



CITY OF ATASCADERO CITY COUNCIL AGENDA

HYBRID MEETING INFORMATION:

In accordance with City Council Resolution No. 2023-003 and the requirements of AB 361, the City Council Meeting will be available via teleconference for those who wish to participate remotely. The City Council meeting will also be held in the City Council Chambers and in-person attendance will be available at that location.

HOW TO OBSERVE THE MEETING REMOTELY:

To participate remotely, residents can livestream the meeting on [Zoom](#), SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and listen live 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 and on the City's YouTube Channel. To participate remotely using the Zoom platform please visit https://us02web.zoom.us/webinar/register/WN_ZwJ7a031S3KXauEym9ehaA.

HOW TO SUBMIT PUBLIC COMMENT:

Individuals who wish to provide public comment in-person may attend the meeting in the City Council Chambers. Individuals who wish to participate remotely may call **(669) 900-6833** (Meeting ID: 889 2347 9018) to listen and provide public comment via phone or via the [Zoom](#) platform using the link above.

If you wish to comment but not via a live platform, please email public comments to cityclerk@atascadero.org. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be forwarded to the City Council and made a part of the administrative record. ***To ensure distribution to the City Council prior to consideration of the agenda, the public is encouraged to submit comments no later than 12:00 p.m. the day of the meeting.*** Those comments, as well as any comments received after that time, but before the close of the item, will be distributed to the City Council, posted on the City's website, and will be made part of the official public record of the meeting. ***Please note, email comments 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/agendas.

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 made a part of 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 by appointment during City Hall business hours.



CITY OF ATASCADERO CITY COUNCIL

AGENDA

Tuesday, February 28, 2023

**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.

CITY COUNCIL CLOSED SESSION:

- 1. CLOSED SESSION -- PUBLIC COMMENT**
- 2. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION**
- 3. CLOSED SESSION -- CALL TO ORDER**
 - a. Conference with Legal Counsel – Existing Litigation**
Government Code Sec. 54956.9(d)(1)
Name of Case: Newton v. City of Atascadero
San Luis Obispo Superior Court Case No. 21CVP-0168
 - b. Conference with Legal Counsel – Existing Litigation**
Government Code Sec. 54956.9 (d)(1)
Name of Case: City of Atascadero v. Darin A. Vandeventer
San Luis Obispo Superior Court Case No. 20CV-0046
- 4. CLOSED SESSION -- ADJOURNMENT**
- 5. COUNCIL RETURNS**

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

PLEDGE OF ALLEGIANCE: Mayor Moreno

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

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.

CLOSED SESSION – REPORT (IF ANY)

Announcement(s) of any reportable action(s) taken in Closed Session that occur(s) after the adjournment of Regular Session will be made at the beginning of the next Regular City Council meeting as Closed Session is not recorded or videotaped.

PRESENTATIONS:

1. **Employee Recognition**
2. **Proclamation for Teen Dating Violence Action and Prevention Month**
3. **Proclamation for American Red Cross 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 – February 10, 2023 Special Meeting and February 14, 2023 Regular Meeting**
 - Recommendation: Council approve the February 10, 2023 Special Meeting and February 14, 2023 Draft City Council Regular Meeting Minutes. [City Clerk]
2. **January 2023 Accounts Payable and Payroll**
 - Fiscal Impact: \$2,733,619.49.
 - Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for January 2023. [Administrative Services]
3. **2022 California Building and Fire Code Updates, Title 4 Public Safety Text Amendments, and Title 8 Building Code Text Amendments**
 - Fiscal Impact: None.
 - Recommendation: Council:
 1. Adopt, on second reading, by title only, Draft Ordinance A, amending Title 4 Public Safety, for consistency with the 2022 California Fire Code; and
 2. Adopt, on second reading, by title only, Draft Ordinance B, amending Title 8 Building Code, for consistency with the 2022 California Building Code. [Community Development and Fire & Emergency Services]
4. **City Facility Rental Policies and Procedures Update**
 - Fiscal Impact: None.

- Recommendation: Council review and approve revisions to the Facility Rental Policies and Procedures manual to include updates to facilities available for rental, catering, and events. [City Manager]

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. Comments will be allowed for the entire 30-minute period so if the final speaker has finished before the 30 minute period has ended and a member of the public wishes to make a comment after the Council has commenced another item, the member should alert the Clerk within the 30 minute period of their desire to make a comment and the Council will take up that comment upon completion of the item which was commenced. 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:

Notice of Public Hearing Cancellation:

1. Barrel Creek Development

C. MANAGEMENT REPORTS:

1. Findings to Support Downtown Entertainment Zone

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution, finding that the City supports an active Entertainment Zone with expanded business hours within the Downtown Zoning District. [Community Development]

D. 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. Regional Economic Action Coalition (REACH)
4. SLO Council of Governments (SLOCOG)
5. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)

2. Design Review Committee
3. Homeless Services Oversight Council

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. Community Action Partnership of San Luis Obispo (CAPSLO)
4. Visit SLO CAL Advisory Committee

Council Member Newsom

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Design Review Committee
4. League of California Cities – Council Liaison

- E. 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

ADJOURNMENT



CITY OF ATASCADERO CITY COUNCIL

DRAFT MINUTES

Tuesday, February 14, 2023

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

<u>City Council Regular Session:</u>	6:00 P.M.
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REGULAR SESSION – CALL TO ORDER: 6:00 P.M.

Mayor Moreno called the meeting to order at 6:00 p.m. and Council Member Newsom led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk, and Mayor Moreno

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, Interim Police Chief Jerel Haley, Public Works Director Nick DeBar, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Deputy City Manager – IT Luke Knight, Chief Building Official David Muehlhausen, and Battalion Chief Dave Van Son.

APPROVAL OF AGENDA:

- MOTION:** By Council Member Bourbeau and seconded by Mayor Pro Tem Funk to:
1. Approve this agenda with the addition (Item #C-2); 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 5:0 by a roll-call vote.*

A. CONSENT CALENDAR:

1. **City Council Draft Action Minutes – January 24, 2023 Regular Meeting; January 26, 2023 Special Virtual Meeting; and February 1, 2023 Special Virtual Meeting**
 - Recommendation: Council approve the January 24, 2023 Draft City Council Regular Meeting Minutes; the January 26, 2023 Draft City Council Special Virtual Meeting Minutes; and the February 1, 2023 Special Virtual Meeting Minutes. [City Clerk]
2. **AB 361 Requirements for Virtual Meetings**
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution making findings consistent with the requirements of AB 361 to allow for the conduct of virtual meetings. [City Manager]
3. **Authorization of Representatives for State Office of Emergency Services**
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution repealing Resolution No. 2017-003 and updating the authorization of certain City representatives to execute State Office of Emergency Services documents for certain financial assistance. [Administrative Services]
4. **Contract Plan Check Services Interwest Consulting Services**
 - Fiscal Impact: \$85,000 of General Fund plan check expenditures, offset by an estimated \$85,000 increase in General Fund plan check revenues.
 - Recommendation: Council authorize the City Manager to enter into a contract amendment increasing Interwest Consulting Services' contract by \$85,000, for a total contract amount of \$165,000. [Community Development]
5. **Outlaws Card Parlour Business License (9850 E Front Street)**
 - Fiscal Impact: None.
 - Recommendation: Council review and approve the business license/tax certificate for Outlaws Card Parlour. [Community Development]
6. **Approve Final Tract Map 3204 (California Manor II)**
 - Fiscal Impact: None.
 - Recommendation: Council approve Final Tract Map 3204 for California Manor II creating a two-lot subdivision for condominium purposes. [Community Development]

**MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to approve the Consent Calendar Items. (#A-2: Resolution No. 2023-003) (#A-3: Resolution No. 2023-004) (#A-4: 2023-006 [A1])
*Motion passed 5:0 by a roll-call vote.***

UPDATES FROM THE CITY MANAGER:

City Manager Rickard gave an update on projects and events within the City and provided information to the City Council on disaster recovery.

COMMUNITY FORUM:

The following persons spoke in-person by telephone or through the webinar: Geoff Auslen

B. PUBLIC HEARINGS:

1. 2022 California Building and Fire Code Updates, Title 4 Public Safety Text Amendments, and Title 8 Building Code Text Amendments

- Fiscal Impact: None.
- Recommendation: Council:
 1. Introduce Draft Ordinance A, for first reading, by title only, to approve amendments to Title 4 Public Safety, for consistency with the 2022 California Fire Code; and
 2. Introduce Draft Ordinance B, for first reading, by title only, to approve amendments to Title 8 Building Code, for consistency with the 2022 California Building Code. [Community Development and Fire & Emergency Services]

Fire Chief Casey Bryson and Community Development Director Phil Dunsmore gave the report and answered questions from the Council. Battalion Chief Dave Van Son and Chief Building Official David Muehlhausen also answered questions from the Council.

PUBLIC COMMENT:

The following persons spoke on this item: Geoff Auslen

Mayor Moreno closed the Public Comment period.

- MOTION:** By Council Member Fonzi and seconded by Council Member Funk to:
1. Introduce Draft Ordinance A, for first reading, by title only, to approve amendments to Title 4 Public Safety, for consistency with the 2022 Fire Code; and
 2. Introduce Draft Ordinance B, for first reading, by title only, to approve amendments to Title 8, Building Code, for consistency with the 2022 California Building Code.

Deputy City Manager/City Clerk Christensen read the titles of the Ordinances:

Draft Ordinance A
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, REPEALING AND REPLACING TITLE 4, PUBLIC SAFETY, CHAPTER 7, FIRE CODE, OF THE ATASCADERO MUNICIPAL CODE

Draft Ordinance B
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, REPEALING AND REPLACING TITLE 8, BUILDING CODE, OF THE ATASCADERO MUNICIPAL CODE AMENDING THE LATEST EDITIONS OF THE CONSTRUCTION CODES, AND ADOPTING FINDINGS OF FACT TO SUPPORT

**THE IMPOSITION OF REQUIREMENTS GREATER THAN THE REQUIREMENTS
ESTABLISHED BY, OR PURSUANT TO, THE CALIFORNIA
BUILDING STANDARDS CODE**

Motion passed 5:0 by a roll-call vote.

C. MANAGEMENT REPORTS: None.

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

Mayor Moreno

1. City Selection Committee
2. SLO Council of Governments (SLOCOG)

Mayor Pro Tem Funk

1. Homeless Services Oversight Council

Council Member Dariz

3. Community Action Partnership of San Luis Obispo (CAPSLO)

Council Member Newsom

1. City / Schools Committee

E. INDIVIDUAL DETERMINATION AND / OR ACTION:

1. City Council
 - a. Mayor Pro Tem Funk will request Council to direct staff to draft, and authorize the Mayor and City Manager to sign, a letter supporting ECHO's Homeless Housing, Assistance and Prevention Program Round 2 grant application.

Council Member Funk briefed the City Council on ECHO's Homeless Housing, Assistance and Prevention Program Round 2 grant application.

There was Council consensus to direct staff to draft, and authorize the Mayor and City Manager to sign, a letter in support of ECHO's grant application.

F. ADJOURN

Mayor Moreno adjourned the meeting at 7:25 p.m.

MINUTES PREPARED BY:

Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED:

SPECIAL MEETING
ATASCADERO CITY COUNCIL

Friday, February 10, 2023, 6:00 P.M.
Saturday, February 11, 2023, 9:00 A.M.

City Hall – Council Chambers
6500 Palma Avenue, Atascadero
(Enter on Lewis Avenue)

Goal Setting Workshop
DRAFT MINUTES

FRIDAY, FEBRUARY 10, 2023, 6:00 P.M.

Mayor Moreno called the meeting to order at 6:03 p.m.

ROLL CALL:

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk and Mayor Moreno

Absent: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Public Works Director Nick DeBar, Police Chief Jerel Haley, Fire Chief Casey Bryson, Deputy City Manager Terrie Banish, Deputy City Manager Luke Knight, Deputy Director of Economic and Community Development Loreli Cappel, and Public Works Analyst Ryan Betz.

COMMUNITY FORUM:

The following persons spoke during public comment: None.

Mayor Moreno closed the COMMUNITY FORUM period.

The following members of the public were present and gave comment throughout the

meeting: Geoff Auslen, Vy Pierce, and Dan Amsden.

COUNCIL WORKSHOP – Goal Setting

1. Welcome and Introductions

After brief introductions of all of those in the room, City Manager Rickard outlined the goals of the workshop.

2. Develop Vision Statements

City Manager Rickard led the Council, staff and public through a brainstorming exercise to develop “Vision Statements” / “True North Statements”

Mayor Moreno recessed the meeting at 7:38 p.m.

Mayor Moreno reconvened the meeting with all present at 7:53 p.m.

City Manager Rickard and Chief Haley reviewed 11 common areas of the brainstorming exercise to be developed into “True North Statements”

3. Mission Statement

The City Council reviewed the current City Mission Statement. Council, staff and the public discussed the mission of the City of Atascadero and Council provided staff direction to bring back the following Mission Statement for Council consideration in March:

“Working together to **serve**, build **community** and enhance **quality of life.**”

ADJOURNMENT:

Mayor Moreno adjourned the meeting at 8:34 p.m. to Saturday, February 11, 2023, at 8:30 a.m. to continue the Goal Setting Workshop.

SATURDAY, FEBRUARY 11, 2023, 8:30 A.M.

Mayor Moreno called the meeting to order at 9:03 a.m.

ROLL CALL:

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk and Mayor Moreno

Absent: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Public Works Director Nick DeBar, Police Chief Jerel Haley,

Fire Chief Casey Bryson, Deputy City Manager Terrie Banish, Deputy City Manager Luke Knight, and Public Works Analyst Ryan Betz.

COMMUNITY FORUM:

The following persons spoke during public comment: None.

Mayor Moreno closed the COMMUNITY FORUM period.

The following members of the public were present and gave comment throughout the meeting: Vy Pierce, Geoff Auslen, Brenda Mack, Rachelle Bowlay, and Dan Amsden.

COUNCIL WORKSHOP – Goal Setting

1. Review Mission Statement and Vision Statements

City Manager Rickard and Chief Haley gave a brief review of the direction Council provided for revision of the Mission Statement and True North Statements discussed in Friday evening's session. Council provided additional direction on the True North Statements and directed staff to bring back refined True North Statements for Council consideration in March.

2. Successes

The City Council, staff and the public listed items that had been accomplished in the last two years along with areas for improvement.

Mayor Moreno recessed the meeting at 10:25 a.m.

Mayor Moreno reconvened the meeting with all present at 10.35 a.m.

3. Goals and Objectives

The City Council reviewed the 2021-2023 Council strategic priorities and development and discussed Council priorities for the next two years.

The strategic priorities identified are:

- ✓ Economic and Community Vibrancy
- ✓ Ensuring Public Safety and Providing Exceptional City Services
- ✓ Fiscal and Infrastructure Efficiency and Sustainability

The City Council, staff and members of the public discussed and identified key areas of focus for the strategic priorities.

Mayor Moreno recessed the meeting at 12:05 p.m.

Mayor Moreno reconvened the meeting with all present at 12:35 p.m.

The City Council, staff and members of the public continued to discuss and identify key areas of focus for the strategic priorities.

4. Next Steps

City Manager Rickard stated that the True North Statements, Mission Statement, and Strategic Priorities with the Key Focus areas would be brought before the Council for consideration at a March City Council meeting. Once adopted by the Council, the staff would develop an action plan to be brought to a Council meeting in April. The action plan in turn would inform the fiscal year 2023-2025 budget to be adopted by the City Council in June.

During discussion on this item, Council also provided staff direction on the name of the plaza across from the Sunken Gardens.

In closing, Mayor Moreno thanked everyone for attending.

ADJOURNMENT:

Mayor Moreno adjourned the meeting at 2:17 p.m. to the next Regular Session on Tuesday, February 14, 2023.

MINUTES PREPARED BY:

Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED:



Atascadero City Council
Staff Report - Administrative Services Department

January 2023 Accounts Payable and Payroll

RECOMMENDATION:

Council approve certified City accounts payable, payroll and payroll vendor checks for January 2023.

DISCUSSION:

Attached for City Council review and approval are the following:

Payroll

Dated	1/5/23	Checks # 35642-35649	\$	10,693.64
		Direct Deposits		391,671.86
Dated	1/19/23	Checks # 35650-35667		13,435.12
		Direct Deposits		359,207.03

Accounts Payable

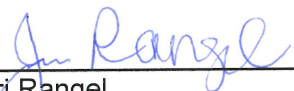
Dated	1/1/23-1/31/23	Checks # 173307 - 173546 & EFTs 4636-4661		1,958,611.84
TOTAL AMOUNT				\$ 2,733,619.49

FISCAL IMPACT:

Total expenditures for all funds is \$ 2,733,619.49

CERTIFICATION:

The undersigned certifies that the attached demands have been released for payment and that funds are available for these demands.



 Jeri Rangel
 Director of Administrative Services

ATTACHMENT:

January 2023 Eden Warrant Register in the amount of \$ 1,958,611.84

City of Atascadero
Disbursement Listing

ITEM NUMBER: A-2
DATE: 02/28/23
ATTACHMENT: 1

For the Month of January 2023

Check Number	Check Date	Vendor	Description	Amount
173307	01/03/2023	WEX BANK - 76 UNIVERSL	Accounts Payable Check	12,825.33
173308	01/03/2023	WEX BANK - WEX FLEET UNIVERSAL	Accounts Payable Check	8,080.97
4636	01/05/2023	ANTHEM BLUE CROSS HSA	Payroll Vendor Payment	13,271.76
173309	01/05/2023	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	40.00
173310	01/05/2023	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	2,078.00
173311	01/05/2023	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,151.80
173312	01/05/2023	CA FIREFIGHTERS BENEFIT TRUST	Payroll Vendor Payment	1,800.00
173313	01/05/2023	MASS MUTUAL WORKPLACE SOLUTION	Payroll Vendor Payment	12,077.10
173314	01/05/2023	MISSIONSQUARE	Payroll Vendor Payment	7,782.24
173315	01/05/2023	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	361.35
173316	01/05/2023	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,338.86
173317	01/05/2023	SEIU LOCAL 620	Payroll Vendor Payment	767.05
4637	01/06/2023	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	69.92
4638	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	21,688.81
4639	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	42,558.87
4640	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,252.59
4641	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,750.54
4642	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	9,044.91
4643	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	8,781.58
4644	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	22,641.55
4645	01/06/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	19,720.27
173318	01/06/2023	ANTHEM BLUE CROSS HEALTH	Payroll Vendor Payment	205,562.67
173319	01/06/2023	BENEFIT COORDINATORS CORP	Payroll Vendor Payment	8,827.00
173320	01/06/2023	FIDELITY SECURITY LIFE INS CO	Payroll Vendor Payment	1,744.85
173321	01/06/2023	LINCOLN NATIONAL LIFE INS CO	Payroll Vendor Payment	1,945.83
4646	01/10/2023	RABOBANK, N.A.	Payroll Vendor Payment	81,317.31
4647	01/10/2023	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	26,077.17
4648	01/10/2023	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	3,154.55
173322	01/13/2023	13 STARS MEDIA	Accounts Payable Check	1,312.50
173323	01/13/2023	ADVANCED INFRASTRUCTURE TECHN	Accounts Payable Check	401.06
173324	01/13/2023	AIR-RITE HEATING & COOLING	Accounts Payable Check	321.80
173325	01/13/2023	ALTHOUSE & MEADE, INC.	Accounts Payable Check	550.00
173326	01/13/2023	AQUA NATURAL SOLUTIONS	Accounts Payable Check	336.80
173328	01/13/2023	AT&T	Accounts Payable Check	1,141.96
173329	01/13/2023	AT&T	Accounts Payable Check	34.02
173330	01/13/2023	ATASCADERO CHAMBER OF COMMERCE	Accounts Payable Check	64,800.00
173331	01/13/2023	ATASCADERO HAY & FEED	Accounts Payable Check	1,248.87
173332	01/13/2023	ATASCADERO LITTLE LEAGUE	Accounts Payable Check	135.00
173334	01/13/2023	ATASCADERO MUTUAL WATER CO.	Accounts Payable Check	5,880.70
173335	01/13/2023	BASSETT'S CRICKET RANCH,INC.	Accounts Payable Check	209.06
173336	01/13/2023	BAY AREA DRIVING SCHOOL, INC.	Accounts Payable Check	34.99
173337	01/13/2023	KEITH R. BERGHER	Accounts Payable Check	315.00
173338	01/13/2023	BERRY MAN, INC.	Accounts Payable Check	813.40

City of Atascadero
Disbursement Listing

For the Month of January 2023

ITEM NUMBER: A-2
DATE: 02/28/23
ATTACHMENT: 1

Check Number	Check Date	Vendor	Description	Amount
173339	01/13/2023	BOUND TREE MEDICAL, LLC	Accounts Payable Check	421.35
173340	01/13/2023	BRANCH SMITH PROPERTIES	Accounts Payable Check	374.00
173341	01/13/2023	BRENDLER JANITORIAL SERVICE	Accounts Payable Check	770.00
173342	01/13/2023	BURKE, WILLIAMS, & SORENSON LLP	Accounts Payable Check	29,770.83
173343	01/13/2023	BURT INDUSTRIAL SUPPLY	Accounts Payable Check	1,237.45
173344	01/13/2023	JERRI BUSICK	Accounts Payable Check	52.00
173345	01/13/2023	SARAH B. CARDINALI	Accounts Payable Check	14.40
173346	01/13/2023	CARQUEST OF ATASCADERO	Accounts Payable Check	96.65
173347	01/13/2023	CC DYNASTY FUTBOL CLUB	Accounts Payable Check	151.50
173348	01/13/2023	CCI OFFICE TECHNOLOGIES	Accounts Payable Check	278.73
173349	01/13/2023	CENTRAL NEBRASKA PACKING, INC.	Accounts Payable Check	13,936.24
173350	01/13/2023	CHARTER COMMUNICATIONS	Accounts Payable Check	6,417.04
173351	01/13/2023	CITY OF ATASCADERO	Accounts Payable Check	729.50
173352	01/13/2023	CLEVER CONCEPTS, INC.	Accounts Payable Check	47.95
173353	01/13/2023	COLOR CRAFT PRINTING	Accounts Payable Check	230.47
173354	01/13/2023	CRISP IMAGING	Accounts Payable Check	147.29
173355	01/13/2023	CRYSTAL SPRINGS WATER	Accounts Payable Check	20.00
173356	01/13/2023	NICHOLAS DEBAR	Accounts Payable Check	300.00
173357	01/13/2023	DEPARTMENT OF JUSTICE	Accounts Payable Check	886.00
173358	01/13/2023	DESTINATION TRAVEL NETWORK	Accounts Payable Check	100.00
173359	01/13/2023	DIVISION OF STATE ARCHITECT	Accounts Payable Check	195.20
173360	01/13/2023	PHILIP DUNSMORE	Accounts Payable Check	300.00
173361	01/13/2023	ECONOMIC & PLANNING SYSTEM INC	Accounts Payable Check	1,425.00
173362	01/13/2023	EL CAMINO VETERINARY HOSP	Accounts Payable Check	926.10
173363	01/13/2023	EPIC IT SUPPORT	Accounts Payable Check	950.00
173364	01/13/2023	ESCUELA DEL RIO	Accounts Payable Check	960.00
173365	01/13/2023	FAMCON PIPE AND SUPPLY, INC.	Accounts Payable Check	3,286.43
173366	01/13/2023	FGL ENVIRONMENTAL	Accounts Payable Check	308.00
173367	01/13/2023	GAS COMPANY	Accounts Payable Check	15.29
173368	01/13/2023	TRISTAN M. GUILLORY	Accounts Payable Check	225.00
173369	01/13/2023	HART IMPRESSIONS PRINTING	Accounts Payable Check	2,537.14
173370	01/13/2023	INTL. ASSC. OF FIRE CHIEFS	Accounts Payable Check	285.00
173371	01/13/2023	J. CARROLL CORPORATION	Accounts Payable Check	5,299.85
173372	01/13/2023	LIFE ASSIST, INC.	Accounts Payable Check	126.91
173373	01/13/2023	LITIGATION SVCS & TECH OF CA	Accounts Payable Check	1,148.50
173374	01/13/2023	MARK43, INC.	Accounts Payable Check	119,744.00
173375	01/13/2023	MCCLATCHY SHARED SERVICES, LLC	Accounts Payable Check	5,385.00
173376	01/13/2023	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	21.73
173377	01/13/2023	MIG	Accounts Payable Check	28,830.54
173378	01/13/2023	MINER'S ACE HARDWARE	Accounts Payable Check	1,074.77
173379	01/13/2023	MISSION UNIFORM SERVICE	Accounts Payable Check	43.20
173380	01/13/2023	MP ANNEX, LLC	Accounts Payable Check	45,285.30
173381	01/13/2023	MV TRANSPORTATION, INC.	Accounts Payable Check	13,261.43

City of Atascadero
Disbursement Listing

For the Month of January 2023

ITEM NUMBER: A-2
DATE: 02/28/23
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Check Number	Check Date	Vendor	Description	Amount
173382	01/13/2023	NBS	Accounts Payable Check	7,668.54
173383	01/13/2023	NEW TIMES	Accounts Payable Check	737.00
173384	01/13/2023	NOWDOCS INTERNATIONAL, INC.	Accounts Payable Check	413.25
173385	01/13/2023	ODP BUSINESS SOLUTIONS, LLC	Accounts Payable Check	688.94
173388	01/13/2023	PACIFIC GAS AND ELECTRIC	Accounts Payable Check	63,473.93
173389	01/13/2023	PASO ROBLES FORD LINCOLN MERC	Accounts Payable Check	496.24
173390	01/13/2023	PASO ROBLES SAFE & LOCK, INC.	Accounts Payable Check	993.82
173391	01/13/2023	BONNIE PATTERSON	Accounts Payable Check	234.00
173392	01/13/2023	PECKHAM & MCKENNEY	Accounts Payable Check	9,000.00
173393	01/13/2023	PERRY'S PARCEL & GIFT	Accounts Payable Check	200.00
173394	01/13/2023	FRED D. PFLUM	Accounts Payable Check	120,000.00
173395	01/13/2023	PROCARE JANITORIAL SUPPLY, INC.	Accounts Payable Check	793.17
173396	01/13/2023	RAINSCAPE, A LANDSCAPE SVC CO.	Accounts Payable Check	350.00
173397	01/13/2023	JERI RANGEL	Accounts Payable Check	300.00
173398	01/13/2023	READYREFRESH BY NESTLE	Accounts Payable Check	93.53
173399	01/13/2023	RACHELLE RICKARD	Accounts Payable Check	300.00
173400	01/13/2023	SAN LUIS POWERHOUSE, INC.	Accounts Payable Check	370.00
173401	01/13/2023	SANTA MARIA TIRE, INC.	Accounts Payable Check	2,276.92
173402	01/13/2023	SERVICE SYSTEMS ASSC, INC.	Accounts Payable Check	2,500.00
173403	01/13/2023	SLO CO AUDITOR CONTROLLER	Accounts Payable Check	12.50
173404	01/13/2023	SMART AND FINAL	Accounts Payable Check	262.57
173405	01/13/2023	SOUZA CONSTRUCTION, INC.	Accounts Payable Check	20,545.49
173406	01/13/2023	SPEAKWRITE, LLC.	Accounts Payable Check	662.71
173407	01/13/2023	SPECIALIZED EQUIPMENT REPAIR	Accounts Payable Check	4,613.65
173408	01/13/2023	STANLEY CONVERGENT SECURITY	Accounts Payable Check	336.25
173409	01/13/2023	STATE WATER RES CONTROL BOARD	Accounts Payable Check	24,687.00
173410	01/13/2023	SUNLIGHT JANITORIAL, INC.	Accounts Payable Check	1,650.00
173411	01/13/2023	SUNRUN INSTALLATION SERVICES	Accounts Payable Check	527.75
173412	01/13/2023	MADELINE M. TAYLOR	Accounts Payable Check	43.20
173413	01/13/2023	THOMSON REUTERS - WEST	Accounts Payable Check	180.35
173414	01/13/2023	KARL O. TOERGE	Accounts Payable Check	333.00
173415	01/13/2023	ULTREX BUSINESS PRODUCTS	Accounts Payable Check	71.46
173416	01/13/2023	UNITED RENTALS (NORTH AM), INC	Accounts Payable Check	6,389.10
173417	01/13/2023	USA BLUE BOOK	Accounts Payable Check	18,920.27
173418	01/13/2023	VERIZON WIRELESS	Accounts Payable Check	1,140.76
173419	01/13/2023	JESSICA WATSON	Accounts Payable Check	52.67
173420	01/13/2023	WEST COAST AUTO & TOWING, INC.	Accounts Payable Check	525.69
173421	01/13/2023	KAREN B. WYKE	Accounts Payable Check	694.80
173422	01/13/2023	YOUTH EVOLUTION SOCCER	Accounts Payable Check	1,165.80
4649	01/19/2023	ANTHEM BLUE CROSS HSA	Payroll Vendor Payment	10,791.76
4650	01/19/2023	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	69.92
173423	01/19/2023	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	40.00
173424	01/19/2023	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	2,078.00

City of Atascadero
Disbursement Listing

For the Month of January 2023

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Check Number	Check Date	Vendor	Description	Amount
173425	01/19/2023	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,151.80
173426	01/19/2023	CA FIREFIGHTERS BENEFIT TRUST	Payroll Vendor Payment	1,800.00
173427	01/19/2023	MASS MUTUAL WORKPLACE SOLUTION	Payroll Vendor Payment	7,647.33
173428	01/19/2023	MISSIONSQUARE	Payroll Vendor Payment	7,576.72
173429	01/19/2023	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	465.77
173430	01/19/2023	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,338.86
173431	01/19/2023	SEIU LOCAL 620	Payroll Vendor Payment	767.05
4651	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	20,634.99
4652	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	33,703.41
4653	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	2,401.89
4654	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	2,757.99
4655	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	5,157.69
4656	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	9,226.02
4657	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	13,810.63
4658	01/20/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEI	Payroll Vendor Payment	18,891.56
4659	01/24/2023	RABOBANK, N.A.	Payroll Vendor Payment	65,461.25
4660	01/24/2023	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	20,352.86
4661	01/24/2023	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	2,523.73
173432	01/27/2023	AGM CALIFORNIA, INC.	Accounts Payable Check	1,020.00
173433	01/27/2023	AIRGAS USA, LLC	Accounts Payable Check	347.77
173434	01/27/2023	ALTHOUSE & MEADE, INC.	Accounts Payable Check	780.00
173435	01/27/2023	AMERICAN WEST TIRE & AUTO INC	Accounts Payable Check	4,316.44
173436	01/27/2023	APPLIED TECHNOLOGY GROUP, INC.	Accounts Payable Check	63,251.90
173437	01/27/2023	ASCAP	Accounts Payable Check	420.00
173438	01/27/2023	AT&T	Accounts Payable Check	609.76
173439	01/27/2023	AT&T	Accounts Payable Check	820.74
173440	01/27/2023	AVILA TRAFFIC SAFETY	Accounts Payable Check	317.59
173441	01/27/2023	TERRIE BANISH	Accounts Payable Check	150.00
173442	01/27/2023	BATTERY SYSTEMS, INC.	Accounts Payable Check	155.01
173443	01/27/2023	RYAN BETZ	Accounts Payable Check	37.95
173444	01/27/2023	TOM BIRKENFELD	Accounts Payable Check	240.00
173445	01/27/2023	COOPER BONECK	Accounts Payable Check	240.00
173446	01/27/2023	BOUND TREE MEDICAL, LLC	Accounts Payable Check	595.40
173447	01/27/2023	BURT INDUSTRIAL SUPPLY	Accounts Payable Check	466.87
173448	01/27/2023	CA BUILDING STANDARDS COMM.	Accounts Payable Check	356.40
173449	01/27/2023	CA DEPT OF FISH & WILDLIFE	Accounts Payable Check	3,558.50
173450	01/27/2023	CA DEPT OF TAX AND FEE ADMIN.	Accounts Payable Check	2,520.00
173451	01/27/2023	CARBON HEALTH MED GROUP OF CA	Accounts Payable Check	80.00
173452	01/27/2023	KRYSTAL CARLON	Accounts Payable Check	77.00
173453	01/27/2023	CARQUEST OF ATASCADERO	Accounts Payable Check	76.74
173454	01/27/2023	CHARTER COMMUNICATIONS	Accounts Payable Check	129.98
173455	01/27/2023	CLASSIC COACH WERKS	Accounts Payable Check	722.61
173456	01/27/2023	COASTAL COPY, INC.	Accounts Payable Check	277.74

City of Atascadero
Disbursement Listing

For the Month of January 2023

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Check Number	Check Date	Vendor	Description	Amount
173457	01/27/2023	AUDREY S. COHEN	Accounts Payable Check	112.00
173458	01/27/2023	COLE FARMS, INC.	Accounts Payable Check	2,326.35
173459	01/27/2023	CONSOR NORTH AMERICA, INC.	Accounts Payable Check	10,343.52
173460	01/27/2023	VINCENT CORCORAN	Accounts Payable Check	1,281.55
173461	01/27/2023	CRISP IMAGING	Accounts Payable Check	831.94
173462	01/27/2023	CROSS COUNTRY MORTGAGE, LLC	Accounts Payable Check	124.00
173463	01/27/2023	CULLIGAN SANTA MARIA	Accounts Payable Check	206.43
173464	01/27/2023	CULLIGAN/CENTRAL COAST WTR TRT	Accounts Payable Check	70.00
173465	01/27/2023	DELTA LIQUID ENERGY	Accounts Payable Check	1,430.22
173466	01/27/2023	DEPARTMENT OF CONSERVATION	Accounts Payable Check	348.69
173467	01/27/2023	JOHN W DOUPE	Accounts Payable Check	231.00
173468	01/27/2023	STEVEN J. ERNST	Accounts Payable Check	102.00
173469	01/27/2023	EXECUTIVE JANITORIAL	Accounts Payable Check	664.00
173470	01/27/2023	ETHAN J. FANNING	Accounts Payable Check	136.00
173471	01/27/2023	FERRELL'S AUTO REPAIR	Accounts Payable Check	51.70
173472	01/27/2023	CODY FERRIS	Accounts Payable Check	240.00
173473	01/27/2023	FGL ENVIRONMENTAL	Accounts Payable Check	661.00
173474	01/27/2023	RYAN GABBARD	Accounts Payable Check	128.00
173475	01/27/2023	GAS COMPANY	Accounts Payable Check	11,541.78
173476	01/27/2023	ALEX GENTILLY	Accounts Payable Check	240.00
173477	01/27/2023	ELIAS E. GONZALES	Accounts Payable Check	198.00
173478	01/27/2023	SCOTT GROOMER	Accounts Payable Check	1,330.00
173479	01/27/2023	HAMNER, JEWELL & ASSOCIATES	Accounts Payable Check	563.25
173480	01/27/2023	ANDREW HAWKINS	Accounts Payable Check	240.00
173481	01/27/2023	BRETT HILDEBRAND	Accounts Payable Check	240.00
173482	01/27/2023	ZACHARIAH JACKSON	Accounts Payable Check	240.00
173483	01/27/2023	JK'S UNLIMITED, INC.	Accounts Payable Check	26,191.20
173484	01/27/2023	JOANN HEAD LAND SURVEYING	Accounts Payable Check	1,232.50
173485	01/27/2023	KNECHT'S PLUMBING & HEATING	Accounts Payable Check	172.50
173486	01/27/2023	KPRL 1230 AM	Accounts Payable Check	1,320.00
173487	01/27/2023	KW CONSTRUCTION	Accounts Payable Check	9,068.00
173488	01/27/2023	COLETTE LAYTON	Accounts Payable Check	240.00
173489	01/27/2023	LEE WILSON ELECTRIC CO. INC	Accounts Payable Check	1,618.00
173490	01/27/2023	LIFE ASSIST, INC.	Accounts Payable Check	467.93
173491	01/27/2023	JACKSON LIGHT	Accounts Payable Check	240.00
173492	01/27/2023	LINDE GAS & EQUIPMENT INC.	Accounts Payable Check	65.64
173493	01/27/2023	THOMAS LITTLE	Accounts Payable Check	240.00
173494	01/27/2023	ANDREW LUERA	Accounts Payable Check	240.00
173495	01/27/2023	MATTHEW MADRIGAL	Accounts Payable Check	240.00
173496	01/27/2023	MARBORG INDUSTRIES	Accounts Payable Check	146.10
173497	01/27/2023	MICHAEL K. NUNLEY & ASSC, INC.	Accounts Payable Check	21,280.40
173498	01/27/2023	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	80.76
173499	01/27/2023	MIG	Accounts Payable Check	4,420.00

City of Atascadero
Disbursement Listing

For the Month of January 2023

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Check Number	Check Date	Vendor	Description	Amount
173500	01/27/2023	MINER'S ACE HARDWARE	Accounts Payable Check	150.96
173502	01/27/2023	MISSION UNIFORM SERVICE	Accounts Payable Check	689.34
173503	01/27/2023	MNS ENGINEERS, INC.	Accounts Payable Check	215.00
173504	01/27/2023	KYLE NAKAZAWA	Accounts Payable Check	240.00
173505	01/27/2023	NATIONAL AUTO FLEET GROUP	Accounts Payable Check	41,118.95
173506	01/27/2023	PAUL NETZ	Accounts Payable Check	240.00
173507	01/27/2023	MARC NOBRIGA	Accounts Payable Check	231.00
173508	01/27/2023	DEAN PERICIC	Accounts Payable Check	240.00
173509	01/27/2023	PERRY'S PARCEL & GIFT	Accounts Payable Check	40.82
173510	01/27/2023	DARCY PRICE	Accounts Payable Check	24.89
173511	01/27/2023	PROCARE JANITORIAL SUPPLY,INC.	Accounts Payable Check	119.43
173512	01/27/2023	MCKENZIE R. PULLEN	Accounts Payable Check	112.00
173513	01/27/2023	RAINSCAPE, A LANDSCAPE SVC CO.	Accounts Payable Check	6,742.00
173514	01/27/2023	READYREFRESH BY NESTLE	Accounts Payable Check	141.37
173515	01/27/2023	RECOGNITION WORKS	Accounts Payable Check	429.56
173516	01/27/2023	RICK ENGINEERING COMPANY	Accounts Payable Check	52,566.20
173517	01/27/2023	BRIAN S. RICKS	Accounts Payable Check	220.00
173518	01/27/2023	BRANDON ROBERTS	Accounts Payable Check	240.00
173519	01/27/2023	CHRISTOPHER R. ROBINSON	Accounts Payable Check	240.00
173520	01/27/2023	ISAIAH D. RODRIGUEZ	Accounts Payable Check	119.00
173521	01/27/2023	SAMUEL RODRIGUEZ	Accounts Payable Check	179.00
173522	01/27/2023	SAN LUIS CUSTOMS, INC.	Accounts Payable Check	325.01
173523	01/27/2023	CURTIS J. SHAFFER	Accounts Payable Check	62.50
173524	01/27/2023	SOUTH COAST EMERGENCY VEH SVC	Accounts Payable Check	352.38
173525	01/27/2023	SOUZA CONSTRUCTION, INC.	Accounts Payable Check	148,683.78
173526	01/27/2023	STANLEY CONVERGENT SECURITY	Accounts Payable Check	387.98
173527	01/27/2023	STATE WATER RES CONTROL BOARD	Accounts Payable Check	24,557.00
173528	01/27/2023	KURT W. STONE	Accounts Payable Check	1,200.00
173529	01/27/2023	SUN BADGE COMPANY	Accounts Payable Check	598.89
173530	01/27/2023	SUNBELT RENTALS, INC.	Accounts Payable Check	892.34
173531	01/27/2023	SUNLIGHT JANITORIAL, INC.	Accounts Payable Check	3,200.00
173532	01/27/2023	SUNRUN INSTALLATION SERVICES	Accounts Payable Check	182.78
173533	01/27/2023	TARGET SOLUTIONS LEARNING, LLC	Accounts Payable Check	15.56
173534	01/27/2023	AYLA TOMAC	Accounts Payable Check	231.00
173535	01/27/2023	SKYLER E. TUCKER	Accounts Payable Check	144.00
173540	01/27/2023	U.S. BANK	Accounts Payable Check	29,767.25
173541	01/27/2023	UNITED RENTALS (NORTH AM), INC	Accounts Payable Check	870.01
173542	01/27/2023	VERIZON WIRELESS	Accounts Payable Check	297.90
173543	01/27/2023	WALLACE GROUP	Accounts Payable Check	50,926.75
173544	01/27/2023	WEST COAST AUTO & TOWING, INC.	Accounts Payable Check	35.00
173545	01/27/2023	WORKBENCH	Accounts Payable Check	665.00
173546	01/27/2023	ZOOM IMAGING SOLUTIONS, INC.	Accounts Payable Check	986.91

City of Atascadero
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1

<u>Check Number</u>	<u>Check Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
				<u>\$1,958,611.84</u>



Atascadero City Council

Staff Report – Fire & Emergency Services Department

2022 California Building and Fire Code Updates, Title 4 Public Safety Text Amendments, and Title 8 Building Code Text Amendments

RECOMMENDATION:

Council:

1. Adopt, on second reading, by title only, Draft Ordinance A, amending Title 4, Public Safety, for consistency with the 2022 California Fire Code; and
2. Adopt, on second reading, by title only, Draft Ordinance B, amending Title 8, Building Code, for consistency with the 2022 California Building Code.

DISCUSSION:

The 2022 California Building Codes (CBC) were adopted by the State of California on July 1, 2022 and became effective throughout the State on January 1, 2023, regardless of adoption by local jurisdictions. All permit applications for construction projects received on or after January 1, 2023 are subject to the new code requirements. New Fire Codes were also introduced by the State in 2022. The City utilizes the code update process to implement the new state codes into the Municipal Code, by reference, while implementing local amendments that respond to local conditions.

At the February 14, 2023 City Council meeting, the attached Draft Ordinances were introduced, amending both Title 4, Public Safety, for consistency with the 2022 California Fire Code, and amending Title 8, Building Code for consistency with the 2022 California Building Code.

The attached ordinances will enact State law with a number of provisions that are directly related to unique characteristics of Atascadero and address the health, safety, and wellbeing of existing and future residents. The proposed code will guide logical, sustainable development within the City that is responsive to local conditions while respecting State policies.

Whether or not the City adopts the local Municipal Code updates, new development projects must respond to the latest state code updates, effective January 1, 2023. Proposed local updates are intended to reduce staff time and streamline the construction permit review process, thereby potentially resulting in some small savings.

FISCAL IMPACT:

Minimal fiscal impact to the City is expected with the adoption of the new requirements.

ATTACHMENTS:

1. Draft Ordinance A – Title 4, Public Safety
2. Draft Ordinance B – Title 8, Building Code

DRAFT ORDINANCE A

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, REPEALING AND
REPLACING TITLE 4, PUBLIC SAFETY, CHAPTER 7, FIRE CODE OF
THE ATASCADERO MUNICIPAL CODE**

WHEREAS, it is the desire and intent of the City Council to provide residents with common sense reform to the City’s Municipal Code to reduce regulations; and

WHEREAS, the City Fire Marshall has reviewed applicable sections of Title 4 and has determined sections that need to be modified for consistency with State Law; and

WHEREAS, provisions codified in this Title are adopted to implement and supplement the 2022 Edition of the California Building Code, Chapter 7 and 2021 Edition of the International Wildland-Urban Interface Code as they exist and may be amended from time to time; and

WHEREAS, it is the desire and intent of the City Council of the Atascadero to provide citizens with the greatest degree of fire, life and structural safety in buildings, in the most cost-effective manner, by adopting the body of regulations referred to as the 2022 Edition of the California Building Code, Chapter 7 and 2021 Edition of the International Wildland-Urban Interface Code with amendments specific to the City of Atascadero; and

WHEREAS, the California Health and Safety Code, Section 17958.5 and Section 18941.5, require the City Council, before making any modifications or changes to the California Building Standards Code pursuant to Health and Safety Code Sections 18941.5 and 17958.5, to make an express finding that each such modification or change is needed due to topographic, climatic or specific local conditions; and,

WHEREAS, such findings must be made available as a public record and a copy thereof with each such modification or change shall be filed with the State of California Building Standards Commission; and,

WHEREAS, the Council of the City of Atascadero affirms any and all findings justifying previous changes and modifications to the Building and Fire Codes previously adopted; and

WHEREAS, the City Council of the City of Atascadero studied and considered the proposed Municipal Code text amendments and changes at a duly noticed Public Hearing held on January 24, 2023, continued to February 14, 2023, at which hearing evidence, oral and documentary, was admitted on behalf of said amendments.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATASCADERO
HEREBY ORDAINS AS FOLLOWS:**

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

SECTION 2. Public Hearing. The City Council of the City of Atascadero, in a regular session assembled on February 14, 2023, resolved to introduce for first reading by title only, an Ordinance that repeals and replaces all of Title 4, Chapter 7, of the City of Atascadero Municipal Code as detailed in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 3. Determination. The City Council has determined that the provisions of the State Building Standards Code shall be modified, changed and amended, as provided for in this Ordinance, based upon the foregoing findings and that said Council takes said action because of the public interest in protecting life and preserving public safety and property.

SECTION 4. Findings. The City Council makes the following findings, determinations and approvals with respect to the Code Text Amendments:

FINDING: The City Council hereby determines that the California Building Code, California Plumbing Code, and California Electrical Code, are required to be modified due to the findings contained herein to greater requirements than those set forth in the California State Building Standards.

FINDING: Each of the changes or modifications to measures referred to therein are reasonably necessary because of local climatic, geological, or topographical conditions in the area encompassed by the boundaries of the City of Atascadero.

FINDING: The Municipal Code amendments are at least as restrictive as the State mandated Codes.

FINDING: The following statements support the local necessity for the changes or modifications:

- A. That the City of Atascadero is situated at the base of a watershed of the Santa Lucia Mountains and that flooding of Atascadero Creek, Graves Creek, and Salinas River results in conditions rendering fire department vehicular traffic unduly burdensome or impossible as witnessed in major floods that occurred in 1952, 1961, 1969, 1973, 1978, 1982, and 1995. Furthermore, flood conditions described above create the potential for overcoming the ability of the fire department to aid or assist in fire control, evacuations, rescues and other emergency task demands inherent in such situations. The resulting overburdening of fire department personnel may cause a substantial or total lack of protection against fire for the buildings and structures located in the City of Atascadero. The afore-described conditions support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code and,

in particular, support the imposition of greater requirements than set forth in the 2019 California Building Code;

- B. That the City of Atascadero is situated near three major faults each capable of generating earthquakes with a magnitude of 7.5. These are the San Andreas to the east of the City, the Nacimiento-Rinconada that crosses Hwy 101 north of the City then parallels the City to the east, and the Hosgri to the South West. Other faults of importance are the Huasna and West Huasna to the Southeast of the City, the San Simeon to the Northwest. In as much as these faults are included as major California earthquake faults, which are subject to becoming active at any time, the City Atascadero is particularly vulnerable to devastation should such an earthquake occur. The potential effects include isolating the City of Atascadero from the North and South due to the potential for collapsing of freeway overpasses or a slide on both the Cuesta and Ontario Grades and the potential for horizontal or vertical movement of the Edna fault rendering surface travel across the southern extremities of the city unduly burdensome or impossible. Additional potential situations inherent in such an occurrence include broken natural-gas mains causing structure and other fires, leakage of hazardous materials, the need for rescues from collapsed structures, and the rendering of first aid and other medical attention to large numbers of people. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code and in particular support the imposition of greater requirements than set forth in 2019 California Building Code;
- C. That the central commercial area in the City of Atascadero consists of mixed conditions that create the potential for possible conflagration, including congested streets during the business day, numerous older buildings without adequate internal fire-resistance, and contemporary low-rise buildings. Significant spread of fire in said area will actually exceed the fire suppression capabilities of regional firefighting personnel. The continued development of the Atascadero commercial area and the current and potential development of high-rise buildings pose a substantial threat of fire to human life, public safety, and the preservation of property and support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code, and in particular, support the imposition of greater requirements than set forth in 2019 California Building Code;
- D. That the City of Atascadero is bisected by a major freeway (Hwy 101), traversing in the north/south direction and a major highway (Hwy 41) traversing in an east/west direction. The City is also transected by a mainline railroad that traverses in the north/south direction. It is a frequent occurrence for the aforementioned highways and railway to support the transportation of hazardous materials. The potential for release or threatened release of a hazardous material along one of these routes is highly probable given the volume transported daily.

Incidents of this nature will normally require all available emergency response personnel to prevent injury and loss of life, and to prevent as far as practicable, property losses. Emergency personnel responding to said incidents may be unduly impeded and delayed in accomplishing an emergency response as a result of this situation, with the potential result of undue and unnecessary risk to the protection of life and public safety, particularly in those buildings or structures without the protection of automatic fire sprinklers. The above-described problems support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code, and in particular support the imposition of greater requirements than set forth in the 2019 California Building Code;

- E. That seasonal climatic conditions during the late summer and fall create numerous serious difficulties in the control and protection against fire situations in the City of Atascadero. The hot, dry weather in combination with Santa Ana winds frequently results in wildland fires in the brush-covered slopes on the Santa Lucia Mountains and several areas surrounding. The aforementioned areas completely surround the City. When a fire occurs in said areas, such as occurred in 1994, the Highway 41 fire burned for several days and entered the City, the entirety of local fire department personnel is required to control, monitor, fight and protect against such fire situations in an effort to protect life and preserve property and watershed land. The same climatic conditions may result in the concurrent occurrence of one or more fires in the more populated areas of the City without adequate fire department personnel to protect against and control such a situation. Therefore, the above-described findings support the imposition of fire-protection requirements greater than those set forth in the California State Building Standards Code, and in particular support the imposition of greater requirements than set forth in the 2019 California Building Code;
- F. That for the most part, the soils in the City of Atascadero are medium to highly expansive in nature, and such soils may cause damage to foundations, structures and underground utilities if not properly mitigated through known construction techniques. Furthermore, a significant part of the City lies on hills and rolling topography subject to earth slides and movements and present problems to developments constructed in such areas due to surface water drainage and disposal. The above-described conditions support the imposition of requirements greater than those set forth in the California State Building Standards Code and, in particular, support the imposition of greater requirements than those set forth in the 2019 California Building Code.

SECTION 5. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., because the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code is a statutorily exempt activity.

SECTION 6. Approval. Title 4 (Public Safety), Chapter 7 (Fire Code) of the Atascadero Municipal Code is repealed and replaced as detailed in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 7. Interpretation. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 8. Preservation. Repealing of any provision of the Atascadero Municipal Code or of any previous Code Sections, does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 9. Effect of Invalidation. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the Atascadero Municipal Code or other City Ordinance by this Ordinance will be rendered void and cause such previous Atascadero Municipal Code provision or other City Ordinance to remain in full force and effect for all purposes.

SECTION 10. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 11. Notice. The City Clerk is directed to certify the passage and adoption of this Ordinance, cause it to be entered into the City of Atascadero’s book of original ordinances, make a note of the passage and adoption in the records of this meeting and within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 12. Effective Date. This Ordinance will take effect on the 30th day following its final passage and adoption.

INTRODUCED at a regular meeting of the City Council held on _____, and **PASSED** and **ADOPTED** by the City Council of the City of Atascadero, State of California, on _____.

AYES:
NOES:
ABSTAIN:
ABSENT:

ITEM NUMBER: A-3
DATE: 02/28/23
ATTACHMENT: 1

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

**Chapter 7
FIRE CODE**

Sections:

- 4-7.101 Title.**
- 4-7.102 Adoption of Fire Code and Wildland-Urban Interface Code.**
- 4-7.103 Local Modifications to the California Fire Code.**
- 4-7.104 Modifications to the International Wildland-Urban Interface Code.**

4-7.101 Title.

This chapter shall be known as the City of Atascadero Fire Code.

4-7.102 Adoption of Fire Code and Wildland-Urban Interface Code.

Two (2) documents, two (2) of which are on file in City offices, identified by the Seal of the City of Atascadero, marked and designated as:

2022 Edition of the California Fire Code, including all appendices except Appendix J

2021 Edition of the International Wildland-Urban Interface Code, and only appendices A and F published by the International Code Council are hereby adopted, including chapters and sections not adopted by agencies of the State of California, and including appendices thereto, as the Fire Prevention Regulations of the City of Atascadero. The provisions of such are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter except as modified hereinafter (2022).

4-7.103 Local Modifications to the California Fire Code.

- (a) Amend Chapter I, Division II, Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Atascadero, referred to as “this code.”

- (b) Amend Chapter I, Division II, Section 111.1 to read as follows:

111.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretations of this code, there shall be and is hereby created a board of appeals, consistent with Section 8-2.113 of the Atascadero Municipal Code.

- (c) Amend Section 311.2.2 by deletion of Exception 1, 2, and 3.

- (d) Amend Section 503.1.1 to read as follows:

503.1.1 Buildings and Facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section

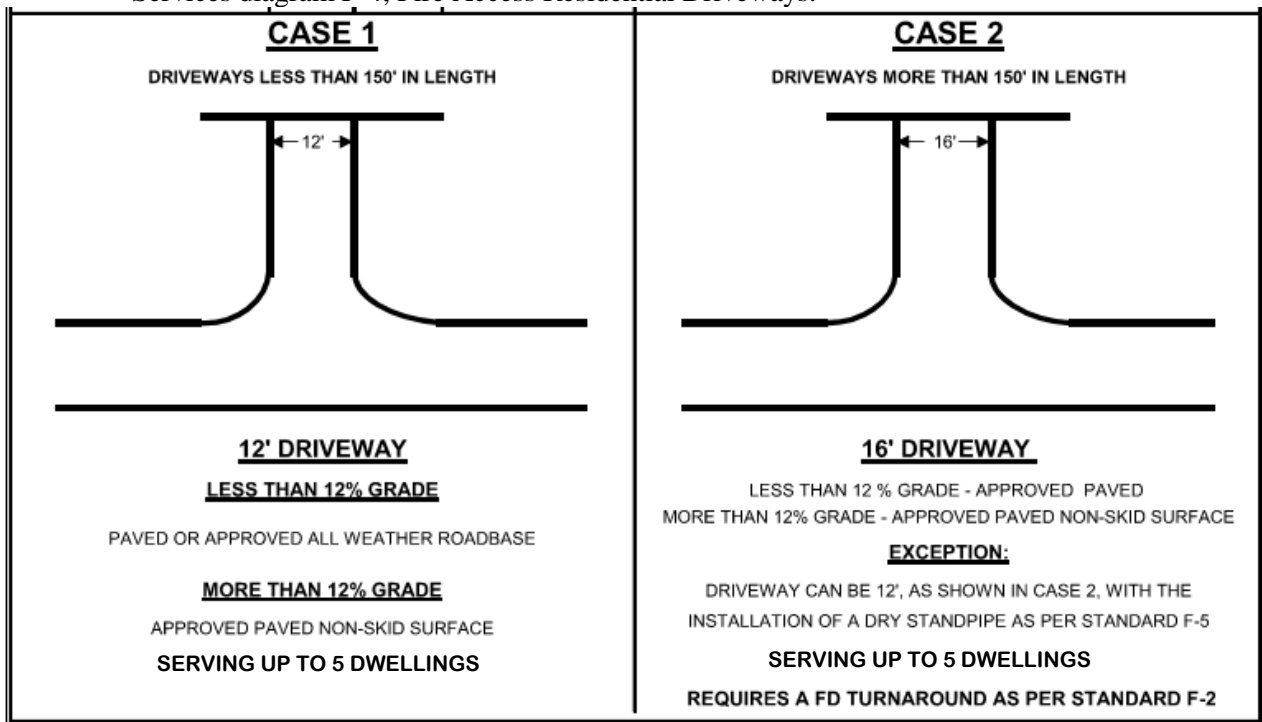
and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

(e) Adding 503.2.1.1:

503.2.1.1 Driveways: All driveways shall comply with Atascadero Fire and Emergency Services diagram F-4, Fire Access Residential Driveways.



(f) Delete Section 505.1.

(g) Amend Section 507.2.2 to read as follows:

507.2.2 Water Tanks. Water tanks are not permitted for private fire protection.

(h) Amend Section 606.2 to read as follows and remove all exceptions:

606.2 Where Required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease laden vapors. Hood systems shall be tied into existing fire alarm systems.

(i) Amend Section 901.7 to read as follows:

901.7 Systems Out of Service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. The person assigned to fire watch shall maintain a written log of their activities during their assigned shift and the log shall be provided to the fire code official upon request.

(j) Amend Section 903.2 to read as follows:

903.2 Where Required Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12 and Sections 903.2.14 through 903.2.24.

(k) Amend 903.2.1.5 to read as follows:

903.2.1.5 Group A-5 An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet (93 m²).

(l) Amend 903.2.7 to read as follows:

903.2.7 Group M An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m²).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
5. [SFM] The structure exceeds 24,000 square feet (465 m²), contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating without openings.
6. In Group M where floor area is greater than or equal to 500 square feet (46.45 m²) and located less than or equal to 10 feet from adjacent buildings on the same property and less than or equal to 5 feet from adjacent property lines.

(m) Amend 903.2.18 to read as follows:

903.2.18 Group U Private Garages and Carports Accessory to Group R-3 Occupancies Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/ft² (2.04

mm/min) over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

When additions are made to an R-3 Occupancy or Group U Occupancy when accessory to a Group R-3, sprinklers are required where one of the following conditions exists:

1. Additions exceed ten (10) percent and total combined floor area will exceed 3,000 square feet (278.7 m²); or
2. The total combined floor area will exceed 5,000 square feet (464 m²).

(n) Add section 903.2.22 to read as follows:

903.2.22 GROUP B An automatic sprinkler system shall be provided throughout buildings containing a Group B occupancy where one of the following conditions exists:

1. In Group B where floor area is greater than or equal to 500 square feet (46.45 m²) and located less than or equal to 10 feet from adjacent buildings on the same property and less than or equal to 5 feet from adjacent property lines.

(o) Add section 903.2.23 top read as follows:

903.2.23 Group U An automatic sprinkler system shall be provided throughout buildings containing a Group U occupancy where one of the following conditions exists:

1. Buildings containing Group U occupancies where floor area is greater than or equal to 1,000 square feet (92.9 m²) or located less than 10 feet from adjacent buildings on the same property or less than or equal to 5 feet from adjacent property lines, unless part of a mixed-occupancy building containing a Group R, Division 3 occupancy.
2. Group U occupancy buildings that are not open on at least three sides and greater than or equal to 3,000 square feet

(q) Add section 903.2.24 to read as follows:

903.2.24 Commercial Occupancies converted to an R Occupancy Any commercial A, B, E, F, M or S occupancy that is converted to an R Occupancy adjoining other commercial uses are required to have an automatic sprinkler system throughout.

(r) Amend section 903.6 to read as follows:

903.6 Where Required in Existing Buildings and Structures An automatic sprinkler system shall be provided in existing buildings and structures where required in Chapter 11 or where one of the following conditions exists:

1. In Group B and M occupancies whenever single or multiple additions will exceed 1,000 square feet (92.9 m²) beyond the size of the structure or the total combined floor area will exceed 5,000 square feet (464 m²), or a second story or greater is added.
2. In Group A, B, E, F, M and S occupancies where one of the following conditions exist in existing buildings when modification or tenant improvements are being considered:
 1. The fire area exceeds 5,000 sq. ft. (464m²).
 2. The fire area has an occupant load of 100 or more.
 3. The fire area is located on the floor other than a level of exit discharge serving A, B, E, F, M and S occupancies.

4. The structure exceeds 5,000 sq. ft. (464m²), contains more than one fire area containing A, B, E, F, M and S occupancies and is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.
3. Throughout an existing building other than a Group R-3 occupancy or a U occupancy when accessory to a Group R-3 occupancy whenever additions exceed ten (10) percent of the total floor area of the existing building and the total combined floor area will exceed 2,000 square feet (185.8 m²), or a second story or greater is added

(s) Add section 903.7 to read as follows:

903.7 Flow switch. All sprinkler systems including NFPA 13, 13R and 13D shall require a flow switch that is connected to a local bell and is highly encouraged to have an inspector test valve at the most hydraulically remote location per Atascadero Fire Department standards.

(t) Add Sections 907.11 through 907.11.2 to read as follows:

907.11 False alarms. The fire code official is authorized to seek cost recovery for a fire department response to an alarm system activation which is determined to be a false alarm caused by system malfunction, system misuse or other non-emergency causes.

907.11.1 False alarm frequency. The cost recovery fee will be charged for all responses after the third false alarm in a calendar year.

907.11.2 False alarm fee. The amount of the cost recovery fee will be as set forth in the City of Atascadero User Fees Schedule. Additional fees may be charged for extraordinary circumstances.

(u) Amend Section 1205.2 to read as follows:

1205.2 Access and Pathways. Roof access, pathways and spacing requirements shall be provided in accordance with Sections 1205.2.1 through 1205.3.3. Pathways shall be over areas capable of supporting fire fighters accessing the roof. No portion of a pathway shall be located on a portion of a gable roof overhanging the gable rafter or truss. Pathways shall be located in areas with minimal obstructions, such as vent pipes, conduit or mechanical equipment.

Exceptions:

1. Detached, non-habitable Group U structures including, but not limited to, detached garages serving Group R-3 buildings, parking shade structures, carports, solar trellises and similar structures.
2. Building-integrated photovoltaic (BIPV) systems where the BIPV systems are approved, integrated into the finished roof surface and are listed in accordance with a national test standard developed to address Section 690.12(B)(2) of the California Electrical Code. The removal or cutting away of portions of the BIPV system during fire-fighting operations shall not expose a fire fighter to electrical shock hazards.
3. Roof access, pathways and spacing requirements need not be provided where the fire code official has determined that rooftop operations will not be employed.

(v) Delete Section 1205.2.1.3.

(w) Amend Section 1205.2.2 to read as follows:

1205.2.2 Emergency Escape and Rescue Openings. Panels and modules installed on Group R-3 buildings shall not be placed on the portion of a roof that is below an emergency escape and rescue opening. A pathway of not less than 36 inches (914 mm) wide shall be provided from the emergency escape and rescue opening to the eave directly below and a 36-inch-wide (914 mm) access space shall be provided directly in front of the full length of the wall line containing the emergency escape and rescue opening(s)

(x) Amend Section 1205.3.2 to read as follows:

1205.3.2 Interior pathways. Interior pathways shall be provided between array sections to meet the following requirements:

1. Pathways shall be provided at intervals not greater than 150 feet (45,720 mm) throughout the length and width of the roof.
2. A pathway of not less than 4 feet (1,219 mm) wide in a straight line to roof standpipes or ventilation hatches.
3. A pathway not less than 4 feet (1,219 mm) wide around roof access hatches, with not fewer than one such pathway to a parapet or roof edge.
4. A pathway of not less than 4 feet (1,219 mm) wide to and around each piece of powered mechanical equipment.

(y) Amend Section 1205.5 to read as follows:

1205.5 Ground-Mounted Photovoltaic Panel Systems. Ground-mounted photovoltaic panel systems shall be installed in accordance with this section. Arrays shall be located a minimum of 20 feet (6,096mm) from other structures and shall not be located as to impeded access to and around a structure in any manner. Arrays shall be located a minimum of 10 feet from the rear, 5 feet from the sides, and 25 feet from the front of the property lines. Array mounts shall be non-combustible construction. No storage shall be permitted under the panel arrays. Arrays shall not be located upon biological conservation easements, riparian or vernal pool area.

(z) Amend definition of Wildland-Urban Interface Fire Area in Section 4902.1 to read as follows:

4902.1 General. For purposes of this chapter, certain terms are defined as follows:

WILDLAND-URBAN INTERFACE (WUI). A geographical area identified by the City of Atascadero as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code, Sections 4201 through 4204, and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires, as designated on the map titled Wildland-Urban Interface Fire Area, dated January 1, 2021, on file in the offices of the Atascadero Fire and Emergency Services Department and Community Development Department.

- (aa) Amend 4905.2 to read as follows:

4905.2 Construction Methods and Requirements Within Established Limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

1. California Building Code, Chapter 7,
2. California Residential Code, Section R337.

- (bb) Adopt Appendix D with the following amendments and without Figure D103.1 and table D103.4:

D103.3.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall meet the requirements set forth in the latest version of the City of Atascadero Engineering Standard Specifications and Drawings for Public Works Construction.

4-7.104 Modifications to the International Wildland-Urban Interface Code.

The following are local modifications to the 2021 Edition of the Wildland-Urban Interface Code (WUI). Interpretations of the Fire Code shall be made by the City of Atascadero Fire Chief or designee.

- (a) Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Wildland-Urban Interface Code of the City of Atascadero, hereinafter referred to as “this code.” References throughout this code to the International Building Code shall mean California Building Code. References throughout this code to the International Fire Code shall mean California Building Code.

- (b) Add Section 101.1.1 to read as follows:

101.1.1 Code official designated. For the purposes of this code, the code official shall be the fire code official or building official as established in the building construction and fire codes adopted by the City.

- (c) Amend Section 302.1 to read as follows:

302.1 Declaration. Wildland-Urban Interface areas shall be established by the Fire Hazard Severity Zones designated by the State of California or as declared by the City Council

- (d) Amend 402.1.1 to read as follows:

402.1.1 Access. New subdivisions, as determined by this jurisdiction, shall be provided with fire apparatus access roads in accordance with the California Fire Code and access requirements with Section 403.

- (e) Amend 402.1.1 to read as follows:

402.1.1 Access. Individual structures hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with fire apparatus access roads in accordance with the California Fire Code and access requirements with Section 403.2. Marking of fire protection equipment shall be provided in accordance with Section 403.5 and address markers shall be provided in accordance with Section 403.6.

- (f) Amend 403.2.1 to read as follows:

403.2.1 Dimensions. All driveways shall comply with Atascadero Fire and Emergency Services diagram F-4, Fire Access Driveways.

- (g) Amend 403.2.4 to read as follows:

403.2.4 Turnarounds. Driveway turnarounds shall conform to the Atascadero Fire and Emergency Services standards. Driveways that connect with a road or roads at more than one point shall be considered having a turnaround if all changes of directions met the radii requirements for driveway turnarounds.

- (h) Amend Chapter 5 to read as follows:

Section 501. Chapter 5 is deleted in its entirety. Ignition Resistant Construction shall be as set forth in and as amended in Section 8-3.101 of the Atascadero Municipal Code:

1. California Building Code, Chapter 7
2. California Residential Code, Section R337

DRAFT ORDINANCE B

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, REPEALING AND
REPLACING TITLE 8, BUILDING CODE, OF THE ATASCADERO
MUNICIPAL CODE TO ADOPT AND AMEND THE LATEST EDITIONS
OF THE CONSTRUCTION CODES,
AND ACCEPT FINDINGS OF FACTS TO SUPPORT THE IMPOSITION
OF REQUIREMENTS GREATER THAN THE REQUIREMENTS
ESTABLISHED BY OR PURSUANT TO THE
CALIFORNIA BUILDING STANDARDS CODE**

WHEREAS, the State of California has adopted a new set of building codes which take effect on January 1, 2023, making it necessary for the City of Atascadero to incorporate the new code into local ordinances while considering local amendments to Title 8, of the Atascadero Municipal Code for consistency with the California Building Standards Code; and,

WHEREAS, it is the desire and intent of the City Council to provide residents with common sense reform to the City's Municipal Code to reduce regulations; and

WHEREAS, it is the desire and intent of the City Council of the Atascadero to provide citizens with the greatest degree of fire, life and structural safety in buildings in the most cost-effective manner by adopting that body of regulations referred to as the California Building Standards Code with amendments specific to the City of Atascadero; and

WHEREAS, the California Health and Safety Code, Section 17958.5 and Section 18941.5, require the City Council, before making any modifications or changes to the California Building Standards Code pursuant to Health and Safety Code Sections 18941.5 and 17958.5, to make an express finding that each such modification or change is needed; and,

WHEREAS, the California Health and Safety Code Section 17958.7 requires that such changes must be determined to be reasonably necessary because of local climatic, geological, or topographical conditions; and,

WHEREAS, such findings must be made available as a public record and a copy thereof with each such modification or change shall be filed with the State of California Building Standards Commission; and,

WHEREAS, the Council of the City of Atascadero affirms the findings justifying previous changes and modifications to the adopted construction and fire codes previously adopted; and

WHEREAS, the City Council of the City of Atascadero studied and considered the proposed Municipal Code text amendments and changes at a duly noticed Public Hearing held on

January 24, 2023, continued to February 14, 2023, at which hearing evidence, oral and documentary, was admitted on behalf of said amendments.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATASCADERO HEREBY ORDAINS AS FOLLOWS:

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

SECTION 2. Public Hearing. The City Council of the City of Atascadero, in a regular session assembled on February 14, 2023, resolved to introduce for first reading by title only, an Ordinance that repeals and replaces all of Title 8 of the City of Atascadero Municipal Code as detailed in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 3. Determination. The City Council has determined that the provisions of the State Building Standards Code shall be modified, changed and amended, as provided for in this Ordinance, based upon the foregoing findings and that said Council takes said action because of the public interest in protecting life and preserving public safety and property.

SECTION 4. Findings. The City Council makes the following findings, determinations and approvals with respect to the Code Text Amendments:

FINDING: The City Council hereby determines that the California Building Code, California Plumbing Code, and California Electrical Code, are required to be modified due to the findings contained herein to greater requirements than those set forth in the California State Building Standards.

FINDING: Each of the changes or modifications to measures referred to therein are reasonably necessary because of local climatic, geological, or topographical conditions in the area encompassed by the boundaries of the City of Atascadero.

FINDING: The Municipal Code amendments are at least as restrictive as the State mandated Codes.

FINDING: The following statements support the local necessity for the changes or modifications:

- A. That the City of Atascadero is situated at the base of a watershed of the Santa Lucia Mountains and that flooding of Atascadero Creek, Graves Creek, and Salinas River results in conditions rendering fire department vehicular traffic unduly burdensome or impossible as witnessed in major floods that occurred in 1952, 1961, 1969, 1973, 1978, 1982, and 1995. Furthermore, flood conditions described above create the potential for overcoming the ability of the fire

department to aid or assist in fire control, evacuations, rescues and other emergency task demands inherent in such situations. The resulting overburdening of fire department personnel may cause a substantial or total lack of protection against fire for the buildings and structures located in the City of Atascadero. The afore-described conditions support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code and, in particular, support the imposition of greater requirements than set forth in the 2019 California Building Code;

- B. That the City of Atascadero is situated near three major faults each capable of generating earthquakes with a magnitude of 7.5. These are the San Andreas to the east of the City, the Nacimiento-Rinconada that crosses Hwy 101 north of the City then parallels the City to the east, and the Hosgri to the South West. Other faults of importance are the Huasna and West Huasna to the Southeast of the City, the San Simeon to the Northwest. In as much as these faults are included as major California earthquake faults, which are subject to becoming active at any time, the City Atascadero is particularly vulnerable to devastation should such an earthquake occur. The potential effects include isolating the City of Atascadero from the North and South due to the potential for collapsing of freeway overpasses or a slide on both the Cuesta and Ontario Grades and the potential for horizontal or vertical movement of the Edna fault rendering surface travel across the southern extremities of the city unduly burdensome or impossible. Additional potential situations inherent in such an occurrence include broken natural-gas mains causing structure and other fires, leakage of hazardous materials, the need for rescues from collapsed structures, and the rendering of first aid and other medical attention to large numbers of people. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code and in particular support the imposition of greater requirements than set forth in 2019 California Building Code;
- C. That the central commercial area in the City of Atascadero consists of mixed conditions that create the potential for possible conflagration, including congested streets during the business day, numerous older buildings without adequate internal fire-resistance, and contemporary low-rise buildings. Significant spread of fire in said area will actually exceed the fire suppression capabilities of regional firefighting personnel. The continued development of the Atascadero commercial area and the current and potential development of high-rise buildings pose a substantial threat of fire to human life, public safety, and the preservation of property and support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code, and in particular, support the imposition of greater requirements than set forth in 2019 California Building Code;

- D. That the City of Atascadero is bisected by a major freeway (Hwy 101), traversing in the north/south direction and a major highway (Hwy 41) traversing in an east/west direction. The City is also transected by a mainline railroad that traverses in the north/south direction. It is a frequent occurrence for the aforementioned highways and railway to support the transportation of hazardous materials. The potential for release or threatened release of a hazardous material along one of these routes is highly probable given the volume transported daily. Incidents of this nature will normally require all available emergency response personnel to prevent injury and loss of life, and to prevent as far as practicable, property losses. Emergency personnel responding to said incidents may be unduly impeded and delayed in accomplishing an emergency response as a result of this situation, with the potential result of undue and unnecessary risk to the protection of life and public safety, particularly in those buildings or structures without the protection of automatic fire sprinklers. The above-described problems support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code, and in particular support the imposition of greater requirements than set forth in the 2019 California Building Code;
- E. That seasonal climatic conditions during the late summer and fall create numerous serious difficulties in the control and protection against fire situations in the City of Atascadero. The hot, dry weather in combination with Santa Ana winds frequently results in wildland fires in the brush-covered slopes on the Santa Lucia Mountains and several areas surrounding. The aforementioned areas completely surround the City. When a fire occurs in said areas, such as occurred in 1994, the Highway 41 fire burned for several days and entered the City, the entirety of local fire department personnel is required to control, monitor, fight and protect against such fire situations in an effort to protect life and preserve property and watershed land. The same climatic conditions may result in the concurrent occurrence of one or more fires in the more populated areas of the City without adequate fire department personnel to protect against and control such a situation. Therefore, the above-described findings support the imposition of fire-protection requirements greater than those set forth in the California State Building Standards Code, and in particular support the imposition of greater requirements than set forth in the 2019 California Building Code;
- F. That for the most part, the soils in the City of Atascadero are medium to highly expansive in nature, and such soils may cause damage to foundations, structures and underground utilities if not properly mitigated through known construction techniques. Furthermore, a significant part of the City lies on hills and rolling topography subject to earth slides and movements and present problems to developments constructed in such areas due to surface water drainage and disposal. The above-described conditions support the imposition of requirements greater than those set forth in the California State Building Standards Code and, in particular, support the imposition of greater requirements than those set forth in the 2019 California Building Code.

SECTION 5. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., because the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code is a statutorily exempt activity.

SECTION 6. Approval. Title 8 (Building Code), of the Atascadero Municipal Code is repealed and replaced as detailed in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 7. Interpretation. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 8. Preservation. Repealing of any provision of the Atascadero Municipal Code or of any previous Code Sections, does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 9. Effect of Invalidation. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the Atascadero Municipal Code or other City Ordinance by this Ordinance will be rendered void and cause such previous Atascadero Municipal Code provision or other City Ordinance to remain in full force and effect for all purposes.

SECTION 10. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 11. Notice. The City Clerk is directed to certify the passage and adoption of this Ordinance, cause it to be entered into the City of Atascadero’s book of original ordinances, make a note of the passage and adoption in the records of this meeting and within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 12. Transmittal. The Building Official is hereby authorized and directed to transmit a copy of this Ordinance to the California Building Standards Commission as required by California Health and Safety Code Section 17958.7.

SECTION 13. Effective Date. This Ordinance will take effect on the 30th day following its final passage and adoption.

INTRODUCED at a regular meeting of the City Council held on _____,
and **PASSED, APPROVED** and **ADOPTED** by the City Council of the City of Atascadero,
State of California, on _____.

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

Title 8

BUILDING CODE

Chapters:

- 1 Administrative**
- 2 Organization and Enforcement**
- 3 Building Code**
- 4 Residential Code**
- 5 Electrical Code**
- 6 Plumbing Code**
- 7 Mechanical Code**
- 8 Green Building Code**
- 9 Unsafe Buildings and Structures**
- 10 Water Efficient Landscape and Irrigation**
- 11 Unreinforced Masonry**
- 12 Post-Disaster Regulations**

Chapter 1
ADMINISTRATIVE

Sections:

- 8-1.101 Title.**
- 8-1.102 Adoption of Codes.**
- 8-1.103 Building Official designated.**
- 8-1.104 Applicability for Remodel, Renovation or Repair to Existing Buildings**

8-1.101 Title.

This title shall be known as the City of Atascadero Building Construction Code, Title 8 of the Atascadero Municipal Code.

8-1.102 Adoption of Codes.

Fourteen (14) documents, each of which are on file in City offices, identified by the Seal of the City of Atascadero, marked and designated as:

- 2022 Edition of the California Building Code (Volumes 1 and 2) published by the International Code Council;
- 2022 Edition of the California Residential Code published by the International Code Council;
- 2022 Edition of the California Electrical Code published by the National Fire Protection Association;
- 2022 Edition of the California Mechanical Code published by the International Association of Plumbing and Mechanical Officials;
- 2022 California Plumbing Code published by the International Association of Plumbing and Mechanical Officials;
- 2022 Edition of the California Green Building Code;
- 2022 Edition of California Energy Code;
- 2022 Edition of the California Historical Building Code;
- 2022 Edition of the California Existing Building Code;
- 2021 Edition of International Property Maintenance Code published by the International Code Council;
- 2021 Edition of the International Solar Energy Provisions and Commentary;
- 2021 Uniform Solar, Hydronics & Geothermal Code, Chapter 8 exclusively;
- 2021 International Swimming Pool and Spa Code, omitting Section 112 and Appendix A;
- 2018 Rainwater Harvesting Systems, for reference only,

are hereby adopted, including chapters and sections not adopted by agencies of the State of California, and including appendices thereto, as the Building Construction Regulations of the City of Atascadero. The provisions of such are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter except as modified hereinafter.

8-1.103 Chief Building Official designated.

The Chief Building Official is hereby designated as the Building Official and Code Official for the City of Atascadero. Where the “authority having jurisdiction” is used in the adopted codes, it shall mean the Chief Building Official.

8-1.104 Applicability for Remodel, Renovation or Repair to Existing Buildings.

When the estimated value of proposed remodel, renovation or repair work to an existing building exceeds 75% of the current valuation for a new building, all City of Atascadero Building Construction Code (Title 8)

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DATE: 02/28/23
ATTACHMENT: 2A

requirements for new buildings, including, but not limited to, an automatic fire suppression system, wildland interface construction requirements, Title 24 energy analysis, etc. will apply.

Chapter 2
ORGANIZATION AND ENFORCEMENT

Sections:

- 8-2.101 Administration of adopted Codes.**
- 8-2.102 Modification of Chapter 1, Division II.**

8-2.101 Administration of adopted Codes.

The administration and enforcement of this title shall be in accordance with Chapter 1, Division II of the California Building Code as adopted in Chapter 1 of this title and amended in this chapter.

- (a) **Unlawful Continuance** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a misdemeanor violation consistent with Title 12-1.05.
- (b) **Authority to enforce Unsafe Building** Any person who occupies or enters a building or structure after the structure has been posted with an “Unsafe to Occupy” notice, except under the direction of the Building Official to evaluate or perform building repairs, shall be subject to a misdemeanor violation consistent with Title 12-1.05.
- (c) **Authority to enforce Restricted Use Buildings.** Any person who occupies or enters a building or structure after the structure has been posted with a “Restricted Use ” notice, except under the direction of the Building Official to remove personal items, shall be subject to a misdemeanor violation consistent with Title 12-1.05.

8-2.102 Modification of Chapter 1, Division II.

- (b) Amend Section 105.1 and add Section 105.1.3 to read as follows:

105.1 Required. Any owner or owner’s authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, or re-grade, re-pave, re-surface, re-stripe or otherwise alter a parking facility, the installation of which is regulated by this code, or cause any such work to be done, shall first make application to the building official and obtain the required permit.

105.1.3 Intermodal shipping containers and railroad cars. Railroad cars, cabooses, shipping containers, mobile homes, and similar assemblies shall not be moved into or relocated within the City limits for habitation, storage or any structural purpose without approval of the building official. Said structures do not qualify as conventional construction, and therefore compliance with all applicable codes shall be substantiated by a California licensed architect or engineer.

- (c) Add Section 105.2.4 to read as follows:

One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, exempt from a building permit under Section 105.2 may not exceed 16 ft. in total height.

- (d) Amend Section 105.3.2 to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued

in good faith or a permit has been issued; except that the Chief Building Official is authorized to grant one or more extension of time for additional periods. The extensions shall be submitted in writing and justifiable cause demonstrated.

(e) Amend Section 109.4 to read as follows:

109.4 Work commencing before permit issuance. Any person who commences work on a project regulated by this code before obtaining necessary permits shall be subject to the following investigative fee:

1. First offense: \$100.00 investigative fee.
2. Second offense: \$250.00 investigative fee.
3. Third and any consecutive offense: \$500.00 investigative fee each offense.

The payment of such investigative fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(f) Amend Appendix Section 113 to read as follows:

113 BUILDING CODE APPEALS HEARING OFFICER

In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this Code, there shall be and is hereby created a Building Code Appeals Hearing Officer. The Building Code Appeals Hearing Officer shall be appointed consistent with Section 12-2.08(a) of the Atascadero Municipal Code.

113.1 Appeal Board Members. The City Manager of the City of Atascadero shall appoint no less than three (3) board members and no more than five (5) members whom must be knowledgeable in building codes, regulations, and ordinances, including specialty trades including but not limited to structural engineering and combustible materials, when necessary. In no instance shall an appeal board member be an employee, appointed, or elected official of the City of Atascadero.

113.2. Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form or construction is proposed. The hearing officer shall have no authority to waive requirements of this code.

113.3. Hearing procedure. Hearing procedure shall be consistent with Title 12 Chapter 2 of the Atascadero Municipal Code.

Chapter 3
BUILDING CODE

Section:

8-3.101 Modifications of the California Building Code.

8-3.101 Modifications of the California Building Code.

- (a) Delete Chapters 7A, 27-30, 31A, 31B, and 31C
- (b) Delete all Appendices in their entirety except for Appendix I and Appendix P and Appendix J Sections 103 – 107 only
- (c) Amend Section 105.2 as follows:
105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage shed, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls and non-retaining walls, including masonry and concrete free-standing walls, that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agriculture purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9

inches in height.

- (d) Amend Section 903.2 to read as follows:

903.2 Where Required. Refer to AMC 4-7.903.2

- (e) Amend Section 1803.2 to read as follows:

1803.2 Where required. The owner or applicant shall submit geotechnical investigations reports to the Chief Building Official in accordance with Sections 1803.3 through 1803.5.

Exceptions:

The Chief Building Official need not require a foundation and soils investigation report for one-story, wood-frame and light-steel-frame additions to Group R occupancies of 1,000 square feet of floor area or less, or new one-story, wood-frame and light-steel-frame detached accessory structures 1,000 square feet of floor area or less, or one-story, wood-frame and light-steel-frame additions to detached accessory structures 1,000 square feet of floor area or less when a licensed architect or engineer provides a foundation design and a site observation report with a statement of site suitability.

**Chapter 4
 RESIDENTIAL CODE**

**Section:
 8-4.101 Modifications to the California Residential Code.**

8-4.101 Modifications to the California Residential Code.

- (a) Delete all Appendices except adopt Appendices AH, AQ, AS, and AX by reference only and adopt AZ in its entirety.
- (b) Amend Section R310. as follows:

R310.5 Replacement windows for emergency escape and rescue openings. Replacement windows in existing R Occupancy Units shall comply with the following egress requirements:

Requirements for Replacing Bedroom Windows in Existing R Occupancy Units (A minimum of one window must comply unless there is a door opening to the exterior.)				
Code Year*	Opening Size**	Opening Size Height Minimum	Opening Size Width Minimum	Maximum Sill Height from finished floor
Prior to 1964	6 square feet (window size)	18 inches	18 inches	None
1964 to 1980	5 square feet (net opening)	22 inches	22 inches	48 inches to sill
1981 to 2008	5.7 square feet (net opening)	24 inches	20 inches	44 inches to sill
2008 to present	5.7 square feet (net opening) 5.0 square feet on ground floor	24 inches	20 inches	44 inches to clear opening

Code Year* - The year that the structure was permitted for the current occupancy use

Opening Size** - Using just the minimum height and width allowance, will not meet the required opening size

Chapter 5
ELECTRICAL CODE

Section:

- 8-5.101 Modifications of the California Electrical Code.**
- 8-5.102 Underground utility services.**

8-5.101 Modifications of the California Electrical Code: Adopt all Informative Annexes.

8-5.102 Underground utility services. All new electric, telephone, television, and other communication service connections, for all new, altered, or enlarged buildings shall be provided by underground wiring. Extension of electric or communication distribution lines to serve such projects shall be underground wiring.

Exceptions:

1. Replacement or relocation of electric service equipment served by existing overhead wiring.
2. Where determined by the Chief Building Official to be impractical or infeasible within the standards and practices of the utility or other companies providing such services.

Where the utility or other company's distribution system is underground, the service lines shall terminate at a connection point designated by the utility company. Where the utility or other company's distribution is overhead, the service lines shall terminate as a pole riser on a pole designated by the utility company

Chapter 6
PLUMBING CODE

Sections:

8-6.101 Modifications of the California Plumbing Code.

8-6.101 Modifications of the California Plumbing Code.

(a) Delete all appendices except for A and (b) Amend Section 719.1 to read as follows:

719.1 A cleanout shall be placed in every building sewer within five (5) feet of each building, at all changes in alignment or grade in excess of one hundred thirty-five (135) degrees, within five (5) feet of the junction with the public sewer, and at intervals not to exceed one hundred (100) feet in straight runs. The cleanout shall be made by inserting a “Y” fitting in the line and fitting the cleanout in the “Y” branch in an approved manner. In the case of a cleanout near the junction of the public sewer, the “Y” branch riser shall be extended to a depth of not more than one (1) foot. All other cleanouts shall be extended to finish grade.

Chapter 7
MECHANICAL CODE

Section:

8-7.101 Modifications to the California Mechanical Code.

8-7.101 Modifications to the California Mechanical Code.

Delete all Appendices.

**Chapter 8
GREEN BUILDING CODE**

Section:

8-8.101 Compliance with the California Green Building Code Recycling requirements.

8-8.101 Compliance with the California Green Building Code Recycling requirements.

(a) Persons applying for a permit from the City for new construction and building additions and alternations shall comply with the requirements of this section and all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of CALGreen.

(b) For projects covered by CALGreen, the applicants must, as a condition of the City's permit approval, comply with the following:

(1) Where five (5) or more multifamily dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and are identified for the storage and collection of recyclable materials container and organic materials container materials, consistent with the three (3) or more-container collection program offered by the City/County/District, or comply with provision of adequate space for recycling for multifamily premises and commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.

(2) New commercial or multifamily construction or additions resulting in more than thirty (30) percent of the floor area shall provide readily accessible areas identified for the storage and collection of recyclable materials container and organic materials container materials, consistent with the three (3) or more-container collection program offered by the City/County/District, or shall comply with provision of adequate space for recycling for multifamily premises and commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 [CCR](#), Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.

(3) Comply with CALGreen requirements and applicable law related to management of construction and demolition debris (C&D), including diversion of organic waste in C&D from disposal. Comply with all written and published City policies and/or administrative guidelines regarding the collection, recycling, diversion, tracking, and/or reporting of C&D.

Chapter 9
UNSAFE BUILDINGS AND STRUCTURES

Sections:

- 8-9.101 Modifications to the International Property Maintenance Code.**
- 8-9.102 Definitions**
- 8-9.103 Placards**

8-9.101 Modifications to the International Property Maintenance Code.

Delete all appendices.

8-9.102 Definitions.

Safety Assessment. A visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued use.

8-9.103 Placards.

(a) The following official placards shall be used to designate the condition for occupancy of buildings or structures:

(1) Green: “Inspected—Lawful Occupancy Permitted” is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

(2) Yellow: “Restricted Use” is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restriction on continued occupancy.

(3) Red: “Unsafe—Do Not Enter or Occupy” is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstances except as authorized in writing by the Chief Building Official or authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damaged encountered.

(b) The placard shall display the number of the ordinance codified in this chapter, and the name, address and phone number of the jurisdiction.

(c) Once the placard has been attached to the building or structure, it shall not be removed, altered or covered until authorized representative by the Chief Building Official. It is unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

(d) Violation of this section will be subject to AMC Title 8 Chapter 2 Section 101 (AMC 8-2.101)

Chapter 10
WATER EFFICIENT LANDSCAPE AND IRRIGATION

Sections:

- 8-10.101 Purpose.**
- 8-10.102 Adoption of Codes.**
- 8-10.103 Modification of Model Water Efficient Landscape Ordinance.**

8-10.101 Purpose.

Consistent with California State law, it is the purpose of this chapter to:

- (a) Promote the values and benefits of landscapes that integrate and go beyond the conservation and efficient use of water.
- (b) Establish a structure for planning, designing, installing, maintaining, and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that required cross-sector collaboration of industry, government and property owners to achieve the many benefits possible.
- (c) Establish provisions for water management practices and water wise prevention for existing landscapes.
- (d) Use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount.

8-10.102 Adoption of Code.

The administration and enforcement of this title shall be in accordance with section 490 through 495 of Title 23, Division 2, Chapter 2.7 of the California Code of Regulations.

8-10.103 Water Efficient Landscape and Irrigation requirements.

This section is intended to comply with the State's Model Water Efficiency Landscape Ordinance, and standards found in 23 CCR, Division 2, Chapter 2.7.

(a) Property owners or their building or landscape designers, including anyone requiring a building or planning permit, plan check, or landscape design review from the City, who are constructing a new (single-family, multifamily, public, institutional, or commercial) project with a landscape requirement area greater than five hundred (500) square feet, or rehabilitating an existing landscape under City review jurisdiction with a total landscape area greater than two thousand five hundred (2,500) square feet, shall comply with Sections 492.6(a)(3)(B), (C), (D), and (G) of the MWELO, including sections related to use of compost and mulch as delineated in this chapter.

(b) Property owners or their building or landscape designers that meet the threshold for MWELO compliance outlined in subsection (a) above shall:

(1) Comply with Sections 492.6 (a)(3)(B), (C), (D), and (G) of the MWELO, which requires the submittal of a landscape design plan with a soil preparation, mulch, and amendments section to include the following:

(i) For landscape installations, compost at a rate of a minimum of four cubic yards per one thousand (1,000) square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils

with greater than six (6) percent organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.

(ii) For landscape installations, a minimum three (3) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife up to five (5) percent of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

(iii) Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local fuel modification plan guidelines or other applicable local ordinances.

(2) The MWELO compliance items listed in this section are not an inclusive list of MWELO requirements; therefore, property owners or their building or landscape designers that meet the threshold for MWELO compliance outlined in this chapter shall consult the full MWELO for all requirements.

(c) If, after the adoption of this chapter, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B), (C), (D), and (G) of the MWWELO September 15, 2015 requirements in a manner that requires City to incorporate the requirements of an updated MWELO in a local ordinance, and the amended requirements include provisions more stringent than those required in this section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.

Chapter 11
UNREINFORCED MASONRY

Section:

8-11.101 Modifications to the California Existing Building Code.

8-11.101 Modifications to the California Existing Building Code.

Delete all appendices.

Chapter 12
POST-DISASTER REGULATIONS

Sections:

- 8-12.101 Intent.**
- 8-12.102 Application of provisions.**
- 8-12.103 Placards.**

8-12.101 Intent.

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy following an earthquake or other destructive event. The chapter further authorizes the Chief Building Official and representatives to post the appropriate placard at each entry to a building or structure upon completion of a safety assessment.

8-12.102 Application of provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Atascadero following each destructive event. The City Council may extend the provisions as necessary.

8-12.103 Placards.

Placards are those identified in and subject to AMC Title 8 Chapter 9 Section 103 (AMC 8-9.103)



Atascadero City Council

Staff Report – City Manager’s Office

City Facility Rental Policies and Procedures Update

RECOMMENDATIONS:

Council review and approve revisions to the Facility Rental Policies and Procedures manual to include updates to facilities available for rental, catering, and events.

DISCUSSION:

The City of Atascadero Facility Rental Policies and Procedures manual is being updated to reflect changes that have taken place since 2016. This includes additions like the BBQ Area #4 at Atascadero Lake Park, Pickleball Courts to Colony Park, the Zoo Garden Event Center, and The Plaza on El Camino, along with minor adjustments to lead time for event permits, as well as other relevant modifications.

CHANGES:

Changes are reflected throughout the document and are redlined in detail as follows:

- Date changes and page number adjustments made throughout the document along with the new facilities available for rent.
- Minor clarifications and adjustment to Farmers Market and banners.
- Minor adjustments to Alcoholic Beverage Sales Policy to be in alignment with license.
- Adjustments to turnaround times.
- Amplified sound, inflatables, and sponsorship advertising value adjustments.
- Contracted caterer language added back to Pavilion on the Lake in case that is ever looked into in the future.
- Business License requirement eliminated as this is a standard requirement for anyone selling products in the City of Atascadero and referred to under Permits & Licenses.
- Compost container requirement added under clean up and trash disposal.
- CMS added for signage when traffic control is needed.

FISCAL IMPACT:

None

ALTERNATIVES:

Council may provide staff direction on any desired adjustments to the Facility Rental Policies and Procedures manual.

ATTACHMENTS:

Facility Rental Policies and Procedures manual – redlined with 2023 updates

CITY OF ATASCADERO

FACILITY RENTAL POLICIES & PROCEDURES



~~May 10, 2016~~ February 28, 2023

ITEM NUMBER:
DATE:
ATTACHMENT:

A-4
02/28/23
1

FACILITIES AVAILABLE FOR RENTAL

FACILITIES AVAILABLE FOR RENTAL

ANZA ESTATES:

Equestrian Arena:
No facilities.

ATASCADERO LAKE PARK:

Alvord Field (Babe Ruth):
High school-sized baseball field with field lights, bleachers, and restrooms. Seasonal availability.

Barbeque Area #1:
Barbeque pit with seating for approximately 150 people. Electricity and lights available.

Barbeque Area #2:
Barbeque pit with seating for approximately 150 people. Electricity and lights available.

Barbeque Area #3:
Barbeque pit with seating for approximately 50 people. Electricity available. No lights.

Barbeque Area #4:
Barbeque pit with seating for approximately 24 people. Electricity available. No lights.

Bandstand:
Covered stage suitable for outdoor concerts. Electricity and lights available.

Gazebo:
An area suitable for outdoor wedding ceremonies. Chairs available for rent. No electricity or lights available.

Zoo Garden Event Center:
5,700 Sq. Ft. outdoor facility, suitable for a variety of events. Electricity and lights available. Maximum capacity standing 1,140 and banquet capacity 350.

Pavilion:
10,000 Sq. Ft. facility, suitable for receptions, dances, meetings, and special events. Kitchen facility and several various sized meeting rooms available. (See page 12 for room capacities)

Ranger House/Meeting Room:
A house setting with a conference room. Kitchen and bathroom available. Maximum capacity 20 people. 500 Sq Ft.

Veteran's Memorial:
Grass area surrounding the Memorial site. Two light poles in grass area with electricity. Group picnic area to be developed.

CITY HALL:

Public Meeting Room (Conference Room #104 & #106):
Available for rental from 8:30am-5:00pm, Monday - Friday *ONLY*. Room #104 seats 24 people with meeting room tables and Room #106 seats 29 people. Access to public restrooms. Audio/visual available.

City Hall Council Chambers (Upper Rotunda):
Available for rental from 8:30am-5:00pm, Monday - Friday *ONLY*. Seats 200 people assembly style. Access to public restrooms. Audio/visual available. For special events and weddings in the Upper Rotunda, please refer to the Historic Atascadero City Hall Saturday and Sunday rentals policy.

COLONY PARK:

Softball Fields #1 and #2:
Two youth-sized softball fields. No field lighting. Bleachers and restrooms are available. Seasonal availability.

Barbeque Area:
Four 4 small barbeque pits and one large barbeque pit with shade and seating for approximately 20 people per pit. Adjacent to outdoor basketball courts. Restrooms may **NOT** be available depending on rental time/day.

Pickleball Courts:

Four pickleball courts available to rent by the hour or day. No lighting. Restrooms available.

Basketball Courts:

One full and one-half outdoor basketball courts available to rent by the hour. Lights and electricity available. Restrooms available.

Bocce Ball Courts:

Three ADA accessible courts available to rent by the hour. No lights. Restrooms available.

COLONY PARK COMMUNITY CENTER:

Conference Room:

Meeting room with a maximum capacity of 25 people. Equipped with 12 lap top computers and white board.

Arts & Crafts Room:

Classroom designed for art classes with stools, tables and sinks with a maximum capacity of 39 people.

Dance & Exercise Room:

Dance room with a maximum capacity of 50 people. Equipped with mirrors, dance bars and spring floor.

Gymnasium:

Full size gymnasium with a maximum capacity of 450 sport, 600 banquet. Equipped with 6 basketball hoops, scoreboard, bleachers, volleyball nets, referee stands, illuminated score table, optional floor cover and other sport or banquet options.

Teen Center:

Includes games such as air hockey ping pong, and Xbox. Available in 2-hour increments on Saturdays only.

PALOMA CREEK PARK:

Softball Fields #1 and #2:

Two adult-sized softball fields with field lighting, bleachers, and restrooms.

Sports Open Fields:

Two large multi-purpose open space fields suitable for sports activities or special events.

Baseball Field (Little League):

Fenced, youth-sized baseball field with bleachers. Seasonal availability.

Group BBQ Area:

BBQ pit with seating for approximately 75 people. No lights.

Equestrian Arena:

Multi-purpose equestrian arena available for daily use and special events. Arena lighting and announcer's booth may be rented upon availability and Railhead Riders approval.

Barbeque at Equestrian Arena:

Barbeque area with 3 tables to accommodate 25 people. Reservations are not required.

PAVILION:

Great Room:

Lakeview room with a maximum capacity of 300 banquet, 250 reception, 400 assembly/theatre.

Rotary Room:

Lakeview room with a maximum capacity of 200 banquet, 150 reception, and 250 assembly/theatre.

Gronstrand Room:

Lakeview room accommodates a maximum of 75 banquet, 100 assembly/theatre.

Community Room:

Meeting room accommodates a maximum of 40 people classroom style or 70 assembly/theatre.

STADIUM PARK:

Large, undeveloped area suitable for special events. No barbeque, electricity or restroom facilities available. Available seasonally based upon fire season.

SUNKEN GARDENS PARK:

Large, multi-purpose grass area adjacent to City Administration Building, suitable for special events. No barbeque facility or restrooms available.

THE PLAZA ON EL CAMINO:

Large, multi-purpose area located across from Sunken Gardens on El Camino Real. The area sits next to La Plaza and adjacent to the Atascadero High School pedestrian tunnel. This area is suitable for special events. No barbeque facility or restrooms available.

GENERAL CONDITIONS GOVERNING USE OF FACILITIES

The following conditions shall govern the use of facilities, which are administered by the City of Atascadero.

AVAILABILITY OF FACILITIES:

When use of facilities does not conflict with the City's operations, programs, activities, or maintenance schedule, they shall be available for use by individuals or groups.

Reservations will be granted at the discretion of the City Manager, or designee, on a first-come, first-served basis for no more than one year in advance.

Applications for use of public facilities will be approved based on availability, without discrimination or regard to the applicant's viewpoint or subject matter, including religious or political viewpoints or subject matter. In the case of conflicting usage, facility authorization is at the discretion of the City Manager, or designee.

GENERAL POLICY:

It is the objective of the City that facilities are primarily used by groups and individuals for community recreation activities regardless of race, color, creed, national origin, religion, sex, economic status, or area of residence of said group and/or individual.

RULES OF ENFORCEMENT:

The City Manager, or designee, shall enforce, or cause to have enforced, the provisions herein; and shall have the authority to deny use of any facility to an individual or group who refuses to comply with the rules and regulations.

RIGHT OF FULL ACCESS:

City staff has the right of full access to activities at all times to ascertain compliance with rules, regulations, City and state laws.

HOURS OF OPERATION:

Dawn to Dusk:	Outdoor facilities without lighting
6:00 a.m. to 10:00 p.m.:	Outdoor facilities with lighting
6:00 a.m. to 12:00 midnight:	Indoor facilities (excluding City Hall meeting room or Council Chambers)

The above are the standard hours of operation, unless extended by authorization of the City Manager, or designee.

SUPERVISION:

A City of Atascadero employee shall be in attendance at any indoor facility whenever it is deemed necessary by the City Manager, or designee. Said City employee will determine if all rules, regulations, and laws governing use of the facilities are being complied with. However, primary responsibilities for conformance with said rules, regulations, and laws rest with the permittee.

CEREMONIAL OCCASIONS:

There shall be **NO** use of City facilities that will unconstitutionally discourage or discriminate against any religious sect, church, or sectarian denomination individual or group protected by Federal or State law. ~~Performances, activities, services and presentations conducted or given at _____ facilities _____ shall _____ not unconstitutionally promote, support, or discourage particular religious or philosophical beliefs.~~

CAPACITY OF FACILITIES:

Permittee shall not admit a greater number of persons than the maximum capacity posted or documented on the facility confirmation. Premises and events are subject to inspection by the Fire Marshall.

CONCESSIONS:

The City of Atascadero reserves all concession rights. Programs, records, tapes, books, and related items may be sold in conjunction with an event if they relate to a performance or meeting if prior written approval has been received. Arrangements must be made in advance, and may be subject to a payment of a percentage of the gross receipts, which will be determined by the City Manager, or designee. Business licenses are required for concessions on City property.

For profit vendor concessions that take place at the Pavilion are subject to a 10% sales fee.

ADMISSION CHARGES:

Unless specifically stated and approved in the permit, it is understood that activities or events will not be benefit affairs, that no admission will be charged, that no tickets will be sold, and that no collection or donation will be made.

Charitable Fundraisers at the Veteran's Memorial are exempt from this policy.

DISPLAYING COMMERCIAL WRITTEN MATERIALS (SIGNS, POSTERS, ETC.):

No written commercial or advertising materials or signs shall be placed in, on, or distributed about parks/facilities, except by special agreement approved by the City Manager, or designee.

The Veteran's Memorial facility is exempt from this if it is in conjunction with a charitable sponsorship of an event, during the time of the event only.

DISPLAYING NON-COMMERCIAL WRITTEN MATERIALS (PAMPHLETS, POSTERS, ETC.):

Non-commercial written material shall not be affixed to any park structure. Such material is allowed only in conjunction with a permitted event. It shall not be displayed or offered in a manner to cause damage to the park structures, flora, or facilities; nor shall the material create a litter, safety, or access problem. The distributor of material shall be responsible for cleaning up any litter caused by the display or distribution of this material.

SIGNAGE:

Posting of signage related to advertising any event on City-owned property must be authorized by the City Manager, or designee.

If advertising signage is approved, signs can only be placed at the facility where the event is to be held. No signage is allowed to be posted on streets, utility poles, traffic signs, or other traffic control devices. Signs can only be posted a maximum of 20 days prior to the event, and are required to be removed immediately after the event. Signs shall be reviewed and approved by the Community Development Department staff for professional quality. Sign maximum size is 20 square feet. Directional and safety signage is allowed at the event site only. Refer to the City's Sign Ordinance for further details.

TEMPORARY BANNER(S):

1. Banner Permit Procedures:

- a. A banner permit is required for all organizations or individuals reserving the Sunken Gardens and Atascadero Lake Park temporary banner holders. These general procedures shall also apply to the flag holders on El Camino Real, along the front of the Sunken Gardens. The flags shall only be allowed for display for one day only, during an event. No temporary banners shall be permitted at these facilities that are not displayed in the banner holders. Unauthorized banners will be taken down.
- b. All banner permit requests for the Sunken Gardens and Atascadero Lake Park Temporary Banner Holders shall be authorized by the Deputy City Manager, or designee, and subject to availability. Application forms are available at the Colony Park Community Center.
- c. **A written application is required by applicant, and must be submitted before a reservation will be considered.**
- d. Banner permits for the Sunken Gardens and Atascadero Lake Park Temporary Banner Holders shall be made in the order of receipt of application by the Deputy City Manager and subject to the availability of the facility. Specific date reservations can be submitted a maximum of one (1) calendar year in advance from date of application. Temporary event banners for City and City sponsored activities have priority. ~~If the Farmers Market needs to have banners in place, they will be allowed to be placed over~~ ~~In the event the Farmers Market returns to the Sunken Gardens, the Farmer's Market banners will be placed over~~ all permitted banners on Wednesdays only, and will be removed the same day.

- e. **Only banners announcing events or activities taking place in the Sunken Gardens/~~Colony District~~ may be displayed in the Sunken Gardens. Only banners for events or activities taking place at the Atascadero Lake Park/Zoo may be displayed in the Lake Park banner holders.** Only when space allows, will banners be approved announcing events or activities taking place in opposite locations. Events and activities taking place in their geographic locations will have priority over the banner locations.
 - f. A permit will not be issued under the following conditions:
 - i. Insufficient Notice – When City staff cannot be scheduled, facilities prepared, or other conditions relating to such use cannot be completed in the time between the date of the request and the proposed event.
 - ii. When Temporary Banners are Posted Prior to Approval - When a temporary event banner has been posted on the Sunken Gardens or Atascadero Lake Park Banner Holders prior to receiving approval.
2. Temporary Event Banner Requirements:
- a. All temporary event banners mounted on the Sunken Gardens and Atascadero Lake Park Temporary banner holders must comply with the conditions and requirements specified:
 - i. Banners intended for the announcement of community special events and activities conducted by organizations only. For-profit/commercial banners will not be allowed. Banners of a political nature (for candidates, political events and messages) are prohibited.
 - ii. Banners may be posted 21 days prior to the event and no sooner.
 - iii. The permit holder is responsible for posting and removing the temporary event banner.
 - iv. Banners must be removed within one day after the event. **If the banner is left up more than one day after the event, City personnel will remove the banner and a ~~\$25~~ fee will be charged per the City's Fee Schedule. The banner will not be released to the owner until the fee is paid.**
 - b. Banners must be: Width - 8 ft., height - 3 ft. and be of professional quality. Banners at the Atascadero Lake Park area must be 2-sided.
 - c. All temporary event banners must be posted on the established banner holders only, unless expressly approved by the Deputy City Manager.
3. Cancellation of Permit by the City:
- a. A permit may be cancelled based upon any of the following conditions:
 - i. If the permit is found to contain false or misleading information.
 - ii. If any individual, group, member or guest willfully, or through gross negligence, mistreats the facility/equipment, or violates any of the rules, policies, regulations, terms and conditions established for use of the facility.
 - iii. If the banner is torn, ripped or unsightly. If the content of the banner is offensive to the public.
 - iv. If permittee defaults on, or has not completed all conditions and requirements for use of the temporary banner holders.
 - v. If the temporary event banner holder is needed for public necessity or emergency use.

STORAGE:

No receipt, handling, care, or custody of property of any kind shipped, or otherwise delivered to any facility, either prior to, during, or subsequent to the use of facilities by any permittee is allowed, unless authorized by the City Manager, or designee. The City or its officers, agents, or employees shall not be liable for any loss, damage, or injury of such property.

DAMAGE:

Permittee will be responsible for all damage to facility, and shall be responsible for reimbursement to the City for any loss or damage to City property caused by such use.

CLEAN-UP:

Permittee is responsible for leaving the facility in a clean and orderly condition. A portion or all of the security deposit may be withheld if the facility is not left clean and without damage to furnishings. At specific facilities, a cleaning fee may be charged at the City Manager's discretion.

EQUIPMENT USE:

Special requests for equipment should be noted on the permit application. At specific facilities, an equipment rental fee may be charged.

DANCES:

Dances will be allowed at the discretion of the City Manager, or designee. Persons under 21 will not be permitted at dances serving alcoholic beverages.

Dances for minors require chaperones over 21 years of age to be present during the entire event at a ratio of 1 chaperone to 25 minors, unless amended by the City Manager, or designee. Security guards may also be required at the discretion of the City Manager, or designee.

DECORATIONS OR STAGE PROPS:

Existing facility decorations may not be removed without the prior approval of the City Manager, or designee.

When decorating, **DO NOT** fasten any decorations to light fixtures. Scotch tape, masking tape, hold-it, thumb tacks, staples, etc., are not allowed. Only exception is packaging painters' tape. Decorations belonging to the permittee must be disposed of immediately after the event. Any decorations left may be discarded by the City staff, and the removal effort could affect the amount of the security deposit refunded.

Exit doors, exit lights, fire alarm sending stations, wet standpipe hose cabinets, and fire extinguishers shall not be concealed or obstructed by any decorative material or props. Use of candles or fuel lamps is prohibited at all indoor facilities except the Pavilion, if Fire Department requirements are met.

Any special effects, including curtains, hangings, or props shall be made of non-flammable material and approved by the Fire Marshall.

PROHIBITED BEHAVIOR:

Illegal and immoral activities, the use of obscene language, gestures or behavior shall not be permitted at any time.

SMOKING:

City Ordinance No. 235 prohibits smoking in all City-owned indoor facilities. Smoking is prohibited within 20 feet of any public entrance.

City Ordinance No. 543 prohibits smoking and tobacco products in the Charles Paddock Zoo and in the City's outdoor recreation areas and parks. Smoking is permitted in paved parking lots only.

ALCOHOLIC BEVERAGE SALES POLICY:

Individuals or organizations may request permission to sell alcoholic beverages in conjunction with the use of City facilities, only exception is the City Administration Building, which will need approval of the City Manager, or designee. Permittee shall follow the procedures hereinafter set forth. It shall be the full responsibility of the individual or organization to contact the Department of Alcoholic Beverages to determine the exact requirements pertinent to the type of use.

1. Groups or individuals wishing to sell alcoholic beverages must submit an application for permit to use City facilities a minimum of **twenty (20) business days** prior to the event. Applications may be obtained at the Atascadero City Hall.
2. The City Manager, or designee, approves or disapproves all requests for the sale of alcoholic beverages at City facilities.
3. If approved, a completed ABC form (~~ABC-221-2010~~) will be provided to the City for signature to the Deputy City Manager will be signed and approved. Once signatures are completed, the ABC form will be returned to the permittee for submittal to the Department of Alcoholic Beverages.
4. A copy of the final Department of Alcoholic Beverages sales permit must be presented to the Deputy City Manager a minimum of **five ten (510) business days** prior to confirmation for use of the facility.
5. A copy of liability insurance in the amount of \$1,000,000 dollars, listing the City as additional insured, for the date(s) of the event, is required prior to confirmation for the use of the facility.
6. Security guards will be required for any event selling or serving alcoholic beverages in any City facility.

FACILITY POLICIES FOR ALCOHOLIC BEVERAGES:

Sale of alcoholic beverages are not allowed in City parks and facilities unless specifically designated. Authorization to sell alcoholic beverages at all City facilities may be requested in coordination with a facility request application for a special event. If alcoholic beverages are for sale, a permit from the State of California, Alcohol Beverage Control, will be required. Proof of liability insurance in the amount of one million dollars (\$1,000,000) is also required for the sale of alcoholic beverages, naming the City as an additional insured. No one under the age of 21 is allowed to consume alcoholic beverages. Authorization for such a permit will be at the discretion of the City Manager, or designee.

Pavilion & Colony Park Community Center Alcohol Policy:

- Hard Liquor is **NOT** permitted. Beer, wine and champagne are permitted at functions including weddings, birthday parties, and other private events.
- A certified bartender is required to serve alcohol at all Pavilion and Colony Park Community Center functions. The Pavilion Coordinator may waive this requirement if the event is a "low risk", non-profit

function and a sober supervisor is present to serve the alcohol and monitor consumption.

- State certified security guards are a requirement at all events in which alcohol is served. A minimum of one security guard is required per 100 guests. Additional security guards may be required at the discretion of the Chief of Police. Security guard(s) are required to remain on site until all guests and renters have left the premises. The expense for said security guard(s) shall be assumed by the permittee. Security guard requirements may be waived at the discretion of the Chief of Police for low risk, non-profit events of two hours or less.
- Special event insurance must be purchased at all events in which alcohol is served. The insurance includes a general liability and liquor liability premiums. Insurance may be purchased through the City of Atascadero as an additional insured for one million dollars (\$1,000,000).
- No alcohol of any kind may be served to minors.

Major Special Events Alcohol Sales:

- If alcohol is sold at a major special event, the applicant is responsible for providing to the City of Atascadero, and to post at the event, a copy of the State Alcoholic Beverages Sales Permit. To secure this permit, the applicant must provide the ABC License form for City signatures and submit to the Alcoholic Beverage Commission for approval. The City will need to receive the final approved ABC License before the event can take place.
- State certified security guards are a requirement at all events in which alcohol is served. A minimum of two security guards are required per 500 guests. Additional security guards may be required at the discretion of the Chief of Police. Security guard(s) are required to remain on site until all guests and renters have left the premises. The expense for said security guard(s) shall be assumed by the permittee.

ABANDONED EQUIPMENT:

Any equipment, effects, or decorations of the permittee remaining on the premises after the expiration of the permit will be deemed abandoned and disposed of by the City.

PERMITS AND LICENSES:

The permittee has the responsibility to obtain any additional permits and/or licenses required by City ordinances or State laws, and shall furnish evidence of having obtained same to the City of Atascadero.

AMPLIFIED SOUND AT INDOOR FACILITY:

Amplified sound is allowed in certain indoor City facilities, upon the approval of the ~~Director~~ City Manager, or designee, and are also subject to approval by the Atascadero Police Department. Amplified sound is allowed in indoor facilities from 8:00 a.m. to 12:00 a.m., unless extended by the ~~Director~~ City Manager, or designee.

AMPLIFIED SOUND AT OUTDOOR FACILITIES:

Amplified sound is **not** allowed at outside facilities, unless authorized specifically by the City Manager, or designee, or unless the request meets one of the following criteria:

1. The amplified sound is conducted during an approved Major Special Event. All provisions of the Major Special Event policies must be met.
2. The amplified sound is conducted at the Atascadero Lake Park Bandstand and the Zoo Garden Event Center on Fridays, Saturdays, _____ Sundays from noon until 9:00 p.m.
3. The amplified sound is associated with the annual City-sponsored Concerts in the Park Series.
4. The permit holder is required to immediately comply with requests by City staff to reduce the sound volume. Failure to comply will result in denial of future requests for amplified sound by the permit holder.
5. Amplified sound is not allowed in outdoor areas at Colony Park due to the nearby residences, unless authorized by the City Manager or designee.

INFLATABLE BOUNCER POLICY (OUTDOOR FACILITIES):

Inflatable bouncers are only authorized in the following City of Atascadero ~~facilities~~parks:

- Atascadero Lake Park - Next to large reservation areas only, unless associated with a major special event.
- Sunken Gardens Park
- Colony Park BBQ Area
- The Plaza on El Camino

The following rules apply:

1. Use of an inflatable bouncer is **ONLY** allowed with reservation of a park site.

2. If site has electrical outlets, they must be used to power the inflatable bouncer and the additional utilities fee will apply. If site does not have an electrical outlet or if electricity is not able to support the requirements of the inflatable bouncer, a "quiet" style generator must be provided.
3. Only **ONE** inflatable bouncer is allowed in a park, per day, unless special authorization is given by the City Manager, or designee.
4. **Stakes are strictly prohibited** in City parks. All inflatable bouncers are to be **weighted** down.
5. The City of Atascadero must have a valid copy of the vendor's liability insurance policy on file.
6. Inflatable bouncers with water features are strictly prohibited in all parks.

RULES AND REGULATIONS:

In order that activities at City facilities can best be enjoyed by everyone, basic rules of good conduct must be observed. These include, but are not limited to, the following:

1. All City ordinances must be observed.
2. Gambling, the use of obscene language, dangerous conduct, unusually loud amplified music, or any other activity that creates a disturbance will not be permitted.
3. The sale of alcoholic beverages without the proper permits is prohibited.
4. No equipment or furnishings shall be removed from a facility without the City Manager, or designee, approval.
5. Animals are not allowed in City buildings, except for service animals for the disabled, unless the City Manager, or designee, approval has been given.
6. Organized flea markets and rummage sales are permitted in the Sunken Gardens, no more than twice a year. Flea Markets need to be organized by a non-profit organization, with clearly marked spaces, subject to the approval of the City Manager, or designee.

Failure to comply with the rules and regulations may result in termination of a facility use permit.

FEE AND PERMIT PROCEDURES

1. A Facility Use Permit is required for all groups or individuals reserving City facilities.
2. All use permit requests for usage of City facilities shall be authorized by the City Manager, or designee, and subject to the availability of the facility. Application forms are available at the Atascadero City Hall or online at www.atascadero.org.
3. **A written application is required by applicant, and payment submitted before a reservation date can be considered.**
4. In the case of a group or organization, it is recommended that one spokesperson be designated, and all arrangements made through this representative.
5. Reservations shall be made in the order of receipt of application by the City and subject to the availability of the facility. All required fees must be paid prior to the facility being utilized.

Specific date reservations can be submitted a maximum of one (1) calendar year in advance from date of application. Pavilion reservations can be submitted a maximum of eighteen (18) calendar months in advance from the date of application.

Continuing multiple-date reservations can be submitted for a maximum time period of one (1) calendar year in advance from date of application.

Recognized non-profit organizations (see Classification of Users Section) continuing multiple-date reservations are to be submitted for a maximum time period of one (1) calendar year in advance.
6. A **non-refundable** reservation deposit is required on certain City facilities and is due at the time of permit application submittal. This deposit will be applied towards the facility usage fee if the application is approved. If an application is not accepted, the reservation deposit will be refunded to applicant in full. If event is cancelled by applicant, the reservation deposit will not be refunded.
7. A security deposit may be required at certain facilities and must be paid in full **twenty (20) business days** prior to the facility being confirmed. This fee shall be refunded only if the facility is left clean and without damage to the building or its furnishings. The City reserves the right to retain all or part of the security deposit if facility is left unclean or damaged, or the Police Department is dispatched to the event. If event runs over the agreed-upon time, fees will be deducted from the security deposit.
8. All facility use rental fees are due a minimum of **twenty (20) business days** prior to the event date. If all rental fees are not paid within this time period, the facility application may be canceled and the reservation

deposit (if applicable) will be retained in whole by the City.

9. All other permits, insurance certificates, licenses, etc., required in relation to a facility use permit are to be submitted a minimum of **twenty (20) business days** prior to the event date. Only exception is the Alcohol Beverage Commission alcohol license that is due five (5) days prior to the event date.
10. Rental time period must include decorating and cleanup time. Rental time is adjusted to the next full half hour. The facility must be vacated promptly at the time specified on the permit.
11. When applicable, persons utilizing City facilities are to receive necessary City keys from the Department of Public Works immediately prior to the scheduled facility use. All keys must be returned to the Department by the first business day after the rental. A key deposit of \$50.00 may be charged.
12. At special events, City staff may be assigned to assist at a rate of their fully allocated hourly rate. This fee must be paid prior to the event date.
13. Permits granted on a continuing basis are valid for a maximum period of **twelve (12) months**.
14. Fees for indoor facilities will be based on a one-hour minimum rental time frame. Fees for the Pavilion will be based on a four-hour minimum on Friday and Sunday. (See page 15 for facility minimum charge.)
15. A permit will not be issued under the following conditions:

Insufficient Notice: When City staff cannot be scheduled, facilities prepared, or other conditions relating to such use cannot be completed in the time between the date of the request and the date of the proposed event.

For Hazardous Activities: When permittee has mistreated a facility or violated facility use policies during a previous occupancy.

When Event Publicized Prior to Approval: When an event has been publicized prior to receiving approval for facility use and the facility is not available.

16. **CANCELLATION OF PERMIT:**

BY PERMITTEE:

To cancel a reservation or change the date of a facility usage permit, the permittee must give a **minimum of twenty (20) business days** written notice for all indoor/outdoor facility reservations. A reservation deposit (if applicable) may be transferred, but is not refundable if permittee cancels. A reservation change or modification fee, based on the City's current fee schedule, will be applied.

To change the time of an event, a **minimum of 7 ~~days~~ noticedays' notice** is required and a reservation change or modification fee, based on the City's current fee schedule, will be applied.

In the case of inclement weather, for outdoor facility reservations, the applicant may request a refund of usage fees, subject to an administrative fee, or reschedule the reservation date.

BY THE CITY:

A permit may be canceled for any of the following conditions:

- A. If the permit is found to contain false or misleading information.
- B. If the use or proposed use will be detrimental to the health, safety or general welfare of the City, or to the efficient operation of the facility for the public welfare.
- C. If any individual, group, member or guest willfully, or through gross negligence, mistreats the equipment/facility, or violates any of the rules, policies, regulations, terms and conditions established for use of the facility.
- D. Failure to make rental fee payments within the minimum time provided.
- E. If permittee defaults on, or has not completed, all conditions and requirements for use of a facility.
- F. If the facility is needed for public necessity or emergency use.
- G. If required permits and/or licenses are not obtained.

FEES

CLASSIFICATION OF USERS:

Facility users are classified by group type. The classification of users is for the purpose of determining fees and charges for facility rental.

When a facility use application is approved, an hourly or set fee shall be charged in accordance with the user's classification.

CLASSIFICATION A (Non-Profit/Government Rate):

This class encompasses incorporated non-profit/governmental organizations recognized for fee discounts by the City. Groups in this class, whose activities are not for profit, provide a community service for the residents of the City of Atascadero. Organizations must have a minimum of 51 percent Atascadero residents as members. (This requirement may be waived if the organization is providing a public service to Atascadero residents). This class is intended for the normal activities of non-profit service clubs and similar organizations. Reservations and security deposits will be charged, if applicable. All non-profit 501 (c) (3) organizations will be charged the same fee for leasing or usage of public facilities, irrespective of the applicant's viewpoint or subject matter, including religious or political viewpoints or subject matter.

CLASSIFICATION B (Private/Commercial/Resident):

This class includes private parties for individuals or families who reside within the boundaries of Atascadero City limits. This class includes commercial and private groups whose activities are for financial gain, or groups conducting religious, political or union meetings. Reservations and security deposits will be charged, if applicable.

CLASSIFICATION C (Private/Commercial/Non-Resident):

This class includes private parties for individuals or families who reside outside the boundaries of the Atascadero City limits. This class includes commercial and private groups, whose activities are for financial gain, or groups conducting religious, political or union meetings. This class may also include non-profit groups with less than 51% Atascadero residents. Reservations and security deposits will be charged, if applicable.

Field rental fees will be at full rate for **ALL** user groups, regardless of classification.

CO-SPONSORED STATUS AND SPECIAL EVENT SPONSORSHIP CRITERIA:

The purpose of establishing Co-Sponsored Status or Special Event Sponsorship Criteria is to be able to attract a variety of events and travel shows to the City.

Co-Sponsored Status:

Due to the cost of operations and maintenance, fee waivers are generally discouraged. However, on a case-by-case basis, events by other government agencies or non-profit organizations may qualify for co-sponsored status with the City. Co-Sponsored events are events that attract local and county residents as well as tourism to our City. These are events that are marketed both inside and/or outside the area to bring visitors to Atascadero. Events qualifying for Co-Sponsored Status may be eligible for fee waivers. Fee waivers will be determined on a case-by-case basis.

In order to qualify for Co-Sponsored Status, the event must meet one or all of the following criteria and be approved by the Deputy City Manager – Promotions, Outreach & Events:

1. Governmental cooperation.
2. The event might otherwise be conducted by the City of Atascadero and directly benefits City of Atascadero facilities, programs or services.
3. The event is conducted by an organization with a formal agreement with the City to conduct such events or activities.

Special Event Sponsorship Criteria:

Special Events Sponsorship applies to events where the City is working collaboratively with the event organizers to cross promote the City in their marketing efforts, as well as bring new events to our area. Though these events might already be established elsewhere, there may be an interest to add or bring an event that would be new to the City, drawing media value that reaches a considerable amount of people in and outside the County. The venue may be offered as part of the value of the sponsorship program being considered.

In order to qualify for a Special Event Sponsorship, the event must meet the following criteria and be approved by the Deputy City Manager – Promotions, Outreach & Events:

1. New and emerging events may be considered based on these criteria:
 - o Regional appeal.
 - o National or Tourism appeal.
 - o Event has promotional ability:
 - Secured marketing funds to promote event via a solid advertising campaign that provides exposure over a minimum of two media vehicles.
 - Media exposure is measureable and includes at a minimum a City logo and/ or City tourism logo. Logo is included on event website, and logo is included in all promotional material and in all media where the event is promoted (i.e., print, radio, television, online, etc.)
 - Other sponsors.
 - o Potential for growth and sustainability.
2. If the event qualifies, the City may provide the following as part of the sponsorship:
 - o Venue options to be determined (i.e., The Pavilion, Sunken Gardens, Atascadero Lake Park/Bandstand, Zoo Garden Event Center, The Plaza on El Camino).
 - o City Press Release to promote the event to the Media for Editorial exposure.
 - o At a minimum included on City's Facebook ~~and Website and Visit Atascadero's Website Event Page~~. Inclusion on our Visit Atascadero's social media pages-Website and Facebook pages is not a guarantee and is subject to the type of event as it must be tourism specific to be included on the outward facing anything related to "Visit Atascadero" social media pages.

If the special event does not meet the above guidelines, regular Rental Rates that apply to the venue being considered for the inquiring organization will apply. If it does qualify, there will be a sponsorship agreement that will be completed detailing sponsor obligations and the City of Atascadero obligations.

The Veteran's Memorial reservation fee will be waived for use of the Veteran's Memorial by Veteran's organizations, individual Veteran's or families of Veterans for services and events. No security deposit will be required.

EXPLANATION OF BASIC FEES

Fees have been established considering that only the basic facility is to be furnished. This includes:

1. Normal utilities
2. Normal maintenance
3. Standard table and chair set-up
4. General supervision

ADDITIONAL CHARGES:

Charges may be assessed over the standard City fee schedule for additional set-up, supervision or technical support provided by City staff.

INDOOR FACILITY MINIMUM CHARGE:

Fees for indoor facility reservations are based on an hourly rate. There is a **minimum of two (2) hours** rental fee for the Pavilion Gronstrand and Rotary Rooms. All other meeting rooms may be reserved for a **one (1) hour minimum rental fee**. There is a **Four (4) hour minimum** on Friday and Sunday at the **Pavilion**. Non-profit groups must reserve the Pavilion for a minimum of twelve (12) hours on Saturdays. Private group rentals on Saturdays are a flat fee for the entire day. Rooms may be booked at an hourly rate (with a ~~4-~~hour minimum) on Saturdays if the reservation is made within 30 days of the event.

OUTDOOR FACILITY MINIMUM CHARGE:

Usage fees are charged for reserving various City outdoor facilities. Fee rates do not include equipment unless specifically stated.

No facility usage fee is charged to City-sponsored softball teams for reserving City softball fields for softball practice.

SOFTBALL TOURNAMENT GUIDELINES

The City of Atascadero encourages organized sports tournaments for youth and adults, utilizing City recreational facilities. The following guidelines include application procedures, general information and fees.

TOURNAMENT APPLICATION PROCESS:

1. Submittal of tournament application form, approval of proposed tournament dates, location, fields used, and payment of application fees.
2. Sponsor to meet with Community Services staff no later than one (1) week prior to tournament to review event schedule, services requested, and options desired. Fees for the services and options are listed in the current City of Atascadero Fee Schedule.
3. Managers are responsible for their dumpster fees.

FOOD SERVICE POLICY

FACILITIES SUITED FOR FOOD AND BEVERAGE SERVICE:

Pavilion on the Lake:

Catering services are available through a caterer of the renter's choice unless the City is in contract with an exclusive caterer. When no catering service is contracted by the City, outside caterers are welcome and must be licensed and insured. Copies of all documentation must be provided to the Pavilion Coordinator prior to the event date.

When a catering service is contracted with the City, that caterer will become the exclusive on-site caterer for Pavilion events. No additional kitchen rental is required by the renter when the contracted catering service is used. The kitchen is included with the Saturday rental but must be rented separately (if needed) for the Friday or Sunday wedding packages or event rentals. If a caterer is under contract with the City, specific guidelines will apply.

Renters may have the option to rent the kitchen (if available) and prepare their own food without the services of an outside commercial caterer. Accessories such as plates and utensils are **not** included as part of the kitchen rental.

Picnic Areas:

Barbeque pits, electricity outlets and water are available.

FOOD PREPARATION FOR SALE:

Individuals or organizations may request permission to sell or collect donations for providing food services at the above locations.

Permittee shall follow the procedures hereinafter set forth. It shall be the full responsibility of the individual or organization to contact San Luis Obispo County Environmental Health Services to determine the exact requirements pertinent to the type of use.

1. Individuals or organizations wishing to sell or collect donations for food services must submit an application for a permit to use a City facility a minimum of **twenty (20) business days** prior to the event. Applications may be obtained at the Atascadero City Hall, or online at www.atascadero.org. The sale of food or beverages on City property must not conflict with existing concessions or contracts already in place for City facilities.
2. The City Manager, or designee, shall approve or disapprove all requests for the sale or collection of donations for food services at City facilities.
3. If approved, the applicant will be required to contact San Luis Obispo County Environmental Health Services to receive a permit for food sales for a temporary event.
4. A copy of the San Luis Obispo County Environmental Health Services permit must be provided to the Division a minimum of **five (5) ~~ten (10)~~ business days** prior to confirmation for use of the facility.

MAJOR SPECIAL EVENT PROCEDURES

Individuals, organizations, or businesses may request the use of Atascadero Lake Park, Sunken Gardens Park, Stadium Park or the Veteran's Memorial for major special events.

Applicants may request permission to hold a major special event by submitting an "Outdoor Facility Use Agreement Application." Applications describing the event details are to be submitted to Atascadero City Hall.

DEFINITION OF MAJOR SPECIAL EVENT:

The City Manager, or designee, based on one or more of the following criteria may determine Major Special Event status:

1. Estimated attendance of over 250 people.
2. The event organizers will receive fees or donations.
3. Amplified music or entertainers will be present.
4. Paid entertainment will be present.
5. Food or alcoholic beverages are to be sold.
6. Special event involves special security or public safety controls.
7. Precludes any other uses at the Park or Facility.

APPROVAL PROCESS:

If Major Special Event Status is determined, it is at the discretion of the City Manager, or designee, to approve or deny the event application. Recommendations and comments will be sought from the Police, Fire and Public Works Departments and the Recreation Division prior to approval by the City Manager, or designee.

If a group picnic area, the bandstand or the gazebo have already been reserved at the Atascadero Lake Park, the application may not be approved.

STATE AND COUNTY REQUIREMENTS AND PERMITS:

If approved, the applicant will be notified and a confirmed permit will be mailed. All approved major special events will be required to comply with all established local, County, and State laws and regulations including, but not limited to, food sales, alcohol beverage sales, and sales tax.

FOOD SALES:

Upon City approval, the applicant is responsible for acquiring all necessary food sales permits. A copy of the permit must be provided to the City of Atascadero and posted at the event. Food sales permits may be obtained from the County of San Luis Obispo Environmental Health Services.

ALCOHOLIC BEVERAGE SALES:

Please see Alcoholic Beverage Sales Policy, page 9.

SALES TAX:

Intended for applicants who sell any personal property that will require the application of sales or use tax. You may obtain information regarding the application of tax to your business by contacting the State Board of Equalization. It is the responsibility of the applicant to notify any and all vendors who may participate in the proposed special event about the sales tax requirements.

CITY OF ATASCADERO REQUIREMENTS:

In addition, by abiding to all pertinent State and County laws and regulations, the event holder must also abide by all applicable City ordinances, policies and procedures. Additional requirements may be applied at the discretion of the City Manager, or designee, and/or the Police or Fire Chief, or their designee.

INFLATABLE BOUNCER POLICY (OUTDOOR FACILITIES):

Please see Inflatable Bouncer Policy (Outdoor Facilities), page 10.

~~BUSINESS LICENSE:~~

~~The applicant is responsible to obtain a City of Atascadero Business License if any food, personal property, or services will be sold. The applicant must provide a copy of their business license to the Recreation Division. Business licenses may be obtained at the Atascadero City Hall, Community Development Department.~~

LIABILITY INSURANCE:

The applicant is responsible for obtaining a comprehensive liability insurance policy in the amount of \$1,000,000, listing the City of Atascadero as additionally insured. A certificate of insurance must be provided to the City of Atascadero at least ten (10) business days prior to the event.

PLOT PLAN/FACILITY DIAGRAM:

It is the responsibility of the applicant to submit a plot plan of the proposed major special event depicting the approximate location of all activities, booths, vehicles, tables, and other related equipment, at least (1420) business days prior to the event date. City staff will meet with the applicant to review the plan and make any necessary revisions.

CLEAN-UP/TRASH DISPOSAL:

It is the general policy of the City of Atascadero that the facility be returned in the same or better condition than received. It will be the responsibility of the event coordinator to remove all refuse generated by the major special event. Failure of the event holder to leave the park in a clean and un-littered condition may result in additional charges to applicant.

At the discretion of the City Manager, or designee, a minimum of one commercial grade, three—yard capacity, refuse container may be required to be provided by the event coordinator. The container(s) is to be delivered no more than two (2) days before the event and picked up no later than two (2) days following the event. Refuse containers may be obtained at Atascadero Waste Alternatives, (466-3636), located at 7625 San Luis Avenue, Atascadero. Confirmation of refuse container rental must be provided to the City at least (20) business days prior to the event date. Trash pickup and emptying of facility trash cans during and after the event will be the responsibility of the event holder. Recycling containers and if food is being served, food eomposte compost containers must also be provided at all approved major special events held at City facilities. The event holder is responsible for all fees associated with renting said equipment.

PORTABLE SANITATION UNITS:

At the discretion of the City Manager, or designee, portable sanitation units may be required at major special events conducted at City facilities. The number of portable sanitation units will be determined by the number of expected persons, length of event and the type of activity. A minimum of two portable sanitation units is to be provided at any event of 250 people or less. Two additional units will be required for every additional 500250 persons expected. Portable sanitation units can be rented from several local companies, and confirmation of rental must be provided to the City no later than (1420) business days prior to the event. The units are to be delivered no more than (2) days before the event, and must be picked up no later than (2) days after the event. The event holder is responsible for all fees associated with renting said equipment.

SIGNAGE:

All signs posted for major special events held at City facilities must conform to the City's sign ordinance and be approved in advance by the City Manager, or designee. Below is a brief outline of the guidelines regarding special event signage.

1. Signs will not be allowed that are off-site from the actual event. For example, signs in the Sunken Gardens cannot advertise an event at Atascadero Lake Park.
2. Signs providing directions to an event are not allowed unless it is for traffic control and a CMS sign is required. Directional signs are allowed only on the actual event site.
3. No signs can be posted on trees, utility poles, traffic signs, or any other traffic control devices.
4. Portable signs such as sandwich boards are not allowed.

TEMPORARY BANNER(S):

Please see Temporary Banner(s), pages 6-7.

DECORATIONS:

Attaching decorations to trees, signs, pole, buildings, tables, or other park equipment with nails, tacks, staples, or eyebolts is strictly prohibited. All decorations must be removed immediately after the event.

AMPLIFIED SOUND:

Any Major Special Event that includes amplified sound may be required to have—state certified security guards on site during the entire event. The number of security guards will be determined at the discretion of the Chief of Police.

EQUIPMENT STORAGE:

No equipment is to be stored at the facility, either prior to, or after the event unless it is a City or City sponsored event. All delivery, set-up, tear-down, and removal of equipment must occur on the day of the event, unless approved by the City Manager or designee. The City of Atascadero will not be responsible for any equipment left at the facility.

PARKING:

At the discretion of the City Manager, or designee, special arrangements for parking such as off-site parking lots and shuttle service may be required. For all major special events at the Atascadero Lake Park, parking spaces may be reserved

exclusively for Charles Paddock Zoo visitors or Pavilion on the Lake. Parking lot attendants may be required. At no time can parking spaces be reserved exclusively for patrons of the Major Special Event, unless approved by the City Manager or the designee. All City park facility parking spaces are to remain available for general public park use. Vehicles are not allowed onto grass areas unless the applicant receives permission from the City Manager, or designee.

STREET CLOSURE:

Any requests for road closure are to be listed on a Street Closure Request Form, available at at Atascadero City Hall and the Colony Park Community Center and submitted along with the special event application form and payment. Additional fees are required for street closures with the exception of a City Sponsored event. Street closure requests must include suggested alternate routes, an emergency access plan, and proposed traffic controls.

City staff will review street closure requests and determine appropriate process for approval (Code sections below). Applicant will be notified about any special traffic control requirements.

4-2.1501 Authority to Temporarily Close Streets.

Pursuant to Vehicle Code Section 21101, subsection (e), the City Manager, or designate thereof, with the written concurrence of the Public Works Director, Fire Chief and Police Chief, may temporarily close a portion of any street, except a state highway, for celebrations, parades, local special events and other purposes when, in the opinion of the City Manager, or a designate thereof, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing. (Ord. 92§ 1, 1984).

7-12.412 Road Closure or Interference with Street Use.

All encroachments shall be planned and executed in such a manner that they will not unreasonably interfere with the safe and convenient travel of the public or unreasonably interfere with, or cause inconvenience to, the occupants of adjoining property. At no time shall a street be temporarily closed or the use thereof be denied to the public, except by permission of the City Council or in the event the Council is unable to act in the time required by law, by the Engineer or his designee. (Ord. 438 § 4 (part), 2004; Ord. 332 § 2 (part), 1997)

FEES AND CHARGES:

All facility rental fees are due and payable upon submission of the rental application, unless otherwise authorized by the City Manager, or designee. Applications for use of City facilities will not be accepted without the submission of the Major Special Event Security Deposit Authorization Form.

The Security Deposit Authorization Form is required to be filled out for all major special events. This Authorization Form is due upon reservation of the facility. If the facility is not returned clean and in its' original condition, the cost for any damages, additional staff time or extraordinary Police or Fire emergency services will be charged to the credit card listed on the form.

ON-SITE STAFF SUPERVISION:

At certain events, City staff may be assigned to assist at a rate of their fully allocated hourly rate. If applicable, this fee must be paid prior to the event.

EMERGENCY SERVICES:

Any extraordinary police or fire services required as a result of the event (riot, etc.) may be charged (in full) to the event organizer.

FIRE DEPARTMENT PERMIT INSPECTION FEES:

If a permit is required by the City of Atascadero Fire Department for inspection of the major special event site, specific fees may apply. Examples of permit inspection fees include, but are not limited to; inspection of tents over 200 square feet, inspection of circuses, and use of open flame in an assembly area.

Any City equipment requested for the event will be charged to the applicant at the rate established in the City's facility rental policies and procedures.

NOTICE OF CANCELLATION – PUBLIC HEARING ATASCADERO CITY COUNCIL

Date: February 28, 2023
Subject of Meeting: Barrel Creek Development

The public hearing originally scheduled for February 28, 2023, has been cancelled due to a publishing error and will be rescheduled to the City Council Meeting for March 14, 2023. A public notice for the future hearing will be published and mailed for the new date.



Atascadero City Council

Staff Report – Community Development Department

Findings to Support Downtown Entertainment Zone (CPP23-0023)

RECOMMENDATION:

Council adopt Draft Resolution finding that the City supports an active Downtown Entertainment Zone with expanded business hours within the Downtown Zoning District.

REPORT-IN-BRIEF:

The community has long desired an active Downtown with live music, restaurants, open retail stores and nightly entertainment. The City Council has made increasing the vibrancy and activity of the Downtown one of its top priorities over the last decade and as such the City has: implemented programs (promotions programs, new events, sign clean-up, restaurant loan program); adopted policies (permit streamlining, creative redevelopment solutions, and changes in zoning to eliminate ground floor residential use); and invested in projects (Downtown Infrastructure Enhancement Project, Street Tree Project, Streetscape Projects), all in an effort to stimulate growth and activity in our Downtown. As evidenced by the growing number of people coming to our downtown, the community has made significant progress in improving the vibrancy of the Downtown, but there continues to be barriers to achieving the activity levels that the community would like.

The ability to serve alcohol is a significant driver in whether it is profitable for a restaurant to stay open at night. The State Department of Alcoholic Beverage Control (ABC) is charged with regulating alcohol licenses. Because there are some residential units in the Downtown, over recent years it has come to the attention of the City that alcohol sales licenses in the Downtown often prohibit the features that make a business successful such as: live entertainment, serving alcohol after 10pm, amplified sound, outdoor dining, or exterior lighting. Amplified music, outdoor dining, late night beverages, and live entertainment in the Downtown are all things that the community has asked for and the City Council has worked hard to incentivize.

The City has been in discussions with ABC representatives for several years, trying to find solutions to balance ABC's need to protect residential units within commercial districts against the City's and community's need to have an active vibrant Downtown with music, alcohol, and nighttime activities. ABC has expressed a willingness to be more flexible in trying to balance community needs, but they are looking for clear Council action stating Atascadero's desire:

1. To allow alcohol sales later into the night in the Downtown
2. To prioritize commercial entertainment, retail, and dining activities in the Downtown with residential land-uses as a secondary use intended to increase commercial vibrancy and activity by adding a 24-hour presence rather than to stifle nighttime vitality.
3. To encourage alcoholic beverage sales to occur outdoors in the evenings.
4. To encourage live entertainment, amplified music (subject to City code), and other entertainment activities in the Downtown.

Staff is recommending that the City Council adopt the Draft Resolution declaring a “*Downtown Entertainment Zone*”. The resolution would be consistent with the City’s General Plan, City Council direction, and the community’s desire to have a vibrant downtown nightlife with restaurants, music, entertainment, and alcohol.

DISCUSSION:

Downtown Vibrancy

The City’s General Plan has always identified Downtown as the City’s entertainment, center:

*General Plan Policy 4.1: Cooperate with the Atascadero Main Street Organization to promote downtown as **the City’s cultural, entertainment, and commercial center**, and to concentrate governmental facilities downtown.*

Section 9-3.320 of the City’s Municipal Code states that the purpose of the Downtown Commercial District is as follows:

*DC (Downtown Commercial) Zoning District. The Downtown Commercial (DC) Zoning District is intended to enhance the economic viability and pedestrian-oriented character of the downtown by encouraging a wide range of **retail shops, including artisan craft sales and production; restaurants, entertainment facilities, lodging, and nonautomotive services (banks, health care, etc.)**. First floor office uses are allowed with storefront and signage appearance review and approval of the Design Review Committee (DRC); however, office uses are encouraged to locate on upper floors leaving prime first floor spaces available for retail and restaurant spaces; and residential uses on upper floors.*

The City’s codes, plans, policies, and other documents have consistently shown that the community’s vision for Atascadero included an active Downtown commercial core that includes restaurants, entertainment, and an active nightlife—with a mix of residential units on upper floors to bring a 24-hour presence to the Downtown and to provide a place to live in Atascadero for those who prefer a more urban, active environment and nightlife.

Recent community outreach and surveys have shown that this vision continues to be what the Atascadero residents want in their Downtown. As part of the extensive D-20 outreach conducted in 2021, Downtown vibrancy was one of the most often-heard responses when asked “What things big and small would make Atascadero better?” Community participants expressed a need to have a place where they could have a drink after the movies, or grab a bite to eat after the football game, or just a place to listen to some music

- *Support and adopt legislation that maintains quality public spaces, and a vibrant environment in the Downtown*
 - *Examine future uses of City-owned lots to best facilitate vibrancy in the Downtown*
 - *Actively drive legislation to ensure that ABC licenses in the downtown area do not contain provisions and limitations that conflict with the community's vision for a vibrant Downtown*
 - *Work to reduce the number of vacant storefronts*
 - *Facilitate Downtown Infrastructure Enhancement*
- In 2021 Council adopted the following four strategic priorities:
- 1. Economic and Community Vibrancy (key focus area of “Downtown”)**
 2. Fiscal and Infrastructure Efficiency & Sustainability
 3. Ensuring Public Safety and Providing Exceptional City Services
 - 4. Quality of Life (key focus area of “Things to Do”)**

The Council adopted 2021-2023 Action Plan to implement the 2021 priorities, including actions and goal statements such as:

- *Assist development of new restaurants.*
- *Explore programs such as infrastructure assistance, parking flexibility, and zoning changes to promote new desired development of underutilized space*
- *Encourage more events that focus on the Downtown (music, food, host a stage)*
- *Evaluate zoning code and City policies as part of the General Plan Update to encourage private development of recreational, hospitality, and resort-type development*
- *Thriving Downtown (people want to come to / infrastructure / shovel-ready / outdoors / completion of Downtown improvements / collaboration with businesses)*
- *Don't have to go out of town for “date night” (come to A-Town for date night)*
- *Events that attract local residents as well as folks from out of town*
 - *Winter Wonderland/Fall Fest*
 - *Tamale Festival*
 - *Dancing in the Streets*
 - *First Fridays (when its safe)*
 - *Colony Day Parade and Tent City*
 - *Wine Festival*
 - *Cider Festival*
 - *Concerts in the park (Community bands)*
- *Attracting private pop-up events / activities*

As such, the City has been working diligently for the last several years toward increasing vibrancy and stimulating investment in the Downtown. The City has developed active community events such as Tamale Festival, Dancing in the Streets, First Fridays, Fall Festival, Winter Wonderland, Central Coast Craft Beer Festival, and other events designed to bring people Downtown and stimulate the type of vibrancy that the community desires. These events bring thousands of people, entertainment, music, and vendors into the City.

The City has also committed to significant investment in the Downtown in an attempt to encourage additional restaurants, retail, and entertainment. The Downtown Infrastructure Enhancement Project is expected to be an \$8+ million investment in infrastructure

designed to both increase safety and activity in the Downtown. This placemaking project will be another key in bringing nightlife, activity, and vitality that the community wants to see in the Downtown.

An additional investment in increasing the vibrancy of Downtown includes the newly approved Restaurant Development Incentive Loan Program that pledges a total of \$1,000,000 in loan funding for new, upgraded, or expanded restaurant development in Downtown.

All of these efforts have been to further activity, investment, and vibrancy in the Downtown.

Alcohol Licenses

In order to have an active nightlife in the Downtown, it is critical to have businesses that are open late and cater to the community's desire for restaurants, entertainment, and things to do. Businesses will not remain open in the evening hours unless it is profitable for them to do so. One of the significant ways for restaurants to be profitable during the later evening hours is for them to sell alcohol.

Over the last several years it has been brought to the City's attention that ABC will often place restrictions on alcohol licenses, limiting items such as:

1. *Type of alcohol to be served*
2. *Hours alcohol can be served*
3. *Where the alcohol can be served*
4. *Limitations on serving alcohol outdoors*
5. *Ability or inability to have amplified sound*
6. *Amount of exterior lighting*
7. *Other related restrictions designed to maintain a quiet atmosphere geared towards protecting residential neighborhoods*

While State regulations on the number of alcohol licenses and the type of alcohol licenses are to be expected, the very restrictive limitations on the hours of serving alcohol, the restrictions against serving alcohol in outside dining areas, and the prohibition of amplified sound all have been far more restrictive than the requirements of City ordinances and zoning designed to ensure orderly development and compatible activities in different areas of the City.

Like many areas throughout the State, the City allows mixed-use development in the Downtown zone. Residential units are an allowed use above the primary commercial uses in the Downtown. Residents in Downtown entertainment districts provide a 24-hour presence (are customers) for the restaurants, bars, retail stores, and entertainment venues in the entertainment zone. Residents that choose to live above these active and sometimes noisy commercial activities are usually looking for a more urban, walkable, and active living environment as opposed to a resident that may be more drawn to one of the City's quieter multi-family residential neighborhoods.

In recent years, the City Council has worked to ensure that Downtown landlords communicate to potential residential tenants the vision and purpose of the Downtown

commercial zone, letting residents know that there will be music, noise, laughter, lights, events, parking challenges, crowds, and road closures that one would expect in a Downtown Entertainment Zone. The Council has also conditioned new Downtown mixed-use development projects such as La Plaza to include language in their Covenants, Conditions, and Restrictions (CC&Rs) that clearly state that any residential use will not interfere with the use of the primary commercial uses below.

ABC regulations for Atascadero tend to heavily protect residential units from noise and activities associated with alcohol serving establishments. While protecting the quiet night in many of our land-use zones and areas is exactly what our General Plan envisions, it is not the case for the Downtown Commercial Zone. The General Plan along with other City policies and documents clearly outline and encourage a robust, active, vibrant Downtown with noise, music, laughter, outdoor dining, and food and beverage services into the late hours of the evening.

City staff has been in discussions with various ABC representatives for a number of years in an effort to loosen some of the restrictions on existing and future alcohol licenses in the Downtown Zone. Recent conversations with ABC representatives have indicated that they would be willing to look at longer service hours and some flexibility on items such as amplified sound, outdoor dining/alcohol service, and lighting if the City can demonstrate that it supports later hours through the establishment of findings to support a Downtown Entertainment Zone. A Resolution adopting a Downtown Entertainment Zone with clear expectations for the kinds of uses and activities that support the level of vibrancy envisioned would help ensure that it is clear to all that in the Downtown there will be later hours, entertainment, noise, outside dining, and other activities that one would expect to hear and see in a vibrant entertainment area.

As such, staff is recommending that the City Council adopt a resolution clearly making the findings to establish a Downtown Entertainment Zone and clearly articulating:

1. Entertainment, restaurants, outdoor dining, music, alcohol sales, and late-night activities are encouraged in the Downtown Entertainment Zone.
2. Amplified sound is allowed in the Downtown Entertainment Zone in conformance with the City's Municipal Code.
3. Al fresco dining and the outdoor consumption of alcohol is allowed in the Downtown Zoning District and is fundamental to the success of a Downtown Entertainment Zone in conformance with the City's Municipal Code.
4. Sale/service of alcoholic beverages is allowed by restaurants, bars, and other establishments in the Downtown Entertainment Zone as follows:
 - a. Until 2am on Fridays, Saturdays, and the evenings before a National Holiday.
 - b. Until Midnight on all other nights.
5. Residential land-uses are allowed above the ground floor in the Downtown Commercial Zoning District; however, residential uses are secondary to the commercial focus of the zoning district. These residential uses may not interfere or otherwise unreasonably restrict the use of commercial and outdoor spaces for entertainment, dining, events, alcohol consumption, or other activities commonly found in the Downtown Commercial Zoning District and identified Downtown Entertainment Zone.

This would clearly state for ABC, community members, and Downtown residents that in this area of the City, there will be later hours, entertainment, noise, amplified sound, outside dining and other activities that one would expect to hear and see in a vibrant entertainment area. The attached Draft Resolution supports the establishment of such a zone, and supports ABC licenses for restaurants and bars within the Downtown Entertainment Zone without restrictions to operating hours. During the next zoning code update, staff will also be recommending changes to the Municipal Code to increase transparency of the City vision for the Downtown Commercial Zone/Entertainment Zone.

FISCAL IMPACT:

Anticipated positive fiscal impact from increased commercial activity in the Downtown.

ATTACHMENTS:

Draft Resolution

DRAFT RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, MAKING FINDINGS TO ESTABLISH A DOWNTOWN ENTERTAINMENT ZONE IN THE DOWNTOWN COMMERCIAL ZONING DISTRICT TO ENCOURAGE USES THAT SUPPORT VIBRANCY IN THE DOWNTOWN

City of Atascadero (Downtown Commercial Zone)

WHEREAS, the community’s vision for Atascadero includes an active downtown commercial core that includes restaurants, entertainment, and an active nightlife with a mix of residential units on upper floors to bring a 24-hour presence to the Downtown and to provide a place to live in Atascadero for those who prefer a more urban, active environment and nightlife; and

WHEREAS, recent community outreach and surveys have shown that this vision continues to be what the Atascadero residents want in their Downtown; and

WHEREAS, in 2015, Council adopted nine strategic priorities including both “Economic Development” and “Promotions” with a focus on developing a strong promotions, marketing, and events program to drive traffic to Atascadero businesses; and

WHEREAS, in 2017, the City Council adopted three strategic priorities, two of which focus on economic development and the revitalization of downtown, with strategic priorities to stimulate activities in downtown and prioritize incentives for businesses that add to the vibrant mix of uses typically seen in downtown environments; and

WHEREAS, in 2019, the Council adopted a strategic priority to leverage place-making in the commercial areas for long-term economic development and included implementation strategies to support and adopt legislation that maintains quality public spaces and a vibrant environment in the downtown, actively drive legislation to ensure that Alcoholic Beverage Control (ABC) licenses in the downtown area do not contain provisions and limitations that conflict with the community’s vision for a vibrant downtown, and work to reduce the number of vacant storefronts; and

WHEREAS, in 2021, the Council adopted strategic priorities related to economic and community vibrancy with a key focus on downtown and quality of life, providing more “things to do”; and

WHEREAS, the 2021-2023 Action Plan identifies implementation strategies to assist the development of new restaurants, encourage more events and activities centered in the Downtown, and infrastructure and policies that support a thriving Downtown; and

WHEREAS, the City has also committed to significant investment in the Downtown in an attempt to stimulate additional restaurants, retail, and entertainment with the Downtown Infrastructure

Enhancement Plan, which encourages pedestrian and multimodal activity and enhances place-making in the downtown in support of outdoor use areas for restaurants, events, and entertainment; and

WHEREAS, the Downtown’s General Plan Designation is Downtown (D); and

WHEREAS, the City of Atascadero General Plan Policy 4.1 calls for the City to cooperate with the Atascadero Main Street Organization to promote downtown as the City’s cultural, entertainment, and commercial center; and

WHEREAS, the Downtown’s current Zoning Designation is Downtown Commercial (DC); and

WHEREAS, the Downtown Commercial Zoning District allows for and encourages vibrant uses that include restaurants, bars, and entertainment; and

WHEREAS, restaurants, breweries, bars, tasting rooms, and entertainment uses are allowed in the Commercial Downtown Zoning District; and

WHEREAS, Section 9-3.320 of the City’s Municipal Code states that the purpose of the Downtown Commercial District is intended to enhance the economic viability and pedestrian-oriented character of the downtown by encouraging a wide range of retail shops, including artisan craft sales and production, restaurants, entertainment facilities, lodging, and nonautomotive services (banks, health care, etc.). First floor office uses are allowed with storefront and signage appearance review and approval of the Design Review Committee (DRC); however, office uses are encouraged to locate on upper floors, leaving prime first floor spaces available for retail and restaurants; and residential uses on upper floors; and

WHEREAS residential land-uses are allowed above the ground floor in the Downtown Commercial Zoning District and residents of these units choose to locate in the Downtown to experience a more urban atmosphere; and

WHEREAS residential uses are secondary to the commercial focus of the Downtown Commercial Zoning District; and

WHEREAS, the City of Atascadero has received requests from business owners to extend the hours in which alcohol may be served; and

WHEREAS, in alignment with the aforementioned strategic guidance and in conformance with the City’s Zoning Code and General Plan, the City of Atascadero supports the extension of operating hours of such businesses to help foster a safe, successful, and attractive Downtown; and

WHEREAS, the establishment of a Downtown Entertainment Zone that complements City events, supports private business, and is compatible with the Downtown Commercial District will further these goals and policies; and

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

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. Facts and Findings. The City Council makes the following findings and determinations:

1. Entertainment, restaurants, outdoor dining, music, alcohol sales, and late-night activities are encouraged in the Downtown Entertainment Zone.
2. Amplified sound is allowed in the Downtown Entertainment Zone in conformance with the City's Municipal Code.
3. Al fresco dining and outdoor consumption of alcohol is allowed in the Downtown Zoning District and is fundamental to the success of a Downtown Entertainment Zone in conformance with the City's Municipal Code.
4. Sale/service of alcoholic beverages is allowed by restaurants, bars, and other establishments in the Downtown Entertainment Zone as follows:
 - a. Until 2am on Fridays, Saturdays, and the evenings before a National Holiday.
 - b. Until Midnight on all other nights.
5. Residential land-uses are allowed above the ground floor in the Downtown Commercial Zoning District; however, these residential uses may not interfere or otherwise unreasonably restrict the use of commercial and outdoor spaces for entertainment, dining, events, alcohol consumption, or other activities commonly found in the Downtown Commercial Zoning District and identified Downtown Entertainment Zone.
6. A public convenience will be served by the declaration of a Downtown Entertainment Zone that allows for the operation of restaurants and bars without substantial restrictions to business hours.

SECTION 4. CEQA. The proposed action is exempt from the California Environmental Quality Act (CEQA), Public resources Code Section 21000 et seq., because it can be seen with certainty that there is no possibility that the adoption of this Resolution would have a significant effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378(b)(4), 15061(b)(3).

SECTION 5. Approval. The City Council of the City of Atascadero, California, in a regular session assembled on February 28, 2023 resolved to make findings to support uses in the downtown that create vibrancy and night-time uses and establish a Downtown Entertainment Zone, consistent with the boundary of the Downtown Commercial Zoning District as established on the City's Zoning Map.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of _____, 2023.

ITEM NUMBER:
DATE:
ATTACHMENT:

C-1
02/28/23
1

AYES:
NOES:
ABSTAIN:
ABSENT:

CITY OF ATASCADERO

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney