



CITY OF ATASCADERO CITY COUNCIL AGENDA

*** COVID-19 NOTICE ***

Consistent with the SLO County Region 1 – Southern California Regional Stay at Home Order, the City Council Meeting will not be physically open to the public and City Council Members will be teleconferencing into the meeting.

HOW TO OBSERVE THE MEETING:

To maximize public safety while still maintaining transparency and public access, the meeting will be live-streamed on SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and on KPRL Radio 1230AM and 99.3FM. The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website or by visiting https://us02web.zoom.us/webinar/register/WN_ZwJ7a031S3KXauEym9ehaA.

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to call **805-538-2888** to listen and provide public comment via phone, or submit written public comments to cityclerk@atascadero.org by 5:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Mayor's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at cityclerk@atascadero.org or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

City Council agendas and minutes may be viewed on the City's website: www.atascadero.org.

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 City Clerk and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the City Council. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Council meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the City Clerk's office. All documents will be available for public inspection during City Hall business hours once City Hall is open to the public following the termination of the Shelter at Home Order.



CITY OF ATASCADERO CITY COUNCIL

AGENDA

Tuesday, April 13, 2021

**City Hall Council Chambers, 4th floor
6500 Palma Avenue, Atascadero, California**

<u>City Council Closed Session:</u>	5:00 P.M.
<u>City Council Regular Session:</u>	6:00 P.M.

COUNCIL CLOSED SESSION: 5:00 P.M.

- 1. CLOSED SESSION -- PUBLIC COMMENT**
- 2. COUNCIL LEAVES TO BEGIN CLOSED SESSION**
- 3. CLOSED SESSION -- CALL TO ORDER**
 - a. **Conference with Labor Negotiators** (Govt. Code Sec. 54957.6)
Agency designated representatives: Rachelle Rickard, City Manager
Employee Organizations: Atascadero Professional Firefighters, Local 3600; Atascadero Police Association; Service Employees International Union, Local 620; Mid-Management/Professional Employees; Non-Represented Professional and Management Workers and Confidential Employees

4. CLOSED SESSION – ADJOURNMENT

5. COUNCIL RETURNS

6. CLOSED SESSION – REPORT

REGULAR SESSION – CALL TO ORDER: 6:00 P.M.

PLEDGE OF ALLEGIANCE: Council Member Dariz

ROLL CALL: Mayor Moreno
Mayor Pro Tem Newsom
Council Member Bourbeau
Council Member Dariz
Council Member Funk

APPROVAL OF AGENDA: Roll Call

Recommendation: Council:

1. Approve this agenda; and
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

PRESENTATIONS:

1. Proclamation Recognizing April 2021 as Sexual Assault Awareness Month

A. 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 Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.)

1. City Council Draft Action Minutes – March 23, 2021 and March 24, 2021

- Recommendation: Council approve the March 23, 2021 Draft City Council Regular and Special Meeting Minutes and the March 24, 2021 Draft City Council Special Meeting Minutes. [City Clerk]

2. Weed/Refuse Abatement Program

- Fiscal Impact: The City recovers costs for administering this program through recovery of the cost of abatement, plus a flat fee of \$260 plus a percentage charge of 166% administrative fee, which is placed on the San Luis Obispo County Special Tax Assessment for the fiscal year 2021-2022 Tax Roll.
- Recommendation: Council adopt Draft Resolution, declaring vegetative growth and/or refuse a public nuisance, commencing proceedings for the abatement of said nuisances, and placing all abatement fees on the San Luis Obispo County Special Tax Assessment for the fiscal year 2021-2022 Tax Roll. [Fire Department]

3. Property Acquisition for Santa Lucia Road Bridge Replacement Project

- Fiscal Impact: Compensation for property acquisition, and permanent and temporary construction easements required for the Santa Lucia Road Bridge Replacement Project is covered in the 2020-2021 Santa Lucia Road Bridge Replacement Project budget. The total compensation to be paid at this time is \$11,900. The HBRRP grant will cover 100% of the project costs.
- Recommendation: Council adopt Draft Resolution approving compensation payments and Right-of-Way Agreements for property acquisitions located at APNs 054-271-007 and 054-272-015 for the Santa Lucia Road Bridge Replacement Project. [Public Works]

4. **Annexation of the 10850 El Camino Real Subdivision into Community Facilities District 2005-1, Annexation No. 23 (10850 El Camino Real: Tract 3099)**
 - Fiscal Impact: Assessments for this annexation are estimated to be \$42,400 annually, adjusted each year for inflation. Deed restricted affordable units are exempt from the special tax.
 - Recommendation: Council adopt Draft Resolution, declaring its intention to annex territory, into Community Facilities District 2005-1 (Public Services) as Annexation No. 23 and to authorize the levy of special taxes therein (10850 El Camino Real: Tract 3099). [Community Development]

5. **El Camino Real Downtown Infrastructure Enhancement Plan**
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution and authorize staff to pursue grant-funding opportunities, in support for the Downtown Infrastructure Enhancement Project. [Public Works]

UPDATES FROM THE CITY MANAGER: (The City Manager will give an oral report on any current issues of concern to the City Council.)

COMMUNITY FORUM: (This portion of the meeting is reserved for persons wanting to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. Comments made during Community Forum will not be a subject of discussion. A maximum of 30 minutes will be allowed for Community Forum, unless changed by the Council. Any members of the public who have questions or need information may contact the City Clerk's Office, between the hours of 8:30 a.m. and 5:00 p.m. at (805) 470-3400, or cityclerk@atascadero.org.)

B. PUBLIC HEARINGS: None.

C. MANAGEMENT REPORTS:

1. **Del Rio Road / El Camino Real Plan Line in the Vicinity of the US 101 Interchange (West Side)**
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution approving the Del Rio Road / El Camino Real Plan Line in the vicinity of the US 101 interchange (West Side). [Public Works]

2. **General Plan & Housing Element Annual Progress Report 2020 (CPP 21-0024)**
 - Fiscal Impact: None.
 - Recommendation: Council receive report of State housing goals, General Plan progress, and progress on housing unit production through 2020. [Community Development]

3. **City of Atascadero Marketing Update**
 - Fiscal Impact: None.
 - Recommendation: Council receive and file Marketing Update recapping the calendar year for 2020 and a preview of 2021. [City Manager]

4. Council Norms and Procedures Consideration of Amendments

- Fiscal Impact: None.
- Recommendation: Council review, amend and adopt change(s) to the Council Norms and Procedures. [City Manager]

D. DISCUSSION ITEM: Discussion of COVID 19 issues including oral updates by Mayor Moreno and City Manager Rickard, questions by City Council, public comment and comments by City Council.

1. Coronavirus (COVID-19) update – Mayor Moreno
2. Coronavirus (COVID-19) update – City Manager Rickard

E. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS: (On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. The following represent standing committees. Informative status reports will be given, as felt necessary):

Mayor Moreno

1. City Selection Committee
2. County Mayors Round Table
3. Economic Vitality Corporation, Board of Directors (EVC)
4. SLO Council of Governments (SLOCOG)
5. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Newsom

1. City / Schools Committee
2. Design Review Committee
3. League of California Cities – Council Liaison
4. Visit SLO CAL Advisory Committee

Council Member Bourbeau

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Integrated Waste Management Authority (IWMA)
4. SLO County Water Resources Advisory Committee (WRAC)

Council Member Dariz

1. Air Pollution Control District
2. California Joint Powers Insurance Authority (CJPIA) Board
3. City of Atascadero Finance Committee

Council Member Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)
2. Design Review Committee
3. Homeless Services Oversight Council

F. INDIVIDUAL DETERMINATION AND / OR ACTION: (Council Members may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda. The Council may take action on items listed on the Agenda.)

1. City Council
2. City Clerk
3. City Treasurer
4. City Attorney
5. City Manager

ADJOURN

Please note: Should anyone challenge any proposed development entitlement listed on this Agenda in court, 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 City Council at or prior to this public hearing. Correspondence submitted at this public hearing will be distributed to the Council and available for review in the City Clerk's office.



CITY OF ATASCADERO CITY COUNCIL

DRAFT MINUTES

Tuesday, March 23, 2021

City Hall Council Chambers, 4th floor
6500 Palma Avenue, Atascadero, California

City Council Regular Session:

6:00 P.M.

REGULAR SESSION – CALL TO ORDER: 6:00 P.M.

Mayor Moreno called the meeting to order at 6:01 p.m. and Council Member Funk led the Pledge of Allegiance.

ROLL CALL:

Present: **By Teleconference** - Council Members Bourbeau, Dariz and Funk, and Mayor Moreno

Absent: Mayor Pro Tem Newsom

Others Present: None

Staff Present: **By Teleconference** – City Manager Rachelle Rickard, Police Chief Bob Masterson, Administrative Services Director Jeri Rangel, Public Works Director Nick DeBar, Community Development Director Phil Dunsmore, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, and IT Manager Luke Knight

APPROVAL OF AGENDA:

MOTION: By Council Member Funk and seconded by Council Member Dariz to:
1. Approve this agenda; and,
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

Motion passed 4:0 by a roll-call vote. Newsom absent.

PRESENTATIONS:

1. Proclamation Recognizing March 24, 2021 as Equal Pay Day

The City Council presented a proclamation to Linda Baker with AAUW – Atascadero.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – March 9, 2021 and March 11, 2021

- Recommendation: Council approve the March 9, 2021 Draft City Council Regular Meeting Minutes and the March 11, 2021 Draft City Council Special Meeting Minutes. [City Clerk]

2. February 2021 Accounts Payable and Payroll

- Fiscal Impact: \$2,686,130.43
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for February 2021. [Administrative Services]

3. Lift Station No. 2 Replacement Construction Award

- Fiscal Impact: \$2,079,080
- Recommendations: Council:
 1. Approve a construction contract for \$1,089,460 with Raminha Construction, Inc. for the Lift Station No. 2 Replacement Project (Project No. C2017W01).
 2. Approve a contract for \$120,000 with Gierlich Mitchell to purchase three (3) new submersible sewage pumps for the Lift Station No. 2 Replacement Project.
 3. Authorize the Director of Administrative Services to allocate an additional \$610,000 in Wastewater Enterprise Fund balance to the Lift Station No. 2 Replacement Project. [Public Works]

MOTION: By Council Member Dariz and seconded by Council Member Funk to approve the Consent Calendar. (#A-3 Contract Nos. 2021-010 and 2021-011)

Motion passed 4:0 by a roll-call vote. Newsom absent.

UPDATES FROM THE CITY MANAGER:

City Manager Rachelle Rickard gave an update on projects and issues within the City.

COMMUNITY FORUM:

The following citizens spoke by telephone or through the webinar during Community Forum: Haley Pinney, Aiden Dugan-Colton, Tori Keen, Geoff Auslen, and Barbara Babka

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Chance Coates and Caitlin K.

Mayor Moreno closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Request for Authorization to Process General Plan Amendment for 2055 El Camino Real (Cal Coastal Communities)

- Fiscal Impact: If developed with lodging, retail and entertainment uses, this site is likely to become a positive fiscal contribution to the City and may act as a catalyst to attract additional head of household jobs and other tax revenue supporting land uses within the Del Rio vicinity. Consistent with Council fiscal policy, if the project requires legislative approval the residential portion of the project may trigger conditions of approval that require it to be fiscally neutral.
- Recommendation: Council authorize the Cal Coastal Development Team to proceed with a Specific Plan Amendment application to the Del Rio Commercial Area Specific Plan to allow for submittal of a commercial resort concept, while reconfiguring the existing residential zone. [Community Development]

Ex Parte Communications

All Council Members reported speaking with the applicant team regarding this item. Mayor Moreno also reported meeting with Mike Manchak.

Community Development Director Dunsmore gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Ted Lawton, Mike Manchak, Josh Cross, Geoff Auslen, and Jacob Pickering

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Hardy Nielsen and Scott Huffman

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to authorize the Cal Coastal Development Team to proceed with a General Plan Amendment application and Specific Plan Amendment application to the Del Rio Commercial Area Specific Plan to allow for submittal of a commercial resort concept, while reconfiguring the existing residential zone.
Motion passed 4:0 by a roll-call vote. Newsom absent.

Mayor Moreno recessed the meeting at 8:14 p.m.

Mayor Moreno reconvened the meeting at 8:22 p.m. with all present.

C. MANAGEMENT REPORTS:

1. Proposed Sewer Service Rate Increase

- Fiscal Impact: Approving staff recommendations will generate an estimated \$530,000 in additional revenue from sewer service charges collected in FY21/22 over FY20/21 amounts. The recommendations will also approve

expenditures of up to \$7,500 related to the Proposition 218 majority protest process from the Wastewater Fund in the current fiscal year.

- Recommendations: Council:
 1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
 2. Set a Public Hearing on May 25, 2021 for the City Council’s consideration of the proposed wastewater rate increases.
 3. Approve a budget amendment and authorize the Director of Administrative Services to appropriate \$7,500 from the Wastewater Fund for costs related to the Proposition 218 majority protest process. [Public Works]

Public Works Director DeBar gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to:

1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
2. Set a Public Hearing on May 25, 2021 for the City Council’s consideration of the proposed wastewater rate increases.
3. Approve a budget amendment and authorize the Director of Administrative Services to appropriate \$7,500 from the Wastewater Fund for costs related to the Proposition 218 majority protest process.

Motion passed 4:0 by a roll-call vote. Newsom absent.

D. DISCUSSION ITEM: Discussion of COVID 19 issues including oral updates by Mayor Moreno and City Manager Rickard, questions by City Council, public comment and comments by City Council.

1. Coronavirus (COVID-19) update – Mayor Moreno
2. Coronavirus (COVID-19) update – City Manager Rickard

City Manager Rickard provided updates on Coronavirus (COVID-19) and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None

Mayor Moreno closed the Public Comment period.

E. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

The following Council Members made brief announcements and gave brief update reports on their committees since their last Council meeting:

Mayor Moreno

1. County Mayors Round Table

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Dariz

1. Air Pollution Control District

Council Member Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)
2. Homeless Services Oversight Council

F. INDIVIDUAL DETERMINATION AND / OR ACTION: None.

Mayor Moreno recessed the meeting at 9:03 p.m. to the Special City Council Meeting. Mayor Moreno reconvened the meeting at 9:31 p.m. with City Council, City Manager Rickard, and City Attorney Pierik present.

G. ADJOURN

Mayor Moreno adjourned the meeting at 9:31 p.m.

MINUTES PREPARED BY:

Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED:

SPECIAL MEETING

ATASCADERO CITY COUNCIL

CLOSED SESSION

Tuesday, March 23, 2021, 6:00 P.M.

Atascadero City Hall Council Chambers, 4th Floor
6500 Palma Avenue, Atascadero, California
(TELECONFERENCE)

DRAFT MINUTES

COUNCIL CLOSED SESSION: 6:00 P.M.

Mayor Moreno called the meeting to order at 6:00 p.m. in conjunction with the Regular City Council meeting and Council Member Funk led the Pledge of Allegiance.

ROLL CALL:

Present: **By Teleconference** - Council Members Bourbeau, Dariz and Funk, and Mayor Moreno

Absent: Mayor Pro Tem Newsom

Others Present: None

Staff Present: **By Teleconference** – City Manager Rachelle Rickard, Police Chief Bob Masterson, Administrative Services Director Jeri Rangel, Public Works Director Nick DeBar, Community Development Director Phil Dunsmore, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, and IT Manager Luke Knight

Mayor Moreno recessed the Special Meeting at 6:03 p.m. until after the City Council completes the items on its Regular Meeting Agenda.

Mayor Moreno reconvened the Special Meeting at 9:03 p.m. with City Council, City Manager Rickard, and City Attorney Pierik present.

Mayor Moreno announced at 9:03 p.m. that the Council was going into Closed Session.

1. **CLOSED SESSION -- PUBLIC COMMENT - None**
2. **COUNCIL LEAVES TO BEGIN CLOSED SESSION**
3. **CLOSED SESSION -- CALL TO ORDER**
 - a. **Conference with Labor Negotiators** (Govt. Code Sec. 54957.6)
Agency designated representatives: Rachelle Rickard, City Manager
Employee Organizations: Atascadero Professional Firefighters, Local 3600; Atascadero Police Association; Service Employees International Union, Local 620; Mid-Management/Professional Employees; Non-Represented Professional and Management Workers and Confidential Employees
4. **CLOSED SESSION – ADJOURNMENT**
5. **COUNCIL RETURNS**
6. **CLOSED SESSION – REPORT**

The City Attorney reported that there was no reportable action in Closed Session.

ADJOURNMENT:

Mayor Moreno adjourned the Special Meeting at 9:31p.m. to the Regular Session currently in progress.

MINUTES PREPARED BY:

Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED:

SPECIAL MEETING ATASCADERO CITY COUNCIL

Wednesday, March 24, 2021
6:00 p.m.

Atascadero City Hall Council Chambers, 4th Floor
6500 Palma Avenue, Atascadero, California
(TELECONFERENCE)

COMMISSION INTERVIEWS AND APPOINTMENTS

DRAFT MINUTES

Mayor Moreno called the meeting to order at 6:00 p.m.

ROLL CALL:

Present: By Teleconference – Council Members Bourbeau, Dariz, Funk, and Mayor Moreno

Absent: Mayor Pro Tem Newsom

Staff Present: By Teleconference – Deputy City Manager/City Clerk Lara Christensen and IT Manager Luke Knight

INTERVIEWS AND APPOINTMENTS:

1. Planning Commission

- *City Clerk recommendation: Council interview the candidates and select by ballot, one citizen to fill the vacant, unexpired at-large term on the Planning Commission.*

The City Council interviewed the two candidates and selected, by ballot, Randy Hughes to serve in the vacant, unexpired at-large position on the Planning Commission.

2. Announcement of Appointment

Mayor Moreno announced Randy Hughes as the new at-large appointee and thanked both applicants for their time, interest, and willingness to serve the Atascadero community.

PUBLIC COMMENT: None.

ADJOURNMENT:

Mayor Moreno adjourned the meeting at 6:31 p.m. to the next Regular Session scheduled for Tuesday, April 13, 2021 at 6:00 p.m.

MINUTES PREPARED BY:

Lara K. Christensen
Deputy City Manager/City Clerk

APPROVED:



Atascadero City Council

Staff Report – Atascadero Fire & Emergency Services Department

Weed/Refuse Abatement Program

RECOMMENDATION:

Council adopt Draft Resolution, declaring vegetative growth and/or refuse a public nuisance, commencing proceedings for the abatement of said nuisances, and placing all abatement fees on the San Luis Obispo County Special Tax Assessment for the fiscal year 2021-2022 Tax Roll.

DISCUSSION:

The Municipal Code, Section 6-13.03, addresses the abatement of vegetative growth and/or refuse, which constitute a hazard. Adoption of the proposed Resolution is the first step in this annual program, which requires City Council action. Atascadero Fire & Emergency Services Department (AFD) conducted its initial inspection the last week of March and the first week of April. There are approximately 11,188 parcels within the City. Notices are mailed to the recorded property owner of each parcel listed declaring that their parcel is an existing, future or “potential” hazard. AFD advises that it considers a parcel a future or “potential” hazard if the parcel is not completely landscaped or irrigated and / or there is a potential for weed growth (6-13.01). The list of parcels identified to have vegetative growth and/or refuse, which are or may become a public nuisance, is available for review in the Office of the City Clerk and at Atascadero Fire & Emergency Services.

FISCAL IMPACT:

The City recovers costs for administering this program through recovery of the cost of abatement, plus a flat fee of \$260 plus a percentage charge of 166% administrative fee, which is placed on the San Luis Obispo County Special Tax Assessment for the fiscal year 2021-2022 Tax Roll.

ATTACHMENTS:

1. Draft Resolution
2. Vegetative Growth/Refuse Notice

DRAFT RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING VEGETATIVE GROWTH (NOXIOUS WEEDS) AND/OR REFUSE A PUBLIC NUISANCE

WHEREAS, Atascadero Fire & Emergency Services conducted parcel inspections throughout the City during the last week of March 2021 and the first week of April 2021; and

WHEREAS, Atascadero Fire & Emergency Services considers a property, land or lot a future or “potential” hazard if the property, land or lot is not completely landscaped or irrigated and/or there is a potential for weed growth; and

WHEREAS, property, lands or lots in the City were identified as having existing, future or “potential” hazards that are considered to be a public nuisance; and

WHEREAS, Atascadero Fire & Emergency Services is commencing proceedings for the abatement of said nuisances; and

WHEREAS, abatement fees will be placed on the San Luis Obispo County Special Tax Assessment for the Fiscal Year 2021-2022 Tax Roll.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Atascadero:

SECTION 1. That vegetative growth (noxious weeds) and/or refuse are, or may become, a hazard and hereby declared to be a public nuisance which should be abated for the reasons that vegetative growth may attain such a large growth as to become a fire menace and/or drainage restriction, when mature and said refuse may become a public nuisance, thereby creating a hazard to public health and safety.

The City Council of the City of Atascadero finds and declares that vegetative growth (noxious weeds) and/or refuse on specified parcels of property are seasonal and recurrent nuisances. Such seasonal and recurrent nuisances shall be abated in accordance with the provisions of City and State laws. No further hearings need to be held, and it shall be sufficient to mail a notice to the owner of the property as their address appears upon the current assessment roll.

SECTION 2. A description of the parcel of lots of private property upon which, or in front of which, said nuisances are or may become a hazard, according to the official Assessment Map of said City of Atascadero, shall be posted annually in the office of the City Clerk and referred to as Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 3. The City Clerk or designee is hereby ordered and directed to mail written notices of the proposed abatement to all persons owning property described in accordance with Section 6-13.08 of the Atascadero Municipal Code.

SECTION 4. Pursuant to Section 6-13.10 of the Atascadero Municipal Code, the City Council shall hear and consider all objections or protests to the required removal of said vegetative growth and/or refuse. The City Clerk shall post a copy of the public hearing notice in accordance with the Ralph M. Brown Act.

SECTION 5. Pursuant to Section 6-13.17 of the Atascadero Municipal Code, if the owner does not abate the hazard, it will be abated by the City contractor. The cost of the abatement plus a \$260 flat fee and 166% administrative fee and County fee will be assessed upon the County property tax bill, and constitute a lien upon such land until paid.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of _____, 2021.

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

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

Brian Pierik, City Attorney



City of Atascadero

Atascadero Fire & Emergency Services

NOTICE

Dear Atascadero Property Owner:

Weed abatement season has arrived and parcel inspections were recently performed throughout the City. The Atascadero Municipal Code, Section 6-13.08, requires this notification, which enables Atascadero Fire & Emergency Services to abate dry noxious weeds and/or refuse in an effort to make our neighborhoods safer in the event of a fire. Please be advised your property has been identified as an existing, future or “potential” hazard. Atascadero Fire & Emergency Services advises that it considers a parcel a future or “potential” hazard if the parcel is not completely landscaped or irrigated and/or there is a potential for vegetative growth.

NOTICE TO REMOVE VEGETATIVE GROWTH (NOXIOUS WEEDS) AND /OR REFUSE

Notice is hereby given that on the 13th day of April 2021, the City Council passed a Resolution declaring that vegetative growth (noxious weeds) and refuse constitute a fire hazard, and health and safety hazard, which must be abated by the cutting of said vegetative growth (noxious weeds), and/or removal of refuse which constitutes said health and safety hazard. If the property owner does not abate the noxious weeds and/or refuse by **June 1, 2021**, it will be abated by the City, and the cost of the abatement will be assessed upon the County property tax bill, and will constitute a lien upon such land until paid. The City recovers costs for administering this program through a \$260 flat fee and 166% administrative fee. Reference is hereby made to the Resolution for further particulars and Municipal Code Sections 6-13.01 through 6-13.17. A copy of said Resolution is on file in the Office of the City Clerk.

All property owners having any objections to the proposed removal of the hazard are encouraged to attend , or virtually attend if necessary, the meeting of the City Council of the City of Atascadero to be held on **May 11, 2021 at 6:00 p.m.** when their objections will be heard and given due consideration.

Dated this 13th day of April, 2021

/s/ Casey D. Bryson
Fire Chief
City of Atascadero

THE DEADLINE FOR WEED/REFUSE ABATEMENT COMPLIANCE IS JUNE 1, 2021

THANK YOU FOR YOUR ASSISTANCE IN MAINTAINING YOUR VEGETATIVE GROWTH TO A MAXIMUM HEIGHT OF 4 INCHES

On June 1, 2021, the City’s contractor begins the abatement process for parcels that are not in compliance. The contractor’s fees, as well as applicable City and County fees/fines are assessed on the County’s tax roll.

The Fire Chief has established the following requirements:

**CLEARANCE REQUIREMENTS
OF VEGETATIVE GROWTH (NOXIOUS WEEDS)**
Maximum height of 4 inches

- a) Located within 100 feet of any building or structure, or to the property line, whichever is nearer;
- b) Located within 50 feet from the edge of any improved roadway;
- c) Located within 50 feet from each property line;
- d) Located within 10 feet on each side of driveways.

EXEMPTIONS:

- a) Animal pastures and agricultural fields growing hay or grains. The interior portion of fenced pastures where the quantity of livestock significantly reduces the vegetative growth, therefore bringing the parcel into compliance. Agricultural fields must be cut at harvest time. Uncut hay and grain is subject to abatement.
- b) Habitat for endangered or threatened species or any species that is a candidate for listing as an endangered or threatened species by the State of California or Federal Government.
- c) Land kept in a predominantly natural state as habitat for wildlife, plant, or animal communities.
- d) Open space lands that are environmentally sensitive parklands.
- e) Other lands having scenic values.

Abatement requirements shall remain in effect in waterways where flood preparation measures and emergency flood control mitigation is necessary.

- 1) This exemption applies whether the land or water are held in fee title or any lesser interest. This exemption applies to any public agency, and private entity that has dedicated the land or water areas to one or more of those purposes or uses, or any combination of public agencies and private entities making that decision.
- 2) This section shall not be construed to prohibit the use of properly authorized prescribed burning to improve the biological function of land or to assist in the restoration of desired vegetation.
- 3) In the event that any lands adjacent to land or water areas, as described above, are improved such that they are subject to this chapter, the obligation to comply with Section 6-13.04 shall be with the person owning, leasing, controlling, operating, or maintaining the occupied dwelling or occupied structure on the improved lands. All maintenance, activities, and other fire prevention measures required by Section 6-13.04 shall be required only for the improved land, and water areas as described above.

Questions regarding weed abatement may be directed to (805) 470-3300 or by writing to: City of Atascadero, Fire & Emergency Services, Fire Marshal, 6500 Palma Ave., Atascadero, CA 93422.

PLEASE RETAIN THIS NOTICE FOR ANY RELATED COMMUNICATIONS



Atascadero City Council

Staff Report - Public Works Department

Property Acquisition for Santa Lucia Road Bridge Replacement Project

RECOMMENDATION:

Council adopt Draft Resolution approving compensation payments and Right-of-Way Agreements for property acquisitions located at APNs 054-271-007 and 054-272-015 for the Santa Lucia Road Bridge Replacement Project.

DISCUSSION:

Background/Analysis

Santa Lucia Road Bridge over Graves Creek is scheduled for construction replacement in 2022, pending Caltrans authorization of construction funds. This bridge was identified by Caltrans as being functionally obsolete. The City has been successful in securing a Federal Highway Bridge Replacement and Rehabilitation Program grant (HBRRP) that will fund 100% of the project costs.

Quincy Engineering is performing final design and preparing construction plans and specifications for the Project. The preliminary design for the bridge and temporary construction traffic detour route was reviewed with Council in May 2017. The proposed bridge will be widened to allow for standard lane and shoulder widths, and Santa Lucia Road at both the east and west approaches will be widened and minor modifications made to the horizontal alignment to be compliant with current standards.

To accommodate the new roadway and bridge widths and alignment changes, the City is required to acquire portions of adjacent property parcels. In addition, there are temporary construction easements needed from adjacent property parcels to accommodate construction for the new bridge. Hamner, Jewell & Associates has been assisting the City in obtaining property acquisitions for the project, including appraisals, right-of-way agreements, deeds, and negotiating with parcel owners. There are seven adjacent properties to the project that require either property acquisition, permanent easements or temporary easements based upon Quincy Engineering's bridge design layout. A Right-of-Way Exhibit showing the combined permanent and temporary construction easements needed for the bridge replacement is included for reference (Attachment 2).

Hamner, Jewell & Associates has negotiated and prepared right-of-way (R/W) agreements, easement deeds, and other necessary documents for the City to obtain these property acquisitions in preparation for bridge replacement. At the February 9, 2021 City Council meeting, five of the seven needed agreements were approved. The remaining two agreements have now been finalized and signed by the property owners. The following is a discussion of the final two properties requiring land acquisition.

Rick and Gail Cliffe (APN: 054-271-007) Amount: \$9,700

Rick and Gail Cliffe own the property at the southeast corner of Santa Lucia Road Bridge. A temporary construction easement on their property, containing 16,205 square feet is needed to accommodate construction activities and material storage. Mr. and Mrs. Cliffe have executed the R/W Agreement and Easement Deed for \$9,700 in compensation (Attachment 3).

John and Lorraine Wells (APN: 054-272-015) Amount: \$2,200

John and Lorraine Wells own the property at the northwest corner of Llano Road. A portion of this parcel shall be acquired in fee, totaling 476 square feet along Santa Lucia Road to accommodate roadway widening and utility relocation. Also needed is a temporary construction easement containing 3,406 square feet. Mr. and Mrs. Wells have executed the R/W Agreement and Easement Deed for \$2,200 in compensation (Attachment 4).

Conclusion

A Draft Resolution (Attachment 1) has been prepared to approve payment for the above property acquisitions and to authorize the City Manager to execute the R/W Agreements. Once these two agreements are complete, Caltrans is expected to certify that right-of-way has been completed so the construction schedule is kept on track and to allow funding to be programmed for project construction in 2022.

FISCAL IMPACT:

Compensation for property acquisition, and permanent and temporary construction easements required for the Santa Lucia Road Bridge Replacement Project is covered in the 2020-2021 Santa Lucia Road Bridge Replacement Project budget. The total compensation to be paid at this time is \$11,900. The HBRRP grant will cover 100% of the project costs.

ATTACHMENTS:

1. Draft Resolution
2. Santa Lucia Road Bridge Replacement Right-of-Way Exhibit
3. Temporary Construction Easement Agreement and Easement Deed for Rick and Gail Cliffe
4. R/W Agreement and Grant Deed for John and Lorraine Wells

DRAFT RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING COMPENSATION PAYMENTS AND RIGHT-OF-WAY AGREEMENTS WITH ESCROW INSTRUCTIONS FOR PROPERTY ACQUISITIONS WITH ATASCADERO RICK AND GAIL CLIFFE (APN 054-271-007) AND JOHN AND LORAINNE WELLS (APN 054-272-015) FOR THE SANTA LUCIA ROAD BRIDGE REPLACEMENT PROJECT

WHEREAS, the proposed layout for the Santa Lucia Road Bridge Replacement Project (“Project”) over Atascadero Creek requires that the City of Atascadero (“City”) acquire property for permanent and temporary construction easements; and

WHEREAS, the City and its agent, Hamner, Jewell & Associates, have negotiated compensation amounts for needed easements for the Project with Rick and Gail Cliffe (APN 054-271-007) and John and Lorraine Wells (APN 054-272-015), herein collectively referred to as “Property Owners”; and

WHEREAS, Right-of-Way Agreements (with Escrow Instructions) and Easement Deeds have been prepared for the City to acquire property from Property Owners for Project easements; and

WHEREAS, proposed Right-of-way Agreements (with Escrow Instructions) and Easement Deeds for the property acquisitions have been reviewed by the City Council at its meeting on April 13, 2021.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Atascadero:

SECTION 1. Recitals. The foregoing Recitals are true and correct and are hereby incorporated by this reference.

SECTION 2. Approval. The City Council hereby approves the Right-of-Way Agreements (with Escrow Instructions) for property acquisitions with Rick and Gail Cliffe (APN 054-271-007), and John and Lorraine Wells (APN 054-272-015).

SECTION 3. CEQA. The City Council hereby finds that 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. Approving Right-of-way Agreements for property acquisitions will not have any significant adverse environmental impacts associated with this Resolution.

SECTION 4. The City Manager is hereby authorized and directed to take all appropriate actions and execute Right-of-way Agreements and other documents which the City Manager may deem necessary or advisable in order to effectuate the purposes of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council held on the 13th day of April, 2021.

On motion by Council Member _____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara Christensen, City Clerk

APPROVED AS TO FORM:

Brian Pierik, City Attorney

CITY OF ATASCADERO - DEPARTMENT OF PUBLIC WORKS
 GRAVES CREEK BRIDGE AT SANTA LUCIA ROAD

REVISIONS:

NO.	DATE	BY	REVISION

DESIGNED BY: G. McLaughlin
 CHECKED BY: DES CHK
 SUPERVISOR: MARK RENO

NOTES:
 1. FOR COMPLETE RIGHT OF WAY, SEE RIGHT OF WAY RECORDS MAPS AT THE CITY OFFICE.

LEGEND:
 R/W RIGHT-OF-WAY
 TCE TEMPORARY CONSTRUCTION EASEMENT
 PL PROPERTY LINE

PG&E:
 EASEMENT

Dist	COUNTY	PROJECT	SHEET No.	TOTAL SHEETS
05	SLO	GRAVES CREEK BRIDGE AT SANTA LUCIA ROAD	1	1

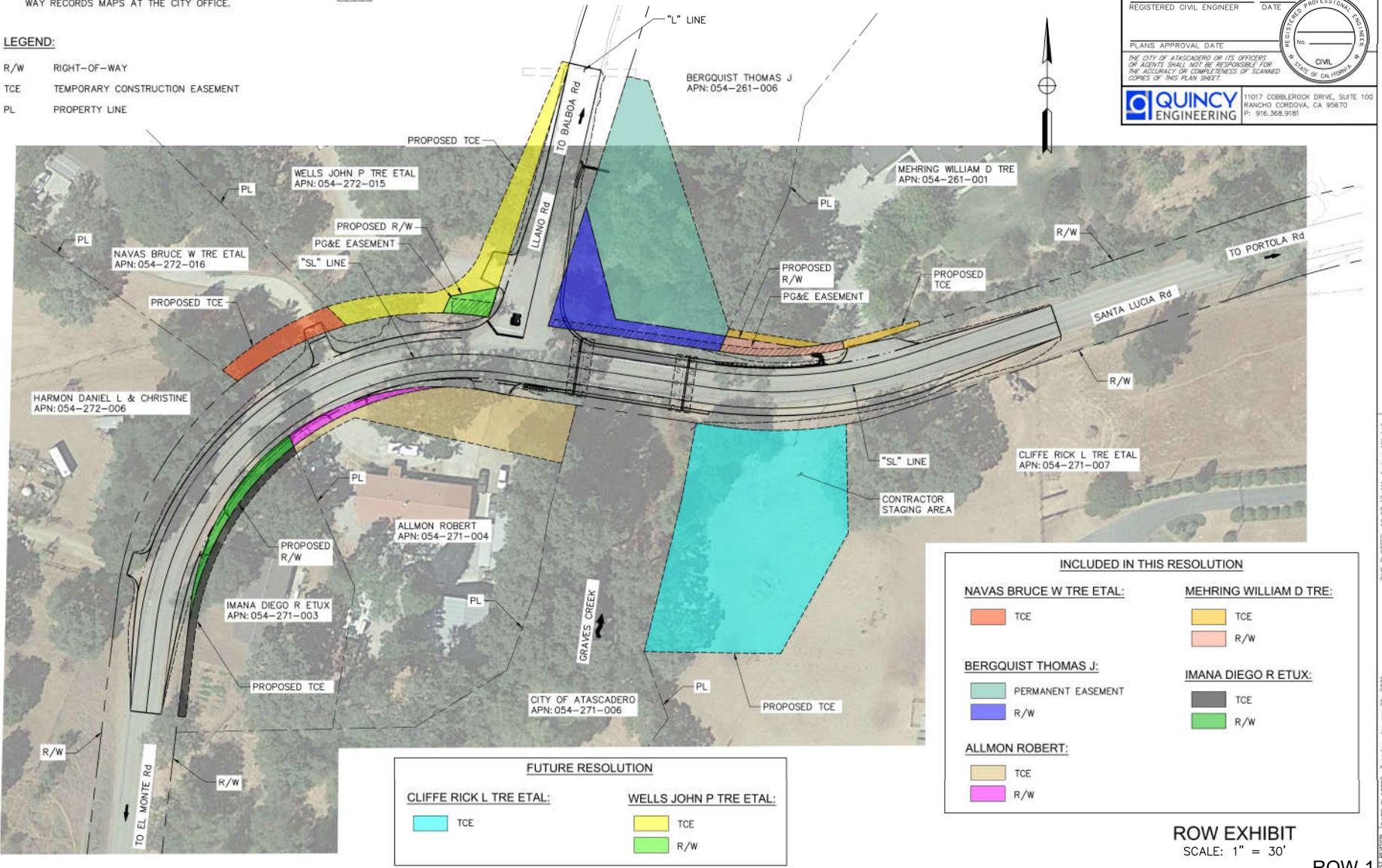
EXHIBIT 01/26/2021
 REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

THE CITY OF ATASCADERO OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

QUINCY ENGINEERING 11017 CORBERLOCK DRIVE, SUITE 100
 RANCHO CORDOVA, CA 95670
 P: 916.368.9181

CIVIL ENGINEER



DATE PLOTTED: Tuesday, January 26, 2021 TIME PLOTTED: 10:07:47 AM Andrew Mitchell

ROW-1

ASSESSOR PARCEL NO.: 054-271-007
PROJECT: Atascadero – Santa Lucia Road Bridge Replacement
OWNER: Cliffe Trust

AGREEMENT FOR TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT is made and entered into by and between

Rick L. Cliffe and Gail E. Cliffe, as Trustees of the Rick L. Cliffe and Gail E. Cliffe 2007 Revocable Trust (hereinafter called “Grantor”), and

The City of Atascadero, a California municipal corporation, (hereinafter called “City”).

An instrument in the form of a Temporary Construction Easement Deed (“Easement Deed”) covering the property particularly described therein (“Easement Area”), has been executed concurrently with this Agreement and delivered to City representatives.

In consideration of which, and other considerations hereinafter set forth, it is mutually agreed as follows:

1. The parties have herein set forth the whole of their agreement. The performance of this Agreement constitutes the entire consideration for said document and shall relieve the City of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.

2. The City shall:

A. PAYMENT - Pay to the order of the Grantor the sum of \$9,700 as consideration in full for the property interests described in the Easement Deed, for the loss, replacement and moving of any improvements, and for entering into this Agreement. Said sum shall be paid within thirty days of the date of City acceptance and execution of this Agreement.

B. RECORDATION OF INSTRUMENT - Accept the Easement Deed and may, at City’s sole discretion, cause the same to be recorded in the office of the San Luis Obispo County Recorder.

C. MISCELLANEOUS COSTS - Pay any and all transactional closing costs and recording fees incurred in this transaction.

D. CONSTRUCTION AND RESTORATION - Upon completion of construction, generally restore the Easement Area to a comparable or better condition as that which existed prior to City’s project construction, to the extent reasonably practical, in accordance with the provisions of the Easement Deed.

a) REMOVAL AND REPLACEMENT OF PERIMETER FENCING. Grantor acknowledges that its existing perimeter wood fencing and gate along Santa

Lucia Road will be removed to accommodate the installation of a temporary detour route for Santa Lucia Road. After the completion of new Santa Lucia Road bridge construction, when the detour route is no longer needed, the City will construct a new fence on the right of way line and a new gate will be installed in its original pre-construction location. The posts of the wooden fence will be embedded in compacted dirt only; no concrete will be used to cement the posts in place. Said fence removal and restoration will be completed at no expense to Grantor, in an otherwise like-kind manner.

- b) **TEMPORARY FENCING.** Upon City's commencement of use of the Easement Area, temporary chain link fencing panels with privacy slats shall be installed by City along the southerly and easterly lines of the Easement Area to segregate Grantor's livestock from the Easement Area, as depicted in Exhibit A. Temporary fence installation method shall not include fence posts driven into the ground. The installation of the fencing along the southerly and easterly Easement Area boundaries shall be fully completed within the same day as when said fencing installation is commenced, which shall occur after City or its contractor provides Grantor with a minimum of one week advance notice of the specific date for when said fencing installation will occur. The City agrees to place high visibility temporary fencing around portion of Grantor's leech field that extends inside the Temporary Construction Easement area, subject to Grantor identifying and marking such leach line locations.
- c) **OVERNIGHT EQUIPMENT STORAGE.** City agrees that construction equipment will only be stored overnight within the area depicted in Exhibit B.
- d) **RESTORATION OF DETOUR AREA.** Grantor acknowledges that temporary asphalt paving will be installed upon Grantor's property within a portion of the Temporary Construction Easement Area, for use as a temporary public road detour route while the new Santa Lucia Bridge is under construction. Once the public road bridge bypass detour route is no longer needed, the City shall restore the detour area to original condition by removing all asphalt and road base installed for detour purposes.
- e) **ROAD SHOULDER FILL.** As a part of project construction, the shoulder along Santa Lucia Road adjacent to the Grantor's property will be filled to match the new road grade.
- f) **WEED ABATEMENT AND VEGETATION REMOVAL.** During all periods of City's access and use of the Temporary Construction Easement area, the City shall maintain the Temporary Construction Easement area in compliance with City Fire Department weed abatement requirements. Additionally, the City shall remove the dead tree from the creek bank located near the eight oak trees marked in the City's construction plans for removal within the TCE area.

E. INDEMNIFICATION - Indemnify and hold harmless the Grantor from any and all claims, damages, costs, judgments or liability proximately caused by City or its officers, employees, contractors or agents specifically arising from City's construction and restoration work within the Easement Area during the temporary easement period specified in the Easement Deed.

3. The Grantor:

A. LEASE INDEMNIFICATION - Warrants there are no oral or written leases on all or any portion of the Easement Area or if there are such leases, Grantor agrees to hold the City harmless and reimburse City for any and all of its losses and expenses occasioned by reason of any lease encumbering the Easement Area. Grantor shall provide City use of the Easement Area free of any leases that may conflict with City's rights under the Easement Deed provisions.

B. TITLE INDEMNITY AND WARRANTY - In consideration of the City waiving requirements to clear any defects and imperfections in all matters of record title, Grantor indemnifies and holds the City harmless from any and all claims that other parties may make or assert on the title to the Easement Area. Grantor's obligation to indemnify the City shall not exceed the amount paid to the Grantor under this Agreement. Grantor hereby represents and warrants that he/she/they are the sole vested owners of the Easement Area, holding all ownership and possessory rights, and are the authorized signatories to grant the easement rights referenced in this Agreement and the Easement Deed without conflict or claims from other parties.

C. SUPPLEMENTAL FORMS - Agrees to provide all required supplemental forms necessary to complete this transaction, including a W-9 Form required for payment processing.

D. GRANTOR'S KNOWLEDGE OF THE ENVIRONMENTAL CONDITIONS OF THE PROPERTY - Hereby represents and warrants that to the best of Grantor's knowledge and belief, throughout the period of Grantor's ownership, there has been no spill, discharge, release, cleanup or contamination of or by any hazardous or toxic waste or substance used, generated, treated, stored, disposed of or handled by the Grantor, its employees, and/or agents on or around the Easement Area. Further, Grantor agrees to disclose to City, prior to the close of this transaction, all studies, reports, and investigations, known to Grantor, concerning any pollution, toxic building materials or toxic hazardous substances or wastes located at, on, or under the Easement Area.

4. The Parties agree:

A. ARTICLE HEADINGS - Article headings in this Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants and conditions of this Agreement.

B. COMPLETE UNDERSTANDING - This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, superseding all negotiations, prior discussions, and preliminary agreements or understandings, written or oral. This Agreement may not be amended except in writing by the parties hereto or their successors or assigns.

C. CITY COUNCIL APPROVAL - This Agreement is subject to and conditioned upon approval by the Atascadero City Council. This Agreement is not binding upon the City until executed by the appropriate City official(s) acting in their authorized capacity.

D. COUNTERPARTS - This Agreement may be executed in counterparts, each of which so executed shall irrespective of the date of its execution and delivery be deemed an original, and all such counterparts together shall constitute one and the same document.

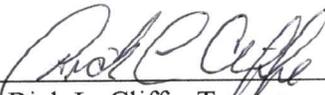
E. SUCCESSORS AND ASSIGNS - This Agreement shall apply to and bind the heirs, executors, administrators, assigns and successors of the parties hereto.

G. ELECTRONIC AND FACSIMILE SIGNATURES – In the event that the parties hereto utilize electronic or facsimile documents which include signatures, such documents shall be accepted as if they bore original signatures provided that documents bearing ORIGINAL SIGNATURES are provided following transmittal of the electronic or facsimile signature. Documents for recordation by the Clerk Recorder must contain original signatures.

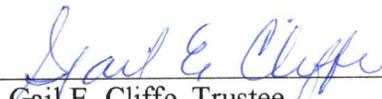
No Obligation Other Than Those Set Forth Herein Will Be Recognized.

GRANTOR:

Rick L. Cliffe and Gail E. Cliffe, as Trustees of the Rick L. Cliffe and Gail E. Cliffe 2007 Revocable Trust

By: 
Rick L. Cliffe, Trustee

Date: 23 Feb 2021

By: 
Gail E. Cliffe, Trustee

Date: 2-23-21

GRANTOR'S MAILING ADDRESS:

9855 Laurel Road
Atascadero, CA 93422

CITY OF ATASCADERO

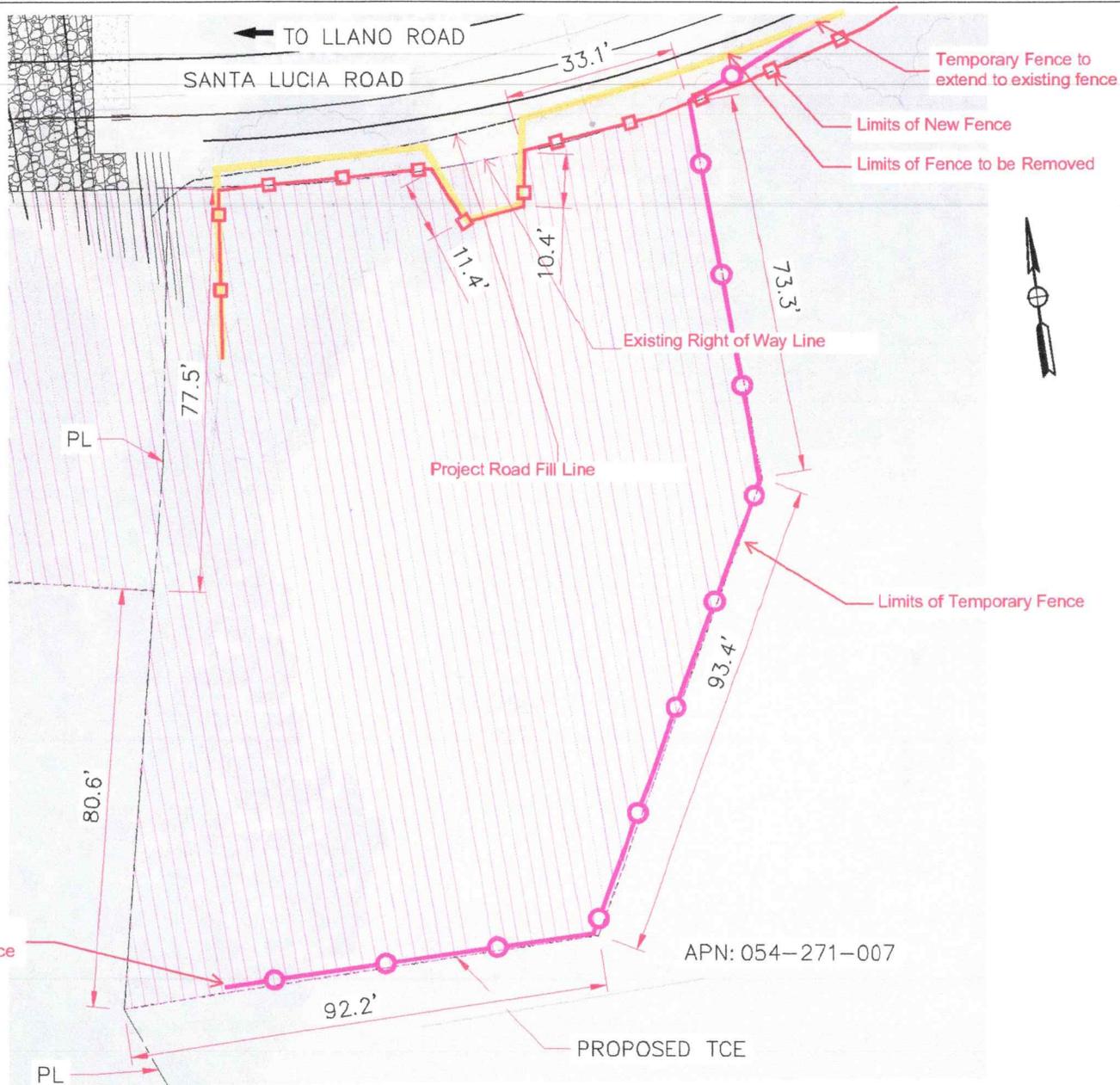
By: _____
Rachelle Rickard
City Manager

Date: _____

MAILING ADDRESS OF CITY:

The City of Atascadero
Attn: Deputy Director of Public Works
6500 Palma Avenue
Atascadero, CA 93422

Exhibit A



Dist	COUNTY	PROJECT	SHEET No.	TOTAL SHEETS
05	SLO	GRAVES CREEK BRIDGE AT SANTA LUCIA ROAD	3	6
REGISTERED CIVIL ENGINEER		EXHIBIT	10/1/2020	DATE
PLANS APPROVAL DATE				
		11017 COBBLE ROCK DRIVE, SUITE 100 RANCHO CORDOVA, CA 95670 P: 916.368.9181		

CITY OF ATASCADERO - DEPARTMENT OF PUBLIC WORKS	CONSULTANT PROJECT MANAGER	DESIGNED BY	REVISOR
GRAVES CREEK BRIDGE AT SANTA LUCIA ROAD	MARK RENO	CHECKED BY	DATE REVISED
		G. McLaughlin	
		DES. CHK.	

DATE PLOTTED: Wednesday, November 11, 2020 TIME PLOTTED: 2:05:56 PM Garrett McLaughlin

RW-3

REMOVED BY	DATE REVISED
G. McLaughlin	DES CHK
CALCULATED / DESIGNED BY	CHECKED BY
CONSULTANT FUNCTIONAL SUPERVISOR	MARK REVISION
CITY OF ATASCADERO - DEPARTMENT OF PUBLIC WORKS	GRAVES CREEK BRIDGE AT SANTA LUCIA ROAD

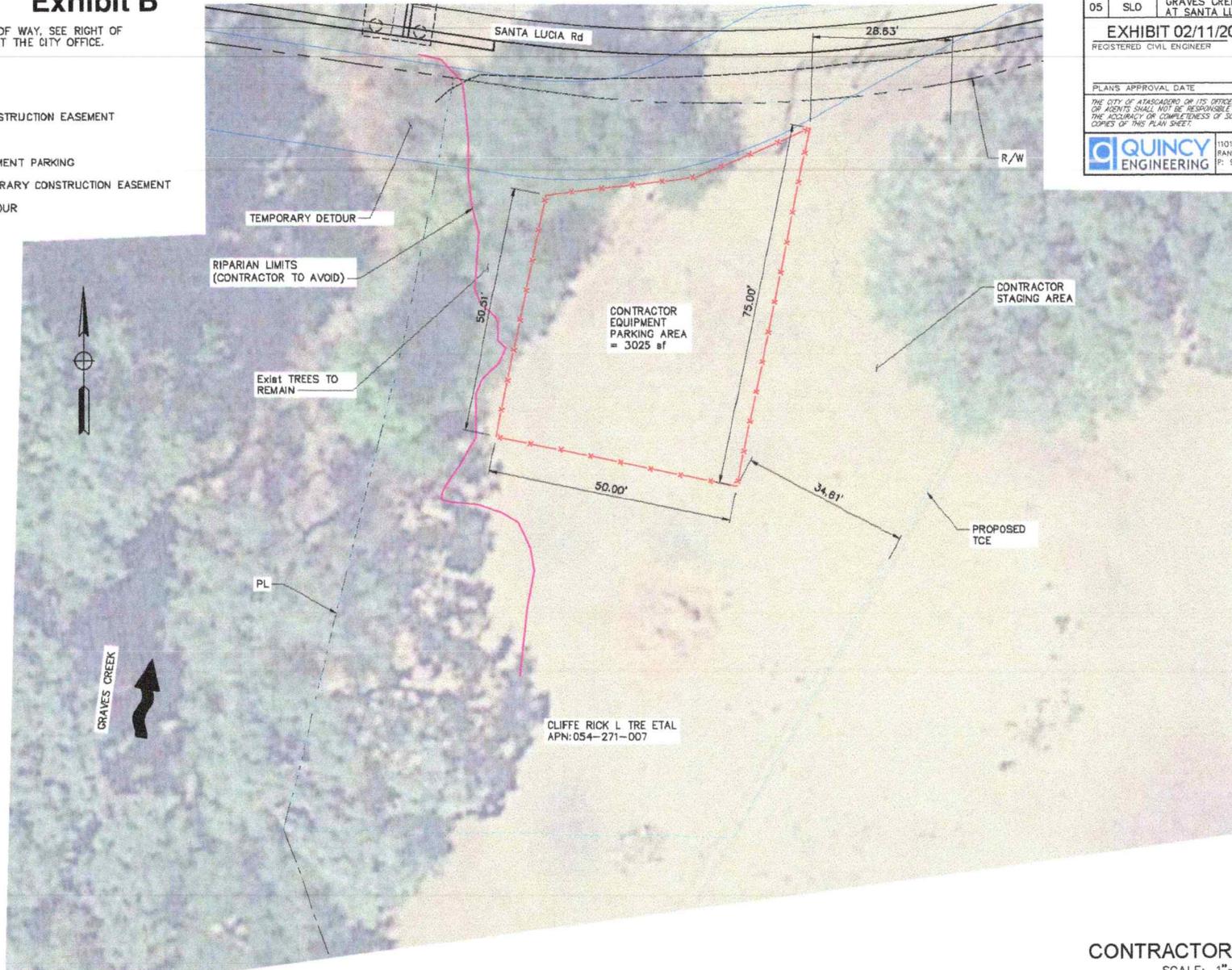
NOTES:

1. FOR COMPLETE RIGHT OF WAY, SEE RIGHT OF WAY RECORDS MAPS AT THE CITY OFFICE.

LEGEND:

- R/W RIGHT-OF-WAY
- TCE TEMPORARY CONSTRUCTION EASEMENT
- PL PROPERTY LINE
- LIMITS OF EQUIPMENT PARKING
- LIMITS OF TEMPORARY CONSTRUCTION EASEMENT
- TEMPORARY DETOUR

Exhibit B



Dist	COUNTY	PROJECT	SHEET No.	TOTAL SHEETS
05	SLO	GRAVES CREEK BRIDGE AT SANTA LUCIA ROAD	1	1
EXHIBIT 02/11/2021				
REGISTERED CIVIL ENGINEER			DATE	
PLANS APPROVAL DATE				
THE CITY OF ATASCADERO, ON ITS ORDINARIES OF AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.				
QUINCY ENGINEERING		11017 COBBLEROCK DRIVE, SUITE 100 RANCHO CORDOVA, CA 95670 P: 916.358.9181		

CONTRACTOR STAGING
SCALE: 1"=10'

Recording requested by:
Hamner, Jewell & Associates
Government Real Estate Services

When recorded, mail to:

City of Atascadero
Attn: City Clerk
6500 Palma Avenue
Atascadero, CA 93422

Exempt from the \$75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

TEMPORARY CONSTRUCTION EASEMENT DEED
(To the City of Atascadero)

APN: 054-271-007

For a valuable consideration, receipt of which is hereby acknowledged,

Rick L. Cliffe and Gail E. Cliffe, as Trustees of the Rick L. Cliffe and Gail E. Cliffe 2007 Revocable Trust (hereinafter referred to as "Grantor"),

hereby grants to the

The City of Atascadero, a California municipal corporation ("City"),

A temporary easement for the purposes of facilitating the re-construction of the Santa Lucia Bridge and associated public street improvements, including the right to pile earth thereon, store materials, and supplies thereon for construction staging purposes, and utilize said Temporary Construction Easement for all other related activities and purposes, in, on, over, under, along, and across that certain property in the City of Atascadero, County of San Luis Obispo, State of California described and depicted in Exhibits "A" and "B" attached hereto and incorporated herein.

This Temporary Construction Easement shall commence on February 1, 2021 and shall automatically terminate upon completion of City's construction or 36 months after the commencement, whichever occurs first. In any event, this temporary easement shall terminate by or before January 31, 2024.

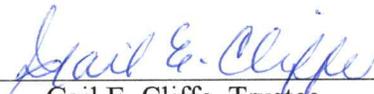
Upon termination, the Temporary Construction Easement area will be generally restored by City to a comparable or better condition as that which existed prior to City's access and use.

GRANTOR represents and warrants it is the owner of the Real Property described herein and is the authorized signatory to execute this Deed and grant these easement rights to CITY, and that no additional signatures are required to carry out this conveyance.

GRANTOR:

Rick L. Cliffe and Gail E. Cliffe, as Trustees of the Rick L. Cliffe and Gail E. Cliffe 2007 Revocable Trust

By: 
Rick L. Cliffe, Trustee

By: 
Gail E. Cliffe, Trustee

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

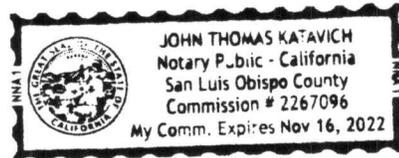
State of California
County of San Luis Obispo

On February 23, 2021 before me, John Thomas Katarovich, Notary Public, personally appeared Rick L. Cliffe, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

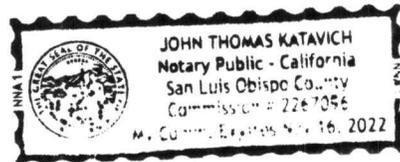
State of California
County of San Luis Obispo

On February 23, 2021 before me, John Thomas Katarovich, Notary Public, personally appeared Gail E. Cliffe, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



CERTIFICATE OF ACCEPTANCE
(Gov. Code section 27281)

This is to certify that the interest in real property conveyed by the Temporary Construction Easement Deed dated _____ from Rick L. Cliffe and Gail E. Cliffe, as Trustees of the Rick L. Cliffe and Gail E. Cliffe 2007 Revocable Trust, to the City of Atascadero, a municipal corporation government, Grantee therein, is hereby accepted by the undersigned officer or agent on behalf of the City of Atascadero pursuant to the authority conferred by Resolution of the City Counsel of the City of Atascadero adopted on April 28, 1987, and the Grantee consents to the recordation thereof by its duly authorized officer or agent.

In Witness Whereof, I have hereunto set my hand this ____ day of _____, 2020.

“GRANTEE”

CITY OF ATASCADERO, a municipal corporation

By _____
Nicholas D. DeBar
Director of Public Works

ATTEST:

By _____
Lara Christensen, City Clerk

EXHIBIT A
(APN 054-271-007 TCE)

Being a portion of Lot 8 in block 42 of the Atascadero Colony in the City of Atascadero, County of San Luis Obispo, State of California as shown on map recorded in Book 3 of Maps, at Page 57 in the office of the County Recorder of said County, being more particularly described as follows:

Beginning at the northwest corner of said Lot 8 on the south right-of-way of Santa Lucia Road, said point also being the northeast corner of Graves Creek Reservation No. 7 as shown on said map, said point also being the TRUE POINT OF BEGINNING;

Thence, along the west line of said Lot 8 being common with said Creek Reservation No. 7 South 10°37'00" West 52.28 feet to an angle point in said west line;

Thence, continuing along said west line South 13°44'00" West 105.00 feet to an angle point in said west line;

Thence, leaving said west line South 88°43'18" East 92.16 feet to a point;

Thence, North 29°09'50" East 92.89 feet to a point;

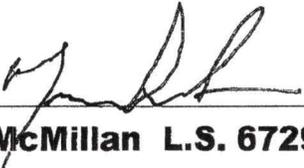
Thence, North 01°14'34" West 73.28 feet to a point on said south right-of-way, said point also being the beginning of a tangent curve concave north and having a radius of 263.80 feet, to which point a radial bears South 10°11'07" East;

Thence, west along said curve and right-of-way 85.88 feet through a central angle of 18°39'07" to the end of said tangent curve;

Thence, continuing along said right-of-way North 81°32'00" West 15.94 feet to the TRUE POINT OF BEGINNING.

Contains 16,205.0 square feet.

END OF DESCRIPTION.



Keith McMillan L.S. 6729 Date



EXHIBIT B

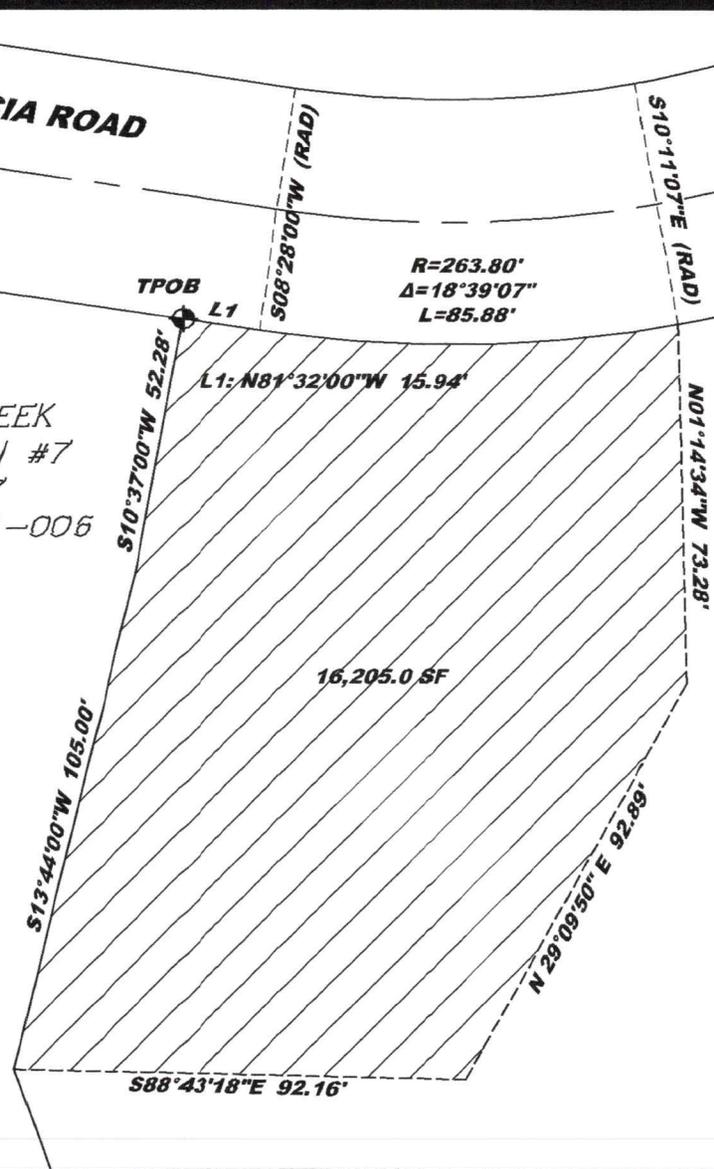
TCE

SANTA LUCIA ROAD

25'
25'

PTN LOT #9
3-AC-57
APN 054-271-004

GRAVES CREEK
RESERVATION #7
3-AC-57
APN 054-271-006



TPOB DENOTES TRUE POINT OF BEGINNING
 RAD DENOTES RADIAL
 PTN DENOTES PORTION
 SF DENOTES SQUARE FEET

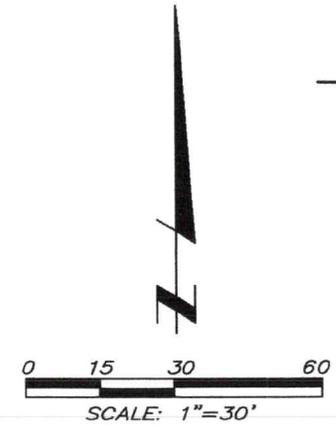
LOT 8
3-AC-57
APN 054-271-007



Keith McMillan 12-01-2020
 KEITH MCMILLAN L.S. 6729



2306 BROAD STREET
 SAN LUIS OBISPO, CA 93401
 805-541-1663 FAX 541-1664
 DATE: 12-01-2020 JOB #621-02



ASSESSOR PARCEL NO.: 054-272-015
PROJECT: Atascadero-Santa Lucia Road Bridge Replacement
OWNER: Wells Family Trust and Estate of Delbert W. Flanagan, deceased

**RIGHT OF WAY AGREEMENT
(WITH ESCROW INSTRUCTIONS)**

THIS AGREEMENT is made and entered into by and between

John P. Wells and Lorraine H. Wells, Co-Trustees of The Wells Family Trust, dated May 6, 2013, and John P. Wells, Special Administrator of the Estate of Delbert W. Flanagan, deceased (hereinafter collectively called "Grantor"), and

The City of Atascadero, a California municipal corporation, (hereinafter called "City").

An instrument in the form of a Grant Deed ("Deed") covering the property particularly described therein ("Property"), has been executed concurrently with this Agreement and delivered to City representatives.

In consideration of which, and other considerations hereinafter set forth, it is mutually agreed as follows:

1. The parties have herein set forth the whole of their agreement. The performance of this Agreement constitutes the entire consideration for said document and shall relieve the City of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement, except as stated in Paragraphs 2.E. and 2.F. below.

2. The City shall:

A. PAYMENT - Pay to the order of the Grantor the sum of \$2,200 as consideration in full for the Property, for the loss, replacement and moving of any improvements, and for entering into this Agreement. Said sum shall be paid when title to the Property has vested in City free and clear of all liens, encumbrances, assessments, easements and leases recorded or unrecorded, except for recorded public utility easements and public right of way.

B. RECORDATION OF INSTRUMENT - Accept the Deed and cause the same to be recorded in the office of the San Luis Obispo County Recorder at such time as when clear title can be conveyed.

C. MISCELLANEOUS COSTS - Pay any escrow, title insurance, and recording fees incurred in this transaction.

D. CLEARANCE OF BONDS, ASSESSMENTS, OR DELINQUENT TAXES - Have the authority to deduct and pay from the amount shown in Clause 2. A. above any amount necessary to satisfy any bond demands and delinquent taxes due in any year except the year in which the Deed records, together with penalties and interest thereon, and/or delinquent and unpaid non-delinquent assessments which have become a lien as of the date of recordation of the Deed.

E. CONSTRUCTION AND RESTORATION – Shall, upon completion of construction, generally restore the Temporary Construction Easement area described in the Deed to a comparable or better condition than that which existed prior to City’s project construction, to the extent reasonably practical. Said restoration shall include relocation of the existing wooden perimeter ranch fence and mailbox located along Grantor’s property frontage to the true property line. Any utility services will either be protected in place or, if impacted by the project, will be relocated at City expense. Grantor acknowledges that there is a 20-foot oak tree in along Santa Lucia Road, about sixty feet west of the intersection of Santa Lucia and Llano Roads, and a 26’ oak tree about 90 ft. north of the intersection on Llano Road that will be removed for the project construction. These trees are in existing City right of way adjacent to Grantor’s Property.

Grantor acknowledges that the City plans to block the intersection of Llano and Santa Lucia Roads for the duration of the project construction. Access shall be maintained to Grantor’s property throughout the construction duration at each of Grantor’s driveways - one on Llano Road and the other on Santa Lucia Road. Due to the project construction, there may be a slight grade differential from the driveway to the road.

F. INDEMNIFICATION - Indemnify and hold harmless Grantor from any and all claims, damages, costs, judgments, or liability proximately caused by City or its officers, employees, or agents specifically arising from City construction and restoration work on the Property within the term of the Temporary Construction Easement described in the Deed.

3. The Grantor:

A. PAYMENT ON MORTGAGE OR DEED OF TRUST - Agrees that any or all monies payable under this Agreement up to and including the total amount of the unpaid principal and interest on the note(s) secured by mortgage(s) or deed(s) of trust, if any, and all other amounts due and payable in accordance with the terms and conditions of said mortgage(s) or deed(s) of trust, shall upon demand(s) be made payable to the mortgagee(s) or beneficiary(s) entitled thereunder. Grantor shall cooperate with the City and/or Escrow Officer in obtaining lien clearance documents from any and all creditors holding liens against the Property.

B. LEASE INDEMNIFICATION - Warrants there are no oral or written leases on all or any portion of the Property, or if there are such leases, Grantor agrees to hold the City harmless and reimburse City for any and all of its losses and expenses occasioned by reason of any lease of said Property held by tenant of Grantor.

C. PERMISSION TO ENTER - Hereby grants to the City, its agents and contractors, permission to enter the Property prior to the close of escrow for the purposes of preparation for the construction of the City’s facilities, subject to all applicable terms and conditions contained in this Agreement and the associated Deed.

D. TITLE INDEMNITY AND WARRANTY - In consideration of the City waiving the requirements to clear any defects and imperfections in all matters of record title, the Grantor indemnifies and holds the City harmless from any and all claims that other parties may make or assert on the title to the Property. Grantor’s obligation to indemnify the City shall not exceed the amount paid to the Grantor under this Agreement. Grantor hereby represents and warrants that

he/she/they are the sole vested owners of the Property, holding all ownership and possessory rights, and are the authorized signatories to grant the rights referenced in this Agreement without conflict or claims from other parties.

E. HAZARDOUS SUBSTANCES - Represents and warrants, to the best of Grantor's knowledge, and after reasonable inquiry, the following:

During Grantor's ownership of the Property, Grantor knows of no disposal, releases, or threatened releases of hazardous substances on, from, or under the Property or Grantor's remaining adjacent property. Grantor further represents and warrants that Grantor has no knowledge of disposal, release, or threatened release of hazardous substances on, from, or under the Property, or Grantor's remaining adjacent property, which may have occurred prior to Grantor's ownership.

There is no pending claim, lawsuit, agency proceeding, or any administrative challenge concerning the presence or use of hazardous substances on or within the Property or Grantor's remaining adjacent property.

Grantor has not used the Property, or Grantor's remaining adjacent property, for any industrial operations that use hazardous substances. Grantor is not aware of any prior use of such property. Grantor has not installed any underground storage tanks, above ground storage tanks, barrels, sumps, impoundments or other containers used to contain hazardous substances on any part of the Property or Grantor's remaining adjacent property. Grantors are not aware of any such prior installations. The purchase price of the Property being acquired reflects the fair market value of the Property without the presence of contamination. If the Property is found to be contaminated by the presence of hazardous substances which require mitigation under Federal or State law, City may elect to recover its cleanup costs from those who caused or contributed to the contamination.

4. The Parties agree:

A. ESCROW - At City's option, to open an escrow in accordance with this Agreement at an escrow company of City's choice. Opening an escrow shall be at City's sole discretion and City may decide to process this transaction without the use of an escrow agent. However, if an escrow agent is utilized, this Agreement constitutes the joint escrow instructions of City and Grantor, and the escrow agent to whom these instructions are delivered is hereby empowered to act under this Agreement. The parties hereto agree to do all acts necessary to close this escrow in the shortest possible time.

If an escrow is utilized, as soon as possible after opening of escrow, City will deposit the executed Deed by Grantor, with Certificate of Acceptance attached, with the escrow agent on Grantor's behalf. City agrees to deposit the purchase price upon demand of escrow agent. City and Grantor agree to deposit with escrow agent all additional instruments as may be necessary to complete this transaction. All funds received in this escrow shall be deposited with other escrow funds in a general escrow fund account(s) and may be transferred to any other such escrow trust account in any State or National Bank doing business in the State of California. All disbursements shall be made by check or wire transfer from such account.

Any taxes which have been paid by Grantor, prior to opening of this escrow, shall not be pro-rated between City and Grantor, but Grantor shall have the sole right after close of escrow, to apply to the County Tax Collector of said County for any refund of such taxes which may be due Grantor for the period after City's acquisition.

- i) ESCROW AGENT DIRECTIVES - Escrow Agent is authorized to, and shall:
 - a) Pay and charge Grantor for any unpaid delinquent taxes and/or any penalties and interest thereon, and for any delinquent assessments or bonds against that portion of Grantor's property subject to this transaction as required to convey clear title.
 - b) Pay and charge City for any escrow fees, charges and costs payable under Paragraph 2.C. of this Agreement;
 - c) Disburse funds and deliver Deed when conditions of this escrow have been fulfilled by City and Grantor.
 - d) Following recording of Deed from Grantor, if requested by City, provide City with a CLTA Standard Coverage Policy of Title Insurance in the amount of \$2,200 issued by a Title Company of City's choice showing that title to the Property is vested in City, subject only to the following exceptions, and the printed exceptions and stipulations in said policy:
 - 1) Real Property Taxes for the fiscal year in which escrow closes;
 - 2) Public utility easements and public rights of way;
 - 3) Items No. 4, 5, 6, 7, 13 of the preliminary title report issued by First American Title Company, dated June 27, 2018, referenced as Order No. 4001-5232194;
 - 4) Other items that may be approved in writing by City in advance of the close of escrow.
- ii) CLOSE OF ESCROW - The term "close of escrow", if and where written in these instructions, shall mean the date necessary instruments of conveyance are recorded in the office of the County Recorder. Recordation of instruments delivered through this escrow is hereby authorized.

B. JUDGMENT IN LIEU OF DEED - In the event Grantor does not deliver title in a reasonable time under the terms of the Agreement, the City may file an action in eminent domain to pursue the acquisition of the Property, and this Agreement shall constitute a stipulation which may be filed in said proceedings as final and conclusive evidence of the total amount of damages for the taking, including all of the items listed in Section 1260.230 of the Code of Civil Procedure, regarding said property rights.

C. ARTICLE HEADINGS - Article headings in this Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants and conditions of this Agreement.

D. COMPLETE UNDERSTANDING - This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, superseding all negotiations, prior discussions, and preliminary agreements or understandings, written or oral. This Agreement may not be amended except in writing by the parties hereto or their successors or assigns.

E. CITY COUNCIL APPROVAL - This Agreement is subject to and conditioned upon approval by the Atascadero City Council. This Agreement is not binding upon the City until executed by the appropriate City official(s) acting in their authorized capacity.

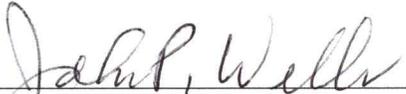
F. COUNTERPARTS - This Agreement may be executed in counterparts, each of which so executed shall irrespective of the date of its execution and delivery be deemed an original, and all such counterparts together shall constitute one and the same document.

G. ELECTRONIC AND FACSIMILE SIGNATURES – In the event that the parties hereto utilize electronic or facsimile documents which include signatures, such documents shall be accepted as if they bore original signatures provided that documents bearing ORIGINAL SIGNATURES are provided following transmittal of the electronic or facsimile signature. Documents for recordation by the Clerk Recorder must contain original signatures.

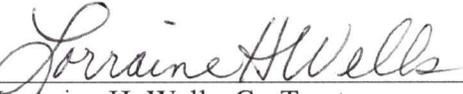
No Obligation Other Than Those Set Forth Herein Will Be Recognized.

GRANTOR:

John P. Wells and Lorraine H. Wells, Co-Trustees of The Wells Family Trust, dated May 6, 2013

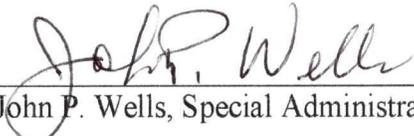
By: 
John P. Wells, Co-Trustee

Date: 3-19-2021

By: 
Lorraine H. Wells, Co-Trustee

Date: 3-19-2021

John P. Wells, Special Administrator of the Estate of Delbert W. Flanagan

By: 
John P. Wells, Special Administrator of the Estate of Delbert W. Flanagan

GRANTOR'S MAILING ADDRESS:

John P. and Lorraine H. Wells, Co-Trustees
11250 Santa Lucia Road
Atascadero, CA 93422

CITY OF ATASCADERO

By: _____
Rachelle Rickard
City Manager

Date: _____

MAILING ADDRESS OF CITY:

The City of Atascadero
Attn: Deputy Director of Public Works
6500 Palma Ave,
Atascadero, CA 93422

Recording requested by:
Hamner, Jewell & Associates
Government Real Estate Services

When recorded, mail to:

City of Atascadero
Attn: City Clerk
6500 Palma Avenue
Atascadero, CA 93422

Exempt from the \$75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

GRANT DEED
(To the City of Atascadero)

APN: 054-272-015

For a valuable consideration, receipt of which is hereby acknowledged,

John P. Wells and Lorraine H. Wells, Co-Trustees of The Wells Family Trust, dated May 6, 2013, and John P. Wells, Special Administrator of the Estate of Delbert W. Flanagan, deceased, hereinafter collectively referred to as "Grantor"

hereby grant to the

The City of Atascadero, a California municipal corporation ("City"),

the following described interests in real property located in the City of Atascadero, County of San Luis Obispo, State of California:

In Fee:

All that certain property described in Exhibit "A" and depicted in Exhibit "B", attached hereto and incorporated herein; and

Temporary Construction Easement

A temporary easement for the purposes of facilitating construction of adjacent public street improvements and related purposes, in, on, over, under, through, along, and across that certain parcel of land located in the City of Atascadero, County of San Luis Obispo, State of California described in Exhibit "C" and depicted in Exhibit "D", attached hereto and incorporated herein.

This Temporary Construction Easement shall commence on April 1, 2021, and shall automatically terminate upon completion of City's construction or 36 months after the commencement, whichever occurs first. In any event, this temporary easement shall terminate by or before March 31, 2024.

Upon termination, the Temporary Construction Easement area will be generally restored by City to a comparable or better condition as that which existed prior to City's access and use, to the extent reasonably practical.

GRANTOR represents and warrants it is the owner of the parcel of land described herein and is the authorized signatory to execute this Deed and grant these easement rights to CITY, and that no additional signatures are required to carry out this conveyance.

The rights granted herein shall run with the land and be binding upon Grantor's successors in interest and assigns.

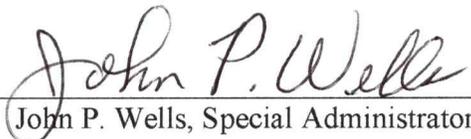
GRANTOR:

John P. Wells and Lorraine H. Wells, Co-Trustees of The Wells Family Trust, dated May 6, 2013

By:  3-19-2021
John P. Wells, Co-Trustee

By: 
Lorraine H. Wells, Co-Trustee

John P. Wells, Special Administrator of the Estate of Delbert W. Flanagan

By: 
John P. Wells, Special Administrator of the Estate of Delbert W. Flanagan

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

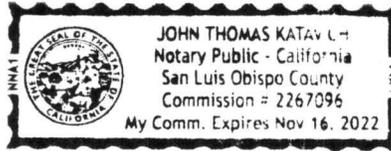
State of California
County of San Luis Obispo

On March 19, 2021 before me, John T. Katarovich, Notary Public, personally appeared John P. Wells, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

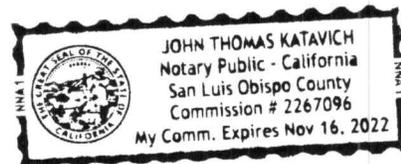
State of California
County of San Luis Obispo

On March 19, 2021 before me, John T. Katarovich, Notary Public, personally appeared Lorraine H. Wells, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



CERTIFICATE OF ACCEPTANCE
(Gov. Code section 27281)

This is to certify that the City of Atascadero, City herein, hereby accepts for public purposes the real property, or interest therein, described in that deed dated _____, from John P. Wells and Lorraine H. Wells, Co-Trustees of The Wells Family Trust, dated May 6, 2013, and John P. Wells, Special Administrator of the Estate of Delbert W. Flanagan, collectively Grantor therein, and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this ____ day of _____, 2021.

CITY OF ATASCADERO

By _____
Nicholas D. DeBar
Director of Public Works

ATTEST:

By _____
Lara Christensen, City Clerk

EXHIBIT A

(APN 054-272-015 FEE ACQUISITION)

Being a portion of Lot 52 in block 43 of the Atascadero Colony in the City of Atascadero, County of San Luis Obispo, State of California as shown on map recorded in Book 3 of Maps, at Page 58 in the office of the County Recorder of said County, being more particularly described as follows:

Beginning at a rebar and cap stamped L.S. 5571 at the south common corner of said Lot 52 with Lot 51 in said in said block on the north right-of-way of Santa Lucia Road, as shown on map recorded in Book 73 of Licensed Surveys, at Page 58 in the office of said County Recorder. Said point also being a point on a curve concave south having a radius of 216.10 feet and to which point a radial bears North 16°12'15" West,

Thence, east along said curve and said right-of-way 66.06 feet through a central angle of 17°30'52" to a point on said curve and to which point a radial bears North 01°18'36" East, said point being the TRUE POINT OF BEGINNING.

Thence, leaving said right-of-way South 23°53'39" West 12.37 feet to a point;

Thence, South 79°41'02" West 32.76 feet to a point on the east line of said Lot 52 also being a point on the west right-of-way line of Llano Road as shown on said map;

Thence, along said east line South 17°36'47" West 21.10 feet to the southeast corner of said Lot 52, also being the west common corner of Llano Road and Santa Lucia Road rights-of-way as shown on said map;

Thence, along said north right-of-way North 80°55'05" West 3.42 feet to the beginning of a non-tangent curve concave south having a radius of 216.10 feet and to which point a radial bears North 08°37'43" East;

Thence, northwesterly along said curve and right-of-way 27.60 feet through a central angle of 07°19'06" to the TRUE POINT OF BEGINNING.

Contains 476.0 square feet.

END OF DESCRIPTION.



Keith McMillan L.S. 6729 9-3-2020 Date



EXHIBIT B

FEE ACQUISITION

LOT 52
3-AC-58
APN 054-272-015

C1:
R=216.10'
Δ=17°30'52"
L=66.06'
C2:
R=216.10'
Δ=7°19'06"
L=27.60'

L1: S23°53'39"W 12.37'
L2: S79°41'02"W 32.76'
L3: S17°36'47"W 21.10'
L4: N80°55'05"W 3.42'

POB DENOTES POING OF BEGINNING
TPOB DENOTES TRUE POINT OF BEGINNING
RAD DENOTES RADIAL
R DENOTES RECORD PER 73-LS-58
SF DENOTES SQUARE FEET

● **DENOTES REBAR & CAP STAMPED LS 5571 PER 73-LS-58 UNLESS NOTED OTHERWISE**



Keith McMillan 09-03-2020

KEITH MCMILLAN L.S. 6729



2306 BROAD STREET
SAN LUIS OBISPO, CA 93401
805-541-1663 FAX 541-1664
DATE: 09-03-2020 JOB #621-02

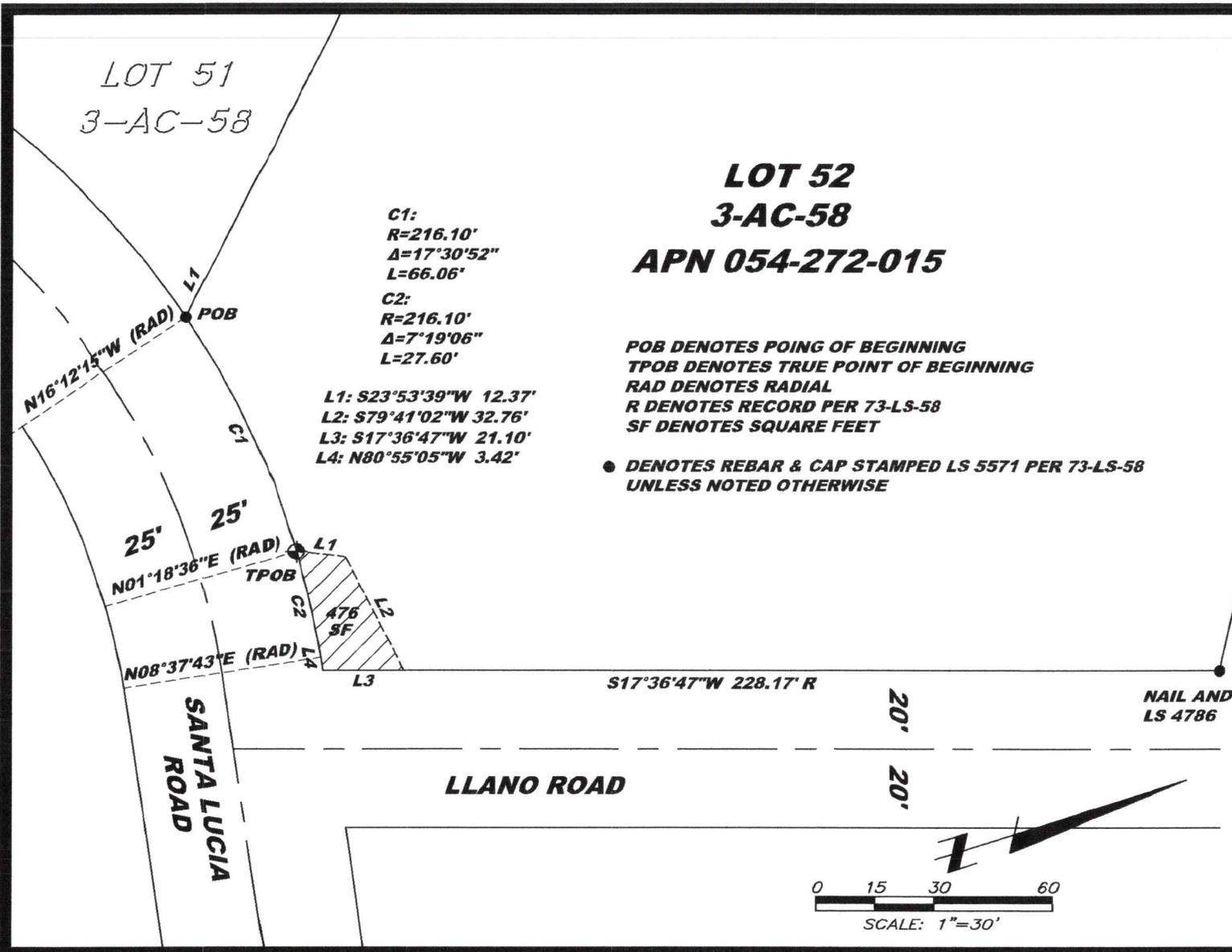


EXHIBIT C
(APN 054-272-015 TCE)

Being a portion of Lot 52 in block 43 of the Atascadero Colony in the City of Atascadero, County of San Luis Obispo, State of California as shown on map recorded in Book 3 of Maps, at Page 58 in the office of the County Recorder of said County, being more particularly described as follows:

Beginning at a rebar and cap stamped L.S. 5571 at the south common corner of said Lot 52 with Lot 51 in said in said block on the north right-of-way of Santa Lucia Road, as shown on map recorded in Book 73 of Licensed Surveys, at Page 58 in the office of said County Recorder. Said point also being the TRUE POINT OF BEGINNING.

Thence, along the westerly line of said Lot 52 North 45°43'31" West 18.20 feet to a point, said point being the beginning of a non-tangent curve concave south and having a radius of 223.36 feet and to which point a radial bears North 16°50'40" West;

Thence, leaving said westerly line, east along said curve 55.28 feet through a central angle of 14°10'45" to a point of non-tangent, reverse curvature concave north having a radius of 44.77 feet and to which point a radial bears South 09°49'53" West;

Thence, easterly along said curve 65.68 feet through a central angle of 84°03'14" to a point at the end of said curve and to which point a radial bears South 74°13'20" East;

Thence North 23°21'13" East 135.20 feet to a point;

Thence, South 77°09'51" East 5.02 feet to a point on the east line of said Lot 52, also being a point on the west right-of-way line of Llano Road as shown on said map;

Thence, along said east line South 17°36'47" West 158.73 feet to a point;

Thence, leaving said east line South 79°41'02" West 32.76 feet to a point;

Thence, South 23°53'39" West 12.37 feet to a point on the south line of said Lot 52 also being a point on north right-of-way, also being the beginning of a non-tangent curve concave south having a radius of 216.10 feet and to which point a radial bears North 01°18'36" East;

EXHIBIT C
(APN 054-272-015 TCE continued)

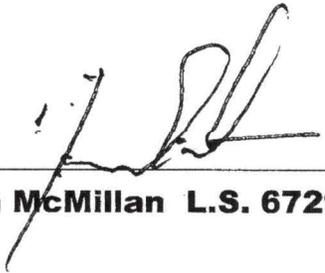
ITEM NUMBER:
DATE:
ATTACHMENT:

A-3
04/13/21
4

Thence, along said south line and curve 66.06 feet through a central angle of 17°30'52" to the TRUE POINT OF BEGINNING, to which point a radial bears North 16°12'15" West.

Contains 3,406.0 square feet.

END OF DESCRIPTION.



Keith McMillan L.S. 6729 9-3-2020 Date



EXHIBIT D

TCE

LOT 52
3-AC-58
APN 054-272-015

TPOB DENOTES TRUE POINT OF BEGINNING
RAD DENOTES RADIAL
R DENOTES RECORD PER 73-LS-58
SF DENOTES SQUARE FEET

● DENOTES REBAR & CAP STAMPED LS 5571 PER 73-LS-58 UNLESS NOTED OTHERWISE

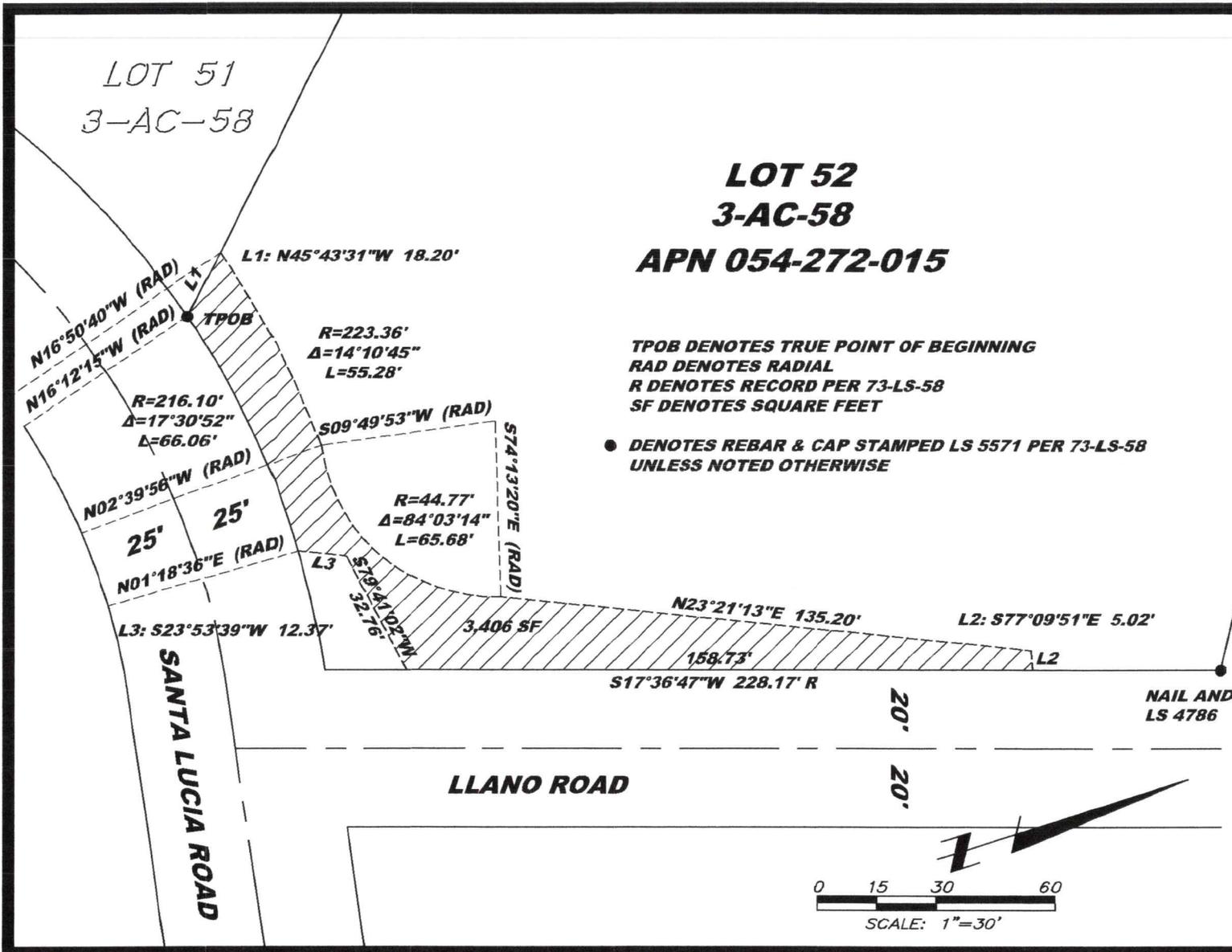


Keith McMillan 09-03-2020

KEITH MCMILLAN L.S. 6729



2306 BROAD STREET
SAN LUIS OBISPO, CA 93401
805-541-1663 FAX 541-1664
DATE: 09-03-2020 JOB #621-02





Atascadero City Council

Staff Report – Community Development Department

Annexation of the 10850 El Camino Real Subdivision into Community Facilities District 2005-1, Annexation No. 23 (10850 El Camino Real: Tract 3099)

RECOMMENDATION:

Council adopt Draft Resolution, declaring its intention to annex territory, into Community Facilities District 2005-1 (Public Services) as Annexation No. 23 and to authorize the levy of special taxes therein (10850 El Camino Real: Tract 3099).

DISCUSSION:

The applicant, 10850, LLC, is required to annex into the City's Community Facilities District (CFD) as a condition to finalize their subdivision maps and fulfill the conditions of approval. To satisfy this requirement, the applicant has petitioned the City to annex into the CFD. The 10850 El Camino Real (formerly known as "Hartberg") Subdivision project was approved in 2017 as Tract 3099.

In July 2004, as a key part of the adoption of the City's Comprehensive Financial Strategy, the Council addressed the need to recover all costs associated with new residential development by directing the formation of a Community Facilities District (CFD). California law allows the formation of such districts for the purpose of recovering the cost of providing public safety services, including police and fire services, and park services for new developments. CFDs ensure that new homeowners pay special taxes in an amount equal to the actual cost of the City services they are expected to receive. Without such special taxes in place, new residential units have a negative impact on the General Fund.

The Citywide CFD was established in 2005 consistent with this policy and a number of projects have been annexed into the CFD as a requirement prior to recordation of a final map. With the resolution of intention, the City and the applicant are initiating the process of annexing the 10850 El Camino Real development into the City's existing CFD.

The 10850 El Camino Real project was originally submitted and approved in 2017 establishing a Planned Development Overlay Zone (#34) on the site. The project consists of seventy-five (75) residential units, including forty-eight (48) apartments at the rear portion of the property, twenty (20) attached townhomes containing 3-bedrooms each and seven (7) single-family residential cottages ranging in size from two to three bedrooms. Fifteen (15) of the apartment units will be deed restricted as affordable units consistent with project approvals and the Council inclusionary policy.

Site Plan



The Resolution establishes the date for the public hearing to complete the annexation. The date has been set for May 11, 2021. There are no registered voters in the area being annexed so the election will be a landowner vote. Following completion of the annexation, staff anticipates levying taxes on the parcels on which development has actually begun in the 2022-2023 tax year.

The residential planned development project was conditioned to be fiscally neutral through annexation into the existing Citywide CFD. Annexation into CFD 2005-1 will satisfy the project’s conditions of approval and allow for the annexation vote to occur. A total of seventy-five (75) residential units will be annexed into the CFD upon recordation of the annexation documents with fifteen (15) affordable units exempt from the annual levy while the deed restrictions are in place. The CFD annual levy is currently \$706.68 for the 2020-2021 tax year, and adjusts each year for inflation.

ALTERNATIVE:

Council may refer the item back to staff for additional review and analysis.

FISCAL IMPACT:

Assessments for this annexation are estimated to be \$42,400 annually, adjusted each year for inflation. Deed restricted affordable units are exempt from the special tax.

ATTACHMENTS:

- 1. Draft Resolution
- 2. Petition to Annex into CFD 2005-1 – No. 23 (TR 3099)

DRAFT RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) AS ANNEXATION NO. 23, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

WHEREAS, the City Council of the City of Atascadero, California (the “City Council”), has previously conducted proceedings to establish a community facilities district pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982”, as amended (the “Act”), Chapter 2.5, Part 1, Division 2, Title 5, commencing at Section 53311, of the Government Code of the State of California, thereof designated as COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) (“CFD No. 2005-1”); and

WHEREAS, the City Council has received a petition (including waivers) from the landowner requesting that it annex into CFD No. 2005-1 under the Act, to provide for the costs of services, and the City Council now desires to commence proceedings to annex territory into CFD No. 2005-1 as described herein; and

WHEREAS, under the Act, this City Council, as the legislative body for CFD No. 2005-1, is empowered with the authority to annex territory to CFD No. 2005-1 and now desires to undertake proceedings to annex territory to CFD No. 2005-1.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Atascadero:

SECTION 1. Recitals. The above recitals are true and correct.

SECTION 2. Public Convenience and Necessity. This City Council hereby determines that the public convenience and necessity requires that territory be annexed into CFD No. 2005-1 in order to pay the costs and expenses for the required and authorized public services.

SECTION 3. Boundaries. A general description of the territory included in the existing CFD No. 2005-1 is hereinafter described as follows: All that property and territory as originally included in the existing CFD No. 2005-1 heretofore recorded as Instrument No. 2005-037685 in the office of the County Recorder for the County of San Luis Obispo on May 9, 2005 in Book 5 at Page 11-13 of Maps of Assessments and Community Facilities Districts, to which map reference is hereby made, and as such map was amended as a result of prior annexations.

A description of the boundaries and territory proposed to be annexed is as follows: All that property and territory proposed to be annexed to CFD No. 2005-1, is shown on the Annexation Map for Annexation No. 23 to CFD No. 2005-1, on file in the Office of the City Clerk, the boundaries of which territory are hereby preliminarily approved and to which map reference is hereby made for further particulars. The area proposed to be annexed to CFD No. 2005-1 is as shown on the Annexation Map identified in Exhibit A. The City Clerk is hereby directed to cause to be recorded such Annexation Map, showing the territory to be annexed, in the office of the County Recorder of the County of San Luis Obispo within fifteen days of the date of adoption of this resolution.

SECTION 4. Services. The services which CFD No. 2005-1 is authorized to finance are in addition to those provided in or required for the territory within CFD No. 2005-1 and will not be replacing services already available. A general description of the services to be financed is as follows:

POLICE AND FIRE SERVICES

Police services and fire protection and suppression services (the “Services”) of the City of Atascadero required to sustain the service delivery capability for emergency and non-emergency services to new growth areas of the City of Atascadero, including but not limited to, related facilities, equipment, vehicles, ambulances and paramedics, fire apparatus, services, supplies and personnel; provided, however, that any increases in special taxes for costs related to employee wages and benefits shall be limited as provided in the Rate and Method of Apportionment of the Special Taxes to fund such Services.

PARK SERVICES

Park services of the City of Atascadero required for the operation and maintenance of public parks.

The City of Atascadero is authorized to finance and direct administrative and incidental annual costs and expenses necessary to provide the maintenance and servicing for public services. No additional services will be necessary or provided in CFD No. 2005-1 and the services as described for CFD No. 2005-1 will serve the properties within CFD No. 2005-1. It is presently intended that the services will be provided, without preference or priority, to the existing territory in CFD No. 2005-1 and the territory proposed to be annexed to CFD No. 2005-1.

SECTION 5. Special Taxes. It is the intention of this City Council that, except where funds are otherwise available, a special tax sufficient to pay for said services to be provided in CFD No. 2005-1 and Annexation No. 23, secured by recordation of a continuing lien against all non-exempt real property in Annexation No. 23, will be levied annually within the boundaries of Annexation No. 23 from and after the annexation of such property to CFD No. 2005-1. The special taxes shall be those as authorized through the formation of CFD No. 2005-1, adopted by Ordinance of this legislative body, as amended by the adoption of Resolution 2018-001 and no changes or modifications are proposed in the special taxes from those as currently set forth and made applicable to CFD No. 2005-1 in accordance with Resolution 2018-001.

For particulars as to the rate and method of apportionment of the proposed special tax (the “RMA”), reference is made to the attached and incorporated Exhibit “B,” which sets forth in sufficient detail the method of apportionment to allow each landowner or resident within Annexation No. 23 to clearly estimate the maximum annual amount that said person will have to pay on said special tax.

The special taxes, to the extent possible, shall be collected in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, CFD No. 2005-1 may

utilize a direct billing procedure for any special taxes that cannot be collected on the County tax roll or may, by resolution, elect to collect the special taxes at a different time or in a different manner if necessary to meet its financial obligations.

SECTION 6. Public Hearing. Notice is given that on Tuesday, April 13, 2021, at 6:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council at the City of Atascadero, City Hall Council Chambers, 6500 Palma Ave, Atascadero, California, and the same are hereby appointed and fixed as the time and place when and where this City Council, as legislative body for CFD No. 2005-1, will conduct a public hearing on the annexation of territory to CFD No. 2005-1, and consider and finally determine whether the public interest, convenience and necessity require said annexation of territory to the CFD No. 2005-1 and the levy of said special tax therein.

SECTION 7. Notice. The City Clerk is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of CFD No. 2005-1, including the area to be annexed to CFD No. 2005-1. The publication of the notice shall be completed at least seven days before the date herein set for said hearing. The City Clerk may also cause a copy of such notice to be mailed to the registered voters and landowners within the territory proposed to be annexed, which shall be mailed at least fifteen days before the date of said hearing.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of _____, 2021.

On motion by Council Member _____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

ANNEXATION NO. 23 BOUNDARY MAP

COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) CITY OF ATASCADERO COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK, CITY OF ATASCADERO, THIS ____ DAY OF _____, 20__.

 CITY CLERK
 CITY OF ATASCADERO

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 20 TO THE CITY OF ATASCADERO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES), CITY OF ATASCADERO, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ATASCADERO, AT A REGULAR MEETING THEREOF, HELD ON THE ____ DAY OF _____, 20__ BY RESOLUTION NO. _____

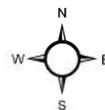
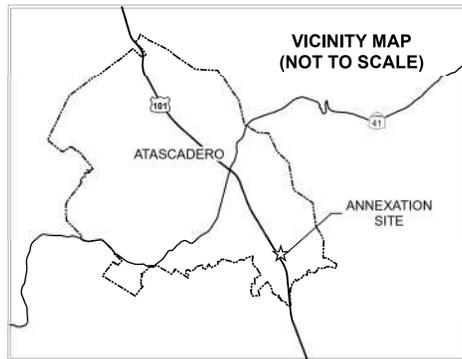
 CITY CLERK
 CITY OF ATASCADERO

RECORDED THIS ____ DAY OF _____, 20__ AT THE HOUR OF ____ O'CLOCK ____ M IN BOOK ____ PAGE ____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

FEE: _____ NO.: _____
 TOMMY GONG, COUNTY CLERK, RECORDER

BY: _____
 COUNTY CLERK, SAN LUIS OBISPO COUNTY

REFERENCE IS HEREBY MADE TO THAT BOUNDARY MAP OF THE CITY OF ATASCADERO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) RECORDED WITH THE SAN LUIS OBISPO COUNTY RECORDER'S OFFICE ON MAY 9, 2005, DOCUMENT NO. 2005-037685 IN BOOK 5 PAGES 11-13 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS.



0 100 200 400 600 Feet

LEGEND

- PARCEL LINE
- CFD BOUNDARY
- XXX-XXX-XXX ASSESSOR PARCEL NUMBER



THIS BOUNDARY MAP CORRECTLY SHOWS THE BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. FOR DETAILS CONCERNING THE LINES AND DIMENSIONS OF LOTS OR PARCELS REFER TO THE COUNTY ASSESSOR'S MAPS FOR FISCAL YEAR 2020-2021.

EXHIBIT B

RATE AND METHOD OF APPORTIONMENT

CITY OF ATASCADERO
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES)
RATE AND METHOD OF APPORTIONMENT

A Special Tax of Community Facilities District No. 2005-1 (Public Services) of the City of Atascadero ("CFD") shall be levied on all Assessor's Parcels in the CFD and collected each Fiscal Year commencing in Fiscal Year 2005-06 in an amount determined by the City through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the CFD, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map, other final map, other parcel map, other condominium plan, or functionally equivalent map or instrument recorded in the Office of the County Recorder. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the actual or estimated costs incurred by the City as administrator of the CFD to determine, levy and collect the Special Taxes, including salaries, benefits and overhead costs of City employees whose duties are directly related to administration of the CFD and the fees of consultants, legal counsel, the costs of collecting installments of the Special Taxes upon the general tax rolls, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

"Affordable Unit(s)" means dwelling units located on one or more Assessor's Parcels of Residential Property that are subject to deed restrictions, resale restrictions, and/or regulatory agreements recorded in favor of the City providing for affordable housing. Affordable Units will require annual application to the City for verification of their affordable housing status. The City will have the authority to approve and establish policies regarding Affordable Housing Dwelling Units and their status.

Affordable dwelling units shall be classified as Affordable Units by the CFD Administrator in the chronological order in which the building permits for such property are issued.

"Annual Escalation Factor" means the greater of, five percent (5%) or the annual percentage change in the Consumer Price Index (CPI) of "All Urban Consumers" for the San Francisco-Oakland-San Jose Area.

"Approved Property" means an Assessor's Parcel and/or Lot in the District, which has a Final Map recorded prior to January 1st preceding the Fiscal Year in which the Special Tax is being levied, but for which no building permit has been issued prior to the May 1st preceding the Fiscal Year in which the Special Tax is being levied. The term "Approved Property" shall apply only to Assessors' Parcels and/or Lots, which have been subdivided for the purpose of residential or commercial development, excluding

any Assessor's Parcel that is designated as a remainder parcel determined by final documents and/or maps available to the CFD Administrator.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by assessor's parcel number.

"Base Year" means Fiscal Year ending June 30, 2006.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

"CFD" means Community Facilities District No. 2005-1 (Public Services) of the City of Atascadero.

"City" means the City of Atascadero.

"Council" means the City Council of the City of Atascadero, acting as the legislative body of the CFD.

"County" means the County of San Luis Obispo, California.

"Developed Property" means all Taxable Property, exclusive of Property Owner Association Property, or Public Property, for which a building permit was issued after July 1, 2004 and prior to May 1st preceding the Fiscal Year in which the Special Tax is being levied.

"Final Map" means an Assessor's Parcel Map, a final subdivision map, other parcel map, other final map, other condominium plan, or functionally equivalent map that has been recorded in the Office of the County Recorder.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Land Use Class" means any of the classes listed in Table 1.

"Lot" means property within a recorded Final Map identified by a lot number for which a building permit has been issued or may potentially be issued.

"Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section C below that can be levied in the CFD in any Fiscal Year on any Assessor's Parcel.

"Multi-Family Residence" means all Assessor's Parcels of Developed Property for which a building permit has been issued for a residential structure consisting of two or more residential units that share common walls, including, but not limited to, duplexes, triplexes, townhomes, condominiums, apartment units, and secondary units as defined in Ordinance No. 454.

"Non-Residential Property" means all Assessor's Parcels of Developed Property for which a building permit(s) has been issued for a non-residential use and does not contain any residential units as defined under Residential Property or Multi-Family Property.

"Park Services" means the estimated and reasonable costs for maintaining authorized parks within the City.

"Property Owner Association Property" means any property within the boundaries of the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association.

"Proportionately" means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels within each Land Use Class.

"Public Property" means any property within the boundaries of the CFD that is, at the time of the CFD formation or at the time of an annexation, expected to be used for rights-of-way, parks, schools or any other public purpose and is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency.

"Public Safety Costs" means the estimated and reasonable costs of providing Public Safety services, including but not limited to (i) the costs of contracting for police and fire services, (ii) related facilities, equipment, vehicles, ambulances and paramedics, fire apparatus, supplies, (iii) the salaries and benefits of City staff if the City directly provides police and fire protection services, and (iv) City overhead costs associated with providing such services within the CFD. The Special Tax provides only partial funding for Public Safety.

"Residential Unit" means any residence in which a person or persons may live, which comprises an independent facility capable of conveyance separate from adjacent residential dwelling units and is not considered to be for commercial or industrial use. This includes Single-Family Residence and Multi-Family Residence.

"Single-Family Residence" means all Assessor's Parcels of Developed Property for which a building permit(s) has been issued for purposes of constructing one residential dwelling unit.

"Special Tax" means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections C and D, below.

"Special Tax Requirement" means that amount required in any Fiscal Year for the CFD to: (i) pay for Public Safety Costs; (ii) pay for Park Services; (iii) pay reasonable Administrative Expenses; (vi) pay any amounts required to establish or replenish any reserve funds; and (v) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year; less any surplus of funds available from the previous Fiscal Year's Special Tax levy.

"State" means the State of California.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of the CFD that are not exempt from the Special Tax pursuant to law or as defined below.

"Tax-Exempt Property" means an Assessor's Parcel not subject to the Special Tax. Tax-Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, and (iii) property designated by the City or CFD Administrator as Tax-Exempt Property.

"Undeveloped Property" means, for each Fiscal Year, all Taxable Property not classified as Developed Property or Approved Property, including an Assessor's Parcel that is designated as a remainder parcel and is not identified as potential Public Property by any final document and/or maps available to the CFD Administrator.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year using the definitions above, all Taxable Property within the CFD shall be classified as Developed Property, Approved Property, Non-Residential Property, or Undeveloped Property. Developed Property shall further be classified as Residential Units as specified in Table 1 and shall be subject to Special Taxes pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX RATE

1. Developed Property

TABLE 1
Maximum Special Tax for Developed Property
Community Facilities District No. 2005-1 (Public Services)

Land Use Class	Description	Maximum Special Tax Per Unit
1	Residential Units	\$440 per Unit
2	Affordable Units	\$0 per Unit

On each July 1 following the Base Year, the Maximum Special Tax Rates shall be increased in accordance with the Annual Escalation Factor.

2. Approved Property

TABLE 2
Maximum Special Tax for Approved Property
Community Facilities District No. 2005-1 (Public Services)

Land Use Class	Description	Maximum Special Tax Per Lot
3	Approved Property	\$231 per Lot

On each July 1 following the Base Year, the Maximum Special Tax Rate shall be increased in accordance with the Annual Escalation Factor.

3. Non-residential Property

TABLE 3
Maximum Special Tax for Non-Residential Property
Community Facilities District No. 2005-1 (Public Services)

Land Use Class	Description	Maximum Special Tax Per Acre
4	Non-Residential Property	\$1,848 per Acre

The minimum special tax Non-Residential Property shall be subject to is \$50 per parcel. On each July 1 following the Base Year, the Maximum Special Tax Rate for Non-Residential Property shall be increased in accordance with the Annual Escalation Factor.

4. Multiple Land Use Classes

In some instances an Assessor's Parcel may contain more than one Land Use Class. The Maximum Special Tax levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax levies that can be imposed on all Land Use Classes located on that Assessor's Parcel.

5. Undeveloped Property

Undeveloped Property will be assigned a Maximum Special Tax Rate of \$410 per acre or portion thereof, with a minimum rate of \$100 for Undeveloped Property less than or equal to one-fourth (1/4) of an Acre as described in Table 4.

TABLE 4
Maximum Special Tax for Undeveloped Property
Community Facilities District No. 2005-1
(Public Services)

Land Use Class	Description	Maximum Special Tax Per Parcel/Acre
5	Undeveloped Property 1/4 Acre	\$100 per Parcel
6	Undeveloped Property >1/4 Acre	\$410 per Acre

On each July 1 following the Base Year, the Maximum Special Tax Rate, for Undeveloped Property, shall be increased in accordance with the Annual Escalation Factor

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2005-06, and for each following Fiscal Year, the CFD Administrator shall calculate the Special Tax Requirement based on the definitions in Section A and levy the Special Tax until the amount of the Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Developed Property Proportionately between Residential Units up to 100% of the applicable Maximum Special Tax. Second, if the Special Tax Requirement has not been satisfied by the first step, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Approved Property up to 100% of the applicable Maximum Special Tax for Approved Property. Third, if the first two steps have not satisfied the Special Tax Requirement, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Non-Residential Property up to 100% of the applicable Maximum Special Tax for Non-Residential Property. Lastly, if the preceding steps have not satisfied the Special Tax Requirement, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax for Undeveloped Property.

E. APPEALS

Any taxpayer that believes that the amount of the Special Tax assigned to a Parcel is in error may file a written notice with the CFD Administrator appealing the levy of the Special Tax. This notice is required to be filed with the CFD Administrator during the Fiscal Year the error is believed to have occurred. The CFD Administrator or designee will then promptly review the appeal and, if necessary, meet with the taxpayer. If the CFD Administrator verifies that the tax should be changed the Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

F. MANNER OF COLLECTION

Special Tax as levied pursuant to Section D above shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the CFD Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD or as otherwise determined appropriate by the CFD Administrator.

G. TERM OF SPECIAL TAX

The Special Tax shall be levied in perpetuity or until such time as Council terminates the Special Tax.

**PETITION
(With Waivers)**

**Regarding Proceeding for Annexation of Territory to
Community Facilities District No. 2005-1 (Public Services)
and Related Matters**

To the Honorable City Council,
City of Atascadero
6500 Palma Avenue
Atascadero, CA 93422

Members of the Council:

This is a petition to institute proceedings to annex territory, including the property identified and described in Exhibit "A", to Community Facilities District No. 2005-1 (Public Services) (CFD No. 2005-1) within the City of Atascadero and related matters pursuant to the Mello-Roos Community Facilities Act of 1982, commencing with Section 53311 of the California Government Code of the State of California (the "Act"), and it states as follows:

1. Petitioner. This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land identified below (the "Property"). The undersigned warrants to the City of Atascadero that the Petitioner is such owner, or is a legally authorized representative of such owner(s), and that such ownership constitutes ownership of more than 10% of the property to be annexed, described in Exhibit "A" attached hereto and more particularly described in Section 3 herein.

2. Proceedings Requested. This Petition asks that the City Council undertake proceedings under the Act to annex territory to CFD No. 2005-1 and to levy special taxes therein for the purpose of financing all or part of the public services (the "Services") shown in Exhibit "B" attached hereto and made a part hereof.

3. Boundaries. This Petition asks that the territory, to be included in the boundaries of the annexation, consist of that shown on a map of the proposed boundaries of Annexation No. 23 filed with the City Clerk of the City of Atascadero and which map is attached hereto as Exhibit "A" and hereby made a part this Petition and which map includes the Property.

4. Special Taxes. The Petitioner agrees that it has reviewed and approves the Rate and Method of Apportionment of Special Taxes attached hereto as Exhibit "C" and made a part hereof, which Rate and Method has previously been adopted by the City Council of the City of Atascadero to be used by the City for the levy of Special Taxes in CFD No. 2005-1 and any future annexations to CFD No. 2005-1 to pay for the Services.

5. Election. The Petitioner asks that the special election to be held under the Act, to authorize the special taxes and to establish any appropriations limits for Annexation No. 23, be conducted by the City of Atascadero and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council for the public hearing for Annexation No. 23 to CFD No. 2005-1 under the Act or as soon thereafter as possible.

6. Waivers. To expedite the completion of the proceedings for Annexation No. 23 to CFD No. 2005-1, the Petitioner waives all notices of hearing and all published notices regarding the annexation of territory of Annexation No. 23 to CFD No. 2005-1, notices of election, applicable waiting periods under the Act for the election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived. The Petitioner agrees to timely complete and return a consent and waiver to be provided to Petitioner by the City of Atascadero in order to expedite such proceedings.

7. Authority Warranted. The Petitioner warrants to the City of Atascadero that presentation of Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City of Atascadero to annex Annexation No. 23 to CFD No. 2005-1 shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City of Atascadero, the Petitioner agrees, at its expense, to supply to the City of Atascadero, current title evidence so that the City of Atascadero may supply any notice and ballot required under the Act to annex Annexation No. 23 to CFD No. 2005-1.

8. Due-Diligence and Disclosures. The Petitioner agrees to cooperate with the City of Atascadero, its attorneys and consultants, and provide all information and disclosures required by the City of Atascadero about the Special Taxes to purchasers of the Property or any part of it.

9. Agreements. The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City of Atascadero to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City of Atascadero's costs to annex Annexation

No. 23 to CFD No. 2005-1. By executing this Petition, the Petitioner agrees to all of the above.

The Property is San Luis Obispo County
Assessor Parcel No(s):

045-351-008

and the Property contains a total of **3.75**
acres.

The Petitioner (record owner) is:
10850, LLC

By:


Member.

The address of the above for receiving
any notice and ballot is:

Attn: Amanda Sherard
701 Shadow Lane, Suite 150
Las Vegas, NV 89106

EXHIBIT A
 ANNEXATION MAP

ANNEXATION NO. 23 BOUNDARY MAP
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES)
CITY OF ATASCADERO
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK, CITY OF ATASCADERO, THIS ____ DAY OF _____, 20__.

CITY CLERK
 CITY OF ATASCADERO

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 20 TO THE CITY OF ATASCADERO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES), CITY OF ATASCADERO, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ATASCADERO AT A REGULAR MEETING THEREOF, HELD ON THE ____ DAY OF _____, 20__ BY RESOLUTION NO. _____.

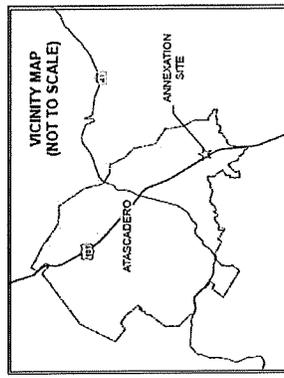
CITY CLERK
 CITY OF ATASCADERO

RECORDED THIS ____ DAY OF _____, 20__ AT THE HOUR OF ____ O'CLOCK ____ IN BOOK ____ PAGE ____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

FEES: _____ NO.: _____
 TONY GONG, COUNTY CLERK, RECORDER

BY: _____
 COUNTY CLERK, SAN LUIS OBISPO COUNTY

REFERENCE IS HEREBY MADE TO THAT BOUNDARY MAP OF THE CITY OF ATASCADERO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) RECORDED WITH THE SAN LUIS OBISPO COUNTY RECORDER'S OFFICE ON MAY 9, 2005; DOCUMENT NO. 2005-077665 IN BOOK 3 PAGES 11-13 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS.



LEGEND

- PARCEL LINE
- CPC BOUNDARY
- XXX-XXX-XXX ASSESSOR PARCEL NUMBER



M:\GIS-Assessment\Atascadero\Annex23.mxd

THIS BOUNDARY AND CORRECTLY SHOWS THE BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. FOR DETAILS CONCERNING THE LINES AND DIMENSIONS OF LOTS OR PARCELS REFER TO THE COUNTY ASSESSOR'S MAPS FOR FISCAL YEAR 2020-2021.



EXHIBIT B

DESCRIPTION OF SERVICES

POLICE AND FIRE SERVICES

Police services and fire protection and suppression services (the "Services") of the City of Atascadero required to sustain the service delivery capability for emergency and non-emergency services to new growth areas of the City of Atascadero, including but not limited to, related facilities, equipment, vehicles, ambulances and paramedics, fire apparatus, services, supplies and personnel: provided, however, that any increases in special taxes for costs related to employee wages and benefits shall be limited as provided the Rate Method of Apportionment of Special to fund such Services.

PARK SERVICE

Park services of the City of Atascadero required for the operation and maintenance of public parks.

EXHIBIT C

RATE AND METHOD OF APPORTIONMENT

CITY OF ATASCADERO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) RATE AND METHOD OF APPORTIONMENT

A Special Tax of Community Facilities District No. 2005-1 (Public Services) of the City of Atascadero ("CFD") shall be levied on all Assessor's Parcels in the CFD and collected each Fiscal Year commencing in Fiscal Year 2005-06 in an amount determined by the City through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the CFD, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map, other final map, other parcel map, other condominium plan, or functionally equivalent map or instrument recorded in the Office of the County Recorder. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the actual or estimated costs incurred by the City as administrator of the CFD to determine, levy and collect the Special Taxes, including salaries, benefits and overhead costs of City employees whose duties are directly related to administration of the CFD and the fees of consultants, legal counsel, the costs of collecting installments of the Special Taxes upon the general tax rolls, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

"Affordable Unit(s)" means dwelling units located on one or more Assessor's Parcels of Residential Property that are subject to deed restrictions, resale restrictions, and/or regulatory agreements recorded in favor of the City providing for affordable housing. Affordable Units will require annual application to the City for verification of their affordable housing status. The City will have the authority to approve and establish policies regarding Affordable Housing Dwelling Units and their status.

Affordable dwelling units shall be classified as Affordable Units by the CFD Administrator in the chronological order in which the building permits for such property are issued.

"Annual Escalation Factor" means the greater of, five percent (5%) or the annual percentage change in the Consumer Price Index (CPI) of "All Urban Consumers" for the San Francisco-Oakland-San Jose Area.

"Approved Property" means an Assessor's Parcel and/or Lot in the District, which has a Final Map recorded prior to January 1st preceding the Fiscal Year in which the Special Tax is being levied, but for which no building permit has been issued prior to the May 1st preceding the Fiscal Year in which the Special Tax is being levied. The term "Approved Property" shall apply only to Assessors' Parcels and/or Lots, which have been subdivided for the purpose of residential or commercial development, excluding

any Assessor's Parcel that is designated as a remainder parcel determined by final documents and/or maps available to the CFD Administrator.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by assessor's parcel number.

"Base Year" means Fiscal Year ending June 30, 2006.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

"CFD" means Community Facilities District No. 2005-1 (Public Services) of the City of Atascadero.

"City" means the City of Atascadero.

"Council" means the City Council of the City of Atascadero, acting as the legislative body of the CFD.

"County" means the County of San Luis Obispo, California.

"Developed Property" means all Taxable Property, exclusive of Property Owner Association Property, or Public Property, for which a building permit was issued after July 1, 2004 and prior to May 1st preceding the Fiscal Year in which the Special Tax is being levied.

"Final Map" means an Assessor's Parcel Map, a final subdivision map, other parcel map, other final map, other condominium plan, or functionally equivalent map that has been recorded in the Office of the County Recorder.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Land Use Class" means any of the classes listed in Table 1.

"Lot" means property within a recorded Final Map identified by a lot number for which a building permit has been issued or may potentially be issued.

"Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section C below that can be levied in the CFD in any Fiscal Year on any Assessor's Parcel.

"Multi-Family Residence" means all Assessor's Parcels of Developed Property for which a building permit has been issued for a residential structure consisting of two or more residential units that share common walls, including, but not limited to, duplexes, triplexes, townhomes, condominiums, apartment units, and secondary units as defined in Ordinance No. 454.

"Non-Residential Property" means all Assessor's Parcels of Developed Property for which a building permit(s) has been issued for a non-residential use and does not contain any residential units as defined under Residential Property or Multi-Family Property.

"Park Services" means the estimated and reasonable costs for maintaining authorized parks within the City.

"Property Owner Association Property" means any property within the boundaries of the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association.

"Proportionately" means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels within each Land Use Class.

"Public Property" means any property within the boundaries of the CFD that is, at the time of the CFD formation or at the time of an annexation, expected to be used for rights-of-way, parks, schools or any other public purpose and is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency.

"Public Safety Costs" means the estimated and reasonable costs of providing Public Safety services, including but not limited to (i) the costs of contracting for police and fire services, (ii) related facilities, equipment, vehicles, ambulances and paramedics, fire apparatus, supplies, (iii) the salaries and benefits of City staff if the City directly provides police and fire protection services, and (iv) City overhead costs associated with providing such services within the CFD. The Special Tax provides only partial funding for Public Safety.

"Residential Unit" means any residence in which a person or persons may live, which comprises an independent facility capable of conveyance separate from adjacent residential dwelling units and is not considered to be for commercial or industrial use. This includes Single-Family Residence and Multi-Family Residence.

"Single-Family Residence" means all Assessor's Parcels of Developed Property for which a building permit(s) has been issued for purposes of constructing one residential dwelling unit.

"Special Tax" means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections C and D, below.

"Special Tax Requirement" means that amount required in any Fiscal Year for the CFD to: (i) pay for Public Safety Costs; (ii) pay for Park Services; (iii) pay reasonable Administrative Expenses; (iv) pay any amounts required to establish or replenish any reserve funds; and (v) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year; less any surplus of funds available from the previous Fiscal Year's Special Tax levy.

"State" means the State of California.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of the CFD that are not exempt from the Special Tax pursuant to law or as defined below.

"Tax-Exempt Property" means an Assessor's Parcel not subject to the Special Tax. Tax-Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, and (iii) property designated by the City or CFD Administrator as Tax-Exempt Property.

"Undeveloped Property" means, for each Fiscal Year, all Taxable Property not classified as Developed Property or Approved Property, including an Assessor's Parcel that is designated as a remainder parcel and is not identified as potential Public Property by any final document and/or maps available to the CFD Administrator.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year using the definitions above, all Taxable Property within the CFD shall be classified as Developed Property, Approved Property, Non-Residential Property, or Undeveloped Property. Developed Property shall further be classified as Residential Units as specified in Table 1 and shall be subject to Special Taxes pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX RATE

1. Developed Property

**TABLE 1
 Maximum Special Tax for Developed Property
 Community Facilities District No. 2005-1 (Public Services)**

Land Use Class	Description	Maximum Special Tax Per Unit
1	Residential Units	\$440 per Unit
2	Affordable Units	\$0 per Unit

On each July 1 following the Base Year, the Maximum Special Tax Rates shall be increased in accordance with the Annual Escalation Factor.

2. Approved Property

**TABLE 2
 Maximum Special Tax for Approved Property
 Community Facilities District No. 2005-1 (Public Services)**

Land Use Class	Description	Maximum Special Tax Per Lot
3	Approved Property	\$231 per Lot

On each July 1 following the Base Year, the Maximum Special Tax Rate shall be increased in accordance with the Annual Escalation Factor.

3. Non-residential Property

**TABLE 3
 Maximum Special Tax for Non-Residential Property
 Community Facilities District No. 2005-1 (Public Services)**

Land Use Class	Description	Maximum Special Tax Per Acre
4	Non-Residential Property	\$1,848 per Acre

The minimum special tax Non-Residential Property shall be subject to is \$50 per parcel. On each July 1 following the Base Year, the Maximum Special Tax Rate for Non-Residential Property shall be increased in accordance with the Annual Escalation Factor.

4. Multiple Land Use Classes

In some instances an Assessor's Parcel may contain more than one Land Use Class. The Maximum Special Tax levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax levies that can be imposed on all Land Use Classes located on that Assessor's Parcel.

5. Undeveloped Property

Undeveloped Property will be assigned a Maximum Special Tax Rate of \$410 per acre or portion thereof, with a minimum rate of \$100 for Undeveloped Property less than or equal to one-fourth (1/4) of an Acre as described in Table 4.

**TABLE 4
 Maximum Special Tax for Undeveloped Property
 Community Facilities District No. 2005-1
 (Public Services)**

Land Use Class	Description	Maximum Special Tax Per Parcel/Acre
5	Undeveloped Property 1/4 Acre	\$100 per Parcel
6	Undeveloped Property >1/4 Acre	\$410 per Acre

On each July 1 following the Base Year, the Maximum Special Tax Rate, for Undeveloped Property, shall be increased in accordance with the Annual Escalation Factor

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2005-06, and for each following Fiscal Year, the CFD Administrator shall calculate the Special Tax Requirement based on the definitions in Section A and levy the Special Tax until the amount of the Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Developed Property Proportionately between Residential Units up to 100% of the applicable Maximum Special Tax. Second, if the Special Tax Requirement has not been satisfied by the first step, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Approved Property up to 100% of the applicable Maximum Special Tax for Approved Property. Third, if the first two steps have not satisfied the Special Tax Requirement, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Non-Residential Property up to 100% of the applicable Maximum Special Tax for Non-Residential Property. Lastly, if the preceding steps have not satisfied the Special Tax Requirement, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Undeveloped Property up to 100% of the applicable Maximum Special Tax for Undeveloped Property.

E. APPEALS

Any taxpayer that believes that the amount of the Special Tax assigned to a Parcel is in error may file a written notice with the CFD Administrator appealing the levy of the Special Tax. This notice is required to be filed with the CFD Administrator during the Fiscal Year the error is believed to have occurred. The CFD Administrator or designee will then promptly review the appeal and, if necessary, meet with the taxpayer. If the CFD Administrator verifies that the tax should be changed the Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

F. MANNER OF COLLECTION

Special Tax as levied pursuant to Section D above shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the CFD Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD or as otherwise determined appropriate by the CFD Administrator.

G. TERM OF SPECIAL TAX

The Special Tax shall be levied in perpetuity or until such time as Council terminates the Special Tax.



Atascadero City Council

Staff Report – Public Works Department

El Camino Real Downtown Infrastructure Enhancement Plan

RECOMMENDATION:

Council adopt Draft Resolution and authorize staff to pursue grant-funding opportunities, in support for the El Camino Real Downtown Infrastructure Enhancement Project.

DISCUSSION:

After an extensive two-year public engagement effort, the City Council approved the El Camino Real Downtown Infrastructure Plan (Plan) at its August 11, 2020 meeting. The Plan, a vision of the Downtown area to improve safety while nurturing the vitality of the Downtown, is a transformational effort to continue the City's investment in the Atascadero community. Specifically, the Plan's primary goal is public safety for all roadway users: pedestrians, bicyclists, and motorists. The second goal is to enhance economic development and stimulate economic growth in the downtown by creating a zone that slows traffic speeds, enhances appearance and safety, and increases parking. The Plan includes the El Camino Corridor from the intersection of Highway 41 to the intersection of Rosario Avenue.

With the adoption of the Plan, staff will be proposing an El Camino Real Downtown Infrastructure Project (Project) as part of the City's 2021-23 Capital Improvement Project budget. The project will include a number of infrastructure improvements including safety features for pedestrians and bicyclists, additional parking spaces to support local merchants and special events, and vibrancy in the Downtown area. The project will also provide new connection and safety features for over 2,000 students that attend nearby Atascadero Junior High and Atascadero High School. In addition to the safety and economic improvements, the project will feature a number of aesthetics and streetscape improvements including new trees, signage and lighting.

Preliminary estimates for the project costs are in the \$6-7 million range and would be funded through a phased, multi-year schedule, most likely with environmental and design work in FY 2021-22, and construction to begin in FY 2022-23. To offset the cost of the project, staff is recommending the City Council adopt a resolution in support of the project and authorize staff to pursue grant funding opportunities to help fund the project. An adopted resolution is often required by a state and federal granting agency and positions the City to be more competitive during the grant review process.

FISCAL IMPACT:

A resolution of support for the El Camino Real Downtown Enhancement Plan has no direct costs and may make the Project eligible for certain grant funds.

ALTERNATIVES:

Council could elect to not adopt a resolution of support.

ATTACHMENT:

Draft Resolution

DRAFT RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING SUPPORT FOR THE EL CAMINO REAL DOWNTOWN INFRASTRUCTURE IMPROVEMENT PROJECT AND AUTHORIZING STAFF TO APPLY FOR GRANT FUNDING FOR THE EL CAMINO REAL DOWNTOWN INFRASTRUCTURE ENHANCEMENT PROJECT

WHEREAS, the City Council has identified Downtown Enhancements as a major goal in each of its last three strategic plans; and

WHEREAS, the primary goal of the Downtown Enhancements is public safety for all roadway users: pedestrians, bicyclists, and motorists. A second goal is to enhance economic development and stimulate economic growth in the downtown by creating a zone that slows traffic speeds, enhances appearance and safety, and increases parking; and

WHEREAS, Atascadero High School and Atascadero Junior High School are located within ¼ mile of the El Camino Real Downtown Corridor. With additional vehicular, pedestrian, and bicycle traffic in the Downtown area, concerns regarding the safety and function of El Camino Real have arisen from residents and business owners, particularly at intersections and existing mid-block crossings; and

WHEREAS, Downtown Atascadero is experiencing an economic upswing due to City investments and strong interest from private developers and business owners. Prior to COVID restrictions, new restaurants, cafes, and breweries, in conjunction with a growing number of special events, were bringing more visitors to the Downtown area. It is important that as our region moves out of COVID restrictions, there is help available for those downtown businesses that have been hit hard by the shut-downs; and

WHEREAS, merchants, residents, developers, and City leaders have expressed the need for more parking and pedestrian access within the downtown district due to an increase in economic activity and special events. Currently, the width and speed of traffic on El Camino Real discourages visitors from using the corridor for parking or walking across El Camino Real to go to a business on the other side of the street. Increasing parking opportunities on El Camino Real will be advantageous in furthering the economic goals of the Downtown; and

WHEREAS, the City funded the development of conceptual designs and traffic analysis for the El Camino Real Downtown Infrastructure Enhancement Project (Project); and

WHEREAS, given the ongoing development and redevelopment within the downtown area, most notably the La Plaza Project currently being constructed, this project is a timely opportunity to assess how the El Camino Real corridor can best serve the needs of residents, businesses, and the multiple transportation needs; and

WHEREAS, the City hired KTUA of San Diego to assist in the analysis and development of the El Camino Real Downtown Corridor Plan, including traffic engineering and operations analysis; and

WHEREAS, the established goals for design of the El Camino Real Downtown Infrastructure Enhancement Project included:

- Provide public safety for all roadway users by incorporating complete streets and “road diet” concepts and principals
- Enhance economic development by supporting existing and future merchants with additional parking
- Support downtown business synergy through a partnership in crafting a Downtown traffic calming plan
- Enhance the streetscape of El Camino Real by creating a sense of place and arrival into the Downtown
- Create safe pedestrian connections and crossings while enhancing the walkability of Downtown
- Slow vehicular speeds to increase safety and visibility, including an analysis of impacts to level of service (LOS).
- Enhance the ability to host more special events in the Downtown area
- Accommodate multi-modal transportation, where feasible; and

WHEREAS, the City conducted extensive public outreach meetings over a period of two years to both educate and receive public input on concepts and designs for the Project;

WHEREAS, the Project’s preliminary design concepts were honed, changed and improved based on the extensive public input received; and

WHEREAS, the Project is designed to significantly increase pedestrian safety by slowing down traffic through “roadway friction” and adding HAWK pedestrian Crossings at key crosswalks used by students of the Junior High School and High School; and

WHEREAS, the Project will increase pedestrian safety in the Downtown Corridor, connecting businesses on each side of the 80’ wide El Camino Real, and creating synergy for the businesses in the Downtown; and

WHEREAS, the Downtown Infrastructure Enhancement Project will provide approximately 130 new parking spaces in the downtown area, supporting restaurants, bars and small retail stores impacted by the social and economic effects of the COVID-19 pandemic; and

WHEREAS, the Project will provide a stimulus to achieve the community’s’ desire for a vibrant Downtown by supporting local shops, restaurants, entertainment options, public parks and plazas; and

WHEREAS, the Downtown Infrastructure Enhancement Project is shovel ready with Council approved concept plans, finalized traffic and operational analyses, preliminary cost

estimates, an extensive public outreach program completed, and all needed land under the control of the City of Atascadero; and

WHEREAS, the Downtown Infrastructure Enhancement Project is strongly supported by the Chamber of Commerce, Downtown Business Improvement District, the Atascadero Unified School District, Bike SLO County, the Home Builders Association of the Central Coast, and residents as evidenced by the overwhelming public comment and support received at the August 11, 2020 Council meeting.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Atascadero:

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council of the City of Atascadero strongly supports the El Camino Real Downtown Infrastructure Enhancement Project and its positive impacts on the social, economic and viability of the Downtown area and the greater community of Atascadero.

SECTION 3. The City Council finds that the Project represents a generational opportunity to improve the safety of pedestrians, bicyclists and motorist, including over 2,000 students attending Atascadero Junior High and High Schools, the vitality of the Downtown area, and a connection to public spaces.

SECTION 4. The City Council further finds that additional parking, safety features and walkability provided by the Project will help all downtown businesses as evidenced by the large number of comments and letters of support when Council approved the project in August 2020.

SECTION 5. The City Manager is hereby authorized and directed to apply for and submit grant applications for the Project including the Community Project Funding grants.

SECTION 6. The City Manager is hereby authorized and directed to apply for and submit to other applicable grants and funding opportunities for the El Camino Real Downtown Infrastructure Enhancement Project.

SECTION 7. The City Manager, on behalf of the City of Atascadero, is hereby authorized to enter into agreements, and take further actions as may be necessary to give effect to this Resolution, such as executing amendments and approving funding applications.

PASSED AND ADOPTED on the 13th day of April 2021, by the City Council of Atascadero by the following vote count:

On motion by Council Member_____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney



Atascadero City Council

Staff Report - Public Works Department

Del Rio Road / El Camino Real Plan Line in the Vicinity of the US 101 Interchange (West Side)

RECOMMENDATION:

Council adopt Draft Resolution approving the Del Rio Road / El Camino Real Plan Line in the vicinity of the US 101 interchange (West Side).

DISCUSSION:

Background

At their March 10, 2020 meeting, the City Council officially abandoned work for the design of a series of three roundabouts for the Del Rio Road intersections with US 101 ramps and El Camino Real. This decision was based upon extensive traffic analysis of various new land use scenarios for undeveloped and underdeveloped properties in the vicinity, triggered by the change in traffic patterns related to the cancelled Wal-Mart project and a shifting away from a regional shopping center focus. Council further directed staff to develop alternative improvements and prepare a plan line identifying future right-of-way that incorporates adding a westbound right-turn lane on Del Rio Road to northbound US 101 ramp, signal modifications, lane reconfigurations on El Camino Real, and investigate a plan line for a second phase associated with future widening of the Del Rio Road overpass of US 101.

A traffic sensitivity analysis was performed by W-Trans in 2019 and updated in 2020 for the Del Rio Road / El Camino Real / US 101 corridor. This analysis evaluated various land use scenarios and took into account regional growth forecasts. W-Trans worked with Wallace Group to develop alternative design improvements to accommodate the anticipated traffic at the intersections, including the Del Rio Specific Plan Amendment. Concept plans were prepared for the alternative improvements and needed right-of-way (plan lines) identified.

The 2020 traffic analysis update and alternative design improvements were presented to Council at their September 22, 2020 meeting. Council approved a plan line and concept plans at that meeting for Del Rio Road/El Camino Real in the vicinity of the US 101 interchange. Although a plan line for this corridor includes improvements on both sides of US 101, this approval was only for the portion of the plan line east of US 101. Staff wanted some additional time to perform additional outreach with neighboring properties

(specifically the Apple Valley neighborhood), and to further review a potential development plan (Barrel Creek) for the large undeveloped parcel on the northwest quadrant of Del Rio Road/US 101 (“Church Site”), prior to Council consideration for approval.

Analysis:

The traffic analysis identified the realignment of Ramona Road as a required improvement for the alternative design improvements to increase vehicle queuing (storage) on Del Rio Road between the US 101 southbound ramps and Ramona Road intersections.. There is currently 35 feet of que length between these two intersections and the traffic analysis requires 115 feet for the eastbound approach to the US 101 southbound ramps, and 79 feet for the westbound approach to Ramona Road. The proposed realignment of Ramona Road provides approximately 240 feet of que length.

A virtual neighborhood information meeting was conducted with Del Rio Road west properties on March 24, 2021 to discuss the concept plans and plan lines. Staff pursued this additional outreach to obtain feedback on the proposed improvements on Del Rio Road, as well as the realignment of Ramona Road to distance it from the US 101 southbound ramp intersection. No major concerns were raised at the neighborhood meeting regarding the proposed concept plans, with most questions related to the proposed Church Site and former Walmart development sites.

Attached is the staff report and traffic analysis presented at September 22, 2020 Council meeting, along with the concept plans and plan lines for future right-of-way acquisition required for the improvements of the Del Rio Road and El Camino Real corridors in the vicinity of the US 101 interchange. The plan line will serve as the guiding document for the various public improvements required for land development in the area and ensure that public right-of-way is preserved for these and any future improvements, including a possible future US 101 overpass bridge widening.

By adopting an official plan line, frontage improvements will be the responsibility of abutting developments to construct. Furthermore, future right-of-way can be preserved and enforced for setback requirements, whereby avoiding future expensive condemnation processes by disallowing a building or other structure in the setback area. The plan line accuracy is excellent and based upon actual topographic and boundary surveying, as well as 3D design modeling and evaluations.

The plan lines are conceptual and could be slightly different during the final design phase, but the general intent of the layout will be maintained. As an example, the realignment of Ramona Road will split the City-owned parcels on the south side of Del Rio Road between Apple Valley and the US 101 southbound on-ramp, and will be planned to maximize the re-use of the parcels. This could include constructing a retaining wall along Del Rio Road instead of a sloped embankment as shown on the plan line, which will provide more useable land on the parcel. This approach provides flexibility if the Council has an opportunity they want to pursue for the parcels.

FISCAL IMPACT:

Adopting the Draft Resolution does not appropriate any expenditures. However, an official plan line will allow the City to continue designing alternative improvements for the Del Rio Road/El Camino Real/US 101 area.

ALTERNATIVES:

Council may delay action on this item and revise plan lines. This is not advised since extensive traffic analysis has provided reasonable support for the plan line, and a plan line for the east side of US 101 was previously adopted by Council on September 22, 2020. Adopting the attached resolution will provide a complete concept plan and plan lines for the Del Rio Road and El Camino Real corridors in the vicinity of US 101 and provide the City a concept design to pursue for capital improvements and provide developers certainty with needed frontage improvements.

ATTACHMENTS:

1. Draft Resolution with Plan Line Exhibits
2. City Council staff report and Traffic Sensitivity Analysis Report for Del Rio Road / El Camino Real Plan Line (East Side) from September 22, 2020

DRAFT RESOLUTION

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ATASCADERO, CALIFORNIA, APPROVING A PLAN LINE FOR
DEL RIO ROAD / EL CAMINO REAL IN THE VICINITY OF THE
US 101 INTERCHANGE (WEST SIDE)**

WHEREAS, during the review phase for the Del Rio Area Specific Plan in 2008, a concept for a series of three roundabouts was proposed for Del Rio Road at El Camino Real and the US 101 ramp intersection to mitigate traffic impacts for a regional shopping center land use scenario; and

WHEREAS, Walmart notified the City in 2017 that they were no longer pursuing development plans for the Del Rio store in Atascadero, whereby changing the anticipated land use scenario for undeveloped and underdeveloped parcel in and around the Del Rio Area Specific Plan; and

WHEREAS, W-Trans prepared a traffic sensitivity analysis in 2019 for the Del Rio Road/US 101/El Camino Real area that evaluated various land use scenarios for undeveloped and developing parcels in the area that will have the greatest influence on future traffic impacts, and developed mitigations for alternative improvements to the roundabout concept; and

WHEREAS, on March 10, 2020, the City Council reviewed an updated traffic sensitivity analysis and alternative improvements that incorporate adding a westbound right-turn lane on Del Rio Road to US 101 northbound ramps, signal modifications, and lane reconfigurations; and

WHEREAS, on March 10, 2020, the City Council approved abandoning work on the roundabout concept design for the Del Rio Road/US 101 interchange project and directed staff to develop plan lines for alternative improvements and a future Del Rio Road overpass bridge widening; and

WHEREAS, on September 22, 2020, the City Council reviewed and adopted Resolution 2020-071 approving plan lines prepared by Wallace Group for Del Rio Road and El Camino Real improvements on the east side of the US 101 interchange and future right-of-way needs for a Del Rio Road overpass bridge widening as set forth in Exhibit A.

WHEREAS, on April 13, 2021, the City Council reviewed and adopted plan lines prepared by Wallace Group for Del Rio Road and El Camino Real improvements on the west side of the US 101 interchange and future right-of-way needs for a Del Rio Road overpass bridge widening.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Atascadero:

SECTION 1: Recitals. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2: Plan Line Approval. The Plan Line for Del Rio Road and El Camino Real in the vicinity of the US 101 Interchange (West Side) as set forth in Exhibit B, on file in the City Clerk's Office and incorporated herein by this reference, are hereby approved.

SECTION 3: City Engineer Authority. As set forth in Resolution 2019-069, the City Engineer is authorized to approve plans or designs for the Plan Line Approval and make necessary revisions to ensure substantial conformance with existing and other future improvements.

PASSED AND ADOPTED at a regular meeting of the City Council held on the _____ day of _____, 2021.

On motion by Council Member _____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

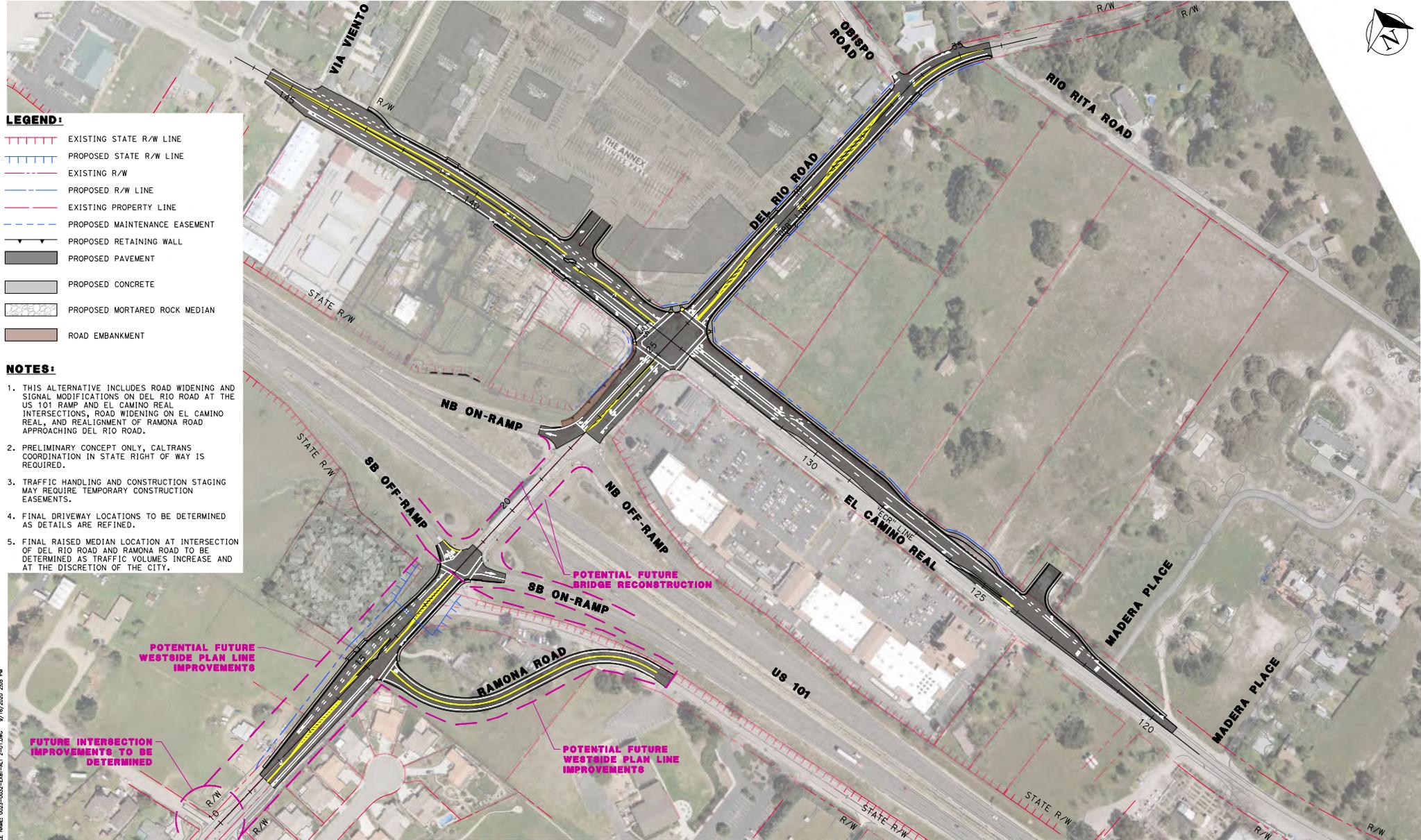
APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

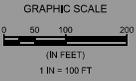


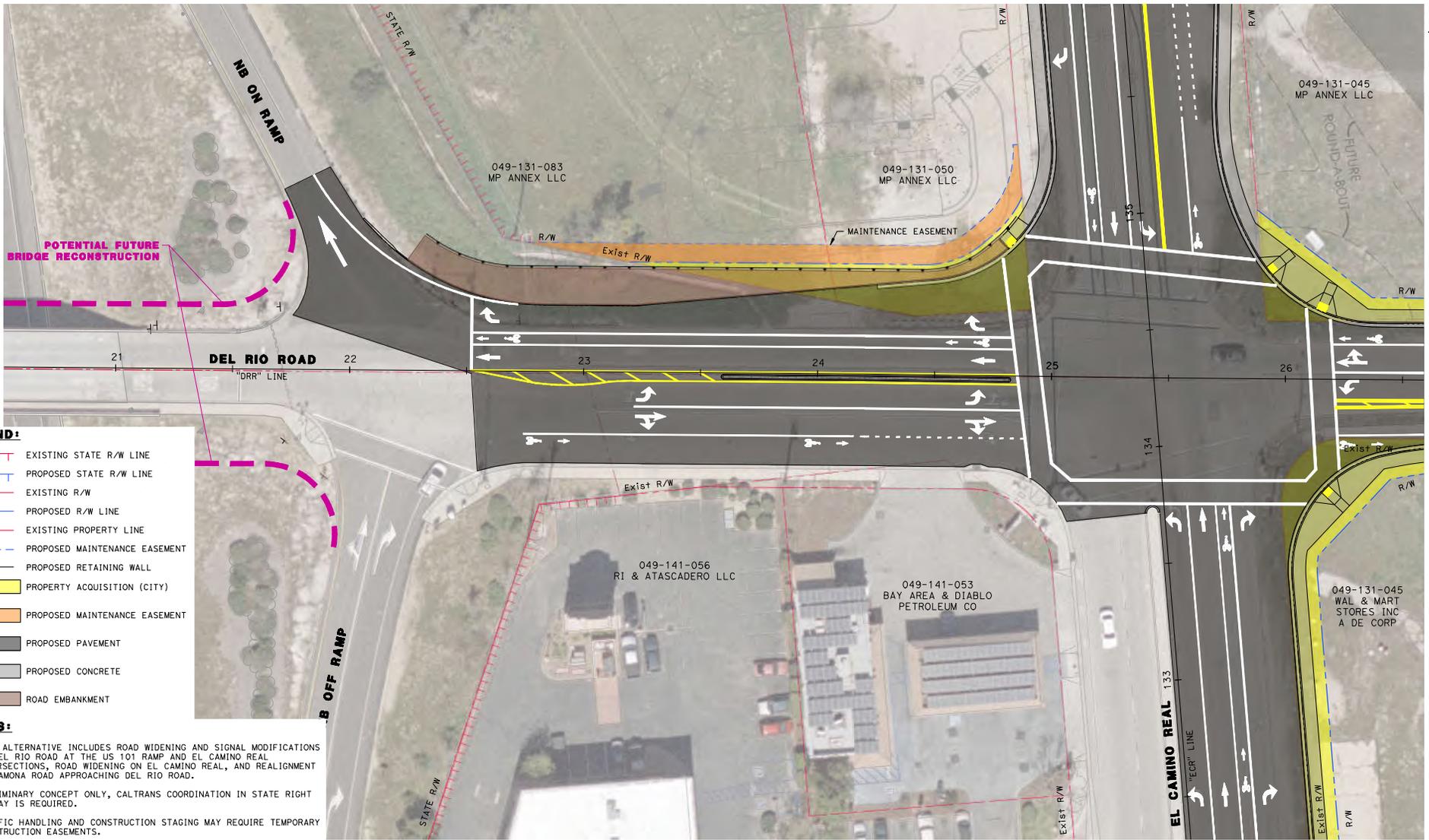
- LEGEND:**
- EXISTING STATE R/W LINE
 - PROPOSED STATE R/W LINE
 - EXISTING R/W
 - PROPOSED R/W LINE
 - EXISTING PROPERTY LINE
 - PROPOSED MAINTENANCE EASEMENT
 - PROPOSED RETAINING WALL
 - PROPOSED PAVEMENT
 - PROPOSED CONCRETE
 - PROPOSED MORTARED ROCK MEDIAN
 - ROAD EMBANKMENT

- NOTES:**
1. THIS ALTERNATIVE INCLUDES ROAD WIDENING AND SIGNAL MODIFICATIONS ON DEL RIO ROAD AT THE US 101 RAMP AND EL CAMINO REAL INTERSECTIONS, ROAD WIDENING ON EL CAMINO REAL, AND REALIGNMENT OF RAMONA ROAD APPROACHING DEL RIO ROAD.
 2. PRELIMINARY CONCEPT ONLY, CALTRANS COORDINATION IN STATE RIGHT OF WAY IS REQUIRED.
 3. TRAFFIC HANDLING AND CONSTRUCTION STAGING MAY REQUIRE TEMPORARY CONSTRUCTION EASEMENTS.
 4. FINAL DRIVEWAY LOCATIONS TO BE DETERMINED AS DETAILS ARE REFINED.
 5. FINAL RAISED MEDIAN LOCATION AT INTERSECTION OF DEL RIO ROAD AND RAMONA ROAD TO BE DETERMINED AS TRAFFIC VOLUMES INCREASE AND AT THE DISCRETION OF THE CITY.



FILE NAME: 0024-002-EDRF-A1 2-01.DWG 9/16/2020 2:05 PM





LEGEND:

- EXISTING STATE R/W LINE
- PROPOSED STATE R/W LINE
- EXISTING R/W
- PROPOSED R/W LINE
- EXISTING PROPERTY LINE
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED RETAINING WALL
- PROPERTY ACQUISITION (CITY)
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- ROAD EMBANKMENT

- NOTES:**
1. THIS ALTERNATIVE INCLUDES ROAD WIDENING AND SIGNAL MODIFICATIONS ON DEL RIO ROAD AT THE US 101 RAMP AND EL CAMINO REAL INTERSECTIONS, ROAD WIDENING ON EL CAMINO REAL, AND REALIGNMENT OF RAMONA ROAD APPROACHING DEL RIO ROAD.
 2. PRELIMINARY CONCEPT ONLY, CALTRANS COORDINATION IN STATE RIGHT OF WAY IS REQUIRED.
 3. TRAFFIC HANDLING AND CONSTRUCTION STAGING MAY REQUIRE TEMPORARY CONSTRUCTION EASEMENTS.
 4. FINAL DRIVEWAY LOCATIONS TO BE DETERMINED AS DETAILS ARE REFINED.
 5. FINAL RAISED MEDIAN LOCATION AT INTERSECTION OF DEL RIO ROAD AND RAMONA ROAD TO BE DETERMINED AS TRAFFIC VOLUMES INCREASE AND AT THE DISCRETION OF THE CITY.

FILE NAME: 0024-0024-D01P-A-1 2-01.DWG 9/16/2020 2:56 PM



CITY OF ATASCADERO

DEL RIO ROAD/EL CAMINO REAL PLAN LINE IN THE VICINITY OF THE US 101 INTERCHANGE
ALTERNATIVE 2: DEL RIO ROAD, US 101 NB RAMP TO EL CAMINO REAL IMPROVEMENTS CONCEPT
September 16, 2020

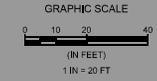
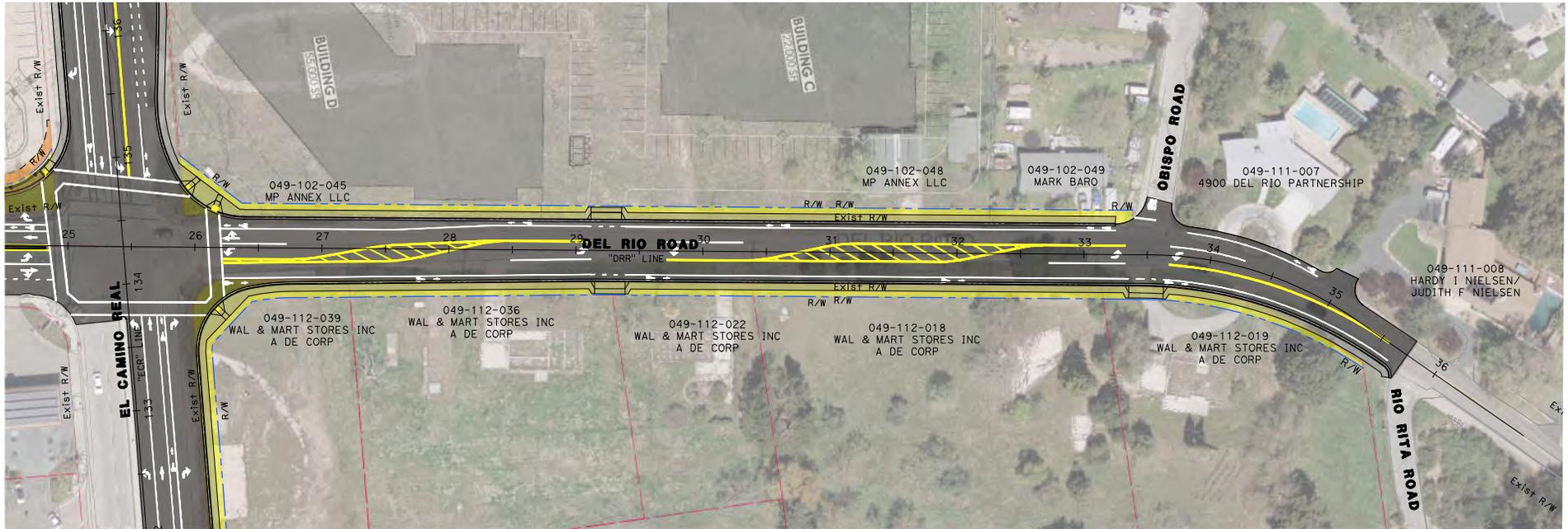


EXHIBIT A
SHEET 2





LEGEND:

- EXISTING STATE R/W LINE
- PROPOSED STATE R/W LINE
- - - EXISTING R/W
- - - PROPOSED R/W LINE
- EXISTING PROPERTY LINE
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED RETAINING WALL
- PROPERTY ACQUISITION (CITY)
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- ROAD EMBANKMENT

NOTES:

1. THIS ALTERNATIVE INCLUDES ROAD WIDENING AND SIGNAL MODIFICATIONS ON DEL RIO ROAD AT THE US 101 RAMP AND EL CAMINO REAL INTERSECTIONS, ROAD WIDENING ON EL CAMINO REAL, AND REALIGNMENT OF RAMONA ROAD APPROACHING DEL RIO ROAD.
2. PRELIMINARY CONCEPT ONLY, CALTRANS COORDINATION IN STATE RIGHT OF WAY IS REQUIRED.
3. TRAFFIC HANDLING AND CONSTRUCTION STAGING MAY REQUIRE TEMPORARY CONSTRUCTION EASEMENTS.
4. FINAL DRIVEWAY LOCATIONS TO BE DETERMINED AS DETAILS ARE REFINED.
5. FINAL RAISED MEDIAN LOCATION AT INTERSECTION OF DEL RIO ROAD AND RAMONA ROAD TO BE DETERMINED AS TRAFFIC VOLUMES INCREASE AND AT THE DISCRETION OF THE CITY.

FILE NAME: 0022-0032-EDRF-ACT 2-02.DWG 9/16/2020 2:08 PM



CITY OF ATASCADERO

DEL RIO ROAD/EL CAMINO REAL PLAN LINE IN THE VICINITY OF THE US 101 INTERCHANGE

ALTERNATIVE 2: DEL RIO ROAD FROM EL CAMINO REAL TO RIO RITA ROAD IMPROVEMENTS CONCEPT

September 16, 2020

GRAPHIC SCALE



EXHIBIT A
SHEET 3





MATCHLINE
SEE BELOW "ECR" 130+00

LEGEND:

- EXISTING STATE R/W LINE
- PROPOSED STATE R/W LINE
- - - EXISTING R/W
- - - PROPOSED R/W LINE
- EXISTING PROPERTY LINE
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED RETAINING WALL
- PROPERTY ACQUISITION (CITY)
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- ROAD EMBANKMENT

NOTES:

1. THIS ALTERNATIVE INCLUDES ROAD WIDENING AND SIGNAL MODIFICATIONS ON DEL RIO ROAD AT THE US 101 RAMP AND EL CAMINO REAL INTERSECTIONS, ROAD WIDENING ON EL CAMINO REAL, AND REALIGNMENT OF RAMONA ROAD APPROACHING DEL RIO ROAD.
2. PRELIMINARY CONCEPT ONLY, CALTRANS COORDINATION IN STATE RIGHT OF WAY IS REQUIRED.
3. TRAFFIC HANDLING AND CONSTRUCTION STAGING MAY REQUIRE TEMPORARY CONSTRUCTION EASEMENTS.
4. FINAL DRIVEWAY LOCATIONS TO BE DETERMINED AS DETAILS ARE REFINED.
5. FINAL RAISED MEDIAN LOCATION AT INTERSECTION OF DEL RIO ROAD AND RAMONA ROAD TO BE DETERMINED AS TRAFFIC VOLUMES INCREASE AND AT THE DISCRETION OF THE CITY.

SEE ABOVE "ECR" 130+00
MATCHLINE



FILE NAME: 0024-0032-EDRF-ACT 2-02.DWG 9/16/2020 2:08 PM



CITY OF ATASCADERO

DEL RIO ROAD/EL CAMINO REAL PLAN LINE IN THE VICINITY OF THE US 101 INTERCHANGE

ALTERNATIVE 2: EL CAMINO REAL, SOUTHERN CONFORM TO DEL RIO ROAD IMPROVEMENTS CONCEPT

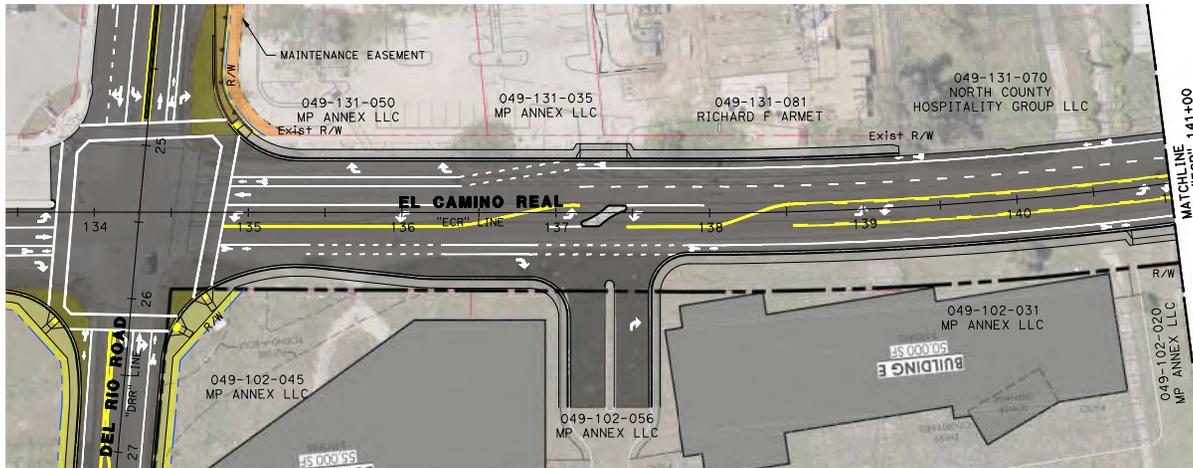
September 16, 2020

GRAPHIC SCALE



EXHIBIT A
SHEET 4



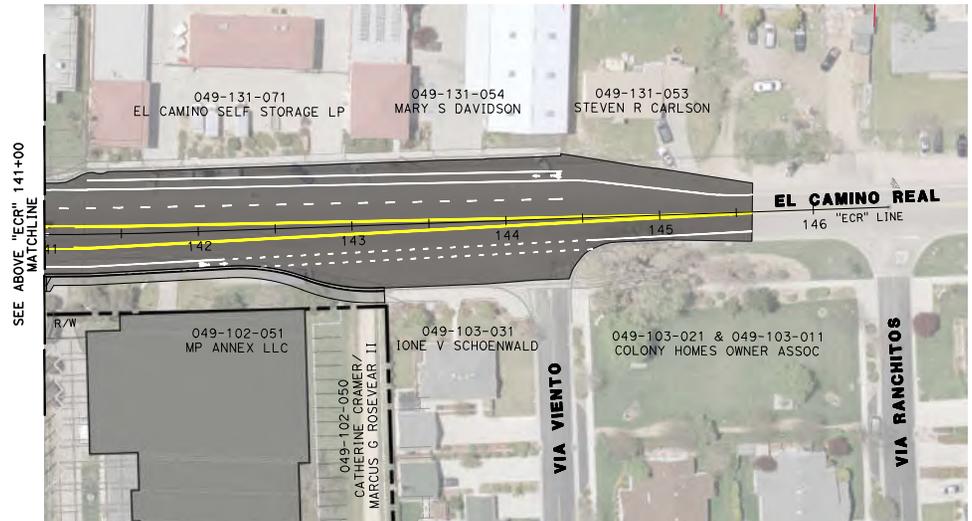


LEGEND:

- EXISTING STATE R/W LINE
- PROPOSED STATE R/W LINE
- EXISTING R/W
- PROPOSED R/W LINE
- EXISTING PROPERTY LINE
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED RETAINING WALL
- PROPERTY ACQUISITION (CITY)
- PROPOSED MAINTENANCE EASEMENT
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- ROAD EMBANKMENT

NOTES:

1. THIS ALTERNATIVE INCLUDES ROAD WIDENING AND SIGNAL MODIFICATIONS ON DEL RIO ROAD AT THE US 101 RAMP AND EL CAMINO REAL INTERSECTIONS, ROAD WIDENING ON EL CAMINO REAL, AND REALIGNMENT OF RAMONA ROAD APPROACHING DEL RIO ROAD.
2. PRELIMINARY CONCEPT ONLY, CALTRANS COORDINATION IN STATE RIGHT OF WAY IS REQUIRED.
3. TRAFFIC HANDLING AND CONSTRUCTION STAGING MAY REQUIRE TEMPORARY CONSTRUCTION EASEMENTS.
4. FINAL DRIVEWAY LOCATIONS TO BE DETERMINED AS DETAILS ARE REFINED.
5. FINAL RAISED MEDIAN LOCATION AT INTERSECTION OF DEL RIO ROAD AND RAMONA ROAD TO BE DETERMINED AS TRAFFIC VOLUMES INCREASE AND AT THE DISCRETION OF THE CITY.



FILE NAME: 0022-0032-D01P-A-1 2-02.DWG 9/16/2020 2:08 PM



CITY OF ATASCADERO

DEL RIO ROAD/EL CAMINO REAL PLAN LINE IN THE VICINITY OF THE US 101 INTERCHANGE

ALTERNATIVE 2: EL CAMINO REAL FROM DEL RIO ROAD TO NORTHERN CONFORM IMPROVEMENTS CONCEPT

September 16, 2020

GRAPHIC SCALE

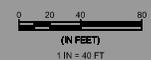
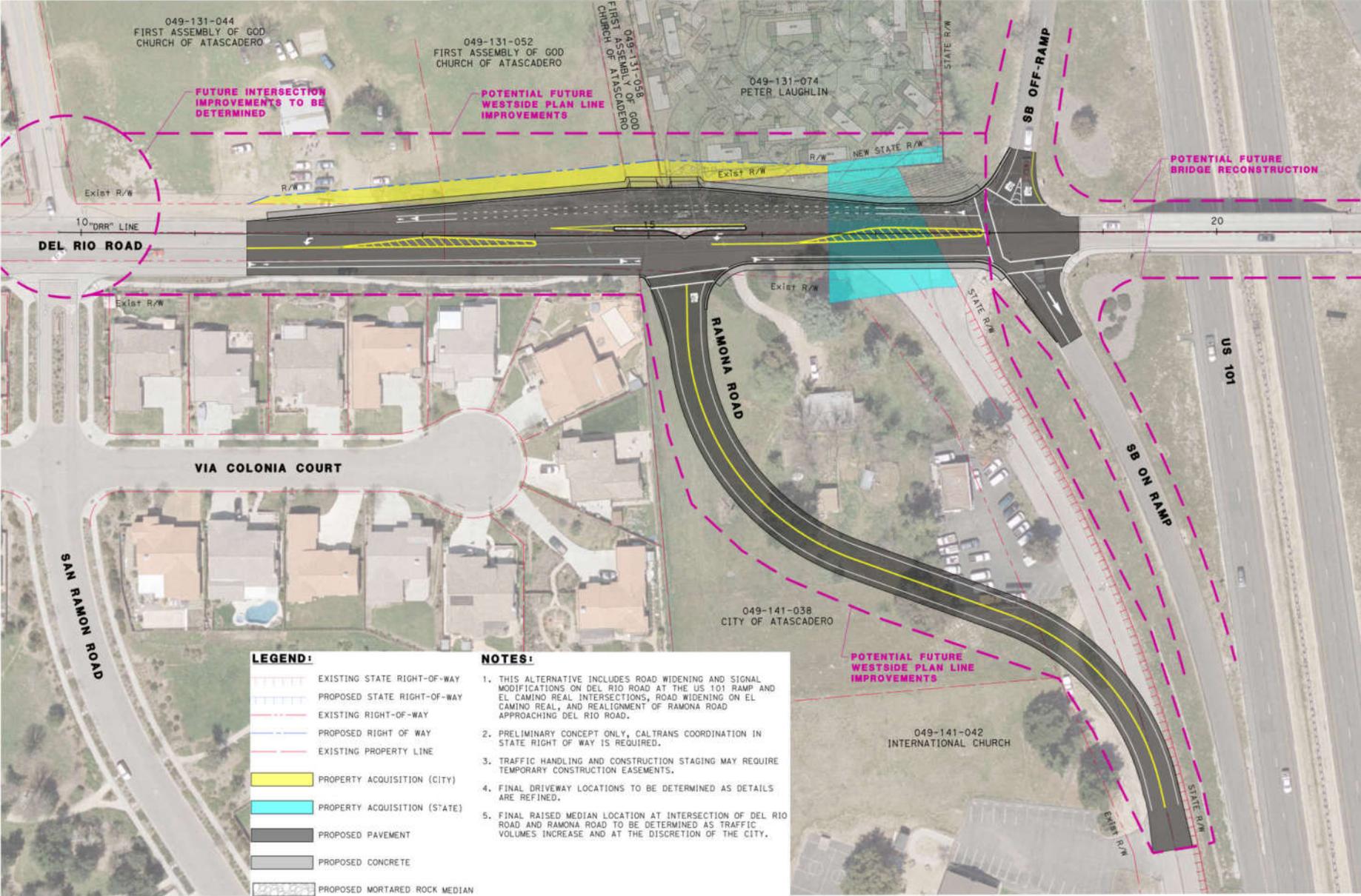


EXHIBIT A
SHEET 5







Atascadero City Council

Staff Report – Community Development Department

Del Rio Road Commercial Area Specific Plan Amendment (AMND18-0079)

RECOMMENDATIONS:

Planning Commission recommends the City Council:

1. Adopt Draft Resolution approving an addendum to the previously certified Final Environmental Impact Report (EIR) for the Del Rio Road Commercial Area Specific Plan and determine that said addendum, together with the previously certified EIR, serves as the appropriate environmental documentation for the proposed Specific Plan Amendments.
2. Introduce for first reading, by title only, Draft Ordinance amending the Del Rio Road Commercial Area Specific Plan to modify the list of allowed land uses, associated project descriptions, and related traffic mitigation measures.

REPORT-IN-BRIEF:

During the March 10, 2020 City Council Meeting, the Council considered alternative options and revised traffic scenarios for the Del Rio Rd/101 interchange. Based on the traffic analysis provided and the evolution of new development patterns proposed within the Specific Plan area in addition to the more significant regional shift away from large retail due to an internet based economy, the Council directed staff to amend the Del Rio Commercial Area Specific Plan and abandon work on the proposed roundabout mitigation project. Proposed amendments to the Specific Plan would modify the list of allowable uses within the Specific Plan area and update the EIR traffic mitigation and timing for the Del Rio Rd/101 interchange improvements as well as improvements at the Del Rio Rd/EI Camino Real intersection.

Amendment of the Specific Plan and EIR allows proposed development to proceed while gradually phasing in traffic improvements that will satisfy traffic demand as development moves forward in conjunction with area buildout. The proposed new mitigations result in significant cost reductions for the City and private development while preserving a greater amount of land for private development.

Following an amendment to the Specific Plan and EIR, property owners will need to apply for new Master Plans of Development prior to moving forward with construction permits. Anticipated development includes business park, light manufacturing, visitor serving uses

such as hotels, restaurants and entertainment uses. Drive through restaurants and fuel stations have been eliminated from the proposed land use list in order to reduce potential vehicle trips. On a separate action, the right of way boundary (plan line setback) will need to be amended to accommodate proposed road widening at Del Rio Road, west of El Camino Real.

At the September 1, 2020 Planning Commission hearing, the Commission voted 5-0 to recommend the Council approve the proposed amendments, including the EIR addendum. The Commission also recommended that a visitor serving RV park be added as a conditionally allowed use with parameters to ensure that the area of use be limited and that proper siting and visual screening occur should such a use be proposed.

DISCUSSION:

Background

In 2017, Walmart notified the City that they were cancelling their plans to build a retail store on the southeast corner of Del Rio Road and El Camino Real within the Del Rio Commercial Area Specific Plan. In 2018, a portion of the planned retail use in the Specific Plan was replaced with a new hotel use. In 2019, an application was submitted by the owner of the property at the northeast corner of Del Rio Road and El Camino in the Specific Plan (Annex property) to replace the previously approved retail development with a business park. Entitlements for both properties that allowed for retail shopping centers expired in July of this year. Combined, these amendments remove the majority of the high traffic generating retail uses that were once envisioned in the Specific Plan. However, amendments to the Specific Plan are needed before any property within the Specific Plan may move forward with development plans. These amendments required the completion of a new traffic analysis and a review of alternatives to the approved traffic mitigation that currently requires roundabouts at the intersections of Del Rio Road, Highway 101, and El Camino Real.

Original Specific Plan

The Del Rio Road Commercial Area Specific Plan was approved by the City Council in June 2012. The Specific Plan consisted of two components. The first portion is a large retail site on the south-east corner of Del Rio Road/El Camino Real known as the "Walmart site". The Walmart site is a total of 26 acres and contains space for a large retail use, 2 smaller commercial pads, and a multi-family residential site. The 2nd component, known as the "Annex site", includes approximately 10 acres at the north-east corner of Del Rio Road and El Camino Real and roughly three acres on the west side of El Camino Real adjacent to Highway 101. Walmart still owns the Walmart site and Madonna Enterprises owns the Annex site. The 26-acre Walmart site is currently for sale.

Previous Specific Plan Amendments

In 2017, the City amended the Del Rio Specific Plan to accommodate a Hilton Hotel on the western side of the "Annex site" to allow for a hotel instead of retail development. That amendment recognized the reduction in vehicle trips and reduced environmental impacts associated with replacing several retail uses with a hotel. A four-story 120-room hotel north of Del Rio Road, between Hwy 101 and El Camino Real, has been recently completed as a result of that amendment.

The Walmart Site

In 2017, Walmart officially cancelled their plans to develop their site and there are no current development plans for the property. On July 12, 2020 the tentative parcel map for the project, along with the Master Plan of Development, expired. Regardless of these factors, the General Plan and Specific Plan designations for this site that allow for commercial development and some multi-family development remain in place. However, any new development proposal would need to apply for a new map and a new master plan of development and may be subject to further environmental review if inconsistent with the Del Rio Specific Plan.

It is important to note that no changes to the Walmart portion of the Specific Plan are proposed with this amendment with the exception of altering the list of allowed uses to eliminate drive through restaurants and service stations to assist in maintaining moderate traffic levels.

A new large retail commercial development could still be built in the future at the Walmart site if they can complete necessary traffic mitigation and acquire approvals of a new master plan of development and parcel map. Since alternative mitigation is now being proposed, the roundabout at Del Rio Road and El Camino Real that was the responsibility of the Walmart development is no longer proposed. The development of a large retail use at this site or similar uses that generate high traffic numbers during the evening peak traffic times are likely to result in the need to widen the Del Rio overpass.

ANALYSIS:

Specific Plan Amendment

The Specific Plan, which acts like a mini zoning ordinance, needs to be amended to accommodate the proposed Annex Business Park Development Plan and revised land use patterns that reduce the overall traffic impacts (Attachments 2 & 3). These amendments also remove some of the detailed site-specific property development standards that were oriented solely towards retail development.

Amendments include:

1. Changing the project site identifiers from:
 - “Annex” to “**North End Project Site**”
 - Major Tenant (Walmart) to “**South-East Project Site**”
2. Modifying project site descriptions to allow for future flexibility of development.
3. Amending the allowable land use list to prohibit high traffic generating uses such as drive through restaurants and service stations.
4. Revising the list of required traffic improvements based on new traffic modeling and revised mitigation measures.
5. Modify site specific development requirements in the Specific Plan to allow greater flexibility for future development.
 - All site specific entitlements for the former Walmart site will remain within the approved Master Plan of Development until entitlement expiration or until a new development plan is submitted.
 - All site specific development requirements for the former Annex site will be remain within the approved Master Plan of Development until it is amended.

Land Use Discussion

The Specific Plan was designed to foster a retail shopping center similar to the Walmart shopping center in Paso Robles. However, that format is becoming less viable in today's market. The proposed land use plan focuses on reducing traffic impacts while preserving land uses that align with current demand. Light manufacturing, large office centers with capacity for head of household jobs, and land that can accommodate a mix of uses including restaurants, hotels, breweries, residential and outdoor space are in high demand. The amended land use list eliminates drive through restaurants and fuel stations because these land uses create significant traffic impacts. Also eliminated are uses with a high outdoor storage component, adult oriented businesses, residential care facilities, and expanded medical uses such as medical extended care facilities.

At the Planning Commission, a member of the public suggested that the Commission add RV parks to the list of proposed land uses. The Commission voted 6-0 to include the RV park land use as a conditional use with specific findings to ensure that this land use would not displace a significant portion of the specific plan area and that it could be developed in a manner as to maintain neighborhood compatibility. Staff believes a small, well designed RV park, reserved strictly for transient lodging, could be a good complement to a visitor serving use in the Specific Plan that can add to the aesthetics and synergy of the site while providing for Transient Occupancy Tax revenue.

EIR Addendum: Traffic Mitigation

During the review phase for the Walmart/Annex Projects in 2008, the City analyzed the project's impact on the Del Rio Road/US 101 Interchange. A traffic analysis performed by the City's traffic consultant (W-Trans) indicated that the Del Rio Road intersection at the Highway 101 off-ramps and at El Camino Real would operate below accepted levels of service with commercial retail development dominating the Specific Plan area when all surrounding properties and regional growth were developed to their fullest extent under the General Plan. It was determined that traffic capacity of the interchange would need to be expanded to accommodate the buildout scenario, which includes assumptions of regional growth. The study analyzed options to increase capacity of the Del Rio Road and El Camino Real intersections at Highway 101. Roundabouts at the ramp intersections were included as a mitigation measure based upon future performance, cost analysis, and input from Caltrans.

The mitigation plan allowed Walmart to develop their site contingent upon the completion of several mitigation measures including the completion of one roundabout at the intersection of Del Rio Road and El Camino Real. However, the mitigation required that no development occur on the Annex site until the completion of the remaining two roundabouts at the Del Rio interchange. This scenario has kept the western Annex site from moving forward with any development until the Walmart site is developed and has completed all of the mitigation. With the Walmart project permanently cancelled, the Annex site has been unable to move forward.

New Land Use Scenarios

With the shift in commercial development away from retail, and with growing interest in business park, tourism, and experience oriented development, the City consulted with W-Trans and Wallace group to explore interchange improvement alternatives based on new land use scenarios to determine if roundabouts remained warranted. Additionally, the City has been seeking options to amend the Specific Plan to allow either property to develop

while implementing adequate traffic mitigation, regardless of which property develops first. The City developed a number of potential land use scenarios based on discussions with property owners within the Specific Plan and surrounding areas to ensure that long range and regional traffic impacts were included.

At the March 10, 2020 City Council meeting, a series of potential land use scenarios were presented. These scenarios took into account both Specific Plan area build out as well as General Plan build out and regional modeling to ensure that the City had a long term picture of traffic impacts at the Del Rio/101 interchange as well as the Del Rio Road/El Camino Real intersection. Based on the new anticipated development projects which include the hotel, a business park, some retail uses and a variety of other anticipated uses, the City Council directed staff to abandon work on the roundabout project and proceed with a complete analysis of alternative traffic mitigation. Now, the Specific Plan needs to be amended to allow alternative site developments, modify traffic mitigation, and eliminate high traffic generating land uses such as drive through restaurants and fuel stations from the list of allowable uses.

Because this amendment to the previously identified traffic mitigation reduces the environmental impacts that were analyzed with the original Specific Plan EIR, staff is proposing an “Addendum” to the EIR that identifies the development plan changes and outlines the reduction in environmental impacts. An addendum to an EIR can be accommodated when the project description changes and there are no new environmental impacts, such as in this scenario. In fact, the proposed project changes result in a reduction of both air quality and traffic impacts. The reduced environmental impacts are the result of reduced vehicle trips to the site with limitations on high traffic generating uses. Some regional retail uses will still be allowed, however, if such uses exceed anticipated traffic numbers, new environmental analysis and/or implementation of later phase mitigation may be required.

Recent traffic analysis has been completed on each of the potential land use scenarios to determine appropriate traffic mitigation without constructing an extensive roundabout system. The new analysis has determined that three phases of traffic mitigation can be completed at future development thresholds to continue to maintain adequate levels of service. These phases of mitigation can accommodate development of all portions of the Specific Plan as well as regional development, and can even accommodate a large retail use on the Walmart site should that be desired in the future.

The three phases of traffic mitigation include the following:

Phase 1

Revised traffic signal timing and phasing at the intersection of Del Rio and El Camino Real.

This mitigation simply involves changing the timing and phasing of the signals and does not require any physical changes to the street or infrastructure except for that required with project frontage improvements. This change alone can increase traffic capacity, reducing queuing, and allow for the development of some of the business park at the North End commercial site, assuming regional development outside of the Specific Plan continues at anticipated levels.

Phase 2

Construct a new westbound to northbound right turn lane on Del Rio Road, between El Camino Real and Highway 101 in addition to signal modifications.

This mitigation will require the construction of a retaining wall on the property at the north-west corner of Del Rio Road and El Camino Real and Highway 101, widening of Del Rio Road, and new curb, gutter, and sidewalk at the northwest corner to accommodate the widening of the road and the addition of the turn lane. These improvements will also necessitate lane reconfiguration at, and approaching, the El Camino Real/Del Rio intersection. A new traffic signal arm would need to be installed to accommodate the new curb alignment at the northwest corner of Del Rio Road and El Camino Real. Signal timing modifications will be required to accommodate the traffic flows and revised intersection geometrics. This will also require that the City adjust the property boundary along the north side of Del Rio Road between El Camino Real and Hwy 101, and acquire private land for public right of way use. Upon completion, this mitigation will accommodate the entire development of the north east business park site and development of the former Walmart site, assuming a large regional retail use or other high intensity traffic generating use does not develop.

Phase 3

Reconstruct the Del Rio Road overpass to accommodate bridge widening and the addition of traffic lanes on Del Rio Road between El Camino Real and Ramona Road, west of Highway 101.

This mitigation is a long term mitigation that involves the complete replacement and widening of the Del Rio Road overpass to accommodate additional lanes. Unless a traffic intensive use such as a large scale retail center or similar land use develops near the Del Rio intersection, this mitigation measure may not be needed in the near future. This mitigation is intended to be coordinated with the eventual planned replacement of the Del Rio Road overpass which could potentially occur within 25 years and to plan for a high traffic use, although not anticipated.

Proposed Mitigation Measure Language

Mitigation Measure 1c will be deleted and replaced with new language to reflect the “Phase 1” mitigation as follows:

Existing Mitigation Measure 1c

MM TRANS-1c: Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Drive to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot- long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project's proportional-share contribution.

Proposed Mitigation Measure 1c

MM TRANS-1c: Prior to occupancy of the first new building within the Specific Plan on the east side of El Camino Real, modifications to the traffic signal at Del Rio Road/El Camino Real shall be completed by the developer to more efficiently orchestrate the movement of conflicting traffic. This modification requires the replacement of the northbound left-turn protected phasing (green arrow) with protected-permissive phasing (green arrow that goes to green ball or flashing yellow arrow), and the southbound left-turn protected phasing with permissive phasing (green ball or flashing yellow arrow). The eastbound and westbound phases, which currently activate at the same time, shall be split to operate sequentially, or one direction and then the other. These changes shall require modification to the existing signal infrastructure to incorporate updated signal heads. In addition, this mitigation includes adjustment to the signal phasing in terms of recalls, phase lengths, and the overall cycle length.

The proposed mitigation language change for 1d will implement “**Phase Two**” mitigation as follows:

Existing Mitigation Measure 1d

MM TRANS-1d – *Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.*

Proposed Mitigation Measure 1d

Prior to occupancy of the first use that exceeds 134 p.m. cumulative peak hour trips, a westbound right-turn lane shall be added to the intersection of Del Rio Road/US 101, such that there would be two westbound lanes on Del Rio Road from El Camino Real to the US 101 North ramp. This would require widening Del Rio Road, the construction of a retaining wall on the north side of Del Rio Road, and reconstruction of the curb return.

Concurrent with the addition of the right turn lane noted above, the intersection of Del Rio Road/El Camino Real shall be reconfigured at the eastbound approach from through/left-turn and right-turn lanes, to left-turn lane and through/right-turn lanes, moving the through movement from the left lane to the right lane. This includes widening the eastbound departure (on the east leg of the intersection) to avoid excessive lateral shifting of through traffic. With a dedicated eastbound left-turn lane, the eastbound-westbound split phasing shall be required to be replaced with concurrent timing, as well as protected-permissive phasing for the eastbound left-turn movement. With protected left-turn phasing in the eastbound direction and a prohibition of eastbound U-turns, a southbound right-turn overlap shall be provided, which is a green arrow that enables southbound right-turning drivers to continue without stopping concurrently with the eastbound left-turn movement. Additionally, the signal at Del Rio Road/El Camino Real shall be coordinated with the

ITEM NUMBER: C-1
DATE: 04/13/21
ATTACHMENT: 2

ITEM NUMBER: B-1
DATE: 09/22/20

signals at Del Rio Road/US 101 North Ramps and Del Rio Road/US 101 South Ramps. This will require extending the interconnect hardware between the ramp signals to Del Rio Road/El Camino Real, and potentially upgrading the signal hardware at Del Rio Road/El Camino Real to be compatible with interconnect technology if it is not already.

All development within the Specific Plan area shall be responsible for paying their fair share towards these improvements as a special impact fee. The special impact fee will be in addition to the Citywide impact fees in place at the time of development and shall be collected prior to issuance of any permit. Should a developer construct the improvements, any costs of the installed improvements in excess of the project's proportional share, may be eligible for a TIF fee credit. Any potential TIF fee credit will be calculated by the City and will comply with any City resolution guiding TIF Fee credits in place at the time of construction of the improvements. The developer constructing the improvements may also be eligible for reimbursement from other development within the Specific Plan area should improvements be installed prior to Specific Plan build-out.

Why Mitigation Phase Two is not the Final Future Solution

In addition to the above Phase 1 and 2 level mitigation, the City anticipates potential bridge widening of Del Rio Road upon Caltrans replacement of the bridge (currently estimated for 2045) or if a traffic intensive use develops at the South-East project site. A plan line setback can be established for the full extent of this improvement to ensure that land remains available for future construction and lane alignment. This development limit boundary would require additional private land near the intersection of Del Rio and El Camino Real be reserved. The City Council will take action on the plan line setback, that can accommodate both the current proposed mitigation and long-term road improvements as a separate action. The proposed EIR Addendum does include mitigation that can accommodate intensive development of the former Walmart site so that a solution for future development is retained should the opportunity arise. This mitigation involves complete replacement of the Del Rio overpass and widening to accommodate additional lanes. The mitigation is a long term plan that is likely best done in concert with a planned bridge replacement by Caltrans.

Mitigation Measure 1e below is proposed to be modified to implement "Phase 3" of the mitigation:

Existing Mitigation Measure 1e

MM TRANS-1e – *Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the "TIF Collection Process" discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.*

Proposed Mitigation Measure 1e

Prior to issuance of building permits for any land use that exceeds 293 cumulative weekday p.m. peak hour trips within the Specific Plan area, the following improvements shall be completed (note that the words cumulative, and peak hour were added to the mitigation language after the Planning Commission action):

- Widening the eastbound approach to Del Rio Road/El Camino Real to three lanes that extend upstream to Del Rio Road/US 101 North Ramps, with one lane each assigned to left turns, through lanes, and right turns.
- The westbound approach shall be widened to include a right-turn pocket.
- A second northbound left-turn lane shall be constructed to accommodate traffic leaving the commercial developments and heading toward the freeway.
- Overlaps shall be added to further improve traffic flow.
- The Del Rio Road overpass shall to be widened to four lanes, with a through/left-turn combined lane and through lane approaching eastbound to Del Rio Road/US 101 North Ramps and left-turn and through/left-turn combined lanes on the westbound approach to Del Rio Road/US 101 South Ramps.
- At Del Rio Road/US 101 South Ramps, the southbound approach shall be expanded to include an additional left-turn lane, and the phasing shall be modified to split the eastbound and westbound approaches.
- Interconnect shall be provided between all three signals to coordinate cycles.

Should a developer construct the improvements, any costs of the installed improvements in excess of the project's proportional share, may be eligible for a TIF fee credit. Any potential TIF fee credit will be calculated by the City and will comply with any City resolution guiding TIF Fee credits in place at the time of construction of the improvements. The developer constructing the improvements may also be eligible for reimbursement from other development within the Specific Plan area should improvements be installed prior to Specific Plan build-out.

Other Mitigation Measure Minor Edits

A number of additional mitigation measures are also proposed to be modified for consistency with new project site names and the revised traffic mitigation scenarios. Some mitigation measures have also been modified to respond to changes that may be proposed with future master plan of development amendments while maintaining the intent of the mitigation. For example, specifics regarding bike lane design have been modified to allow the City Engineer to determine required improvements based on proposed development patterns. These edits are not substantive and do not result in changes to the environment or development options.

Timing of Traffic Improvements

Some development on either of the Specific Plan sites could occur prior to the physical traffic improvements being warranted. However, any development will be subject to transportation impact fees for both phase 1 and 2 of the proposed mitigation along with site frontage improvements. The amount of development allowed prior to completing any improvements at the interchange is dependent on the type of development that is proposed and the amount of vehicle trips that are generated. For example, if a new project is primarily office and warehousing, the impacts will be very low and a larger square-footage of development may be allowed to proceed. The draft mitigation assumes that up to **3,960** additional vehicle trips (amended specific plan minus approved and constructed

Hotel) could be added to the interchange from development within the specific plan area with implementation of signal timing modifications and the addition of a westbound turn lane at Del Rio Road and the 101 northbound on-ramp (Phase 2). The traffic analysis also identified a lesser peak hour trip threshold (134 weekday p.m. peak hour trips) that can be accommodated with signal timing modifications only (Phase 1).

The original traffic study developed for the EIR determined that 53% of the projected traffic generated at the interchange would be generated by the Walmart and Annex projects combined, while 47% of the traffic would be generated by other future development in the area or region. Since the revised projected development scenario reduces the number of vehicle trips, the new land use plan assumes that development within the Specific Plan is responsible for 38.7% of the area traffic impact, while development assumed by the existing General Plan buildout would be responsible for 61.3% of the traffic impact to the Del Rio and El Camino Real corridor. The remaining 61.3% portion of the construction cost will be funded by citywide development impact fees. This assumption does not include the development of a large retail store at the former Wal Mart site. If a large retail store or other land use that results in significant traffic returns to the Specific Plan area, the Specific Plan traffic responsibility will likely change. Furthermore, if land uses outside of the Specific Plan, such as the approved fuel station and Taco Bell restaurant near the corner of Del Rio develop as less intensive land uses, then the percentage of trips from outside of the Specific Plan could change. Therefore, these responsibility estimates are a snapshot of the current trend and the City will need to continue to evaluate traffic impacts and land use as the area develops.

Plan Line Setback

The future road improvements on Del Rio Road between El Camino Real and Highway 101 will require additional private land to be retained. Road widening, construction of a retaining wall, and access for construction and maintenance of any public improvements will need to be reserved. The northern edge of the road right of way will need to shift approximately 10 to 15 feet to the north to accommodate the proposed Phase 2 road widening while preserving some additional space for future additional improvements should the Del Rio Road bridge be widened when replaced in the future. This new right of way boundary is termed a "Plan Line Setback" and will need to be recorded on any property impacted by the improvements so that new construction, such as the approved Taco Bell restaurant, can be developed in a way which accommodates the new road configuration. It is important to note that this new road configuration takes far less land than the previous roundabout configurations. The plan line setback is a separate action from the Specific Plan amendment and will be handled by a separate report and action.

Engineering Cost Estimates/Fair Share Amount

The draft plans to accommodate the mitigation for Del Rio Road widening and associated improvements are currently anticipated to cost \$4.6 Million. These costs include construction of the improvements at prevailing wage, cost of preparing planning and engineering details, Cal Trans permitting, and potential escalation of costs along with contingencies. This \$4.6 Million estimate will be utilized to create the fair share mitigation fee that is due upon the occupancy of each development. It is important to understand that based on the current assumed scenarios - the Specific Plan is only responsible for approximately 38.7% of the area traffic that impacts the Del Rio and El Camino Real intersections. In this scenario, the mitigation fees are based on a 38.7% of the \$ 4.6 Million, or \$1,799,550. However, as mentioned above, if land uses change and each

Specific Plan site moves forward with more traffic intensive development, these fair share portions could change.

At this time, no specific development can proceed until a Master Plan of Development is approved for the site. At the time of Master Plan of Development review by the City, each project will be assigned a condition of approval requiring the fair share fees to be paid prior to occupancy. .. The fair share cost will be added to standard traffic development impact fees based on the amount of vehicle trips that are anticipated from each new development within the Specific Plan. Fair share amounts will be based upon the average daily trips of each land use and will include a partial credit for portions of the mitigation work that are already included within the City's traffic impact fee structure.

Based on current cost estimates for the road improvement mitigation, and current land use scenarios the Specific Plan impact fee amount for each vehicle trip will be \$416.34 in addition to the Citywide impact fee. Since part of these traffic mitigations are already part of the Citywide circulation improvement already covered by Citywide impact fees, development in the Specific Plan will receive a fair share credit calculated in a manner consistent with Attachment 4. The end result is that the total development impact fee is significantly reduced from the original Specific Plan fees. The reduced improvements and reduced fees should help spur development of the Specific Plan area, while still accommodating necessary improvements.

Next Steps

Allowing Specific Plan Development to Proceed

The primary goal of the amendment to the Specific Plan and applicable mitigation is to allow development to proceed within the Specific Plan limits while planning for long term traffic mitigation. Once the City Council takes action on the amendments and approves the mitigation changes, any applicant in the Specific Plan may proceed with a development plan by simply applying for a conditional use permit to adopt a Master Plan of Development. The project would need review by the Design Review Committee and Planning Commission and then could proceed with construction permits. A project that includes a subdivision map that includes 5 or more lots will also require review by the City Council. Since the City Council approved the original Master Plan of development, it is possible to alter the level of review for a new Master Plan of Development to require City Council approval following Planning Commission review for any new Master Plan of Development. This change can be incorporated into the Specific Plan.

Following City Council approval of the new mitigation plan, the Caltrans review and approval process will continue to evaluate the proposed road improvement plans for Del Rio. Additionally, the City will need to work with the property owner to acquire necessary right of way to complete the future northbound turn lane at Del Rio Road. The right of way and plan line setback work will be a separate action and will need to be completed prior to the issuance of new construction permits for the proposed Taco Bell restaurant that is planned for the corner of Del Rio Road and El Camino Real. Although that restaurant is outside of the Specific Plan, its project conditions require that the project be built to accommodate the necessary road right of way for the future widening. As noted above, development can begin to take place within the Specific Plan, but will need to cease upon reaching the 134 cumulative weekday p.m. peak hour trip threshold until such a time as the additional turn lane at Del Rio/Highway 101 and traffic signal modifications are in place.

Conclusion

The Del Rio Road Commercial Area Specific Plan is a significant economic development opportunity. It has been identified in the City Council Action Plan as a priority. The proposed amendments continue to accomplish the Specific Plan's objectives including:

- Allowing some development to proceed while adopting phased mitigation that can accommodate increased traffic.
- Proposing mitigation that resolves long term traffic impacts.
- Broadening the City's tax base by providing local and regional tax generating uses along with local head of household job opportunities.
- Maximizing the economic viability of the vacant sites.
- Providing adequate infrastructure and public amenities.
- Locating a commercial project at the intersection of two major streets, consistent with the General Plan's urban form framework.
- Ensuring consistent and rational development of the sites in accordance with established functional, environmental, and aesthetic standards.

FISCAL IMPACT:

The changes to the Del Rio Specific Plan are expected to significantly reduce the projected traffic impacts from development in the Specific Plan Area. Because of the lower traffic impacts, proposed changes in the Specific Plan include a projected reduction in Traffic Impact Fee revenue of approximately \$2.8 million. The short-term circulation improvements necessary to mitigate the new traffic projections are projected to cost approximately \$15 million less than the mitigation measures included in the original specific plan. The Specific Plan changes are likely to result in long term increased economic development, including additional head of household jobs and tax revenue, as a result of stimulating new development.

ALTERNATIVES:

1. The City Council may recommend modifications to any or all portions of the proposed amendments. Any proposed modifications, including conditions of approval, should be clearly re-stated in any vote.
2. The City Council 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. If more information is needed, the Council 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 is required.
3. The City Council may recommend denial of the amendments. The Council 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 rational introduced and deliberated by the Council. If denying the proposed amendments, all previous project approvals and requirements will remain in place.

ITEM NUMBER: C-1
DATE: 04/13/21
ATTACHMENT: 2

ITEM NUMBER: B-1
DATE: 09/22/20

ATTACHMENTS:

1. Draft Resolution
 - a. Exhibit A: EIR Addendum and Traffic Analysis
2. Draft Ordinance
 - a. Exhibit A: Amended Specific Plan
3. Redlined Amended Del Rio Commercial Area Specific Plan
4. RCS Proportional Share of Localized Circulation System Improvements- Del Rio Commercial Area Specific Plan

ITEM NUMBER: C-1
DATE: 04/13/21
ATTACHMENT: 2

ITEM NUMBER: C-1
DATE: 09/22/20
ATTACHMENT: 2



April 23, 2020

Mr. Nick DeBar
City of Atascadero
Public Works Department
6500 Palma Avenue
Atascadero, CA 93422

Traffic Analysis for the Del Rio Road Interchange - 2020 Update

Dear Mr. DeBar;

As requested, W-Trans has updated the traffic operations analysis of the Del Rio Road interchange based on the most recent land use development proposals in the vicinity of the interchange. Previously, fourteen land use development scenarios were assessed. The highest intensity version of the most recent development scenario was combined with estimated cumulative traffic to estimate the potential need for mitigations under a future "worst case" scenario. The operational analysis considered both intersection Level of Service (LOS) conditions as well as queuing in turn lanes and between intersections. The purpose of this letter is to describe the methodology and findings of this analysis.

Existing Conditions

The study area consists of Del Rio Road between El Camino Real and Ramona Road, including intersections with the US-101 Northbound Ramps and US-101 Southbound Ramps. The intersections of Del Rio Road/El Camino Real, Del Rio Road/US-101 Northbound Ramps, and Del Rio Road/US-101 Southbound Ramps are signalized, while the intersection of Del Rio Road/Ramona Road is stop-controlled on the Ramona Road approach and free-flowing on the Del Rio Road approaches. From Ramona Road to the US-101 Northbound Ramps, Del Rio Road is two lanes with no median or turn lanes. Between the US-101 Northbound Ramps and El Camino Real, Del Rio Road widens to include a median and an eastbound right-turn lane, for three lanes total.

Traffic counts were collected in March 2018. The average daily traffic at each intersection ranges from around 3,700 vehicles per day at Del Rio Road/Ramona Road to around 11,000 vehicles per day at Del Rio Road/El Camino Real, with the majority of vehicles traveling eastbound and westbound. The traffic counts are enclosed.

Intersection Level of Service Methodologies

Level of Service (LOS) is used to rank traffic operation on various types of facilities based on traffic volumes and roadway capacity using a series of letter designations ranging from A to F. Generally, Level of Service A represents free flow conditions and Level of Service F represents forced flow or breakdown conditions. A unit of measure that indicates a level of delay generally accompanies the LOS designation.

The study intersections were analyzed using methodologies published in the *Highway Capacity Manual* (HCM), Transportation Research Board, 2010. This source contains methodologies for various types of intersection control, all of which are related to a measurement of delay in average number of seconds per vehicle.

The Levels of Service for the intersection with side street stop controls, Del Rio Road/Ramona Road, was analyzed using the "Two-Way Stop-Controlled" intersection capacity method from the HCM. This methodology determines a level of service for each minor turning movement by estimating the level of average delay in seconds per vehicle.

Results are presented for individual movements together with the weighted overall average delay for the intersection.

The study intersections that are controlled by a traffic signal were evaluated using the signalized methodology from the HCM. This methodology is based on factors including traffic volumes, green time for each movement, phasing, whether the signals are coordinated or not, truck traffic, and pedestrian activity. Average stopped delay per vehicle in seconds is used as the basis for evaluation in this LOS methodology. For purposes of this study, delays were calculated using signal timing obtained from Caltrans and the City of Atascadero.

The ranges of delay associated with the various levels of service are indicated in Table 1.

Table 1 – Intersection Level of Service Criteria		
LOS	Two-Way Stop-Controlled	Signalized
A	Delay of 0 to 10 seconds. Gaps in traffic are readily available for drivers exiting the minor street.	Delay of 0 to 10 seconds. Most vehicles arrive during the green phase, so do not stop at all.
B	Delay of 10 to 15 seconds. Gaps in traffic are somewhat less readily available than with LOS A, but no queuing occurs on the minor street.	Delay of 10 to 20 seconds. More vehicles stop than with LOS A, but many drivers still do not have to stop.
C	Delay of 15 to 25 seconds. Acceptable gaps in traffic are less frequent, and drivers may approach while another vehicle is already waiting to exit the side street.	Delay of 20 to 35 seconds. The number of vehicles stopping is significant, although many still pass through without stopping.
D	Delay of 25 to 35 seconds. There are fewer acceptable gaps in traffic, and drivers may enter a queue of one or two vehicles on the side street.	Delay of 35 to 55 seconds. The influence of congestion is noticeable, and most vehicles have to stop.
E	Delay of 35 to 50 seconds. Few acceptable gaps in traffic are available, and longer queues may form on the side street.	Delay of 55 to 80 seconds. Most, if not all, vehicles must stop and drivers consider the delay excessive.
F	Delay of more than 50 seconds. Drivers may wait for long periods before there is an acceptable gap in traffic for exiting the side streets, creating long queues.	Delay of more than 80 seconds. Vehicles may wait through more than one cycle to clear the intersection.

Reference: *Highway Capacity Manual*, Transportation Research Board, 2010

Caltrans indicates that they endeavor to maintain operation at the transition from LOS C to LOS D, per their *Guide for the Preparation of Traffic Impact Studies*, 2002. Where intersections are integral to a local jurisdictions transportation system, Caltrans often accepts the operational standard applied by the local agency, in this case, the City of Atascadero.

The City of Atascadero’s *General Plan*, July 2016, established the City’s threshold for acceptable operation as LOS C or better.

Operational Analysis

The Existing Conditions scenario provides an evaluation of current operation based on existing traffic volumes during the p.m. peak period. This condition does not include development-generated traffic volumes. Volume data was collected in March 2018 while local schools were in session. All four study intersections operate acceptably as shown in Table 2. The operational analysis worksheets are enclosed.

Table 2 – Existing Intersection Delay		
Study Intersection Approach	PM Peak	
	Delay	LOS
1. Del Rio Rd/El Camino Real	23.5	C
2. Del Rio Rd/US-101 N Ramps	9.9	A
3. Del Rio Rd/US-101 S Ramps	14.9	B
4. Del Rio Rd/Ramona Rd	0.7	A
<i>Northbound Approach</i>	<i>9.3</i>	<i>A</i>

Notes: Delay is measured in average seconds per vehicle; Results for minor approaches to two-way stop-controlled intersections are indicated in *italics*

Queuing

The estimated queue lengths were determined for each study intersection for turning movements that have a dedicated turn lane. The turn lane queues were compared to existing turn lane lengths to determine if the developments would cause the back of queue to extend from within the turn pocket out of the pocket and into the through lane.

Additionally, the queue lengths between the study intersections were assessed due to the proximity of the intersections. The segment of the Del Rio Road overpass between the US-101 South Ramps and US-101 North Ramps is approximately 290 feet long, which means that a queue length greater than 290 feet would cause queuing to spill back into the upstream intersection and thus is considered unacceptable. The segment of Del Rio Road between the US-101 Northbound Ramps and El Camino Real is approximately 240 feet long, which means that a queue length greater than 240 feet would cause operational impacts and thus is considered unacceptable.

Queue lengths on the freeway offramps were also considered, as typically a queue extending past the offramp gore point and onto the freeway mainline is considered unacceptable. The northbound offramp has a length of 900 feet available between the stop bar at Del Rio Road and the gore point on US-101 North. For the southbound offramp, this distance is 960 feet.

The projected maximum queue in the turn pockets, off-ramps, and between the intersections were determined using the SimTraffic application of Synchro and averaging the 95th-Percentile queue for each of ten runs. Summarized in Table 3 are the queue lengths for approaches to study intersections. Copies of the SimTraffic projections are enclosed.

Table 3 – Existing Queue Lengths		
Study Intersection Approach	Available Storage	PM Peak Maximum Queue Length
1. Del Rio Rd/El Camino Real		
<i>Northbound Left-Turn</i>	280	155
<i>Southbound Left-Turn</i>	150	25
<i>Eastbound Approach</i>	240	154
2. Del Rio Rd/US-101 N Ramps		
<i>Westbound Approach</i>	240	84
<i>Eastbound Approach</i>	290	99
<i>Northbound Approach</i>	900	88
3. Del Rio Rd/US-101 S Ramps		
<i>Westbound Approach</i>	290	98
<i>Eastbound Approach</i>	35	115
<i>Southbound Approach</i>	960	192
4. Del Rio Rd/Ramona Rd		
<i>Westbound Approach</i>	35	79

Notes: Maximum Queue based on the average of the 95th-percentile queue value from ten SimTraffic runs; all distances are measured in feet; **Bold** text = deficient operation

As shown, all queues are within acceptable limits except for between Del Rio Road/US-101 South Ramps and Del Rio Road/Ramona Road, where the queue in each direction extends beyond the 35-foot spacing between the two intersections.

Future Conditions

Link volume data was collected from the SLOCOG travel demand model for the 2015 and 2035 model years. The link volumes were then combined with the 2018 traffic counts in a "Furness" process to generate future turning movement volumes. The Furness method is an iterative process that employs existing turn movement data, existing link volumes and future link volumes to project likely turning future movement volumes at intersections.

Traffic Analysis Zone (TAZ) data for each of the parcels surrounding the interchange was also collected from SLOCOG. The TAZ data includes estimates for housing and employment levels as they correspond to the travel demand model. Land uses that duplicated those proposed in this analysis were removed to avoid double counting trips. For example, there are two existing houses contained within the same TAZ as the "Church Property." The future model assumes seven houses will exist in this TAZ for a net increase of five houses. This analysis assumes a net increase of 120 houses will be constructed on the Church Property; therefore, the five net new houses from the SLOCOG model were removed from the future volumes to avoid duplication.

In addition to the changes in volumes, the Future Conditions scenario was assessed with the proposed relocation of the Del Rio Road/Ramona Road intersection to the west. With this relocation, the distance between Del Rio Road/US-101 South Ramps and Del Rio Road/Ramona Road would increase from 35 feet to 240 feet. Additionally, a driveway would be added to the north side of Del Rio Road/Ramona Road to provide access to the parcel to the north of the intersection, giving the intersection a southbound approach. This driveway would be right-in/right-out only, preventing left-turn and through movements into and out of the driveway.

Sensitivity Analysis Land Use

To test the sensitivity of the Del Rio Road corridor, 15 land use scenarios were assessed. Land Use Scenario 8c (Buildout of Scenario 8) which was developed as part of this report, was selected as the most intensive likely scenario for further assessment. This scenario contains potential land uses for redevelopment of four vacant lots along the corridor:

1. Annex West: Lot on northwest quadrant of the Del Rio Road/El Camino Real intersection;
2. Annex East: Lot on northeast quadrant of the Del Rio Road/El Camino Real intersection;
3. Wal-Mart Site: Lot on southeast quadrant of the Del Rio Road/El Camino Real intersection that was slated to be developed into a Wal-Mart store; and
4. Church Property: Lot north of Del Rio Road and to the west of US-101.

Land Use Scenario 8c tests a variety of land uses on these four lots, including hotels, restaurants, business parks, apartments, houses, retail, and offices.

Vehicle Trip Generation

The anticipated vehicle trip generation for the proposed land uses was estimated based on standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 10th Edition, 2017 for "Hotel" (ITE LU 310), "Gasoline/Service Station with Convenience Market" (ITE LU 945), "High-Turnover (Sit-Down) Restaurant" (ITE LU 932), "Shopping Center" (ITE LU 820), "Fast-Food Restaurant with Drive-Through Window" (ITE LU 934), "Business Park" (ITE LU 770), "Warehousing" (ITE LU 150), "Multifamily Housing (Low-Rise)" (ITE LU 220), "Single-Family Detached Housing" (ITE LU 210), "Winery" (ITE LU 970), and "Quality Restaurant" (ITE LU 931). Note that the "Winery" land use was selected as the closest ITE land use type for the proposed micro-brewery.

Internal Capture Trips

The *Trip Generation Manual* also includes data and methodologies that can be applied to determine the proportion of internal trips that may occur within a development area that includes a variety of land uses. Internal trips occur at mixed-use developments, and in the case of the Church Property and Wal-Mart Site would consist of residents and hotel guests patronizing adjacent restaurant and retail uses, as well as employees of nonresidential uses patronizing other nonresidential uses, such as employees of the business park eating at the restaurant. The majority of these trips would be made by walking, and the few that would be made by automobile would only travel on-site, so would not affect the adjacent street network.

Pass-by Trips

Some portion of traffic associated with the restaurant uses is drawn from existing traffic on nearby streets. These vehicle trips are not considered "new," but are instead comprised of drivers who are already driving on the adjacent street system and choose to make an interim stop and are referred to as "pass-by." The percentage of these pass-by trips was developed based on information provided in the *Trip Generation Manual*. This reference includes pass-by data collected at numerous locations for many land uses, such as the restaurant use applied in this traffic analysis. At the developments, pass-by trips would in essence be "captured" from traffic on Del Rio Road or El Camino Real.

Total Area Trip Generation

The expected trip generation potential for Land Use Scenario 8c is indicated in Table 4, with deductions taken for pass-by and internal capture. The proposed land uses are expected to generate 11,782 trips per day, including 627 trips during the a.m. peak hour and 813 during the p.m. peak hour. After deductions are considered, the development of the Del Rio Road Interchange area would be expected to generate 11,429 new trips on a daily basis, including 604 during the morning peak hour and 785 during the evening peak hour; these new trips represent the increase in traffic associated with the land uses compared to existing volumes.

Table 4 – Trip Generation Summary for Land Use Scenario 8c											
Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Annex West											
Hotel	120 rooms	8.36	1,003	0.47	56	33	23	0.60	72	37	35
Gas Station	12 fs	205.36	2,464	12.50	150	77	73	14.00	168	86	82
Sit-Down Restaurant	2 ksf	112.18	224	9.94	20	11	9	9.77	20	12	8
<i>Pass-by</i>		-5%	-11	-5%	-1	-1	0	-5%	-1	-1	0
Retail	2 ksf	37.75	76	0.94	2	1	1	3.81	8	4	4
Fast-Food Restaurant	1.9 ksf	470.95	895	40.20	76	39	37	32.70	62	32	30
<i>Pass-by</i>		-10%	-90	-10%	-8	-4	-4	-10%	-6	-3	-3
Annex East											
Business Park	190 ksf	12.44	2,364	0.40	76	46	30	0.42	80	37	43
Wal-Mart Site											
Warehousing	30 ksf	1.74	52	0.17	5	4	1	0.19	6	2	4
Sit-Down Restaurant	2 ksf	112.18	224	9.94	20	11	9	9.77	20	12	8
<i>Pass-by</i>		-5%	-11	-5%	-1	-1	0	-5%	-1	-1	0
Mixed-Use Retail	15 ksf	37.75	566	0.94	14	9	5	3.81	57	27	30
Mixed-Use Residential	10 du	7.32	73	0.46	5	1	4	0.56	6	4	2
Business Park	30 ksf	12.44	373	0.40	12	7	5	0.42	13	6	7
Apartments	35 du	7.32	256	0.46	16	4	12	0.56	20	13	7
Internal Capture		-5%	-77	-5%	-4	-2	-2	-5%	-6	-3	-3
Church Site											
Houses	120 du	9.44	1,133	0.74	89	22	67	0.99	119	75	44
Hotel	120 rooms	8.36	1,003	0.47	56	33	23	0.60	72	37	35
Business Park	36 ksf	12.44	448	0.40	14	9	5	0.42	15	7	8
Retail Pad 1	3.5 ksf	37.75	132	0.94	3	2	1	3.81	13	6	7
Retail Pad 2	3.5 ksf	37.75	132	0.94	3	2	1	3.81	13	6	7
Micro-Brewery	5 ksf	45.96	230	2.07	10	7	3	7.31	37	19	18
Sit-Down Restaurant	2.5 ksf	83.84	210	0.73	2	1	1	7.80	20	13	7
Internal Capture		-5%	-164	-5%	-9	-4	-5	-5%	-14	-8	-6
Subtotal			11,782		627	318	309		813	431	382
Reductions			-353		-23	-12	-11		-28	-16	-12
Total			11,429		604	306	298		785	415	370

Note: du = dwelling unit; ksf = 1,000 square feet; fs = fuel stations

Potential Interchange Improvements

The operational analysis of future conditions is detailed below. As part of this analysis, two mitigation measures to avoid unacceptable traffic operations in the form of either delay or queuing were developed.

Mitigation 1 – This mitigation measure proposes to construct a westbound right-turn lane between El Camino Real and the northbound on-ramp. This would require widening Del Rio Road, the construction of a retaining wall on the north side, and reconstruction of the curb return. By splitting westbound traffic into through and right-turn lanes, the queue length can be reduced by giving drivers two lanes to queue instead of one. Additionally, splitting through traffic and right-turn traffic will allow turning drivers to bypass through drivers who are waiting for a green light, reducing delay and improving operations at Del Rio Road/US-101 North Ramps.

Mitigation 2 – This mitigation measure would be, in addition to the above westbound right-turn lane, to update the signal timings to better serve the new traffic flows caused by the proposed development. For example, each land use scenario adds significant northbound left-turn traffic to Del Rio Road/El Camino Real. Without updating the timing of this signal to accommodate the added traffic, the drivers turning left would face major delays which would cause the intersection to operate unacceptably.

In addition to updating the signal timings, the second mitigation tested would involve several modifications to El Camino Real/Del Rio Road, including the addition of a southbound right-turn lane, replacement of the northbound protective left-turn phasing with protected-permissive operation, replacement of the southbound protective left-turn phasing with permissive phasing, and interconnection with the US-101 ramp intersections to enable cycle coordination between the three signals.

Operational Analysis

The Del Rio Road corridor conditions were assessed with anticipated future traffic volumes including trips generated by the Scenario 8c land uses. Additionally, the Future plus Scenario 8c volumes were assessed with the two potential interchange improvements detailed above. The results in terms of delay are summarized in Table 5.

Table 5 – Future plus Land Use Scenario 8c Intersection Delay

Study Intersection <i>Approach</i>	PM Peak Delay					
	No Mitigation		Mitigation 1		Mitigation 2	
	Delay	LOS	Delay	LOS	Delay	LOS
1. Del Rio Rd/El Camino Real	119.0	F	119.0	F	19.3	B
2. Del Rio Rd/US-101 N Ramps	14.3	B	10.1	B	18.2	B
3. Del Rio Rd/US-101 S Ramps	21.9	C	22.1	C	27.3	C
4. Del Rio Rd/Ramona Rd	0.9	A	0.9	A	0.9	A
<i>Northbound Approach</i>	<i>10.5</i>	<i>B</i>	<i>10.5</i>	<i>B</i>	<i>10.5</i>	<i>B</i>
<i>Southbound Approach</i>	<i>10.1</i>	<i>B</i>	<i>10.1</i>	<i>B</i>	<i>10.1</i>	<i>B</i>

Notes: Delay is measured in average seconds per vehicle; Results for minor approaches to two-way stop-controlled intersections are indicated in *italics*; **Bold** text = deficient operation; Mitigation 1 is to add the westbound right-turn lane to Del Rio Road/US-101 North Ramps; Mitigation 2 is to combine Mitigation 1 with signal retiming at all three signalized intersections, as well as modify the intersection of El Camino Real/Del Rio Road

With Future plus Land Use Scenario 8c traffic, the intersection of Del Rio Road/El Camino Real would operate unacceptably with either no mitigation or with only Mitigation 1. The addition of Mitigation 2 (which includes Mitigation 1) would decrease the delay to an acceptable level. The other three study intersections would operate with acceptable delay with or without either mitigation.

In addition to delay, queue lengths were assessed using SimTraffic software to take an average of each of ten runs. Where there are multiple lanes on one approach, the lane with the greater queue length was used. These results are summarized in Table 6.

Table 6 – Future plus Land Use Scenario 8c Queue Lengths				
Study Intersection Approach	Available Storage	PM Peak Maximum Queue Length		
		No Mitigation	Mitigation 1	Mitigation 2
1. Del Rio Rd/El Camino Real				
Northbound Left-Turn	280	398	385	208
Southbound Left-Turn	150	69	47	45
Southbound Right-Turn	-	-	-	102
Eastbound Approach	240	264	268	231
2. Del Rio Rd/US-101 N Ramps				
Westbound Approach	240	226	112	163
Eastbound Approach	290	378	256	221
Northbound Approach	900	113	124	112
3. Del Rio Rd/US-101 S Ramps				
Westbound Approach	290	189	221	256
Eastbound Approach	240	156	153	169
Southbound Approach	960	630	639	357
4. Del Rio Rd/Ramona Rd				
Westbound Approach	240	28	42	52

Notes: Maximum Queue based on the average of the 95th-percentile queue value from ten SimTraffic runs; all distances are measured in feet; **Bold** text = deficient operation; Mitigation 1 is to add the westbound right-turn lane to Del Rio Road/US-101 North Ramps; Mitigation 2 is to combine Mitigation 1 with signal retiming at all three signalized intersections, as well as modify the intersection of El Camino Real/Del Rio Road

The Future plus Land Use Scenario 8c traffic volumes would result in unacceptable queue lengths on the eastbound approaches to Del Rio Road/El Camino Real and Del Rio Road/US-101 North Ramps. The addition of Mitigation 1 would decrease the eastbound queue length at Del Rio Road/US-101 North Ramps to an acceptable level, although the eastbound queue length to Del Rio Road/El Camino Real would remain unacceptable. With Mitigation 2, all queue lengths would be within acceptable limits.

Conclusions

- This analysis focused on the proposed land uses of Land Use Scenario 8c, as applied to the anticipated future traffic volumes of the Del Rio Road interchange.
- Existing conditions without Land Use Scenario 8c were assessed, and all four study intersections are operating with acceptable delays and queue lengths.

Mr. Nick DeBar

Page 9

April 23, 2020

- Land Use Scenario 8c would be expected to generate 11,429 daily trips, including 604 a.m. trips and 785 p.m. trips.
- Under Future Conditions with the development of Scenario 8c, the intersection of Del Rio Road/El Camino Real would operate with unacceptably high delay and unacceptably long queue lengths for the eastbound approach and northbound left-turn pocket. In addition, the eastbound approach to Del Rio Road/US-101 North Ramps would also have unacceptable queue lengths.
- Mitigation 1 would add a westbound right-turn lane to Del Rio Road/US-101 North Ramps, which would mitigate the unacceptable queue length for the eastbound approach but would not remediate the failing conditions at Del Rio Road/El Camino Real.
- Mitigation 2 would add to Mitigation 1 by retiming all three signals, as well as installing several improvements to Del Rio Road/El Camino Real. These include adding a southbound right-turn lane and eliminating the protected left-turn phasing on El Camino Real in favor of protected-permissive phasing in the northbound left-turn direction and permissive phasing in the southbound left-turn direction. All of these mitigations combined would result in acceptable operations and queue lengths for all study intersections.

Thank you for giving W-Trans the opportunity to provide these services. Please call if you have any questions.

Sincerely,



Kevin Carstens, PE
Associate Engineer



Stephen J. Weinberger, PE, PTOE
Senior Principal



SJW/krc/ATA031.L3

Enclosures: Traffic Counts, Intersection LOS Calculations and Queuing Estimates



Atascadero City Council

Staff Report – Community Development Department

General Plan & Housing Element Annual Progress Report 2020 (CPP 21-0024)

RECOMMENDATION:

Council receive report of State housing goals, General Plan progress, and progress on housing unit production through 2020.

DISCUSSION:

Background

The State of California requires cities to file an Annual General Plan Progress Report to the Office of Planning and Research (OPR) and a Housing Element Annual Progress Report (APR) to the Department of Housing and Community Development (HCD). The purpose of this report is to monitor the City's implementation of the City's General Plan including the City's Housing Element. Additionally, this report will serve as an update to the development activities and housing unit production.

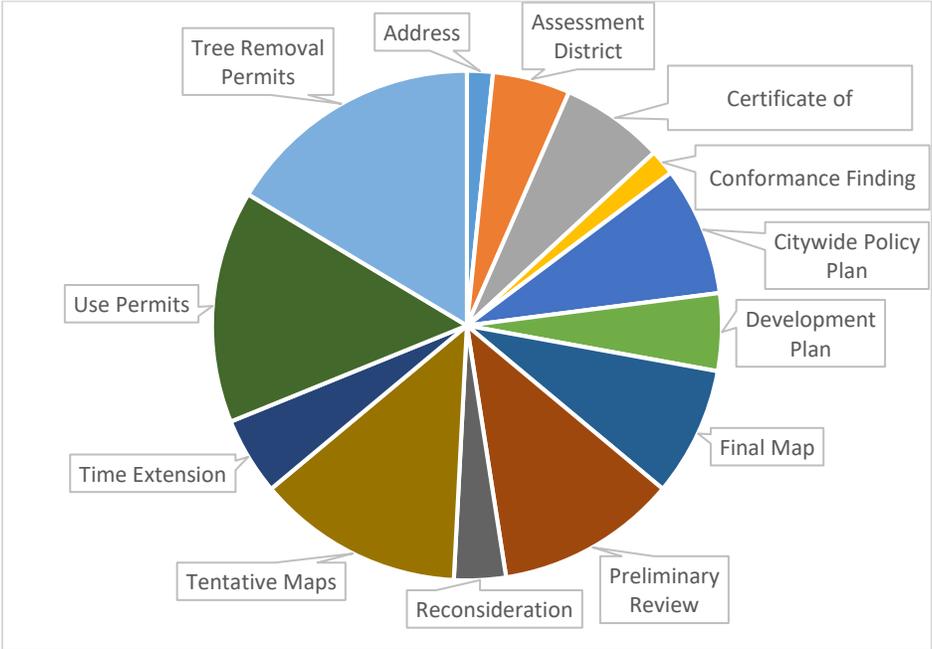
Analysis

The following is a summary of the development activities in 2020. The report (Attachment 1) contains a full documentation of the development activities and the HCD APR (Attachment 2) contains details on housing production for 2020.

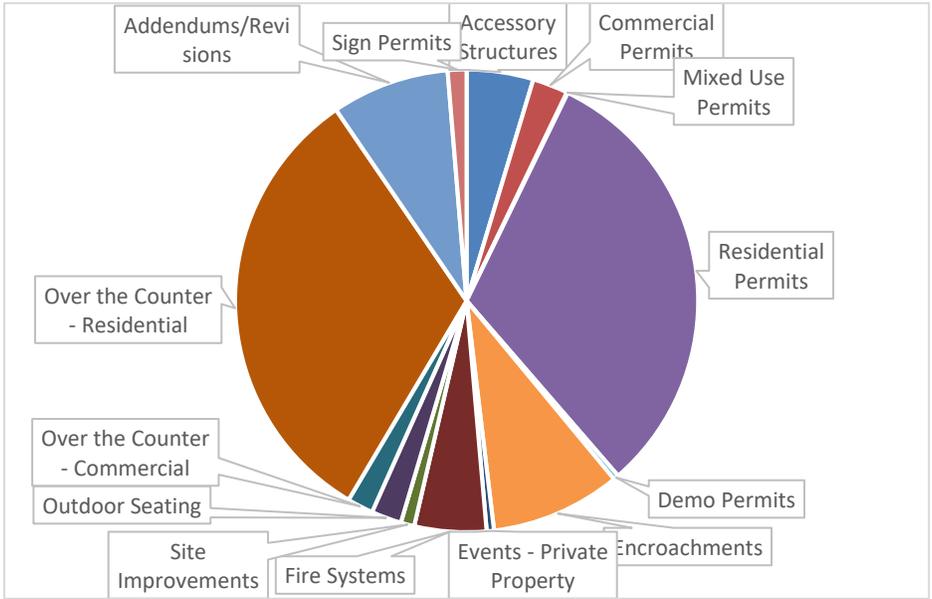
Since 2015, approximately 1,079 construction permits are processed per year; however, the past years have continued to be above average.

- In 2018, 1,247 permits and 86 planning projects were processed. In addition, 755 final inspections were completed for building permits.
- In 2019, 1,577 building permits and 77 planning projects were processed, and 789 final inspections were completed for building permits. There was a significant increase of building permit activity, particularly towards the end of 2019, due to the California Building Code changes that came into effect January 1, 2020.
- In 2020, 1,379 building permit applications and 78 planning applications were processed, and 3,549 construction and safety-related inspections were completed (781 final inspections). It is important to note that COVID restrictions did not slow permit and entitlement application activity and development activity remains strong for new construction and anticipated growth.

2020 Planning Projects



2020 Building Permits



General Plan Background

California planning law requires the City to adopt a “comprehensive, long-term General Plan for physical development” (Government Code 65300). The City’s General Plan was adopted in 2002. The 2002 General Plan adopts policies for the City’s distribution and character of land uses and development. The General Plan goals, policies, and programs guide short and long-range decision making through 2025. This annual report reflects the 2020 activities in meeting those goals and objectives outlined by the General Plan. It is important to note that the City is currently planning for the next Citywide General Plan update to commence this year and that we are nearing buildout under current zoning.

2020 Housing Activities and Report

The purpose of the Housing Report is to monitor the implementation of the City's General Plan Housing Element and progress toward meeting the City's Regional Housing Needs Allocation (RHNA). These regional housing allocations are required to be used by the City when updating the Housing Element. They are the basis for assuring that adequate sites are zoned and available to accommodate at minimum the number of units allocated. These housing allocation numbers are not housing unit quotas that the City must achieve within the period of their next Housing Element update, but instead are housing targets that the City must plan for through targeted zoning, site identification, and reduction of obstacles to development. The City updated the Housing Element in 2020 to ensure the City can meet the next RHNA cycle that will run from 2021 to 2028. Attachment 2 includes the relevant tables and data the City will be submitting to HCD. Note that the APR report format is catered to larger jurisdictions and Atascadero does not have relevant data, such as housing element rezoning or commercial density bonus implementation, to fill out all of the tables in the report therefor, only relevant tabs are included in the attachment. The full submittal is available for review by contacting the Planning Department.

2020 Housing Production

In 2019, the City issued building permits to construct 73 new residential units. In 2020, the City issued permits to construct 45 units, including five low-income units and four moderate-income units. Units constructed in 2020, though built in between RHNA cycles, will count towards the 6th (2021-2028) Cycle RHNA allocation. Based on the City's recently adopted Housing Element land inventory, there is sufficient land to meet the 6th Cycle RHNA allocation of 843 new residential units, many of which need to be in the low and very low-income affordability categories. However, many of the larger vacant sites that remain in the City have significant constraints such as steep slopes, lack of access, and sewer infrastructure, which make site development more challenging and costly. Newly adopted State laws require that cities now monitor development of all sites identified to meet RHNA goals and take proactive action to rezone properties as needed should those identified sites not develop at full density or provide the number of affordable units anticipated by the Housing Element.

FISCAL IMPACT:

None.

ATTACHMENTS:

1. 2020 General Plan and Housing Annual Report
2. 2020 HCD Annual Progress Report

2020 Annual General Plan and Housing Element Progress Report





“Dedicated to enhancing, and preserving Atascadero’s character and safety by helping people plan, and build quality projects.”



Table of Contents

1.1	Introduction	2
2.1	General Plan Activities	2
3.1	2020 Planning Division -Applications & Entitlements	2
3.2	2020 Building Division -Applications & Inspections	3
3.3	Housing & Residential Growth	3
3.4	Non-Residential Development	5



Section 1 – Introduction

1.1 Introduction

Every year, the City produces a report on the status of its General Plan and Annual Housing Progress (APR) report to provide an overview of actions taken to implement this comprehensive plan during the past year, consistent with California Government Code section 65400, subdivision (a)(2). This report is provided to the City Council, Planning Commission, and other interested parties to assist in gauging the progress the City is making on the programs related to the General Plan and housing production. The annual report fulfills State law requirements and evaluates the number of housing units that have been approved and completed. The APR, along with a General Plan Progress report, must be reported to the Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR).

Section 2 – General Plan Activities

2.1 General Plan Activities

The General Plan states the community's goals, objectives, policies, and implementation measures (i.e., ways to achieve the goals and objectives). As a policy document, the General Plan establishes goals and policies for decision makers. Using these policies, City staff, the City Council, and Planning Commission take steps toward achieving the larger goals of the City. The City focuses implementation programs contained in the General Plan through daily operations of the City.

The City's General Plan was adopted in June 2002. The City's last major update of the General Plan was undertaken in 2020 with the City's adoption and certification of the 2021-2028 Housing Element Update. In 2021 the City is currently seeking funding to support a comprehensive General Plan Update.

Section 3 – Planning & Building Yearly Activities

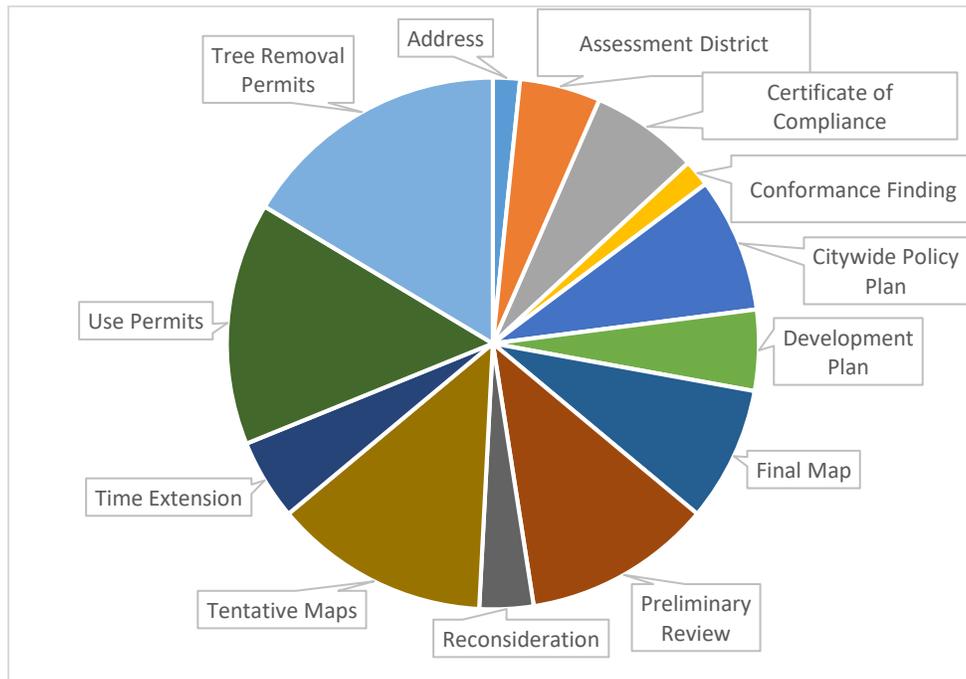
3.1 2020 Planning ~~Division~~ Applications & Entitlements

~~The Planning Division~~ Highlights

- 78 applications processed in 2020



2020 Planning Projects



3.2 2020 Building ~~Division~~ Applications & Inspections

2020 Highlights

- Received and processed 1,379 building permit applications
- In 2020, City building inspectors made 3,549 construction and safety-related inspections associated with building permit activity.
- 780 building permits ~~The Building Division were~~ "finalized" or completed ~~780 building permits~~

3.3 Housing & Residential Growth

The California Department of Finance (DOF) data estimates that the City's population in 2020 is 30,057 residents. This is an estimated decrease of 0.96 percent in population since 2019. Between 2019 and 2020, housing production also decreased from 73 to 45 units. However, the City reviewed numerous development projects and completed the 2021-2028 Housing Element.

The following table shows residential projects of significance under construction or entitled in 2020, along with the number of affordable units in the project.



Major Residential (Development Review and/or Construction) Activity in 2020					
Project Name	Address	Housing Type	Number of Units (remaining Entitlement)	Number of Units (Construction or Finaled)	Number of affordable or accessible units
People Self Help Housing	2455 El Camino Real	Apartments	40		40
Grand Oaks Micro Community	4177 El Camino Real	Detached Single-Family / Live-work	20	10 (under construction)	3 deed restricted, 27 affordable by design (moderate)
Macadero Affordable Housing	10205 El Camino Real	Residential Multifamily	6		6 new, 19 renewed
Empire Apartments	5880 Ardilla	Residential Multifamily	19		19 new, 15 renewed
Emerald Ridge	2605 El Camino Real	Residential Multifamily	172	36 (under construction)	
La Plaza	6500 El Camino Real	Mixed-Use		42 (under construction)	
Cerro Robles	Halcon and Viejo Camino	Single-Family	17	6 (under construction or finaled)	
Ten850	10850 El Camino Real	Attached single-family / multi-family	75		15
The Block	5802 Traffic way	Mixed-use	11		1
Principal	9105 Principal Ave	Attached Single-family / Live-work	52		6

RHNA 2021-2028

State housing law requires that each municipality establish quantified objectives for their fair share of regional housing needs by income group. Deed-restricted affordable housing counts towards meeting the quantified objectives. The quantified objectives are for the period of 2021-2028. Housing production in 2020 will not count towards a Regional Housing Needs Allocation (RHNA) cycle, as 2020 is not included in the previous RHNA cycle (2014-2019) and the next RHNA cycle (2021-2028). However, the City did meet its previous RHNA cycle and recently adopted 6th Cycle Housing Element. This will allow the city to facilitate housing production and meet requirements under the City's RHNA allocation.



2021-2028 Atascadero Share of Regional Housing Need (RHNA)					
	Very Low	Low	Moderate	Above Moderate	Total
2021-2028 Adopted RHNA Requirement	207	131	151	354	843

3.4 Non-Residential Development

The following table shows significant non-residential permits ranked by project valuation provided as a part of building permit issuance in 2020. In addition, La Plaza continues to move forward and is nearing completion, which will add significant commercial opportunities to the downtown core.

2020 Non-Residential Building Permits Issued and Processing					
Business Name	Permit Status	Address	Project Type	Valuation	
El Camino Real Office Building	Issued	9630 El Camino Real	New Construction	\$ 2,167,251	
El Camino Real Shipping Containers/Beer Garden	Issued	6090 El Camino Real	New Construction	\$ 600,000	
Human Bean Coffee shop	Issued	7835 El Camino Real	New Construction	\$ 584,994	
Panda Express	Issued	7055 El Camino Real	New Construction	\$ 575,000	
El Camino Veterinary Hospital Addition	Issued	1380 El Camino Real	New Construction	\$ 516,645	
ECHO Tenant Improvements	Issued	6370 Atascadero Mall	New Construction	\$ 120,000	



Jurisdiction	0
Reporting Year	2020 (Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

(CCR Title 25 §6202)

Note: "*" indicates an optional field
 Cells in grey contain auto-calculation formulas

Table A																			
Housing Development Applications Submitted																			
Project Identifier				Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes							Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Notes		
1				2	3	4	5							6	7	8	9	10	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 66913.4(b)? (SB 35 Streamlining)	Notes*
Summary Row: Start Data Entry Below							0	0	33	0	0	9	0	42	0	0	0		
	029-322-012	5802 Traffic Way	The Block	PRE20-0063	5+	R	7/31/2020			1			9	10				No	
	030-461-012	10205 El Camino Real	Macadero Apartments	PRE20-0070	5+	R	8/20/2020							0				No	
	030-271-019	5880 Ardilla	Empire Apartments	PRE20-0071	5+	R	8/20/2020			32				32				No	

Jurisdiction	Atascadero	
Reporting Year	2020	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Note: "+" indicates an optional field
 Cells in grey contain auto-calculation formulas

ITEM NUMBER: C-2
 DATE: 04/13/21
 ATTACHMENT: 2

Table A2 Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units																									
Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement							Affordability by Household Incomes - Building Permits											
1					2		3		4					5	6	7							8	9	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits	
Summary Row: Start Data Entry Below							0	0	1	0	0	9	13		23	0	0	0	5	0	4	36		45	
	031-231-003	7900 CURBARIL AVE	Curbaril PD	DEV18-0124	SFD	O							4	9/9/2020	4										0
	029-253-007	5590 TUNITAS AVE	Tunitas multi-family	PRE19-0111	SFD	R							3	1/15/2020	3										0
	029-322-012	5802 Traffic Way	The Block	PRE20-0063	5+	R			1			9	9/9/2020	10											0
	049-221-016	3710 EL CAMINO REAL	Cook mixed-use	DEV19-0124	2 to 4	R							6	11/17/2020	6										0
	045-401-003	11900 VIA MARBELLA		BRES18-0991	SFD	O									0								1	7/16/2020	1
	056-181-039	8565 ATASCADERO AVE		BRES19-0240	SFD	O									0								1	9/2/2020	1
	056-181-040	8575 ATASCADERO AVE		BRES19-0241	SFD	O									0								1	9/2/2020	1
	054-142-015	7707 SAN GABRIEL RD		BRES19-0550	SFD	O									0								1	6/22/2020	1
	056-411-003	8140 CASTENADA LN		BRES19-0601	SFD	O									0								1	12/22/2020	1
	031-043-030	7150 & 7170 NAVAJOA AVE		BRES19-0712	2 to 4	R									0								2	3/9/2020	2
	049-201-034	2735 CAMPO RD		BRES19-0821	ADU	R									0								1	4/24/2020	1
	031-231-019	7850 CURBARIL AVE		BRES19-0862	SFD	O									0								1	9/25/2020	1
	054-043-006	3625 ARDILLA RD		BRES19-1042	SFD	O									0								1	6/3/2020	1
	055-115-013	12416 PECOS CT		BRES19-1145	SFD	O									0								1	7/15/2020	1
	031-062-001	7400 TECORIDA AVE		BRES19-1313	SFD	O									0								1	6/8/2020	1
	031-062-001	7402 TECORIDA AVE		BRES19-1314	ADU	R									0								1	6/8/2020	1
	045-402-013	11905 VIA MILAGRO		BRES19-1339	SFD	O									0								1	2/12/2020	1
	055-114-002	12635 CENEGAL RD		BRES19-1364	SFD	O									0								1	7/1/2020	1
	055-115-011	12610 CENEGAL RD		BRES19-1366	SFD	O									0								1	7/15/2020	1
	045-402-002	11910 VIA MILAGRO		BRES19-1402	SFD	O									0								1	9/1/2020	1
	045-402-003	11920 VIA MILAGRO		BRES19-1403	SFD	O									0								1	9/1/2020	1
	045-402-016	9315 VIA CASTILLO		BRES19-1404	SFD	O									0								1	6/8/2020	1
	054-281-023	9810 LAUREL RD		BRES19-1520	SFD	O									0								1	10/30/2020	1
	030-413-031	8552 EL CORTE ST		BRES19-1533	SFD	O									0								1	10/1/2020	1
	030-413-028	5545 SANTA FE RD		BRES19-1535	SFD	O									0								1	10/1/2020	1
	054-334-001	8760 SIERRA VISTA RD		BRES19-1543	SFD	O									0								1	4/21/2020	1
	056-211-038	9015 BOSQUE CT		BRES19-1545	SFD	O									0								1	8/18/2020	1
	054-162-005	8520 GRAVES CREEK RD		BRES19-1547	ADU	R									0								1	6/18/2020	1
	049-281-016	2125 SAN FERNANDO RD		BRES19-1576	SFD	O									0								1	11/24/2020	1
	055-114-001	12655 CENEGAL RD		BRES19-1578	SFD	O									0								1	10/13/2020	1
	055-115-012	12412 PECOS CT		BRES19-1579	SFD	O									0								1	10/26/2020	1
	055-115-016	12415 PECOS CT		BRES19-1580	SFD	O									0								1	10/13/2020	1
	031-152-026	7445 SANTA YNEZ AVE		BRES20-0083	ADU	R									0								1	9/25/2020	1

Jurisdiction	Atascadero	
Reporting Year	2020	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Note: "+" indicates an optional field
 Cells in grey contain auto-calculation formulas

ITEM NUMBER: C-2
 DATE: 04/13/21
 ATTACHMENT: 2

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier				Unit Types		Affordability by Household Incomes - Completed Entitlement							Affordability by Household Incomes - Building Permits											
1				2	3	4					5	6	7					8	9					
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits
Summary Row: Start Data Entry Below							0	0	1	0	0	9	13		23	0	0	0	5	0	4	36		45
	050-122-019	12795 SANTA ANA RD		BRES20-0377	ADU	R									0				1				9/22/2020	1
	054-041-011	3624 MARICOPA RD		BRES20-0503	ADU	R									0				1				10/28/2020	1
	049-183-014	7117 SAN GREGORIO RD		BRES20-0505	ADU	R									0				1				12/22/2020	1
	031-271-010	8930 CARMELITA AVE		BRES20-0523	ADU	R									0				1				9/16/2020	1
	030-373-030	7555 SAN ANDRES AVE B		BRES20-0807	ADU	R									0				1				10/26/2020	1
	029-271-001	5901 GRAN PASEO WAY		BRES20-0834	SFD	O									0							1	9/17/2020	1
	029-271-001	5903 GRAN PASEO WAY		BRES20-0835	SFD	O									0							1	9/17/2020	1
	029-271-001	5905 GRAN PASEO WAY		BRES20-0836	SFD	O									0							1	10/9/2020	1
	029-271-001	5907 GRAN PASEO WAY		BRES20-0837	SFD	O									0							1	9/17/2020	1
	029-271-001	5909 GRAN PASEO WAY		BRES20-0838	SFD	O									0							1	9/17/2020	1
	029-271-001	5911 GRAN PASEO WAY		BRES20-0839	SFD	O									0							1	9/17/2020	1
	029-271-001	5913 GRAN PASEO WAY		BRES20-0840	SFD	O									0							1	9/17/2020	1
	029-271-001	5915 GRAN PASEO WAY		BRES20-0843	SFD	O									0							1	9/17/2020	1
	029-271-001	5917 GRAN PASEO WAY		BRES20-0845	SFD	O									0							1	9/17/2020	1
	029-271-001	5919 GRAN PASEO WAY		BRES20-0850	SFD	O									0							1	9/17/2020	1
															0									0
	056-211-038	9035 BOSQUE CT		B16-13682	SFD	O									0									0
	050-324-014	13505 SANTA LUCIA RD		B16-13994	SFD	O									0									0
	054-192-030	10480 PORTAL RD		B17-15225	SFD	O									0									0
	045-401-004	9330 VIA CASTILLO		B17-15402	SFD	O									0									0
	045-401-004	11925 VIA CORDOBA		B17-15404	SFD	O									0									0
	031-161-004	8075 CURBARIL AVE		B18-15644	SFD	O									0									0
	049-022-008	2895 FERROCARRIL RD		B18-15697	ADU	R									0									0
	056-211-038	9010 BOSQUE CT		BACC19-1544	ADU	R									0									0
	031-291-039	8410 SANTA YNEZ AVE		BRES18-0275	SFD	R									0									0
	031-291-039	8400 SANTA YNEZ AVE		BRES18-0276	SFD	R									0									0
	050-151-009	3265 SAN FERNANDO RD		BRES18-0350	ADU	R									0									0

Jurisdiction	Atascadero	
Reporting Year	2020	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Note: "+" indicates an optional field
 Cells in grey contain auto-calculation formulas

ITEM NUMBER: C-2
 DATE: 04/13/21
 ATTACHMENT: 2

Table A2																								
Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units																								
Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement							Affordability by Household Incomes - Building Permits										
1					2	3	4					5	6	7					8	9				
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits
Summary Row: Start Data Entry Below							0	0	1	0	0	9	13		23	0	0	0	5	0	4	36		45
	056-491-009	8364 PRADO LN		BRES18-0864	ADU	R									0									0
	031-092-021	5460 ENCINO AVE		BRES18-0870	SFD	O									0									0
	030-292-078	6503 POQUITO CREEK LN		BRES18-0893	SFD	O									0									0
	050-141-022	3165 SAN FERNANDO RD		BRES18-0903	SFD	O									0									0
	029-262-042	5620 HERMOSILLA AVE		BRES18-0958	SFD	O									0									0
	055-113-016	12722 SAN FELIPE CT		BRES18-0985	SFD	O									0									0
	045-402-017	11915 VIA MARBELLA		BRES18-0992	SFD	O									0									0
	045-401-003	11905 VIA MARBELLA		BRES18-0993	SFD	O									0									0
	050-173-027	13705 SANTA ANA RD		BRES19-0032	SFD	O									0									0
	056-211-037	9010 BOSQUE CT		BRES19-0405	SFD	O									0									0
	030-292-081	6509 POQUITO CREEK LN		BRES19-0484	SFD	O									0									0
	049-072-016	3470 TRAFFIC WAY		BRES19-0500	SFD	O									0									0
	056-091-050	8200 COROMAR AVE		BRES19-0763	SFD	O									0									0
	056-091-051	8210 COROMAR AVE		BRES19-0764	SFD	O									0									0
	056-261-059	8412 SANTA ROSA RD		BRES19-0819	ADU	R									0									0
	056-191-036	8700 PORTOLA RD		BRES19-0871	ADU	R									0									0
	049-023-025	2790 FERROCARRIL RD		BRES19-1057	SFD	O									0									0
	049-061-011	4500 POTRERO RD		BRES19-1125	ADU	R									0									0
	045-431-004	9081 LA PAZ RD		BRES19-1217	ADU	R									0									0
	030-413-032	8554 EL CORTE ROAD		BRES19-1233	SFD	O									0									0
	045-402-014	11915 VIA MILAGRO		BRES19-1248	SFD	O									0									0
	045-402-006	11940 VIA CORDOBA		BRES19-1328	SFD	O									0									0
	045-402-001	11900 VIA MILAGRO		BRES19-1334	SFD	O									0									0
	045-402-009	9320 VIA CASTILLO		BRES19-1336	SFD	O									0									0
	030-413-017	8500 EL CORTE RD		BRES19-1534	SFD	O									0									0

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy							11	12	13	Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions	Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Notes	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
Current APN	Street Address	Project Name*	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units Issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?*	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (see instructions)	Deed Restriction Type (see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)*	Number of Demolished/Destroyed Units*	Demolished or Destroyed Units*	Demolished/Destroyed Units Owner or Renter*	Notes*
Start Data Entry Below			0	0	0	4	1	4	27		36	0	0						1	0	0	
031-231-003	7900 CURBARIL AVE	Curbaril PD									0		N	Y								
029-253-007	5590 TUNITAS AVE	Tunitas multi-family									0		N	Y								
029-322-012	5802 Traffic Way	The Block									0		N	Y		DB	small affordable by design units as part of a downtown mixed-use project	55				
049-221-016	3710 EL CAMINO REAL	Cook mixed-use									0		N	Y								
045-401-003	11900 VIA MARBELLA										0		N	Y								
056-181-039	8565 ATASCADERO AVE										0		N	Y								
056-181-040	8575 ATASCADERO AVE										0		N	Y								
054-142-015	7707 SAN GABRIEL RD										0		N	Y								
056-411-003	8140 CASTENADA LN										0		N	Y								
031-043-030	7150 & 7170 NAVAJOA AVE										0		N	Y								
049-201-034	2735 CAMPO RD										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate					
031-231-019	7850 CURBARIL AVE										0		N	Y								
054-043-006	3625 ARDILLA RD										0		N	Y								
055-115-013	12416 PECOS CT										0		N	Y								
031-062-001	7400 TECORIDA AVE										0		N	Y								
031-062-001	7402 TECORIDA AVE										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate					
045-402-013	11905 VIA MILAGRO										0		N	Y								
055-114-002	12635 CENEGAL RD										0		N	Y								
055-115-011	12610 CENEGAL RD										0		N	Y								
045-402-002	11910 VIA MILAGRO										0		N	Y								
045-402-003	11920 VIA MILAGRO										0		N	Y								
045-402-016	9315 VIA CASTILLO										0		N	Y								
054-281-023	9810 LAUREL RD										0		N	Y								
030-413-031	8552 EL CORTE ST										0		N	Y								
030-413-028	5545 SANTA FE RD										0		N	Y								
054-334-001	8760 SIERRA VISTA RD										0		N	Y								
056-211-038	9015 BOSQUE CT										0		N	Y								
054-162-005	8520 GRAVES CREEK RD										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate					
049-281-016	2125 SAN FERNANDO RD										0		N	Y								
055-114-001	12655 CENEGAL RD										0		N	Y								
055-115-012	12412 PECOS CT										0		N	Y								
055-115-016	12415 PECOS CT										0		N	Y								
031-152-026	7445 SANTA YNEZ AVE										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate					

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Notes		
1			10								11	12	13	14	15	16	17	18	19	20			21
Current APN	Street Address	Project Name*	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units Issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?*	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (see instructions)	Deed Restriction Type (see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)*	Number of Demolished/Destroyed Units*	Demolished or Destroyed Units*	Demolished/Destroyed Units Owner or Renter*	Notes*	
Start Data Entry Below			0	0	0	4	1	4	27		36	0	0						1	0	0		
050-122-019	12795 SANTA ANA RD										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						
054-041-011	3624 MARICOPA RD										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						
049-183-014	7117 SAN GREGORIO RD										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						
031-271-010	8930 CARMELITA AVE										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						
030-373-030	7555 SAN ANDRES AVE B										0		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						
029-271-001	5901 GRAN PASEO WAY										0		N	Y									
029-271-001	5903 GRAN PASEO WAY										0		N	Y									
029-271-001	5905 GRAN PASEO WAY										0		N	Y									
029-271-001	5907 GRAN PASEO WAY										0		N	Y									
029-271-001	5909 GRAN PASEO WAY										0		N	Y									
029-271-001	5911 GRAN PASEO WAY										0		N	Y									
029-271-001	5913 GRAN PASEO WAY										0		N	Y									
029-271-001	5915 GRAN PASEO WAY										0		N	Y									
029-271-001	5917 GRAN PASEO WAY										0		N	Y									
029-271-001	5919 GRAN PASEO WAY										0		N	Y									
											0												
056-211-038	9035 BOSQUE CT							1	4/28/2020		1		N	Y									
050-324-014	13505 SANTA LUCIA RD							1	12/4/2020		1		N	Y					1	Demolished	O		
054-192-030	10480 PORTAL RD							1	2/10/2020		1		N	Y									
045-401-004	9330 VIA CASTILLO							1	8/28/2020		1		N	Y									
045-401-004	11925 VIA CORDOBA							1	3/19/2020		1		N	Y									
031-161-004	8075 CURBARIL AVE							1	5/6/2020		1		N	Y									
049-022-008	2895 FERROCARRIL RD						1		1/29/2020		1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						
056-211-038	9010 BOSQUE CT							1	12/7/2020		1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						
031-291-039	8410 SANTA YNEZ AVE							1	3/25/2020		1		N	Y									
031-291-039	8400 SANTA YNEZ AVE							1	3/25/2020		1		N	Y									
050-151-009	3265 SAN FERNANDO RD						1		11/25/2020		1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate						

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions	Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Notes				
1			10									11	12	13	14	15	16	17	18	19	20			21
Current APN	Street Address	Project Name*	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units Issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?*	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (see instructions)	Deed Restriction Type (see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)*	Number of Demolished/Destroyed Units*	Demolished or Destroyed Units*	Demolished/Destroyed Units Owner or Renter*	Notes*		
Start Data Entry Below			0	0	0	4	1	4	27		36	0	0						1	0	0			
056-491-009	8364 PRADO LN							1		2/4/2020	1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate							
031-092-021	5460 ENCINO AVE								1	11/2/2020	1		N	Y										
030-292-078	6503 POQUITO CREEK LN								1	5/1/2020	1		N	Y										
050-141-022	3165 SAN FERNANDO RD								1	4/28/2020	1		N	Y										
029-262-042	5620 HERMOSILLA AVE								1	1/16/2020	1		N	Y										
055-113-016	12722 SAN FELIPE CT								1	8/3/2020	1		N	Y										
045-402-017	11915 VIA MARBELLA								1	2/13/2020	1		N	Y										
045-401-003	11905 VIA MARBELLA								1	1/24/2020	1		N	Y										
050-173-027	13705 SANTA ANA RD								1	7/31/2020	1		N	Y										
056-211-037	9010 BOSQUE CT								1	6/26/2020	1		N	Y										
030-292-081	6509 POQUITO CREEK LN						1			8/3/2020	1		N	Y		INC		30						
049-072-016	3470 TRAFFIC WAY								1	2/18/2020	1		N	Y										
056-091-050	8200 COROMAR AVE								1	6/4/2020	1		N	Y										
056-091-051	8210 COROMAR AVE								1	5/27/2020	1		N	Y										
056-261-059	8412 SANTA ROSA RD						1			7/24/2020	1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate							
056-191-036	8700 PORTOLA RD							1		11/6/2020	1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate							
049-023-025	2790 FERROCARRIL RD								1	7/21/2020	1		N	Y										
049-061-011	4500 POTRERO RD						1			8/26/2020	1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate							
045-431-004	9081 LA PAZ RD							1		6/12/2020	1		N	Y			Countywide study completed as part of 6th cycle housing element update process showing 50% ADUs as low and 50% as moderate							
030-413-032	8554 EL CORTE ROAD								1	10/13/2020	1		N	Y										
045-402-014	11915 VIA MILAGRO								1	8/18/2020	1		N	Y										
045-402-006	11940 VIA CORDOBA								1	12/17/2020	1		N	Y										
045-402-001	11900 VIA MILAGRO								1	12/14/2020	1		N	Y										
045-402-009	9320 VIA CASTILLO								1	10/28/2020	1		N	Y										
030-413-017	8500 EL CORTE RD								1	9/10/2020	1		N	Y										

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 1.1 - 1 Continue street and infrastructure improvement projects to benefit existing high density residential areas.	N/A	Ongoing	Ongoing on a per project basis.
Program 1.1 - 2. Continue to require the use of specific plans for residential projects of 100 or more units.	N/A	Ongoing	The city continues to review each project to determine the most efficient and effective process to meet our housing and development goals.
Program 1.1 - 3. Continue to allow manufactured housing and group housing in accordance with State law.	20 units	Within 2 years of the adopted housing element	17 modular homes have been installed as permanent residences since housing element update in 2014. The City updated definitions for clarity and consistency with State law. Group housing is provided throughout the City but is not tracked at this time.
Program 1.1 - 4. Support the extension and expansion of sewer service for the Eagle Ranch annexation area by allocating the funding necessary	100 affordable units	Ongoing	The City is currently updating our facilities plan for the wastewater treatment plant. The Eagle Ranch project has been withdrawn at this time but continues to be an area identified in the City's sphere of influence.

<p>Program 1.1 - 5. Continue to allow mixed residential and commercial development and promote second- and third-story residential development in the City's downtown zoning districts. Taking into account market conditions and development costs, the City will provide, when possible, developer incentives such as expedited permit processing and fee deferrals for units that are affordable to lower income households. The City will publicize these incentives on the City's website (www.atascadero.org) within one week of a confirmed decision to make them available in a timely fashion.</p>	<p>20 units</p>	<p>Ongoing</p>	<p>The La Plaza project was approved in 2017 and includes 42 residential units, 38 of which are studio and one-bedroom units equating to affordable-by-design units. The city has also approved 2 other mixed use developments containign a total of 6 units. To date, the City has met it's projected unit goal for mixed-use development.</p>
<p>1.1-6. Adopt a Rural Residential Zone in the Zoning Ordinance consistent with its designation on the Zoning Map and standards that distinguish it from the Residential Suburban zone (to facilitate the development of a variety of housing types).</p>	<p>N/A</p>	<p>2017</p>	<p>The city is reviewing all zoning designations in preparation for the upcoming comprehensive General Plan Update.</p>

<p>Program 1.1 - 7. Continue to encourage, where suitable, Planned Unit Development (PD) Overlay Zones, particularly the PD-25 zone of small lot subdivisions, for higher density attached or row-house style housing in the RMF-10 and RMF-16 zoning districts.</p>	<p>75 units</p>	<p>Ongoing</p>	<p>Staff continues to encourage use of PDs for high quality design and flexibility of developmetn standards. Staff is looking at allowing smal lot subdivisions by right as part of the next General Plan Update. Since 2014, over 80 units have been approved through the PD overlay process.</p>
<p>Program 1.1 - 8.Continue to maintain an affordable housing density bonus ordinance that establishes procedures for obtaining and monitoring density bonuses in compliance with State law. Following adoption the City shall regularly update the ordinance to be in compliance with Government Code §65915</p>	<p>25</p>	<p>ordinance adoption by 2016, ongoing updates as needed</p>	<p>The City has adopted an ordinance for State Density Bonus projects and continues to monitor changes in the law so as to provide updates as needed. The City issued over 60 residential units in accordance with State density Bonus law.</p>
<p>Program 1.1 - 9. Continue to monitor the impact of the City's current inclusionary housing policy on production of market rate housing in response to market conditions. If the policy presents an obstacle to the development of the City's fair share of regional housing needs, the City will revise the policy accordingly</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City is reviewing the inclusionary housing policy and looking at ways to encourage the development of residential units that are affordable-by-design, including reducing impact fees for smaller units and capping unit sizes for high density residential prorjects. There are economic challenges to requirements for affordable housing production for smaller projects and infill development, especially units that are deed restricted and allow for minimal equity gains at the low and very-low income level. The State is also focused on streamling housing projects limiting the ability of City's to apply increased affordability standards to housing projects through descretionary action. As part of the City's Housing Element Update, options for affordable impact fees and restructuring of the existing Inclusionary Housing Policy are being contemplated</p>

<p>Program 1.1 - 10. Adopt an inclusionary housing ordinance that requires residential developments to provide deed-restricted, affordable units or an in-lieu fee. The inclusionary ordinance shall be consistent with State rent control laws for rental housing</p>	<p>70</p>	<p>2017</p>	<p>The City Council may direct Staff to craft affordable housing ordinance as a part of its strategic planning initiatives. The current policy allows for use of the State Density Bonus program in lieu of the city's more stringent affordable housing requirement. Because density bonus law requires only moderate level deed restriction of for sale units, the City is limited in our ability to require low or very-low income units at this time <u>and will focus on affordable by design and affordable housing impact fees on larger houses moving forward.</u></p>
<p>Program 1.1 - 11. To encourage the development of second units, the City will evaluate the development standards and update the Zoning Ordinance for second units (secondary residential units). For example, the City will explore incentives such as eliminating the covered parking requirement for a secondary residential unit</p>	<p>10 units</p>	<p>2016</p>	<p>The city is in the process of updating the ordinance to be consistent with new State law. Since 2014 the City has issued over 2530 permits for ADUs.</p>
<p>Program 1.1 - 12. To encourage the development of second units, the City should consider reduced development impact fees for second units as part of an AB 1600 study. The City will also work with Atascadero Mutual Water Company to investigate the possibility of reductions to water connection fees for second units</p>	<p>15</p>	<p>2015</p>	<p>Part of the City's current development impact fee study efforts include examining development impact fees in relation to second units and unit size to provide incentives for the development of units that are affordable-by-design. It is also the city's understanding that the Atascadero Mutual Water Company continues to evaluate and reduce water meter fees for accessory dwelling units.</p>

<p>Program 1.1 - 13 The City will consider an amnesty program that would reduce or eliminate fees for unpermitted second units</p>	<p>15</p>	<p>2017</p>	<p>The City's fees for unpermitted construction continue to be nominal. A majority of permits submitted to legalize unpermitted second units relate to the conversion of a permitted guesthouse to a second unit. Fees for these permits are relatively low as development impact fees were paid for all guesthouse upon initial construction. Since 2014, the City has legalized approximately 7 previously unpermitted ADUs.</p>
<p>Program 1.1 - 14. Continue to maintain Chapter 12 of the Zoning Ordinance (Condo Conversion Ordinance) in order to reduce the impacts of condo conversions on lower cost rental housing.</p>	<p>N/A</p>	<p>ongoing</p>	<p>The city intends to maintain this ordinance</p>
<p>Program 1.1 - 15. Continue to work with non-profit agencies, such as the County Housing Authority, Habitat for Humanity, the San Luis Obispo County Housing Trust Fund and Peoples' Self-Help Housing, to preserve existing affordable housing and to pursue funding for new units for extremely low-, very low-, low-, and moderate-income families.</p>	<p>50 units</p>	<p>Ongoing</p>	<p>Staff has worked with PSHH and produced 11 low income units and worked with Corporation for a Better Housing to produce 60 very low and low income units since 2014. <u>In addition, another 51 units are in the pipeline and have received preliminary approval.</u> The city continues to work with non-profit organizations to provide opportunities for extremely-low, very-low, low, and moderate income families. The city utilizes funds from our inclusionary housing fund to assist with these projects.</p>

<p>Program 1.1 - 16. Continue to encourage developers to work with agencies such as the California Housing Finance Authority (CHFA) and the Department of Housing and Urban Development (HUD) to obtain loans for development of new multifamily rental housing for low income households. This will be accomplished by working with appropriate non-profit organizations, such as People's Self Help Housing and the San Luis Obispo County Housing Trust Fund to identify opportunities.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>Staff provides necessary assistance in completing applications for funds.</p>
<p>Program 1.1 - 17. Continue to contract with the San Luis Obispo Housing Authority for administration of the Section 8 housing voucher program. The City utilizes this relationship for program implementation and income verifications, and will apply for additional Section 8 vouchers, as appropriate.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City continues its contract with the San Luis Obispo Housing Agency.</p>
<p>Program 1.1 - 18. Amend the Zoning Ordinance to allow a waiver of the two story height limit in the RMF Zone through the Minor Use Permit process. This option applies to projects that are not using the Planned Development option.</p>	<p>N/A</p>	<p>2016</p>	<p>Staff has yet to commence this ordinance. This will be reviewed and carry over into next housing element cycle. Currently height waivers require a Major CUP application. The change to this code section is scheduled for Spring 2021.</p>

<p>Program 1.1 - 19. To encourage and facilitate development of a variety of housing types, the City should consider amending the Zoning Ordinance to establish standards, policies, and procedures for efficiency or micro detached units consistent with the California Building Code. The ordinance should provide a definition of efficiency or micro detached unit as a single habitable living unit, separate from and not including a single-room occupancy unit.</p>	<p>N/A</p>	<p>2017</p>	<p>The building code was updated to include minimum standards for efficiency units. As part of the current Housing Element Update process, the City is considering objective design standards that encourage a variety of housing types and limiting the size of residential units on multi-family zoned properties to encourage units that are affordable by design.</p>
<p>Program 1.1 - 20. To reduce constraints to multi-family housing production the City will amend the zoning ordinance to modify Conditional Use Permit requirements for multi-family housing. A CUP will be required only for multi-family projects greater than 50 units. This will not affect the 'by right' approval of multi-family projects in the RMF-20 zone, which are not subject to a CUP or a Specific Plan. The City will periodically evaluate the approval process for projects requiring a CUP and monitor the impact the requirement has on project certainty, cost, and approval time.</p>	<p>N/A</p>	<p>2016</p>	<p>Staff has yet to commence this ordinance. This will be reviewed and carry over into next housing element cycle.</p>

<p>Program 1.1 - 21. The housing needs of persons with disabilities, including persons with developmental disabilities are typically not specifically addressed by Title 9 Regulations. The housing needs of persons with disabilities, in addition to basic affordability, range from slightly modifying existing units to requiring a varying range of supportive housing facilities. In order to assist in the housing needs for persons with Developmental Disabilities, the City will implement the following programs:</p> <ul style="list-style-type: none"> • The City shall seek State and Federal monies, as funding becomes available, in support of housing construction and rehabilitation targeted for persons with disabilities, including persons with 	<p>10 units</p>	<p>Apply for funding - at least once during the planning period; develop informational material- within two years of Housing Element adoption; provide incentives for development of housing for persons with disabilities- on-going</p>	<p>The City works dilligently to identify grant and other funding opportunities to support housing rehabilitation. The city is also in contact with multiple non-profit organizations and makes available to them pre-planning and other services to streamling these types of projects. <u>At the end of 2020, over 30 units are in the pipeline for rehabilitation.</u></p>
--	-----------------	--	---

<p>Program 2.1 – 1. As new projects, code enforcement actions, and other opportunities arise, the City will investigate ways to meet its housing needs through rehabilitation and preservation of existing units (see also Program 4.3.3 for potential rehabilitation funding). Utilize code enforcement to identify housing maintenance issues and expedite rehabilitation of substandard and deteriorating housing by offering technical assistance to homeowners and occupants.</p>	<p>30 units</p>	<p>Ongoing</p>	<p>While this is on-going, the City has lost its primary funding tool when the RDA was dissolved. The City will continue to find ways to rehabilitate structures. City Staff will be exploring Block grants and other funding mechanisms to achieve this goal.</p>
<p>Program 2.1 – 2. Continue to participate in federal grant programs, such as Community Development Block Grants (CDBG), to obtain loans and/or grants for housing rehabilitation. Apply an appropriate amount of the City's annual share of CDBG funds toward rehabilitation of existing housing units</p>	<p>25 units</p>	<p>Ongoing</p>	<p>The City will continue to participate in obtaining these funds and will seek how to gain additional grants with the loss of the RDA.</p>
<p>Program 2.1 – 3. Continue to maintain the sliding density scale for sloped lots in the Zoning Ordinance.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City will continue to maintain its sliding scale of density for sloped lots.</p>

<p>Program 2.1 – 4. The City shall continue to monitor the status of subsidized affordable projects, rental projects, and mobile homes in the City and provide technical and financial assistance, when possible, to ensure long-term affordability. This will involve contacting owner/operators of subsidized projects annually to determine the status of the units and their potential to convert to market-rate. If projects are at-risk, the City will maintain contact with local organizations and housing providers who may have an interest in acquiring at-risk units, and, when feasible, keep track of and apply for funding opportunities to preserve at-risk units, and assist other organizations in applying for funding to acquire at-risk units.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>City Staff continues to monitor the status of affordable housing rental units and for sale units in partnership with the SLO County Housing Authority</p>
<p>Program 2.2 – 1. Continue to implement the Historic Site (HS) overlay zone to help preserve and protect historic Colony homes.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City will continue to maintain this overlay zone to preserve and protect historic colony homes.</p>
<p>Program 2.2 – 2. Continue to maintain a GIS based map of historic buildings and sites.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City continues to maintain GIS data in regards to historic buildings and sites.</p>

<p>Program 3.1 – 1. Promote environmentally sustainable building practices that provide cost savings to homeowners and developers</p>	<p>N/A</p>	<p>Ongoing</p>	<p>City staff continues to work with developers and homeowners to avoid environmental impacts and promote sustainable building practices.</p>
<p>Program 3.1 – 2. Make available in the Community Development Department brochures from PG&E and others that detail energy conservation measures for new and existing buildings.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>In partnership with PG&E and San Luis Obispo Green Build, there are various brochures available to homeowners that detail energy conservation.</p>
<p>Program 3.1- 3. Continue to strictly enforce the State energy standards of Title 24.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City's Building Department continues to enforce Title 24 requirements upon review of building plans that require energy reports.</p>
<p>Program 3.1- 4. Enhance partnerships with Solar Providers for installation of PV panels and other alternative electrical services for low-income households.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City will continue to partner with non-profits by providing housing lists and affordable unit locations to assist in targeting these income groups.</p>
<p>Program 4.1 – 1. Cooperate with non-profit groups and local religious organizations to allow the temporary use of churches as homeless shelters.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City continues to encourage local churches to provide temporary shelters for the homeless population. The City adopted Appendix O for emergency shelters during the latest Building Code Update cycle.</p>

<p>Program 4.1 – 2. Continue to support local motel voucher programs for temporarily displaced and extremely low-income persons. The motel voucher program is funded through the City’s CDBG funding. Motel vouchers are available to aid residents experiencing emergency situations, such as a house fire, in finding temporary housing. The City works with non-profit organizations (such as Loaves and Fishes) to aid the residents in need and provide technical support for the motel voucher program.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City will continue to work with local non-profits and obtain CDBG grant funding for this program</p>
<p>Program 4.1 – 3. Continue to allow small (6 or fewer) group housing (residential care facilities) by right in all residential zones and large (7 or more) residential care facilities in the Residential Multi Family (RMF) zone. The City should also consider allowing large residential care facilities by right in additional residential, commercial, public, and/or industrial zones, such as LSFx and RSFx zones, where sewer is available</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City continues to support proper permitting of group housing in accordance with State law. The City completed changes to the RMF Zoning that clarifies that both small and large residential care facilities are permitted by right.</p>

<p>Program 4.1 – 4. Consider amending the Zoning Ordinance to expand the Emergency Shelter (ES) Overlay Zone to other appropriate properties, subject to the same or similar, as appropriate, locational and operational criteria as outlined in the Zoning Ordinance</p>	<p>N/A</p>	<p>2015</p>	<p>City Staff will continue to monitor the City's Emergency Shelter Overlay Zone for consistency with State Housing Policy.</p>
<p>Program 4.1 – 5 Continue to provide information and complaint referral services for those persons who believe they have been denied access to housing because of their race, religion, sex, marital status, ancestry, national origin, color, or disability, family status, sexual orientation, source of income, or political affiliation. The City will educate Community Development Department staff on how to respond to complaints received regarding potential claims of housing discrimination. Staff will be trained to provide the person with an informational handout detailing the process of reporting and filing a claim through the California Department of Fair Employment and Housing. The staff will notify the City Manager and the City Attorney's</p>	<p>N/A</p>	<p>2016</p>	<p>Information is provided at City Hall.</p>

<p>Program 4.1 – 6 The City will amend the Zoning Ordinance to ensure that permit processing procedures for farmworker housing do not conflict with Health and Safety Code Sections 17021.5, which states that farmworker housing for six or fewer employees should be “deemed a single-family structure with a residential land use designation”, and 17021.6 which states that for “employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household...no conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing of this employee housing that is not required of any other agricultural activity in the</p>	<p>N/A</p>	<p>2016</p>	<p>This was completed as a part of the Land Use definition update in 2017.</p>
--	------------	-------------	--

<p>Program 4.2 – 1. Continue to ensure full compliance with the California Disability Guidelines and enforce the complementary provisions of the Uniform Building Code. The Zoning Ordinance will be evaluated on an ongoing basis and amended as necessary, to ensure ADA compliance and remove governmental constraints on the production of housing for persons with disabilities.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>City Staff continues to comply with ADA standards for new and change of occupancy building projects.</p>
<p>Program 4.3 – 1 Adopt a policy to determine allocation of the City Affordable Housing In-Lieu funds to support the creation of new affordable housing units in <u>Atascadero</u>.</p>	<p>N/A</p>	<p>2015</p>	<p>This has not yet been completed.</p>
<p>Program 4.3 – 2. Work with nonprofits and identify funding to address the housing needs of extremely low-income households and totally and permanently disabled persons.</p>	<p>5 units</p>	<p>Ongoing</p>	<p>RDA funds are no longer available. City Staff will work with non-profits for any grant funding opportunities.</p>
<p>Program 5.1 – 1. Continue to facilitate understanding of the impacts of economic issues, employment, and growth on housing needs among financial, real estate, and development professionals in formalized settings, such as the Economic Round Table.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>City Staff attend economic roundtables and other events as continuing education of these impacts.</p>

<p>Program 5.1 – 2. Continue to work with development community to identify and mitigate any constraints on access to financing for multi-family development. The City will conduct regular stakeholder meetings with members of the development community including representatives from local non-profit housing organizations, developers, and real estate brokers to solicit feedback.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>City Staff continues to work with developers, key stakeholders, and property owners on overcoming constraints in project design to help facilitate financing.</p>
<p>Program 5.2 – 1. Continue to monitor and evaluate development standards and advances in housing construction methods.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>As City staff identifies issues with the municipal code and advance construction methods, the City will amend the code as necessary.</p>
<p>Program 5.2 – 2. Continue to track the affordability of housing projects and progress toward meeting regional housing needs. Reports should be provided semi-annually to the Planning Commission and annually to the City Council and the California Department of Housing and Community Development.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City tracks all housing projects and provides status updates to both the Council and Planning Commission.</p>
<p>Program 6.1 –1.Continue to consolidate all actions relating to a specific project on the same Council or Commission agenda</p>	<p>N/A</p>	<p>Ongoing</p>	<p>Staff continues this practice for ease of tracking.</p>

<p>Program 6.1 – 2. Continue to review minor project modifications through the Design Review Committee and more substantial changes through a conditional use process.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>Staff utilizes the DRC to make determinationson minor project changes.</p>
<p>Program 6.1 – 3. Continue to review and revise local review procedures to streamline the process</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City created the Design Review Committee in 2010 to help with project streamlining and review. The DRC has been helpful in working out issues that normally would have been dealt by Planning Commission.</p>
<p>Program 6.1 – 4. Continue to maintain pre-approved stock development plans to streamline the plan check process.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>Stock plans are available for projects that include the construction of 3 or more of the same unit. This process allows for cost and time savings through the process.</p>
<p>Program 6.1 – 5. Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning compliance issues in the most cost-effective and expeditious manner possible.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>Staff provides pre-application and technical assistance to all projects when requested.</p>
<p>Program 6.1 – 6. Provide, when possible, developer incentives such as expedited permit processing and fee deferrals for units that are affordable to lower income households. Atascadero will promote these incentives to developers on the City's website (http://www.atascadero.org) and during the application process.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>The City's process streamlining is already expediting projects. Developers can defer development impact fees until final occupancy.</p>

<p>Program 6.1 – 7 The City should consider amending the zoning ordinance to allow single-room occupancy units (SROs) by right in the Residential Multi-Family (RMF) zone</p>	<p>N/A</p>	<p>2015</p>	<p>This will be completed with future Zoning Ordinance Work Plans</p>
<p>Program 6.1 –8. To encourage affordability by design, the City shall modify the Capital Facility Fee schedule to index fees based on size of unit, providing lower rates for small units. Indexed rate shall apply to apartments and second units.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>City Staff solicited a proposal for completion of this. Expected adoption in 20212019.</p>
<p>Program 6.1 –9. The City shall continue to monitor impact fees and the Capital Facility Fee schedule to identify barriers to housing development, particularly affordable units. If constraints are identified, the City shall revise the fee schedule accordingly.</p>	<p>N/A</p>	<p>Ongoing</p>	<p>City Staff solicited a proposal for completion of this. The consultant will look at proposals for encouraging residential units that are affordable-by-design.</p>
<p>6.2.1 1. Following amendment of the General Plan Conservation and Safety Elements to comply with AB 162 related to floodplain mapping, the City will amend the Housing Element, if needed, for consistency</p>	<p>N/A</p>	<p>2023</p>	<p>This has been completed as a part of the 2014-2019 Housing Element update.</p>



Atascadero City Council

Staff Report – City Manager’s Office

City of Atascadero Marketing Update

RECOMMENDATION:

Council receive and file Marketing Update recapping the calendar year for 2020 and a preview of 2021.

DISCUSSION:

Each year around this time, we share a Marketing update that reviews the accomplishments over the past year and we look to the future of how we will be marketing the City. On March 13, 2020, we met a new challenge, the COVID-19 pandemic. COVID-19 introduced many changes to both our marketing efforts and our events. We managed to work through and are still working through the continual changes and safety guidelines that come along with COVID-19. With 2020 having many “pivots” due to the pandemic, this report will be more of an update of what we have been able to accomplish and some of the highlights of how we managed to adjust through the changes from the State and County requirements.

The last marketing update was given to Council February 11, 2020 and provided an overview of the accomplishments and performance results from 2019. For this staff report, there will be an oral presentation reviewing what we accomplished in 2020. This presentation will cover our progress with promotions and events along with a recap of our performance with website traffic and social media engagement.

The City of Atascadero’s marketing plan continues to promote the vision of our City as it has been defined in our branding as Classic Americana, simply genuine, friendly, and a hometown feel experience. The goal of the City’s Marketing plan is to promote both private and public assets, our overall City and Downtown area and events that appeal to local and county residents as well as encourage visitors who are already here, to “stay, spend and enjoy” our City. The marketing efforts implement these goals by keeping the City’s businesses and assets top-of-mind through an ongoing advertising campaign, encouraging people to enjoy our Downtown area, and continuing to grow our existing events and activities and create new events that appeal to our target audience.

Following is a summary of our marketing efforts and events from 2020.

Promotions Recap: Summary of tactics used to promote our City from our events to the Brews & Burgers Trail campaign to the ongoing notifications related to COVID-19.

- **Broadcast Commercials (TV, Visitor TV, Movie Theatre, Radio)** designed to support our major events and promote the City.
- **Radio Advertising** via American General Media and local AM stations to support and promote the City.
- **Digital Marketing Tactics** to geographically target and reach people effectively across our local area.
- **Social Media/ Websites** ongoing posting to assist with messaging and keeping current information and events available for our residents.

- **Billboards & Bus Signs**
 - Shift in billboard opportunity to include a full panel located off Hwy 101 to utilize for a variety of promotions.
 - Exterior signage in place on the back of four of the Dial-a-Ride busses.

- **Print Advertising** targeted to events and for new promotional campaigns with focus to a variety of magazines in the area like Atascadero Magazine, Journal Plus magazine, and New Times newspaper. Print also includes ongoing flyer distribution to businesses, the schools and school district newsletter and ongoing brochure distribution in the tourism brochure racks for the Charles Paddock Zoo that includes SLO hotels and the Welcome Center in Pismo Beach.

- **Other Advertising:** ProSound Voicemail System at the City promotes Atascadero and our upcoming events.

2020 Event Review:

- **Tamale Festival:** In 2020, the 5th Annual event included over 80 total vendors with 30 of them being Tamale Vendors with over 45,000 tamales being sold (27,000 sold in 2019; 23,000 sold in 2018). We expanded to two days that encouraged more hotel stays and a focus to tourism. Attendance grew to nearly 20,000 and 45,000 tamales sold. Due to COVID-19 pandemic, we postponed this year's 2021 event to January 15, 2022 when we can safely bring it back to the City.
- **Brew at the Zoo at the Charles Paddock Zoo** – Due to COVID-19, the 2020 event ended up as the first ever, Virtual Brew at the Zoo that the Santa Barbara Zoo had expressed interest in doing the same thing earlier this year after hearing about the success of CPZ's event. Brew at the Zoo will be virtual again on April 24, 2021 and in April 30, 2022, we plan to bring it back in person. The virtual event has been successful and has raised more money than the "in person" version.
- **Holiday Events** – The holiday season kicked off with our successful "Light up the Downtown" Holiday Celebration, only this year "Drive In" style that encouraged folks to continue the evening with the Downtown Businesses' Decorating Contest and a drive over to the High School to enjoy the AUSD Holiday Reverse Parade, "Glow, Shine & Sparkle." Santa also delivered live Reindeer in Sunken Gardens

the same weekend of our kick off to the holidays! In addition to the kick off of events, the City introduced a new month long event, "Trail of Lights" that residents could participate in throughout December to encourage folks to get outside and enjoy the festive lights across neighborhoods in our community. All of the holiday festivities were so popular that you can anticipate seeing them again in 2021!

- **Other City Events:** In light of COVID-19, our Saturday in the Park Summer Concert Series went virtual completing all nine shows with videos to enjoy long after their performance dates; Movies in the Gardens Drive-In also continued and we were able to have an "in-person," all outdoor Holiday Boutique. In addition, the Charles Paddock Zoo took visitors into the Zoo virtually with many videos and check-ins to learn and see what the animals are doing during COVID-19. In addition, they were able to host tours and birthday parties virtually!
- **City Sponsored Events:** The City was able to be a community sponsor for the Drive-In Theater events for Colony Plaza that included Wild Fields, SLODOCO, Round Table Pizza, Que Pasa and Galaxy Theatre a number of times during the summer.
- **Other Events:** The third Monolith arrived December 2, 2020 at Stadium Park!

There will be an oral presentation to highlight events and promotions from 2020 and review the performance of our marketing efforts. This oral report will also include the latest from the ATBID's Tourism Marketing efforts and what we are working on into 2021.

FISCAL IMPACT:

None.

ALTERNATIVE:

The City Council may provide staff direction on feedback on the current Marketing update along with any desired adjustments or recommendations to the promotional advertising tactics or to the event schedule.

ATTACHMENT:

Calendar of Events Draft 2021-2022



2021 -2022 EVENT CALENDAR

Event Calendar: www.VisitAtascadero.com



Farmers Market ~ Every Wednesday

Sunken Gardens, Downtown Atascadero

Daylight Savings Hours 3-6 pm Mid March – October;

Fall Hours 3-5 pm November – Mid March

DUE TO COVID-19 DATES IN YELLOW ARE PENDING

2021 EVENT CALENDAR

April 2021

- **EASTER – Sunday, April 4th**
- **Farmers Market 4-Year Anniversary in Sunken Gardens!** April 7th, 3-6 pm! Music by the Duo Tones in addition to the market to celebrate!
- **VIRTUAL Party for the Planet at the Charles Paddock Zoo** – April 17th; 10-3 pm – come celebrate Earth Day with a day filled with vendors and educational activities found throughout the Zoo. Party for the Planet is included with General Admission.
- **7th Annual VIRTUAL BREW AT THE ZOO at the Charles Paddock Zoo**, Saturday, April 24th from 12:30-3:30 pm, Here is how it works! Once your ticket has been purchased, you will receive your 14-Pack of 12 oz. & 16 oz. craft beers no later than Thursday, April 22nd. Then you will receive a link to the festival on the week of the event and tune-in on Saturday, April 24th at 12:30 pm to experience a fantastic event LIVE from the Charles Paddock Zoo. The Virtual Brew at the Zoo Festival will include behind the scene animal tours with our experienced Zookeepers, enjoy learning about each of the 14 artisan beverages in your pack from the Brew Masters along with grooving to fun tunes from local bands, like Bear Market Riot! Tickets can be purchased at: <http://bit.ly/BrewattheZoo2021>

Tickets are \$65 each (+ ticket service charge) and includes shipping/ delivery! VIP tickets are \$90 each (+ ticket service charge), includes shipping/ delivery, a commemorative Brew at the Zoo T-shirt and two general admission tickets to the Zoo to use upon your next visit (Only 100 VIP tickets available!). *Last day to purchase tickets is Wednesday, April 14th.*

May 2021

- **Cookie Adventure at the Charles Paddock Zoo** - May 9th from 11 am to 2 pm. Enjoy a variety of cookies this Mother's Day at the Zoo!

June 2021

- **Farmers Market ~ Kick off to Summer SIESTA SERIES begins!** June 30th from 3-6 pm in Sunken Gardens – Chef samples & Tap Takeover plus Music!
 - **Central Coast RESERVE Weekend! June 25th – June 27th:**
 - **VIRTUAL Kiwanis Mayor’s Winemaker Dinner**
 - **Wine’d-UP Yoga with Kennedy Fitness at Sunken Gardens – June 26th from 9-11 am** enjoy getting your day started with some Yoga! **PENDING**
 - **Wine Festival Morning Golf Tournament – June 26th at 8 am** presented by Atascadero Optimist Club & Chalk Mountain Golf Course **PENDING**
 - **25th Annual Atascadero Lakeside Wine Festival – PASSPORT TO FUN** (In lieu of the Wine Festival) – passport kicks off June 26th
- For more information:** <https://www.atascaderochamber.org>

July 2021

- **4th of July 4th Annual Bluegrass Freedom Festival at Atascadero Lake Park – July 4th, 2-8 pm.** Presented by Colony Days & Colony Media, the 4th of July Bluegrass Freedom Festival is an exciting new addition to the City of Atascadero! This year plan your 4th of July Celebration at Atascadero Lake Park where you can enjoy music, boating, bounce houses and games! Admission is free and there will be food, beer and wine available for purchase. If you have plans for Fireworks, you can enjoy this event on your way out to the Coast! For more information visit www.atascaderofourthofjuly.com
- **Saturday in the Park ~ Summer Concert Series Kicks Off July 24th through Sept 18th!** – Atascadero Lake Park Bandstand from 6:30 – 8:30 pm. Concerts are FREE to the Public! Stay tuned for the band line-up & details! Concerts will be Saturdays through September 18th! Mark these dates on your calendar: July 24th, July 31st, August 7th, August 14th, August 28th, September 4th, 11th, 18th. For more information, call (805) 470-3360
- **Farmers Market ~ Summer Siesta Tap Takeover!** July 14th from 3-6 pm in Sunken Gardens – Enjoy music while shopping at the Market and sampling local favorites of wine & cider!
- **Ice Cream Zoofari at the Charles Paddock Zoo!** July 17th 5:30 pm – 8:30 pm, Come enjoy lots of Ice Cream along with the animals! \$13/ person 12+; \$9/ person 3-11 years old; Free – 2 years and under, Members \$2 discount on each ticket. Visit www.charlespaddockzoo.org or call (805) 461-5080.
- **5th Annual Lake Fest AND Children’s Day in the Park – July 17th from 10-5 pm** at Atascadero Lake Park. Activities for all ages starting with cardboard & duct tape boat races, paddleboard races and more! All proceeds benefit special projects for the Lake and the LINK! Tons of vendors & something for everyone! Presented by Friends of Atascadero Lake & the LINK Family Resource Center.
- **International Tiger Day! Thursday, July 29th**
- **Mid State Fair: July 21st – August 1st Paso Robles – www.midstatefair.com PENDING**

August 2021

- **Art, Wine & Brew Tour, Downtown Atascadero, August 6th, 5-8 pm** Downtown Atascadero! Ticket includes wine glass, tastings among downtown merchants, tours of Historic City Hall, live music & more! More information: www.atascaderochamber.org.
- **Wild About Art! Saturday, August 7th, 10-3 pm**, Enjoy a day of arts & crafts at the Zoo ~ Animal Artists, face painting, workshops, local art for purchase & more! Included with General Admission.
- **Saturday in the Park ~ Summer Concert Series Kicks Off July 24th through Sept 18th!** – Atascadero Lake Park Bandstand from 6:30 – 8:30 pm. Concerts are FREE to the Public! Stay tuned for the band line-up & details! Concerts will be Saturdays through September 18th! Mark these dates on your calendar: July 24th, July 31st, August 7th, August 14th, August 28th, September 4th, 11th, 18th. For more information, call (805) 470-3360
- **Movies in the Gardens at Sunken Gardens:** August 7, 14, 28th & September 4th from 8 pm – 11 pm – Come see your favorite movie with the family under the stars! Movies are Free to the Public! Food is available
- **Farmers Market ~ Summer Siesta Tap Takeover!** August 11th from 3-6 pm in Sunken Gardens – Enjoy listening to music while shopping at the market! A Cider Tap Takeover is in the works to kick off the Central Coast Cider Festival!
- **5th Annual Central Coast Cider Festival** – August 14th, 5-8pm at the Pavilion on the Lake & Park! Tune into www.centralcoastciderfestival.com for tickets and more information!
- **Cruisin' Weekend in Atascadero: August 20th – August 21st**
 - **28th Annual Hot El Camino Cruise Night** Kicks off the weekend on Friday, August 20th starting at 6:30 – 9:00 pm throughout Atascadero down El Camino Real. For pre-registration visit www.VisitAtascadero.com/Cruise.
 - ~~**31st Annual Atascadero Lake Car Show** Saturday, August 21st 10:00 a.m. – 3:00 p.m. – Mid State Cruizers presents a fabulous Car Show! For information on participating contact: Roy Barba @ (805) 238-3177 or Larry Wilson @ (805) 423-5218 or www.midstatecruizers.org (participation is first come, first served)~~
 - ~~**5th Annual Dancing in the Streets**, Saturday, August 21st 5-10 pm Downtown Atascadero. Enjoy an evening with performances and bands! Be prepared to dance the night away plus enjoy the sounds of great music and plenty of vendors! Bring your lawn chair to enjoy the event! More info: (805) 470-3360.~~

September 2021

- **Saturday in the Park ~ Summer Concert Series Kicks Off July 24th through Sept 18th!** – Atascadero Lake Park Bandstand from 6:30 – 8:30 pm. Concerts are FREE to the Public! Stay tuned for the band line-up & details! Concerts will be Saturdays through September 18th! Mark these dates on your calendar: July 24th, July 31st, August 7th, August 14th, August 28th, September 4th, 11th, 18th. For more information, call (805) 470-3360
- **Farmers Market ~ Summer Siesta Tap Takeover!** September 15th from 3-6 pm! Last Summer Siesta Day! Be ready to practice playing Cornhole in time for the annual Showdown Cornhole Tournament plus enjoy music and sample local wine & cider!
- **5th Annual Showdown Cornhole Tournament** – Friday & Saturday, September 18th & 19th, Sunken Gardens. More information: VisitAtascadero.com/events
- **International Red Panda Day!** Saturday, September 19th

October 2021

- **Colony Days Weekend – October 1st & 2nd Downtown Atascadero ~ Join us for a weekend of activities!** www.colonydays.org
 - **Tent City After Dark – October 1st**
 - **Colony Days Parade & Festivities October 2nd**, 10 am-3 pm, Free to the public, special parade down El Camino Real followed by a variety of activities throughout Tent City and Sunken Gardens, tours of City Hall, the Colony House and more! Experience life the way it used to be during the early days of the Colony of Atascadero!
- **Zoo Boo at the Charles Paddock Zoo, October 23rd** from 5-8:30 pm, Regular Admission \$13 per person; Members \$12 per person; Ages 2 and Under Free. Visit www.VisitAtascadero.com or call (805) 461-5080.
- **4th Annual Central Coast Craft Beer Festival, Saturday, October 23rd, 12-4 pm**, Sunken Gardens. Celebrate Beer Week with over 40 breweries plus cider, distilled spirits and wine! www.centralcoastcraftbeerfest.com
- **Farmers Market ~ Halloween Fun! October 27th!** from 3-6 pm in Sunken Gardens – Come dressed in costume for a special treat from the market!
- **Trick or Treat Downtown ~ October 31st**, 4-6 pm! Get ready to bring your favorite costume downtown to a variety of fun & games! Presented by the Atascadero Business Improvement District Committee.

November 2021

- **Daylight Savings Ends – Sunday, November 7th!**
- **Farmers Market ~ Fall/ Winter Hours begin!** November 10th from 3-5 pm in Sunken Gardens!
- **First Fridays Downtown Atascadero – Friday, November 5th**, 5-8 pm, Celebrate Fall! Shops will be open, enjoy Bands, entertainment, discounts & more!
- **Military Day at the Charles Paddock Zoo!** November 6th, 10-4 pm - All Active Duty Armed Forces men, women and their immediate families (spouses and children) receive free admission to the Zoo. Bring your valid military ID to enjoy a visit to the **only** Zoo on the central coast. We are grateful for this opportunity to say 'THANK YOU' to the men and women serving here and abroad!
- **Veteran's Day at the Faces of Freedom Veterans Memorial, Atascadero Lake Park** November 11th 11 am! Visit www.facesoffreedom.com.
- **Holiday Boutique** at the Pavilion on the Lake, November 13th, 10-3 pm. Over 50 vendors await you for this one-day craft show where all items are handmade!
- **6th Annual Taco Day on Traffic Way – November 13th** 1-4 pm, Downtown – shop, eat and enjoy the shops along the way! Vote for your favorite taco! Family Friendly! Presented by the Atascadero Business Improvement District.

December 2021

- **HOLIDAY "TRAIL OF LIGHTS" TOUR INFORMATION & REGISTRATION: December 3, 2021 – December 25, 2021, Lights on from 5pm-8pm!**
READY TO SHOW OFF YOUR HOLIDAY DECORATIONS? Due to popular demand, the City of Atascadero will be hosting the holiday lighting trail map, "Trail of Lights," again this year! This holiday tour map is a fun way to showcase your beautiful lights and a great family activity for residents to drive around and enjoy them! Sign up no later than Tuesday, November 30th! It is FREE to participate and all we ask is for your lights to be turned on 5-8 pm from December 3rd through the 25th!

Winners for 1st & 2nd place will receive gift cards to our local businesses! Winners will be announced December 3rd at the Light Up the Downtown Drive-In event at Sunken Gardens & posted to Facebook! SIGN UP INFORMATION WILL BE COMING SOON! CHECK BACK!

- **Annual Light-Up the Downtown Holiday Celebration!** - December 3rd, 5 – 8 pm, Sunken Gardens Downtown Shops will be open late, plus enjoy bands, and community entertainment! Purchase tickets to the Art, Wine & Brew portion for a commemorative wine glass & tastings to participating downtown merchants! At 5:30 pm, get ready for the countdown to light up our Historic City Hall, Santa arrives & the holiday festivities begin. Complementary tours of Historic City Hall, community entertainment, horse drawn hayrides, Model-A Fire Truck rides, and hot chocolate! Free to attend!
- **Holiday Musical Walk Around the Lake** – December 4th, 5:30 – 9:30 pm at Atascadero Lake Park. Enjoy a special evening walk around the lake with musical groups, carolers, Santa visits at the Charles Paddock Zoo, community singing, holiday decorations and more! Presented by the Atascadero Lake Neighborhood Association.
- **Winter Wonderland ~ One of Central Coasts Largest Holiday Events!** December 10th, from 5-9 pm, **OVER 65 TONS OF SNOW! One of Central Coasts Largest Holiday Events!** Atascadero's Sunken Gardens and the entire downtown will be transformed into a magical snowy paradise! Snow slides, snow pile areas, Joe's Little Train, bungee jumps, obstacle courses, gladiator joust, bounce houses, face painting, caricature artist, Community Entertainment, and over 50 craft and food vendors, and of course, Santa and Mrs. Claus! Free to come and enjoy, but don't forget to bring along your wallet for Downtown merchants and over 50 craft & food vendors! Plus get your holiday shopping done! Invite your family and friends to enjoy an evening of holiday fun! Call (805) 470-3360 for more info.
- **Holiday Magic at the Charles Paddock Zoo** - December 18th from 10-1 pm. Experience the magic of the holiday season as the zookeepers step in as Santa's Elves to prepare gifts for the animals. Santa will be there too! Included with General Admission.

2022 Event Calendar

January 2022

- **6th Annual Tamale Festival** - Saturday, January 15th, 11am - 5pm. Over 20 Tamale Vendors will be on site, as well as, a variety of entertainment for all ages! Free to attend, but be ready to purchase a variety of tamales!

February 2022

- **Sweetheart Stroll** – Friday, February 11th, 5-8 pm. The Stroll tickets include a wine glass, over 15 different tasting spots at merchant locations downtown. More info: atascaderochamber.org. Complementary tours of Historic City Hall! Enjoy Bands, entertainment, in-store promotions and more! Presented by the Atascadero Business Improvement District, Atascadero Chamber of Commerce, Atascadero Historical Society & the City of Atascadero!
- **Father Daughter Dance!** Pavilion on the Lake; Feb 4th, 6:30-9:30 pm (Ages 11 and under) & Feb 5th, 7-10 pm (12 & up), Show her how special she really is...Fathers, uncles, grandfathers, or anyone with a special girl is invited to spend a semiformal evening full of music, dancing, refreshments, desserts & more! A professional photographer will be on-site with affordable picture packages.

March 2022

- **Daylight Savings begins Sunday, March 13th – Farmers Market Moves to 3-6 pm.**
- **First Day of Spring, March 20th!**
- Pending: Central Coast Craft Beer Festival Weekend

April 2022

- **Farmers Market 5-Year Anniversary in Sunken Gardens!** April 6th, 3-6 pm!
- **11th Annual Dancing with Our Stars!** Pavilion on the Lake – April 6, 7, 8, & 9th, 5 – 10 pm! Presented by Friends of the Atascadero Library
- **Spring Festival @ the Charles Paddock Zoo: Sunday, April 10th – Sunday, April 23rd** Come enjoy spring happenings at the Zoo! The Spring Festival is included with General Admission to the Zoo.
- **EASTER – Sunday, April 17th; Earth Day – April 22nd**
- **Party for the Planet at the Charles Paddock Zoo** – April 23rd, 10-3 pm – come celebrate Earth Day with a day filled with vendors and educational activities found throughout the Zoo. Party for the Planet is included with General Admission.
- **8th Annual BREW AT THE ZOO at the Charles Paddock Zoo**, Saturday, April 30th from 5:30 – 9 pm – ticket information to come!

May 2022

- **Art, Wine & Brew Tour (AWB) Downtown Atascadero** – Friday, May 6th, 5-8 pm. AWB Tickets include a wine glass, over 15 wineries pouring at the different merchant locations downtown – for ticket information go to atascaderochamber.org! Includes complementary tours of Historic City Hall! Shops will be open, enjoy Bands, entertainment, discounts and more! Presented by the Atascadero Business Improvement District, Atascadero Chamber of Commerce, City of Atascadero & Atascadero Historical Society!
- **Cookie Adventure at the Charles Paddock Zoo** - May 8th from 11 am to 2 pm. Enjoy a variety of cookies this Mother's Day at the Zoo!



Atascadero City Council

Staff Report - City Manager's Office

Council Norms and Procedures Consideration of Amendments

RECOMMENDATION:

Council review, amend and adopt change(s) to the Council Norms and Procedures.

DISCUSSION:

The Council Norms and Procedures (Norms) is a document originally created by the City Council as a guide relating to Council Member behavior. The document was last amended by the City Council in 2020.

At the February 19 & 20 City Council Strategic Planning meeting, the City Council reviewed the 2020 Council Norms and Procedures. There was a robust discussion regarding how a Council Member or Council Members may add an item to the agenda. The current language reads:

"Any Council Member may place an item on the agenda under Individual Determination."

At the meeting, Council directed staff to bring back the Norms replacing the language above with the following:

"Under individual determination, any Council Member may request to place an item on a future agenda."

The existing language in the Norms has historically meant that prior to putting out the agenda packet, a Council Member could contact the City Manager to put an item on the agenda under Individual Determination. No agenda report would be prepared by staff for the item; however, the City Manager would work with the Council Member and the City Attorney to ensure that the published agenda would allow the public to know what the Council Member wanted to discuss. While this does not happen often, on occasion a Council Member has used this Norm to place a discussion item on the agenda.

The most common agenda item placed under individual determination is a request to place an item on a future agenda for potential action. Per the Norms the City Manager sets the agenda, and because the City Manager only takes direction from the majority of the Council Members, historically this has meant that it takes three Council Members to agree at a public meeting to place an item on the agenda. The proposed language is meant to convey that a Council Member may place an item under individual determinations to discuss whether or not to direct staff to place an item on a future agenda for Council action. It would then take at least three Council Members to concur that the item should be worked on by staff and brought back to a future Council meeting.

This was the only change proposed.

ALTERNATIVES:

- The Council may want to consider adding a Norm that clearly delineates when the Council would like to add an item to a future agenda outside of the City Manager placing items on the agenda in the normal course of business. Amending the language as follows, may clarify the current practice: *“City Manager sets the Agenda for regular City Council meetings however, under Individual Determination an individual Council Member may request that an item be placed on a future agenda. The City Manager will place the item on a future agenda if the majority of the Council directs the City Manager to do so.”*
- The Council may also want to keep the existing language or clarify the language to better reflect existing practice. *“Any Council Member may place an item on the agenda under Individual Determination. The item will be for discussion only and/or for the Council to consider directing the City Manager to bring back an action item to a future agenda. In order to insure transparency and inclusion on the agenda under Individual Determination, the Council Member should alert the City Manager no later than 10 days prior to the Council meeting that they wish to add the item under individual determinations.”*
- The Council may amend the draft language, consider other changes to the City Council Norms, or may chose not to amend the City Council Norms.

FISCAL IMPACT:

None.

ATTACHMENT:

Draft Council Norms and Procedures (2021)



CITY OF ATASCADERO

COUNCIL NORMS AND PROCEDURES (2020)

GENERAL

- Council should primarily focus on vision, mission and policy. Staff should primarily focus on implementation and keeping the Council informed.
- To take courageous action when necessary to keep the City of Atascadero a well-run, well managed innovative City.
- Council provides leadership and participates in regional, state and national programs and meetings.
- Council looks to Commissions and Committees for independent advice.
- Other community leaders are consulted in the decision making process when appropriate.
- Council will encourage citizen participation on City programs and documents.
- Serving the City of Atascadero is the City Council's top priority.
- It is expected that each Council Member will represent the City of Atascadero as a member of various boards and committees, and will be participate in meetings as feasible.
- We stress training for staff, Council, and Commission members.
- Council Members will inform the City Manager's Administrative Assistant when they will be out of town as early as possible and it will be put on the Council Calendar.
- Council Members get the same information as much as possible: citizen complaints, letters, background, etc.
- Council Members will determine which specific Commission packets they want to receive.
- Use technology to improve information flow and communications.

- Individual Council Members may use the City letterhead as long as they clarify in the document that any opinions expressed are their own.

COUNCIL VALUES

- The Council and City Manager are a participatory team.
- The Council values high energy, open mindedness, and achievement.
- Council Members will care and have respect for each other as individuals.
- Council Members will be straightforward; with no hidden agendas.
- The City Council values humor.

COUNCIL INTERACTION AND COMMUNICATION

- Individuals are responsible to initiate resolution of problems A.S.A.P. and not let them fester.
- City Council will not direct cheap shots at each other during public meetings, in the press, or any other place/time.
- Relationships are informal, but not casual in public [beware of impact on, and perception of, public].
- Council Members will be flexible in covering responsibilities for each other.
- Council Members that are the Complainant on an issue before the Council must declare their involvement in the issue before the item is reviewed by the Council.
- Council Committees:
 - Committee areas belong to the whole Council; they are not seen as territorial.
 - Committees are responsible to keep rest of Council informed, and other members are responsible for letting committee know if they want more information or to give input.
 - Before committees start moving in new direction, they will get direction from the rest of Council.
 - Committee reports will be made under Council Reports, when appropriate.
 - Committee summaries will be sent on an interim basis to update other Council Members on:
 - Issues being discussed

- Options being considered
- Progress
- Council and committees will give clear and focused direction as early as possible.

COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

City Manager

- Council Members are encouraged to discuss City business with the City Manager.
- When a Council Member is unhappy about a department, he/she should always talk it over with the City Manager and/or her designee - not the department head.
- Concerns about a department head must be taken to the City Manager only.
- Critical information will be passed to all City Council Members by appropriate personnel.
- Requests by Council Members for information that will take more than one hour of staff time must be approved by a majority of the City Council at a Council meeting.
- Documents generated by Council Member requests for information, will be passed to all City Council Members by appropriate personnel.
- The Council will provide ongoing feedback, information, and perceptions to the City Manager, including some response to written communications requesting feedback.
- The City Manager or the Deputy City Manager deals with issues that cross department boundaries.
- Avoid giving direction individually to the City Manager; the majority of the Council should give the City Manager direction as a formal body.
- The Council and staff will not blind side each other in public (if there is an issue or a question a Council Member has on an agenda item, that member will contact the City Manager prior to the meeting).

Staff in General

- Council should work through the City Manager if asking for information, assistance or follow up as it pertains to an item on the upcoming Council agenda.

If needed, the City Manager may arrange for Council Members to meet with a department head.

- Individual Council Members can talk directly with appropriate staff members when they have routine individual business dealings with the City of Atascadero. Council Members should inform the City Manager in advance of any individual business requiring staff discretion, other City business dealings that may put staff in awkward position, or any staff contacts that may give the perception of favorable treatment.
- Council will always be informed by staff when an unusual event occurs that the public would be concerned about, i.e., anyone wounded by gunfire, area cordoned off by police or fire, etc.
- Department heads will generally attend every Council meeting; other staff attendance at Council meetings is at the City Manager's discretion.
- City Clerk will proactively inform the City Council of new or relevant information related to matters concerning the City Clerk's Office, such as meeting notifications, changes to laws regarding the Brown Act, FPPC requirements and ethics and harassment training.
- Individual Council Members may reach out directly to the City Clerk for clarification and advice on matters concerning the City Clerk's Office.

City Attorney

- Contract Attorney will routinely forward relevant new legislation to the City Council.
- City Attorney shall be pro-active with Council, Manager and Staff when and where appropriate.
- City Attorney shall regularly consult with Council on items of concern on an upcoming agenda at the earliest time possible.
- City Attorney will track Commissions' actions, agenda of City Council and committees for needed input.
- City Attorney to pro-actively inform and protect City Council Members from and Council Members to contact and inform the City Attorney of potential violations and conflicts.
- Where an individual Council Member requests guidance or research from the City Attorney, and it will require more than one hour of time, three Council Members must agree to the request.

COUNCIL ELECTRONIC COMMUNICATIONS

- Think carefully before responding to any e-mail; never reply when angry or in a bad mood. Do not make derogatory personal comments.
- Do not reply to an e-mail if the reply will be directed to a majority of the Council.
- Do not take a position or make a commitment on matters yet to be decided by the Council. Remember, even if you don't do it, your e-mail can be forwarded by others to a majority of the Council.
- Do not give instructions via email or otherwise to Staff under the managerial control of the City Manager.
- If e-mailing the entire Council, do so only to provide information, and do not solicit a response.
- City business will be conducted through your City email account. If an e-mail is received on an account other than your City email account, you should forward that email to your City email account and/or request that the person reaching out send their message through your City email account.
- If a Council Member will have a social media presence, they should meet with the City Clerk and/or City Attorney to discuss.

COUNCIL OPTIONS FOR KEEPING INFORMED

- Read Commission Minutes in order to find out what is being worked on.
- Read documents on Planning items.
- City Manager will discuss future Agenda topics with Council Members.
- Council Members will do their homework.
- Regularly meet with City Manager
- Council Members who are appointed to regional Boards will keep other Council Members informed by communicating updates to the City Manager to be shared with the entire City Council.

MAYOR'S ROLE

- Each Mayor is unique; the role is defined by the person, based on that person's style.

- The Mayor is the spokesperson for the City.
- The Mayor is authorized in certain instances, on behalf of the City, to submit advocacy communications that are consistent with City position. At the discretion of the Mayor, the communication may be prepared and sent if it is time-sensitive and meets one or more of the following criteria:
 - In support of any policy issue previously agreed upon by the Council, or
 - In support of a consistently or emphatically expressed Council majority position, or
 - In support of and consistent with any Council Strategic Priority, or
 - In support of the fiscal health of the City or local-control, or
 - At the written request of the City Manager, to advocate a League of California Cities' position on bills that would have a substantial positive or negative effect on City operations.

A copy of the letter will be provided to the Council at the same time it is transmitted to the addressee. Any Member of the Council can request an item to be placed on an upcoming agenda to discuss that communication. If the requested communication does not meet at least one of the above criteria, the Mayor may submit the requested communication, but must clearly indicate therein that the Mayor is acting as an individual, speaking on their own behalf, and not on behalf of the City Council.

- The Mayor will inform the Council of any informal correspondence sent out to anyone in relation to City business - use e-mail whenever possible.
- The Mayor communicates with commission chairs.
- The Mayor will appoint Councilmembers to committees, allowing Councilmembers a chance to discuss the appointments at a meeting and the opportunity to vote confirming all of the appointments.
- The Mayor may appoint an ad hoc committee or a liaison for a specific purpose.
- The Mayor will work with the City Manager's Office to determine Proclamations and Certificates of Recognition for presentation at a City Council meeting. Any Council Member is welcome to write letters of recognition.

CITIZEN COMPLAINTS

- All citizen complaints will be sent by Council to the City Manager's Office for official response. Council may respond to acknowledge receipt of complaint.
- Staff will inform Council of staff responses to citizen complaints received by the Council.

- By City Manager discretion, Council will be informed of significant, urgent and repetitive complaints.
- Staff will draft a response for Council's use for responding to the public.
- Council may respond but should not attempt to fix Citizens' problems on their own; it will be referred to the City Manager.
- Responses to citizens are customized.
- If a Council Member wants action based on a citizen's complaint, they should go through the City Manager's office to ensure it gets into the tracking system.
- The level of detail in written responses will be selective.
- Generally, communications are acknowledged with discretion.

PUBLIC MEETINGS

- City Manager sets the Agenda for regular City Council meetings – per the Ordinance
- Public comment shall be received on all action items.
- Under individual determination, aAny Council Member may request to place an item on a future the agenda ~~under Individual Determination~~.
- City Council Members will treat everyone equally and with courtesy.
- Corrections to minutes are passed to the City Clerk before the meeting.
- Each member may share his/her views about the issue and the reasons for his/her vote.
- When feasible, audio or video tape all public City Council meetings.
- Public Comment
 - Procedure will include: Staff Report, questions from Council, applicant report, public comment, close Public Hearing, any staff response, and bring item back to Council for discussion.
 - Once public comment is closed, further public input will not be allowed unless re-opened by Mayor.
 - Applicant's comments shall be limited to a reasonable time.

- Public comments shall be limited to 3 minutes per speaker; per Municipal Code.
- It is acceptable to ask questions of a speaker for clarification.
- Each speaker will be thanked.
- Council will not respond until all public comment has been reviewed.
- Mayor normally allows other members to speak first and then gives his/her views and summarizes.
- Keep Community Forum to 30 minutes with additional time to be given at the Mayor's discretion.

- Consent Calendar
 - The Consent Calendar will be used for items such as minutes, routine City business, and things already approved in the budget.
 - If a Council Member has a question on a Consent Calendar item for their information only, they are to ask staff ahead of time, rather than having it pulled off for discussion during the meeting.
 - Staff is prepared to report on every agenda item.

- Voting
 - Everyone has an opportunity to speak before a motion.
 - Attempts will be made to get consensus on significant policy issues.
 - Council Member discussions will not be redundant if they concur with what has already been said.

- Closed Session
 - Council will get written reports for Closed Session items when necessary; these reports are to be turned in at the end of the meeting.
 - City Manager will ask for pre-meeting closed sessions if it will save the City money (due to consultant fees, etc.); to be held no earlier than 5:00 p.m.
 - No violation of Closed Session confidentiality.

- Special Meetings
 - Special meetings may be called by Mayor, or a majority of the Council, pursuant to the Brown Act.

COMMISSIONS

Council shall consider holding a joint session with each Commission at least once every two years.

- Commission needs:
 - To know Council vision, community vision, and General Plan 2025
 - Understanding of their roles and authority.
 - To know annual prioritized goals of the City Council.
 - All commissioners receive an annual training.

- Criteria for commissioner for re-appointment (and in extreme cases, removal) shall include:
 - Issues of conflicts of interest.
 - Attendance (missing two meetings without excuse).
 - Support of General Plan.
 - Respect for staff/public.
 - Working for community versus personal purposes.