourage applicants and arborists to declare trees as dead or diseased in an effort to avoid tree removal fees. Almost any older native tree that is in a state of decline could be declared as dead or diseased.

5. Clarification of Arborist Report Responsibility

Current Code states that when an arborist report is required, the arborist shall be hired by the City with costs to be reimbursed by the applicant. The City does not currently use this process. At this time, each applicant hires and manages their own arborist. The proposed changes simplify this code section and removes language that requires that the arborist be under City contract. This will allow the Director to determine when arborist reports are required and who retains the arborist.

6. Other minor changes:

- Inclusion of the Atascadero Land Preservation Society as a cooperating organization.
- Clarification of posting requirements for trees proposed for removal to be consistent with current City practices.
- Changes to tree planting requirements for multi-family projects where 1 tree per unit is not consistent with lot coverage and density standards.

Proposed Environmental Determination

The California Environmental Quality Act (CEQA) (Section 15061.(3), (b)) exempts activities which are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed text amendment will not have any significant adverse environmental impacts associated with this project application. Tree removal findings and mitigation requirements will not change as a result of the text amendments.

CONCLUSION

The proposed text amendments are consistent with the General Plan and will help to streamline the process for native tree removals throughout the City. The proposed changes will shift review authority for native tree removals from the Planning Commission to staff. In addition, a Heritage Tree list will be established to protect trees of historic, cultural, or neighborhood significance and set forth procedures for removal that includes public review and input.

ALTERNATIVES

1. The Commission may recommend modifications of the text amendments to the City Council.
2. The Commission may determine that more information is needed on some proposed revisions and may refer the item back to staff to develop the additional information. The Commission should clearly state the type of information that is required and move to continue the item to a future date.
3. The Commission may recommend the City Council deny some or all of the proposed text amendments. The Commission should specify the reasons for denial of the project and recommend an associated finding with such action.

ATTACHMENTS:

- | | |
|---------------|--|
| Attachment 1: | Proposed Zoning Regulation Amendments with Tracked Changes |
| Attachment 2: | Draft Resolution 2018-A – Tree Ordinance Amendments |
| Attachment 3: | Draft Resolution 2018-B – Tree Guideline Amendments |

9-11.101 Purpose and intent.

Preservation of natural flora and fauna is a basic community goal of the Atascadero General Plan and native trees are valued community assets. The purpose of this chapter is to establish regulations for the installation, maintenance, planting, preservation, protection and selected removal of native trees within the City limits. In establishing these regulations, it is the City's intent to encourage the preservation, maintenance and regeneration of a healthy urban forest. This enhances other values that Atascadero holds for its community including clean air and water, soil conservation, aesthetics, property values and an ecological diversity that will ensure that Atascadero will continue to be a healthy and desirable place to live.

9-11.102 Applicability.

(a) The provisions of this chapter shall apply to all native trees, as defined by this chapter, two (2) inches dbh or greater for deciduous native oaks, California sycamore (*Plantanus racemosa* Nutt) and madrones (*Arbutus Menziesii*) and four (4) inches dbh or greater for all other protected native trees, as defined in this chapter. It shall be illegal to intentionally harm, damage and/or cause the death or decline of a native tree or remove a native tree without a City-issued tree removal permit, where such a permit is required by this chapter.

(b) The provisions of this chapter shall apply to all public and private property and protected native trees within the City of Atascadero, and to any person, firm, corporation and public or private utility company doing work within the City limits.

9-11.103 Adoption of standards and guidelines.

The "Tree Standards and Guidelines" (the "Guidelines") set forth the procedures, guidelines and standards that shall be used to implement this chapter. They shall be used to provide details about preservation, maintenance, installation, protection, regeneration and selected removal of trees. They shall be adopted and amended by resolution of the City Council and have the force of law.

9-11.104 Definitions.

"Arborist" means a person certified by the International Society of Arboriculture or other recognized professional organization of arborists that provides professional advice and licensed professionals to do physical work on trees in the City.

"Damage" means any intentional action or gross negligence, which causes injury, death or disfigurement of a tree. Actions include, but are not limited to, cutting, girdling, poisoning, overwatering, soil compaction, unauthorized relocation or transportation of a tree or trenching, excavating, altering the grade or paving within the dripline of a tree.

"Dbh" means "diameter at breast height," specifically four (4) feet six (6) inches above natural grade.

“Dripline” means the outermost line of the tree’s canopy projected straight down to the ground surface.

“Hazardous” means presenting an immediate danger to people or existing structures.

“Removal” means the physical destruction, displacement or removal of a tree, or portions of a tree caused by poisoning, cutting, burning, relocation for transplanting, bulldozing or other mechanical, chemical or physical means.

“Native tree” means a tree species as listed below:

Arbutus menziesii Pursh.	Madrone
Heteromeles arbutifolia Lindl.	Toyon, California Holly
Juglans hindsii Jeps.	California Black Walnut
Plantanus racemosa Nutt.	California Sycamore
Quercus agrifolia Eastw.	Coast Live Oak
Quercus alvordiana Nee	Blue Oak/Desert Oak
Quercus dumosa Jeps.	Scrub Oak
Quercus durata Jeps.	Leather Oak
Quercus douglasii H&A	Blue Oak
Quercus lobata Nee	Valley
Quercus turbinella	Desert Oak
Umbellularia californica Nutt.	California Bay Laurel

“Native Tree Association” refers to the Atascadero Native Tree Association, [Atascadero Land Preservation Society](#) or other successor organization recognized by the City Council to cooperate with the City in educational programs and provide advice to the City on matters related to native trees.

“Site planner” means licensed professionals, such as architects, engineers, who are hired by applicants to prepare site plans including tree protection plans.

“Tree protection plan” means a plan prepared to the specification of a certified arborist that shows how specific trees shall be protected during development and related work, including any required mitigation measures and ensure viability of tree after construction, and includes a tree status and impact chart for all applicable trees.

“Tree pruning” means the cutting, detachment or separation of any limb branch or roots from a native tree.

9-11.105 Tree removal.

(a) Permit Required. Except as set forth in subsection (b), a tree removal permit shall be required for the removal of any deciduous native tree two (2) inches dbh or greater and four (4) inches dbh or greater for all other protected native trees, and for pruning of more than twenty-

five percent (25%) of the live canopy in native trees. Any private or public entity doing regular maintenance in the City may seek a blanket pruning permit that may be renewed on a yearly basis.

(b) Exemptions. The following are exempt from the permit requirements of this chapter:

(1) Emergency situations which cause hazardous or dangerous conditions that have serious potential to cause immediate damage to persons or improvements on real property. Such situations must be reported to the City within forty-eight (48) hours;

(2) Trees planted, grown and maintained as part of a licensed nursery or tree farm business;

(3) Tree pruning that affects less than twenty-five percent (25%) of a tree's live canopy within one (1) years' time. The pruning shall be done according to current tree pruning standards as adopted by the International Society of Arboriculture;

(4) Trees removed as part of an approved "tree management plan";

(5) Single-family residences in single-family zoning districts where a permanent dwelling exists and building or grading permits are not being sought;

(6) Emergency septic system repair and/or replacement in a single-family zoning district, where a septic system has failed as determined by the City Engineer and is considered a hazard to the health, safety, and welfare of the homeowner and adjacent property owners.

(c) Application for Tree Removal.

(1) Early Consultation. All applicants are encouraged to consult with the Community Development Department before site development that may involve any tree removal. Early consultation shall be a factor used in determining whether proposed improvements can be reasonably designed to avoid the need for tree removal.

(2) Content. The content of the tree removal application and permit shall be in a form as established by the Community Development Director. The applicant must provide the factual data to make the required finding(s) as required in this chapter.

(3) Fees. Application fees shall be established by resolution of the City Council. ~~Fees shall not be required for applications for the removal of dead or diseased trees, as defined in subsection (d)(2)(i) of this section.~~

(4) Arborist Report. ~~When applicable by this chapter, the applicant is required to submit a tree condition report prepared by an arborist selected and retained by the City. The applicant shall reimburse the City for all costs related to the preparation of the report.~~ An arborist report shall be provided when determined necessary by the Planning Director or his designee.

(5) Posting. All native trees proposed for removal shall be identified by the applicant for field inspection as set forth in the Guidelines. ~~When a tree removal permit is issued, the City shall post a copy of the permit in City Hall and the applicant will post a copy on site for a public appeal period of five (5) business days.~~

(d) Review and Approval.

(1) Authority. The Planning Commission shall make decisions regarding all tree removal application requests involving ~~trees twenty-four (24) inches dbh or larger~~ designated heritage trees. All other tree removal application decisions will be made by the Community Development Department.

(2) Required Findings. At least one (1) of the following findings must be made in order to approve a tree removal application:

- (i) The tree is dead, diseased or injured beyond reclamation, as certified by a tree condition report from an arborist;
- (ii) The tree is crowded by other healthier native trees; thinning (removal) would promote healthier growth in the trees to remain, as certified by a tree condition report from an arborist;
- (iii) The tree is interfering with existing utilities and/or structures, as certified by a report from the site planner;
- (iv) The tree is inhibiting sunlight needed for existing and/or proposed active or passive solar heating or cooling, as certified by a report from the site planner;
- (v) The tree is obstructing proposed improvements that cannot be reasonably designed to avoid the need for tree removal, as certified by a report from the site planner and determined by the Community Development Department based on the following factors:
 - a. Early consultation with the City,
 - b. Consideration of practical design alternatives,
 - c. Provision of cost comparisons (from applicant) for practical design alternatives,
 - d. If saving tree eliminates all reasonable use of the property, or
 - e. If saving the tree requires the removal of more desirable trees.

(3) Evaluative Criteria for Tree Removal. The following criteria will be considered when evaluating each tree removal application:

- (i) The potential effect that tree removal could have on topography, knowing that hilltops, ravines, streambeds and other natural watercourses are more environmentally sensitive than flat or gentle sloping lands;
- (ii) The potential effect that tree removal could have on soil retention and erosion from increased flow of surface waters;
- (iii) The potential effect that tree removal could have on the ambient and future noise level;
- (iv) The potential effect that tree removal could have on the ability of existing vegetation to reduce air movement and wind velocity;
- (v) The potential effect that tree removal could have on significantly reducing available wildlife habitat or result in the displacement of desirable species;
- (vi) Aesthetics;
- (vii) The number, size, species, condition and location of trees to be removed;
- (viii) The special need to protect existing blue and valley oaks because of regeneration problems;
- (ix) The cumulative environmental effects of tree removal.

(4) Conditions of Approval. Tree removal permits shall be conditioned by one (1) or more of the following methods:

- (i) Depending on the characteristics of the site the applicant may plant replacement trees on site. This method shall include payment in advance for three (3) site inspections during a four (4) year establishment period;
- (ii) Payment of fee to the Tree Replacement Fund;
- (iii) Establishment of conservation easements, which will restrict removal of any tree within a designated area of the property.

9-11.106 Tree protection plans.

(a) Plan Required. Tree protection plans shall be required if any listed activity occurs within twenty (20) feet of the dripline of any native tree. Activities include but are not limited to the following: remodeling or new construction, grading, road building, utility trenching, etc. A tree protection plan shall be included as part of the submittal for a road plan, plot plan, precise plan, building permit and/or conditional use permit.

(b) Consultation. Early consultation with the Community Development staff is strongly encouraged prior to the submittal of plans.

(c) Review and Approval. The protection plan shall be in place and verified before an applicant receives any City permits to begin work, with the exception of tree protection measures proposed during construction. Plans shall be reviewed and approved by the Community Development Department concurrent with the review of any construction or building permit.

(d) Surety Requirements. In large projects involving valuable trees, the City may require a surety prior to issuance of entitlement. Determination for use of the surety will be based on the complexity of the project and number of trees being impacted. The type of surety must be approved in writing by the City Attorney.

(e) Tree Protection Plans for Private/Public Utilities. Utility companies doing regular maintenance and construction are not required to submit tree protection plans for each individual project, but shall meet the tree protection requirements set forth in this chapter and the Guidelines through conditions placed in a revocable pruning, trenching and encroachment permit that may be issued on a yearly basis.

9-11.107 Tree replacement and regeneration.

For each residential building permit issued, the planting of one (1) five (5) gallon native tree shall be required, based on the rate of one (1) native tree per residential dwelling unit [or one for every five units on project sites with densities that exceed 15 units per acre.](#)

9-11.108 Tree abatement: nuisances, pests and disease.

(Reserved).

9-11.109 Tree management plans.

(a) Tree Management Plans. Tree management plans allow for the management of trees as a resource for the benefit of both the landowner and the community. Tree management plans will

allow for comprehensive woodlot management practices as an alternative to the submission of individual tree removal applications. Tree management plans may be permitted on the following types of property.

- (1) Minimum area of site of five (5) acres or larger in single, contiguous ownership; and
- (2) Parcels where the existing zoning is single-family residential or agriculture; and
- (3) Canopy cover of site is equal to or greater than fifty percent (50%); and
- (4) The woodlot will be managed for personal use only.

(b) Standards for Tree Removal. The standards for tree removal and contents of the tree management plan shall be set forth in the Guidelines.

9-11.110 Procedures for public projects.

(a) Definition. Public projects are any construction project that may impact native trees initiated by any department of the City.

(b) Binding City to Tree Ordinance. Public initiated projects will comply with the Tree Ordinance unless explicitly exempted by City Council. The City shall consult with an arborist during the planning and inspection of all construction projects impacting native trees.

(c) Exemptions. Applicant from the City shall submit a written statement to City Council describing project and reason that an exemption should be granted.

9-11.111 Landmark Heritage trees.

(a) Defined. Landmark Heritage tree means any native or non-native tree recognized by City Council resolution for its age, size, location, historical, and/or cultural significance.

(b) Landmark Heritage Tree Protection. Any tree (native or non-native) may receive protection by City Council resolution for its age, size, location, historical, and/or cultural significance. Landmark Heritage trees receive the same protection and are subject to all conditions set forth in this chapter regarding native trees. They may not be removed without City Council Planning Commission approval. Removal applications and approvals shall be consistent with the ~~procedures~~ procedures and findings set forth in section 9.11-105(c) and (d). The Heritage Tree list shall be established by resolution and shall be published in the City's Tree Guidelines.

9-11.112 Street trees.

(Reserved).

9-11.113 Repeat applications.

When any application made pursuant to Title 9 or Title 11 has been denied, no new application that is substantially the same shall be filed within one (1) year of the date of the previous denial unless the physical facts upon which the decision making body based the denial

have changed. The Community Development Director shall determine whether physical facts have changed or when an application is substantially the same as the previous application.

9-11.114 Enforcement.

(a) Authority. It shall be the responsibility of the Community Development Director, or individuals designated by the Director, for the implementation and enforcement of all provisions of this chapter. For the purposes of this chapter, the Director may consult with and employ an arborist, certified by the International Society of Arboricultural or other recognized professional organization of arborists, on technical matters related to the implementation of this chapter, including, but not limited to, the review and approval of tree removal applications, tree protection plans. It shall be the role of the Community Development Department, in conjunction with the Native Tree Association, to develop educational materials and provide information to all applicants requesting permits from the Department, including, but not limited to, building permits, land use permits and other permits issued by the Department.

(b) Penalties. Violations of this chapter are specifically declared misdemeanors, and upon conviction may be punished as set forth in Chapter 3 of Title 1 of this Code.

(c) Restitution. In addition to any penalties provided by subsection (b) of this section, any person who damages a tree in violation of the terms of this chapter is responsible for proper restitution and/or conditions as described in Section 9-11.105. The City may bring a civil action for restitution to enforce this section.

(d) Stop Work. In cases of non-conformance with this chapter, the inspecting official shall immediately issue a stop work order until all requirements have been met. Should unauthorized work or nonconformance lead to tree removal or damage (as defined), the inspecting official shall also issue a stop work order.

(e) Conditions and Signed Agreements. Should unauthorized work or non-conformance lead to tree removal or damage (as defined), the Community Development Director may also require additional conditions as penalty and as described in this chapter.

DRAFT RESOLUTION PC 2018-A

**RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO, CALIFORNIA, RECOMMENDING THE CITY
COUNCIL AMEND THE ATASCADERO MUNICIPAL CODE BY
APPROVING PLN 2017-1679 TITLE 9, CHAPTER 11 ZONING
ORDINANCE CODE TEXT AMENDMENTS**

ATASCADERO NATIVE TREE ORDINANCE

(City of Atascadero)

WHEREAS, an application has been received from the City of Atascadero (6500 Palma Ave., Atascadero, CA 93422), to consider Zone Change Text Amendments to Title 9, Chapter 11 and Atascadero Native Tree Guidelines; and

WHEREAS, a Notice of Exemption was prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA); and,

WHEREAS, the Planning Commission has determined that it is in the best interest of the City to enact these amendments to Title 9 Planning and Zoning of the Municipal Code for consistency with the General Plan and to maintain a clear and legible set of Zoning Regulations that is easily interpreted by the public and staff; and,

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and,

WHEREAS, a timely and properly noticed Public Hearing upon the subject Planning and Zoning Text Change application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Planning and Zoning Text Amendments; and,

WHEREAS, the Planning Commission of the City of Atascadero, at a Public Hearing held on February 20, 2018, studied and considered PLN 2017-1679; and,

NOW THEREFORE, the Planning Commission of the City of Atascadero takes the following actions:

SECTION 1. Findings for Approval of a Zone Text Change. The Planning Commission finds as follows:

1. The Planning and Zoning Text Change is consistent with General Plan policies and all other applicable ordinances and policies of the City.
2. This Amendment of the Zoning Ordinance will provide for the orderly and efficient use of lands where such development standards are applicable.
3. The Text Change will not, in itself, result in significant environmental impacts.

SECTION 2. Recommendation of Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on February 20, 2018, resolved to recommend that the City Council introduce for first reading by title only, an Ordinance that would amend the City Planning and Zoning Code Text consistent with the following:

EXHIBIT A: Categorical Exemption

EXHIBIT B: Zone Text Change – Title 9 Zoning Ordinance

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith by the Planning Commission Secretary to the City Council of the City of Atascadero.

On motion by Commissioner _____, and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

ADOPTED:

CITY OF ATASCADERO, CA

Jerel Seay
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary

EXHIBIT A:

**CEQA Exemption
PLN 2017-1679
Title 9 Zoning Ordinance Text Amendments**



CITY OF ATASCADERO NOTICE OF EXEMPTION

6500 Palma Avenue

Atascadero, CA 93422

805.461.5000

TO: File

FROM: Kelly Gleason, Senior Planner
City of Atascadero, 6500 Palma Avenue
Atascadero, CA 93422

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.

Project Title: PLN 2017-1679

Project Applicant: City of Atascadero, 6500 Palma Ave, Atascadero, CA 93422

Project Location: Citywide

Project Description: This action consists of proposed Zoning Ordinance Text Amendments to The Atascadero Native Tree Ordinance Title 9, Chapter 11 to streamline the review process for native tree removals and establish a heritage tree list. The Atascadero Native Tree Guidelines is proposed to be amended for consistency with the Ordinance changes.

Name of Public Agency Approving Project: City of Atascadero

Name of Person or Agency Carrying Out Project: City of Atascadero

Exempt Status:

- | | |
|--|---|
| <input type="checkbox"/> Ministerial (Sec. 15073) | <input type="checkbox"/> Emergency Project (Sec. 1507 (b) and (c)) |
| <input type="checkbox"/> Declared Emergency (Sec. 15061 (a)) | <input checked="" type="checkbox"/> General Rule Exemption (Sec. 15061(b)(3)) |
| <input type="checkbox"/> Categorically Exempt (Sec. 15303) | |

Reasons why project is exempt: The Guidelines of the California Environmental Quality Act (CEQA) (Section 15061.(3), (b)) exempts activities that are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed text amendment will not have any significant adverse environmental impacts associated with this project application.

Contact Person: Kelly Gleason (805) 470-3446

Date: February 20, 2018

Gleason

Senior Planner

EXHIBIT B:	Zone Text Change – Title 9 Zoning Ordinance PLN 2017-1679
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9-11.104 Definitions.

“Arborist” means a person certified by the International Society of Arboriculture or other recognized professional organization of arborists that provides professional advice and licensed professionals to do physical work on trees in the City.

“Damage” means any intentional action or gross negligence, which causes injury, death or disfigurement of a tree. Actions include, but are not limited to, cutting, girdling, poisoning, overwatering, soil compaction, unauthorized relocation or transportation of a tree or trenching, excavating, altering the grade or paving within the dripline of a tree.

“Dbh” means “diameter at breast height,” specifically four (4) feet six (6) inches above natural grade.

“Dripline” means the outermost line of the tree’s canopy projected straight down to the ground surface.

“Hazardous” means presenting an immediate danger to people or existing structures.

“Removal” means the physical destruction, displacement or removal of a tree, or portions of a tree caused by poisoning, cutting, burning, relocation for transplanting, bulldozing or other mechanical, chemical or physical means.

“Native tree” means a tree species as listed below:

Arbutus menziesii Pursh.	Madrone
Heteromeles arbutifolia Lindl.	Toyon, California Holly
Juglans hindsii Jeps.	California Black Walnut
Plantanus racemosa Nutt.	California Sycamore
Quercus agrifolia Eastw.	Coast Live Oak
Quercus alvordiana Nee	Blue Oak/Desert Oak
Quercus dumosa Jeps.	Scrub Oak
Quercus durata Jeps.	Leather Oak
Quercus douglasii H&A	Blue Oak
Quercus lobata Nee	Valley
Quercus turbinella	Desert Oak
Umbellularia californica Nutt.	California Bay Laurel

“Native Tree Association” refers to the Atascadero Native Tree Association, Atascadero Land Preservation Society or other successor organization recognized by the City Council to cooperate with the City in educational programs and provide advice to the City on matters related to native trees.

“Site planner” means licensed professionals, such as architects, engineers, who are hired by applicants to prepare site plans including tree protection plans.

“Tree protection plan” means a plan prepared to the specification of a certified arborist that shows how specific trees shall be protected during development and related work, including any required mitigation measures and ensure viability of tree after construction, and includes a tree status and impact chart for all applicable trees.

“Tree pruning” means the cutting, detachment or separation of any limb branch or roots from a native tree.

9-11.105 Tree removal.

(a) Permit Required. Except as set forth in subsection (b), a tree removal permit shall be required for the removal of any deciduous native tree two (2) inches dbh or greater and four (4) inches dbh or greater for all other protected native trees, and for pruning of more than twenty-five percent (25%) of the live canopy in native trees. Any private or public entity doing regular maintenance in the City may seek a blanket pruning permit that may be renewed on a yearly basis.

(b) Exemptions. The following are exempt from the permit requirements of this chapter:

(1) Emergency situations which cause hazardous or dangerous conditions that have serious potential to cause immediate damage to persons or improvements on real property. Such situations must be reported to the City within forty-eight (48) hours;

(2) Trees planted, grown and maintained as part of a licensed nursery or tree farm business;

(3) Tree pruning that affects less than twenty-five percent (25%) of a tree’s live canopy within one (1) years’ time. The pruning shall be done according to current tree pruning standards as adopted by the International Society of Arboriculture;

(4) Trees removed as part of an approved “tree management plan”;

(5) Single-family residences in single-family zoning districts where a permanent dwelling exists and building or grading permits are not being sought;

(6) Emergency septic system repair and/or replacement in a single-family zoning district, where a septic system has failed as determined by the City Engineer and is considered a hazard to the health, safety, and welfare of the homeowner and adjacent property owners.

(c) Application for Tree Removal.

(1) Early Consultation. All applicants are encouraged to consult with the Community Development Department before site development that may involve any tree removal. Early consultation shall be a factor used in determining whether proposed improvements can be reasonably designed to avoid the need for tree removal.

(2) Content. The content of the tree removal application and permit shall be in a form as established by the Community Development Director. The applicant must provide the factual data to make the required finding(s) as required in this chapter.

- (3) Fees. Application fees shall be established by resolution of the City Council.
- (4) Arborist Report. An arborist report shall be provided when determined necessary by the Planning Director or his designee. .
- (5) Posting. All native trees proposed for removal shall be identified by the applicant for field inspection as set forth in the Guidelines.
- (d) Review and Approval.
 - (1) Authority. The Planning Commission shall make decisions regarding all tree removal application requests involving designated heritage trees. All other tree removal application decisions will be made by the Community Development Department.
 - (2) Required Findings. At least one (1) of the following findings must be made in order to approve a tree removal application:
 - (i) The tree is dead, diseased or injured beyond reclamation, as certified by a tree condition report from an arborist;
 - (ii) The tree is crowded by other healthier native trees; thinning (removal) would promote healthier growth in the trees to remain, as certified by a tree condition report from an arborist;
 - (iii) The tree is interfering with existing utilities and/or structures, as certified by a report from the site planner;
 - (iv) The tree is inhibiting sunlight needed for existing and/or proposed active or passive solar heating or cooling, as certified by a report from the site planner;
 - (v) The tree is obstructing proposed improvements that cannot be reasonably designed to avoid the need for tree removal, as certified by a report from the site planner and determined by the Community Development Department based on the following factors:
 - a. Early consultation with the City,
 - b. Consideration of practical design alternatives,
 - c. Provision of cost comparisons (from applicant) for practical design alternatives,
 - d. If saving tree eliminates all reasonable use of the property, or
 - e. If saving the tree requires the removal of more desirable trees.
 - (3) Evaluative Criteria for Tree Removal. The following criteria will be considered when evaluating each tree removal application:
 - (i) The potential effect that tree removal could have on topography, knowing that hilltops, ravines, streambeds and other natural watercourses are more environmentally sensitive than flat or gentle sloping lands;
 - (ii) The potential effect that tree removal could have on soil retention and erosion from increased flow of surface waters;
 - (iii) The potential effect that tree removal could have on the ambient and future noise level;
 - (iv) The potential effect that tree removal could have on the ability of existing vegetation to reduce air movement and wind velocity;
 - (v) The potential effect that tree removal could have on significantly reducing available wildlife habitat or result in the displacement of desirable species;
 - (vi) Aesthetics;

- (vii) The number, size, species, condition and location of trees to be removed;
 - (viii) The special need to protect existing blue and valley oaks because of regeneration problems;
 - (ix) The cumulative environmental effects of tree removal.
- (4) Conditions of Approval. Tree removal permits shall be conditioned by one (1) or more of the following methods:
- (i) Depending on the characteristics of the site the applicant may plant replacement trees on site. This method shall include payment in advance for three (3) site inspections during a four (4) year establishment period;
 - (ii) Payment of fee to the Tree Replacement Fund;
 - (iii) Establishment of conservation easements, which will restrict removal of any tree within a designated area of the property.

9-11.107 Tree replacement and regeneration.

For each residential building permit issued, the planting of one (1) five (5) gallon native tree shall be required, based on the rate of one (1) native tree per residential dwelling unit or one for every five units on project sites with densities that exceed 15 units per acre.

9-11.111 Heritage trees.

- (a) Defined. Heritage tree means any native or non-native tree recognized by City Council resolution for its age, size, location, historical, and/or cultural significance.
- (b) Heritage Tree Protection. Any tree (native or non-native) may receive protection by City Council resolution for its age, size, location, historical, and/or cultural significance. Heritage trees receive the same protection and are subject to all conditions set forth in this chapter regarding native trees. They may not be removed without Planning Commission approval. Removal applications and approvals shall be consistent with the procedures and findings set forth in section 9.11-105(c) and (d). The Heritage Tree list shall be established by resolution and shall be published in the City's Tree Guidelines.

DRAFT RESOLUTION PC 2018-B

**RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO, CALIFORNIA, RECOMMENDING THE
CITY COUNCIL APPROVE AMENDMENTS TO THE
ATASCADERO NATIVE TREE GUIDELINES
PLN 2017-1679**

(City of Atascadero)

WHEREAS, an application has been received from the City of Atascadero (6500 Palma Ave., Atascadero, CA 93422), to consider Zone Change Text Amendments to Title 9, Chapter 11 and Atascadero Native Tree Guidelines; and

WHEREAS, a Notice of Exemption was prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA); and,

WHEREAS, the Planning Commission has determined that it is in the best interest of the City to enact these amendments to the Atascadero Native Tree Guidelines to provide consistency with the proposed amendments to Title 9, Chapter 11 the Atascadero Native Tree Ordinance; and,

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and,

WHEREAS, a timely and properly noticed Public Hearing upon the subject Planning and Zoning Text Change application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said amendments; and,

WHEREAS, the Planning Commission of the City of Atascadero, at a Public Hearing held on February 20, 2018, studied and considered PLN 2017-1679; and,

NOW THEREFORE, the Planning Commission of the City of Atascadero takes the following actions:

SECTION 1. Findings for Approval of Amendments to the Native Tree Guidelines and Standards. The Planning Commission finds as follows:

1. Amendments are consistent with AMC Chapter 11: Native Tree Ordinance.

2. The Text Change will not result in significant environmental impacts.

SECTION 2. Recommendation of Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on February 20, 2018, resolved to recommend that the City Council approve amendments to the Atascadero Native Tree Guidelines, consistent with the following:

EXHIBIT A: Atascadero Native Tree Guidelines & Standards – Proposed Amendments

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith by the Planning Commission Secretary to the City Council of the City of Atascadero.

On motion by Commissioner _____, and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

ADOPTED:

CITY OF ATASCADERO, CA

Jerel Seay
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary

PROTECTED TREE GUIDELINES & STANDARDS

G.11.15 NATIVE TREES ~~GUIDELINES & STANDARDS~~

6. Guidelines for Identification of Trees

Identification of trees and posting of all property when trees are to be removed and identification of trees to be protected is required. All sites that have trees to be protected or removed shall be posed for field inspection and during any applicable appeal period.

~~*—Identification of property subject to tree removal shall be done by posting a notice, as provided by the Community Development Department, during the time specified on the Tree Removal Permit.*~~

~~*B.A. All trees to be removed shall be flagged with pink or red tape, or other visible mark in the field; all trees or groups of trees to be protected shall be flagged with yellow or green tape. Tree protection flagging shall be necessary only if identification is not evident from the submitted plans.*~~

8. Fee Schedule for Permits Effecting Native Trees

~~*C.B. Application Fees*~~

~~*Tree Removal Permit application fees shall be those adopted by City Council in the most current fee schedule in effect at the time of application. The following fees shall be charged for the permit as indicated.*~~

<i>Dead and diseased tree Removal</i>	<i>No Fee</i>
<i>Tree Removal Application</i>	
<i>— 2” — 24” dbh in size</i>	<i>\$ 35.00</i>
<i>— 24” dbh or greater</i>	<i>\$ 50.00</i>
<i>Tree Protection Plans</i>	
<i>Single Family Residential (Including Removal)</i>	<i>\$ 50.00</i>
<i>All other Tree Protection (Including Removal)</i>	<i>\$200.00</i>
<i>Forestry and Woodlot Management Plans</i>	
<i>5— 9 Acres</i>	<i>\$250.00</i>
<i>10— 39 Acres</i>	<i>\$400.00</i>
<i>40+ Acres</i>	<i>\$600.00</i>
<i>Annual Pruning, Trenching & Encroachment Permit</i>	<i>\$100.00</i>
<i>Appeals</i>	<i>\$ 50.00</i>

G.11.16 HERITAGE TREES

1. General

These Guidelines set forth standards and procedures for Heritage Trees. Heritage Trees are defined as any native or non-native tree recognized by City Council resolution for its age, size, location, historical, and/or cultural significance. These Guidelines and Standards implement the regulations contained in Chapter 11 of Title 9 of the Atascadero Municipal Code.

2. Establishment and Amendment of Heritage Tree List

The Heritage Tree List shall be established by resolution of the City Council. Future amendments to the established list shall be approved by resolution of the Planning Commission. Any decision made by the Planning Commission may be appealed to the City Council in accordance with appeal procedures set forth in the Atascadero Municipal Code.

3. Nomination Procedure

Any native or non-native tree can be nominated for inclusion on the Heritage Tree List. Trees on private property must be nominated by the owner of the property and, if approved, a deed notification must be recorded against the property to notify future owners of the Tree’s heritage status. Heritage trees shall be nominated based on size, age, location or based on the historical, cultural, or neighborhood significance of the tree or group of trees.

4. Tree Protection and Removal

Heritage trees located within or adjacent to construction activity shall follow the regulations and standards listed in the Atascadero Native Tree Ordinance and Tree Guidelines and Standards for native trees. Proposed removal of Heritage Trees shall be processed consistent with AMC Section 9.11-111.

5. Heritage Tree List

	<u>Location</u>	<u>Species</u>	<u># trees</u>	<u>Date Listed</u>	<u>Notes</u>
<u>1</u>	<u>Sunken Gardens Park</u>	<u>Deodar Cedar</u>			
<u>2</u>	<u>Sunken Gardens Park</u>	<u>Magnolia</u>			
<u>3</u>	<u>East Mall/West Mall Parkway</u>	<u>Live Oak</u>			
<u>4</u>	<u>Atascadero Avenue</u>	<u>Sycamore</u>			<u>Street trees between the high school and San Andres Ave</u>

<u>5</u>	<u>Atascadero Lake Park</u>				
<u>6</u>	<u>North El Camino Real</u>	<u>Live and Valley Oaks</u>			<u>Street adjacent trees north of Del Rio to Santa Cruz</u>
<u>7</u>	<u>Paloma Park</u>	<u>Live and Valley Oaks</u>			