



# **CITY OF ATASCADERO PLANNING COMMISSION AGENDA**

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**REGULAR MEETING**  
**Tuesday, June 4, 2019**  
**6:00 P.M.**

**City Hall Council Chambers**  
**6500 Palma Avenue, 4<sup>th</sup> Floor**  
**Atascadero, California 93422**

## **CALL TO ORDER**

Pledge of Allegiance

Roll Call: Chairperson Tom Zirk  
Vice Chairperson Mark Dariz  
Commissioner Duane Anderson  
Commissioner Ellen Béraud  
Commissioner Michael Shaw  
Commissioner Jeff van den Eikhof  
Commissioner Jan Wolff

## **APPROVAL OF AGENDA**

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

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

### **1. DRAFT MINUTES OF MAY 21, 2019**

- Recommendation: Commission approve the May 21, 2019 Minutes.

## **COMMUNITY DEVELOPMENT STAFF REPORTS**

None.

### **WEBSITE:**



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

**DISCLOSURE OF EX PARTE COMMUNICATIONS:**

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

**2. CONDITIONAL USE PERMIT AMENDMENT FOR 9320-9575 VISTA BONITA**

The proposed project is to amend the existing CUP to allow two new cell tower masts with modifications to existing masts.

- Ex-Parte Communications:
- Recommendation: Approve the project with conditions. (AMND18-0140)

**3. ZONE CHANGE FOR 2605, 2607, 3055, 3255 TRAFFIC WAY**

The proposed project is a Zoning Amendment to change the current zoning district from Recreation to Public, and further define the list of allowed uses through a PD overlay zone.

- Ex-Parte Communications:
- Recommendation: Approve the project with conditions. (ZCH19-0029)

**COMMISSIONER COMMENTS AND REPORTS**

**DIRECTOR'S REPORT**

**ADJOURNMENT**

*The next regular meeting will be on June 18, 2019, at 6:00 p.m.*

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

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

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

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

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

**TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA**

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

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

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

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

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

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

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

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

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## **CITY OF ATASCADERO PLANNING COMMISSION**

# **DRAFT MINUTES**

**Regular Meeting – Tuesday, May 21, 2019 – 6:00 P.M.  
City Hall Council Chambers  
6500 Palma Avenue, Atascadero, California**

### **CALL TO ORDER - 6:01 p.m.**

Chairperson Zirk called the meeting to order at 6:01 p.m. and Commissioner Wolff led the Pledge of Allegiance.

### **ROLL CALL**

Present: Commissioners Anderson, Béraud, van den Eikhof, Wolff, and Vice Chairperson Dariz, and Chairperson Zirk

Absent: Commissioner Shaw (excused absence)

Others Present: Recording Secretary, Annette Manier

Staff Present: Community Development Director, Phil Dunsmore  
Assistant Planner, Mariah Gasch  
Planning Intern, Erick Gomez

### **APPROVAL OF AGENDA**

**MOTION: By Commissioner Béraud and seconded by Commissioner Anderson to approve the Agenda.**

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

### **PUBLIC COMMENT**

None

***Chairperson Zirk closed the Public Comment period.***

## **CONSENT CALENDAR**

### **1. DRAFT MINUTES OF MAY 7, 2019**

- Recommendation: Commission approve the May 7, 2019 Minutes.

### **2. ACCEPTANCE OF FINAL MAP FOR 7300 EL CAMINO REAL**

- Recommendation: Accept and approve Final Parcel Map 19-0007 (AT 18-0128).

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

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

## **COMMUNITY DEVELOPMENT STAFF REPORTS**

None.

## **PUBLIC HEARINGS**

### **DISCLOSURE OF EX PARTE COMMUNICATIONS:**

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### **3. CONDITIONAL USE PERMIT FOR ACCESSORY STRUCTURE AT 13410 SANTA LUCIA ROAD**

The proposed project is an accessory structure that exceeds 50% of the size of main residence.

- Ex-Parte Communications:
- Recommendation: Approve the project with conditions. (USE19-0017)

Director Dunsmore introduced Erick Gomez and stated that Erick will be presenting the project tonight.

## **EX PARTE COMMUNICATIONS**

Commissioner Béraud stated that she knows the residents in the flag lot behind the project, and she has spoken to them. They were not concerned with the location or size.

Planning Intern Gomez presented the staff report, and he and Director Dunsmore answered questions from the Commission.

## **PUBLIC COMMENT**

The following members of the public spoke during public comment: Kris Broucuret, Allen Oraveca, Tracy Ranson, and Karena Fried.

***Chairperson Zirk closed the Public Comment period.***

Kris Broucayet answered questions from the Commission in regards to trees.

The Commission discussed location of trees and colors.

**MOTION:** By Commissioner Anderson and seconded by Commissioner Wolff to adopt PC Resolution 2019 approving a Conditional Use Permit allowing a 2,000 square-foot detached accessory structure at 13410 Santa Lucia Road (USE19-0017), based on findings and subject to conditions of approval, with the following changes:

- Condition 6 to read “Exterior building and roof colors and materials shall be selected by the applicant consistent with neighborhood character (consistent with gray colors).

**AND**

- Condition 8 to read “The applicant can plant trees on either side of the building at his discretion.”

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

**4. CONDITIONAL USE PERMIT FOR A 3<sup>RD</sup> ACCESSORY STRUCTURE ON A RESIDENTIAL LOT AT 3000 SAN FERNANDO ROAD**

The proposed project is a 3<sup>rd</sup> accessory structure on a residential lot.

- Ex-Parte Communications:
- Recommendation: Approve the project with conditions. (USE19-0043)

**EX PARTE COMMUNICATIONS**

None.

Planner Gasch gave the staff report and answered questions from the Commission. Planner Gasch stated there is a typo in the staff report on Page 41, Condition 6 which should be corrected to state Exhibit C (not D and E).

**PUBLIC COMMENT**

The following members of the public spoke during public comment: Todd Mansfield.

***Chairperson Zirk closed the Public Comment period.***

**MOTION:** By Commissioner Béraud seconded by Vice Chairperson Dariz to adopt PC Resolution 2019 approving a Conditional Use Permit (USE19-0043) allowing a 3<sup>rd</sup> accessory structure on the property at 3000 San Fernando Road, with a change to Condition 6 to state Exhibit C as corrected by staff, based on findings and subject to conditions of approval.

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

### **COMMISSIONER COMMENTS AND REPORTS**

Commissioner Wolff stated she will be absent for the meeting on June 4, 2019.

### **DIRECTOR'S REPORT**

Director Dunsmore gave a report on upcoming items to be heard at the next meeting.

Director Dunsmore stated that there would be a Special Joint Hearing on July 11, 2019, for the Planning Commission and City Council to look at the El Camino Plan.

### **ADJOURNMENT – 6:47 p.m.**

The next Regular meeting of the Planning Commission is scheduled for **June 4, 2019**, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

### **MINUTES PREPARED BY:**

\_\_\_\_\_  
Annette Manier, Recording Secretary  
Administrative Assistant

The following Exhibit is available in the Community Development Department:

Exhibit A – Email from Ian and Alicia Denchasy

Adopted



# Atascadero Planning Commission

## Staff Report – Community Development Department

### AMND 18-0140 Conditional Use Permit Amending CUP 2000-0019 and PLN 2013-1479

#### RECOMMENDATION(S):

*Staff Recommends:* The Planning Commission (PC) adopt Resolution PC 2019 approving amendments to Conditional Use Permit 2000-0019 and PLN 2013-1479 allowing modification at the existing telecommunications facility at 9575 Vista Bonita co-located with other telecommunication facilities at the Chalk Mountain Facility consistent with Planning Commission Resolutions 1998-005 and 2013-0032 based on findings and subject to Conditions of Approval.

#### Project Info In-Brief:

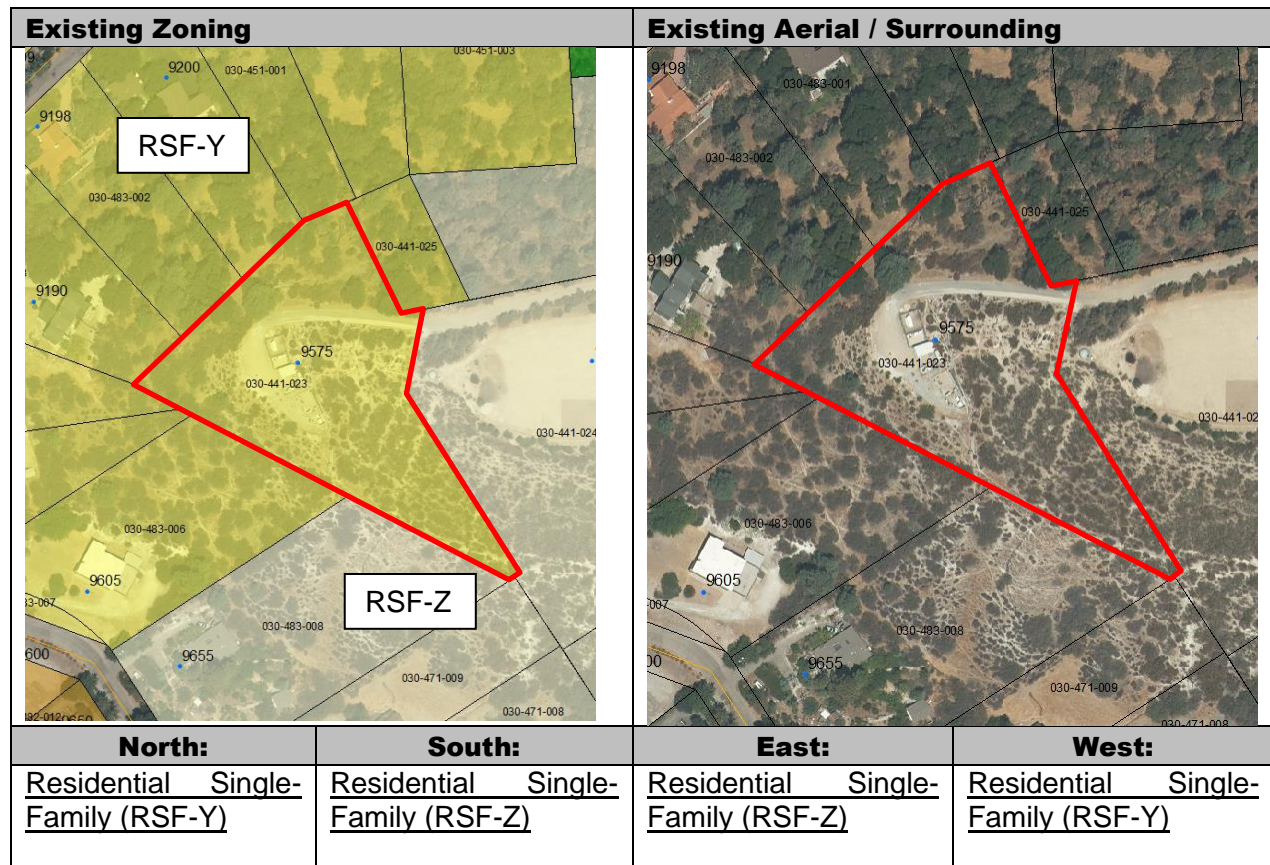
PROJECT ADDRESS:	9575 Vista Bonita	Atascadero, CA		APN	030-441-023
PROJECT PLANNER	Mariah Gasch Assistant Planner	470-3436	mgasch@atascadero.org		
APPLICANT	Sprint PCS				
PROPERTY OWNER	Michael Frederick				
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE	
Single-Family Residential (SFR-Y)	<ul style="list-style-type: none"><li>Residential Single Family (RSF-Y)</li><li>Planned Development 7 Overlay (PD 7)</li></ul>	1.87 acres	Cellular Communication Tower site	Cellular Communication Tower site	
ENVIRONMENTAL DETERMINATION					
Consistent with previously Certified Mitigated Negative Declaration 2000-016 and 2001-018					

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

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



Existing Surrounding Uses / Parcel Configurations:



Background:

On March 17, 1998, the Planning Commission adopted Resolution No. 1998-005 thereby approving the co-location of cellular facilities on the southwesterly face of Chalk Mountain (9575 Vista Bonita). The approval of the resolution allows an undetermined number of cellular carriers to locate their facilities on the site provided the following:

*“Additional facilities are also designed in such a manner that avoids excessive visibility.”*

In July 2000, the Planning Commission approved cellular towers for GTE wireless (now Verizon Communications) and another cellular provider. In August 2001, the Planning Commission approved additional cellular towers for AT&T and Sprint.

On November 19, 2013, the Planning Commission adopted Resolution PC 2013-0032 to update Sprint’s existing cellular facilities with additional design and landscaping conditions of approval.

Since the amendment in 2013, these communication companies have upgraded their equipment through building permits. If no additional equipment is added or if antenna heights remain consistent with previously approved CUPs.



Summary:

The project site has existing cellular towers from multiple carriers. Sprint PCS is proposing to add:

- 3 new antennas on pipe masts
- 6 new remote radio heads (RRH's)
- 2 new pipe masts
- Cables, jumpers, battery cells
- Add new landscaping
- Add new irrigation system

Analysis:

The site is on the east side of the Highway 101 corridor, located on Chalk Mountain above the intersection of Santa Rosa Road and El Camino Real near Chalk Mountain Golf Course. There are approximately 18 cellular towers leased by telecommunication companies, including Sprint, Verizon, AT&T, T-Mobile and others.

There is a level pad on the lot that is used to accommodate above ground facilities necessary for housing the required components for the cellular systems. The pad is approximately 1200' x 600' and is accessed by an existing paved driveway. As part of the previously approved Conditional Use Permits, the project area consists of a landscaping plan made to shield the view of the telecommunication towers. The site is surrounded by single-family residential uses.

Sprint proposes to add to and modify their existing cellular towers on Chalk Mountain. The proposed towers and their modifications will not increase the previously approved cell towers height of 16-feet. The project would add two new pipe masts with footings as well as utilize a vacant pipe mast. Each of the three masts would have two new RRH's and one new antenna.

Landscaping:

The applicant has provided a landscape plan indicating that they will add jute mesh and shrubs to the barren dirt areas of the mountain. The dirt around the towers is a very light tan and makes the cell towers more visible. Adding more brush will help all of the towers blend into Chalk Mountain. The applicant will also be adding irrigation to maintain the landscaping.

Design:

The applicant is proposing to paint the new antennas and RRH's to match what is existing. The existing towers are a faded light color that are much more visible than the other cell towers on the site.

The previous amendment included a conditional of approval that the towers be painted with camouflage or earth tone coloring.



## **ENVIRONMENTAL DETERMINATION:**

The proposed project is consistent with the previously adopted Certified Mitigated Negative Declaration 2001-018 and 2000-016.

## **FINDINGS:**

To approve amending CUP 2000-0019 and PLN 2013-1479, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached draft resolution.

*Conditional Use Permit (AMC Section 9-2.110(b).(3).(iv)*

1. The proposed project or use is consistent with the General Plan:
2. The proposed project or use satisfies all applicable provisions of this title:
3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use:
4. That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development:
5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element:
6. That the proposed project is in compliance with any pertinent city policy or criteria adopted by ordinance or resolution of the City Council.

## **ALTERNATIVES:**

1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.



3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made, and provide a brief oral statement, based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

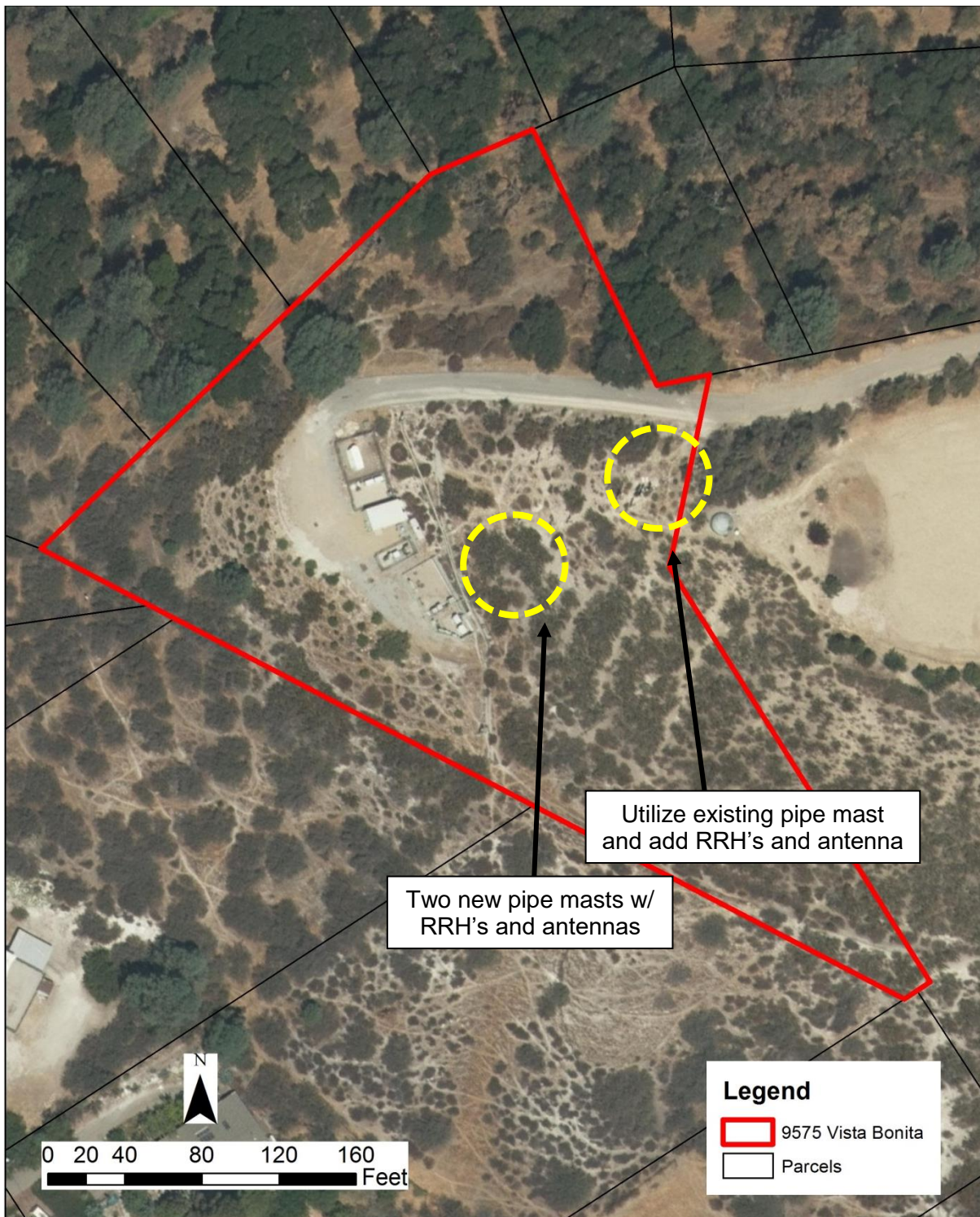
**ATTACHMENTS:**

1. Aerial Photo
2. Photo Simulations
3. Draft Resolution

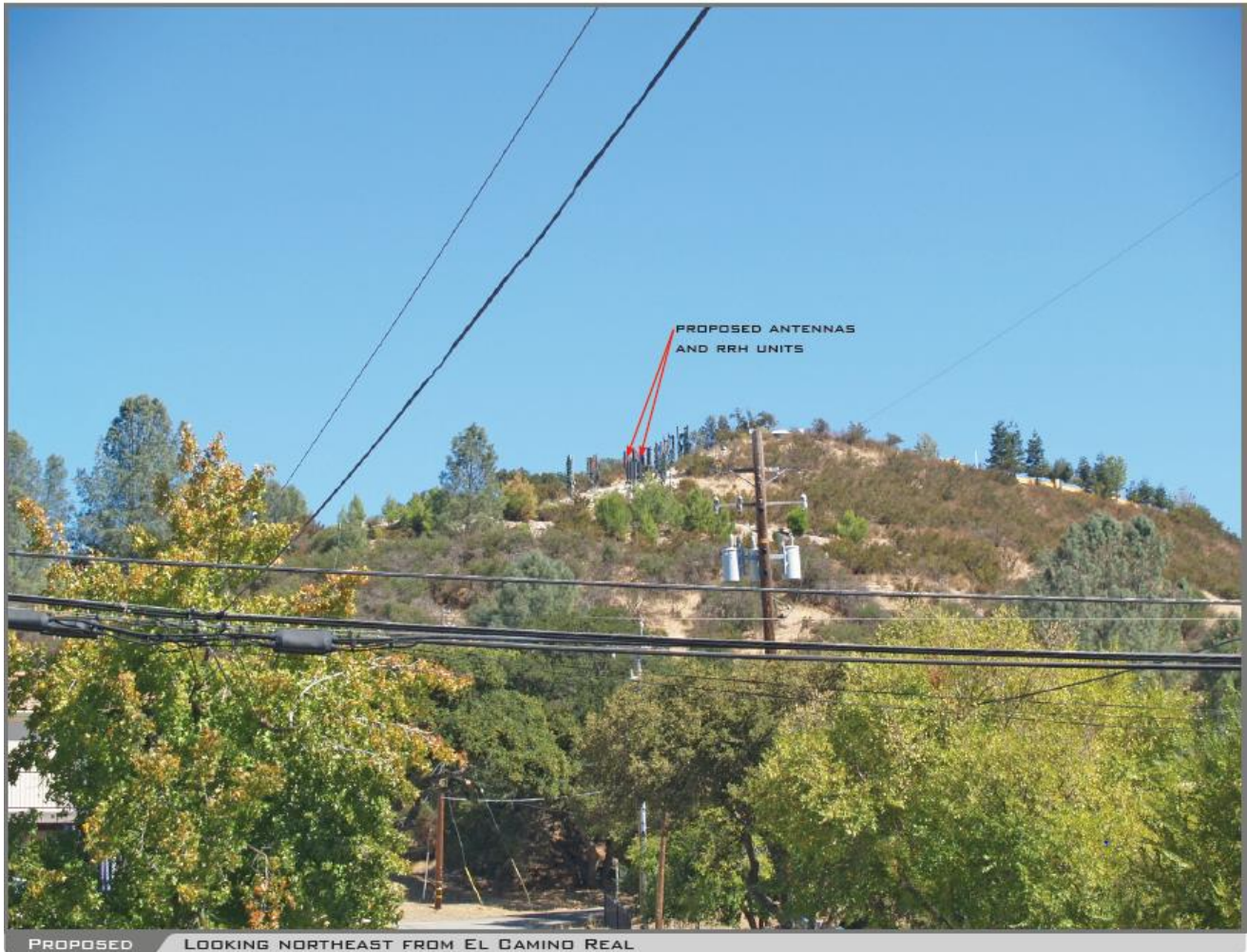




**ATTACHMENT 1: Aerial Photo**  
**AMND 18-0140**



**ATTACHMENT 2: Photo Simulations**  
**AMND 18-0140**





**ATTACHMENT 2: Photo Simulations**  
**AMND 18-0140**



**ATTACHMENT 3: Draft Resolution 2019  
AMND 18-0140**

**DRAFT PC RESOLUTION PC 2019**

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING  
CONDITIONAL USE PERMIT AMENDMENT 2000-0019 AND PLN 2013-  
1479 TO ALLOW MODIFICATION AND EXPANSION OF EXISTING  
CELLULAR FACILITIES FOR SPRINT PCS IN THE RESIDENTIAL  
SINGLE-FAMILY ZONE**

**(APN 030-441-023)**

**9575 VISTA BONITA AVENUE / MICHAEL FREDERICK / SPRINT PCS /  
SURESITE CONSULTING**

**WHEREAS**, an application has been received from Applicant, Jerry Ambrose (3905 State Street #7-188, Santa Barbara CA 93105) in care of Sprint PCS, and Property Owner, Michael Frederick (PO Box 573, Atascadero CA 93423) to consider an Amendment to Conditional Use Permit CUP 2000-0019 and PLN 2013-1479 to update existing cellular facilities at 9575 Vista Bonita Avenue; and,

**WHEREAS**, the site's General Plan Designation is Single-Family Residential (SFR-Y); and

**WHEREAS**, the site's Zoning is Residential Single-Family (RSF-Y); and

**WHEREAS**, a Conditional Use Permit is required to for any cellular facilities in the City of Atascadero; and

**WHEREAS**, the proposed project is consistent with the previously approved Mitigated Negative Declaration; and

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

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

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on June 4, 2019, studied and considered the Amendment to Conditional Use Permit 2000-0019 and PLN 2013-1479.





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

**SECTION 1. Findings of Environmental Exemption.** The Planning Commission finds as follows:

1. The proposed project has been determined to be consistent with Certified Mitigated Negative Declaration 2001-0019 and the mitigation measures shall be enforced as a part of the building permit process.

**SECTION 2. Findings for approval of Conditional Use Permit.** The Planning Commission finds as follows:

1. The proposed project or use is consistent with the General Plan, as well as the City's Appearance Review Manual and any pertinent City policy or criteria adopted by ordinance or resolution of the City Council; and

Fact: The cellular facility use at this location is consistent with the General Plan land use designation through Resolution No. 1998-005 that allowed cellular facilities on Chalk Mountain. The proposed use is consistent with General Plan Land Use Element Goals LOC 13 and LOC 14 and Land Use Policy 14.1

2. The proposed project or use satisfies all applicable provisions of the Title (Zoning Ordinance); and

Fact: As conditioned, the project satisfies the conditional use permit provisions for the Atascadero Municipal Code.

3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and

Fact: The proposed use continues with the existing use of a cellular facility. The development of the project will not be detrimental to the general public or working person's health, safety, or welfare.

4. That the proposed project or use will not be inconsistent with the character or the immediate neighborhood or contrary to its orderly development; and

Fact: Previous Planning Commission resolutions allowed for co-located wireless facilities at the Chalk Mountain site. As a part of this resolution, the City requires that they be constructed in a manner that they avoid excessive visibility. Staff has conditioned the project so that monopole towers be utilized instead of the proposed structures to reduce visibility of the proposed tower additions.



5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the Land Use Element.

Fact: The proposed project will not increase traffic because the cellular facilities are to be unmanned.

Based on staff's analysis in the preceding sections, it appears that all of the required findings for approval of a Conditional Use Permit can be made.

**SECTION 3. Approval.** The Planning Commission of the City of Atascadero, in a regular session assembled on June 4, 2019, resolved to approve the amended Conditional Use Permit 2000-0019 and PLN 2013-1479 subject to the following:

EXHIBIT A: Conditions of Approval  
EXHIBIT B: New Landscape Plan  
EXHIBIT C: New Overall Site Plan  
EXHIBIT D: New Layout Plan  
EXHIBIT E: New Elevations

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

AYES: ( )

NOES: ( )

ABSENT: ( )

ABSTAINED: ( )

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Tom Zirk  
Planning Commission Chairperson

ATTEST:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**Exhibit A: Conditions of Approval**  
**AMND 18-0140**

<b>Conditions of Approval / Mitigation Monitoring Program CUP 2000-0019 and PLN 2013-1479 Amendment</b>	<b>Timing</b>	<b>Responsibility /Monitoring</b>	<b>Mitigation Measure</b>
<b>9575 Vista Bonita</b>  <b>Chalk Mountain Telecommunication Site</b>	BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney	
<b>Standard Conditions</b>			
1. The approval of this use permit shall become final and effective for the purposes of issuing building permits, provided the required conditions of approval have been satisfied, fourteen (14) days following the Planning Commission approval unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>BP</b>	<b>PS</b>	
2. Approval of this Conditional Use Permit shall be valid for twenty –four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the applicant has received a building permit or applied for an extension of entitlement.	<b>BP</b>	<b>PS</b>	
3. The Community Development Department shall have the authority to approve minor changes to the project that (1) increase the square footage of the project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Conditional Use Permit.	<b>BP</b>	<b>PS</b>	
<b>Project Conditions</b>			
4. All site design, landscaping, antenna / shelter placement, site fencing, exterior elevations, finish materials and colors shall be consistent with Exhibit B through Exhibit <del>F</del> <b>E</b> .	<b>BP/FO</b>	<b>PS</b>	
5. The 3-foot tall landscape berm shall be continued along the perimeter of the equipment pad as shown on Exhibit <del>E</del> <b>B</b> .	<b>BP/ Landscape Plan</b>	<b>PS</b>	<b>1.C.</b>
6. The existing Verizon cabinet shall be painted with a camouflage pattern to minimize the existing impacts of the structure and to maintain consistency with the new applications	<b>FO</b>	<b>PS</b>	<b>1.C.</b>
7. The above ground shelters shall be inset two feet into the hill and pit set 2-3 feet to minimize the visual impacts of the cabinets as shown on Exhibit <del>D</del> <b>E</b> .	<b>BP</b>	<b>PS</b>	<b>1.C.</b>

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**ITEM 2 | 6/4/2019**  
**Conditional Use Permit Amendment**  
**AMND 18-0140 / Sprint PCS**

<b>Conditions of Approval / Mitigation Monitoring Program</b> <b>CUP 2000-0019 and PLN 2013-1479 Amendment</b>  <b>9575 Vista Bonita</b>  <b>Chalk Mountain Telecommunication Site</b>	<b>Timing</b>  BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	<b>Responsibility /Monitoring</b>  PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney	<b>Mitigation Measure</b>
8. The access drive shall be gated at the top of the hill and RF Radiation Warning signs shall be posted on the gate and in a visible location near the equipment area.	FO	PS	7.C.
9. The City of Atascadero shall be allowed reasonable access to the site and shall be allowed use of the site for the purposes of installing, operating and maintaining telecommunications equipment.	Ongoing		
10. No exterior lighting shall be installed on any structures.	BP	PS	
11. Air conditioning units and controls shall be maintained to insure proper operation and prevent excessive high speed operation and the air conditioning units shall be equipped with the Bard Compressor Sound Cover 8002-0005 described on the noise analysis information provided for the project.	BP	PS	
12. All chain link fencing on the site shall be treated with an earth tone coating without slats.	FO	PS	
13. Any perimeter fencing required by the RF study shall be an agricultural style t-bar fence with metal barbed wire.	BP/FO	PS	
14. Prior to the final inspection the applicant shall submit written verification from a licensed land surveyor or a registered civil engineer that the elevation of the top of the monopoles is at or below the 1223-foot topographical elevation and must be consistent with monopole heights that are shown in Exhibit E.	FO	PS	
15. A landscaping plan is required at building permit submittal to show drought tolerant species as shown in Exhibit E.	BP	PS	
16. Prior to issuance of building permit for additional antennas, applicant must provide a signed landscaping maintenance contract showing a minimum of 60-day visit and include re-fill of on-site irrigation tanks.	BP	PS	
17. All plants that are dead and/or dying shall be reinstalled on-site with proper irrigation to ensure survival prior to final building permit issuance.	BP	PS	
18. Applicant shall submit, at the time of the building permit, a color scheme for the tower(s). Color schemes may include camouflage or earth tone coloring. Color schemes are to be approved by staff.	BP	PS	

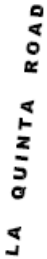


**ITEM 2| 6/4/2019**  
**Conditional Use Permit Amendment**  
**AMND 18-0140 / Sprint PCS**

<b>Conditions of Approval / Mitigation Monitoring Program CUP 2000-0019 and PLN 2013-1479 Amendment</b>	<b>Timing</b>	<b>Responsibility /Monitoring</b>	<b>Mitigation Measure</b>
<b>9575 Vista Bonita</b>  <b>Chalk Mountain Telecommunication Site</b>	BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney	
<b>City Engineer Conditions</b>			
19. The applicant shall enter into a Plan Check/Inspection agreement with the City of Atascadero.	BP	CE	
20. The applicant shall be responsible for the relocation and/or alteration of existing utilities.	BP	CE	
21. Prior to the issuance of building permits the applicant shall submit a grading and drainage plan prepared by a registered civil engineer for review and approval by the City Engineer.	BP	CE	
22. Prior to the final inspection, the applicant shall submit a written statement from a registered civil engineer that all work has been completed and is in full compliance with the approved plans and the uniform Building Code (UBC) prior to the final inspection.	FO	CE	
23. The existing driveway shall be reconstructed to meet City Standards prior to the issuance of a building permit for the cellular facilities. An engineered grading and drainage plan will be required to be approved for the reconstruction of the driveway.	BP	CE	



## Exhibit B: New Landscape Plan



## GENERAL NOTES

CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES NECESSARY TO FURNISH AND INSTALL PLANT MATERIALS AND HARDSCAPE AS DESCRIBED IN THE SPECIFICATIONS AND AS SHOWN ON THE DRAWINGS. UNLESS DESIGNATED ON THE DRAWINGS OTHERWISE, ALL MATERIALS AND HARDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.

ALL WORK ON THE IRRIGATION SYSTEM, INCLUDING BUT NOT LIMITED TO, THE REPAIR, REPLACEMENT, MAINTENANCE, AND OPERATIONAL TESTS AND THE REPAIR, REPLACEMENT, MAINTENANCE, AND OPERATIONAL TESTS OF THE IRRIGATION SYSTEM SHALL BE PERFORMED IN ACCORDANCE WITH THE IRRIGATION SYSTEM MANUAL.

PLANT LIST ON THE DRAWINGS SHALL BE USED A  
CONTRACTOR SHALL TAKEOFF AND VERIFY SIZES  
PLAN CHECK.

SAMPLES OF FERTILIZERS, ORGANIC AMENDMENTS AND SEED SHALL BE SUBMITTED PRIOR TO INCOI CONTRACTOR SHALL FURNISH TO THE CITY/OWNI MATERIALS A CERTIFICATE OF COMPLIANCE

LOCATIONS OF PLANT MATERIAL SHALL BE REVIEWED BY THE CITY OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO THE START OF THE PROJECT.

AMENDMENTS, AS INDICATED IN THE SOILS REPO  
DRAWINGS, ARE BASED ON AGRICULTURAL SUI  
PERFORMED PRIOR TO GRACING AND WERE PREI

ON AMENDMENTS AS STATED IN THE SPECIFICATION. CONTRACTOR SHALL OBTAIN AGRICULTURAL SOIL RECOMMENDATIONS AFTER GRADING OPERATION.

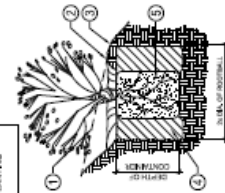
TREES SHALL BE PLANTED NO CLOSER THAN TEN FEET TO UTILITIES.

TREES PLANTED WITHIN FIVE FEET (5') OF HARDG SHALL BE INSTALLED WITH A ROOT BARRIER AS CITYOWNERS AUTHORIZED REPRESENTATIVE.

**F. DURING PLANTING OPERATIONS THERE SEEM PERCOLATION IN PLANTING PITS, CONTRACTOR'S OPERATIONS AND IMMEDIATELY NOTIFY THE CITY**

CONTRACTOR SHALL INSURE PLANTING ROCKETS REPRESENTATIVE TO DISCUSS ALTERNATIVE TO ROOTBALL DRAINAGE MEASURES.


TO PROMOTE HEALTHY PLANT GROWTH.



- NOTES:
1. CROWN OF ROOTBALL TO BE 10" ± ABOVE FINISH GRADE.
2. FOR ADDITIONAL INFORMATION REFER TO PLANTING NOTES AND SPECIFICATIONS.

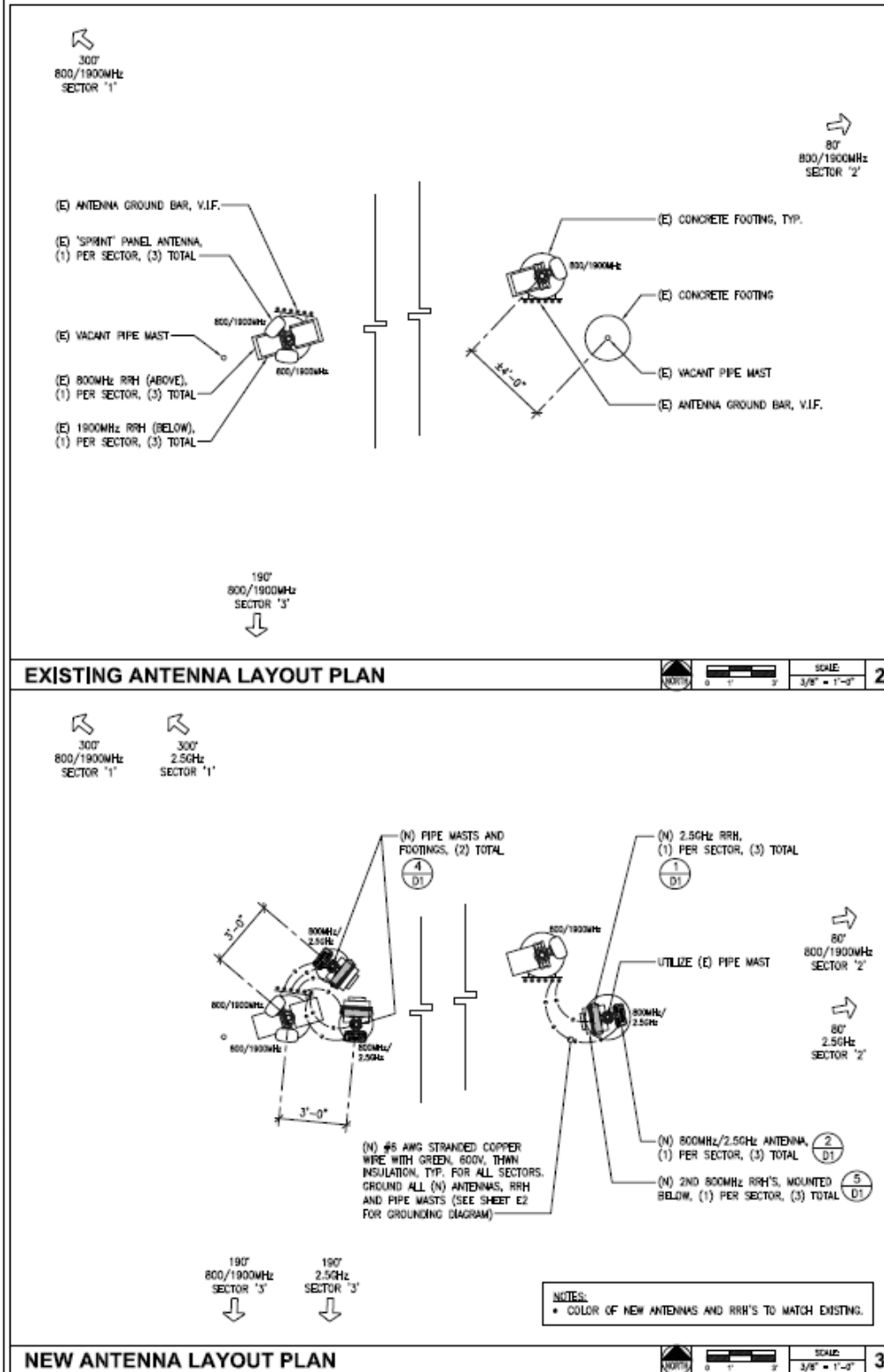
- ① EDGE OF SLOPE BEYOND
- ② A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL BELOW FINISH GRADE ON DOWNWARD SIDE
- ③ FINISH GRADE
- ④ BACKFILL IN ACCORDANCE WITH PROJECT AGRICULTURAL SUSTAINABILITY SOILS REPORT
- ⑤ ROOT BALL

SLOPE PLANTING - SHRUBS

PLANT LIST				
<u>SYMBOL</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>WUOLCS</u>
				<u>QTY</u>
<u>SHRUBS</u> <div> <div>A</div> <div>E</div> <div>H</div> </div>	ARTEMISA CALIFORNICA CANYON GRAY	CALIFORNIA JAGGERBUSH	1 GAL	L 10
	ERIGODIUM FASCICULATUM THEODORE PAYNE	COMMON BLACKWEAT	1 GAL	L 20
	PETERDOWELS ARBUTIFOLIA	TOYON	1 GAL	L 9
<u>GROUNDCOVER</u>				
				APPROX 4.4MS S.F. LANDSCAPE EROSION-UTE MESH-INSTALL PER MANUFACTURERS SPECIFICATIONS AND



**Exhibit D: New Layout Plan  
AMND 18-0140**









## **Atascadero Planning Commission**

### **Staff Report - Community Development Department**

*Kelly Gleason, Senior Planner, 805-470-3446, kgleason@atascadero.org*

#### **Traffic Way Zone Change ZCH19-0029 (Atascadero Temple Association)**

#### **SUBJECT:**

This action consists of proposed Zoning Map Amendment from Recreation (L) to Public (P) for 2605, 2607, 3055, and 3255 Traffic Way. A Planned Development Overlay Zone will be placed on the properties to further define allowed uses based on location and site characteristics. The proposed amendments will bring existing non-conforming uses into conformance and allow for a proposed child care facility.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission:

1. Adopt Draft Resolution A, recommending the City Council introduce an ordinance for first reading, by title only, to approve a zone map amendment to 2605, 2607, 3055, and 3255 Traffic Way (APN's 049-063-003, 004, 049-071-029, 030), based on findings, and
2. Adopt Draft Resolution B, recommending the City Council introduce an ordinance for first reading, by title only, to approve Planned Development Zone No. 35 for 2605, 2607, 3055, and 3255 Traffic Way (APN's 049-063-003, 004, 049-071-029, 030), based on findings.

#### **SITUATION AND FACTS:**

- |                              |   |
|------------------------------|---|
| 1. Applicant:                | Atascadero Temple Association<br>PO Box 715<br>Atascadero, CA 93423 |
| 2. General Plan Designation: | Public recreation (REC)   |

- |                          |   |
|--------------------------|---|
| 3. Zoning District:      | Recreation (Existing)<br>Public (Proposed)                                  |
| 4. Environmental Status: | Exempt from CEQA (Section 15061(b)(3). No significant environmental impact. |

## **DISCUSSION:**

### Background:

In 2003, the Planning Commission approved a Conditional Use Permit and Tentative Parcel Map to subdivide an elongated parcel between Traffic Way and the railroad into 4 parcels and approve construction of 2 membership assembly buildings on 2 of the parcels. One of the other parcels contained an existing single-family residence, which remains today, and the last parcel was offered to the City as a park. In 2005, one of the buildings was purchased and became occupied by the Congregation Ohr Tzafon. While this use is similar to a membership organization, it is considered a *church or related facility* in the zoning code and is currently a non-conforming use.

Earlier this year, the Masonic Lodge (Atascadero Temple Association) decided to sell their property; however, the current list of allowed uses is limited based on the recreation zoning designation and doesn't capture the most appropriate uses for the property based on the location and character of the neighborhood. A child care provider is interested in the site and has entered into escrow. This is currently not an allowable use and the property owners submitted a zone change application to change the zoning designation from Recreation to Public. This change would maintain the current General Plan Designation and provide for a minor change in land use opportunities.

### Analysis:

The Public Recreation (REC) General Plan Designation is further refined into 3 zoning districts within the Zoning Code: Public, Recreation, and Open Space. The General Plan describes the Public designation as the appropriate designation for publically owned facilities; however, the corresponding Zoning Districts allow for such uses as mini-storage, general retail, schools, single-family residences, restaurants, health care services, and other uses that are not typical public facilities. The Zoning Ordinance refines the broad General Plan definition and categorizes the corresponding zoning districts as follows:

- a) L (Recreation) Zoning District. This zone is established to provide suitable locations and standards for the development of recreational facilities accommodating the needs of the general public.
- b) P (Public) Zoning District. This zone is established to provide suitable locations and standards for the maintenance and development of public and quasi-public facilities and services.

- c) OS (Open Space) Zoning District. This zone is established to cover areas with environmentally sensitive natural or cultural resources and generally is intended to remain free of structures, but may be developed with low intensity recreational improvements, where appropriate.

This application does not intend to fix these inconsistencies but aims to work within the existing code to allow for the existing non-conforming and proposed uses, while limiting incompatible uses through the application of a PD overlay zone. Staff anticipates that major amendments to the structure of these corresponding zoning districts will occur during the General Plan Update and subsequent Zone Text Amendments.

### **1. Zoning Change Characteristics**

Currently the L zone allows for a large variety of land uses but is generally designed for public recreation spaces such as parks and outdoor recreation (Attachment 3). The amended zoning to P is more in alignment with how the property is already developed and will allow for land uses that support compatible uses. However some additional control is needed on this particular site as the P zone also allows for land uses such as mini-storage which would not be appropriate on this narrow site between the railroad tracks and the school.

With the proposed amendments, uses such as restaurants, retail stores, bed and breakfasts, and group sports facilities will not be allowed.

### **2. PD Overlay Zone**

The proposed Planned Development Overlay Zone #35 refines the allowed and conditionally allowed uses listed for the Public Zone to ensure that any future use of this area is compatible with the surrounding neighborhood and is appropriate for the location and size of the property.

The following listed conditional uses will be allowed by right in the PD overlay zone:

- Child Care Facilities
- Churches and Related Activities

The following uses are currently allowed or conditionally allowed within the P zone but will not be permitted in the PD overlay zone at these properties:

- Mini-Storage
- Health Care Services
- Medical Extended Care
- Residential Extended Care: 7 residents or greater
- Animal Hospitals
- Mortuary Services
- ATM's

### 3. Child Care Use

The prospective buyer of 2607 Traffic Way is hoping to establish a child care facility on the property. The site is across Traffic Way from San Benito School and would allow for kids to easily transition to the facility's afterschool program. The site also has 2 parking lots with a combined total of approximately 60 parking spaces. As the child care facility only requires less than 10 parking spaces, the prospective buyer is proposing to utilize one of the parking areas as an outdoor play space. The proposed overlay zone would make child care facilities an allowed use for this property. DRC approval would be required for any exterior or substantial site related changes.

### **Proposed Environmental Determination**

The California Environmental Quality Act (CEQA) (Section 15061.(3), (b)) exempts activities which are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed text amendment will not have any significant adverse environmental impacts.

### **CONCLUSION**

The proposed map amendment and PD overlay are consistent with the General Plan and will allow an expanded set of uses while limiting uses that are incompatible with the surrounding neighborhood or are incompatible based on site acreage. The zoning changes will also provide a path for compliance to existing non-conforming uses that are compatible with the surrounding area.

### **ALTERNATIVES**

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

### **ATTACHMENTS:**

Attachment 1:	Draft Resolution A – PD Overlay
Attachment 2:	Draft Resolution B - Zone Map Amendment
Attachment 2:	Draft Resolution C – PD Overlay No. 35

<b>Attachment 1:</b>	<b>Draft Resolution A: PD Overlay Zone Established</b> <b>ZCH19-0029</b>
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**DRAFT RESOLUTION A**  
**PD-35 OVERLAY DISTRICT**  
**ZONING CODE TEXT AMENDMENT**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF**  
**ATASCADERO, CALIFORNIA, RECOMMENDING THAT THE CITY**  
**COUNCIL ADOPT AN ORDINANCE ESTABLISHING A PLANNED**  
**DEVELOPMENT OVERLAY DISTRICT #35 CODE TEXT**

**TRAFFIC WAY ZONING MAP AMENDMENTS**  
**ATASCADERO TEMPLE ASSOCIATION**  
**(ZCH19-0029)**

**WHEREAS**, an application has been received from Atascadero Temple Association, PO Box 715, Atascadero, CA 93423, Applicant and Owner to consider Planning Application ZCH 2019-0029 to rezone parcels 1 through 4 of Parcel Map AT 02-278 (APN's 049-063-003, 004, 049-071-029, 030) from Recreation (L) to Public (P) and establish PD#35 overlay zone; and

**WHEREAS**, Article 28 of the Atascadero Municipal Code allows for the creation of Planned Development Overlay Zones to promote orderly and harmonious development and to enhance the opportunity to best utilize special site characteristics; and

**WHEREAS**, the Planning Commission has determined that it is in the best interest of the City to amendment to the Zoning Code Text to protect the health, safety and welfare of its citizens by applying orderly development and expanding housing opportunities within the City; and

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

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

**WHEREAS**, the Planning Commission of the City of Atascadero, at a Public Hearing held on June 4, 2019, studied and considered the proposed zone text change to establish Planned Development Overlay Zone #35; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Atascadero makes the following findings, determinations and recommendations with respect to the proposed Zoning Code Text Amendment:

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

**SECTION 2. Public Hearing.** The Planning Commission of the City of Atascadero, in a regular session assembled on June 4, 2019, resolved to recommend that the City Council introduce for first reading, by title only, an Ordinance that would amend the City Zoning Code Text as shown in Exhibit A, attached hereto and incorporated herein by this reference.

**SECTION 3. Facts and Findings.** The Planning Commission makes the following findings, determinations and approvals with respect to the Zone Text Amendment:

**A. Findings for Approval of a Zone Text Change**

FINDING: (i) The Planning and Zoning Text Change is consistent with General Plan policies and all other applicable ordinances and policies of the City.

FACT: The proposed zone text amendments align the code requirements with the vision, intent, and policies of the adopted General Plan.

FINDING: (ii) This Amendment of the Zoning Ordinance will provide for the orderly and efficient use of lands where such development standards are applicable.

FACT: The proposed text amendment provides for orderly development within the Public zoning district on Parcels 1 through 4 of Parcel Map AT02-278 in accordance with the adopted General Plan for the compatible use of the properties based on neighborhood characteristics.

FINDING: (iii) The Text Change will not, in itself, result in significant environmental impacts.

FACT: The proposed text changes are minor and do not trigger any environmental impacts.

**SECTION 4. CEQA.** The proposed zoning text change 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 enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378(b)(4), 15061(b)(3).

**SECTION 5. Recommendation of Approval.** The Planning Commission of the City of Atascadero, in a regular session assembled on June 4, 2019 resolved to recommend that the City Council introduce for first reading, an ordinance that would amend the Atascadero Municipal

Code to Establish Planned Development Overlay Zone #35 as detailed in Exhibit A, attached hereto and incorporated herein by this reference.

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

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

AYES: (0)

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Tom Zirk  
Planning Commission Chairperson

Attest:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



<b>EXHIBIT A:</b>	<b>Zone Text Change – Planned Development Overlay No.35 Text</b> <b>ZCH19-0023</b>
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**9-3.680 Establishment of Planned Development Overlay No. 35**

Planned Development Overlay Zone No. 35 is established as shown on the official zoning maps (Section 9-1.102 of this title). A Planned Development Overlay Zone No. 35 is established on parcels APN's 049-063-003, 004, 049-071-029, 030 (Parcels 1-4 of AT02-278)

(a) All site development or significant modifications, beyond ADA or code required changes, to the site or exterior changes of any building shall require Design Review Committee review.

(b) The following uses are allowed within the PD-35 overlay zone:

- (1) Churches and Related Activities;
- (2) Indoor Recreation Services;
- (3) Libraries and Museums;
- (4) Public Assembly and Entertainment;
- (5) Parks and Playgrounds;
- (6) Temporary Events;
- (7) Utility Facilities;
- (8) Government Offices;
- (9) Temporary Offices;
- (10) Residential Care: 6 Residents or Less;
- (11) Child Care Center;
- (12) Adult Day Care Facility;
- (13) Parking Lots;
- (14) Broadcast Studios

(c) The following uses are conditionally allowed within the PD-35 overlay zone:

- (1) Schools
- (2) Single Family Dwelling
- (3) Schools – Business and Vocational
- (4) Membership Organizations
- (5) Social Service Organizations;
- (6) Utility Infrastructure
- (7) Telecommunications Facilities

<b>Attachment 2: Draft Resolution B – Zoning Map Amendment</b> <b>ZCH19-0029</b>
---

**DRAFT RESOLUTION B**  
**ZONING MAP AMENDMENT**

**RESOLUTION OF THE PLANNING COMMISSION OF THE**  
**CITY OF ATASCADERO, CALIFORNIA, RECOMMENDING THE CITY**  
**COUNCIL APPROVE A ZONING MAP AMENDMENT FOR PARCELS 1-4**  
**OF AT02-278 TO CHANGE THE ZONING DESIGNATION FROM**  
**RECREATION (L) TO PUBLIC (P) WITH A PLANNED**  
**DEVELOPMENT NO. 35 OVERLAY**  
**ZONING DESIGNATION**

**TRAFFIC WAY ZONING MAP AMENDMENTS**  
**ATASCADERO TEMPLE ASSOCIATION**  
**(ZCH19-0029)**

**WHEREAS**, an application has been received from Atascadero Temple Association, PO Box 715, Atascadero, CA 93423, Applicant and Owner to consider Planning Application ZCH 2019-0029 to rezone parcels 1 through 4 of Parcel Map AT 02-278 (APN's 049-063-003, 004, 049-071-029, 030) from Recreation (L) to Public (P) and establish PD#35 overlay zone; and

**WHEREAS**, the site's General Plan Designation is Public Recreation (REC); and

**WHEREAS**, the site's current zoning district is Recreation (L); and

**WHEREAS**, the Planning Commission has determined that it is in the best interest of the City to enact this amendment to the Official Zoning Map to protect the health, safety, and welfare of its citizens by applying orderly development of the City; and

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

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

**WHEREAS**, the Planning Commission of the City of Atascadero, at a Public Hearing held on June 4, 2019, studied and considered ZCH19-0029.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Atascadero makes the following findings, determinations and recommendations with respect to the proposed Zoning Map Amendment:

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

**SECTION 2. Public Hearing.** The Planning Commission of the City of Atascadero, in a regular session assembled on June 4, 2019, resolved to recommend that the City Council introduce for first reading, by title only, an Ordinance that would amend the official City Zoning Map Designation as shown in Exhibit A, attached hereto and incorporated herein by this reference.

**SECTION 3. Facts and Findings.** The Planning Commission makes the following findings, determinations and approvals with respect to the Zoning Map Amendment:

**A. Findings for Approval of a Zone Map Change**

FINDING: (i) The Zoning Map Change is consistent with General Plan policies and all other applicable ordinances and policies of the City.

FACT: The proposed zoning map amendment provides for the orderly development of the subject parcels in alignment with the character of the surrounding neighborhood.

FINDING: (ii) This Amendment of the Zoning Ordinance will provide for the orderly and efficient use of lands where such development standards are applicable.

FACT: The proposed map amendment provides for orderly development within the Public zoning district on Parcels 1 through 4 of Parcel Map AT02-278 in accordance with the adopted General Plan for the compatible use of the properties based on neighborhood characteristics.

FINDING: (iii) The Text Change will not, in itself, result in significant environmental impacts.

FACT: The proposed text changes are minor and do not trigger any environmental impacts.

**SECTION 4. CEQA.** The proposed zoning map change 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 enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378(b)(4), 15061(b)(3)).

**SECTION 5. Recommendation of Approval.** The Planning Commission of the City of Atascadero, in a regular session assembled on June 4, 2019, resolved to recommend that the City Council introduce for first reading, an ordinance that would amend the official zoning designation as detailed in Exhibit A, attached hereto and incorporated herein by this reference.

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

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

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

ADOPTED:

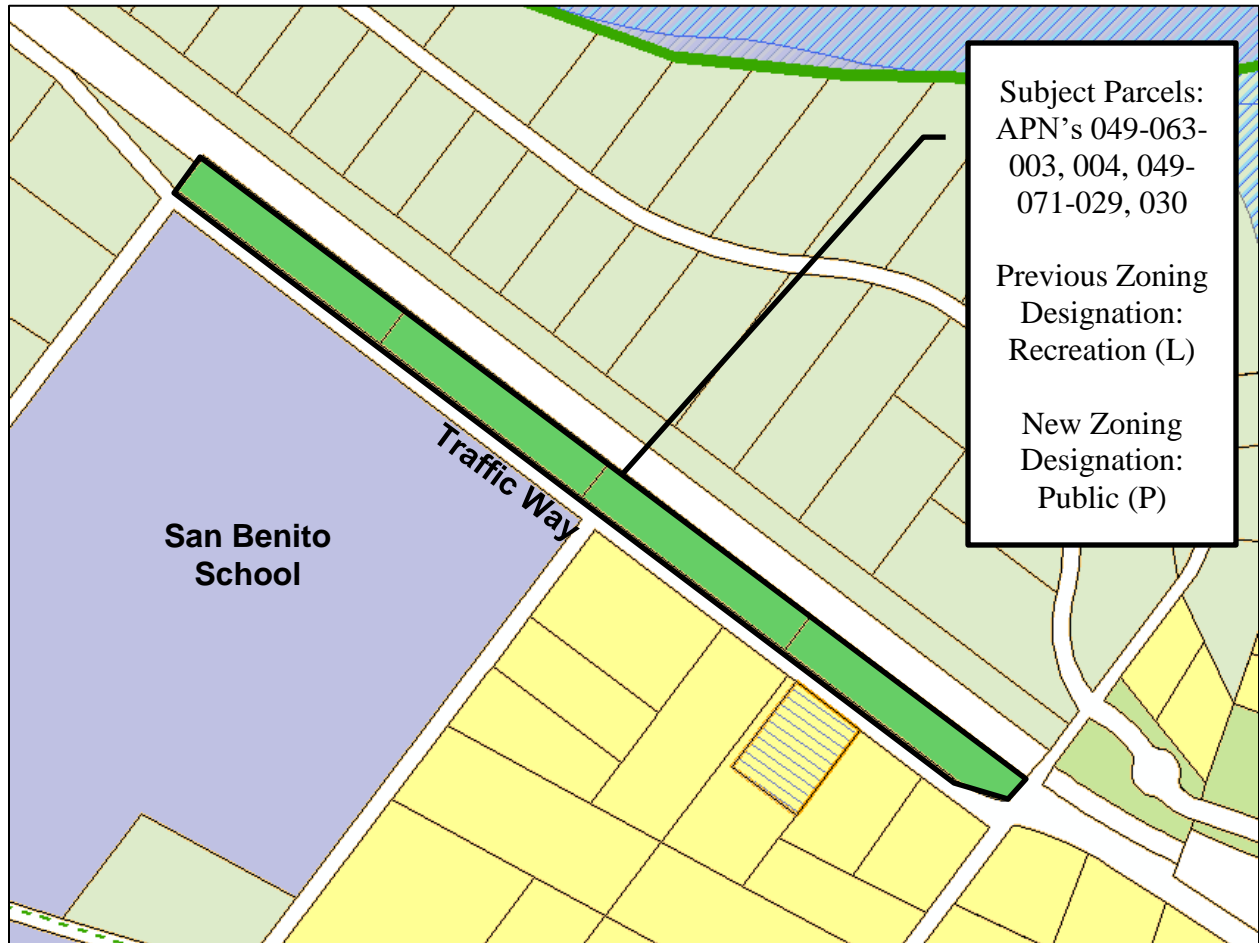
CITY OF ATASCADERO, CA

\_\_\_\_\_  
Tom Zirk  
Planning Commission Chairperson

Attest:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary

**EXHIBIT A:**                      **Zone Map Change – Map Amendment Diagram**  
   **ZCH19-0023**



**Attachment 3: Public Zone Use Comparison Table**  
**ZCH19-0029**

The below chart outlines the uses that are allowed and conditionally allowed in the Public and Recreation Zones. Uses which will be allowed, but were previously disallowed, are highlighted in Green. Uses which were previously allowed, but which will no longer be allowed, are highlighted in red.

	Permitted Uses By Zones		Special Use Regulation(s)
	L	P	
Agricultural Resources			
Agricultural Accessory Uses			
Farm Animal Raising			
Farmers’ Market	A	A	
Horticultural Specialties			
Residential Uses			
Residential Accessory Uses			9-6.106
Single-Family Dwelling		CUP	
Temporary Dwelling			9-6.176
Caretaker’s Residence/Employee Unit	CUP		9-6.184
Recreation, Education and Public Assembly			
Schools—Business and Vocational	A	CUP	9-6.125
Schools		A (CUP)	9-6.125
Churches and Related Activities		CUP	9-6.121
Membership Organizations	A	CUP	
Indoor Recreation Services	CUP	A	
Outdoor Recreation Services	A	A	9-6.123

Libraries, Museums	A	A	
Amusement Services	A		
Public Assembly and Entertainment	CUP	A	
Parks and Playgrounds	A	A	
Rural Sports and Group Facilities	A		9-6.124
Social and Service Organizations		CUP	
Sports Assembly	CUP		
Temporary Events	A	A	9-6.177
Cemeteries	CUP	CUP	
<b>Tourism, Lodging and Dining</b>			
Bed and Breakfast	A		
Recreational Vehicle Parks	CUP	CUP	9-6.180
Eating and Drinking Places	CUP		
<b>Retail Trade and Sales</b>			
Accessory Storage	A		9-6.103
General Retail	A		
Temporary or Seasonal Retail Sales	A	A	9-6.174
<b>Services-Business, Financial and Professional</b>			
ATM		A	
Government Offices and Facilities		A	
Health Care Services		CUP	
Temporary Offices		A	
<b>General Services</b>			
Animal Hospitals		CUP	
Residential Care: 6 Residents or Less		CUP	9-6.125
Residential Care: 7 Residents or More		CUP	9-6.125
Medical Extended Care Services: 6 Residents or Less		CUP	9-6.134
Childcare Center		CUP	9-6.125

Adult Day Care Facility		CUP	
Medical Extended Care Services: 7 Residents or More		CUP	9-6.134
Mortuary Services		CUP	
Mini-Storage		CUP	
<b>Industrial, Wholesale, Manufacturing Uses</b>			
Collection Stations	A	A	9-6.130
<b>Transportation Communication and Infrastructure</b>			
Parking Lots		A	
Transit Stations	CUP	CUP	
Utility Facilities	A	A	
Utility Infrastructure	CUP	CUP	
Broadcast Studios		A	
Telecommunication Facilities	CUP	CUP	