

# PUBLIC NOTICE

## AMENDMENT TO THE ATASCADERO CITY COUNCIL REGULAR MEETING AGENDA

**Tuesday, June 23, 2020, 6:00 P.M.**

***The following item is hereby added to the Consent Calendar, Section A of the agenda:***

**6. General Municipal Election - November 3, 2020**

- Fiscal Impact: The County's estimate for the 2020 election of officials in Atascadero is \$40,700.
- Recommendations: Council adopt the following Resolutions for the purpose of electing a Mayor and two members to the City Council:
  1. Draft Resolution A, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 3, 2020 for the election of a Mayor and two Council Members.
  2. Draft Resolution B, requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election to be held on November 3, 2020. [City Clerk]

STATE OF CALIFORNIA                     )  
COUNTY OF SAN LUIS OBISPO        )  
CITY OF ATASCADERO                    )

I, Amanda Muther, Deputy City Clerk of the City of Atascadero, declare under the penalty of perjury that the foregoing amendment to the June 23, 2020 Regular Meeting of the Atascadero City Council was posted on June 17, 2020 at the Atascadero City Hall, 6500 Palma Avenue, Atascadero, CA 93422 and was available for public review in the Customer Service Center at that location.

Signed this 17th day of June, at Atascadero, California.



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Amanda Muther, Deputy City Clerk  
City of Atascadero



## **CITY OF ATASCADERO CITY COUNCIL AMENDED AGENDA**

**\* COVID-19 NOTICE \*** Consistent with Executive Orders N-25-20 and No. N-29-20 from the Executive Department of the State of California and the San Luis Obispo County Health Official's March 18, 2020 Shelter at Home Order, City Council meetings were not able to be physically open to the public. However, on May 20, 2020 the California Department of Public Health approved SLO County's attestation moving the County into Stage 2 of the reopening process. In compliance with Phase 2 guidelines, the City can again offer Council meetings that are physically open to the public, provided protective measures are in place which include maintaining proper social distancing. The City will continue to provide access by phone, email and webinar.

### **HOW TO OBSERVE THE MEETING:**

Limited seating will be available for individuals who wish to physically attend the City Council meeting. To maximize public safety while still maintaining transparency and public access, the meeting will be live-streamed on SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and on KPRL Radio 1230AM. The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website or by visiting <https://attendee.gotowebinar.com/rt/6870163572939367694>.

### **HOW TO SUBMIT PUBLIC COMMENT:**

- 1. In Person.** (Please be advised, in compliance with Phase 2 reopening guidelines, social distancing will be observed and only very limited seating will be available.)
- 2. By Phone or Webinar.** Interested individuals who wish to practice social distancing and not attend the meeting in person are highly encouraged to call **805-538-2888** to listen and provide public comment via phone. Public comment may also be provided by webinar but by phone is preferable, if possible.
- 3. By Email.** Public comments may also be submitted in writing to [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org) by 5:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email.** The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Mayor's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

### **AMERICAN DISABILITY ACT ACCOMMODATIONS:**

Any member of the public who needs accommodations should contact the City Clerk's Office at [cityclerk@atascadero.org](mailto: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](http://www.atascadero.org).

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



# **CITY OF ATASCADERO CITY COUNCIL**

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## **AMENDED AGENDA**

**Tuesday, June 23, 2020**

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

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

**CITY COUNCIL CLOSED SESSION: 5:00 P.M.**

- 1. CLOSED SESSION -- PUBLIC COMMENT**
- 2. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION**
- 3. CLOSED SESSION -- CALL TO ORDER**
  - a. Public Employee Performance Evaluation (Govt. Code 54957)**  
Title: City Manager
  - b. Public Employee Performance Evaluation (Govt. Code 54957)**  
Title: City Attorney
- 4. CLOSED SESSION – ADJOURNMENT**
- 5. COUNCIL RETURNS TO CHAMBERS**
- 6. CLOSED SESSION – REPORT**

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

**PLEDGE OF ALLEGIANCE:** Council Member Newsom

**ROLL CALL:** Mayor Moreno  
Mayor Pro Tem Bourbeau  
Council Member Fonzi  
Council Member Funk  
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.

**PRESENTATIONS: None.**

**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 – June 1, 2020 & June 9, 2020**

- Recommendation: Council approve the June 1, 2020 Draft City Council Special Meeting Minutes and the June 9, 2020 Draft City Council Regular Meeting Minutes. [City Clerk]

**2. May 2020 Accounts Payable and Payroll**

- Fiscal Impact: \$2,487,028.33
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for May 2020. [Administrative Services]

**3. Alcoholic Beverage Control (ABC) License for a Beer Garden and Bottle Shop at 6090 El Camino Real - Type 40 License (USE 20-0049)**

- Fiscal Impact: A slight positive fiscal impact is expected from increased sales tax.
- Recommendation: Council adopt Draft Resolution finding that a public convenience would be served by allowing the issuance of a Type 40 ABC, On-Sale Beer for Public Premises License for Ancient Owl, a beer garden and bottle shop located in a new development at 6090 El Camino Real. [Community Development]

**4. Release Affordable Housing Deed Restriction**

- Fiscal Impact: If the Council directs staff to release the deed restriction from the property, Community Facilities District Special Taxes in the amount of just under \$800 will be collected from the current homeowner.
- Recommendation: Council direct staff to record a Release Agreement removing the Agreement to Provide Housing Units for Persons and Families of Moderate Income applicable to Lot 1 of Tract 2498, commonly known as 655 North Ferrocarril. [Community Development]



**5. Annexation of the Principal Mixed-Use Subdivision into Community Facilities District 2005-1, Annexation No. 20 (9105 Principal Ave: Tract 3070)**

- Fiscal Impact: Assessments for this annexation are estimated to be between \$36,000 - \$39,000 annually beginning in fiscal year 2021-2022, and adjusted each year for inflation.
- Recommendation: Council adopt Draft Resolution, declaring its intention to annex territory, into Community Facilities District 2005-1 (Public Services) and to authorize the levy of special taxes therein – City of Atascadero Community Facilities District 2005-1 Annexation No. 20 (9105 Principal Ave.: Tract 3070). [Community Development]

**6. General Municipal Election - November 3, 2020**

- Fiscal Impact: The County's estimate for the 2020 election of officials in Atascadero is \$40,700.
- Recommendations: Council adopt the following Resolutions for the purpose of electing a Mayor and two members to the City Council:
  1. Draft Resolution A, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 3, 2020 for the election of a Mayor and two Council Members.
  2. Draft Resolution B, requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election to be held on November 3, 2020. [City Clerk]

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

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

**B. PUBLIC HEARINGS:**

**1. Atascadero Tourism Business Improvement District Confirmation of Annual Assessment (Fiscal Year 2020-2021)**

- Ex-Parte Communications:
- Fiscal Impact: Annual assessments for 2020-2021 are expected to be approximately \$232,000 and will be assessed as 2% of the rent charged on the occupied rooms and spaces for transient occupancies.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Atascadero Tourism Business Improvement District (Fiscal Year 2020-2021). [City Manager]

**2. Downtown Parking and Business Improvement Area Confirmation of Annual Assessment (FY 2020-2021)**

- Ex-Parte Communications:
- Fiscal Impact: Adopting the staff recommendation will result in the collection and expenditure of approximately \$10,600 in budgeted DPBIA funds.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2020-2021). [City Manager]

**3. Adopting Sewer Service Charges to be Added to the 2020-2021 Property Tax Rolls**

- Ex-Parte Communications:
- Fiscal Impact: The City estimates it will collect \$2,782,000 in sewer service charges for Fiscal Year 2020-2021.
- Recommendations: Council:
  1. Conduct a public hearing to receive verbal testimony regarding the proposed sewer service charges to be levied onto property tax rolls.
  2. Adopt Draft Resolution approving sewer service charges to be added to the 2020-2021 property tax rolls. [Public Works]

**C. MANAGEMENT REPORTS:**

**1. 6th Cycle Housing Element Update Draft Plan (CPP19-0067)**

- Fiscal Impact: None.
- Recommendations: Council:
  1. Review and comment on the Draft Housing Element and receive public input.
  2. Authorize staff to submit the Draft plan to the State for initial review. [Community Development]

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

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

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

Mayor Moreno

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

Mayor Pro Tem Bourbeau

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

Council Member Fonzi

1. Air Pollution Control District
2. Atascadero Basin Ground Water Sustainability Agency (GSA)
3. City of Atascadero Design Review Committee
4. SLO Local Agency Formation Commission (LAFCo)

Council Member Funk

1. City of Atascadero Finance Committee
2. Homeless Services Oversight Council
3. League of California Cities – Council Liaison

Council Member Newsom

1. California Joint Powers Insurance Authority (CJPIA) Board
2. City / Schools Committee
3. City of Atascadero Design Review Committee
4. Visit SLO CAL Advisory Committee

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

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

**G. ADJOURN**

**Please note:** Should anyone challenge any proposed development entitlement listed on this Agenda in court, that person may be limited to raising those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to this public hearing. Correspondence submitted at this public hearing will be distributed to the Council and available for review in the City Clerk's office.



# CITY OF ATASCADERO CITY COUNCIL

## DRAFT MINUTES

Monday, June 1, 2020

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

**City Council Special Meeting:**

**6:00 P.M.**

**SPECIAL MEETING – CALL TO ORDER: 6:00 P.M.**

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

### **ROLL CALL:**

Present: **By Teleconference** - Council Members Fonzi, Funk, Newsom, Mayor Pro Tem Bourbeau, and Mayor Moreno

Absent: None

Others Present: None

Staff Present: **By Teleconference** - City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Police Chief Jerel Haley, Public Works Director Nick DeBar, and City Attorney Kane Thuyen

### **COMMUNITY FORUM:**

The following citizens spoke during Community Forum: None

***Mayor Moreno closed the COMMUNITY FORUM period.***

### **PUBLIC HEARINGS:**

**1. Proposition 218 Majority Protest Process Relative to Proposed Increase to Wastewater (Sewer) Rates**

- Ex-Parte Communications:
- Fiscal Impact: If approved, the new wastewater rates will result in an estimated \$400,000 in additional revenue from sewer service charges collected in FY20/21.

- Recommendations: Council:
  1. Conduct a public hearing to receive all written and verbal testimony regarding the proposed wastewater (sewer) rates and consider the results of protest proceedings in accordance with Proposition 218.
  2. Adopt one of the following resolutions certifying the protest results:
    - A. For a non-majority protest – Draft Resolution A certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase.
    - OR**
    - B. For a majority protest – Draft Resolution B certifying that the number of valid written protests were received from property owners representing a majority of the parcels subject to the proposed rate increase.
  3. If no majority protest exists, adopt Draft Resolution C approving proposed wastewater rates effective July 1, 2020. [Public Works]

#### Ex Parte Communications

Mayor Moreno noted that the Council had received one email from a resident protesting the increase.

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

#### **PUBLIC COMMENT:**

The following citizens spoke on this item: None.

***Mayor Moreno closed the Public Comment period.***

Deputy City Clerk Muther tallied the protests and advised that only three had been received, which does not constitute a majority protest.

**MOTION:** By Mayor Pro Tem Bourbeau and seconded by Council Member Newsom to adopt Resolution No. 2020-031 certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase.  
***Motion passed 5:0 by a roll-call vote.***

**MOTION:** By Council Member Fonzi and seconded by Council Member Funk to adopt Resolution No. 2020-032 approving proposed wastewater rates effective July 1, 2020.  
***Motion passed 5:0 by a roll-call vote.***

#### **ADJOURN**

Mayor Moreno adjourned the meeting at 6:17 p.m.

#### **MINUTES PREPARED BY:**

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Amanda Muther, Deputy City Clerk

#### **APPROVED:**

Atascadero City Council Special Meeting  
June 1, 2020  
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# **CITY OF ATASCADERO CITY COUNCIL**

## **DRAFT MINUTES**

**Tuesday, June 9, 2020**

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

**City Council Regular Session:**

**6:00 P.M.**

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

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

### **ROLL CALL:**

Present: **By Teleconference** - Council Members Fonzi, Funk, Newsom, Mayor Pro Tem Bourbeau, and Mayor Moreno

Absent: None

Others Present: None

Staff Present: **By Teleconference** - City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Public Works Director Nick DeBar, Police Chief Jerel Haley, Community Development Director Phil Dunsmore, and City Attorney Brian Pierik

### **APPROVAL OF AGENDA:**

**MOTION:** By Council Member Funk and seconded by Council Member Newsom to:

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

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

**PRESENTATIONS: None.**

**A. CONSENT CALENDAR:**

**1. City Council Draft Action Minutes – May 26, 2020**

- Recommendation: Council approve the May 26, 2020 Draft City Council Meeting Minutes. [City Clerk]

**2. 2020-2021 Annual Spending Limit**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution establishing the annual spending limit for fiscal year 2020-2021. [Administrative Services]

**3. Measure F-14 Pavement Rehabilitation Construction Award**

- Fiscal Impact: The current budget has \$2,650,000 in Measure F-14 Funds for this project. However, staff estimates that project expenditures may be as high as \$2,900,000 with construction contingencies.
- Recommendations: Council:
  1. Award a construction contract for \$2,167,515 to Ferravanti Grading and Paving for the 2020 Measure F-14 Pavement Rehabilitation Project (Project No. C2019R02).
  2. Authorize the City Manager to execute a contract with Ferravanti Grading and Paving for \$2,167,515 to construct the 2020 Measure F-14 Pavement Rehabilitation Project.
  3. Authorize the Director of Administrative Services to allocate an additional \$250,000 in Measure F-14 Fund balance to the 2020 Measure F-14 Pavement Rehabilitation Project. [Public Works]

**4. Mid-Cycle Budget Revisions for the Atascadero Tourism Business Improvement District**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution establishing a Reserve Policy for the Atascadero Tourism Business Improvement District. [Administrative Services]

**5. Atascadero Tourism Business Improvement District (ATBID) Annual Assessment**

- Fiscal Impact: None.
- Recommendations: Council:
  1. Approve the ATBID Annual Report.
  2. Adopt Draft Resolution declaring intent to levy an annual Business Improvement District assessment on lodging businesses within the Atascadero Tourism Business Improvement District, and set a public hearing for June 23, 2020. [City Manager]

**6. Parking & Business Improvement Area (PBIA) Assessment**

- Fiscal Impact: None.
- Recommendations: Council adopt Draft Resolution, declaring intent to levy an annual Downtown Parking and Business Improvement Area assessment, and set a public hearing for June 23, 2020. [City Manager]

**MOTION:** By Council Member Fonzi and seconded by Council Member Funk to approve the Consent Calendar with amendments to Item A-6, Draft Resolution as follows:

- Amend SECTION 4. to read: ...the proposed assessments to be levied upon the businesses within the area for Fiscal Year **2020-2021**...
- Amend SECTION 5. To read: ...The form of the protests shall comply with Sections 36524 and **36525** of the Streets and Highways Code.  
(#A-2: Resolution No. 2020-033) (#A-3: Contract No. 2020-006)  
(#A-4: Resolution No. 2020-034) (#A5: Resolution No. 2020-035)  
(#A6: Resolution No. 2020-036)

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

## **UPDATES FROM THE CITY MANAGER:**

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

In response to a number of emails requesting information on the Police Department's Use of Force Policies and in particular the "*8 Can't Wait Initiative*", Police Chief Haley gave a brief presentation and directed people to the City website for the City Police Policy Manual and City status on the "*8 Can't Wait Initiative*".

## **COMMUNITY FORUM:**

The following citizens spoke during Community Forum: Pastor Wayne Riddering, Geoff Auslen and Kylie Bennett

Emails from the following citizens were read into the record by City Manager Rickard and IT Manager Knight: Ron Krall, Melissa Egger and Barbara Torrey Workman

***Mayor Moreno closed the COMMUNITY FORUM period.***

## **B. PUBLIC HEARINGS:**

### **1. Apple Valley Assessment Districts**

- Ex-Parte Communications:
- Fiscal Impact: Annual assessments for 2020/2021 will total \$38,500 for road/drainage system maintenance and \$63,000 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in Apple Valley.
- Recommendations: Council:
  1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto for fiscal year 2020/2021.



2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2020/2021 for Street and Storm Drain Maintenance District No. 01 (Apple Valley).
3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto in fiscal year 2020/2021.
4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2020/2021 for Landscaping and Lighting District No. 01 (Apple Valley). [Administrative Services]

Administrative Services Director Rangel gave the presentation and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

***Mayor Moreno closed the Public Comment period.***

**MOTION:** By Council Member Fonzi and seconded by Council Member Newsom to:

1. Adopt Resolution No. 2020-037 approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto for fiscal year 2020/2021.
2. Adopt Resolution No. 2020-038 ordering the levy and collection of assessments for fiscal year 2020/2021 for Street and Storm Drain Maintenance District No. 01 (Apple Valley).
3. Adopt Resolution No. 2020-039 approving the final Engineer's Report regarding the Landscaping and Lighting District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto in fiscal year 2020/2021.
4. Adopt Resolution No. 2020-040 ordering the levy and collection of assessments for fiscal year 2020/2021 for Landscaping and Lighting District No. 01 (Apple Valley).

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

**2. De Anza Estates Assessment Districts**

- Ex-Parte Communications:
- Fiscal Impact: Annual assessments for 2020/2021 will total \$30,562 for road/drainage system maintenance and \$15,875 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in De Anza Estates. The City General Fund will contribute \$1,400 for the fiscal year 2020/2021 for half of the maintenance costs of the trails and open space.
- Recommendations: Council:
  1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 03 (De Anza Estates),

- and the levy and collection of annual assessments related thereto for fiscal year 2020/2021.
2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2020/2021 for Street and Storm Drain Maintenance District No. 03 (De Anza Estates).
  3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto in fiscal year 2020/2021.
  4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2020/2021 for Landscaping and Lighting District No. 03 (De Anza Estates). [Administrative Services]

Administrative Services Director Rangel gave the presentation and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

***Mayor Moreno closed the Public Comment period.***

**MOTION:** By Mayor Pro Tem Bourbeau and seconded by Council Member Newsom to:

1. Adopt Resolution No. 2020-041 approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto for fiscal year 2020/2021.
2. Adopt Resolution No. 2020-042 ordering the levy and collection of assessments for fiscal year 2020/2021 for Street and Storm Drain Maintenance District No. 03 (De Anza Estates).
3. Adopt Resolution No. 2020-043 approving the final Engineer's Report regarding the Landscaping and Lighting District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto in fiscal year 2020/2021.
4. Adopt Resolution No. 2020-044 ordering the levy and collection of assessments for fiscal year 2020/2021 for Landscaping and Lighting District No. 03 (De Anza Estates).

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

**3. Woodridge (Las Lomas) Assessment Districts**

- Ex-Parte Communications:
- Fiscal Impact: Annual assessments for 2020/2021 will total \$92,932 for road/drainage system maintenance and \$66,049 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in Las Lomas (Woodridge). The City General Fund will contribute \$1,850 for the fiscal year 2020/2021 for 25% of the maintenance costs of the trails and open space.
- Recommendations: Council:
  1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 02 – Woodridge (Las

- Lomas), and the levy and collection of annual assessments related thereto for Fiscal Year 2020/2021.
2. Adopt Draft Resolution B ordering the levy and collection of assessments for Fiscal Year 2020/2021 for Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas).
  3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto in Fiscal Year 2020/2021.
  4. Adopt Draft Resolution D ordering the levy and collection of assessments for Fiscal Year 2020/2021 for Landscaping and Lighting District No. 02 – Woodridge (Las Lomas). [Administrative Services]

Administrative Services Director Rangel gave the presentation and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

Emails from the following citizens were read into the record by City Manager Rickard and IT Manager Knight: Jerry and Cathy LeMoine, Gary Adams, Charlotte Adams, Joseph & Beverly Hale, Arlene McRoberts, Ellen Woodhull, Maureen Montero and Terry Leigan

***Mayor Moreno closed the Public Comment period.***

**MOTION: By Council Member Fonzi and seconded by Council Member Newsom to:**

1. Adopt Resolution No. 2020-045 approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto for Fiscal Year 2020/2021.
2. Adopt Resolution No. 2020-046 ordering the levy and collection of assessments for Fiscal Year 2020/2021 for Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas).
3. Adopt Resolution No. 2020-047 approving the final Engineer's Report regarding the Landscaping and Lighting District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto in Fiscal Year 2020/2021.
4. Adopt Resolution No. 2020-048 ordering the levy and collection of assessments for Fiscal Year 2020/2021 for Landscaping and Lighting District No. 02 – Woodridge (Las Lomas).

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

**C. MANAGEMENT REPORTS:**

**1. Authorization for the Use of Inclusionary Housing Funds for Del Rio Ridge Affordable Housing Project (Peoples' Self-Help Housing)**

- Fiscal Impact: Peoples' Self-Help Housing is requesting the allocation of \$400,000 from In Lieu Low/Moderate Income Housing Funds in the form of a soft loan.
- Recommendations: Council:
  1. Direct the Director of Administrative Services to appropriate \$400,000 of In Lieu Low/Moderate Income Housing Funds for the Peoples' Self-Help Housing Del Rio Ridge Affordable Housing Project Loan.
  2. Direct staff to bring back a loan agreement for Council approval at a future date.
  3. Authorize the City Manager to sign a letter of support or other necessary documentation in support of the Peoples' Self-Help Housing funding application. [Community Development]

Community Services Director Dunsmore gave the presentation answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: John Fowler, Morgan Benevedo and Tori Keen

***Mayor Moreno closed the Public Comment period.***

**MOTION:** By Mayor Pro Tem Bourbeau seconded by Council Member Fonzi to:

1. Direct the Director of Administrative Services to appropriate \$400,000 of In Lieu Low/Moderate Income Housing Funds for the Peoples' Self-Help Housing Del Rio Ridge Affordable Housing Project Loan.
2. Direct staff to bring back a loan agreement for Council approval at a future date which will include:
  - A requirement for People's Self Help Housing to provide onsite management
  - A requirement that People's Self Help Housing remain as the owner during the course of the loan
  - An affordability covenant
3. Authorize the City Manager to sign a letter of support or other necessary documentation in support of the Peoples' Self-Help Housing funding application.

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

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

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

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

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

***Mayor Moreno closed the Public Comment period.***

**E. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:**

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

Mayor Moreno

1. Economic Vitality Corporation, Board of Directors (EVC)
2. SLO Council of Governments (SLOCOG)

Council Member Fonzi

1. Air Pollution Control District

Council Member Funk

1. Homeless Services Oversight Council

Council Member Newsom

1. City of Atascadero Design Review Committee

**F. INDIVIDUAL DETERMINATION AND / OR ACTION:**

City Manager Rickard advised that the next City Council meeting on June 23rd will be both in person (with limited seating) and available by phone and webinar.

**G. ADJOURN**

Mayor Moreno adjourned the meeting at 8:25 p.m.

**MINUTES PREPARED BY:**

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Amanda Muther  
Deputy City Clerk

**APPROVED:**



## ***Atascadero City Council***

### ***Staff Report - Administrative Services Department***

#### **May 2020 Accounts Payable and Payroll**

#### **RECOMMENDATION:**

Council approve certified City accounts payable, payroll and payroll vendor checks for May 2020.

#### **DISCUSSION:**

Attached for City Council review and approval are the following:

##### **Payroll**

Dated 5/14/2020	Checks # 34864 - 34871	\$ 9,948.67
	Direct Deposits	276,873.63
Dated 5/28/2020	Checks # 34872 - 34879	7,971.45
	Direct Deposits	272,573.76

##### **Accounts Payable**


Dated 5/1/20-5/31/20	Checks # 164173 - 164479 & EFTs 3662 - 3696	1,919,660.82
<b>TOTAL AMOUNT</b>		<b>\$ 2,487,028.33</b>

#### **FISCAL IMPACT:**

Total expenditures for all funds is \$ 2,487,028.33

#### **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:**

May 2020 Eden Warrant Register in the amount of \$ 1,919,660.82

**City of Atascadero**  
**Disbursement Listing**

ITEM NUMBER: A-2  
DATE: 06/23/20  
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For the Month of May 2020

Check Number	Check Date	Vendor	Description	Amount
3662	05/01/2020	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	209.54
3663	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	22,248.41
3664	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	34,201.81
3665	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,688.93
3666	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,093.58
3667	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,908.84
3668	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	4,566.43
3669	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	6,528.58
3670	05/01/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	11,986.60
164173	05/04/2020	ANTHEM BLUE CROSS HEALTH	Payroll Vendor Payment	184,542.58
164174	05/04/2020	LINCOLN NATIONAL LIFE INS CO	Payroll Vendor Payment	1,683.88
164175	05/04/2020	MEDICAL EYE SERVICES	Payroll Vendor Payment	1,745.50
164176	05/04/2020	PREFERRED BENEFITS INSURANCE	Payroll Vendor Payment	8,651.50
3671	05/05/2020	RABOBANK, N.A.	Payroll Vendor Payment	46,089.19
3672	05/05/2020	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	13,234.30
3673	05/05/2020	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	2,168.86
164177	05/08/2020	A & R CONSTRUCTION	Accounts Payable Check	3,400.00
164178	05/08/2020	ACTIVE NETWORK, LLC	Accounts Payable Check	2,235.07
164179	05/08/2020	AIR-LEFT REFRIGERATION & HEATI	Accounts Payable Check	200.00
164180	05/08/2020	ALL SIGNS AND GRAPHICS	Accounts Payable Check	60.00
164181	05/08/2020	JENELL ALLEN	Accounts Payable Check	21.50
164182	05/08/2020	ALLIANCE READY MIX, INC.	Accounts Payable Check	890.38
164183	05/08/2020	ALLIGARE, LLC.	Accounts Payable Check	10,344.00
164184	05/08/2020	ALPHA ELECTRIC SERVICE	Accounts Payable Check	2,390.00
164185	05/08/2020	ALTHOUSE & MEADE, INC.	Accounts Payable Check	465.00
164186	05/08/2020	AMERICAN WEST TIRE & AUTO INC	Accounts Payable Check	3,662.75
164187	05/08/2020	ASSOCIATED TRAFFIC SAFETY, INC	Accounts Payable Check	1,500.00
164188	05/08/2020	AT&T	Accounts Payable Check	191.29
164189	05/08/2020	AT&T	Accounts Payable Check	696.09
164190	05/08/2020	ATASCADERO HAY & FEED	Accounts Payable Check	617.57
164192	05/08/2020	ATASCADERO MUTUAL WATER CO.	Accounts Payable Check	5,709.30
164193	05/08/2020	BROOKE AUSTIN	Accounts Payable Check	40.50
164194	05/08/2020	AVILA TRAFFIC SAFETY	Accounts Payable Check	5,077.50
164195	05/08/2020	TERRIE BANISH	Accounts Payable Check	25.00
164196	05/08/2020	COLLEEN BARNETT	Accounts Payable Check	83.00
164197	05/08/2020	BASSETT'S CRICKET RANCH, INC.	Accounts Payable Check	520.80
164198	05/08/2020	ROCKLAND BENTLEY	Accounts Payable Check	166.00
164199	05/08/2020	GRACE BERG	Accounts Payable Check	83.00

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164200	05/08/2020	TIM BERGET	Accounts Payable Check	23.65
164201	05/08/2020	KEITH R. BERGHER	Accounts Payable Check	33.75
164202	05/08/2020	BERRY MAN, INC.	Accounts Payable Check	396.53
164203	05/08/2020	PAM BROWN	Accounts Payable Check	21.50
164204	05/08/2020	BURKE, WILLIAMS, & SORENSON LLP	Accounts Payable Check	20,000.00
164205	05/08/2020	BURT INDUSTRIAL SUPPLY	Accounts Payable Check	741.41
164206	05/08/2020	CA DEPT OF FISH & WILDLIFE	Accounts Payable Check	1,526.00
164207	05/08/2020	CARISSA CAIN	Accounts Payable Check	83.00
164208	05/08/2020	TAMARA CARLISLE	Accounts Payable Check	83.00
164209	05/08/2020	CARQUEST OF ATASCADERO	Accounts Payable Check	349.75
164210	05/08/2020	MACCI CASIDA	Accounts Payable Check	83.00
164211	05/08/2020	JASON CHANCE	Accounts Payable Check	32.50
164212	05/08/2020	CHARTER COMMUNICATIONS	Accounts Payable Check	1,392.52
164213	05/08/2020	TAMMY CHERBINSKY	Accounts Payable Check	21.50
164214	05/08/2020	COASTAL COPY, INC.	Accounts Payable Check	198.03
164215	05/08/2020	COASTAL REPROGRAPHIC SERVICES	Accounts Payable Check	465.48
164216	05/08/2020	TRACEY COLLIER	Accounts Payable Check	47.20
164217	05/08/2020	MELANIE CONRAD	Accounts Payable Check	83.00
164218	05/08/2020	CHANEL COOPER	Accounts Payable Check	83.00
164219	05/08/2020	DANETTE CORDERO	Accounts Payable Check	83.00
164220	05/08/2020	COUNTY OF SAN LUIS OBISPO	Accounts Payable Check	3,500.00
164221	05/08/2020	DOUGLAS CRAPO	Accounts Payable Check	83.00
164222	05/08/2020	NICHOLAS DEBAR	Accounts Payable Check	300.00
164223	05/08/2020	MATT DEFRAGA	Accounts Payable Check	47.20
164224	05/08/2020	DEPARTMENT OF JUSTICE	Accounts Payable Check	273.00
164225	05/08/2020	DEPARTMENT OF TRANSPORTATION	Accounts Payable Check	7,612.13
164226	05/08/2020	DRIVE CUSTOMS	Accounts Payable Check	165.00
164227	05/08/2020	PHILIP DUNSMORE	Accounts Payable Check	300.00
164228	05/08/2020	EIKHOF DESIGN GROUP, INC.	Accounts Payable Check	1,960.00
164229	05/08/2020	ELECTRICRAFT, INC.	Accounts Payable Check	4,012.24
164230	05/08/2020	DAVID ELMORE	Accounts Payable Check	83.00
164231	05/08/2020	ANNMARIE FALK	Accounts Payable Check	83.00
164232	05/08/2020	FARM SUPPLY COMPANY	Accounts Payable Check	343.16
164233	05/08/2020	FASTENAL COMPANY	Accounts Payable Check	737.66
164234	05/08/2020	FENCE FACTORY ATASCADERO	Accounts Payable Check	150.78
164235	05/08/2020	AMANDA FERRELL	Accounts Payable Check	21.50
164236	05/08/2020	FGL ENVIRONMENTAL	Accounts Payable Check	110.00
164237	05/08/2020	CAITLIN FOWLER	Accounts Payable Check	83.00



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164238	05/08/2020	MARIE FRAZIER-WILSON	Accounts Payable Check	166.00
164239	05/08/2020	RUDY GARCIA	Accounts Payable Check	17.50
164240	05/08/2020	GAS COMPANY	Accounts Payable Check	615.93
164241	05/08/2020	KELLY GLEASON	Accounts Payable Check	120.80
164242	05/08/2020	GMV SYNCROMATICS	Accounts Payable Check	9,500.00
164243	05/08/2020	KAITLYN HANLEY	Accounts Payable Check	83.00
164244	05/08/2020	HART IMPRESSIONS PRINTING	Accounts Payable Check	53.88
164245	05/08/2020	LAURA HASCH	Accounts Payable Check	21.50
164246	05/08/2020	SCOTT HEAD	Accounts Payable Check	166.00
164247	05/08/2020	HEADSETS PLUS	Accounts Payable Check	3,604.96
164248	05/08/2020	KARINA HENDRICKS	Accounts Payable Check	83.00
164249	05/08/2020	BECKY HERZIG	Accounts Payable Check	83.00
164250	05/08/2020	JASON HOLLAND	Accounts Payable Check	83.00
164251	05/08/2020	JASON HOLZER	Accounts Payable Check	83.00
164252	05/08/2020	HOME DEPOT CREDIT SERVICES	Accounts Payable Check	1,750.13
164253	05/08/2020	DANIELLE HUBBS	Accounts Payable Check	83.00
164254	05/08/2020	INFORMATION TECHNOLOGY	Accounts Payable Check	2,352.60
164255	05/08/2020	IRON MOUNTAIN RECORDS MGMNT	Accounts Payable Check	119.04
164256	05/08/2020	ACACIA JACKSON	Accounts Payable Check	83.00
164257	05/08/2020	MILLIISSA JOHNSON	Accounts Payable Check	83.00
164258	05/08/2020	NICOLE JOHNSON	Accounts Payable Check	40.00
164259	05/08/2020	MEGAN JOHNSTON	Accounts Payable Check	83.00
164260	05/08/2020	JULIA JONES	Accounts Payable Check	83.00
164261	05/08/2020	NATE KENYON	Accounts Payable Check	83.00
164262	05/08/2020	HYEMI KO	Accounts Payable Check	41.65
164263	05/08/2020	RACHEL KOENIG	Accounts Payable Check	83.00
164264	05/08/2020	DARCY KRISTY	Accounts Payable Check	83.00
164265	05/08/2020	KRITZ EXCAVATING & TRUCKNG INC	Accounts Payable Check	513.48
164266	05/08/2020	KW CONSTRUCTION	Accounts Payable Check	6,130.00
164267	05/08/2020	LAYNE LABORATORIES, INC.	Accounts Payable Check	1,643.19
164268	05/08/2020	LEE WILSON ELECTRIC CO. INC	Accounts Payable Check	3,488.00
164269	05/08/2020	MICHELLE LEE	Accounts Payable Check	83.00
164270	05/08/2020	DEBI LEWIS	Accounts Payable Check	83.30
164271	05/08/2020	LIFE ASSIST, INC.	Accounts Payable Check	460.30
164272	05/08/2020	GARY V. MADGETT	Accounts Payable Check	1,700.00
164273	05/08/2020	MADRONE LANDSCAPES, INC.	Accounts Payable Check	394.00
164274	05/08/2020	MAINLINE UTILITY CO.	Accounts Payable Check	2,075.00
164275	05/08/2020	RICHARD C. MARTIN	Accounts Payable Check	83.00

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164276	05/08/2020	ANA MARTINO	Accounts Payable Check	21.50
164277	05/08/2020	MCGAUGHEY CHIROPRACTIC	Accounts Payable Check	200.00
164278	05/08/2020	AMBER MCGAUGHEY	Accounts Payable Check	83.00
164279	05/08/2020	CAROLYN MCGAUGHEY	Accounts Payable Check	83.00
164280	05/08/2020	COURTNEY MCKEEVER	Accounts Payable Check	83.00
164281	05/08/2020	CHERIE MCKINLEY	Accounts Payable Check	83.00
164282	05/08/2020	MCMaster-CARR SUPPLY CO.	Accounts Payable Check	238.41
164283	05/08/2020	MEDPOST URGENT CARE-ATASCADERO	Accounts Payable Check	20.00
164284	05/08/2020	MEYER TREE CONSULTING	Accounts Payable Check	617.50
164285	05/08/2020	MICHAEL K. NUNLEY & ASSC, INC.	Accounts Payable Check	575.65
164286	05/08/2020	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	654.18
164287	05/08/2020	MID-STATE CONCRETE PRODUCTS	Accounts Payable Check	2,758.36
164288	05/08/2020	CHRIS MIKALASKAS	Accounts Payable Check	83.00
164289	05/08/2020	MIKE DEAN'S MOBILE AUTO REPAIR	Accounts Payable Check	36.75
164290	05/08/2020	MINER'S ACE HARDWARE	Accounts Payable Check	362.15
164291	05/08/2020	MISSION UNIFORM SERVICE	Accounts Payable Check	267.96
164292	05/08/2020	SARAH MONTAGUE	Accounts Payable Check	83.00
164293	05/08/2020	MOSS, LEVY, & HARTZHEIM LLP	Accounts Payable Check	950.00
164294	05/08/2020	MUFG UNION BANK, N.A.	Accounts Payable Check	2,992.00
164295	05/08/2020	DYLAN MUSIAL	Accounts Payable Check	83.00
164296	05/08/2020	MV TRANSPORTATION, INC.	Accounts Payable Check	6,321.44
164297	05/08/2020	YASMIN NASON	Accounts Payable Check	292.00
164298	05/08/2020	JAMIE NEUTILL	Accounts Payable Check	83.00
164299	05/08/2020	LUKE NEWLON	Accounts Payable Check	83.00
164300	05/08/2020	NEWTON CONSTRUCTION & MGMT INC	Accounts Payable Check	134,570.83
164301	05/08/2020	ERIN NICHOLS	Accounts Payable Check	92.00
164302	05/08/2020	NORTH COAST ENGINEERING INC.	Accounts Payable Check	661.50
164303	05/08/2020	NUTRIEN AG SOLUTIONS, INC.	Accounts Payable Check	1,968.03
164304	05/08/2020	CANDACE OESTREICH	Accounts Payable Check	21.50
164305	05/08/2020	OFFICE DEPOT INC.	Accounts Payable Check	195.97
164306	05/08/2020	O'REILLY AUTOMOTIVE, INC.	Accounts Payable Check	7.53
164307	05/08/2020	TARA ORLICK	Accounts Payable Check	40.25
164309	05/08/2020	PACIFIC GAS AND ELECTRIC	Accounts Payable Check	23,643.96
164310	05/08/2020	PACIFIC GAS AND ELECTRIC	Accounts Payable Check	3,548.05
164311	05/08/2020	PAPICH CONSTRUCTION CO., INC.	Accounts Payable Check	358,217.77
164312	05/08/2020	CHERYL PARMANN	Accounts Payable Check	32.50
164313	05/08/2020	RUTH PEAIRS	Accounts Payable Check	17.50
164314	05/08/2020	MELISSA PECOT	Accounts Payable Check	83.00

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164315	05/08/2020	JASON PERRY	Accounts Payable Check	83.00
164316	05/08/2020	PERRY'S PARCEL & GIFT	Accounts Payable Check	90.00
164317	05/08/2020	STACEY PHILLIPS	Accounts Payable Check	23.65
164318	05/08/2020	ELIZABETH PIWOWARSKI	Accounts Payable Check	166.00
164319	05/08/2020	KELLY MYER POLACEK	Accounts Payable Check	132.20
164320	05/08/2020	YOLANDA PORRAS	Accounts Payable Check	83.00
164321	05/08/2020	PRAXAIR DISTRIBUTION, INC.	Accounts Payable Check	263.15
164322	05/08/2020	PRO TOW	Accounts Payable Check	290.00
164323	05/08/2020	PROCARE JANITORIAL SUPPLY, INC.	Accounts Payable Check	731.26
164324	05/08/2020	LUCINE PULLEN	Accounts Payable Check	41.50
164325	05/08/2020	QUALITY CODE PUBLISHING	Accounts Payable Check	3,034.10
164326	05/08/2020	SEAN QUINN	Accounts Payable Check	83.00
164327	05/08/2020	INGRID AVILA QUIROS	Accounts Payable Check	21.50
164328	05/08/2020	RAINBOW TREATS AND CATERING	Accounts Payable Check	195.00
164329	05/08/2020	RAINSCAPE, A LANDSCAPE SVC CO.	Accounts Payable Check	350.00
164330	05/08/2020	JERI RANGEL	Accounts Payable Check	300.00
164331	05/08/2020	READYREFRESH BY NESTLE	Accounts Payable Check	277.11
164332	05/08/2020	JASON RICE	Accounts Payable Check	166.00
164333	05/08/2020	RACHELLE RICKARD	Accounts Payable Check	500.00
164334	05/08/2020	SAMUEL RODRIGUEZ	Accounts Payable Check	32.50
164335	05/08/2020	SAN LUIS CUSTOMS, INC.	Accounts Payable Check	1,776.39
164336	05/08/2020	ROMILDO SCOLARI	Accounts Payable Check	83.00
164337	05/08/2020	LISA SELL	Accounts Payable Check	83.00
164338	05/08/2020	ERIN SHOEBRIDGE	Accounts Payable Check	83.00
164339	05/08/2020	SHANNON SIMS	Accounts Payable Check	92.00
164340	05/08/2020	HEIDI SINKOVICH	Accounts Payable Check	83.00
164341	05/08/2020	JAMES SMITH	Accounts Payable Check	83.00
164342	05/08/2020	MARY P. SMITH	Accounts Payable Check	2,377.98
164343	05/08/2020	DAVID SOLIS	Accounts Payable Check	83.00
164344	05/08/2020	SOUZA CONSTRUCTION, INC.	Accounts Payable Check	237,403.38
164345	05/08/2020	STANLEY CONVERGENT SECURITY	Accounts Payable Check	989.02
164346	05/08/2020	STATEWIDE TRAFFIC SAFETY&SIGNS	Accounts Payable Check	592.62
164347	05/08/2020	HEATHER TARANGO	Accounts Payable Check	83.00
164348	05/08/2020	TERRA VERDE ENVIRONMENTAL CONS	Accounts Payable Check	831.25
164349	05/08/2020	TESCO CONTROLS, INC.	Accounts Payable Check	9,394.34
164350	05/08/2020	HOLLY TWEEDY	Accounts Payable Check	83.00
164353	05/08/2020	U.S. BANK	Accounts Payable Check	50,827.12
164354	05/08/2020	ULTREX BUSINESS PRODUCTS	Accounts Payable Check	28.22

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164355	05/08/2020	ULTREX LEASING	Accounts Payable Check	260.76
164356	05/08/2020	USA BLUE BOOK	Accounts Payable Check	295.80
164357	05/08/2020	VAN BEURDEN INSURANCE SVC, INC	Accounts Payable Check	6,518.17
164358	05/08/2020	SHARON VAUGHAN	Accounts Payable Check	83.00
164359	05/08/2020	VERIZON WIRELESS	Accounts Payable Check	3,319.61
164360	05/08/2020	VIA BUSINESS CENTER, LLC	Accounts Payable Check	1,800.00
164361	05/08/2020	DUSTIN VIRGIL	Accounts Payable Check	83.00
164362	05/08/2020	WALLACE GROUP	Accounts Payable Check	4,509.70
164363	05/08/2020	WALSH ENGINEERING	Accounts Payable Check	4,510.00
164364	05/08/2020	WEX BANK - 76 UNIVERSL	Accounts Payable Check	7,391.42
164365	05/08/2020	WEX BANK - WEX FLEET UNIVERSAL	Accounts Payable Check	4,606.20
164366	05/08/2020	CHAD WHITAKER	Accounts Payable Check	92.00
164367	05/08/2020	IAN WILKINSON	Accounts Payable Check	83.00
164368	05/08/2020	HILARY WILLIAMS	Accounts Payable Check	83.00
164369	05/08/2020	SAMANTHA WOUTERS	Accounts Payable Check	83.00
164370	05/08/2020	ZONEHAVEN, INC.	Accounts Payable Check	9,100.00
164371	05/08/2020	ZOOM IMAGING SOLUTIONS, INC.	Accounts Payable Check	947.54
164372	05/08/2020	AMANDA ZURCHER	Accounts Payable Check	83.00
3674	05/14/2020	ANTHEM BLUE CROSS HSA	Payroll Vendor Payment	8,296.61
164373	05/14/2020	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	80.00
164374	05/14/2020	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	1,858.00
164375	05/14/2020	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,176.50
164376	05/14/2020	MASS MUTUAL WORKPLACE SOLUTION	Payroll Vendor Payment	6,940.76
164377	05/14/2020	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	96.20
164378	05/14/2020	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,600.88
164379	05/14/2020	SEIU LOCAL 620	Payroll Vendor Payment	876.11
164380	05/14/2020	VANTAGEPOINT TRNSFR AGT 106099	Payroll Vendor Payment	357.85
164381	05/14/2020	VANTAGEPOINT TRNSFR AGT 304633	Payroll Vendor Payment	4,367.54
164382	05/14/2020	VANTAGEPOINT TRNSFR AGT 706276	Payroll Vendor Payment	296.00
3675	05/15/2020	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	209.54
3676	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	22,840.22
3677	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	37,380.80
3678	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,800.47
3679	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,093.58
3680	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,958.86
3681	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	4,956.54
3682	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	6,796.03
3683	05/15/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	12,351.88

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ATTACHMENT: 1

For the Month of May 2020

Check Number	Check Date	Vendor	Description	Amount
3684	05/19/2020	RABOBANK, N.A.	Payroll Vendor Payment	48,771.08
3685	05/19/2020	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	14,367.55
3686	05/19/2020	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	2,255.96
164383	05/22/2020	AIRFLOW FILTER SERVICE, INC.	Accounts Payable Check	75.36
164384	05/22/2020	ALTHOUSE & MEADE, INC.	Accounts Payable Check	1,163.75
164386	05/22/2020	AT&T	Accounts Payable Check	940.72
164387	05/22/2020	AT&T	Accounts Payable Check	326.94
164388	05/22/2020	ATASCADERO HAY & FEED	Accounts Payable Check	1,166.95
164389	05/22/2020	BASSETT'S CRICKET RANCH, INC.	Accounts Payable Check	598.40
164390	05/22/2020	JOSE R. BENITEZ	Accounts Payable Check	470.00
164391	05/22/2020	BERRY MAN, INC.	Accounts Payable Check	904.05
164392	05/22/2020	TESSA BETZ	Accounts Payable Check	50.70
164393	05/22/2020	BREZDEN PEST CONTROL, INC.	Accounts Payable Check	155.00
164394	05/22/2020	BUREAU VERITAS NORTH AMERICA	Accounts Payable Check	3,340.55
164395	05/22/2020	BURKE, WILLIAMS, & SORENSON LLP	Accounts Payable Check	748.00
164396	05/22/2020	SALLI BUSHMAN	Accounts Payable Check	46.50
164397	05/22/2020	CARQUEST OF ATASCADERO	Accounts Payable Check	39.52
164398	05/22/2020	VICTORIA CARRANZA	Accounts Payable Check	132.00
164399	05/22/2020	CARROLL BUILDING COMPANY	Accounts Payable Check	439.00
164400	05/22/2020	CENTRAL NEBRASKA PACKING, INC.	Accounts Payable Check	10,807.33
164401	05/22/2020	CHARTER COMMUNICATIONS	Accounts Payable Check	141.79
164402	05/22/2020	COBAN TECHNOLOGIES, INC.	Accounts Payable Check	6,415.00
164403	05/22/2020	CREWSENSE, LLC	Accounts Payable Check	93.36
164404	05/22/2020	CRYSTAL SPRINGS WATER	Accounts Payable Check	20.00
164405	05/22/2020	CULLIGAN/CENTRAL COAST WTR TRT	Accounts Payable Check	70.00
164406	05/22/2020	DEPARTMENT OF JUSTICE	Accounts Payable Check	196.00
164407	05/22/2020	DOCUTEAM	Accounts Payable Check	134.47
164408	05/22/2020	FAILSAFE TESTING, LLC	Accounts Payable Check	700.00
164409	05/22/2020	FERRELL'S AUTO REPAIR	Accounts Payable Check	304.75
164410	05/22/2020	GAS COMPANY	Accounts Payable Check	483.39
164411	05/22/2020	GOLDING CONCRETE SAWING	Accounts Payable Check	400.00
164412	05/22/2020	HANSEN BRO'S CUSTOM FARMING	Accounts Payable Check	10,528.00
164413	05/22/2020	HART IMPRESSIONS PRINTING	Accounts Payable Check	1,225.55
164414	05/22/2020	J. CARROLL CORPORATION	Accounts Payable Check	279.67
164415	05/22/2020	JK'S UNLIMITED, INC.	Accounts Payable Check	12,082.02
164416	05/22/2020	JOSEPH DAVIS PLUMBING	Accounts Payable Check	1,500.00
164417	05/22/2020	KPRL 1230 AM	Accounts Payable Check	320.00
164418	05/22/2020	LEE WILSON ELECTRIC CO. INC	Accounts Payable Check	1,668.00

**City of Atascadero**  
Disbursement Listing

ITEM NUMBER: A-2  
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For the Month of May 2020

Check Number	Check Date	Vendor	Description	Amount
164419	05/22/2020	LENOVO (UNITED STATES) INC.	Accounts Payable Check	8,444.37
164420	05/22/2020	LIFE ASSIST, INC.	Accounts Payable Check	1,131.42
164421	05/22/2020	JEANNIE MALIK	Accounts Payable Check	250.00
164422	05/22/2020	MARBORG INDUSTRIES	Accounts Payable Check	197.74
164423	05/22/2020	MID COAST VOLLEYBALL	Accounts Payable Check	1,620.00
164424	05/22/2020	MID-COAST GEOTECHNICAL, INC.	Accounts Payable Check	100.00
164425	05/22/2020	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	86.97
164426	05/22/2020	MIG	Accounts Payable Check	10,898.75
164427	05/22/2020	MINER'S ACE HARDWARE	Accounts Payable Check	1,049.30
164429	05/22/2020	MISSION UNIFORM SERVICE	Accounts Payable Check	491.34
164430	05/22/2020	MOSSBERG & COMPANY, INC.	Accounts Payable Check	1,006.00
164431	05/22/2020	MWI ANIMAL HEALTH	Accounts Payable Check	432.20
164432	05/22/2020	OFFICE DEPOT INC.	Accounts Payable Check	533.41
164433	05/22/2020	PACIFIC GAS AND ELECTRIC	Accounts Payable Check	23,750.40
164434	05/22/2020	PEAKWIFI, LLC	Accounts Payable Check	650.00
164435	05/22/2020	PERRY'S PARCEL & GIFT	Accounts Payable Check	70.64
164436	05/22/2020	PROCARE JANITORIAL SUPPLY, INC.	Accounts Payable Check	703.20
164437	05/22/2020	PROFESSIONAL AUTOMOTIVE	Accounts Payable Check	61.90
164438	05/22/2020	SHIRLEY L. RADCLIFF-BRUTON	Accounts Payable Check	50.40
164439	05/22/2020	RAINSCAPE, A LANDSCAPE SVC CO.	Accounts Payable Check	11,686.64
164440	05/22/2020	MARIE RAMEY	Accounts Payable Check	59.00
164441	05/22/2020	RAVATT, ALBRECHT, & ASSC., INC.	Accounts Payable Check	220.00
164442	05/22/2020	READYREFRESH BY NESTLE	Accounts Payable Check	148.25
164443	05/22/2020	REPUBLIC ELEVATOR COMPANY	Accounts Payable Check	443.89
164444	05/22/2020	RICK ENGINEERING COMPANY	Accounts Payable Check	19,333.24
164445	05/22/2020	SAM'S TREE 805, INC.	Accounts Payable Check	400.00
164446	05/22/2020	SERVPRO OF E FULLERTON/PLACENT	Accounts Payable Check	604.58
164447	05/22/2020	THE SHERWIN-WILLIAMS COMPANY	Accounts Payable Check	55.80
164448	05/22/2020	SLO COUNTY HEALTH AGENCY	Accounts Payable Check	74,320.25
164449	05/22/2020	MARY P. SMITH	Accounts Payable Check	781.20
164450	05/22/2020	SOUTH COAST EMERGENCY VEH SVC	Accounts Payable Check	1,189.65
164451	05/22/2020	SPEAKWRITE, LLC.	Accounts Payable Check	520.19
164452	05/22/2020	SPECIALIZED EQUIPMENT REPAIR	Accounts Payable Check	2,466.20
164453	05/22/2020	STATEWIDE TRAFFIC SAFETY&SIGNS	Accounts Payable Check	584.92
164454	05/22/2020	SUNLIGHT JANITORIAL, INC.	Accounts Payable Check	1,700.00
164455	05/22/2020	SUNSET SERVICE CENTER	Accounts Payable Check	1,655.61
164456	05/22/2020	JOGENA THOMAS	Accounts Payable Check	71.00
164457	05/22/2020	THOMSON REUTERS - WEST	Accounts Payable Check	404.49

**City of Atascadero**  
Disbursement Listing

ITEM NUMBER: A-2  
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For the Month of May 2020

Check Number	Check Date	Vendor	Description	Amount
164458	05/22/2020	TRAILER BARN, INC.	Accounts Payable Check	1,996.35
164459	05/22/2020	TREE OF LIFE	Accounts Payable Check	64.00
164460	05/22/2020	THE TRIBUNE	Accounts Payable Check	1,136.19
164461	05/22/2020	STEPHANIE ULIBARRI	Accounts Payable Check	57.00
164462	05/22/2020	VERDIN	Accounts Payable Check	4,469.40
164463	05/22/2020	VERIZON WIRELESS	Accounts Payable Check	465.66
164464	05/22/2020	VISIT SLO CAL	Accounts Payable Check	24,119.80
164465	05/22/2020	WESTERN JANITOR SUPPLY	Accounts Payable Check	148.01
164466	05/22/2020	WHITLOCK & WEINBERGER TRANS.	Accounts Payable Check	2,968.75
164467	05/22/2020	MERISSA WOOD	Accounts Payable Check	52.00
164468	05/22/2020	WOOLERY, JONATHAN	Accounts Payable Check	759.00
3687	05/28/2020	ANTHEM BLUE CROSS HSA	Payroll Vendor Payment	8,516.61
164469	05/28/2020	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	80.00
164470	05/28/2020	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	1,858.00
164471	05/28/2020	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,176.50
164472	05/28/2020	ICMA-RC	Payroll Vendor Payment	125.00
164473	05/28/2020	MASS MUTUAL WORKPLACE SOLUTION	Payroll Vendor Payment	6,933.88
164474	05/28/2020	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	115.75
164475	05/28/2020	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,600.88
164476	05/28/2020	SEIU LOCAL 620	Payroll Vendor Payment	860.36
164477	05/28/2020	VANTAGEPOINT TRNSFR AGT 106099	Payroll Vendor Payment	357.85
164478	05/28/2020	VANTAGEPOINT TRNSFR AGT 304633	Payroll Vendor Payment	4,432.54
164479	05/28/2020	VANTAGEPOINT TRNSFR AGT 706276	Payroll Vendor Payment	296.00
3688	05/29/2020	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	209.54
3689	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	22,840.22
3690	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	34,369.89
3691	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,688.93
3692	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,868.50
3693	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,958.86
3694	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	4,602.36
3695	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	7,071.34
3696	05/29/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	11,907.16
				<u><u>\$ 1,919,660.82</u></u>



# **Atascadero City Council**

## **Staff Report – Community Development Department**

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### **Alcoholic Beverage Control (ABC) License for a Beer Garden and Bottle Shop at 6090 El Camino Real (Type 40 License) (USE 20-0049)**

***(Request to approve an on- sale beer and wine for public premises  
Alcohol Beverage Control license application)***

#### **RECOMMENDATION:**

Council adopt Draft Resolution finding that a public convenience would be served by allowing the issuance of a Type 40 ABC, On-Sale Beer for Public Premises License for Ancient Owl, a beer garden and bottle shop located in a new development at 6090 El Camino Real.

#### **DISCUSSION:**

The applicant, Marcin Andruszkiewics, has applied for a Type 40 license through the Department of Alcohol Beverage Control (ABC). The proposed business would be a local bar offering an outdoor beer garden in the downtown adjacent to Colony Market and Deli. Per ABC requirements, beer (but not wine or distilled spirits) can be sold for on-site or off-site consumption. Full meals are not required but sandwiches or snacks must be available. Minors will be allowed on the premises.

The site is zoned Downtown Commercial (DC) within the Downtown General Plan Land Use Designation. The project was reviewed by the Design review Committee and building permits are in process. Bars and taverns are allowed in the Downtown Commercial zoning district. The current proposal complies with all applicable zoning requirements.

Section 23958.4 of the Alcoholic Beverage Control Act requires the local governing body to determine that an ABC license will serve a public convenience or necessity when there is an "Undue Concentration" of liquor licenses within the impacted census tract. The subject parcel is located in census tract 125.02 where 13 on-sale licenses (including License Type 40) are permitted. There are currently 23 such licenses active in the census tract. Therefore, Council review is required prior to adding any additional licenses to the area.

The Atascadero Police Department has determined that the impact to public safety would be negligible based on the consideration of the physical location of the current



establishment and does not have concerns or opposition regarding the issuance of an additional Type 40 license at this location. In addition, Planning Staff has reviewed the request to determine that approval of this application, or conditional approval, would not have significant negative impacts on the downtown and that the business will be compatible with the character of the downtown. The proposed business meets all applicable standards of the zoning ordinance.

### **FISCAL IMPACT:**

Slight positive fiscal impact expected from increased sales tax.

### **ATTACHMENTS:**

1. Draft Resolution
2. Location Map
3. Zoning Map
4. Census Tract 125.02 Map

**DRAFT RESOLUTION**

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF ATASCADERO, CALIFORNIA, FINDING THAT A  
PUBLIC CONVENIENCE WILL BE SERVED BY ALLOWING THE  
ISSUANCE OF A TYPE 40 ABC, ON-SALE BEER FOR PUBLIC  
PREMISES LICENSE, AT 6090 EL CAMINO REAL STE. C**

**ANDRUSZKIEWICS / ANCIENT OWL BEER GARDEN  
(APN 030-191-021)**

**WHEREAS**, an application has been received from Z Villages Management and Development (6100 El Camino Real Ste. C, Atascadero, CA 93422), Property Owner; and Marcin Andruszkiewics dba Ancient Owl Beer Garden & Bottle Shoppe LLC (924 Sycamore Canyon Road, Paso Robles, CA 93446), Applicant; to request that the City Council make a finding of public convenience or necessity to allow the Department of Alcohol Beverage Control (ABC) to issue a Type 40 on sale beer— public premises license at 6090 El Camino Real Ste. C (APN 030-191-021); and

**WHEREAS**, the sites current General Plan Designation is D (Downtown); and

**WHEREAS**, the sites current Zoning Designation is DC (Downtown Commercial); and

**WHEREAS**, bars and taverns are allowed in the Downtown Commercial Zoning District; and

**WHEREAS**, the Atascadero Police Department has reviewed the application and does not foresee any significant public safety issue related to the requested license; and

**WHEREAS**, the license is requested at a site that is located approximately 870 feet from public school property; and

**WHEREAS**, the City Council of the City of Atascadero considered the requested application at a public meeting on June 23, 2020.

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

**SECTION 1.** The foregoing recitals are true and correct and the City Council so finds and determines.

**SECTION 2.** A public convenience will be served by the issuance of a Type 40 ABC, On-Sale Beer for Public Premises license to Marcin Andruszkiewics dba Ancient Owl Beer Garden & Bottle Shoppe LLC at 6090 El Camino Real Ste. C.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_th day of\_\_\_\_\_, 2019.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

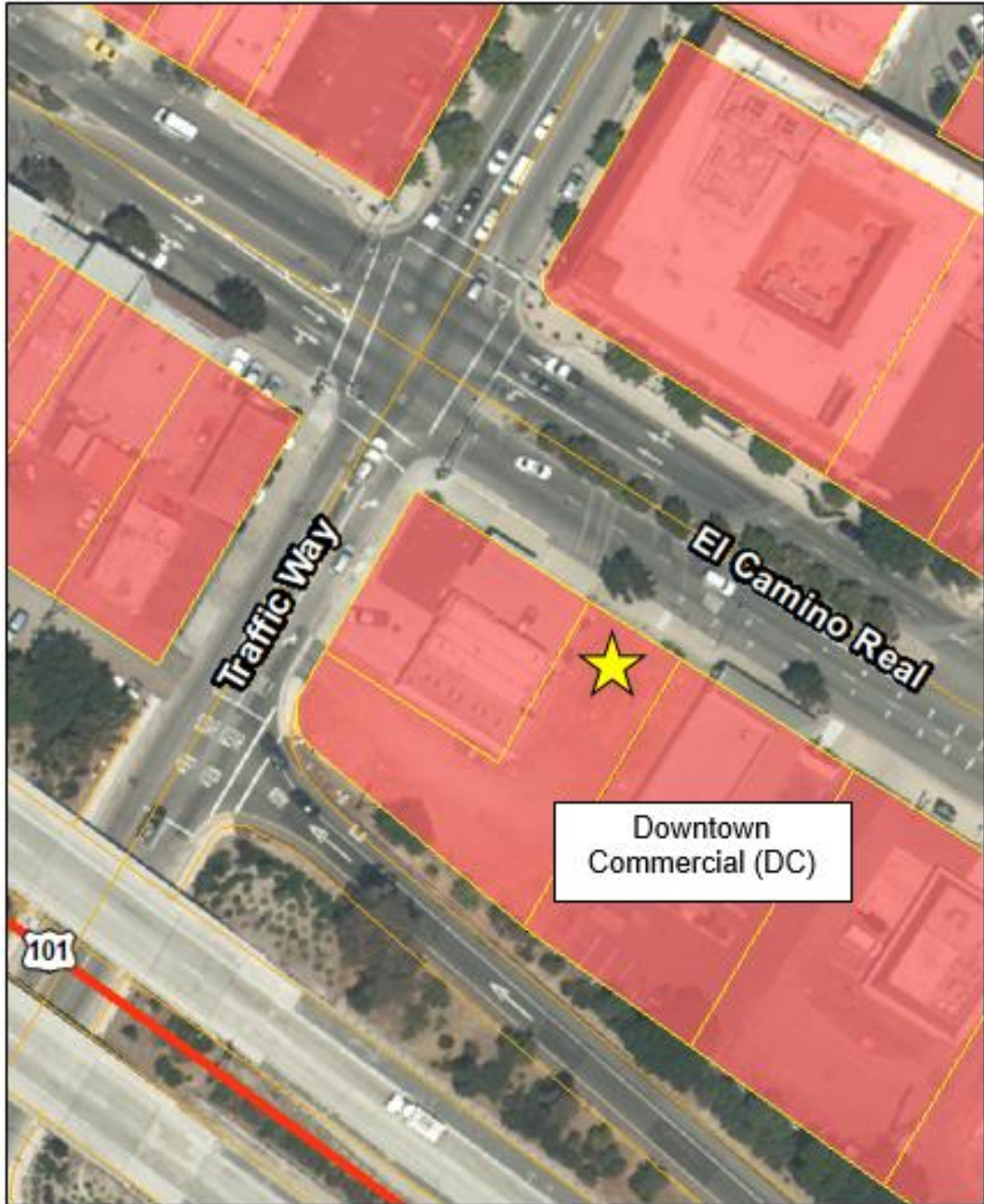
\_\_\_\_\_  
Lara K. Christensen, City Clerk

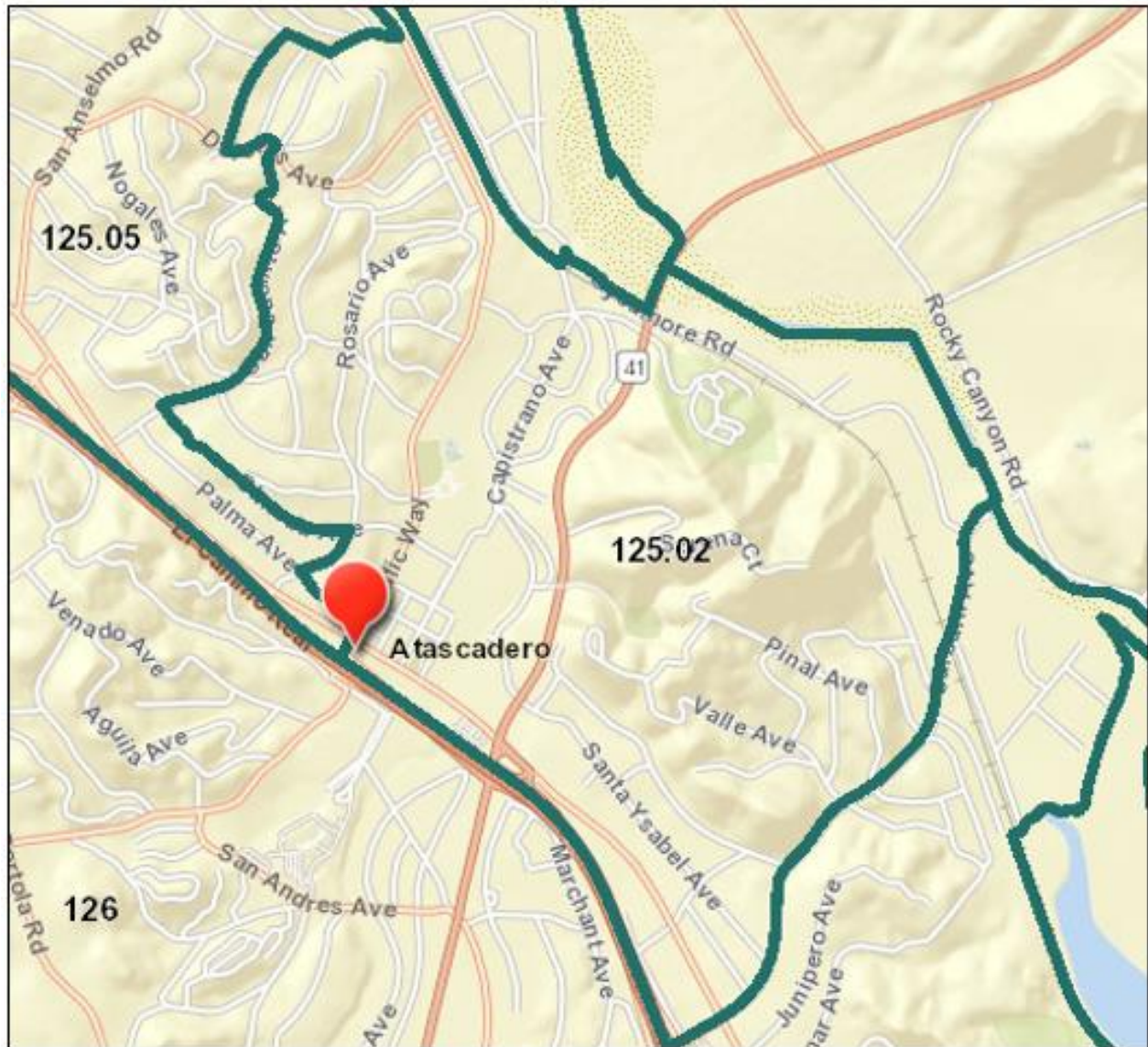
APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney











# ***Atascadero City Council***

## ***Staff Report – Administrative Services Department***

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### **Release Affordable Housing Deed Restriction**

#### **RECOMMENDATION:**

The Affordable Housing Committee recommends Council:

Direct staff to record a Release Agreement removing the Agreement to Provide Housing Units for Persons and Families of Moderate Income applicable to Lot 1 of Tract 2498, commonly known as 655 North Ferrocarril.

#### **DISCUSSION:**

In June 2004, the Developer of the property at 655 North Ferrocarril entered into the "Agreement to Provide Housing Units for Persons and Families of Moderate Income" with the City per the conditions of approval for Affordable Housing that were in place at that time. The agreement was recorded against the deed on the property. The property was first sold to the original modified-income qualified homeowner in September 2005.

In response to the general economic conditions that were present in March 2010, the City Council adopted a Resolution authorizing the City Manager to waive the requirements of recording certain City documents for moderate income units upon sale to a qualified buyer when the sales price and appraised value are within 2% or below the maximum applicable moderate income sales price. At the time, home values had dropped and the market value was very close to the moderate income maximum sales price.

In April 2016, the property at 655 North Ferrocarril sold to the second homeowner at fair market value, which was less than the maximum moderate income restricted price. Despite the fact that there was an affordable housing deed restriction on the property and it was listed as an exception on the preliminary title reports, the City was not notified of the sale, and was thus unable to reach out to the parties of the transaction. Had the City been contacted at the time of this sale in 2016, there is the possibility the affordable housing deed restriction may have been removed per the 2010 adopted Resolution. However, this was not the case and the second buyer held the property until May 2019.

In May 2019, the property sold to the third and current homeowner at fair market value. This value, however, exceeded the maximum restricted sales price. Again, despite the deed restriction and exception on the title report, the City was not notified of the sale. The property is now in escrow with a sales price exceeding the maximum sales price. The

current owners purchased the home for more than the maximum sales price and are asking the Council to consider allowing the home to be sold at fair market value. They also ask the deed restriction be removed from the property.

Since the time that the home was sold with an affordable housing deed restriction in 2005, it has been exempt from the Community Facilities District Special Tax (CFD). The current owners are aware of this and would like to pay their proportionate amount of assessment directly to the City for the period they owned the property. The property owner also agrees to pay the costs the City incurs related to removing the deed restriction.

Attached to the staff report is the current homeowner's request for release.

### **FISCAL IMPACT:**

If the Council directs staff to release the deed restriction from the property, Community Facilities District Special Taxes in the amount of just under \$800 will be collected from the current homeowner. Any staff time costs or other costs incurred by the City will be reimbursed by the homeowner prior to or at the time of closing.

### **ATTACHMENT:**

Letter from Property Owner





# THE JOY FAMILY

655 N Ferrocarril Road, Atascadero, CA

To Whom It May Concern:

My name is Lisa and my husband's name is Cody. We are writing to you regarding the current predicament we are facing regarding our home at the above listed address.

We purchased this home in May of 2019 for \$535,000. When we were sold the home, we were never made aware of the fact that it was in an affordable housing tract. Both listing and buying agents were unaware and it was somehow missed by our lender in the preliminary paperwork, thus we were funded the loan and closed the home at this sale price.

According to the listing agent, the prior owners did not purchase the home under the affordable housing stipulations/complete the qualifying information either so they were unaware of this when setting the list price (paperwork was submitted by the prior owners to affordable housing committee confirming this).

Here we are in 2020 looking to buy a new home with more space hoping to grow our family. We have found buyers for 655 N Ferrocarril who have offered \$565,000 which we accepted as this seems fair with the market price of homes in the area. We are also in escrow for a new property contingent on the sale of our home.

Our agent represents the buyers as well and noted the affordable housing document in the preliminary paperwork which was somehow missed by numerous people during our purchase. We have been calling anyone and everyone to get this sorted out because had this been brought to our attention, my husband and I would have NEVER qualified for this home.

This is frustrating for us as not only do we feel we took an opportunity from someone else who would qualify but also because we now live in a home that we purchased for \$535,000 that we can potentially only sell for \$504,000 despite market value. We also have made improvements to the home that we would likely not have done had we known there was a max sale price

Our lender seems to understand they have fault in this but at this point are contacting their legal department and we will likely have to do the same. I have a feeling we will be stuck in a lawsuit for months to years trying to sort this out as we should have never been able to purchase the home in the first place due to our income let alone at that purchase price.

I apologize for the long winded explanation but we am writing to you for really as a plea for help. Is it possible to lift the restriction of this home being an affordable housing property so that we can sell it at market price to the nice family who has already offered to purchase it? We are willing to pay the necessary fees and make up for the Mello-Roos tax in order to remedy this.

I appreciate your time and consideration as well as any insight and help you may offer us. I hope you have a wonderful day and stay safe.

Sincerely,

Lisa and Cody Joy



# ***Atascadero City Council***

## ***Staff Report – Community Development Department***

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### **Annexation of the Principal Mixed-Use Subdivision into Community Facilities District 2005-1, Annexation No. 20 (9105 Principal Ave: Tract 3070)**

#### **RECOMMENDATION:**

Council adopt Draft Resolution, declaring its intention to annex territory, into Community Facilities District 2005-1 (Public Services) and to authorize the levy of special taxes therein – City of Atascadero Community Facilities District 2005-1 Annexation No. 20 (9105 Principal Ave.: Tract 3070).

#### **DISCUSSION:**

The applicant, ECR Principal, LLC, is required to annex into the City's Community Facilities District (CFD) as a condition to finalize their subdivision maps and fulfill the conditions of approval. To satisfy this requirement, the applicant has petitioned the City to annex into the CFD. The Principal Mixed-Use project was approved in 2019 as Tract 3070. The applicant has submitted the final map for review and recordation.

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

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

The Principal Mixed-Use project was originally submitted and approved in 2003 establishing a Planned Development Overlay Zone (#24) on the site. The project went through numerous iterations responding to economic trends and conditions and was approved as Tract 3070 in 2019. The project consists of 52 residential units, 1800 square-feet of live/work commercial space, a 2,000 square-foot carwash and an undeveloped

8,000 square-foot commercial lot fronting El Camino Real. The subdivision borders El Camino Real, Principal Ave., Pino Solo Ave., and Gusta Rd.



The Resolution establishes the date for the public hearing to complete the annexation. The date has been set for August 11, 2020. There are no registered voters in the area being annexed so the election will be a landowner vote. Following completion of the annexation, Staff anticipates levying taxes on the parcels on which development has actually begun in the 2021-2022 tax year.

The residential and commercial planned development project was conditioned to be fiscally neutral through annexation into the existing Citywide CFD. Annexation into CFD 2005-1 will satisfy the project's conditions of approval and allow for the annexation vote to occur. A total of 52 residential units, 6 live/work commercial spaces, and 2 commercial parcels will be annexed into the CFD upon recordation of the annexation documents. The CFD annual levy is projected to be \$706.70 for the 2020-2021 tax year, and adjusts each year for inflation.

### **ALTERNATIVE:**

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

### **FISCAL IMPACT:**

Assessments for this annexation are estimated to be between \$36,000 - \$39,000 annually beginning in fiscal year 2021-2022, and adjusted each year for inflation. Deed restricted affordable units are exempt from the special tax.

### **ATTACHMENTS:**

1. Draft Resolution
2. Petition to Annex into CFD 2005-1 – No. 20 (TR 3070)

## **DRAFT RESOLUTION**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) AS ANNEXATION NO. 20, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

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

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

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

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

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

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

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

A description of the boundaries and territory proposed to be annexed is as follows: all that property and territory proposed to be annexed to CFD No. 2005-1, is shown on the Annexation Map for Annexation No. 20 to CFD No. 2005-1, on file in the Office of the City Clerk, the boundaries of which territory are hereby preliminarily approved and to which map reference is hereby made for further particulars. The area proposed to be annexed to CFD No. 2005-1 is as shown on the Annexation Map identified in Exhibit A attached hereto and incorporated herein by this reference. . The City Clerk is hereby directed to cause to be recorded such Annexation Map, showing the territory to be annexed, in the office of the County Recorder of the County of San Luis Obispo within fifteen days of the date of adoption of this resolution.



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

**POLICE AND FIRE SERVICES**

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

**PARK SERVICES**

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

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

**SECTION 5. Special Taxes.** It is the intention of this City Council that, except where funds are otherwise available, a special tax sufficient to pay for said services to be provided in CFD No. 2005-1 and Annexation No. 20, secured by recordation of a continuing lien against all non-exempt real property in Annexation No. 20, will be levied annually within the boundaries of Annexation No. 20 from and after the annexation of such property to CFD No. 2005-1. The special taxes shall be those as originally authorized through the formation of CFD No. 2005-1 and adopted by Ordinance of this legislative body, and no changes or modifications are proposed in the special taxes from those as originally set forth and made applicable to CFD No. 2005-1.

For particulars as to the rate and method of apportionment of the proposed special tax (the “RMA”), reference is made to the attached and incorporated Exhibit “B,” attached hereto and incorporated herein by this reference, which sets forth in sufficient detail the method of apportionment to allow each landowner or resident within Annexation No. 20 to clearly estimate the maximum annual amount that said person will have to pay on said special tax. Per the RMA and the Council’s adopted policy on the RMA inflator, the levy for the 2020/2021 fiscal year is projected to be \$706.70 per developed residential unit. Deed restricted affordable units are exempt from the special tax.

The special taxes, to the extent possible, shall be collected in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien

priority in any case of delinquency as applicable for ad valorem taxes; provided, however, CFD No. 2005-1 may utilize a direct billing procedure for any special taxes that cannot be collected on the County tax roll or may, by resolution, elect to collect the special taxes at a different time or in a different manner if necessary to meet its financial obligations.

**SECTION 6. Public Hearing.** Notice is given that on Tuesday, August 11, 2020, at 6:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council at the City of Atascadero, City Hall Council Chambers, 6500 Palma Ave, Atascadero, California, and the same are hereby appointed and fixed as the time and place when and where this City Council, as legislative body for CFD No. 2005-1, will conduct a public hearing on the annexation of territory to CFD No. 2005-1, and consider and finally determine whether the public interest, convenience and necessity require said annexation of territory to the CFD No. 2005-1 and the levy of said special tax therein.

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

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_\_th day of\_\_\_\_\_, 2020.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney



# EXHIBIT A

ITEM NUMBER:  
DATE:  
ATTACHMENT:

A-5  
06/23/20  
1A

## ANNEXATION NO. 20 BOUNDARY MAP

FILED IN THE OFFICE OF THE CITY CLERK, CITY OF  
ATASCADERO, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CITY CLERK  
CITY OF ATASCADERO

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

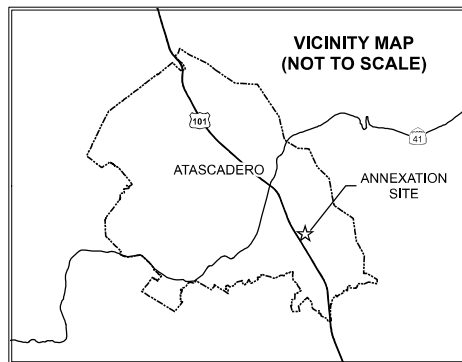
CITY CLERK  
CITY OF ATASCADERO

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

FEE: \_\_\_\_ NO.: \_\_\_\_  
TOMMY GONG, COUNTY CLERK, RECORDER

BY: \_\_\_\_  
COUNTY CLERK, SAN LUIS OBISPO COUNTY

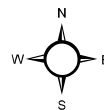
REFERENCE IS HEREBY MADE TO THAT BOUNDARY MAP OF THE CITY  
OF ATASCADERO COMMUNITY FACILITIES DISTRICT NO. 2005-1  
(PUBLIC SERVICES) RECORDED WITH THE SAN LUIS OBISPO COUNTY  
RECORDER'S OFFICE ON MAY 9, 2005, DOCUMENT NO. 2005-037685  
IN BOOK 5 PAGES 11-13 OF MAPS OF ASSESSMENT AND COMMUNITY  
FACILITIES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



ALBERT A.  
**WEBB**  
ASSOCIATES

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

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



0 100 200 400 600 Feet

### LEGEND

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

M:\GIS-Assessment\Atascadero\CFD2005-1\_Annex20.mxd

## EXHIBIT B

### RATE AND METHOD OF APPORTIONMENT

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

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

#### A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

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

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

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

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

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

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

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

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

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

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

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

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

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

**"City"** means the City of Atascadero.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**"State"** means the State of California.

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

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

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

## **B. ASSIGNMENT TO LAND USE CATEGORIES**

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

## C. MAXIMUM SPECIAL TAX RATE

### 1. Developed Property

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

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

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

### 2. Approved Property

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

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

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

### 3. Non-residential Property

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

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

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

### 4. Multiple Land Use Classes

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

### 5. Undeveloped Property

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

**Community Facilities District No. 2005-1  
(Public Services)**

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

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

**D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX**

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

**E. APPEALS**

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

**F. MANNER OF COLLECTION**

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

**G. TERM OF SPECIAL TAX**

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



**PETITION  
(With Waivers)**

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

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

Members of the Council:

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

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

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

**3. Boundaries.** This Petition asks that the territory, to be included in the boundaries of the annexation, consist of that shown on a map of the proposed boundaries of Annexation No. 20 filed with the City Clerk of the City of Atascadero and which map is attached hereto as Exhibit "A" and hereby made a part this Petition and which map includes the Property.

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

**5. Election.** The Petitioner asks that the special election to be held under the Act, to authorize the special taxes and to establish any appropriations limits for Annexation No. 20, be conducted by the City of Atascadero and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council for the public hearing for Annexation No. 20 to CFD No. 2005-1 under the Act or as soon thereafter as possible.

**6. Waivers.** To expedite the completion of the proceedings for Annexation No. 20 to CFD No. 2005-1, the Petitioner waives all notices of hearing and all published notices regarding the annexation of territory of Annexation No. 20 to CFD No. 2005-1, notices of election, applicable waiting periods under the Act for the election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived. The Petitioner agrees to timely complete and return a consent and waiver to be provided to Petitioner by the City of Atascadero in order to expedite such proceedings.

**7. Authority Warranted.** The Petitioner warrants to the City of Atascadero that presentation of Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City of Atascadero to annex Annexation No. 20 to CFD No. 2005-1 shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City of Atascadero, the Petitioner agrees, at its expense, to supply to the City of Atascadero, current title evidence so that the City of Atascadero may supply any notice and ballot required under the Act to annex Annexation No. 20 to CFD No. 2005-1.

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

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



ITEM NUMBER:

A-5

DATE:

06/23/20

ATTACHMENT:

2

No. 20 to CFD No. 2005-1. By executing this Petition, the Petitioner agrees to all of the above.

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

**030-491-021**

**030-491-022**

**030-491-023**

and the Property contains a total of **4.69**  
acres.

The Petitioners (record owners)  
are:

**ECR Principal, LLC**

*a California limited liability company*

By:



*Barry Ephraim, Manager*

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

**ECR Principal, LLC**

**Attn: Barry Ephraim**

**125 S. Bowling Green Way**

**Los Angeles, CA 90049**

**ARH Quiky Investments, LLC**

By:

DocuSigned by:



33EF684CD438469...

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

**Auzco Development**

**Attn: Hamish Marshall**

**835 Aerovista Place**

**San Luis Obispo, CA 93401**

## EXHIBIT A

## ANNEXATION MAP

**ANNEXATION NO. 20 BOUNDARY MAP**

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

FILED IN THE OFFICE OF THE CITY CLERK, CITY OF  
ATASCADERO, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CITY CLERK  
CITY OF ATASCADERO

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

BY RESOLUTION NO. \_\_\_\_\_

CITY CLERK  
CITY OF ATASCADERO

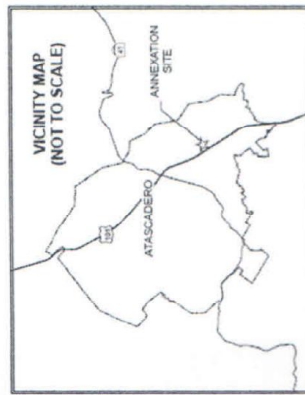
RECORDED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ AT THE  
HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ IN BOOK \_\_\_\_ PAGE \_\_\_\_ OF MAPS OF  
ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE  
OF THE COUNTY RECORDER, IN THE COUNTY OF SAN LUIS OBISPO,  
STATE OF CALIFORNIA.

FEE: \_\_\_\_\_ NO.: \_\_\_\_\_

BY: \_\_\_\_\_

COUNTY CLERK, SAN LUIS OBISPO COUNTY

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



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

**ALBERT A. WEBB**  
ASSISTANT

## LEGEND

— PARCEL LINE

— CFD BOUNDARY

XXX-XXX-XXX ASSESSOR PARCEL NUMBER

0 100 200 400 600 Feet



N:\GIS-Assessment\Atascadero\CFD2005-1\_Annex20.mxd

EXHIBIT B

DESCRIPTION OF SERVICES

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**POLICE AND FIRE SERVICES**

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

**PARK SERVICE**

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



## EXHIBIT C

RATE AND METHOD OF APPORTIONMENT

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

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

**A. DEFINITIONS**

The terms hereinafter set forth have the following meanings:

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

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

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

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

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

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

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

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

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

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

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

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

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

**"City"** means the City of Atascadero.

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

**"State"** means the State of California.

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

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

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

## **B. ASSIGNMENT TO LAND USE CATEGORIES**

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

**C. MAXIMUM SPECIAL TAX RATE****1. Developed Property**

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

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

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

**2. Approved Property**

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

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

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

**3. Non-residential Property**

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

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

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

**4. Multiple Land Use Classes**

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

**5. Undeveloped Property**

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



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

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

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

#### **D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX**

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

#### **E. APPEALS**

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

#### **F. MANNER OF COLLECTION**

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

#### **G. TERM OF SPECIAL TAX**

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





# **Atascadero City Council**

## **City Clerk Report**

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### **General Municipal Election November 3, 2020**

***(The City Council must adopt resolutions to initiate the election process, to combine the City's election with the County.)***

### **RECOMMENDATIONS:**

Council adopt the following Resolutions for the purpose of electing a Mayor and two members to the City Council:

1. Draft Resolution A, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 3, 2020 for the election of a Mayor and two Council Members.
2. Draft Resolution B, requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election to be held on November 3, 2020.

### **DISCUSSION:**

The General Municipal Election will be held on Tuesday, November 3, 2020. The terms of Mayor Heather Moreno and two Council Members, Charles Bourbeau and Roberta Fonzi will expire in November 2020. The Mayor has a two-year term and the Council Members have four-year terms. The City Council must adopt a resolution to initiate the election process (Draft Resolution A). In order to combine the City's election with the County, the Council must also adopt a resolution requesting consolidation with the County (Draft Resolution B).

The qualifications required to run for Mayor are the same as for City Council Members; a candidate must be registered to vote in the City of Atascadero and live within the Atascadero City limits. In addition, all Council Members, whether or not they are up for re-election, may also run for the office of elected Mayor. If a Council Member is mid-term when they run for Mayor, and is successful, the Council Member's position will become vacant. The City Council must then appoint a replacement, or call for a Special Election, within 60 days of the position becoming vacant. The vacancy would occur in December 2020 once the Mayor is sworn into office.

## **FISCAL IMPACT:**

The cost to the City is determined by the number of registered voters on Election Day, and the number of Candidate Statements included in the Voter Pamphlet. Also, due to the State reduction in funding to the Counties for election costs, the County will be passing those costs along to the cities. The County's estimate for the 2020 election of officials in Atascadero is \$40,700 and the City currently has \$40,660 budgeted in General Funds for election costs.

## **ATTACHMENTS:**

1. Draft Resolution A
2. Draft Resolution B

**DRAFT RESOLUTION A**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, CALLING FOR THE HOLDING OF A  
GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 3, 2020,  
FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE  
PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA  
RELATING TO GENERAL LAW CITIES**

**WHEREAS**, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 3, 2020, for the election of Municipal Officers.

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

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Atascadero, California on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing a Mayor for the full term of two years; and two Members of the City Council for the full term of four years.

**SECTION 2.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 3.** That the City Clerk is authorized, instructed and directed to coordinate with the County of San Luis Obispo Clerk-Recorder to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 4.** That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

**SECTION 5.** That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 6.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 7.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**SECTION 8.** The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_, 2020.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

**CITY OF ATASCADERO**

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian Pierik, City Attorney

**DRAFT RESOLUTION B**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF ATASCADERO, CALIFORNIA, REQUESTING THE  
BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO  
TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION  
TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE  
STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE  
PURSUANT TO § 10403 OF THE ELECTIONS CODE**

**WHEREAS**, the City Council of the City of Atascadero called a General Municipal Election to be held on November 3, 2020, for the purpose of the election of a Mayor and two Members of the City Council; and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of San Luis Obispo canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

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

**SECTION 1.** That pursuant to the requirements of § 10403 of the Elections Code, the Board of Supervisors of the County of San Luis Obispo is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 3, 2020, for the purpose of the election of a Mayor, and two Members of the City Council.

**SECTION 2.** That the County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

**SECTION 3.** That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

**SECTION 4.** That the City of Atascadero recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any related costs.

**SECTION 5.** That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of San Luis Obispo.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_, 2020.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian Pierik, City Attorney



# ***Atascadero City Council***

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## ***Staff Report – City Manager’s Office***

### **Atascadero Tourism Business Improvement District Confirmation of Annual Assessment (Fiscal Year 2020-2021)**

#### **RECOMMENDATION:**

Council adopt Draft Resolution confirming the annual assessment for the Atascadero Tourism Business Improvement District (Fiscal Year 2020-2021).

#### **DISCUSSION:**

The City of Atascadero established the Atascadero Tourism Business Improvement District (ATBID) to levy annual assessments under the Parking and Business Improvement Area Law of 1989, by adopting Title 3, Chapter 16 of the Atascadero Municipal Code in April 2013. The activities to be funded by the assessments, on lodging businesses within the ATBID, are tourism promotions and marketing programs to promote the City as a tourism destination. The formation and operation of a Tourism Business Improvement District is governed by the California Streets & Highways Code (Section 36500 et. Seq.).

The City Council appointed ATBID Advisory Board Members to serve at the pleasure of the Council. The Advisory Board is made up of lodging business owners or employees, or other representatives holding the written consent of a lodging business owner within the ATBID area. Lodging owners are assessed (2%) of the rent charged by the business per occupied room or space per night for transient occupancies.

The Atascadero Tourism Business Improvement District assessments are budgeted to be \$326,770 for the fiscal year. As reported in the June 9, 2020 staff report, receipts for fiscal year 2020/2021 are expected to be down approximately 29% from budgeted revenue due to COVID-19.

The Streets and Highways Code requires that the Advisory Board provide a report to the City Council annually for the expenditure of funds derived from the assessment paid by lodging businesses within the City. The annual report must meet the requirements of the California Streets and Highway Code §36533. The Council received and approved the annual report at its June 9, 2020 meeting. After the approval of the report, the City Council is required to hold a public hearing. The purpose of the public hearing is to receive public comment prior to the assessment being collected.

Following the public hearing, it is staff's recommendation that the Council adopt the proposed Resolution. Adoption of the Resolution constitutes the levying of the assessment.

**FISCAL IMPACT:**

Annual assessments for 2020-2021 are expected to be approximately \$232,000 and will be assessed as 2% of the rent charged on the occupied rooms and spaces for transient occupancies.

**ALTERNATIVES:**

The City Council may direct staff to amend the Resolution before adoption.

**ATTACHMENT:**

Draft Resolution



## **DRAFT RESOLUTION**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, CONFIRMING ATASCADERO TOURISM BUSINESS IMPROVEMENT DISTRICT (ATBID) ASSESSMENT FOR FISCAL YEAR 2020-2021**

**WHEREAS**, the City of Atascadero established the Atascadero Tourism Business Improvement District (ATBID) consistent with Section 36500 et seq. of the Streets and Highways Code of the State of California; and

**WHEREAS**, the City Council has determined to set the assessment at two percent (2%) of the rent charged by the Business per occupied room or space per night for transient occupancies; and

**WHEREAS**, the purpose of this assessment is to provide tourism promotions and marketing programs to promote the City as a tourism destination pursuant to the Streets & Highways Code of the State of California; and

**WHEREAS**, the City Council, having received the annual report from the ATBID, adopted Resolution No. 2020-035, declaring intent to levy annual ATBID assessment pursuant to Section 36534 of the California Streets and Highways Code; and

**WHEREAS**, the City Council did fix a time and place for a public hearing on the levy of the proposed assessment for fiscal year 2020-2021; and

**WHEREAS**, on June 23, 2020, the City Council conducted a public hearing at the date and time for such purpose; and

**WHEREAS**, the City Council did not receive the required number of protests for the levy of such assessment.

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

**SECTION 1.** The City Council of the City of Atascadero does hereby confirm the assessment at two percent (2%) of the rent charged by the Business per occupied room or space per night for transient occupancies.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_, 2020.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian Pierik, City Attorney



## ***Atascadero City Council***

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### ***Staff Report – City Manager’s Office***

#### **Downtown Parking and Business Improvement Area Confirmation of Annual Assessment (FY 2020-2021)**

#### **RECOMMENDATION:**

Council adopt Draft Resolution confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2020-2021).

#### **DISCUSSION:**

The City of Atascadero established a Downtown Parking and Business Improvement Area in 1986 (Chapter 11 of the Atascadero Municipal Code) for the purpose of *acquisition, construction or maintenance of parking facilities, decoration of public places, promotion of public events, and general promotion of business activities in the downtown area*. The formation and operation of a Business Improvement Area is governed by the California Streets and Highways Code (Section 36500 et. seq.). The Code requires the City to levy and collect the assessments, the City Council to adopt an annual Resolution of Intention declaring the City’s intent to levy an annual Downtown Parking and Business Improvement Area assessment, and hold a public hearing confirming the assessment. The City Council adopted a draft Resolution of Intention on June 9, 2020 and set a public hearing for June 23, 2020 to receive public comment.

The Downtown Parking and Business Improvement Area (BIA) assessment was reduced to \$0.00 starting in the 2009/2010 fiscal year at the behest of downtown landlords as part of a program to encourage downtown businesses. In January 2018, staff was approached by an informal group of downtown business owners, who expressed interest in reinstituting the full levy of the assessment for the BIA. The full levy of the assessment is equal to 100 percent of the business license fee, essentially doubling the business license fee, and is charged to businesses located in the BIA.

In 2019, the City entered into an agreement with the Atascadero Chamber of Commerce. The Chamber of Commerce serves as the advisory body and the sub-contractor to the City regarding the DPBIA. The informal committee of downtown business owners advises the Chamber of Commerce on expenditures and assists in the creation of the annual budget. As part of the contract, the Chamber provides an annual accounting of expenditures for the BIA funds.

The Chamber has submitted a report, which was provided to the Council at the June 9, 2020 meeting and is Exhibit A to the proposed Resolution confirming the assessment. The Downtown Parking and Business Improvement Area assessments collected by the City are estimated at approximately \$10,600 annually. The recommended action would confirm the assessment and collection of these funds for downtown revitalization activities for 2020/2021. The Chamber of Commerce is proposing expenditures for 2020/2021 with the Downtown Parking and Business Improvement Area funds as follows:

BIA Funds requested for 2020/2021	\$ 10,600
Carry over from 2018/2019	\$ 150
Estimated revenue from events	<u>\$ 1,000</u>
Total Proposed Funding Available	<u>\$ 11,750</u>

2020/2021 Proposed Expenditures:

Events (3 total)	\$ 3,950
Beautification/Miscellaneous	\$ 4,000
Marketing	\$ 2,600
Events Management	<u>\$ 1,200</u>
Total Proposed Expenditures for 2020/2021	<u>\$ 11,750</u>

<i>Fund Residual</i>	<i>\$ 0</i>
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There are three events held in the Downtown to help promote the downtown and strengthen the businesses in the area. One of these events, Taco Day on Traffic Way, has historically generated income for the committee through ticket sales. Income from this event is again anticipated in the 2020/2021 fiscal year in the amount of \$1,000. This revenue will be collected directly by the committee and/or the Chamber of Commerce.

The City will collect funds for the Downtown Parking and Business Improvement Area along with business license fees in December and January.

## **FISCAL IMPACT:**

Adopting the staff recommendation will result in the collection and expenditure of approximately \$10,600 in budgeted DPBIA funds.

## **ALTERNATIVES:**

1. The City Council may choose not to adopt the Resolution, confirming the levy of the assessment as recommended, and discontinue the levy.
2. The City Council may grant Downtown Parking and Business Improvement Area assessment funds in an amount lower than requested.

## **ATTACHMENT:**

Draft Resolution

**DRAFT RESOLUTION**

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF ATASCADERO, CALIFORNIA, CONFIRMING  
DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA  
ASSESSMENT FOR FISCAL YEAR 2020-2021**

**WHEREAS**, the City of Atascadero established a Downtown Parking and Business Improvement Area (DBPIA) consistent with Section 36500 et seq. of the Streets and Highways Code of the State of California; and

**WHEREAS**, Section 36533 of the Streets & Highway Code of the State of California requires a report to be filed with the City prior to the levy and collection of the assessment; and

**WHEREAS**, the City Council determined in 2010 to set the assessment at \$0.00 to provide a stimulus to downtown businesses in this time of unprecedented economic downturn, eliminating the need for a report in accordance with Section 36533 of the Streets & Highway Code of the State of California; and

**WHEREAS**, the City Council reinstituted the full levy of the assessment for the DPBIA in 2018 at the request of downtown businesses; and

**WHEREAS**, the City has entered into an agreement with the Chamber of Commerce, which serves as the advisory body and the sub-contractor to the City regarding the DPBIA; and

**WHEREAS**, an informal committee of downtown business owners advises the Chamber of Commerce on expenditures and assists in the creation of the annual budget; and

**WHEREAS**, the Atascadero Chamber of Commerce filed a report with the City in accordance with Section 36533 of the Streets & Highway Code of the State of California attached hereto and incorporated herein by this reference; and

**WHEREAS**, the City Council having received the report adopted Resolution No. 2020-036 declaring intent to levy annual Downtown Parking and Business Improvement Area assessment pursuant to Section 36534 of said code; and

**WHEREAS**, the City Council did fix a time and place for a public hearing on the levy of the proposed assessment for fiscal year 2020-2021; and

**WHEREAS**, on June 23, 2020, the City Council conducted a public hearing at the date and time for such purpose; and

**WHEREAS**, the City Council did not receive the required number of protests for the levy of such assessment.

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

**SECTION 1.** The City Council of the City of Atascadero does hereby confirm approval of the Section 36533 Report as originally filed and confirmation of approval of such report constitutes the levy of an assessment for fiscal year 2020-2021, pursuant to the Streets and Highways Code of the State of California.

**SECTION 2.** The Atascadero Chamber of Commerce is hereby designated to receive and manage, with direction from the downtown businesses, Downtown Parking and Business Improvement Area assessment funds for fiscal year 2020-2021.

**SECTION 3.** The City Council directs staff to make appropriations in the City's budget in accordance with such report.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_, 2020.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian Pierik, City Attorney

## **Exhibit A**

### **Atascadero Main Street Downtown Parking and Business Improvement Area Annual Report for Fiscal Year 2020-2021**

The California Streets and Highways Code Section 36533 requires the preparation of a report for each fiscal year for which assessments are to be levied and collected to pay the costs of improvements and activities of the Improvement Area. The report may propose changes, including, but not limited to the boundaries of the parking and business improvement area or any benefit zones within the area, the basis and method of levying the assessments, and any changes in the classification of businesses.

No boundary changes are proposed for Fiscal Year 2020-2021. The boundaries are more specifically described as follows:

From the south corner of Morro Road at the Highway 101 over-crossing then in the generally northwest direction immediately adjacent to Highway 101, to a point at the intersection of El Camino Real and Rosario Avenue, then easterly along Rosario Avenue, to a point at the intersection of Rosario and Palma Avenue, then easterly along Palma Avenue to the rear lot line of parcels on the east side of Traffic Way, then north along said rear lot lines to include Lot 24 of Block LA, of Atascadero, then northerly along the center line of Traffic Way, to a point, then easterly to include the presently existing National Guard Armory Property. Then to a point easterly to the intersection of West Mall and Santa Ysabel Avenue at the West Mall bridge, then southerly along Santa Ysabel Avenue to a point at the intersection of the southerly leg of Hospital Drive and Santa Ysabel Avenue, then easterly from that point to the extension of proposed Highway 41, then southwesterly to the Morro Road/Highway 101 over-crossing, point of beginning.

Since 2000, the City, Community Redevelopment Agency, Chamber of Commerce, other organizations and the community have worked to strengthen the downtown business community, and implement the downtown revitalization strategy. In 2009, as the economic downturn was affecting businesses, the City Council made the decision to levy a \$0 assessment on the businesses in the District. The State of California dissolved all redevelopment agencies in 2011, and the City, Chamber of Commerce, and other organizations have worked in collaboration to continue the efforts of the Community Redevelopment Agency to provide better services to and strengthen the businesses in the downtown.

In 2017, an informal committee of downtown business owners formed to promote economic vitality and encourage business growth in the downtown. This committee will advise the Chamber of Commerce on expenditures and will assist in the creation of the annual budget for the Downtown Parking and Business Improvement Area (DPBIA). The Atascadero Chamber of Commerce will serve as the advisory body and the

sub-contractor to the City regarding the Downtown Parking and Business Improvement Area. The Chamber of Commerce is requesting that the City levy an assessment of 100% of the business license fee for businesses in the DPBIA. Each licensed business in the Improvement Area shall contribute to the assessment. Activities and improvements in the DPBIA are funded by the assessment.

The proposed work plan and budget for Fiscal Year 2020/2021 is as follows:

BIA Funds requested for 2020/2021	\$ 10,600
Carry over from 2018/2019	\$ 150
Estimated revenue from events	<u>\$ 1,000</u>
Total Proposed Funding Available	<u>\$ 11,750</u>

2020/2021 Proposed Expenditures:

Events (3 total)	\$ 3,950
Beautification/Miscellaneous	\$ 4,000
Marketing	\$ 2,600
Events Management	<u>\$ 1,200</u>
Total Proposed Expenditures for 2020/2021	<u>\$ 11,750</u>

<i>Fund Residual</i>	\$ 0
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This report shall be filed with the City Clerk on behalf of the DPBIA for Fiscal Year 2020-2021.





# ***Atascadero City Council***

## ***Staff Report – Public Works Department***

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### **Adopting Sewer Service Charges to be Added to the 2020-2021 Property Tax Rolls**

#### **RECOMMENDATIONS:**

Council:

1. Conduct a public hearing to receive verbal testimony regarding the proposed sewer service charges to be levied onto property tax rolls.
2. Adopt Draft Resolution approving sewer service charges to be added to the 2020-2021 property tax rolls.

#### **DISCUSSION:**

The Atascadero Municipal Code provides for the collection of sewer service charges on the general County property tax bills. Charges have been collected in this manner since the City took ownership of the Atascadero County Sanitation District in 1984. Sewer service charges are fixed rates based upon strength factors and Equivalent Dwelling Units (EDU). One EDU is the equivalent of the average sewer discharge of a single-family residential dwelling (240 gallons per day).

The City Council approved increases to sewer service charges at their June 1, 2020 special meeting in accordance with Proposition 218 requirements. This was only the second time rates have been increased since 1994 and is estimated to increase FY20/21 revenue by over \$400,000 in sewer service charges. Monthly sewer service charges will increase \$4.56 from \$24.01 per single-family dwelling (one EDU) to \$28.57 beginning July 1, 2020. An additional two dollars are added to each property on the tax roll to cover the County fee to administer the levy process.

The public hearing for levying sewer service charges was publicly noticed on June 9, 2020 and June 16, 2020. A list of properties by Assessor Property Numbers (APNs) and levy amount (which includes the two-dollar County fee) are itemized on Exhibit A of the Draft Resolution that is on file in the City Clerk's Office. Sewer service charges will appear as a line item entitled "ATAS SEWER CHARGE" on property tax statements. Any questions or concerns received during the public hearing should be referred to staff for resolution prior to submitting the charges to the County Auditor by the July 15, 2020 deadline.

**FISCAL IMPACT:**

The City estimates it will collect \$2,782,000 in sewer service charges for Fiscal Year 2020-2021 if Council adopts the attached resolution.

**ATTACHMENTS:**

1. Draft Resolution
2. Annual Sanitary Sewer Charges 2020/2021 (Available in the City Clerk's Office)

## **DRAFT RESOLUTION**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, ADOPTING SEWER SERVICE CHARGES TO BE ADDED TO THE 2020-2021 PROPERTY TAX ROLLS**

**WHEREAS**, the City Council of the City of Atascadero (hereafter referred to as City Council) has duly held a public hearing on June 23, 2020 concerning the addition of the 2020-2021 sewer service charges to the 2020-2021 property tax bills; and

**WHEREAS**, due notice was given to the public in accordance with Section 5470 et seq of the Health and Safety Code; and

**WHEREAS**, the City Council of the City of Atascadero approved increases in sewer service rates on June 1, 2020 that become effective on July 1, 2020; and

**WHEREAS**, at said hearing the report marked "Exhibit A", on file with the City Clerk and incorporated herein by reference, containing such charges reflecting said increases in sewer service rates was duly received by said Council; and

**WHEREAS**, at said public hearing opportunity was given for filing objections and protests and for presentation of testimony of other evidence concerning same; and

**WHEREAS**, it is in the public interest that this body adopt the charges and determine and confirm the report presented at the hearing.

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

**SECTION 1.** That the recitals set forth hereinabove are true, correct and valid.

**SECTION 2.** That the City Council hereby adopts the service charges set forth on the report marked "Exhibit A" which is on file in the City Clerk's Office and hereby expressly incorporated herein by reference as though here fully set forth; and the City Council hereby determines and confirms the report containing such charges as set forth in said "Exhibit A" and hereby further determines and confirms that each and every service charge set forth in said report is true and accurate and is in fact owed.

**SECTION 3.** That the charges as so confirmed and determined and adopted shall appear as separate items on the tax bill of each parcel listed in said report, and such charges shall be collected at the same time and in the same manner as ordinary County ad valorem taxes are collected, and are subject to the same penalties in the same procedure and sale in case the delinquency is provided for such taxes.

**SECTION 4.** The City Clerk shall file a certified copy of this Resolution and said Exhibit A with the County Auditor upon its adoption.

**SECTION 5.** This Resolution is approved by at least a two-thirds vote of said Council.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_, 2020.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian Pierik, City Attorney

## **EXHIBIT A**

Due to its size this exhibit has not  
been included in the Agenda Packet.  
It is available for review in City Clerk's Office.



# ***Atascadero City Council***

## ***Staff Report – Community Development Department***

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### **6<sup>th</sup> Cycle Housing Element Update Draft Plan (CPP19-0067)**

#### **RECOMMENDATIONS:**

Council:

1. Review and comment on the Draft Housing Element and receive public input.
2. Authorize staff to submit the Draft Plan to the State for initial review.

#### **REPORT IN BRIEF:**

The Housing Element is one of seven State mandated elements (chapters) of the City's General Plan. The State requires that Housing Elements be updated and certified regularly to reflect the most recent trends in demographics and employment that may affect existing and future housing demand and supply. Atascadero previously updated the General Plan Housing Element in 2014, and a new Housing Element must now be completed, reviewed and certified by the State Department of Housing and Community Development (HCD), and adopted prior to December 2020. State Housing Element law requires that each City and County identify and analyze existing and projected housing needs within their jurisdictions, and prepare goals, policies, programs and quantified objectives to further the development, improvement, and preservation of housing.

The Draft Housing Element has been prepared for review and initial comment. The Housing Element is intended to outline goals and policies consistent with the City's General Plan and community vision in addition to addressing State requirements and laws. This new Housing Element will encompass housing policies and programs to be implemented through the year 2028. Following draft review by the City, the Housing Element will be submitted to the State for review and comment, as well as circulated to the public for input, prior to returning to the City for subsequent review. The document must then be submitted to the State for final certification prior to December 2020.

## **DISCUSSION:**

### Background

The Housing Element is a comprehensive statement by the community of its current and future housing needs and proposed actions to facilitate the provision of additional housing to meet those needs at all income levels. The policies contained in the Housing Element are an expression of the statewide housing goal of meeting the housing needs in our region, as well as a reflection of the unique concerns of the community. Housing Elements are required to:

1. Assess and address constraints to housing development
2. Provide an assessment of population housing needs
3. Analyze progress toward implementing the previous Housing Element
4. Guide housing development policy
5. Identify opportunities to meet the City's housing needs and identified Regional Housing Needs Allocation (RHNA)
  - a. Identify resources that support housing for all income groups
  - b. Complete an inventory of existing and new sites for housing development in support of meeting the City's RHNA

Housing Element law does not require the City to build all units identified as part of the RHNA, but rather implement a plan to accommodate for these units throughout the City. The Housing Element is not the only tool to solve housing problems but aims to identify constraints and barriers and provide realistic solutions where able.

The City started the Housing Element update process in January of 2020. A joint Planning Commission and City Council hearing took place on January 28, 2020. At that time, the Consultant outlined the process and received comments. In April 2020, the City Council reviewed the City's Regional Housing Needs allocation (RHNA) and provided input on identified sites and policies to meet the identified housing needs. The City's housing consultant incorporated input from the April site selection and policy identification meeting into the draft plan.

### Analysis

#### **Draft Housing Element**

The Housing Element is divided into 7 chapters outlining and analyzing the City's current regulatory framework, demographics, RHNA requirements, housing programs, and constraints to housing development. The plan also includes a review of past Housing Element programs and the County's regional chapter outlining the regional goals for housing based on the Countywide Regional Compact. The Chapters are organized as follows:

- A. Introduction
- B. Housing Plan
- C. Regional Chapter
- D. Needs Assessment
- E. Housing Constraints
- F. Housing Resources
- G. Program Accomplishments 2014-2019

## Housing Plan (Chapter B)

The draft Housing Plan includes Goals, Policies and Programs aimed at supporting housing development throughout the City. The City's overarching objective is to ensure that decent, safe housing is available to all current and future residents at a cost that is within the reach of the diverse economic segments in Atascadero. Additionally, the City must ensure that adequate services and infrastructure are available to serve our housing supply. To make adequate provisions for the housing needs of people at all income levels, state law (Government Code 65583[c]) requires that the City, at a minimum, identify specific programs that do all of the following:

- Identify adequate sites, with appropriate zoning and development standards and services to accommodate the locality's share of the regional housing needs for each income level.
- Assist in development review and approval of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households.
- Address and, where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for people at all income levels, as well as housing for people with disabilities.
- Conserve and improve the condition of the existing affordable housing stock and preserve assisted housing developments at risk of conversion to market-rate housing.
- Promote equal housing opportunities for all people, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

Housing Element policies and programs are intended to show how the City will comply with State housing law and support the production of affordable housing. Policies set the general framework to adopt the goal, while programs include an action that the City must take to implement a policy or goal and can include quantifiable objectives that will be used to report the City's progress on Housing Plan Implementation to the State annually. Ongoing policies and programs that remain relevant have been carried over from the previous Housing Element. New policies and programs have been included in alignment with recent State law changes and to further project streamlining.

The programs included in the plan identify the actions that will be taken to make sites available during the planning period with appropriate land use and development standards and with services/facilities to accommodate the City's share of regional housing need for each income level. The programs also address identified housing issues in Atascadero and approaches to meet State law housing requirements.

### An overview of the Key Housing Element Programs

The programs illustrated below are the most notable programs of the draft Housing Element.

- *Program 1.A: Adequate Sites*  
*"The City of Atascadero has a remaining RHNA of 266 units for the 2018-2028 RHNA planning period after credits for permitted or approved units are taken into consideration. Overall, the City can adequately accommodate the City's current*



*RHNA under existing General Plan and Zoning Regulations standards. The residential sites inventory to address the current RHNA consists of 11 mostly vacant sites with capacity to yield 497 new units. The City will maintain an inventory of available sites for residential development and provide it to prospective residential developers upon request, and the City will continue to track the affordability of new housing projects and progress toward meeting the City's RHNA. The City will also continue allowing housing development on RMF-24 properties identified in the Housing Element Sites Inventory as a by-right use, not subject to a conditional use permit or specific plan.*

*The City of Atascadero is not responsible for the actual construction of these units. The City is, however, responsible for creating a regulatory environment in which the private market could build these units. This includes the creation, adoption, and implementation of General Plan policies, zoning and development standards, and/or incentives to encourage the construction of various types of units."*

At the April 14th City Council meeting, an analysis was presented identifying potential housing sites and rezone requests. Based on current zoning and availability of sites that meet the State's size and density requirements, the City has adequate sites under current zoning to meet the remaining RHNA requirements. The RHNA is accommodated through a combination of assumed development of vacant and underutilized high density residential properties as well as assumed increases in ADU construction based on new State laws that limit the City's ability to impose certain development standards and charge certain fees. The residential multi-family zoned sites identified in the Housing Element are identified to be allowed by-right but can be subject to meeting objective design standards.

- *Program 1.B: No Net Loss*

*"Government Code Section 65863 stipulates that a jurisdiction must ensure that its Housing Element inventory can accommodate its share of the RHNA by income level throughout the planning period. If a jurisdiction approves a housing project at a lower density or with fewer units by income category than identified in the Housing Element, it must quantify at the time of approval the remaining unmet housing need at each income level and determine whether there is sufficient capacity to meet that need. If not, the city or county must "identify and make available" additional adequate sites to accommodate the jurisdiction's share of housing need by income level within 180 days of approving the reduced-density project.*

*The City will evaluate residential development proposals for consistency with goals and policies of the General Plan and the 2020-2028 Housing Element sites inventory and make written findings that the density reduction is consistent with the General Plan and that the remaining sites identified in the Housing Element are adequate to accommodate the RHNA by income level. If a proposed reduction of residential density will result in the residential sites inventory failing to accommodate the RHNA by income level, the City will identify and make available additional adequate sites to accommodate the its share of housing need by income level within 180 days of approving the reduced density project."*

This program addresses new State law related to development of sites identified in the Housing Element that are used to meet the City's RHNA. Under new State requirements, if an identified site is developed below density or for an income level above that identified in the Housing Element, the City must prove that additional sites exist to meet the remaining housing need. HCD assumes that all high density multi-family residential sites identified in the Housing Element will be developed with units at the low-, very low-, or extremely low-income level. If any of these sites is developed with moderate or market rate units, the City (in many cases staff will make this finding for by-right sites) must make findings upon project approval that adequate high-density housing sites exist, and must identify additional sites to transfer that lower income development potential to. The sites identified in the Housing Element are by-right sites, so development of these sites cannot be denied if all zoning standards are met. So while the City must assume development at the lower income levels to meet the State's RHNA requirements, the City cannot ensure that development will occur that qualifies as lower income housing. If it is found that there are not adequate sites that can accommodate the remaining need, the City must rezone additional multi-family property within 180-days. This State required program means that staff will need to maintain a list of eligible properties and areas for rezoning that can be used to track and shift RHNA development opportunities.

Based on past development patterns in the City, it is likely that the identified sites will not develop as HCD assumes unless developed by a non-profit entity or unless strategies are enacted to facilitate affordability by design. In concert with Programs 3.B and 3.C, the City could consider limiting unit sizes in the multi-family zone to encourage developments that are affordable by design and ensure development of high-density sites with affordable options that aren't concentrated or deed restricted. Fortunately, the State's recognition of accessory dwelling units in meeting the needs of lower-income households has given the City a sizable buffer within the adequate sites inventory for lower-income housing capacity. However, should existing sites not be developed in a way that meets the targeted need, the Council will be compelled to rezone eligible properties to high density multi-family use. Staff has already identified a number of properties along El Camino Real at the north end of the City that have rezoning potential and received a number of rezone requests from property owners. Further analysis of additional housing sites is expected as part of the Citywide General plan update scheduled to begin early next year.

- *Program 1.C: Mixed-Use Development*  
*"Continue to allow mixed residential and commercial development and promote second- and third-story residential development in the Downtown zoning districts. To increase project certainty and streamline development, the City will consider identifying appropriate, mid-block locations, outside of the downtown, for future mixed-use/residential development (in commercial zoning districts) while considering appropriate jobs/housing balance and fiscal impacts. Considering market conditions and development costs, the City will provide, when possible, developer incentives such as expedited permit processing and flexible development standards for units that are affordable to lower-income households. The City will publicize these incentives on the City's website ([www.atascadero.org](http://www.atascadero.org)) to make them available in a timely fashion."*

The City's existing General Plan (Policy LOC 3.1) allows for multi-family development on mid-block commercial sites within the General Commercial land use designation with approval of a Conditional Use Permit. This program recognizes the need for the City to examine potential sites for non-commercial development where higher intensity commercial development is not viable or where bringing a 24-hour presence to the corridor may be beneficial in the support of adjacent economic hubs. Appropriate sites may be those that are not conducive to commercial development due to location, size, or slope. Analysis of this strategy could include maintaining commercial zoning and the use of overlay zones to accomplish specific design requirements.

This program asks that the City explore pre-designating commercial sites that may be appropriate for residential development ensuring greater certainty for potential developers while also ensuring that non-identified sites be targeted for commercial development. Under this program, the City is only compelled to explore this idea. Analysis of sites is identified to occur during the Citywide General Plan Update and can be integrated into a comprehensive land use strategy. Taking a comprehensive look at land uses along the corridor will allow the Council to understand the positives and negatives to different types of mixed-use and residential development styles and ratios. Adoption of such a program or policy remains at the discretion of the Council.

As development at a density of at least 20 units per acre is assumed by the State to provide housing to lower-income households, this program also calls for developer incentives for mixed-use development. The City currently prioritizes and assists applicants with permit processing for lower-income projects and continues to explore other options to incentivize affordable housing.

- *Program 2.B: Inclusionary Housing Ordinance*  
*"Evaluate the City's inclusionary housing policy and consider replacing the current inclusionary policy with an inclusionary housing ordinance. An inclusionary ordinance must be consistent with state density bonus regulations and address changing economic and regulatory considerations. The City will continue to monitor the impact of its inclusionary housing policy/ordinance on production of market rate housing in response to market conditions. If the City's inclusionary housing approach presents an obstacle to the development of the City's fair share of regional housing needs, the City will revise the policy/ordinance accordingly."*

This program asks that the City review the current inclusionary housing policy and consider replacing the policy with an inclusionary housing ordinance. In the past, the application of inclusionary housing requirements to Planned Developments and Specific Plan has greatly assisted the City in meeting our housing goals, both in units constructed and fees collected to support affordable housing development. As the State reduces the ability of Cities to review housing projects through a discretionary process, thereby reducing the number of projects required to participate in the City's current program, analysis of alternatives will provide for expanded opportunities to meet affordable housing goals.

- *Program 2.F: Mixed-Use Standards*

*“Adopt mixed-use development standards that facilitate high-quality development and that strike a balance between the community’s need for housing and the City’s need to preserve viable commercial land uses to help sustain the City’s ability to provide essential services. During the formulation of development standards, the City will assess the potential for residential density increases for mixed-use projects. The City will pursue the drafting of new mixed-use developments standards and Objective Design Standards (Program 3.B) to ensure that the City’s planning and design goals for mixed-use projects and multi-family housing are met.”*

This program speaks to the Housing Accountability Act (SB 167, AB 678, AB 1515 [2017] – GC Section 65589.5) which dictates that development projects within commercial zoning districts that include at least two-thirds of the project as residential floor space cannot be denied if all applicable zoning standards are met. However, meeting all zoning standards means that the project must be consistent with basic land use standards such as no residential uses on the ground floor, maximum height, parking, landscaping, and must seek no exceptions. Adding objective design standards can add to the list of ordinance requirements allowing for greater design certainty on projects that State law exempts from discretionary review.

The program noted above calls for the City to adopt mixed-use development standards that facilitate high-quality development and that strike a balance between the community’s need for housing and the City’s need to preserve viable commercial land uses. During the formulation of development standards, the City will assess the potential for residential density increases for mixed-use projects.. The plan calls for the City to coordinate the drafting of new mixed-use development standards and Objective Design Standards (Program 3.B) to ensure that the City’s planning and design goals for mixed-use projects and multi-family housing are met. Developing standards will provide certainty to the development community and will streamline the design process. These standards can also require preservation of floor space for viable commercial land uses and design requirements to ensure enhanced activation of the El Camino Real and Morro Rd corridor.

- *Program 2.G: Specific Plans*

*“Continue to require the use of specific plans or planned developments for residential projects of 100 or more single-family units to ensure that the distribution of land uses, infrastructure requirements, and implementation measures are consistent with the General Plan and the City’s development goals and needs.”*

This program clarifies that a Specific Plan or Planned Development zoning is needed for the creation of new single-family neighborhoods where there are 100 or more houses. Clarification in this program notes that it is not intended to speak to multi-family apartment projects where the zoning to allow for such density already exists. The program directs the City to continue to require the use of specific plans or planned developments for residential projects of 100 or more single-family units to ensure that the distribution of land uses, infrastructure requirements, and implementation measures are consistent with the General Plan and the City’s development goals and needs.

- *Program 3.A: Development Process Streamlining*  
*“Continue streamlining the project review process by:*
  - *Reviewing, and if necessary, revising local review procedures to facilitate a streamlined review process*
  - *Accommodating SB 35 streamlining applications or inquiries by creating and making available to interested parties an informational packet that explains the SB 35 streamlining provisions in Atascadero and provides SB 35 eligibility information*
  - *Continuing to consolidate all actions relating to a specific project on the same Council or Commission agenda*
  - *Continuing to review minor project modifications through the Design Review Committee and more substantial changes through a Planning Commission process*
  - *Maintaining pre-approved stock development plans to streamline the plan check process for ADUs”*

Program 3.A. emphasizes the need for streamlined review. HCD encourages permit streamlining for projects that include certain levels of affordable housing. This includes maximum review timeframes for permits and limitations on triggers for discretionary review processes. Included in this program are stock plans for ADU's. This activity is currently being pursued as a regional effort and may be funded through SLOCOG, SB2, or LEAP funding.

- *Program 3.B: Objective Design Standards*  
*“Adopt objective design standards to ensure that the City can provide local guidance on design and standards for by-right projects as allowed by state law. Adoption of objective design standards will facilitate high-quality residential development and compliance with state objectives. The objective design standards will ensure provision of adequate private open space, parking, and related features as well as architectural design, consistent with state law. Part of the objective design standards creation process will include assessing how the standards can be used to encourage a variety of housing types and limit the size of residential units on multi-family zoned properties to encourage units that are affordable by design.”*

Program 3B calls for the City to adopt objective design standards (strictly focused on assessing compliance with criteria). The State has passed legislation that makes it increasingly difficult for Cities to exercise discretionary approval of housing projects (Housing Accountability Act). While some projects may still be subject to discretionary review, others are exempt and only objective design standards can be applied. Developing such standards will ensure quality development and compliance with State objectives. The City may adopt a set of objective design standards that dictate architectural quality, adequate private open space, adequate parking, appropriate landscaping, site design requirements, and related features. The objective design standards can facilitate methods to encourage a variety of housing types encouraging smaller units on multi-family zoned properties to ensure units that are affordable by design while preserving quality outdoor space, adequate parking, and quality aesthetics.

- *Program 3.C: Multi-Family Housing Permitting*

*“To reduce constraints to multi-family housing production, the City will review and if necessary, revise the Conditional Use Permit (CUP) requirements for multi-family housing. The Atascadero Zoning Regulations require a CUP for residential projects in the RMF zone over 11 units, excluding RMF-24 properties identified in the Housing Element sites inventory which are allowed by right. The City will consider revising the CUP requirement once objective design standards are adopted. This will not affect the by-right approval of multi-family projects in the RMF-24 zone on Housing Element sites, which are not subject to a CUP or a Specific Plan. The permitting process for multi-family housing will be consistent with any by-right or streamlining requirements identified in state law. The City will periodically evaluate the approval process for projects requiring a CUP or other discretionary review and monitor the impact the requirement has on project certainty, cost, and approval time.”*

To reduce constraints to multi-family housing production, and consistent with the intent of SB35 and the Housing Accountability Act, program 3.C suggests considering a revision to the Conditional Use Permit (CUP) requirements for multi-family housing. The program calls for the City to consider removing the CUP requirement entirely once objective design standards are adopted. The adoption of objective design standards can accommodate many of the same things that the conditional use permit process is designed for.

- *Program 3.D: RMF Zone Height*

*“Amend the Zoning Regulations to remove number of stories limit in the Residential Multi-Family (RMF) Zone and regulate based on height in feet, allowing for adequate emergency response and community character preservation.”*

The current height limitation in the multi-family zone is a two part standard. The maximum height cannot exceed 35-feet nor can any building be more than 2 stories. The limit on the number of stories results in lower density projects and less flexibility on site design and planning. The proposed program calls for the City to amend the Zoning Regulations to remove “number of stories limit” in the Residential Multi-Family (RMF) Zone while maintaining the 35-foot limit to ensure neighborhood compatibility. The CUP process will remain available for developments desiring to exceed this limit.

- *Program 3.E: Small Lot Subdivisions*

*“Consider adopting small lot subdivision standards that incorporate specific site and building development standards (such as parking, height, yard space, architecture) in exchange for flexible minimum lot sizes. Consider allowing small lot subdivisions without rezoning. Small lot subdivision standards can eliminate the need for multi-family planned developments that are currently subject to a rezoning process. Establishing a set of high-quality standards for each small lot subdivision, instead of minimum lot size, can save substantial staff time and applicant costs and would allow for increased creativity with site design while increasing ownership opportunities for all income segments of the community (affordable by design).”*

Program 3.E calls for the City to consider adoption of flexible minimum lot sizes for single family residential neighborhoods that incorporate specific site and building development standards (such as parking, height, yard space, architecture, building siting, unit size). This would alleviate many projects from going through a rezoning process if the development met City required standards. At this time, the minimum lot size for multi-family development is one half acre unless a planned development overlay zone is adopted. Establishing small lot standards will prescribe a set of quality standards for each subdivision, will save substantial staff time and applicant costs while providing certainty for both applicants and the City. This could allow for increased creativity with site design while increasing ownership opportunities for all income segments of the community (affordable by design).

- *Program 3.H: Special Needs Housing Laws*

*“Review the Zoning Regulations and if necessary, make changes to ensure compliance with the Supportive Housing Streamlining Act (AB 2162) and AB 101 (Low-Barrier Navigation Centers). AB 2162 requires supportive housing to be considered a use by right in zones where multi-family and mixed uses are permitted, including nonresidential zones permitting multi-family uses, if the proposed housing development meets specified criteria. AB 101 requires that Low-Barrier Navigation Centers (LBNC) be a by-right use in areas zoned for mixed-use and nonresidential zones permitting multi-family uses. LBNC provide temporary room and board with limited barriers to entry while case managers work to connect homeless individuals and families to income, public benefits, health services, permanent housing, or other shelter.”*

Under program 3.H, the City is tasked with analyzing current zoning regulations to ensure compliance with State law for transitional housing, emergency shelters, and Low Barrier Navigation Centers. Amendments to the zoning ordinance will be brought forward as needed to remain in compliance with these laws.

#### Summary of Quantified Objectives

The programs listed in the Housing Plan (Chapter B) provide quantified objectives towards meeting the State and City housing goals. Programs that relate to supporting the construction of housing units to meet the City's RHNA include measurable objectives used during the State's annual reporting process to ensure that the City is on track in meeting identified goals. Table B.1 summarizes the City's quantified objectives for the 2020-2028 planning period by income group.

- The Construction Objective represents the City's remaining (after crediting the units with approved or issued permits) 2018-2028 RHNA of 266 units, as well as objectives for the density bonus and inclusionary housing programs.
- The Rehabilitation Objective represents objectives in the Housing Rehabilitation and Preservation program.
- The Conservation objective refers to maintenance of the current level of assistance through the Housing Choice (formerly Section 8) Voucher program from the County of San Luis Obispo Housing Authority.

Table B.1: Quantified Objectives					
Objectives	Income Levels				Total
	Extremely/ Very Low	Low	Moderate	Above Moderate	
Construction Objective *	171	105	15	50	341
Rehabilitation Objective	5	5	10	--	20
Conservation/Preservation Objective	230		--	--	230
Total	176	110	25	50	361
*Note: The City of Atascadero is not responsible for the actual construction of these units. The City is, however, responsible for creating a regulatory environment in which the private market could build these units. This includes the creation, adoption, and implementation of General Plan policies, zoning standards, and/or incentives to encourage the construction of various types of units.					

## Regional Chapter

The County and all seven Cities are working collaboratively to develop the region's first Regional Infrastructure and Housing Strategic Action Plan (Regional Plan) that will identify actions to address housing and resiliency issues. A key component of the Regional Plan is the integration of efforts to address critical housing and related infrastructure needs. As part of the Housing Element update process, representatives of the County, seven Cities, and San Luis Obispo Council of Governments (SLOCOG) developed a regional Chapter to be integrated into each jurisdiction's Housing Elements, aimed at showcasing the ongoing commitment of each agency to this collaborative effort. The regional Chapter presents a regional vision and policies focused specifically on fostering regional collaboration to plan and develop housing and supportive infrastructure. The regional effort is an ongoing and iterative process. Identifying regional funding opportunities will be a collaborative process with the input of all 8 jurisdictions and is subject to changes based on funding opportunities and identified needs. The regional partners are committed to improving the jobs/housing balance throughout the regional and identifying infrastructure projects and housing opportunities that support these integrated efforts.

This effort is guided by the San Luis Obispo Countywide Regional Compact (Regional Compact). The Regional Compact, adopted by each jurisdiction in early 2020, outlines six shared regional goals to guide collaborative resolution of underlying housing and infrastructure needs:

***Goal 1. Strengthen Community Quality of Life – We believe that our Region's quality of life depends on four cornerstones to foster a stable and healthy economy for all: resilient infrastructure and resources, adequate housing supply, business opportunities, and educational pathways.***



**Goal 2. Share Regional Prosperity** – We believe that our Region should share the impacts and benefits of achieving enduring quality of life among all people, sectors and interests.

**Goal 3. Create Balanced Communities** – We believe that our Region should encourage new development that helps to improve the balance of jobs and housing throughout the Region, providing more opportunities to residents to live and work in the same community.

**Goal 4. Value Agriculture & Natural Resources** – We believe that our Region's unique agricultural resources, open space, and natural environments play a vital role in sustaining healthy local communities and a healthy economy, and therefore should be purposefully protected.

**Goal 5. Support Equitable Opportunities** – We believe that our Region should support policies, actions, and incentives that increase housing development of all types, available to people at all income levels.

**Goal 6. Foster Accelerated Housing Production** – We believe that our Region must achieve efficient planning and production of housing and focus on strategies that produce the greatest impact.

The regional chapter includes an initial list of aspirational regional policies that further the Regional Compact vision. The list of regional goals offers ways that the County, cities, SLOCOG, and other partners can consider moving forward, together. Many of the regional goals relate to inter-agency partnerships and a regional approach to infrastructure funding. Participation in the regional effort and incorporation of the regional chapter into the City's Housing Element not only solidifies our commitment to work together as a region but may also further expand grant opportunities. The chapter includes the following eight regional policies:

*R-1: Promote awareness and support of regional efforts that further housing and infrastructure resiliency by utilizing community engagement, and consistent and transparent communication.*

*R-2: Encourage an adequate housing supply and resilient infrastructure, services, and resources to improve the balance of jobs and housing throughout the Region.*

*R-3: Develop inter-agency partnerships as appropriate to implement goals and policies related to housing and infrastructure.*

*R-4: Coordinate State, Federal, and other funding opportunities for housing and infrastructure development throughout the Region.*

*R-5: Encourage developers to sell newly constructed housing units to individuals residing or employed within the area of the development (a city or the County) first before selling to individuals from outside the County, to promote local preference.*

*R-6: Encourage rental units be prioritized for long term residents rather than short term users or vacation rentals.*

*R-7: Support housing development that is located within existing communities and strategically planned areas.*

*R-8: Encourage regional collaboration on a menu of housing types, models, and efforts to support streamlined approvals for such developments (i.e. Accessory Dwelling Units, etc.).*

Part of this effort also includes a regional toolkit of programs and activities that can be adopted to support these goals. The City's draft Housing Element already identifies a number of policies and programs that achieve this regional vision. The City will continue to participate in collaborative regional efforts to address jobs/housing balance, best practices for housing development and support, and building and prioritizing resilient infrastructure to serve the region into the future.

## **Housing Constraints**

Chapter E analyzes the City's current zoning regulations, building codes, code enforcement, infrastructure, fees, and permit processes (governmental constraints) to determine any constraints to housing development or preservation. In addition, per State law, the chapter also analyzes non-governmental constraints such as land and housing costs, environmental constraints, and availability of financing. If constraints are identified, a program is usually included in the Housing Plan to further analyze and address the potential constraint.

### Governmental Constraints:

The chapter identifies the following governmental housing constraints within the City's regulatory framework:

- 2 story maximum for multi-family development (Program 3.D proposes to eliminate this restriction)
- Low limit (12 units) trigger for discretionary entitlement for multi-family development (Program 3.C has been added to further analyze)
- Emergency Shelter Overlay Zoning district and Supportive housing regulations need to address new State laws (Programs 3.H and 3.I have been included to ensure consistency)
- The City lacks quantifiable objective design standards to facilitate housing development subject to SB35 and the Housing Accountability Act and to provide clarity for developers while achieving high-quality design. (Program 3.B calls for the adoption of objective design standards)

The consultant's analysis also found that the City does not impose greater site improvement or building code regulations on housing projects than is otherwise required by the State and/or surrounding communities. In addition, permit processing times are in line with or more expeditious than surrounding jurisdictions and comply with State streamlining requirements.

#### *Non-Governmental Constraints:*

Identified non-governmental constraints include land and construction costs, availability of financing, and environmental constraints. While the City cannot control these factors, programs are included in the plan to support applicants and developers through outreach efforts.

### **Past Program Accomplishments**

The draft Housing Element includes a chapter outlining the City's accomplishments during the previous planning period (2014-2019). This evaluation provides valuable information on the extent to which programs have achieved stated objectives and whether these programs continue to be relevant to addressing current and future housing needs in Atascadero. The evaluation provides the basis for recommended modifications to policies and programs and the establishment of new housing objectives.

The below table summarizes the quantified objectives contained for the 2014-2019 Housing Element and compares the City's progress toward fulfilling these objectives. The City recognizes that it had limited resources to address the varied affordable housing needs in the community. As part of the 2014-2019 Housing Element, the City established a set of quantified objectives for housing construction, rehabilitation, and preservation. The City made significant progress towards the construction and conservation goal. The City's rehabilitation goals, however, fell short due to the loss of its primary rehabilitation funding tool when the RDA was dissolved.

Table G.2: Summary of 2014-2019 Quantified Objectives and Progress					
Objectives	Income Levels				Total
	Very Low	Low	Moderate	Above Moderate	
Construction Objectives					
Goal(a)	98	62	69	164	393
Progress	48 (49%)	28(45%)	178(258%)	308(188%)	562
Rehabilitation Objectives					
Goal(b)	7	13	55	55	130
Progress	--	--	--	--	0
Conservation Objectives					
Goal(c)	2	3	15	5	25
Progress	71 (1,420%)		--	--	71

The City accomplished these objectives by implementing numerous programs since 2014. In addition to on-going efforts, the most notable projects and implemented programs include:

- The La Plaza project providing 42 residential units downtown, 38 of which are likely to be considered as affordable by design based on unit size.
- Over 80 units approved through the PD overlay process
- 60 units issued in accordance with the state density bonus law.
- Over 25 permits issued for ADUs
- Worked with People's Self-Help Housing to produce 34 affordable housing units and worked with the Corporation for a Better Housing to produce 60 very low- and low-income units.
- The City updated the zoning ordinance in 2017 to include updated definitions and requirements for farmworker housing in accordance with State law.

A full list of objectives and accomplishments can be found in draft Chapter G.

#### Next Steps

This hearing begins the process of coordination and review by HCD and the public. Following authorization by the City Council, the Draft Housing Element will be sent to HCD for their review and the 60-day public review period will begin. It is typical for the State's reviewer to recommend edits to the document. In addition, issues and modifications may occur as a result of public comment. The HCD review process is iterative and interactive and any changes, will be brought back to the Council for review prior to finalizing the document for adoption. Final adoption of the document and certification by HCD needs to take place by December 31 to remain in compliance with State laws. The City is on track to meet this deadline with the State and public comment period scheduled to end in late August. Once HCD has approved the document, and Council has had a chance to review any substantial changes, if any, the document will be brought before the Planning Commission for review and recommendation prior to Council review for final adoption.

#### Conclusion

The Housing Element update is a State mandated process that aims to provide a regulatory and land-use framework aimed at addressing housing needs and providing opportunities for the construction of housing that meets the needs of current and future residents. The draft Housing Element has been prepared and goals, policies, and programs have been identified that support housing development throughout the City and comply with State housing laws. This Housing Element will cover the planning period from 2020-2028. Per State law, adoption and certification must occur by December 2020.

**FISCAL IMPACT:**

None. The Housing Element is a state mandated activity. While review of potential Housing Element policies does not have a direct fiscal impact, changes in land-use policies will generally produce an overall positive or negative fiscal impact for the City depending on the policy. Creation of housing units generally has a negative fiscal impact upon City resources.

**ATTACHMENT:**

Draft Housing Element



# City of Atascadero 2021-2028 Housing Element

PUBLIC REVIEW DRAFT | JUNE 2020



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# **City of Atascadero**

## **2021-2028**

### **Housing Element**

City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422

Public Review Draft  
June 2020

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## A. Introduction

### 1. Overview

This Housing Element provides the City of Atascadero with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing for all community residents.

The Housing Element is a mandatory General Plan element. It identifies ways in which the housing needs of existing and future residents can be met. State law requires that all cities adopt a Housing Element and describes in detail the necessary contents of the Housing Element. California planning law provides more detailed requirements for the Housing Element than for any other General Plan element. This Housing Element responds to those requirements and responds specifically to conditions and policy directives unique to Atascadero.

The California Legislature has identified the attainment of a decent home and suitable living environment for every Californian as the state's main housing goal. Recognizing the important part that local planning programs play in pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of their comprehensive General Plans. Section 65581 of the California Government Code reflects the legislative intent for mandating that each city and county prepare a Housing Element:

1. To ensure that counties and cities recognize their responsibilities in contributing to the attainment of the State housing goal
2. To ensure that counties and cities will prepare and implement housing elements which, along with federal and state programs, will move toward attainment of the state housing goals
3. To recognize that each locality is best capable of determining what efforts are required by it to contribute to the attainment of the state housing goal, provided such a determination is compatible with the state housing goal and regional housing needs
4. To ensure that each local government cooperates with other local governments to address regional housing needs

### 2. Scope and Content of the Housing Element

The Housing Element covers the planning period of December 31, 2020 through December 31, 2028 and identifies strategies and programs to: 1) encourage the development of a variety of housing opportunities; 2) provide housing opportunities for persons of lower and moderate incomes; 3) preserve the quality of the existing housing stock in Atascadero; 4) minimize governmental constraints; and 5) promote equal housing opportunities for all residents.

Toward these ends, the Housing Element consists of:

- An introduction of the scope and purpose of the Housing Element
- A Housing Plan to address the identified housing needs, including housing goals, policies, and programs

- A Regional Infrastructure and Housing Strategic Action Plan, which was developed collaboratively with and is adopted by the County of San Luis Obispo and all seven cities within the county
- An analysis of the City's demographic and housing characteristics and trends
- A review of potential market, governmental, and environmental constraints to meeting the City's identified housing needs
- An evaluation of land, administrative, and financial resources available to address the housing goals
- A review of past accomplishments under the previous Housing Element

### **3. Relationship to Other General Plan Elements**

State law requires that the General Plan and all individual elements collectively form an "integrated, internally consistent, and compatible statement of policies." The goals, policies, and programs of this Housing Element are consistent with the goals, policies, and programs contained in other elements of the Atascadero General Plan.

Development policies contained in the Land Use, Open Space & Conservation Element—which establishes the location, type, density, and distribution of local land uses, including housing—most directly relate to the Housing Element. The policies and priorities of the Housing and Land Use, Open Space & Conservation Element have been carefully balanced to maintain internal consistency. When any element of the General Plan is amended, the City will review the Housing Element and if necessary, prepare an amendment to ensure continued consistency among elements. State law requires that upon revisions to the Housing Element, the Safety and Conservation Elements include an analysis and policies regarding flood hazard and management information.

### **4. Public Participation**

The Housing Element must reflect the values and preferences of the Atascadero community; therefore, public participation plays a role in the development of this Element. Section 65583(c)(6)(B) of the Government Code states: "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." This process not only includes residents of the community, but also coordinates participation among local agencies and housing groups, community organizations, and housing sponsors.

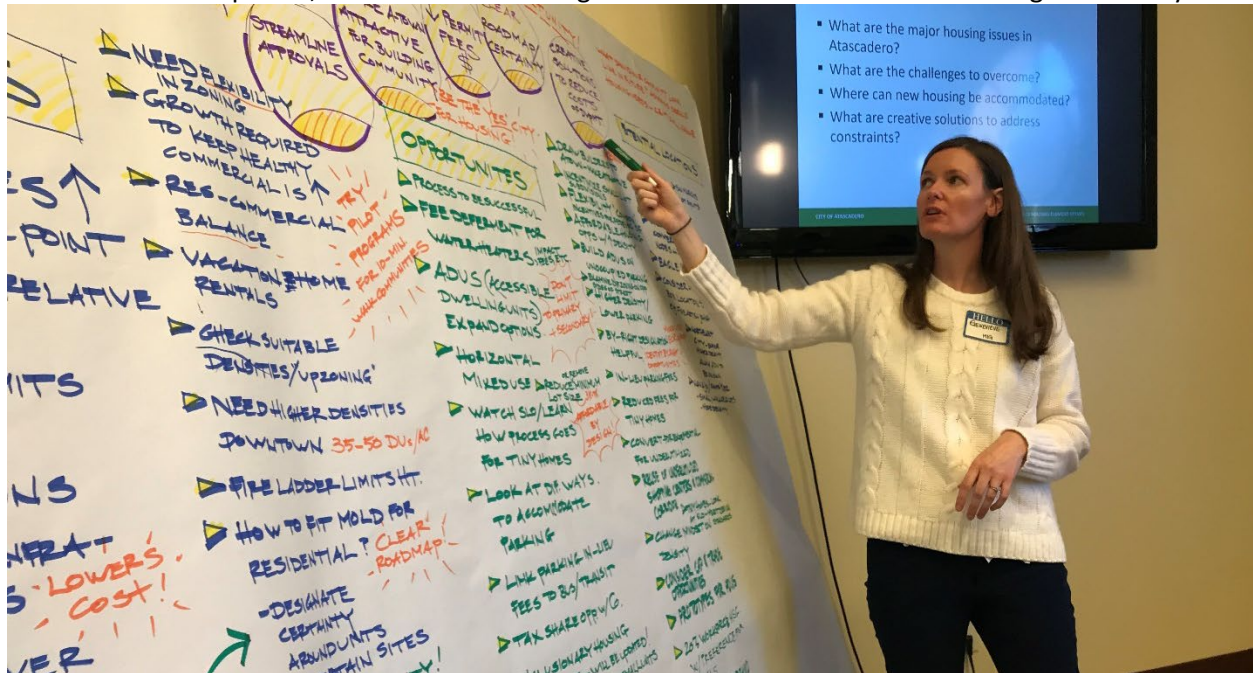
#### **Community Workshops and Study Sessions**

On January 28, 2020, the City conducted a workshop to gather input from key local stakeholders and residents. The meeting included a presentation about the intent of the Housing Element update, followed by a facilitated discussion regarding housing issues, opportunities to meet local housing needs, and creative approaches to address the City's constraints to housing production. Participants included local developers, service providers, advocates, and residents.

Outreach for the workshop and study session were conducted using social media campaigns and local media outlets. Information was also posted on the City website. Interested developers, housing advocates, and residents were encouraged to attend, and follow-up was conducted after the events to

ensure that the City captured all input. The list of agencies and organizations invited to the study session are listed in Appendix A.

Public comments received at the workshop and through follow-up outreach encouraged the City to see housing as an opportunity, while understanding the importance of considering the jobs to housing balance. Participants recommended ways to streamline the housing development approval process (including a clear roadmap with certainty), reduction in various permit fees, creative solutions to reduce the costs of development, and a focus on making Atascadero attractive for the building community.



Community Workshop | January 28, 2020



Following the workshop, the Planning Commission and City Council held a joint study session to review Housing Element requirements, report on input received at the workshop earlier in the day, and discuss issues, locations where new housing should be encouraged, creative solutions to constraints, and how to respond to local needs of Atascadero. Public comments included:

- Streamline the approval process with reduced use of conditional use permits and removal of minimum lot size requirements.
- Provide a mechanism, such as in-lieu fee payment, to substitute for parking requirements.
- Find ways to incentivize affordable housing rather than require it.
- Upzone around downtown.
- Consider an overlay to allow residential along El Camino Real.
- Consider the increasing senior population and develop creative solutions such as extra bedrooms, accessory dwelling units, and tiny homes.
- Reduce fees, especially for the housing types that are affordable by design.
- Consider changes to land use as part of a General Plan update and consider property owner requests to rezone.

On April 14, 2020, the City Council conducted a study session to discuss potential sites to meet the regional housing needs allocation (RHNA) and policies to consider in the Housing Element. Due to the statewide Shelter at Home order associated with the COVID-19 pandemic, this meeting was not physically open to the public but was accessible via teleconferencing and viewing on the local television station. Notification of the workshop/hearing was sent to local media outlets as well as posted on the City website. In addition, outreach to interested members of the resident, housing advocacy, and development community was conducted. Public comments were received via teleconference and included requests for rezoning, discussion of junior accessory dwelling units, and support for horizontal mixed use, removal of minimum lot size requirements, and increasing housing in the community.

On June 23, 2020, the City Council conducted a workshop prior to submitting the draft Housing Element to the State Department of Housing and Community Development (HCD) to discuss the Draft Housing Element. Because the statewide Shelter at Home order was still in place, this meeting was not physically open to the public; the public participated via teleconferencing and viewing on the local television station. Notification of the workshop/hearing was published in the San Luis Obispo Tribune newspaper. To ensure that the housing concerns of low- and moderate-income and special needs residents were addressed, the City notified agencies and organizations that serve these communities in Atascadero and surrounding areas. Local stakeholders such as developers, service providers, neighboring jurisdictions, and housing advocates were invited to review and comment on the 2020-2028 Housing Element and to attend the study session. The list of agencies and organizations invited to the study session are listed in Appendix A. Comments received at that workshop will be summarized here.

Further opportunity for public participation will be provided at Planning Commission and City Council adoption hearings expected to occur late October/Early November 2020.

# ATASCADERO

## HOUSING ELEMENT

JAN. 28, 2020

### CHALLENGES

- ▷ BUILDING PERMIT FEES ↑
- ▷ A-TOWN = LOW PRICE POINT BUT FEES ARE HIGH RELATIVE TO VALUE
- ▷ COST OF ADU PERMITS + GARAGES
- ▷ CENTRAL LOCATIONS IN CORE W/ LESS INFRA + STRUCTURE NEEDS - LOWERS COST!
- ▷ TOPOGRAPHY + RIVER
- ▷ PARKING IS EXPENSIVE
- ▷ FORMULA FOR WHERE RES. CAN GO ISNT CLEAR - CUPS.
- ▷ CPU LUMPS HOUSING IN ONE CATEGORY
- ▷ COMMERCIAL CORRIDOR IN A-TOWN = STREAD OUT + NARROW
- ▷ SEWER CAPACITY

- ▷ NEED FLEXIBILITY IN ZONING
- ▷ GROWTH REQUIRED TO KEEP HEALTHY COMMERCIAL IS
- ▷ REG - COMMERCIAL BALANCE
- ▷ VACATION HOME RENTALS
- ▷ CHECK SUITABLE DENSITIES / UPZONING
- ▷ NEED HIGHER DENSITIES DOWNTOWN 35-50 DU/AC
- ▷ MORE LADDER LIMITS HT.
- ▷ HOW TO FIT MOLD FOR RESIDENTIAL + CLEAR ROADMAP
- ▷ DESIGNATE CERTAIN ARROUNDMENTS ON CERTAIN SITES ALSO AN OPPORTUNITY!
- ▷ SIMPLIFY DESIGN GUIDELINES
- ▷ WATER CO FEES FOR ADU? + ELECTRICITY
- ▷ EXAMINE NEED FOR CURB CUTS SIDEWALK

SEE HOUSING AS AN OPPORTUNITY!

MAKE A-TOWN ATTRACTIVE FOR BUILDING COMMUNITY

↓ PERMIT FEES

CLEAR ROADMAP / CERTAINTY

CREATIVE SOLUTIONS TO REDUCE COSTS OF DVPMT.

### OPPORTUNITIES

- ▷ PROCESS TO BE SUCCESSFUL
- ▷ FEE DEFERMENT FOR WATER HEATERS, IMPACT FEES, ETC.
- ▷ ADUS (ACCESSIBLE DWELLING UNITS) TO PRIMARY EXPAND OPTIONS - + SECONDARY
- ▷ HORIZONTAL MIXED USE
- ▷ WATCH SLO / LEARN HOW PROCESS GOES FOR TINY HOMES
- ▷ LOOK AT DIFF. WAYS TO ACCOMMODATE PARKING
- ▷ LINK PARKING IN-LIEU FEES TO BUS / TRANSIT
- ▷ TAX SHARE OPP W/ G.
- ▷ INCLUSIONARY HOUSING ORDINANCE - WILL BE UPDATED! - CONSIDER EXEMPTING SMALL UNITS
- ▷ DENSITY BONUSES
- ▷ TAX BUSINESSES? LOOK FOR ALTERNATIVES
- ▷ PRE-CEQA CLEARANCE ON HOUSING ELEMENT SITES
- ▷ DRAW BUILDERS TO A-TOWN - MAKE ATTRACTIVE
- ▷ INCENTIVIZE SMALL LOT SUBDIVISIONS
- ▷ FLEXIBILITY "COUPON" INCENTIVES FOR FEEDBACK ST
- ▷ AFFORDABLE HOUSING OPPS W/ ↑ DENSITY
- ▷ BUILD ADUS ON UNOCCUPIED PARKING
- ▷ EXAMINE ZONING ON OFF STREET TYPES OF STREET
- ▷ HIGHER DENSITY / LOWER PARKING
- ▷ BY-RIGHT DESIGNATION ECR PROP HELPFUL IDENTIFY BY-RIGHT OPPORTUNITIES.
- ▷ IN-LIEU PARKING FEES
- ▷ REDUCED FEES FOR TINY HOMES
- ▷ CONVERT FOR EXPERIMENTAL FOR UNDERUTILIZED
- ▷ REUSE OF UNDERUTILIZED SHOPPING CENTERS + COMMERCIAL CORRIDOR
- ▷ CHANGE MINDSET ON DENSITY
- ▷ CONSIDER CAP + TRADE OPPORTUNITIES
- ▷ PROTOTYPES FOR ADUS
- ▷ 20% WORKFORCE HSG. W/ PREFERENCE FOR LOCALS
- ▷ MORE HOUSING BEHIND EL CAMINO
- ▷ FEE DEFERMENT - LIKE A TAX + RIGHT-SIZE FEES
- ▷ DEVELOP CEQA THRESHOLDS

WHAT SHOULD OUR COMMUNITY LOOK LIKE IN FUTURE? ADDRESS SERIOUS HOUSING NEEDS - CRITICAL VALUE

### POTENTIAL LOCATIONS

- ▷ DOWNTOWN + DIT ADJACENT
- ▷ BEHIND ECR
- ▷ ADUS
- ▷ UPZONE NEAR COMMERCIAL NODES + IOI
- ▷ EAGLE RANCH
- ▷ CONSIDER OUT-OF-BOX LOCATIONS
- ▷ G9: FINE ARTS + JR HIGH
- ▷ NORTHEAST CITY - EXPLORE HIGHER DENSITY ALLOW ADU TO BE ON OWN
- ▷ NAVAJO / SANTA YNEZ - SMALL, WALKABLE LOTS - MORE DENSITY
- ▷ SAN MARCOS - LOT SPLITS

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## B. Housing Plan

This Housing Plan's goals, policies, and programs have been established to address housing issues in Atascadero and to meet state law housing requirements. The City's overarching objective is to ensure that decent, safe housing is available to all current and future residents at a cost that is within the reach of the diverse economic segments in Atascadero. These Goals, Policies, and Programs are informed by the housing needs assessment (Section D), housing constraints analysis (Section E), Housing Resources analysis (Section F), and the review of program accomplishments for the previous (2014-2019) Housing Element (Section G). The City of Atascadero is working collaboratively with San Luis Obispo County and cities to develop the region's first Regional Infrastructure and Housing Strategic Action Plan (Regional Plan) that will identify actions to address these issues. As part of the 6<sup>th</sup> Cycle Housing Element update process, representatives of the County, seven Cities and San Luis Obispo Council of Governments (SLOCOG) developed a regional vision and policies to showcase the ongoing commitment of each agency to this collaborative effort. The regional vision and policies are included in Section C.

To make adequate provision for the housing needs of people at all income levels, state law (Government Code 65583[c]) requires that the City, at a minimum, identify programs that do all of the following:

- Identify adequate sites, with appropriate zoning and development standards and services to accommodate the locality's share of the regional housing needs for each income level.
- Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households.
- Address and, where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for people at all income levels, as well as housing for people with disabilities.
- Conserve and improve the condition of the existing affordable housing stock and preserve assisted housing developments at risk of conversion to market-rate housing.
- Promote equal housing opportunities for all people, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

Programs generally include a statement of specific City action(s) necessary to implement a policy or goal and identify the City department or other agency responsible for implementation, the quantified objectives (where applicable), and a timeframe for completion. A summary of quantified objectives is included following the program descriptions.

### 1. Goals and Policies

**Goal HOS 1: Provide adequate sites for housing development to accommodate a range of housing by type, size, location, price, and tenure.**

- Policy 1.1:** Implement land use policies and standards that allow for a range of residential densities and products that will provide households of all types and income levels the opportunity to find suitable ownership or rental housing.
- Policy 1.2:** Facilitate the development of accessory dwelling units on single-family parcels where adequate services can be provided.

**Policy 1.3:** Encourage the production of housing, with particular emphasis on housing affordable to persons with disabilities, elderly, large families, female-headed households with children, and homeless individuals.

**Policy 1.4:** Encourage the development of residential units that are accessible to persons with disabilities or are adaptable for conversion to residential use by persons with disabilities.

**Goal HOS 2: Promote diverse and high-quality housing opportunities to meet the needs of all economic segments of the community.**

**Policy 2.1:** Facilitate housing development that is affordable to lower income households by providing technical assistance, regulatory incentives and concessions, and financial resources as funding permits.

**Policy 2.2:** Continue to utilize federal and state subsidies, as well as City resources, to the fullest extent possible, to assist in meeting the housing needs of lower-income residents, including extremely low-income residents.

**Policy 2.3:** Encourage new housing, including mixed-use projects in appropriate commercial land use areas to assist in meeting the needs of all household types in the City.

**Policy 2.4:** Support regional efforts to address homelessness.

**Goal HOS 3: Reduce or remove governmental and non-governmental constraints to the development, improvement, and maintenance of housing where feasible and legally permissible.**

**Policy 3.1:** Review projects in as timely a manner as possible, while maintaining adequate public involvement and fulfilling the appropriate requirements of state and local laws.

**Policy 3.2:** Monitor state and federal housing-related legislation, and update City plans, ordinances, and processes as appropriate to remove or reduce governmental constraints.

**Policy 3.3:** Encourage interplay between lending institutions, the real estate and development community, and the City to better understand and address non-governmental constraints and facilitate production of affordable housing.

**Policy 3.4:** Help lower development costs where feasible, especially for low- and moderate-income housing units.

**Policy 3.5:** Encourage energy conservation and sustainable building measures in new and existing homes through adherence to the California Green Building Code.

**Goal HOS 4: Protect and conserve the existing housing stock and neighborhoods, including the City's affordable housing stock.**

**Policy 4.1:** Encourage conservation and preservation of neighborhoods and sound housing.

**Policy 4.2:** Promote and preserve affordable housing.

**Policy 4.3:** Encourage conservation and preservation of houses that have historical and architectural significance.

**Policy 4.4:** Leverage state and federal loans and grants to assist in preserving existing housing and rehabilitating unsound housing structures.

**Goal HOS 5: Affirmatively further equal and fair access to sound, affordable housing for all persons.**

**Policy 5.1:** Affirmatively further fair housing related to the sale, rental, and financing of housing to avoid discrimination based on race, religion, age, sex, marital status, ancestry, national origin, color, familial status, or disability, or any other arbitrary factor.

**Policy 5.2:** Assist in the enforcement of state and federal fair housing and anti-discrimination laws by assisting organizations that receive and investigate fair housing allegations and refer possible violations of fair housing laws to enforcing agencies.

**Policy 5.3:** Promote and affirmatively further fair housing opportunities and promote housing options throughout the community for all persons.

**Policy 5.4:** Ensure that persons with disabilities have adequate access to housing.

## 2. Implementing Programs

The programs below identify the actions that will be taken to make sites available during the planning period with appropriate land use and development standards and with services/facilities to accommodate the City's share of regional housing need for each income level. The programs also address identified housing issues in Atascadero and approaches to meet state law housing requirements. Program numbers reference corresponding goals listed above.

### **Program 1.A: Adequate Sites**

The City of Atascadero has a remaining RHNA of 266 units for the 2018-2028 RHNA planning period after credits for permitted or approved units are taken into consideration. Overall, the City can adequately accommodate the City's current RHNA under existing General Plan and Zoning Regulations standards. The residential sites inventory to address the current RHNA consists of 11 mostly vacant sites with capacity to yield 497 new units. The City will maintain an inventory of available sites for residential development and provide it to prospective residential developers upon request, and the City will continue to track the affordability of new housing projects and progress toward meeting the City's RHNA. The City will also continue allowing housing development on RMF-24 properties identified in the Housing Element Sites Inventory as a by-right use, not subject to a conditional use permit or specific plan.

The City of Atascadero is not responsible for the actual construction of these units. The City is, however, responsible for creating a regulatory environment in which the private market could build these units. This includes the creation, adoption, and implementation of General Plan policies, zoning and development standards, and/or incentives to encourage the construction of various types of units.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing; annual assessment of status of housing sites inventory as part of the annual reporting process to the State*

*Quantified Objective: 266 units*

### **Program 1.B: No Net Loss**

Government Code Section 65863 stipulates that a jurisdiction must ensure that its Housing Element inventory can accommodate its share of the RHNA by income level throughout the planning period. If a jurisdiction approves a housing project at a lower density or with fewer units by income category than identified in the Housing Element, it must quantify at the time of approval the remaining unmet housing need at each income level and determine whether there is sufficient capacity to meet that need. If not, the city or county must “identify and make available” additional adequate sites to accommodate the jurisdiction’s share of housing need by income level within 180 days of approving the reduced-density project.

The City will evaluate residential development proposals for consistency with goals and policies of the General Plan and the 2020-2028 Housing Element sites inventory and make written findings that the density reduction is consistent with the General Plan and that the remaining sites identified in the Housing Element are adequate to accommodate the RHNA by income level. If a proposed reduction of residential density will result in the residential sites inventory failing to accommodate the RHNA by income level, the City will identify and make available additional adequate sites to accommodate the its share of housing need by income level within 180 days of approving the reduced density project.

*Funding Source: General Fund (staff time) and application fees*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Ongoing; as part of the entitlement review process, evaluate new projects for consistency with General Plan objectives as they relate to housing and RHNA obligations*

### **Program 1.C: Mixed-Use Development**

Continue to allow mixed residential and commercial development and promote second- and third-story residential development in the Downtown zoning districts. To increase project certainty and streamline development, the City will consider identifying appropriate, mid-block locations, outside of downtown, for future mixed-use/residential development (in commercial zoning districts) while considering appropriate jobs/housing balance and fiscal impacts. Considering market conditions and development costs, the City will provide, when possible, developer incentives such as expedited permit processing and flexible development standards for units that are affordable to lower-income households. The City will publicize these incentives on the City’s website ([www.atascadero.org](http://www.atascadero.org)) to make them available in a timely fashion.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Ongoing; identification of mixed-use opportunity areas as part of a comprehensive General Plan update (to be initiated in 2021)*

*Quantified Objective: 5 Mixed Use Projects*

### **Program 1.D: Accessory Dwelling Units**

Promote the development of accessory dwelling units (ADUs) by adopting an ADU ordinance addressing the latest provisions in State law, including permit streamlining processes. Provide pre-approved ADU plans as a tool for encouraging development of ADUs and lowering plan review costs for applicants and the City. Promote development of ADUs by providing written information at the City’s planning counter and on the City’s website.



*Funding Source: General Fund (staff time); grants*

*Responsible Party: Community Development Department, Public Works Department, Planning Commission, City Council, San Luis Obispo Council of Governments*

*Timeframe: Within two years of Housing Element adoption*

*Quantified Objective: 225 Units (this Objective is a subset of and not in addition to the Quantified Objective for Program 1.A: Adequate Sites)*

### **Program 1.E: Special Needs Housing**

Provide housing opportunities to meet the special housing needs of special needs residents (including the elderly, disabled, developmentally disabled, large families, the homeless, and extremely low-income households) by giving priority to development projects that include a component for special needs groups in addition to other lower-income households.

*Funding Source: General Fund (staff time) and other sources, as available*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

*Quantified Objective: 15 units (this Objective is a subset of and not in addition to the Quantified Objective for Program 1.A: Adequate Sites)*

### **Program 1.F: Housing for Persons with Disabilities**

Assist in meeting the housing needs for persons with disabilities, including persons with developmental disabilities, by implementing the following actions:

- Assist developers who seek state and federal monies in support of housing construction and rehabilitation targeted for persons with disabilities, including persons with developmental disabilities.
- Provide regulatory incentives and concessions to projects targeted for persons with disabilities, including persons with developmental disabilities.
- Work with local organizations such as the Tri-Counties Regional Center and Transitions Mental Health Association to implement an education and outreach program informing local families about housing and services available for persons with disabilities, including developmental disabilities. The program will include the development of an informational brochure available on the City's website or at City Hall.

*Funding Source: General Fund (staff time) and other sources, as available*

*Responsible Party: Community Development Department*

*Timeframe: Support grant applications- at least once during the planning period; develop informational material - within two years of Housing Element adoption; provide incentives for development of housing for persons with disabilities - ongoing*

### **Program 2.A: Density Bonus**

Maintain an affordable housing density bonus ordinance that establishes procedures for obtaining and monitoring density bonuses in compliance with state law. Update the City's density bonus ordinance to remain in compliance with Government Code §65915.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Updated density bonus ordinance adoption - within two years of Housing Element adoption; reviewing ordinance for compliance with State law - ongoing*

*Quantified Objective: 25 units (this Objective is a subset of and not in addition to the Quantified Objective for Program 1.A: Adequate Sites)*

### **Program 2.B: Inclusionary Housing Ordinance**

Evaluate the City's inclusionary housing policy and consider replacing the current inclusionary policy with an inclusionary housing ordinance. An inclusionary ordinance must be consistent with state density bonus regulations and address changing economic and regulatory considerations. The City will continue to monitor the impact of its inclusionary housing policy/ordinance on production of market rate housing in response to market conditions. If the City's inclusionary housing approach presents an obstacle to the development of the City's fair share of regional housing needs, the City will revise the policy/ordinance accordingly.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Review the City's current inclusionary housing policy within two years of Housing Element adoption*

*Quantified Objective: 50 units (this Objective is a subset of and not in addition to the Quantified Objective for Program 1.A: Adequate Sites)*

### **Program 2.C: Affordable Housing In-Lieu funds**

Evaluate the adoption of a policy to determine the best use of City Affordable Housing In-Lieu funds to support the creation of new affordable housing units in Atascadero. Work with affordable housing developers and identify funding to address the housing needs of extremely low-income households and totally and permanently disabled persons.

*Funding Source: General Fund (staff time), Inclusionary Housing Fees, and other funding sources, as appropriate*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Affordable Housing In-Lieu funds policy evaluation within two years of Housing Element adoption; identify funding sources annually*

*Quantified Objective: Assist with development of 5 affordable units*

### **Program 2.D: Affordable Housing Technical Assistance**

Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning and code compliance issues in the most cost-effective and expeditious manner possible.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

*Quantified Objective: Provide letters of support for 5 affordable housing project applications*

### **Program 2.E: Affordable Housing Development Incentives**

Provide, when possible, developer incentives such as expedited permit processing and developer impact fee deferrals for units that are affordable to lower-income households, including extremely-low income

households. Atascadero will promote these incentives to developers on the City's website and during the application process.

*Funding Source: General Fund (staff time)*  
*Responsible Party: Community Development Department*  
*Timeframe: Ongoing*  
*Quantified Objective: Assist 5 lower-income housing projects*

#### **Program 2.F: Mixed-Use Standards**

Adopt mixed-use development standards that facilitate high-quality development and that strike a balance between the community's need for housing and the City's need to preserve viable commercial land uses to help sustain the City's ability to provide essential services. During the formulation of development standards, the City will assess the potential for residential density increases for mixed-use projects. The City will pursue the drafting of new mixed-use developments standards and Objective Design Standards (Program 3.B) to ensure that the City's planning and design goals for mixed-use projects and multi-family housing are met.

*Funding Source: General Fund (staff time)*  
*Responsible Party: Community Development Department, Planning Commission, City Council*  
*Timeframe: Within two years of Housing Element adoption*

#### **Program 2.G: Specific Plans**

Continue to require the use of specific plans or planned developments for residential projects of 100 or more single-family units to ensure that the distribution of land uses, infrastructure requirements, and implementation measures are consistent with the General Plan and the City's development goals and needs.

*Funding Source: General Fund (staff time)*  
*Responsible Party: Community Development Department, Planning Commission, City Council*  
*Timeframe: Ongoing*

#### **Program 2.H: Resources to Address Homelessness**

Continue working with non-profit organizations that address homelessness to aid residents in need and provide technical support as needed. Continue cultivating a close relationship with the El Camino Homeless Organization (ECHO) to maintain a safe and secure shelter that meets the immediate needs of families and individuals who have become homeless. Cooperate with non-profit groups and local religious organizations to allow the temporary use of churches as homeless shelters. Continue to support local programs that provide emergency resources such as motel voucher programs and emergency food provision.

*Funding Source: General Fund (staff time), CDBG*  
*Responsible Party: Community Development Department*  
*Timeframe: Ongoing*

#### **Program 2.I: Single-Room Occupancy Units (SROs)**

Review and, if necessary, revise siting regulations for single-room occupancy units (SROs) to comply with State law.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Within three years of Housing Element adoption as part of a future Zoning Regulations update*

### **Program 3.A: Development Process Streamlining**

Continue streamlining the project review process by:

- Reviewing, and if necessary, revising local review procedures to facilitate a streamlined review process
- Accommodating SB 35 streamlining applications or inquiries by creating and making available to interested parties an informational packet that explains the SB 35 streamlining provisions in Atascadero and provides SB 35 eligibility information
- Continuing to consolidate all actions relating to a specific project on the same Council or Commission agenda
- Continuing to review minor project modifications through the Design Review Committee and more substantial changes through a Planning Commission process
- Maintaining pre-approved stock development plans to streamline the plan check process for ADUs

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Ongoing; SB 35 informational material within two years of Housing Element adoption*

### **Program 3.B: Objective Design Standards**

Adopt objective design standards to ensure that the City can provide local guidance on design and standards for by-right projects as allowed by state law. Adoption of objective design standards will facilitate high-quality residential development and compliance with state objectives. The objective design standards will ensure provision of adequate private open space, parking, and related features as well as architectural design, consistent with state law. Part of the objective design standards creation process will include assessing how the standards can be used to encourage a variety of housing types and limit the size of residential units on multi-family zoned properties to encourage units that are affordable by design.

*Funding Source: SB2 funding, General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Within two years of Housing Element adoption*

### **Program 3.C: Multi-Family Housing Permitting**

To reduce constraints to multi-family housing production, the City will review and if necessary, revise the Conditional Use Permit (CUP) requirements for multi-family housing. The Atascadero Zoning Regulations require a CUP for residential projects in the RMF zone over 11 units, excluding RMF-24 properties identified in the Housing Element sites inventory which are allowed by right. The City will consider revising the CUP requirement once objective design standards are adopted. This will not affect the by-right approval of multi-family projects in the RMF-24 zone on Housing Element sites, which are not subject to a CUP or a Specific Plan. The permitting process for multi-family housing will be consistent with any by-right or streamlining requirements identified in state law. The City will periodically evaluate the approval process for projects requiring a CUP or other discretionary review and monitor the impact the requirement has on project certainty, cost, and approval time.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Modify CUP requirement within two years of Housing Element adoption in conjunction with adoption of objective design standards; monitor impact on housing development - ongoing*

### **Program 3.D: RMF Zone Height**

Amend the Zoning Regulations to remove number of stories limit in the Residential Multi-Family (RMF) Zone and regulate based on height in feet, allowing for adequate emergency response and community character preservation.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Within two years of Housing Element adoption*

### **Program 3.E: Small Lot Subdivisions**

Consider adopting small lot subdivision standards that incorporate specific site and building development standards (such as parking, height, yard space, architecture) in exchange for flexible minimum lot sizes. Consider allowing small lot subdivisions without rezoning. Small lot subdivision standards can eliminate the need for multi-family planned developments that are currently subject to a rezoning process. Establishing a set of high-quality standards for each small lot subdivision, instead of minimum lot size, can save substantial staff time and applicant costs and would allow for increased creativity with site design while increasing ownership opportunities for all income segments of the community (affordable by design).

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Ongoing; review small lot subdivisions as part of a Comprehensive General Plan and Zoning Regulations Update*

### **Program 3.F: Rural Residential Development Standards**

Adopt a Rural Residential Zone in the Zoning Regulations consistent with its designation on the Zoning Map and standards that distinguish it from the Residential Suburban zone to facilitate the development of a variety of housing types.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Within three years of Housing Element adoption as part of a Comprehensive General Plan update*

### **Program 3.G: Emergency Shelter (ES) Overlay Zone**

Review the Emergency Shelter (ES) Overlay Zone for continued compliance with state law; evaluate the need to expand the zone to other appropriate properties, subject to the locational and operational criteria outlined in the Zoning Regulations.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Within two years of housing element adoption*

**Program 3.H: Special Needs Housing Laws**

Review the Zoning Regulations and if necessary, make changes to ensure compliance with the Supportive Housing Streamlining Act (AB 2162) and AB 101 (Low-Barrier Navigation Centers). AB 2162 requires supportive housing to be considered a use by right in zones where multi-family and mixed uses are permitted, including nonresidential zones permitting multi-family uses, if the proposed housing development meets specified criteria. AB 101 requires that Low-Barrier Navigation Centers (LBNC) be a by-right use in areas zoned for mixed-use and nonresidential zones permitting multi-family uses. LBNC provide temporary room and board with limited barriers to entry while case managers work to connect homeless individuals and families to income, public benefits, health services, permanent housing, or other shelter.

*Funding Source: General Fund (staff time); grants*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Within two years of adoption of the Housing Element*

**Program 3.I: Housing Financing Constraints**

Continue to work with the development community to identify and mitigate any constraints on access to financing for multi-family development. The City will conduct regular stakeholder meetings with members of the development community, including representatives from local non-profit housing organizations, developers, and real estate brokers to solicit feedback. Continue to facilitate understanding of the impacts of economic issues, employment, and growth on housing needs among financial, real estate, and development professionals in formalized settings, such as the Economic Round Table.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

**Program 3.J: Non-Governmental Constraints**

Continue to monitor and evaluate development standards and advances in housing construction methods. Although the City has limited influence over non-governmental constraints, if non-governmental constraints are identified, the City will review, and if necessary, revise, any development regulations or processes that can potentially lessen those constraints.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, Planning Commission, City Council*

*Timeframe: Ongoing*

**Program 3.K: Capital Facility Fees**

To encourage affordability by design, the City will modify the Capital Facility Fee schedule to index fees based on size of unit, providing lower rates for small units where there is a demonstrated nexus. The City will continue to monitor impact fees and the Capital Facility Fee schedule to identify barriers to housing development, particularly affordable units. If constraints are identified, the City shall revise the fee schedule accordingly while balancing infrastructure needs to support housing development.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department, City Council*

*Timeframe: Capital Facility Fee modification within two years of Housing Element adoption; impact fee monitoring and revisions - ongoing*

### **Program 3.L: Water and Sewer Service Providers**

In accordance with Government Code Section 65589.7, immediately following City Council adoption, the City will deliver to all public agencies or private entities that provide water or sewer services to properties within the City of Atascadero a copy of the 2020-2028 Housing Element. The City will also confirm that the agencies and entities providing water or sewer services have procedures in place to grant priority for the provision of water and sewer services to proposed developments that include housing units affordable to lower income households (Government Code Section 65589.7). The City will also explore possible options to ease the burden of water service fees (working with the Atascadero Mutual Water Company) and sewer service fees (through the Department of Public Works) for affordable housing projects (both deed-restricted and market rate affordable units).

*Funding Source: General Fund (staff time), grants, sewer and water fees*

*Responsible Party: Community Development Department*

*Timeframe: Within 30 days of adoption of the Housing Element; coordination - ongoing*

### **Program 3.M: Energy Conservation**

Encourage and facilitate energy conservation and help residents minimize energy-related expenses by:

- Promoting environmentally sustainable building practices that provide cost savings to homeowners and developers;
- Providing informational material at the Community Development Department counters from PG&E and others that detail energy conservation measures for new and existing buildings, the benefits of the Green Building (San Luis Obispo Green Build), and resources to assist lower-income households with energy-related expenses; and
- Continuing to strictly enforce the state energy standards of the California Green Building Code.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

### **Program 4.A: Housing Rehabilitation and Preservation**

As new projects, code enforcement actions, and other opportunities arise, the City will investigate ways to meet its housing needs through rehabilitation and preservation of existing units. The City will continue using code enforcement to identify housing maintenance issues and to expedite rehabilitation of substandard and deteriorating housing by offering technical assistance to homeowners and occupants.

*Funding Source: General Fund (staff time), CDBG*

*Responsible Party: Community Development Department, Department of Public Works*

*Timeframe: Ongoing*

*Quantified Objective: Rehabilitation assistance to 20 units*



#### **Program 4.B: Community Development Block Grant**

Continue to participate in federal grant programs, such as the Community Development Block Grant (CDBG) program, to obtain loans and/or grants for housing rehabilitation and homeless services.

*Funding Source: CDBG*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

#### **Program 4.C: Affordable Housing Preservation and Development**

Continue to work with non-profit agencies, such as the County Housing Authority, Habitat for Humanity, the San Luis Obispo County Housing Trust Fund, and Peoples' Self-Help Housing, to preserve existing affordable housing and to pursue funding for new affordable housing units. Utilize inclusionary housing funds, as available and appropriate, to assist in the development of affordable housing by non-profit agencies. Continue to encourage developers to work with agencies such as the California Housing Finance Authority (CHFA) and the Department of Housing and Urban Development (HUD) to obtain loans for development of new multi-family rental housing for low-income households.

Specifically, the City will:

- Contact potential affordable housing developers
- Assist non-profits and other housing advocates in preparing applications for funding opportunities and financings
- Provide regulatory concessions and incentives, as necessary, to encourage and facilitate the construction of affordable housing

*Funding Source: General Fund (staff time), CDBG, Tax Credits*

*Responsible Party: Community Development Department*

*Timeframe: Annual meetings, during preparation of annual review of the Housing Element, to discuss funding opportunities, vacant and opportunity sites, and status of affordable housing projects; ongoing collaboration*

#### **Program 4.D: Affordable Housing at Risk of Conversion**

The City will continue to monitor the status of subsidized affordable projects, rental projects, and mobile homes in the City and provide technical and financial assistance, when possible, to ensure long-term affordability. This will involve contacting owner/operators of subsidized projects annually to determine the status of the units and their potential to convert to market-rate. If projects are at risk, the City will maintain contact with local organizations and housing providers who may have an interest in acquiring at-risk units. The City will keep track of and apply for funding opportunities to preserve at-risk units and assist other organizations in applying for funding to acquire at-risk units.

*Funding Source: General Fund (staff time); grants*

*Responsible Party: Community Development Department, Administrative Services Department*

*Timeframe: Contact owners/operators annually and ongoing*

#### **Program 4.E: Housing Choice Vouchers**

Continue to work with the Housing Authority of San Luis Obispo (HASLO) for administration of the Housing Choice Voucher program (formerly Section 8). The City utilizes this relationship for program

implementation and income verifications and will support additional Housing Choice Vouchers in the community.

*Funding Source: U.S. Department of Housing and Urban Development (HUD)*

*Responsible Party: Community Development Department, City Council, San Luis Obispo Housing Authority*

*Timeframe: Ongoing*

*Quantified Objective: Preservation of 230 vouchers in use in Atascadero (data is for the 93422 and 93423 zip codes as provided by HASLO AND may include areas outside the City)*

#### **Program 4.F: Historic Building Conservation**

Preserve and protect homes that have historical and architectural significance, such as the Colony homes, through continued implementation of the Historic Site (HS) overlay zone and by maintaining a GIS-based map of historic buildings and sites.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

#### **Program 4.G: Condominium Conversion**

Continue enforcing the Condominium Conversion Ordinance (Chapter 12 of the Zoning Regulations) to reduce the impacts of condominium conversions on lower-cost rental housing.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

#### **Program 4.H: Infrastructure**

Prioritize street and infrastructure improvement projects to benefit high-need areas, including existing high-density residential areas.

*Funding Source: General Fund (staff time), CDBG*

*Responsible Party: Community Development Department, Public Works Department, City Council*

*Timeframe: Ongoing*

#### **Program 5.A: Fair Housing Services**

Continue to provide information and complaint referral services for those persons who believe they have been denied access to housing because of their race, religion, sex, marital status, ancestry, national origin, color, or disability, family status, sexual orientation, source of income, or political affiliation. The City will educate Community Development Department staff on how to respond to complaints received regarding potential claims of housing discrimination. Staff will be trained to provide the person with an informational handout detailing the process of reporting and filing a claim through the California Department of Fair Employment and Housing. The staff will notify the City Manager and the City Attorney's office of the intent to file a claim and will be available to provide assistance to the person filing a claim, as needed. Information on Fair Housing law and how to file a claim will also be made available on the City's website and at the Community Development Department.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing; online fair housing information to be available within one year of Housing Element adoption*

### **Program 5.B: Affirmatively Further Fair Housing**

The City will promote and affirmatively further fair housing opportunities and promote housing for all persons, including those protected by the California Fair Employment and Housing Act and any other state and federal fair housing and planning law. The City will:

- Ensure that all development applications are considered, reviewed, and approved without prejudice to the proposed residents, contingent on the development application's compliance with all entitlement requirements.
- Accommodate persons with disabilities who seek reasonable waiver or modification of land use controls and/or development standards pursuant to procedures and criteria set forth in the Zoning Regulations.
- Work with the County of San Luis Obispo to implement the regional Analysis of Impediments to Fair Housing Choice and HUD Consolidated Plan.
- Facilitate public education and outreach by creating informational flyers on fair housing that will be made available at public counters, libraries, and on the City's/County's website.
- Conduct public meetings at suitable times, accessible to persons with disabilities, and near public transit. Resources will be invested to provide interpretation and translation services when requested at public meetings.
- Prioritize community and stakeholder engagement during controversial development decisions.

*Funding Source: General Fund (staff time)*

*Responsible Party: Community Development Department*

*Timeframe: Ongoing*

## **3. Summary of Quantified Objectives**

Table B.1 summarizes the City's quantified objectives for the 2020-2028 planning period by income group.

- The Construction Objective represents the City's remaining (after counting as credit the units with approved or issued permits) 2018-2028 RHNA of 266 units, as well as objectives for the density bonus and inclusionary housing programs.
- The Rehabilitation Objective represents objectives for the Housing Rehabilitation and Preservation program.
- The Conservation/Preservation objective refers to maintenance of the current level of assistance through the Housing Choice (formerly Section 8) Voucher program from the County of San Luis Obispo Housing Authority.

Table B.1: Quantified Objectives					
Objectives	Income Levels				Total
	Extremely/ Very Low	Low	Moderate	Above Moderate	
Construction Objective *	171	105	15	50	341
Rehabilitation Objective	5	5	10	--	20
Conservation/Preservation Objective	230		--	--	230
Total	176	110	25	50	361
<p>*Note: The City of Atascadero is not responsible for the actual construction of these units. The City is, however, responsible for creating a regulatory environment in which the private market could build these units. This includes the creation, adoption, and implementation of General Plan policies, zoning standards, and/or incentives to encourage the construction of various types of units.</p>					

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## C. Regional Vision for Housing

***In early 2020, local agencies adopted a San Luis Obispo Countywide Regional Compact to establish a united regional framework to unlock our potential to develop an adequate supply of housing and infrastructure that support our economic prosperity.***

### 1. Overview

San Luis Obispo County is a rural coastal county with seven vibrant cities and numerous unincorporated communities that depend on collaborative relationships between and among government agencies, community organizations, and residents to solve the region's significant issues including inadequate supply of affordable housing and resilient water, wastewater, and transportation infrastructure and resources.

The County and all seven Cities are working collaboratively to develop the region's first Regional Infrastructure and Housing Strategic Action Plan (Regional Plan) that will identify actions to address these issues. A key component of the Regional Plan is the integration of efforts to address critical housing and related infrastructure needs. As part of the Housing Element update process, representatives of the County, seven Cities and San Luis Obispo Council of Governments (SLOCOG) developed this chapter to showcase the ongoing commitment of each agency to this collaborative effort. This Chapter presents a regional vision and policies focused specifically on fostering regional collaboration to plan and develop housing and supportive infrastructure.

### 2. Alignment with Regional Compact

This effort is guided by the San Luis Obispo Countywide Regional Compact (Regional Compact). The Regional Compact, adopted by each jurisdiction in early 2020, outlines six shared regional goals to guide collaborative resolution of underlying housing and infrastructure needs:

***Goal 1. Strengthen Community Quality of Life*** – We believe that our Region's quality of life depends on four cornerstones to foster a stable and healthy economy for all: resilient infrastructure and resources, adequate housing supply, business opportunities, and educational pathways.

***Goal 2. Share Regional Prosperity*** – We believe that our Region should share the impacts and benefits of achieving enduring quality of life among all people, sectors and interests.

***Goal 3. Create Balanced Communities*** – We believe that our Region should encourage new development that helps to improve the balance of jobs and housing throughout the Region, providing more opportunities to residents to live and work in the same community.

**Goal 4. Value Agriculture & Natural Resources** – *We believe that our Region’s unique agricultural resources, open space, and natural environments play a vital role in sustaining healthy local communities and a healthy economy, and therefore should be purposefully protected.*

**Goal 5. Support Equitable Opportunities** – *We believe that our Region should support policies, actions, and incentives that increase housing development of all types, available to people at all income levels.*

**Goal 6. Foster Accelerated Housing Production** – *We believe that our Region must achieve efficient planning and production of housing and focus on strategies that produce the greatest impact.*

### 3. Policies

It will take regional collaboration and local actions to realize the vision and goals outlined in the Regional Compact. Below is an initial list of aspirational regional policies that further the Regional Compact vision, in addition to local policies. By listing these below, it does not mandate any individual agency to implement actions, but rather offers ways that the County, cities, SLOCOG, and other partners can consider moving forward, together. In addition, and consistent with each Housing Element cycle, each of the seven cities and the County has the opportunity to choose to implement local policies and programs that help to support their achievement of its RHNA, and if an agency chooses to, can also support the Regional Compact vision and goals in a way that works for its jurisdiction and community. See Section B for local programs and policies for Atascadero’s anticipated actions during this Housing Element cycle.

R-1: Promote awareness and support of regional efforts that further housing and infrastructure resiliency by utilizing community engagement, and consistent and transparent communication.

R-2: Encourage an adequate housing supply and resilient infrastructure, services, and resources to improve the balance of jobs and housing throughout the Region.

R-3: Develop inter-agency partnerships as appropriate to implement goals and policies related to housing and infrastructure.

R-4: Coordinate State, Federal, and other funding opportunities for housing and infrastructure development throughout the Region.

R-5: Encourage developers to sell newly constructed housing units to individuals residing or employed within the area of the development (a city or the County) first before selling to individuals from outside the County, to promote local preference.

R-6: Encourage rental units be prioritized for long term residents rather than short term users or vacation rentals.



R-7: Support housing development that is located within existing communities and strategically planned areas.

R-8: Encourage regional collaboration on a menu of housing types, models, and efforts to support streamlined approvals for such developments (i.e. Accessory Dwelling Units, etc.).

#### **4. Moving Forward**

The County, cities, SLOCOG, and other partners engaged in housing and infrastructure development will continue to collaborate on efforts moving forward – recognizing the benefits of working together to achieve an enduring quality of life among the region’s people, sectors and interests. This ongoing collaboration will include learning from each other and sharing possible tools, policies and actions that can allow the collective region to move towards our adopted Regional Compact vision. Ongoing collaborative efforts will be described in the Regional Plan, anticipated to be complete in 2021, and related regional efforts will live outside of each individual agency’s Housing Element.

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## D. Housing Needs Assessment

To best understand the types of housing that will be needed to meet future demand, Housing Element law (California Government Code Section 65583[a][1] and 65583[a][2]) requires that this Housing Element assess population demographics and economic characteristics. Characteristics such as age, ethnicity, and employment influence the type and cost of housing needed or in high demand. Tracking changes in the demographics can also help City leaders better respond to or anticipate changing housing demand. This chapter also details the housing stock characteristics of the City to identify how well the current housing stock meets the needs of current and future residents. The identified demographic patterns and trends serve as the basis for crafting the City’s housing policies and programs.

### 1. Population, Employment and Household Trends

The Atascadero population grew seven percent between 2010 to 2018. In 2018, the City had an estimated population of 30,037 persons. Growth in Atascadero was slower than growth seen in Paso Robles (10 percent) but more than in the City of San Luis Obispo (5 percent) and County of San Luis Obispo (6 percent) during the same period. The San Luis Obispo Council of Governments (SLOCOG) estimates in the 2050 Regional Growth Forecast for San Luis Obispo County that the population in Atascadero will grow to 34,538 persons by 2050, a 15 percent increase from 2018. See Table D.1 for detailed population information for Atascadero and surrounding communities.

Table D.1: Trends in Population Growth			
Jurisdiction	2010	2018	2010-2018
	Number	Number	Change
Atascadero	27,981	30,037	7%
Paso Robles	28,794	31,656	10%
San Luis Obispo	44,959	47,160	5%
San Luis Obispo County	265,577	281,455	6%
Source: U.S. Census, 2010 and 2018 ACS (5-year estimates)			

### Age Characteristics

In 2018, Atascadero had a median age of 38.3, slightly below the median for San Luis Obispo County of 39.1. Table D.2 shows substantial growth in the 65 and above age groups from 2010 to 2018, while the populations in the 45-54 age groups had the greatest decrease over the same period. This is similar to trends seen across the state, in which the proportion of individuals over the age of 50 has increased significantly over the past 10 years, while middle age groups are declining.

Table D.2: Age Distribution					
Age Group	2010		2018		Percent Change
	Number of Persons	Percent of Total	Number of Persons	Percent of Total	
< 15	4505	16%	5,354	18%	2%
15-24	3,861	14%	3,402	11%	-2%
25-34	3582	13%	4,321	14%	2%
35-44	3945	14%	3,949	13%	-1%
45-54	4925	18%	3,478	12%	-6%
55-64	3945	14%	4,664	16%	1%
65+	3246	12%	4,869	16%	5%
Total	27,981	100%	30,037	100%	7%
Source: U.S. Census, 2010 and 2018 ACS (5-year estimates)					

## Race and Ethnicity

The racial and ethnic composition of Atascadero residents has not changed much since 2010. As of 2018, the majority of residents in Atascadero are white (76 percent, down one percent from 2010). Hispanic/Latino residents make up 17 percent of the population, an increase of one percent since 2010. Between 2010 and 2018, there was a decrease in the proposition of Black residents, from two percent of the population to one percent.

Table D.3: Trends in Race and Ethnicity				
Race/Ethnicity	2010		2018	
	Number	Percent	Number	Percent
White (Not Hispanic/Latino)	21,742	77%	22,937	76%
Hispanic/Latino	4,429	16%	5,132	17%
Black or African American	551	2%	206	1%
Asian or Pacific Islander	693	2%	517	2%
American Indian	179	1%	100	0.3%
Other/Two or More	716	3%	1,145	4%
Total	27981	100%	30,037	100%
Source: U.S. Census, 2010 and 2018 ACS (5-year estimates)				

## Employment

The major industries employing Atascadero residents are shown below. From 2010 to 2018, the total number of employed residents increased from 12,828 to 15,361. As of 2018, the Education, Health, and Social Services industry accounted for the largest share of Atascadero employment, accounting for 28 percent, a one percent decrease from 2010. Retail trade is the second largest industry, offering 12 percent of total jobs, followed closely by Professional, Scientific, Management, Administrative, and Waste Management services at 10 percent of the jobs, a 35 percent increase from 2000. Retail Trade and Finance, insurance, real estate and rental and leasing both had two-percent job losses from 2010 to

2018. The SLOCOG 2050 Regional Growth Forecast estimates employment in Atascadero to increase to 10,742 jobs by 2050.

Table D.4: Employment by Industry					
Employment Sector	2010		2018		Percent Change
	Number	Percent	Number	Percent	
Educational, health and social services	3,717	29%	4,336	28%	-1%
Retail trade	1,481	12%	1,545	10%	-2%
Professional, scientific, management, administrative, and waste management services	1,317	10%	1,479	10%	0%
Construction	1,129	9%	1,396	9%	0%
Public administration	1,089	8%	1,205	8%	0%
Arts, entertainment, recreation, accommodation and food services	821	6%	1,328	9%	3%
Manufacturing	760	6%	1,013	7%	1%
Transportation and warehousing, and utilities	691	5%	787	5%	0%
Finance, insurance, real estate, and rental and leasing	641	5%	491	3%	-2%
Other services	583	5%	892	6%	1%
Wholesale trade	268	2%	328	2%	0%
Agriculture, forestry, fishing and hunting, and mining	180	1%	270	2%	1%
Information	151	1%	291	2%	1%
Total	12,828	100%	15,361	100%	20%
Source: U.S. Census, 2010 and 2018 ACS (5-year estimates)					

Census data show that higher-paying managerial/professional jobs are decreasing among Atascadero residents, while typically lower-paying service jobs are increasing. In 2018, 33 percent of Atascadero residents held managerial/professional jobs, representing a seven percent decrease in this job category from 2010 compared with a four percent increase in service jobs during that same time.

Table D.5: Employment by Occupation					
Occupations of Residents	2010		2018		Percent Change
	Persons	Percent	Persons	Percent	
Managerial/Professional	5,105	40%	6559	33%	-7%
Sales and Office	3,326	26%	3072	25%	-1%
Services	2,091	16%	3103	20%	4%
Natural resources, construction, and maintenance occupations	1,308	10%	1720	13%	3%
Production, transportation, and material moving occupations	998	8%	906	10%	2%
Total	12,828	100%	15,361	100%	20%
Source: U.S. Census, 2006-2010 and 2018 ACS (5-year estimates)					

## Household Characteristics

Household composition and size are often interrelated and are indicators of the type of housing appropriate for Atascadero residents. Most householders (head of household) in Atascadero are 35 to 65 years old, although the proportion of householders in this age group has decreased by six percent since 2010. From 2010 to 2018, the number of householders over the age of 65 increased from 22 to 25 percent. The percentage of family households fell slightly from 69 percent in 2010 to 68 percent in 2018. The average household size increased from 2.51 in 2010 to 2.56 in 2018.

Table D.6: Household Characteristics					
	2010		2018		Percent Change
	Number	Percent	Number	Percent	
Avg. Household Size	2.51		2.56		2%
Households by Age					
Householders < 35 yrs.	1,953	18%	2,433	21%	3%
Householders 35-65 yrs.	6,465	60%	6,242	54%	-6%
Householders 65+ yrs.	2,319	22%	2,905	25%	3%
Household Types					
Family Households	7,404	69%	7,856	68%	-1%
Married Couple	5,681	77%	6,279	54%	-23%
Other Families	1,723	23%	1,577	14%	-9%
Single Persons	2,497	23%	-	-	-
Other	836	8%	-	-	-
Total	10,737	100%	11,580	100%	8%
Source: U.S. Census, 2010 and 2018 ACS (5-year estimates)					

## Household Income

According to the U.S. Census, the median household income in Atascadero increased from \$65,479 in 2010 to \$69,587 in 2018. The largest increase occurred within the \$100,000 or more income brackets. The less than \$10,000 income category also grew by one percent between 2010 and 2018.

Table D.7: Household Income					
Income Group	2010		2018		Percent Change
	Households	Percent	Households	Percent	
Less than \$10,000	355	3%	439	4%	1%
\$10,000 to \$14,999	556	5%	529	5%	0%
\$15,000 to \$24,999	817	8%	776	7%	-1%
\$25,000 to \$34,999	957	9%	799	7%	-2%
\$35,000 to \$49,999	1,409	13%	1,361	12%	-1%

Table D.7: Household Income					
Income Group	2010		2018		Percent Change
	Households	Percent	Households	Percent	
\$50,000 to \$74,999	2,070	20%	2,104	19%	-1%
\$75,000 to \$99,999	1,533	15%	1,834	16%	1%
\$100,000 or more	2,756	26%	3,409	30%	4%
Total Households	10,453	100%	11,250	100%	8%
Median household income	\$65,479		\$69,587		6%
Source: U.S. Census, 2010 and 2018 ACS (5-year estimates)					

For the purposes of the Housing Element, the State Department of Housing and Community Development (HCD) has established five income groups based on Area Median Income (AMI):

- Extremely Low Income: up to 30 percent of AMI
- Very Low Income: 31-50 percent of AMI
- Low Income: 51-80 percent of AMI
- Moderate Income: 81- 120 percent AMI
- Above Moderate Income: >120 percent AMI

AMI refers to the median income for the Metropolitan Statistical Area. For the City of Atascadero, this area refers to San Luis Obispo County. HUD periodically receives "custom tabulations" of Census data from the Census Bureau that are largely not available through standard Census products. The most recent estimates are derived from the 2012-2016 ACS. This dataset, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrates the extent of housing problems and housing needs, particularly for lower-income households in the County and City shown on Table D.8.

Table D.8: Household Distribution by Income Group					
Jurisdiction	Total HHs	Extremely Low Income (0-30% MFI)	Very Low Income (31-50% MFI)	Low Income (51-80% MFI)	Moderate/ Above-Moderate Income (81% + MFI)
City of Atascadero	11,250	1,385 (12%)	885 (8%)	1,870 (17%)	7,110 (63%)
County of San Luis Obispo	104,405	15,005 (14%)	11,470 (11%)	17,625 (17%)	60,305 (58%)
Note: Because HUD programs do not cover households with incomes above 80 percent of the County AMI, CHAS data do not provide any breakdown of income groups above 80 percent MFI (Median Family Income). Data presented in this table are based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% count due to the need to extrapolate sample data out to total households. Interpretations of this data should focus on the proportion of households in need of assistance rather than on precise numbers. Sources: HUD CHAS Data, 2012-2016					

## 2. Special Needs Groups

Certain groups have more difficulty finding decent, affordable housing due to their special circumstances. Special circumstances may be related to one's income-earning potential, family characteristics, the presence of physical or mental disabilities, or age-related health issues. As a result, certain groups typically earn lower incomes and have higher rates of overpayment for housing or live in overcrowded housing. A central goal of the Housing Element is to identify persons with special needs who need assistance in meeting their housing needs. Housing Element law specifically requires quantification of the housing need for seniors, persons with disabilities, large families, female-headed households, persons and families experiencing homelessness, and farmworkers.

### Senior Population

Senior households are included in those with special housing needs due to the likelihood of limited income, physical disabilities, or higher health care costs. As illustrated in Table D.9, 2,905 Atascadero households (25 percent) were headed by seniors (persons age 65 years and older) in 2018.

Seniors typically have special needs due to disabilities, health care needs, and fixed incomes. Seniors may also require assistance with domestic chores and activities such as driving, cooking, cleaning, showering, or climbing stairs. For elderly people who live alone or do not have relatives to care for them, the need for assistance may not be met. The special needs of seniors can be met through congregate care, rent subsidies, shared housing, and housing rehabilitation assistance. For the frail or disabled elderly, housing with architectural design features that accommodate disabilities can help extend the ability to live independently. In addition, seniors with mobility/self-care limitations benefit from transportation options. As of 2020, there are 33 residential and group care facilities offering 361 units in Atascadero. The facilities offer a range in level of assistance and community structure.

Table D.9: Senior Households						
Householder by Age	Owner		Renter		Total	
	Number	Percent	Number	Percent	Number	Percent
Total 65 and over	2,396	33%	509	12%	2,905	25%
65 to 74 years	1,250	17%	258	6%	1,508	13%
75 to 84 years	898	12%	150	4%	1,048	9%
85 years & over	248	3%	101	2%	349	3%
Total 64 and under	4,960	67%	3,715	88%	8,675	75%
Total (all ages)	7,356	100%	4,224	100%	11,580	100%
Source: U.S. Census ACS 5-Year Estimates Subject Tables 2018						

### Persons with Disabilities

Persons with disabilities have special housing needs because of employment and income challenges, the need for accessible and appropriate housing, and higher health care costs. A disability is defined broadly by the U.S. Census Bureau as a physical, mental, or emotional condition that lasts over a long period of time and makes it difficult to live independently. Census Bureau data captures six types of disabilities:



- Hearing Difficulty: Deaf or having serious difficulty hearing
- Vision Difficulty: Blind or having serious difficulty seeing, even when wearing glasses
- Cognitive Difficulty: Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions
- Ambulatory Difficulty: Having serious difficulty walking or climbing stairs
- Self-Care Difficulty: Having difficulty bathing or dressing
- Independent Living Difficulty: Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor's office or shopping

In 2018, Census ACS data estimated that 3,501 residents in Atascadero had a disability. More than one-third of disabilities were reported by residents age 65 years or older, who may face additional housing needs, as described in the senior population discussion. Among disabled residents under 65 years of age, cognitive and independent living disabilities were most prevalent. For residents over the age of 65 years, ambulatory and hearing disabilities were most prevalent. Section E: Housing Constraints of this Housing Element addresses governmental constraints for persons with disabilities in Atascadero.

Table D.10: Disability Characteristics		
Disability/Age Group	Number	Percent
<b>Persons with a Disability</b>	<b>3,501</b>	<b>11.7%</b>
<i>Total Disabilities Ages 5-64</i>	<i>1,830</i>	<i>7%</i>
Hearing Disability	428	2%
Vision Disability	364	1%
Cognitive Disability	889	4%
Ambulatory Difficulty	430	2%
Self Care Disability	337	1%
Independent Living Difficulty (18-64 years)	672	4%
<i>Total Disabilities Ages 65 and Over</i>	<i>1,671</i>	<i>35%</i>
Hearing Disability	894	19%
Vision Disability	4,808	5%
Cognitive Disability	413	9%
Ambulatory Difficulty	1,166	24%
Self Care Disability	355	7%
Independent Living Difficulty	496	10%
Source: U.S. Census, 2018 ACS (5-year estimates)		

## Persons with Developmental Disabilities

According to Section 4512 of the Welfare and Institutions Code a “developmental disability” means a disability that originates before an individual attains age 18 years, continues, or can be expected to continue indefinitely, and constitutes a substantial disability for that individual, which includes mental retardation, cerebral palsy, epilepsy, and autism. This term does not include other handicapping conditions that are solely physical in nature.

Many persons with developmental disabilities can live and work independently within a conventional housing environment. Individuals with more severe developmental disabilities require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the persons with developmental disabilities is transition from the person’s living situation as a child to an appropriate level of independence as an adult.

The State Department of Developmental Services (DDS) currently provides community-based services to approximately 330,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The Tri-Counties Regional Center (TCRC) is one of 21 regional centers in the State of California that provides point of entry to services for people with developmental disabilities who reside in Ventura, Santa Barbara, and San Luis Obispo Counties. TCRC is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. As of 2020, TCRC served approximately 14,000 people in its three-county area, with 340 staff members. Table D.11 shows the number of individuals served by TCRC in the 93422 ZIP code, which includes the City of Atascadero. (Note: The boundary of this ZIP code extends beyond the borders of Atascadero city limits.)

Table D.11: Persons with Developmental Disabilities served by TCRC, 2020						
Zip Code	0-14 years	15-22 Years	23-54 years	55-65 years	65+ years	Total
93422	200	69	215	42	40	566
Source: Tri-County Regional Center, 2020						

A number of housing types are appropriate for people living with a development disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Housing Choice Voucher (formerly Section 8), special programs for home purchase, HUD housing, and SB 962 homes. The design of housing accessibility modifications, proximity to services and transit, and availability of group living opportunities represent the types of considerations important in serving this need group. Incorporating barrier-free design in all, new multi-family housing (as required by California and federal Fair Housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to affordability of housing, as people with disabilities may be living on a fixed income.

## Large Families

Large families or large households are defined as those families or groups of people containing five or more persons. Analysis of changes in the number of large families/groups is essential because of their distinctive demand on local housing resources. In 2018, over 1,000 households (or nine percent of Atascadero households) were made up of five or more persons. Large households may have trouble finding suitable units, particularly renter-occupied households, which are much less likely to find three or more-bedroom units. Table D.12 shows that while renter households make up a smaller fraction of households compared with owner households they comprise a larger proportion of large households.

Table D.12: Household Size by Tenure						
Tenure	1-4 Persons		5+ Persons		Total	Percent
	Number	Percent	Number	Percent		
Owner-Occupied	6,733	92%	623	8%	7,356	64%
Renter-Occupied	3,822	90%	402	10%	4,224	36%
Total	10,555	91%	1,025	9%	11,580	100%
Source: U.S. Census, 2018 ACS (5-year estimates)						

## Female-Headed Households

As of 2018, 14 percent (1,577) of Atascadero households were single-parent families; most single-parent families were headed by women. Housing problems for this group can be significant. Any household with only one person able to earn wages is at a significant disadvantage in the housing market and single parents may have to take more time off from work to care for their children. Single-parent households are at a higher risk of becoming homeless because of lower incomes and the lack of affordable housing and support services. The U.S. Census estimates that of the 467 families with children living in poverty in 2018 in Atascadero, almost half (49%) percent were headed by women. Planning for housing development to serve single-parent families may require on-site childcare facilities.

Table D.13: Single-Parent Households, 2018		
Household Type	Total	Percent
Married Couple	6,279	54%
Married Couple with Children	2,289	20%
Female householder, No Husband Present	1,117	10%
Female householder, No Husband Present, With Children	687	6%
Male householder, No Wife Present	460	4%
Male householder, No Wife Present with Children	107	1%
Non-Family Households	3,724	32%
Total Households	11,580	100%
Source: U.S. Census, 2018 ACS (5-year estimates)		

## Persons in Need of Emergency Shelter

State housing element law requires the analysis of the special housing requirements of persons and families in need of emergency shelter and identification of adequate sites that will be made available with appropriate zoning and development standards, and with public services and facilities needed to facilitate the development of emergency shelters and transitional housing.

More recently, the 2019 San Luis Obispo County Homeless Point-In-Time Census & Survey estimates a homeless population of 1,483 in San Luis Obispo County. This represents a 31.8 percent increase in the homeless population in San Luis Obispo County from 2019. Based on this count, an estimated 1,172 persons will be without shelter at some point during the year. Of those surveyed in the County, 84 percent were chronically homeless, 74 percent lived in San Luis Obispo County before becoming homeless, 82 percent were unsheltered, 57 percent indicated mental health issues, including post-traumatic stress disorder, 10 percent were minors, and 11 percent were between 18 and 24 years old. Consistent with HUD definition of homeless, the report did not include families living doubled up with other families or those living in RV or trailer parks in the count of homeless.

The Point-In-Time Census & Survey estimated there were 102 sheltered and 71 unsheltered homeless persons in Atascadero. Twenty-three percent of persons experiencing homelessness in North County were living on the streets, and 26 percent are in an emergency or transitional shelter. Atascadero participates in local efforts to assist the homeless and those in need of temporary shelter. Atascadero amended its Zoning Regulations to allow for an Emergency Shelter Overlay Zone. This zone provides an area where an emergency shelters are permitted without a Conditional Use Permit in compliance with Senate Bill 2. Currently, one site is zoned and operating an existing emergency shelter within the Emergency Shelter Overlay Zone (APN 030-341-013) with a capacity of 60 beds (this capacity reflects an increase in beds implemented in 2019). In August 2019, ECHO became the North County its first round-the-clock shelter. This facility is also the only overnight and warming shelter in North County. Prior to the zoning amendment to permit emergency shelters at this site, the emergency shelter was at risk of permanent closure. To ensure the new ordinance was not overly restrictive, the City worked closely with El Camino Housing Organization (ECHO), the non-profit organization that addresses homelessness issues and operates this facility. Program 2.H in the Housing Plan is included to continue cooperation with non-profit groups and local religious organizations to allow the temporary use of churches as homeless shelters and to support local assistance programs such as emergency food provision and motel voucher programs (funded by CDBG funds) for temporarily displaced and extremely low-income persons.

Transitional Food and Shelter operates the Medically Fragile Homeless program, a county-wide service, based in Atascadero and the Atascadero Warming Center which serves those living in Atascadero and surrounding areas. The Medically Fragile Homeless program (MFH) provides small, individual housing, supportive services and case management for the medically fragile homeless in San Luis Obispo County which it has operated since 2001. Temporary housing is provided for persons who have a medically verified need for 24/7 non-congregate care for a period of 3 to 90 days. Those in need of MFH housing must be referred by an agency, organization, physician and/or hospital. MFH is behaviorally based, has no income requirement, and allows other members of the client's immediate household including one pet to live in the unit. The Atascadero Warming Center (AWC) is open November 1st through April 15th when the temperature is forecast to be 40 degrees or less and/or there is a 50% chance or greater of

rain. The low barrier, behaviorally based center provides meals, clothing and other services through a volunteer effort. The goal of the shelter is to provide a warm, safe and welcoming environment that serves as a navigation center to connect those seeking shelter (individuals and families) with the services they need. In 2019-2020, the center will be located at The Lutheran Church of the Redeemer in Atascadero through the generosity of their Pastor and parishioners.

### **Farmworkers**

The number of farmworkers in Atascadero is difficult to quantify, as U.S. Census data frequently underestimate this population. However, according to the U.S. Census, in 2018, 270 Atascadero residents were employed in agriculture, forestry, fishing and hunting, and mining. This represents approximately two percent of the total population. From 2010 to 2018, the number of residents working under this Census category doubled.

The City has approximately 43.8 acres of designated agriculture, comprising five separate parcels currently under one owner. These parcels are being utilized as a Christmas tree farm to grow and sell seasonal Christmas trees. Atascadero Municipal Code Section 9-3.122(o) allows for “farm labor quarters” as a permitted use, where no CUP is required, in all Agriculture zones. Agriculture uses are conditionally allowed in the RS zone for uses such as crop production and grazing. This category is defined as “Agricultural uses including the production of grains, field crops, vegetables, melons, fruits, tree nuts, flower fields and seed production, tree and sod farms, crop services and crop harvesting. Also includes the raising or feeding of beef cattle, sheep and goats by grazing or pasturing.” The Employee Housing Act (Government Code Section 17021.5 and 17021.6) requires that any employee housing occupied by six or fewer employees shall be considered a single-family structure with a residential land use, and must be treated the same as a single-family dwelling of the same type in the same zone. In addition, employee housing consisting of no more than 36 beds in a group quarters, or 12 units or separate rooms or spaces designed for use by a single-family or household, must be considered an agricultural land use and be treated the same as any other agricultural activity in the same zone.

The Atascadero Zoning Regulations identify one agricultural zone which permits agricultural operations and complies with the requirements of the Employee Housing Act. While there are very few agricultural parcels in the City, Atascadero is surrounded by land devoted to agricultural uses, including vineyards. It is likely that farmworkers may be housed on site at agricultural operations outside Atascadero. Because of the limited need for farmworker housing, the City’s current method of permitting farmworker housing and the overall approach to affordable housing meets existing need.

## **3. Housing Characteristics**

### **Tenure and Vacancy**

Housing tenure refers to the occupancy of a housing unit—whether the unit is owner-occupied or renter-occupied. Housing tenure is influenced by demographic factors (e.g., household income, composition, and age of the householder), as well as housing cost. Among occupied units, the percentage of owner-occupied homes increased from 59 percent in 2010 to 61 percent in 2018. Renter-occupied units make up just 35 percent of all occupied units. Countywide, renter-occupied units make

up 39 percent of all occupied units. As of 2018, four percent of Atascadero's housing units were estimated to be vacant. This is three percent lower than 2010, when the vacancy rate was seven percent.

Table D.14: Tenure and Vacancy				
Tenure	2010		2018	
	Number	Percent	Number	Percent
Occupied Units	10,737	93%	11,580	96%
Owner	6,827	59%	7,356	61%
Renter	3,910	34%	4,224	35%
Vacant Units	768	7%	449	4%
Total	11,505	100%	12,029	100%
Source: U.S. Census, 2010, 2018 ACS (5-year estimates)				

### Housing Type and Age

Single-family homes make up more than three-quarters of Atascadero's housing stock. The variety of housing types has remained stable over the period from 2010 to 2018, with slight growth in single-family homes (detached) and a slight decline in the proportion of mobile homes.

Table D.15: Trends in Housing Type				
Housing Type	2010		2018	
	Units	Percent	Units	Percent
Single-Family Detached	8,068	72%	8,752	73%
Single-Family Attached	427	4%	448	4%
Multi-Family 2-4 Units	1,030	9%	1,080	9%
Multi-Family 5+ Units	1,241	11%	1,340	11%
Mobile Homes	517	5%	409	3%
Other (e.g., R.V Park)	0	0%	0	0%
Total Units	11,283	100%	12,029	100%
Source: U.S. Census 2010, 2018 ACS (5-year estimates)				

### Housing Age and Condition

Housing ages and deteriorates over time. If not regularly maintained, structures can deteriorate and discourage reinvestment, depress neighborhood property values, and even become health hazards. Maintaining and improving housing quality is an important goal for communities. Housing age can be an indicator of the need for housing rehabilitation. Generally, housing older than 30 years (i.e., built before 1990), while still needing rehabilitation, will not require rehabilitation as substantial as what would be required for housing units older than 50 years old (i.e., built before 1970). Housing units older than 50 years are more likely to require complete rehabilitation of housing systems such as roofing, plumbing, and electrical. According to the U.S. Census, more than half, or 69 percent, of Atascadero's housing stock was built prior to 1990 (30 years or older) and close to one quarter (24 percent) of Atascadero's housing stock was built prior to 1970 (50 years or older).

City staff conducted a visual housing conditions survey in June 2009. To complete the survey, the City randomly selected and evaluated 200 properties and found that all but three were structurally sound. The survey was conducted through a windshield assessment that rated the physical condition of a unit. Utilizing the same methodology, in 2019 staff re-reviewed the same 200 properties from the 2009 survey. Two properties were found not to be structurally sound yet required only minor repairs. Based upon observations and experiences of the code enforcement and planning staff, the City estimates that in 2020, fewer than 20 housing units may be considered to be in severe need of replacement or substantial rehabilitation due to housing conditions.

<b>Table D.16: Housing Units by Age</b>		
<b>Year Built</b>	<b>Units</b>	<b>Percent</b>
Built 2014 or later	123	1%
Built 2010 to 2013	245	2%
Built 2000 to 2009	1,945	16%
Built 1990 to 1999	1,557	13%
Built 1980 to 1989	2,272	19%
Built 1970 to 1979	3,067	26%
Built 1960 to 1969	1,298	11%
Built 1950 to 1959	861	7%
Built 1940 to 1949	312	3%
Built 1939 or earlier	349	3%
<b>Total</b>	<b>12,029</b>	<b>100%</b>
Source: U.S. Census, 2018 ACS (5-year estimates)		

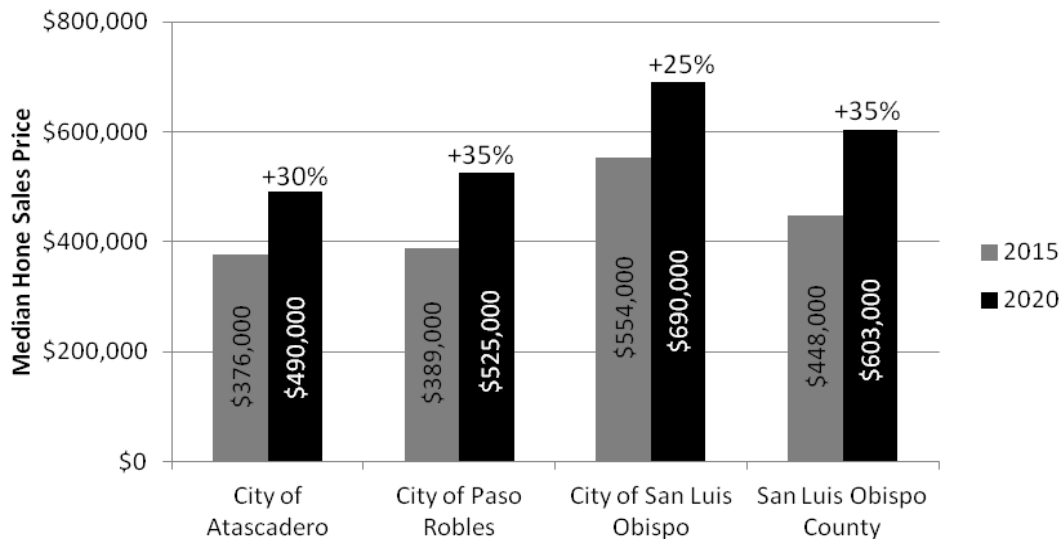
## 4. Housing Cost and Affordability

### Housing Costs

The median sale price of all homes (single-family units and condominium units) sold in Atascadero was \$452,500 in 2020, according to CoreLogic. CoreLogic data combine sales activity for single-family units and condominium units. The median sales prices in 2020 was 13 percent lower than the previous year. Zillow.com provides estimates for single-family units and condominium units separately and its data shows a median sales price of \$516,000 for single-family homes and \$490,000 for condominiums.

Zillow.com data contradicts the CoreLogic data in that it shows increasing median sales values even as CoreLogic shows a median 2020 sales prices lower than the previous year. Even though the sales price trend contradicts CoreLogic data, the Zillow.com data can be used to compare median home prices in Atascadero and neighboring cities from 2015 to 2020. Median home sales prices in Atascadero are shown to be lower than neighboring cities and the County.

**Figure D.1: Median Home Prices 2015-2020**



Source: Zillow.com Home Prices and Home Values, accessed March 3, 2020

According to the U.S. Census 2018 ACS 5-year estimates, the median rent in Atascadero was \$1,337 per month. The median rents in Atascadero are lower than the County median rents as estimated by HUD 50th Percentile Rent Estimates.

Table D.17: Median Rents		
Number of Bedrooms	City of Atascadero Median Gross Rent	San Luis Obispo-Paso Robles-Arroyo Grande, CA MSA 50 percentile rents HUD
No bedroom	\$872	\$1,243
1 bedroom	\$955	\$1,374
2 bedrooms	\$1,279	\$1,786
3 bedrooms	\$1,813	\$2,576
4 bedrooms	\$2,128	\$3,136
Median Rent	\$1,337	\$1,385
Sources: U.S. Census, 2018 ACS (5-year estimates); U.S. Department of Housing and Urban Development 50 <sup>th</sup> Percentile Rent Estimates, 2020		

## Housing Affordability

Housing affordability in Atascadero can be inferred by comparing the cost of renting or owning a home with the income levels of households of different sizes. Table D.18 shows the annual income ranges for extremely low-, very low-, low-, and moderate-income households and the maximum affordable monthly rental payment based on 30 to 35 percent of gross household income as affordable housing costs (depending on tenure and income level as defined by HUD). The table also displays the maximum affordable home sale or rental price based on income category and unit size.



Homes priced at the 2020 median sales prices of \$452,500 for Atascadero are affordable only to households in the upper end of the moderate-income range. Thus, home ownership is out of range for many moderate and all low-, very low- and extremely low-income households. Average rents are affordable for moderate-income households but are unaffordable without overpayment or overcrowding for households earning at the extremely low-, very low-, and low-income levels.

Table D.18: Affordable Housing Costs by Household Size and Tenure - 2019					
Income Group	Annual Income Limits	Renter	Owner	Home (purchase price)	Rental (per month)
Extremely Low (0-30% AMI)					
1-Person	\$18,900	\$473	\$473	\$55,624	\$334
2-Person	\$21,600	\$540	\$540	\$58,882	\$361
3-Person	\$24,300	\$608	\$608	\$50,503	\$339
4-Person	\$26,950	\$674	\$674	\$62,838	\$405
5-Person	\$30,170	\$754	\$754	\$62,931	\$421
Very Low (30-50% AMI)					
1-Person	\$31,500	\$788	\$788	\$114,273	\$649
2-Person	\$36,000	\$900	\$900	\$125,909	\$721
3-Person	\$40,500	\$1,013	\$1,013	\$125,909	\$744
4-Person	\$44,950	\$1,124	\$1,124	\$146,623	\$855
5-Person	\$48,550	\$1,214	\$1,214	\$148,485	\$881
Low (50-80% AMI)					
1-Person	\$50,350	\$1,259	\$1,259	\$202,014	\$1,120
2-Person	\$57,550	\$1,439	\$1,439	\$226,218	\$1,260
3-Person	\$64,750	\$1,619	\$1,619	\$238,786	\$1,350
4-Person	\$71,900	\$1,798	\$1,798	\$272,067	\$1,529
5-Person	\$77,700	\$1,943	\$1,943	\$284,169	\$1,610
Moderate Income (80-120% AMI)					
1-Person	\$73,500	\$1,838	\$2,144	\$366,790	\$1,699
2-Person	\$84,000	\$2,100	\$2,450	\$414,501	\$1,921
3-Person	\$94,500	\$2,363	\$2,756	\$450,574	\$2,094
4-Person	\$105,000	\$2,625	\$3,063	\$507,594	\$2,356
5-Person	\$113,400	\$2,835	\$3,308	\$538,315	\$2,502
Assumptions: California Department of Housing and Community Development 2019 income limits; 30 - 35% gross household income as affordable housing costs (depending on tenure and income level); 20% of monthly affordable cost for taxes and insurance; 10% down-payment, 4% interest rate for a 30-year fixed rate mortgage loan; utilities based on Housing Authority of the City of San Luis Obispo 2019 Utility Allowance for Atascadero.					
Sources: California Department of Housing and Community Development, 2019; Housing Authority of the City of San Luis Obispo, 2019; MIG, 2020.					

## 5. Housing Problems

### Overcrowding

Overcrowding is defined as more than one person per room, not including kitchens and bathrooms. Overcrowding can occur when housing costs are high relative to income where families must double up or reside in smaller units, which tend to be more affordable, to devote income to other basic living needs. This is often a problem for large families but can also occur in smaller households when income is too low to afford adequate housing. Overcrowding also tends to result in accelerated deterioration of homes, a shortage of off-street parking, increased strain on public infrastructure, and additional traffic congestion. As shown in Table D.19, in 2018, one percent of owner-occupied households in Atascadero were overcrowded and three percent of renter-occupied households were overcrowded, of these less than one percent was extremely overcrowded.

Table D.19: Overcrowding by Tenure, 2018						
	Owner-Occupied Units		Renter-Occupied Units		All Housing Units	
	Housing Units	% of all Housing Units	Housing Units	% of all Housing Units	Housing Units	% of all Housing Units
Overcrowded (1-1.5 persons/room)	69	1%	115	3%	184	2%
Severely Overcrowded (>1.5 persons/room)	8	0.1%	32	1%	40	0.3%
Total Overcrowded (>1 persons/room)	77	1%	147	3%	224	2%
Source: U.S. Census Bureau, ACS 5-Year Estimates 2018						

### Overpayment

High housing costs can cause households to spend a disproportionate percentage of their income on housing. This may result in payment problems, deferred maintenance, or overcrowding. According to federal government standards, paying over 30 percent of income for housing costs is considered to be cost-burdened, and spending more than 50 percent of household income is extremely cost burdened. In Atascadero, a total of 3,925 households overpay for housing. These households are detailed in the following two tables.

In Atascadero, overpayment is particularly problematic for renters. Table D.20 shows that one-quarter of all Atascadero renter units pay between 30 and 50 percent of household income on rent, and an additional 15 percent of renters pay more than half of their household income on rent. Overall, 40 percent of renter households (1,738 households) overpay (greater than 30% of income) on housing.

Table D.20: Gross Rent as a Percent of Income, 2018		
Percent of Income Spent on Rent	Renter-Occupied Units	Percent of All Renter-Occupied Units
Less than 30%	2,348	55%
30% to 50%	1,081	25%
More than 50%	657	15%
All Renter-Occupied Units	4,224	100%
Source: U.S. Census Bureau, ACS 5-Year Estimates 2018		

Among homeowners, 37 percent of owners with a mortgage and 10 percent of owners without a mortgage were overpaying for housing. Overall, 30 percent of owner-occupied units (2,187 households) were overpaying for housing. See Table D.21 for monthly housing costs as a percentage of household income for homeowners.

Table D.21: Owner Costs as a Percent of Income, 2018						
Percent of Income Spent on Monthly Owner Costs	Units with a Mortgage		Units without a Mortgage		All Owner-Occupied Units	
	Units	Percent	Units	Percent	Units	Percent
Less than 30%	3,384	63%	1,760	90%	5,144	70%
30% to 50%	1,160	22%	93	5%	1,253	17%
More than 50%	8,30	15%	104	5%	934	13%
Total Units	5,374	100%	1,957	100%	7,331	100%
Source: U.S. Census Bureau, ACS 5-Year Estimates 2018						

### Low- and Extremely Low-Income Housing Needs

Lower-income households (earning 80 percent or less of the area's median household income) generally have higher incidence of housing problems and overpayment. Table D.22 shows low, very-low, and extremely low-income (ELI) households in Atascadero with housing problems, as well as those overpaying for housing. In total, 2,635 lower-income households (1,525 renter and 1,110 owner households) overpay for housing.

- **Extremely Low Income (up to 30 percent of AMI):** Of the 11,250 households in the City, 1,385 households (12.3%) have household incomes less than 30 percent of median income. Owner households in this category experience the highest level of cost burden and housing problems compared with other lower income households.
- **Very Low Income (31-50 percent of AMI):** Very low-income households are cost burdened, with substantial majorities of renters and owners spending greater than 30 percent of household income on housing costs. Renters in this category experience the highest level of cost burden and housing problems compared with other lower-income households.

- **Low Income (51-80 percent of AMI):** The difference between the proportion of owner and renter low income households experiencing cost burden and housing problems is the largest compared with other lower-income categories.

<b>Table D.22: Housing Problems for All Lower Income Households</b>			
	<b>Renters</b>	<b>Owners</b>	<b>Total Households (% of all HH)</b>
Housing Income <= 30 Percent MFI (Extremely Low Income)	805	580	1,385 (12.3%)
% With any Housing Problems	68.9%	81.9%	74.4%
% With Housing Cost Burden > 30%	68.3%	81.9%	74.0%
% With Housing Cost Burden > 50%	55.3%	75.9%	63.9%
Household Income >30% to <= 50% MFI (Very Low Income)	525	360	885(7.9%)
% With any housing problems	69.5%	56.9%	64.4%
% With Housing cost burden > 30%	69.5%	52. 8%	62.7%
Household income > 50 to <= 80% MFI (Low Income)	975	895	1,870 (16.6%)
% With any housing problems	66.7%	49.7%	58.6%
% With Housing cost burden > 30%	62.6%	49.7%	56.4%
Source: U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) , 2012-2016			

## 6. Housing at Risk of Converting from Affordable to Market Rate Housing

Housing Element law requires jurisdictions to provide an analysis and program for preserving affordability of assisted housing developments for the next 10 years (2021-2031). Based on City records and information from the California Housing Partnership Corporation, in the next 10 years (2013-2023), no assisted housing developments in Atascadero are at risk of losing affordability.

A portion of the City's affordable housing stock was created via the City's inclusionary housing policy. This policy was adopted in 2003 and stipulates a 30-year affordability term. As such, the affordability covenants do not expire within the next 10 years. Another subset of affordable units was developed by non-profit, affordable housing developers, who do not intend to convert their units to market-rate apartments. Based on information from the California Housing Partnership Corporation, in the next 10 years no assisted housing developments subject in Atascadero are at risk of losing affordability. One development in City records has an expiring affordability covenant in 2029 (Atascadero Gardens at 7480 Santa Ysabel) but is not considered at risk as it was purchased in 1999 by People's Self Help Housing to preserve its affordability. People's Self Help Housing is an affordable housing developer and service provider including site-based services for low-income families, individuals, farmworkers, veterans, the homeless, and those living with disabilities.

Pursuant to Government Code Section 65863.11, the state maintains a list of “Entities Interested in Participating in California’s First Right of Refusal Program” at <https://www.hcd.ca.gov/policy-research/docs/HPD-00-01.xlsx>. This list includes two entities interested in properties in San Luis Obispo County and several entities interested in properties located in any county. It is worthy to note that City staff has contributed time in past years to assisting owners of assisted housing to negotiate with lenders such as the U.S. Department of Agriculture to extend their subsidies. In the event that a development becomes at risk of conversion to market-rate housing, the City will maintain contact with local organizations and housing providers who may have an interest in acquiring at-risk units and will assist other organizations in applying for funding to acquire at-risk units.

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## E. Constraints on Housing Production

Government policies and regulations impact the price and availability of housing and in particular, the provision of affordable housing. Constraints include residential development standards, fees, and permitting procedures. Providing infrastructure and services also increases the cost of producing housing. This Chapter addresses potential governmental and nongovernmental constraints and focuses on mitigation options available to the City.

### 1. Governmental Constraints

Although local governments have little influence on such market factors as interest rates and availability of funding for development, their policies and regulations can affect both the amount of residential development that occurs and the affordability of housing. Since governmental actions can constrain development and affordability of housing, State law requires the Housing Element to “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.”

#### Land Use Controls

The City’s primary policies and regulations that affect residential development and housing affordability include Title 9 (the City’s Planning and Zoning Regulations), Title 11 (the City’s Subdivision Regulations), the General Plan, the Atascadero Downtown Revitalization Plan, the Appearance Review Manual, development processing procedures and fees, on and off-site improvement requirements, and building codes. In addition to a review of these policies and regulations, an analysis of governmental constraints on housing production for persons with disabilities is included in this section.

#### Planning and Zoning Regulations

Title 9, the City’s Planning and Zoning Regulations, allows residential development in various residential and non-residential zones. Several of these zones only allow residential use in the form of a caretaker unit and that is indicated in the descriptions below. Residential density in Atascadero ranges from less than 1 units per acre up to 24 units per acre. Title 9 does not include specific development standards for the Rural Residential zone that is identified on the Zoning Map. Program 3.F is included in the Housing Element and specifies that as part of a comprehensive General Plan update, the Rural Residential zone will be codified into Title 9 and will include standards that distinguish it from the Residential Suburban zone.

- **Agriculture (A) Zone.** This zone is established to protect, preserve, and encourage agriculture on suitable land. Agriculture related residential uses are permitted including single-family dwellings, primary family housing, and farm labor quarters. The A zone corresponds to the Agriculture (AG) land use designation of the General Plan.
- **Rural Residential (RR) Zone.** This zone is established for large lot single-family residential uses. The General Plan details a maximum allowable density of 0.4 units per acre. The RR zone corresponds to the Rural Residential (RR), Rural Estate (RE), Suburban Estate (SE), and Agriculture (AG) land use designations of the General Plan.
- **Residential Suburban (RS) Zone.** This zone is established for large lot single-family residential uses. Second units are permitted by right in the RS zone, subject to specific development

standards identified in Chapter 5 of Title 9. The maximum allowable density is 0.4 units per acre. The RS zone corresponds to the Rural Residential (RR), Rural Estate (RE), Suburban Estate (SE), and Agriculture (AG) land use designations of the General Plan.

- **Residential Single-Family (RSF) Zone.** This zone is established to provide for single-family residential areas within the urban service line. Second units are permitted by right in the RSF zone, subject to specific development standards identified in Chapter 5 of Title 9. The RSF designation is divided into three categories based on minimum lot sizes, RSF-X, RSF-Y, RSF-Z and density ranges from 0.5 to 2.0 units per acre. Density may be increased to four units per acre with a Planned Development in the RSF-X zone. The RSF zone corresponds to the Single-Family Residential (SFR) land use designation of the General Plan, which includes the sub-land use designations SFR-Z, SFR-Y, and SFR-X.
- **Limited Single-Family (LSF) Zone.** This zone is established for single-family residential where raising of farm animals is not allowed. Second units are permitted by right in the LSF zone, subject to specific development standards identified in Chapter 5 of Title 9. The LSF designation is divided into three categories based on the minimum lot size, LSF-X, LSF-Y, LSF-Z, and density ranges from 0.5 to 2.0 units per acre. The LSF zone corresponds to the Single-Family Residential (SFR) land use designation of the General Plan, which includes the sub-land use designations SFR-Z, SFR-Y, and SFR-X.
- **Residential Multiple Family (RMF) Zone.** This zone is established for apartment, condominium, and townhouse development. The maximum allowable density for areas designated Low Density Multiple Family Residential (RMF-10) is 10 units per acre, for areas designated High Density Multiple Family Residential (RMF-24) is 24 units per acre, and for hillside areas the density ranges from 1 - 20 units per acre depending on average slope (density exceptions exist for group quarters and nursing facilities). The RMF zone corresponds to the Medium-Density Residential (MDR) and High-Density Residential (HDR) land use designations of the General Plan.
- **Downtown Commercial (DC) Zoning District.** This zone is established to enhance the economic viability and pedestrian-oriented character of downtown. Residential uses are permitted on upper floors in the DC zoning district. Home occupations and live/work projects are also encouraged in the DC zoning district. The maximum allowable density is 20 units per acre. The DC zone corresponds to the Downtown (D) land use designation of the General Plan.
- **Downtown Office (DO) Zoning District.** This zone is established for professional and other office uses close to the services provided in the DC zoning district. Residential uses are permitted on upper floors in the DO zoning district. The maximum allowable density is 20 units per acre. The DO zoning district corresponds to the Downtown (D) land use designation of the General Plan.
- **Commercial Neighborhood (CN) Zone.** This zone is established to provide for small-scale retail shopping and personal service facilities at the neighborhood level. The Commercial Neighborhood Zone is situated and designed to serve the limited shopping and service needs of the immediately surrounding residential area. It allows mixed-use development with residential up to 24 units per acre with a conditional use permit. Caretaker residences are also permitted conditionally. The CN zone corresponds to the General Commercial (GC) and Mixed-Use (MU) land use designations of the General Plan.



- **Commercial Professional (CP) Zone.** This zone is established for limited retail shopping and personal service facilities. It allows mixed-use with residential up to 24 units per acre with a conditional use permit. Caretaker residences are also permitted conditionally. The CP zone corresponds to the General Commercial (GC) and Mixed-Use (MU) land use designations of the General Plan.
- **Commercial Retail (CR) Zone.** This zone is established for a wide range of commercial uses to accommodate retail and service needs; however, it does conditionally permit residential care facilities for the elderly (RCFE), caretaker residences, mixed use with residential up to 24 units per acre, multi-family dwellings on the second floor or above or within an existing residential structure of historical significance, and single-room occupancy units. The CR zone corresponds to the General Commercial (GC) and Mixed-Use (MU) land use designations of the General Plan.
- **Commercial Service (CS) Zone.** This zone is established for light manufacturing and large lot service commercial, however it does conditionally permit caretaker residences or multifamily dwellings within an existing structure of historical significance. The CS zone corresponds to the Service Commercial (SC) land use designation of the General Plan.
- **Commercial Tourism (CT) Zone.** This zone is established for limited commercial uses for Highway 101 travelers; however, it does conditionally permit caretaker residences. The CT zone corresponds to the General Commercial (GC) land use designation of the General Plan.
- **Industrial Park (IP) Zone.** This zone is established for light manufacturing and large lot service commercial; however, it does conditionally permit caretaker residences. The IP zone corresponds to the Industrial (IND) land use designation of the General Plan.
- **Industrial (I) Zone.** This zone is established for heavy manufacturing and industrial uses; however, it does conditionally permit caretaker residences. The I zone corresponds to the Industrial (IND) land use designation of the General Plan.
- **Recreation (L) Zone.** This zone provides suitable locations for recreational facilities; however, it does conditionally permit caretaker residences. The L zone corresponds to the RR, RE, SE, SFR, MDR, HDR, Public Recreation (REC), Public Facilities (PUB), and Open Space (OS) land use designation of the General Plan.
- **Special Recreation (LS) Zone.** This zone provides suitable locations for recreational facilities on land in private ownership. This zone also provides for residential uses where intensive recreational activity may not be appropriate. The maximum allowable density for residential is 0.7 unit per acre (if sewer not available) or one unit per acre (if sewer service exists). The LS zone corresponds to the Commercial Recreational (CREC) land use designation of the General Plan.
- **Public (P) Zone.** This zone provides suitable locations for public and quasi-public facilities; however, it does conditionally permit single-family, residential care, and caretaker residences. The maximum allowable density for residential is 0.4 unit per acre.
- **Planned Development (PD) Overlays.** The City has established 34 overlays (PD 1 - 12 and 14 - 35) to allow for special use standards that differ from those established by the underlying zone. The maximum allowable density is 24 units per acre. Planned Development Overlays are typically used to allow for individual lot ownership units in multi-family zones and clustered residential

development in rural areas to achieve minimal environmental impacts and reduced infrastructure costs.

- **Emergency Shelter (ES) Overlay.** The City established an emergency shelter overlay zone in 2013 which allows emergency shelters by right on specific sites, subject to operational and development standards. In 2013, one ES site was designated at 6370 Atascadero Avenue for the El Camino Homeless Organization (ECHO) shelter.

Table E.1 summarizes the General Plan land use designations and the zoning districts that either allow by right or conditionally permit residential development. In 2013, the City amended the Zoning Regulations to allow residential densities up to 24 units per acre in the RMF-24 Zone and up to 20 units per acre in the DC and DO zones.

Table E.1: General Plan Land Use Designations and Zoning Districts		
General Plan Land Use Designation	Density	Corresponding Zoning Districts
RR/RE/SE	0.1-0.4unit/acre gross <sup>1</sup>	RR, RS, P, L
SFR-Z	1.0 unit/acre gross <sup>1</sup>	RSF-Z, LSF-Z, P, L
SFR-Y	2.0 unit/acre gross	RSF-Y, LSF-Y, P, L
SFR-X	4.0 unit/acre net <sup>2</sup>	RSF-X, LSF-X, P, L
MDR	10 unit/acre net	RMF-10, P, L
HDR	24 unit/acre net	RMF-24 P, L
GC	24 unit/acre net	CN, CP, CR, CT
SC	(0.4 FAR)	CS
D	20 unit/acre net	DC, DO
MU	24 unit/acre net	CN, CR, CP: (MU/PD overlay)
CREC	10 unit/acre net	LS, P
IND	(0.4 FAR)	I, IP
AG	0.1-0.4 unit/acre gross <sup>1</sup>	RR, RS, A
REC	--	L, P
PUB	--	L, P
Notes: 1. Density is adjusted by performance standards in this land use designation. The maximum density may be lower based on the application of performance standards. 2. The maximum density sets a limit to the number of units that may be developed in each land use designation. The General Plan also sets minimum lots size areas that are allowed through the subdivision process consistent with the "Elbow Room" principle. The minimum lot sizes are more restrictive than the maximum densities to reflect historic small lot development densities and to allow for new planned development projects that incorporate smaller lot sizes with innovative design concepts.		

Table E.2 summarizes the housing types permitted by zone. Each use is designated by a letter denoting whether the use is allowed (A) or conditionally permitted (CUP).

**Table E.2: Zoning District's Permitted Land Uses**

Land Uses	A	RS	RSF	LSF	RMF	DC	DO	CN	CP	CR	CS	CT	IP	I	L	LS	P
Single-family Dwelling <sup>7</sup>	--	A	A	A	A	A <sup>2</sup>	A <sup>2</sup>	--	--	--	--	--	--	--	--	A	CUP
Multi-Family Dwelling <sup>7</sup>	--	--	--	--	A <sup>2</sup>	A <sup>2</sup>	A <sup>2</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	--	--	--	--	--	--
Live/Work Unit	--	--	--	--	--	A <sup>3</sup>	--	--	--	--	--	--	--	--	--	--	--
Accessory Dwelling Units	--	A	A	A	A	--	--	--	--	--	--	--	--	--	--	--	--
Temporary dwelling	--	A	A	A	A	--	--	--	--	--	--	--	--	--	--	A	--
Mobile/Manufactured Home	A	A	A	A	A	--	--	--	--	--	--	--	--	--	--	--	--
Mobile home developments	--	CUP	CUP	CUP	CUP	--	--	--	--	--	--	--	--	--	--	--	--
Single Room Occupancy	--	--	--	--	--	--	--	--	--	CUP	--	--	--	--	--	--	--
Transitional/Supportive Housing <sup>7</sup>	--	A	A	A	A	A <sup>2,3</sup>	A <sup>2</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	--	--	--	--	A	CUP
Agriculture Employee Housing	A	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Caretaker (Employee) Unit	--	--	--	--	--	--	--	--	CUP	CUP	CUP	--	--	--	CUP	--	--
Residential care, ≤ 6 clients	--	A	A	A	A	A <sup>3</sup>	A <sup>3</sup>	--	--	--	--	--	--	--	--	--	CUP
Residential care, > 6 clients	--	CUP	CUP	CUP	CUP	--	--	--	--	--	--	--	--	--	--	--	CUP
Residential Care for the Elderly Assisted Living, ≤ 6 clients, Assisted Living	--	A	A	A	A	--	--	--	--	CUP	--	--	--	--	--	--	--
Residential Care for the Elderly Assisted Living, > 6 clients, Assisted Living	--	CUP	CUP	CUP	CUP	--	--	--	--	CUP	--	--	--	--	--	--	--
RCFE – Independent Living Center/ Senior Apartments	--	--	--	--	CUP	--	--	CUP	--	CUP	CUP	--	--	--	--	--	--
Organizational houses (Membership houses)	--	CUP	CUP	CUP	CUP	--	--	--	--	--	--	--	--	--	--	--	--
Medical extended care <sup>5</sup> , ≤ 6 clients	--	A	A	A	CUP	--	--	CUP	CUP	CUP	CUP	CUP	--	--	--	--	CUP
Medical extended care <sup>5</sup> , > 6 clients	--	CUP	CUP	CUP	CUP	--	--	--	--	CUP	--	--	--	--	--	--	CUP
Age restricted housing	--	--	--	--	--	CUP	--	--	--	--	--	--	--	--	--	--	--

**Notes:**

A. This table is for reference only, refer to Zoning Regulations for the latest official zoning designations. Zoning Regulations may be amended independently of this table. A: Allowed Use, CUP: Conditional Use Permit, -- Not Permitted.

1. RSF-Y only, see Section 9.6106

2. RMF Zone – CUP required for projects over 12 units, excluding RMF-24 properties identified in Appendix I. RMF-24 properties identified in Appendix I are allowed by right, not subject to a CUP or specific plan. DC and DO Zones - Residential uses allowed only on second and third floor, except sites north of Olmeda Avenue. If project is required to provide a unit in compliance with Americans with Disabilities Act, the handicapped accessible unit may be located on a first floor. A first floor unit shall be located in a non-storefront location within a tenant space.

3. Permitted use if the residential quarters are located on the second or third floors, or within an existing residential structure of historical significance. If project is required to provide a unit in compliance with Americans with Disabilities Act, the handicapped accessible unit may be located on a first floor. A first floor unit shall be located in a non-storefront location within a tenant space.

4. Conditional Use Permit required if the residential quarters are located on the first floor unless a project is required to provide a unit in compliance with the Americans with Disabilities Act.

5. A skilled nursing facility (also referred to as medical extended care) is a board and care home for residents, where no medical care is provided, and is subject to all applicable standards for multi-family dwellings.

6. Multi-family dwellings permitted when located on the second floor or above, or within an existing residential structure of historical significance.

7. Transitional and supportive housing are considered single-family or multi-family uses under Title 9 and are permitted in all residential zones and held to the same development standards as other residential uses of the same type in the same zone.

Table E.3 identifies development standards for the residential zones, Table E.4 shows the development standards in the commercial zones, and Table E.5 indicates the development standards in the Downtown Zones. Minimum parcel size and setback requirements in Atascadero are not unusually strict and are not considered a constraint to the development of affordable housing. The height limit in residential zones has proven not to impede development or discourage density. The Hidden Oaks Apartments and Southside Villas condominium projects, 90 and 86 units, respectively, achieved densities over 20 units per acre while meeting the 30-foot, two-story height restriction. The Emerald Ridge condominium development, approved in 2004, received a height exception as part of their conditional use permit and achieved a density of 27.7 units per acre with 208 units on 7.5 acres with approval of a density bonus for high quality architectural design. Program 3.D proposes to amend the Zoning Regulations to remove the number of stories limit in the RMF Zone.

Table E.3: Residential Zones Development Standards								
Development Standard	Zone							
	RS	RSF			LSF			RMF
		X	Y	Z	X	Y	Z	
Min lot size (acres) <sup>1,2</sup>	2.5 - 10	0.5	1	1.5 -2.5	0.5	1	1.5 - 2.5	.5 <sup>3</sup>
Max Height (feet)	30 ft. max.							30 ft. (2 stories max.)
Setbacks <sup>4</sup> (feet):								
Front	25 ft. min - exceptions for shallow lots, flag lots, sloping lots, and variable block.							15 ft
Side	5 ft. min - exceptions for corner lots, key lots, small corner lots, accessory buildings, common wall development <sup>5</sup> , zero lot line development <sup>6</sup> , access easements.							
Rear	Principal residential building - 10 ft. min Accessory building - 3 ft. min if under 12 ft in height and under 120 sf							
Interior	Principal residential buildings - 10 ft Accessory building - 10 ft (some code exceptions apply)							
Notes:								
A. For reference only, refer to Zoning Regulations for the latest official development standards. Zoning Regulations may be amended independently of this table.								
1. Depending upon conformance with performance standards set in each zone.								
2. Smaller lot sizes allowed with a Planned Development.								
3. Smaller lot sizes allowed for PD projects, including mobile home developments, provided that the overall density within the project conforms with Section 9-3.17 (RMF Zone - Density).								
4. Except for 2 <sup>nd</sup> story dwellings over commercial and industrial uses.								
5. Two dwelling units, and/or their accessory garages constructed on adjoining lots with minimum building code separation.								
6. A group of dwelling units on adjoining lots may be established so that all units about 1 side property line.								

Table E.4: Commercial Zones (Allowing Residential Development) Development Standards				
Development Standard	CN	CP	CR	CS
Min lot size (acres)	0.5 <sup>1</sup>	0.5 <sup>1</sup>	0.5 <sup>1</sup>	1.0 <sup>1</sup>
Density (units per acre)	24	24	24	Varies, multifamily dwellings allowed only within an existing structure of historical significance

Table E.4: Commercial Zones (Allowing Residential Development) Development Standards				
Development Standard	CN	CP	CR	CS
Setbacks (feet)				
Front	0 <sup>2,3</sup>	0 <sup>2,3</sup>	0 <sup>2,3</sup>	0 <sup>2,3</sup>
Sides (each)	0 <sup>2</sup>	0 <sup>2</sup>	0 <sup>2</sup>	0 <sup>2</sup>
Rear	0 <sup>4</sup>	0 <sup>4</sup>	0 <sup>4</sup>	0 <sup>4</sup>
Height limit	35 ft	35 ft	35 ft	35 ft
Notes: 1. Smaller lot sizes may be allowed for planned commercial and industrial developments where the Planning Commission determines that such smaller lot sizes will not be detrimental to the purpose and intent of the Zone. 2. Ground floor residential uses are subject to the residential setback requirements. 3. Where a commercial or industrial zone has a front setback, including a double frontage setback, on a street where more than 50% of the lots in the same block are zoned for residential use, the front setback shall be 25 feet, except that a one-story building or parking may encroach into one-half the required front setback depth. 4. Uses adjacent to an alley: a minimum of 5 feet, except where the alley provides vehicular access to the interior of the building, in which case the setback shall be 10 feet; or residential use zone: no rear setback is required for buildings or portions of buildings which do not exceed 12 feet in height within 10 feet of the rear property line. The rear setback shall be a minimum of 10 feet for buildings or portions of buildings which exceed 12 feet in height.				

Table E.5: Downtown Zones Development Standards <sup>1</sup>		
	DC	DO
Min lot size	No minimum	
Density	20 du/acre	20 du/acre
Setbacks	Minimum and maximum setbacks required. See Section 9-4.103 for setback requirement, allowed projections into setbacks, and exceptions to setbacks.	
Front	None allowed, except for building insets designed to accommodate outdoor eating and seating areas, and except for East and West Mall between El Camino Real and Palma Avenue, where a minimum of 20 feet is required.	As required by Section 9-4.106 when adjacent to a residential zone, none required otherwise.
Sides (each)	None required	
Rear	None required	
Creek	20 ft.	
Height limit	45 ft. not to exceed 3 stories; 18 ft. on the west side of El Camino Real <sup>2</sup>	25 ft
Off-street parking	None required, except as required by Section 9-4.114 for hotels, motels, residential uses, offices, government offices and facilities, and health care services, and for all development east of Atascadero Creek.	As required by Sections 9-4.114 et seq.
Notes: 1. For reference only, refer to Zoning Regulations for the latest official development standards. Zoning Regulations may be amended independently of this table. 2. Between Atascadero Creek and lot line common to Lots 19 and 20, Block H-B, Atascadero Colony Map.		

## **Historic Preservation**

To promote the conservation, preservation, protection, and enhancement of Atascadero’s historical and architecturally significant structures, the City adopted a Historic Site Overlay (HS) zone. The standards are intended to protect historic structures and sites by requiring new uses and alterations to existing uses to be designed with consideration for preserving and protecting the historic resource. Given the quality of Atascadero’s historical and architecturally significant structures—and the contribution of these structures to the image and quality of life in Atascadero—the historic preservation policies and regulations are reasonable and appropriate and do not pose an unreasonable constraint to residential development in the City of Atascadero. No sites identified in the vacant land inventory are subject to the HS overlay.

## **Sensitive Resources**

The City adopted a Sensitive Resource Overlay (SR) zone to protect areas with special environmental resources and areas containing unique or endangered vegetation or habitat. The purpose of these standards is to require that proposed uses be designed with consideration of the identified sensitive resources, and the need for their protection. Development on properties within an SR overlay zone require additional measures to ensure environmental protection, which can add to the cost of development. It is in the best interest of the community, and also is mandated by state and federal laws to protect sensitive environmental resources. The City’s regulations do not pose an unreasonable constraint to residential development in the City. No sites identified in the vacant land inventory are subject to the SR overlay.

## **Multi-Family Housing**

Multi-family development is allowed by-right in the RMF zone and in the two Downtown zones. Multi-family development is also conditionally allowed in several commercial zones. The Zoning Regulations requires a CUP for residential projects in the RMF zone over 11 units, excluding RMF-24 properties identified in the Housing Element Sites Inventory. RMF-24 properties identified in the Housing Element Sites Inventory are allowed by right, not subject to a CUP or specific plan. Program 3.C has been included in this Housing Element to provide for staff to review the CUP requirement for multi-family housing projects and consider removing the CUP requirement once objective design standards have been adopted.

## **Mobile and Manufactured Homes**

State law requires that mobile and manufactured homes be allowed in residential zones. These units cannot be regulated by any planning fees or review processes not applicable to conventional single-family dwellings. However, the architectural design of manufactured or mobile homes can be regulated by the City. Under the City’s Zoning Regulations, mobile home developments (mobile home parks) are permitted with approval of a CUP in all residential zones. Individual mobile home dwellings are permitted by right in all residential zones and in the Agriculture zone. The City’s Zoning Regulations address manufactured homes in Section 9-6.142. Seventeen modular homes have been installed as permanent residences since the 2014 Housing Element update. The City updated definitions for consistency with state law and to clarify that the terms “mobile home” and “manufactured home” are essentially the same and should be considered a single-family dwelling and permitted in all zones that allow single-family housing. Manufactured housing can be subject to design review.

## Mixed-Use Development

Atascadero encourages mixed-use development in the downtown districts (DC and DO) and in several commercial districts. The Downtown zoning districts are intended to develop an attractive, pedestrian-oriented, and economically successful downtown area by providing for a mixture of commercial, service, and residential land uses. The development of mixed-use projects provides more housing opportunities by permitting residential uses on the upper floors. Mixed-use development also enhances economic viability, pedestrian-oriented character, and the overall downtown environment. In 2013, the City amended the Zoning Regulations to allow vertical mixed-use with a CUP in General Commercial land use designations. Horizontal mixed-use requires a PD overlay. This represents an easing from previous requirements for horizontal or vertical mixed-use. No CUP is required for mixed-use in the Downtown zones. As part of implementation of Program 2.F, the City will amend the Zoning Regulations to adopt mixed-use development standards that facilitate quality development and that strike a balance between the community's need for housing and the City's need to preserve viable commercial land uses.

## Accessory Dwelling Units

Accessory dwelling units can be an important source of affordable housing since they are smaller than primary units and do not have direct land acquisition costs. Supporting the development of accessory dwelling units expands housing opportunities for very low-, low-, and moderate-income households by increasing the number of rental units available within existing neighborhoods. Accessory dwelling units are referred to in the Atascadero Zoning Regulations as "secondary residential units," which are residential occupancy constructions (R) with a kitchen and full bathroom that is accessory to the primary unit and intended for permanent occupancy by a second household. Second residential units provide quarters for independent living areas, sleeping, cooking, and sanitation facilities. Second residential units are permitted by right in the single-family residential zones (RS, RSF, LSF). Second units are also allowed in single-family planned development overlay districts only when consistent with an approved Master Plan of Development.

The City last updated its ADU ordinance in 2010. The State Legislature has passed numerous changes to the ADU requirements (previously known as second units) to promote the development of ADUs. These include allowing ADUs to be built concurrently with a single-family home, opening areas where ADUs can be built to include all zoning districts that allow single-family uses, modifying fees from utilities such as special districts and water corporations, and reducing parking requirements. In Atascadero, accessory dwelling units are permitted as an accessory use to single-unit dwellings, consistent with the Government Code Section 65852.2, and are subject to all development standards of the underlying zoning district and/or planned development overlay districts, with a few minor exceptions:

- **Floor Area.** The total floor area shall not exceed 1,200 square feet.
- **Private Open Space Requirement.** A second unit shall have a minimum private open space area of 250 square feet. No portion of an open space area shall have a dimension of less than 10 feet in width.
- **Attached Second Units.** If the second unit is attached to the primary dwelling, each shall be served by separate outside entrances.
- Second units are permitted on lots one net acre or greater in size if on a private septic system. On lots less than 1-acre net, dwelling units must be connected to City sewer.

AB 2299 provides that any existing ADU ordinance that does not meet the new requirements is null and void as of January 1, 2017. In such cases, a jurisdiction must approve accessory dwelling units based on Government Code Section 65852.2 until the jurisdiction adopts a compliant ordinance. Jurisdictions are not required to create ordinances for ADUs; however, any jurisdiction that does adopt an ADU ordinance, must submit the ordinance to HCD within 60 days. Program 1.D in the Housing Plan commits the City to adopting an updated ADU ordinance to comply with Government Code Section 65852.2.

### **Residential Care Facilities**

Under California law, licensed facilities serving six persons or fewer receive special land use protections. California requires that many types of licensed facilities serving six persons or fewer be treated for zoning purposes like single-family homes. Except in extraordinary cases in which even a single-family home requires a conditional use permit, these laws bar conditional use permits for facilities that serve six or fewer persons. No local agency can impose stricter zoning or building and safety standards or require variances on these homes than those required for homes in the same zone. Residential care facilities in Atascadero serving six or fewer residents (small) are permitted by right in all residential zones. Residential care facilities serving more than six residents (large) are conditionally permitted in the single-family zones and allowed by right in the RMF zone. See the section below, *Housing for People with Disabilities*, for additional discussion on housing for special needs.

### **Emergency Shelters and Transitional and Supportive Housing**

State legislation SB 2 requires jurisdictions to permit emergency shelters without a CUP or other discretionary permits, and transitional housing and supportive housing must be considered residential uses and must only be subject to the same restrictions that apply to the same housing types in the same zone. The City has an Emergency Shelter (ES) Overlay Zone, which allows emergency shelters on a specific site subject to the development and operational standards outlined in the Zoning Regulations. The ES Overlay Zone was applied to the property where El Camino Homeless Organization (ECHO) runs and operates a homeless shelter with a capacity of 60 beds (this capacity reflects an increase in beds implemented in 2019). The ECHO shelter does not typically operate at capacity and is the only overnight and warming shelter in North County. As a shelter was not a permitted use in the base zone, the Overlay protects the operation and establishes operational guidelines. The site of the ECHO shelter has the capacity to expand to accommodate a total capacity of 110 beds at the single ES overlay site. Program 3.G is included in the Housing Plan to Review the Emergency Shelter (ES) Overlay Zone for continued compliance with state law and to evaluate the need to expanding the ES Overlay Zone to other appropriate properties, subject to the locational and operational criteria outlined in the Zoning Regulations. Recent State Law (AB 101) requires that Low-Barrier Navigation Centers be allowed as a by right use in areas zoned for mixed-use and nonresidential zones permitting (by right or conditionally) multi-family uses. Transitional Food and Shelter operates the Atascadero Warming Center (AWC) from November 1st through April 15th when the temperature is forecast to be 40 degrees or less and/or there is a 50% chance or greater of rain. The low barrier, behaviorally based center provides meals, clothing and other services through a volunteer effort. Program 3.H is proposed to ensure that the City meets the requirements of AB 101.

Transitional and supportive housing are considered single-family or multi-family uses under Title 9. Transitional and supportive housing are permitted in all residential zones and thus held to the same development standards as other residential uses of the same type in the same zone. In 2016, the City



amended the Zoning Regulations to include supportive and transitional housing as a use under the single-family and multi-family dwelling definitions.

Effective January 1, 2019, AB 2162 (Supportive Housing Streamlining Act) requires supportive housing to be considered a use by right in zones where multi-family and mixed-uses are permitted, including nonresidential zones permitting multi-family uses, if the proposed housing development meets specified criteria. The law prohibits the local government from imposing any minimum parking requirement for units occupied by supportive housing residents if the development is located within one-half mile of a public transit stop. AB 2162 also require local entities to streamline the approval of housing projects containing a minimum amount of supportive housing by providing a ministerial approval process, removing the requirement for CEQA analysis, and removing the requirement for a CUP or other similar discretionary entitlements. Program 3.H is included to ensure the City meets the requirements of AB 2162.

### **Housing for Agricultural Employees**

The Employee Housing Act (Government Code Section 17021.5 and 17021.6) requires that any employee housing occupied by six or fewer employees shall be considered a single-family structure within a residential land use and must be treated the same as a single-family dwelling of the same type in the same zone. In addition, employee housing consisting of no more than 36 beds in a group quarters, or 12 units or separate rooms or spaces designed for use by a single-family or household, must be considered an agricultural land use and be treated the same as any other agricultural activity in the same zone. The Zoning Regulations identify one agricultural zone which permits agricultural operations and agriculture employee housing by right.

### **Single-Room Occupancy Units (SROs)**

Single-room occupancy hotels and/or boarding homes are collectively referred to as SROs. SRO units are one-room units intended for occupancy by a single individual. It is distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. Buildings that provide SRO dwellings are permitted conditionally in the Commercial Retail (CR) zone. Program 2.I is included in the Housing Element and calls for a review and, if necessary, a revision of siting regulations for SROs. As part of the program implementation, the City will consider amending the Zoning Regulations to allow single-room occupancy units as a by-right use.

### **Building Codes and Enforcement**

Building codes and site improvements can also increase the cost of developing housing, particularly affordable rental housing. The following examines the City's building codes and site improvement standards. Atascadero implements the 2019 edition of the California Building Code and other model construction codes, with amendments adopted by the California Building Standards Commission. These model codes establish standards and require inspections at various stages of construction to ensure code compliance and minimum health and safety standards. Although these standards and the time required for inspections increase housing production costs and may impact the viability of rehabilitation of older properties, the codes are mandated for all jurisdictions in California.

The City has also adopted an ordinance, as required by the State, requiring fire sprinklers in all newly constructed residential units and substantially remodeled units, adding to the cost of construction. The ordinance was instated for the protection of Atascadero residents because most residential sites in

Atascadero are in a high or very high fire hazard severity zone. With the very hot summers in Atascadero and abundance of dry brush and native vegetation located in the residential zones, there is a high potential for fire. The installation of fire sprinklers adds approximately \$2.00 per square foot to the cost of construction of single-family homes. The additional cost is likely to be passed along to the homebuyer as part of the final cost of the home or to renters in the form of a higher monthly rental price. The added cost does not pose a significant constraint to the construction of new units and second units.

Aside from this ordinance, the City has not adopted local amendments to the model codes that increase housing costs (the Plumbing Code has been amended to address large-lot development with septic systems). Building inspectors are responsible for ensuring that proposed projects meet State and local codes.

The City uses Code Enforcement staff to promote property maintenance in accordance with the City Zoning and Building ordinances and State and County Health Codes. The Code Enforcement official receives and investigates complaints regarding alleged violations of the Municipal Code such as property maintenance violations, private property parking violations, or zoning violations. Complaints can be submitted by email, fax, mail, or delivered personally at two locked box locations in the City.

### **Site Improvements**

The City of Atascadero, along with other agencies, requires the installation of certain on- and off-site improvements to ensure the safety and livability of residential neighborhoods. On-site improvements typically include private or shared driveways, parking areas, drainage, sections of underground pipe, swales, ponding areas, and amenities such as landscaping, fencing, open space, and park facilities. Off-site improvements typically include:

- Sections of roadway, medians, bridges, sidewalks, and bicycle lanes
- Sewage collection and treatment
- Water systems, including lines, storage tanks, and treatment plants (Atascadero Municipal Water Company)
- Public facilities for fire, school, and recreation

The costs of on- and off-site improvements are usually passed along to the homebuyer as part of the final cost of the home. The on- and off-site improvement standards imposed by the City are typical for most communities and do not pose unusual constraints for housing development.

### **Parking Standards**

The City's parking requirements are based upon unit type and size. As shown in Table E.6, parking requirements are typically two spaces per single-family residential unit. Multi-family residential units generally average 2.25 spaces per unit after accounting for guest parking.

The City has several exceptions for parking. Bicycle parking may substitute parking spaces in lots with 20 or more spaces. A bicycle rack providing for at least five bicycles at a ratio of one bicycle rack for each 20 spaces is allowed. For compact car spaces, lots with 20 or more spaces may substitute compact car spaces

for up to 20 percent of the total number of spaces. For motorcycle parking, lots with 20 or more spaces may replace regular spaces with motorcycle spaces at a ratio of one motorcycle space for each 20 spaces.

In certain situations, parking requirements may be reduced or waived. This includes some alternative parking arrangement options:

- *Tandem Parking.* Tandem parking permitted for single-family dwellings and individual mobilehomes upon meeting appropriate performance criteria.
- *Parking Districts.* Parking requirements may be modified within a parking district where adequate parking is provided within the limits of the district and the parking requirements of a new use are accommodated by the parking district.
- *Shared Peak-Hour Parking.* Where two or more uses have distinct and differing peak traffic usage periods, the required number of parking spaces may be reduced through Conditional Use Permit approval.
- *On-Street Parking Adjustment.* In the case that a new driveway eliminates on-street parking spaces, the requirement for off-street spaces may be adjusted.
- *Planning Commission Modification.* The required parking standards may be modified through Conditional Use Permit approval by the Planning Commission.

Table E.6: Parking Requirements <sup>1</sup>	
Land Use	Parking requirement
Single-family dwellings (including mobile homes)	2 spaces per du, except 1/du on lots < 4,000 square feet in area
Multi-family dwellings (including condominiums and attached ownership dwellings)	1 bedroom unit: 1.5 spaces 2 bedroom unit: 2 spaces, each add. bedroom: 0.5 space Guest parking: 1 space per 5 units, or fraction thereof
Mixed-use	Where a site contains more than one principal land use (such as a shopping center), the amount of parking required shall be the total of that required for each individual use <sup>2</sup> .
Skilled nursing facility	1 space per 4 beds
Group quarters	1 space per bedroom, plus 1 per eight beds
Single-room occupancy	1 space per 4 units and 1 space per employee, plus 0.5 space per 2 units
Accessory dwelling units (residential second units)	1 covered space for the first bedroom and an additional space for additional bedrooms
Notes:	
<ol style="list-style-type: none"> <li>1. For reference only, refer to Zoning Regulations for the latest official development standards. Zoning Regulations may be amended independently of this table.</li> <li>2. In addition to the reduction of required parking, where two (2) or more uses have distinct and differing peak traffic usage periods (for example, a theater and a bank), the required number of parking spaces may be reduced through conditional use permit approval, provided that the parking lots of each use are located within three hundred (300) feet of each other (as measured along the most direct pedestrian path). The amount of reduction may be up to seventy-five percent (75%) of the amount of spaces required for the most intensive of the two (2) or more uses sharing the parking.</li> </ol>	

## Development Fees

The City charges various fees and assessments to cover the costs of processing permits and providing services. Impacts fees are also charged to cover the cost of providing municipal services or mitigating project impacts. These fees are summarized in Table E.7. The total amount of fees varies from project to project based on type, existing infrastructure, and the cost of mitigating environmental impacts. Atascadero does not control school and water impact fees. These services are managed by separate districts.

Table E.7: Planning and Development Fees <sup>1</sup>	
Fee Category	Fee Amount
Planning Fees - Effective July 29, 2019	
Administrative AUP Review	\$752 per application
Minor CUP Review	\$1,233 per application
Major CUP Review	\$4,424 per application
Variance Application	\$1,952 per application
Development Agreement	\$13,557 deposit, plus additional fees (staff charges, etc.)
Specific Plan	\$10,183 deposit, plus additional fees (staff charges, etc.)
General Plan Amendment	\$7,801 per application
PD Zone Change	\$7,705 per application
Rezoning (Map or Text)	\$4,282 per application (\$8,186 rezoning with GP amendment)
Tentative Parcel Map	\$4,616 per application
Tentative Tract Map	\$6,353 per map, plus \$45 per lot over 15 lots
Condominium Conversion Tentative Map	\$3,355 + \$72 per unit over 15 units (\$5,566 + \$72 per unit over 15 units with a Major CUP)
Precise Plan	\$2,314 per application
Annexation	\$16,971 deposit, plus additional fees (staff charges, etc.)
Lot Line Adjustment Review	\$1,465 per application historic lot line \$2,455 for others
Lot Merger	\$1,488 per application
Temporary Occupancy Review	\$628 per application (Commercial)/ \$453 per application (Residential)
Administrative Time Extension Review	\$447 per application
Planning Commission Time Extension Review	\$820 per application
Appeal to Planning Commission (not full cost recovery)	\$786 per application
Appeal to City Council (not full cost recovery)	\$1,058 per application
Planning Review/Approval of Building Permit	Minor \$102 per application Major \$356 per application CUP/PD Compliance \$470 DRC Review \$402
Affordable Housing Unit Fee Process	\$402 per application plus \$136/unit and any plus legal costs

Table E.7: Planning and Development Fees <sup>1</sup>		
Fee Category		Fee Amount
Environmental Review		
Environmental Impact Report Review	10% of contract consultant amount of City staff review	
Environmental Negative Declaration	\$1,646 per application in addition to other application fees, where applicable	
Capital Facilities Fees - Adopted June 30, 2007		
	SFR	MFR
Law Enforcement Facilities	\$574	\$334
Fire Protection Facilities	\$950 - \$955	\$516 - \$550
Fire Aerial Response Vehicle	--	\$242
Circulation System	\$5,597	\$2,822 - \$5,597
Storm Drainage Facilities	\$777 - \$2,000	\$314 - \$499
General Government Facilities	\$1,036	\$1,036
Library Expansion Facilities	\$532	\$323 - \$418
Public Meeting Facilities	\$1,084	\$660 - \$852
Parkland	\$4,775	\$2,906 - \$3,754
Open Space Acquisition	\$1,660	\$1,011 - \$1,305
Sewer	\$573 plus admin fee of \$5 plus \$1210 extension fee	
1. For reference only. Planning and development fees display current rates at the time of publication. Fees are subject to change at the discretion of the City Council. Zoning Regulations may be amended independently of this table. Please check with the City of Atascadero Community Development Department for a current fee schedule. Source: City of Atascadero, 2020		

Table E.8 shows typical fees charged on new housing projects. Fees collected by the City in the review and development process are limited to the City's costs for providing these services. The majority of fees for development projects are imposed by agencies outside the City's control (i.e., school district impact fees and water connection fees).

Table E.8: Development Fees for New Housing, 2020 <sup>1</sup>		
Development Fee Category	Single-Family Unit	Multi-Family Unit
Building and Planning Fees	\$4500 (small on septic) -\$13,500/\$14,000 (2,300 sq. ft. on sewer)	\$4,000-\$6,000
School District - Atascadero Unified School District	\$7,580 <sup>2</sup>	\$4,927 <sup>3</sup>
Water Connection <sup>4</sup> - Atascadero Mutual Water Company	\$19,600	\$4,900 / \$9,800 (with/without dedicated landscape meter)
Impact Fees <sup>5</sup>	\$16,900-\$18,200 <sup>5</sup>	\$11,700-\$14,550
Miscellaneous	Approximately \$5,000 (for CEQA for homes with slopes > 20% - includes State fees)	\$2,000
Total	\$49,600 - \$64,400	\$27,500-\$37,300

Table E.8: Development Fees for New Housing, 2020 <sup>1</sup>		
Development Fee Category	Single-Family Unit	Multi-Family Unit
Notes: 1. For reference only, refer to City's website for latest fee schedule. City fee schedule may be amended independently of this table. 2. Assumes a 2,000 square foot single-family dwelling with the impact fee at \$3.79 per square foot. 3. Assumes a 1,300 square foot multi-family unit with the impact fee at \$3.79 per square foot. 4. Source: City of Atascadero, 2020; Atascadero Mutual Water Company, 2020. 5. Based on lot size.		

Development fees make up approximately 10 to 14 percent of a home purchase price (Table E.9). The City of Atascadero fees are typical for most communities and are comparable to those of surrounding communities.

Table E.9: Proportion of Fee in Overall Development Cost, 2020		
Development Cost for a Typical Unit	Single-Family	Multi-Family
Total estimated fees	\$49,600 - \$64,400/unit	\$35,768 - \$40,618/unit
Estimated sale price/value <sup>1</sup>	\$452,100	\$370,000
Estimated proportion of fee cost to overall development cost/unit	11-14%	10-11%
1. Median Home Sales Price in January 2020 (CoreLogic) and estimated home value for multi-family properties (condos, co-ops) on Zillow.com on April 27, 2020.		

Inclusionary requirements and fees also add to housing development costs. In 2003, the City Council approved an Inclusionary Housing Policy for all developments requiring a legislative approval, i.e. Zone Change or General Plan Amendment. The policy requires an in-lieu fee of five percent of the construction valuation of the market rate units within a project that does not provide 20 percent of the units as affordable. All inclusionary units are required to be deed restricted for a period of 30 years. All residential projects under legislative approval are subject to the inclusionary requirement as follows:

- Projects of 1-10 units: pay in-lieu fee or build units
- Projects of 11 or more units must build units or receive a Council approval to pay in-lieu fees

The Inclusionary Housing Policy requires that all affordable units in single-family land use areas be designated for moderate-income households. The distribution of affordable units in multi-family and mixed-use commercial land use areas are 20 percent very low income, 37 percent low income, and 43 percent moderate income. Affordable units must be constructed at the same time as the market-rate units and affordable units must be physically distributed throughout the project site, rather than concentrated in one area. To ensure compliance with these requirements, a construction timeline detailing the development of affordable units and a site map must be approved by the City Council. With City Council approval alternatives to on-site construction or payment of in-lieu fees for inclusionary units may be allowed, including off-site construction, land dedication, combinations of construction, fees, and/or land dedications. As an incentive to provide affordable units, all inclusionary units are treated as density bonus units that are not counted as part of the maximum density entitlement of a site.

As an increasing number of inclusionary units move toward construction, the development community has raised concerns regarding the financing and resale of these units. To mitigate some of these financing

issues, the City Council approved an equity-sharing program for the moderate-income homes. The equity-sharing program calls for the home to eventually be re-sold at the fair market value, with the City receiving its share of the sales proceeds to re-invest in affordable housing. In order to support additional development of affordable units at the very low- and low-income categories, Program 2.B is included in the Housing Element to direct the City to evaluate the inclusionary housing policy and consider replacement of the current inclusionary policy with an inclusionary housing ordinance that that requires residential developments (including non-legislative actions) to provide deed-restricted, affordable units or an in-lieu fee.

## Permit Processing

Housing production may be constrained by development review procedures, fees, and standards. Residential projects proposed in Atascadero may be subject to design, environmental review, zoning, subdivision and planned unit development review, use permit control, and building permit approval. Table E.10 displays the review authority required for various planning decisions and permits. Table E.11 displays the typical timelines for approvals and permits for the City of Atascadero.

Minor residential projects typically take from one to three months from submittal of the application through completion of the approval process. Larger residential projects can take six to twelve months. Permit processing is a time consuming and costly process, especially for integrated projects such as those involving elements of affordable housing and mixed-use. City staff adhere to strict review times consistent with state law for entitlement review. Initial review times are approximately 30 days for most projects. Processing timeframes have been generally predicated on how quickly the applicant can process corrections or changes to the proposed project. Program 3.A in the Housing Element directs the City continue reviewing and revising procedures to streamline the permitting processes.

Table E.10: Permit Processing Procedures				
Type of Decision	Role of Review Authority			
	Director or City Staff	Design Review Committee	Planning Commission	City Council
Zoning Review (Administrative)	Decision	N/A <sup>1</sup>	Appeal	Appeal
Administrative Use Permit	Decision <sup>2</sup>	Recommend <sup>2</sup>	Appeal	Appeal
Variance	Recommend	N/A	Decision	Appeal
Zoning Map Amendment	Recommend	N/A	Recommend	Decision
Design Review Approval	Recommend	Decision	Appeal	Appeal
Planned Development (Master Plan of Development required)	Recommend	Recommend	Recommend	Decision
Condition Use Permit	Recommend	Recommend <sup>3</sup>	Decision	Appeal
Subdivision Maps	Recommend	Recommend <sup>4</sup>	Decision	Appeal
Notes: For reference only, refer to Zoning Regulations for the latest official review procedures. Zoning Regulations may be amended independently of this table. 1. May be required for commercial signage or other administrative permits that have design impacts. 2. Design Review may be considered by the "hearing officer" for AUP applications for non-residential uses. 3. Only if architectural review required. 4. Only if paired with a master plan of development.				

Table E.11: Timelines for Permit Procedures	
Type of Approval, Permit, or Review	Typical Processing Time
These time periods begin when a complete application is submitted and are extended when additional information is requested by the City. The timeframes below are target issuance date—when the applicant can expect a decision on their application.	
Zoning Review (Administrative)	Concurrent with building permit
Administrative Use Permit	1-3 months
Variance	1-3 months
Design Review Approval	1-3 months
Planned Development Review	6-12 months
Condition Use Permit, minor	1-3 months
Condition Use Permit, major	3-6 months
Zoning Amendment	3-6 months
General Plan Amendment	6-12 months
Subdivision Maps	3-6 months

## Ministerial Review

Planning review of ministerial projects, such as building permits, are reviewed concurrently with building, fire, and public works. The City offers pre-project meetings to discuss zoning compliance and building code requirements to ensure that the process is streamlined. Planning review of routine over the counter permits is limited to tree protection when trees exist on-site and are within the area of development.

## Design Review

The Atascadero Appearance Review Manual was adopted by the City Council in 1987. The Manual includes direction regarding the relationship of buildings to the site, relationship of buildings and the site to the adjoining area, landscaping, building design, maintenance, and parking. The purpose of Appearance Review is to ensure that the architectural and general appearance of buildings and grounds are in keeping with the character of the neighborhood.

The City developed the Downtown Design Guidelines in 2000. The design guidelines were intended to assist in the revitalization of the Atascadero downtown, provide for infill development, and promote the conservation and reuse of existing buildings. The Guidelines provide a basis for review of building orientation, design, architecture, landscaping, and signs for new projects in the downtown. The guidelines were updated in 2011.

The Design Review Committee (DRC) was established by the City Council in August 2010. Municipal Code Section 9-2.107 identifies the purpose, authority, and approval criteria for the DRC. The DRC consists of members of City Council and Planning Commission and one member of the public; the DRC has the authority to approve and make recommendation regarding the architectural appearance, signage, site design and landscape design. Appearance approval is based on adherence to policies of the General Plan, compatibility with surrounding uses, and consistency with the guidelines and recommendations in the Appearance Review Manual and Downtown Design Guidelines. All multi-family residential projects, single-family residential projects requiring a Planned Development permit, or any development projects



requiring a precise plan, conditional use permit, zone change, or general plan amendment must go through design review prior to Planning Commission or City Council.

The DRC has been helpful in project streamlining by working out issues that normally would have been dealt with by the Planning Commission or simply at a staff level. The Design Review process does not appear to have a significant effect on housing affordability. Staff will continue to provide educational materials and training for the DRC regarding the function and scope to ensure it is not inadvertently used to reduce housing units.

### **Environmental Review Process/Precise Plan**

A precise plan is required for development with grading on slopes of over 20 percent. State regulations require environmental review of discretionary project proposals (e.g., subdivision maps, precise plans, use permits, etc.). The timeframes associated with environmental review are regulated by CEQA. In compliance with the Permit Streamlining Act, City staff ensures that non-legislative proposals are heard at the Planning Commission within 60 days of receipt of an application being deemed complete. Precise Plan applications are reviewed and approved by staff concurrently with the building permit review.

### **SB 35 Approval Process**

SB 35 requires cities and counties to streamline review and approval of eligible affordable housing projects by providing a ministerial approval process, exempting such projects from environmental review under the California Environmental Quality Act (CEQA). When the state determines that jurisdictions have insufficient progress toward their lower-income RHNA (very low and low income), these jurisdictions are subject to the streamlined ministerial approval process (SB 35 [Chapter 366, Statutes of 2017] streamlining) for proposed developments with at least 50 percent affordability. If the jurisdiction also has insufficient progress toward their above-moderate-income RHNA, then they are subject to the more inclusive streamlining for developments with at least 10 percent affordability.

As of March 2020, the City of Atascadero was determined to be subject only to SB 35 streamlining for proposed developments with 50% or greater affordability. The City has not received any applications or inquires for SB 35 streamlining. To accommodate any future SB 35 applications or inquiries, Program 3.A calls for the City to create and make available to interested parties an informational packet that explains the SB 35 streamlining provisions in Atascadero and provides SB 35 eligibility information. Program 3.B is included and specifies that City will adopt objective design standards to provide local guidance on design and standards for by-right projects as allowed by state law.

### **Housing For People With Disabilities**

California law requires jurisdictions to analyze potential and actual constraints on housing for persons with disabilities, demonstrate efforts to remove impediments, and include programs to accommodate housing designed for disabled persons. Review of the Municipal Code, permitting procedures, development standards, and building codes revealed the following findings:

- The City enforces Title 24 of the California Code of Regulations that addresses access and adaptability of buildings to accommodate persons with disabilities. The City also requires compliance with the 1988 amendments to the Fair Housing Act, which requires a minimum percentage of dwelling units in new RMF housing projects to be fully accessible to the physically disabled. No additional accessibility standards above State and Federal law are required.

- In downtown zones, where residential uses are limited to the upper floors, a handicapped accessible unit may be located on a first floor if a project is required to provide a unit in compliance with the Americans with Disabilities Act, subject to development standards.

### Process for Reasonable Accommodation

Accessibility improvements to existing structures, such as a ramp, are usually handled ministerially by City staff. The City adopted a reasonable accommodation ordinance in 2013. Table E.12 reviews zoning and land use policies, permitting practices, and building codes to ensure compliance with state and federal fair housing laws for persons with disabilities. The City of Atascadero has an ADA Coordinator to ensure City departments comply with this policy by carrying out the following functions:

- Providing technical assistance to support City departments in complying with federal, state, and local disability access laws
- Assisting departments in evaluating their facilities, programs, services, and activities to ensure provision of reasonable accommodations to people with disabilities
- Conducting training for City employees in disability awareness, disability etiquette, disability access laws, and reasonable accommodations
- Facilitating the resolution of grievances filed against the City that alleges noncompliance with disability access laws

Table E.12: Constraints on Housing for Persons with Disabilities	
General	
Does the City have a process for persons with disabilities to make requests for reasonable accommodation?	Yes. The City adopted a reasonable accommodation ordinance in 2013.
Has the City made efforts to remove constraints on housing for persons with disabilities?	There are no special permits or requirements for homes or development for disabled persons in zones where the use would be otherwise permitted. In most cases, these developments are permitted use.
Does the City assist in meeting identified needs?	The City applies Community Development Block Grant (CDBG) funds to accessibility upgrades. The San Luis Obispo Housing Authority recently completed a 19-unit retirement hotel, which contained ADA compliant units.

<b>Table E.12: Constraints on Housing for Persons with Disabilities</b>	
<b>Zoning and Land Use</b>	
Has the City reviewed all its zoning laws, policies, and practices for compliance with fair housing law?	Yes, the City has reviewed the land use regulations and practices to ensure compliance with fair housing laws.
Are residential parking standards for persons with disabilities different from other parking standards? Does the City have a policy or program for the reduction of parking requirements for special needs housing if a proponent can demonstrate a reduced parking need?	Section 9-4.114 of the Planning and Zoning Regulations (Off-street parking required) mandates the provision of disabled parking spaces in accordance with California Building Code (part 2 of Title 24) Chapter 11. The parking requirements also allow flexibility if an applicant can demonstrate a lower parking need.
Does the locality restrict the siting of group homes?	No
What zones allow group homes other than those allowed by State law? Are group home over six persons allowed?	Group homes (referred to as residential care facilities in the Planning and Zoning Regulations) of six or less individuals are allowed by right in all residential districts and downtown districts. They are allowed in the Public (P) zone with a Conditional Use Permit. Facilities with greater than 6 persons are conditionally permitted in all residential zones and the P zone.
Does the City have occupancy standards in the zoning code that apply specifically to unrelated adults and not to families?	No.
Does the land use element regulate the siting of special needs housing in relationship to one another?	No, there is no minimum distance required between two or more special needs housing.
<b>Permits and Processing</b>	
How does the City process a request to retrofit homes for accessibility?	Atascadero allows residential retrofitting to increase the suitability of homes for people with disabilities in compliance with ADA requirements, as permitted in the 2019 California Building Code.
Does the City allow groups homes with six or fewer persons by right in single-family zones?	Yes.
Does the City have a set of particular conditions or use restrictions for group homes with greater than six persons?	Group homes (or residential care facilities) with greater than six persons are conditionally permitted in all residential zones and the P zone. They are subject design review and are required to be in compliance with the same parking and site coverage requirements as multi-family uses.
What kind of community input does the City allow for the approval of group homes?	The Conditional Use Permit provides the public with an opportunity to review the project and express their concerns in a public hearing.
Does the City have particular conditions for group homes that will be providing services on site?	No, the City does not have special standards for group homes regarding services or operation.

Table E.12: Constraints on Housing for Persons with Disabilities	
Building Codes	
Has the locality adopted the Uniform Building Code?	Atascadero has adopted the 2019 California Building Code. No amendments have been made that affect the ability to accommodate persons with disabilities.
Has the City adopted any universal design element standards into the code?	No, the City has no adopted universal design standards at this time.
Does the City provide reasonable accommodation for persons with disabilities in the enforcement of building codes and the issuance of building permits?	Yes. The City adopted a reasonable accommodation ordinance in 2013.

## Opportunities for Energy Conservation

Planning to maximize energy efficiency and the incorporation of energy conservation and green building features contributes to reduced housing costs. Energy efficient design for sustainable communities reduces dependence on automobiles. Additionally, maximizing energy efficiency reduces greenhouse gas emissions. In response to recent legislation on global climate change, local governments are required to implement measures that cut greenhouse gas emissions attributable to land use decisions (see discussion on Global Climate Change below). Cities can support energy efficiency that benefits the market, the environment, and the long-term health of the community by:

- Establishing a more compact urban core, bringing residents close to work and services, therefore reducing automobile trips and reducing emissions
- Implementing passive solar construction techniques that require solar orientation, thermal massing, and other energy efficient design standards
- Encouraging the use of solar water heating and photovoltaics

Executive Order S-E-05 initiated the first steps in establishing greenhouse gas emission reduction targets in California. This was followed by the California Global Warming Solutions Act (AB 32), which required the California Air Resources Board (CARB) to establish reduction measures. There are several areas where programs for energy conservation in new and existing housing units are supported by the City:

- Through application of state residential building standards that establish energy performance criteria for new residential buildings (Title 24 of the California Administrative Code). These regulations establish insulation, window glazing, air conditioning, and water heating system requirements. The City also instituted the City Council adopted Energy Conservation Initiative in 2001.
- Through appropriate land use policies and development standards that reduce energy consumption. Atascadero's General Plan is based on the Smart Growth Principles of encouraging infill and reuse of existing land and infrastructure. The Land Use, Open Space, and Conservation Element include goals to preserve a greenbelt around the City, encourage mixed-use infill

development, revitalize of the Downtown Core, and encourage compact development with a pedestrian scale and trails.

- City environmental review may also require measures to reduce energy consumption.
- Energy Alternatives for low-income families and how the City can perform outreach.

Pacific Gas and Electric (PG&E) provides a variety of energy conservation services for residents and provides several other energy assistance programs for lower income households. PG&E also offers rebates for energy efficient home appliances and remodeling. Rebates are available for cooling and heating equipment, lighting, seasonal appliances, and remodeling (cool roofs, insulation, water heaters). These opportunities are available to all income levels and housing types. PG&E's Energy Savings Assistance Common Area Measures facilitates energy retrofits of the common areas and central systems in multi-family properties through technical assistance, cash incentives, and program coordination to income-eligible, deed-restricted, multi-family buildings.

Residential water heating and HVAC systems are major sources of energy consumption. With the application of energy efficient design and the use of solar power systems, home heating and cooling can be operated in a more efficient and sustainable manner. By encouraging solar energy technology for residential heating/cooling in both retrofits and new construction, the City can play a major role in energy conservation. There are two distinct approaches to solar heating: active and passive. The best method to encourage use of solar systems for heating and cooling is to not restrict their use in the zoning and building ordinances and to require subdivision layouts that facilitate solar use. Residential water heating can be made more energy efficient through the application of solar water heating technologies. Solar water heating relies on the sun to heat water, which is then stored for later use. A conventional water heater is needed only as a back-up. By cutting the amount of natural gas needed to heat water by 50 to 75 percent per building, solar water heating systems can lower energy bills and reduce greenhouse gas emissions significantly.

There are significant areas where Atascadero can do more to encourage energy conservation in new and existing residential development to reduce the demand on energy. There are a variety of energy efficiency and greenhouse gas emission reduction strategies that can be integrated into land use decisions related to housing. As an active member of Local Governments for Sustainability, Atascadero is also participating in an effort to inventory and reduce greenhouse gas emissions. Through these and other conservation measures, the City seeks to help minimize the percentage of household income required for energy costs as well as minimize the production of greenhouse gases. Program 3.M encourages energy conservation and will help residents minimize energy-related expenses by:

- Promoting environmentally sustainable building practices that provide cost savings to homeowners and developers
- Providing informational material at the Community Development Department counters from PG&E and others that detail energy conservation measures for new and existing buildings, the benefits of the Green Building (San Luis Obispo Green Build), and resources to assist lower-income households with energy-related expenses
- Continuing to strictly enforce the State energy standards of the Green Building Code

- Enhancing partnerships with Solar Providers for installation of PV panels and other alternative electrical services for lower-income households

## 2. Non-Governmental Constraints

The availability and cost of housing is strongly influenced by market factors over which local government has little or no control. State law requires that the housing element contain a general assessment of these constraints, which can serve as the basis for actions that local governments might take to offset their effects. The primary non-governmental constraints to the development of new housing are land costs, construction costs, and environmental constraints.

### Land and Construction Costs

The cost and availability of capital financing affect the overall cost of housing in two ways: first, when the developer uses capital for initial site preparation and construction and, second, when the homebuyer uses capital to purchase housing. The capital used by the developer is borrowed for the short-term at commercial rates, which are considerably higher than standard mortgage rates. Construction financing is sometimes difficult to obtain for multi-family construction, which poses a significant constraint on the production of affordable housing in Atascadero.

Land costs include acquisition and the cost of holding land throughout the development process. These costs can account for as much as half of the final sales prices of new homes in small developments or in areas where land is scarce. Land costs in single-family residential neighborhoods of Atascadero range from \$23,000 to \$824,000 per acre.<sup>1</sup> Among the variables affecting the cost of land are the size of lots, location and amenities, the availability and proximity of public services, and the financing arrangement between the buyer and seller.

Construction cost is determined primarily by the cost of labor and materials. The relative importance of each is a function of the complexity of the construction job and the desired quality of the finished product. As a result, builders are under constant pressure to complete a job for as low a price as possible while still providing a quality product. This pressure has led (and is still leading) to an emphasis on labor-saving materials and construction techniques. The price paid for material and labor at any one time will reflect short-term considerations of supply and demand. Future costs are difficult to predict given the cyclical fluctuations in demand and supply that in large part are created by fluctuations in the state and national economies. Such policies unilaterally impact construction in a region and therefore do not deter housing construction in any specific community.

According to 2020 building valuation data by the International Code Council, standard housing construction costs may average \$122 to \$156 per square foot for single-family residences depending on the level of amenities provided, and \$112 to \$167 per square foot for a multi-family residential structure,

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<sup>1</sup> A review of vacant land sales appropriate for residential development on Zillow.com on April 27, 2020 provided 13 vacant lots for sale within the City. Land costs were estimated from this sample and may not be representative of general land costs in the City.

depending on construction type and excluding parking. Structured parking cost can be significant. In Atascadero, this approach to parking largely does not occur.

### **Government Code 65583(a)(6) Development Analysis**

Government Code section 65583(a)(6) requires an analysis of requests to develop housing at densities below those anticipated in site inventory and the length of time between receiving approval for housing development and submittal of an application for building permit. The analysis must also look at local efforts to remove nongovernmental constraints that create a gap in the jurisdiction's ability to meet RHNA by income category.

In Atascadero, most requests for development at densities below anticipated densities are for properties designated for MDR (RMF-10) properties and very small HDR (RMF-24) properties with existing units where the property owner wants to add units to the site without removing exiting uses. There are no MDR sites in the sites inventory. In the HDR designation, most requests are turned away due to the minimum density stipulation for the RMF-24 zone. While the sites inventory has seven HDR (RMF-24) sites, all sites have a minimum size of one-half acre and only two sites have an existing use on the site. For economic reasons, most owners of large size properties strive to maximize densities.

In Atascadero, the length of time between receiving approval for housing development and submittal of an application for building permit is typically one or two months depending on project complexity and the development consultant's lead time to get construction documents complete. For example, a current multi-family residential project with complex grading and drainage plans has taken longer than usual to submit permits. Also, developers may struggle with feasibility analyses, financing, or negotiations with design professionals which are outside the control of the City.

The analysis must also look at local efforts to remove nongovernmental constraints that create a gap in the jurisdiction's ability to meet RHNA by income category. The primary non-governmental constraint is the overall cost of affordable housing development (high land and development costs). Construction trends in Atascadero in the last 10 years show that even with density bonuses offered, constructing affordable housing, especially for low- and very low-income households is not profitable to housing developers. Therefore, deed-restricted affordable units require subsidy beyond available density incentives. This places the construction burden on non-profits and similar grant funded housing developments. Some regions do not have enough of these organizations to meet the affordable housing construction needs of the region. Furthermore, the lack of funding results in affordable projects that are not always dispersed throughout the region but are concentrated in limited areas with lower development costs. While the City can offer developer incentives such as expedited permit processing and fee deferrals, it cannot afford to fully mitigate the high cost of development for affordable housing developments. While technically a governmental constraint, regulatory changes from different state entities, and which the City has no control of but must enforce, also constrain housing production in Atascadero. Regulations related to mitigation of transportation impacts (newly enacted VMT thresholds) or on-site standards and requirements for storm water management, for example, subject new housing projects to additional scrutiny and trigger a more complex environmental review process and potentially a greater level of mitigation. Again, the City of Atascadero facilitates housing development by providing technical assistance, regulatory incentives and concessions, and financial resources as funding allows. But the resources available to the City to mitigate these constraints are very limited.

### **Availability of Financing**

The availability of capital to finance new residential development is a significant factor that can impact both the cost and supply of housing. Two types of capital are involved in the housing market: 1) capital used by developers for initial site preparation and construction and 2) capital for financing the purchase of units by homeowners and investors. Interest rates substantially impact home construction, purchase, and improvement costs. A fluctuation in rates of just 2.5 percent can make a dramatic difference in the annual income needed to qualify for a loan. In general, financing for new residential development is available at reasonable rates. However, economic fluctuations due to COVID-19 have caused caution among lenders and may have lasting effects through this Housing Element planning period. And while interest rates are low, lenders are considering applicants much more closely than in the past, leading to credit tightening despite affordable interest rates.

## **Environmental and Physical Constraints**

### **Environmental Constraints**

Several special status species are known to occur in Atascadero, including: dwarf calycadenia, Douglas' spineflower, Hardham's evening-primrose, Jared's pepper-grass, Kellogg's horkelia, Oval-leaved snapdragon, rayless aphanactis, round-leaved filaree, Salinas milk vetch, Salinas valley goldfields, shining navarretia, and straight-awned spineflower. The City also protects unique vegetation communities that support sensitive species, including wetlands. Wetland habitat types are considered a vegetation community of special concern by the CDFG because of substantial statewide losses. Numerous creeks and blue line streams are present throughout the City and can affect feasibility of development at full capacity in those areas. The more urbanized areas of the City, where higher density housing development is typically located, are not constrained by these water features. The presence of special-status species and plant communities of special concern may affect development regulated by the City by limiting the development potential and/or adding mitigation costs.

The grasslands, riparian habitats, and tracts of undeveloped land provide habitat for a diverse selection of resident and migrant wildlife. Eighteen special status bird and mammal species are known to occur in Atascadero. Barriers to wildlife movement and migration, as well as the removal of raptor nesting sites, are to be avoided in future development. The occurrence of any of these species on a site could pose constraints to a housing project.

Preservation of natural flora and fauna is a basic community goal and native trees are valued community assets. The City has established regulations for the installation, maintenance, planting, preservation, protection, and selected removal of native trees within the City limits through the adoption of the Native Tree Ordinance. A tree removal permit is required for the removal of native trees (as defined by Chapter 11, Native Tree Regulations) and for pruning of the live canopy in native trees in excess of 25 percent of the existing canopy area. In addition, for each residential building permit issued, the planting of one five-gallon native tree is required. The mitigation requirements may become cumbersome for high-density projects, as tree replacement may be required on-site that is at the sole expense of the applicant. However, native and drought-tolerant landscaping may be used to meet landscape requirements and does not specifically add costs above standard Zoning Regulations and State landscaping requirements.

### **Physical Constraints**

Several physical constraints may occur in the City. Parcels with steep slopes may have constraints associated with landslide hazards, grading costs, and access requirements. Landslides are relatively rare



in the developed portions of the City, as compared to in the hilly, undeveloped areas. Stationary noise sources near potential sites for development may pose constraints. For example, traffic on U.S. Route 101 exceeds acceptable noise levels. Housing may be limited within 500 feet of U.S. Route 101 under CEQA due to the health hazards of siting sensitive uses near urban roads with over 100,000 vehicles per day unless appropriate mitigation can be identified and implemented. Operational noise sources near potential sites for development may pose constraints as well, such as the Southern Pacific railroad tracks that run north-south through the eastern portion of the City. Residential uses adjacent to the railroad tracks have the potential to be exposed to noise that exceed acceptable noise levels, although noise incidences are temporary (dependent on railroad operation). In addition, in high fire areas, State codes may restrict development of areas lacking secondary egress routes and in low-lying areas of the City may be subject to flooding during a 100-year storm (see the Safety and Noise Element of the General Plan for details).

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## F. Housing Resources

State law requires that jurisdictions provide an adequate number of sites to allow for and facilitate the production of their regional share of housing. To determine whether a jurisdiction has enough land to accommodate its share of regional housing needs for all income groups, that jurisdiction must identify “adequate sites.” Under state law (California Government Code section 65583[c][1]), adequate sites are those with appropriate zoning and development standards—with services and facilities—needed to facilitate and encourage the development of a variety of housing for all income levels.

The resources available for the development, rehabilitation, and preservation of housing in Atascadero are addressed here. This section provides an overview of available sites for future housing development and evaluates how these resources can work toward satisfying future housing needs. Also discussed are the financial and administrative resources available to support affordable housing.

### 1. Regional Housing Needs Allocation (RHNA)

The 6<sup>th</sup> cycle RHNA for the San Luis Obispo region covers a 10-year planning period (December 31, 2018 through December 31, 2028) and is divided into four income categories: very low, low, moderate, and above moderate. As determined by San Luis Obispo Council of Governments (SLOCOG), the City of Atascadero’s fair share allocation is 843 new housing units during this planning cycle, with the units divided among the four income categories as shown in Table F.1. The City of Atascadero is not responsible for the actual construction of these units. The City is, however, responsible for creating a regulatory environment in which the private market could build these units. This includes the creation, adoption, and implementation of General Plan policies, zoning and development standards, and/or incentives to encourage the construction of various types of units.

Table F.1: City of Atascadero RHNA Allocation 2018-2028		
Income Group	Total Housing Units	Percentage of Units
Extremely/Very Low Income (0-50% AMI)*	207	25%
Low Income (51-80% AMI)	131	16%
Moderate Income (80-120% AMI)	151	18%
Above Moderate Income (121+% AMI)	354	42%
<i>Total</i>	<i>843</i>	<i>100%</i>
Notes: AMI: Area Median Income * Note: Pursuant to AB 2634, local jurisdictions are also required to project the housing needs of extremely low-income households (0-30% AMI). In estimating the number of extremely low-income households, a jurisdiction can use 50% of the very low-income allocation (103 units).		

## 2. Progress towards the RHNA

### **RHNA (RHNA Credits)**

Since the RHNA uses December 31, 2018 as the baseline for growth projections for the planning period, jurisdictions may count toward the RHNA housing units permitted or approved from December 31, 2018 (or starting January 1, 2019) to the start of the Housing Element planning period (December 31, 2020)<sup>1</sup>. Since January 1, 2019, 673 housing units have completed, issued, or approved in Atascadero (Table F.2). These units include 36 very low-income units, 25 low-income units, 60 moderate-income units, and 552 above moderate-income units.

### ***Affordability of Units Credited Towards the RHNA***

Units credited towards the RHNA are distributed among the four affordability groups (extremely/very low, low, moderate, and above moderate) based on affordability restrictions (as is the case with affordable housing projects or units built in compliance with density bonus provisions or the City's inclusionary requirements) or housing cost for those specific types of units. For example, the market rate rents and sale prices for accessory dwelling units (ADUs), manufactured homes, and tiny homes (also known as micro-homes and typically under 1,000 square feet in size) fall within levels affordable to the households earning low (51-80% AMI) and moderate incomes (81-120% AMI) and are allocated as such. Based on current rent trends, half of the ADU credits will be allocated toward the low-income affordability category with the remaining half allocated toward the moderate category. For multi-family units, 2018 Census rental cost data by bedroom and 2020 HUD 50<sup>th</sup> Percentile Rents show that market rents for multi-family units in Atascadero are affordable to moderate income households while larger units are affordable to above moderate-income households. Accordingly, affordability for multi-family units are divided evenly between the moderate and above moderate-income categories based on market costs for multi-family rental units.

### ***Remaining RHNA***

The City has already achieved a portion of its RHNA with housing units permitted or approved, including all the moderate- and above moderate-income RHNA. Since January 1, 2019, 673 units have been permitted or approved in Atascadero (Table F.2). With these credits applied, the City has a remaining RHNA of 266 units (171 extremely low/very low-income units and 95 low-income units) that must be addressed within housing opportunity sites identified in this Housing Element.

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<sup>1</sup> The Housing Element planning period differs from the RHNA Planning period. The 6<sup>th</sup> Cycle RHNA covers a 10-year planning period of December 31, 2018 to December 31, 2028. The Housing Element covers an 8-year planning period of December 31, 2020 through December 31, 2028.

Table F.2: RHNA Credits					
	Ex./Very Low Income (0-50% AMI)*	Low Income (51-80% AMI)	Moderate Income (80-120% AMI)	Above Moderate Income (121+% AMI)	Total
<b>Credits</b>					
<b>Building Permits (Finalized/Issued/Applied)</b>					
Single-Family Units <sup>2</sup>	0	0	1	110	111
Manufactured Homes <sup>1</sup>	0	0	3	0	3
Multi-Family Units <sup>3</sup>	3	6	73	74	156
Accessory Dwelling Units <sup>4</sup>	0	11	12	0	23
<i>Subtotal</i>	<i>3</i>	<i>17</i>	<i>89</i>	<i>184</i>	<i>293</i>
<b>Planning Approvals</b>					
Emerald Ridge (multi-family units) <sup>3</sup>	0	0	86	86	172
Grand Oaks Micro Homes (SFR) <sup>5</sup>	0	0	30	0	30
Hartberg PD <sup>3</sup> (multi-and single-family units)	3	6	19	47	75
People's Self Help <sup>2</sup>	30	10	0	0	40
Principal Mixed-Use (attached/detached single-family units) <sup>2</sup>	0	3	3	46	52
Single-Family Units, miscellaneous	0	0	0	3	3
Multi-Family Units, miscellaneous <sup>3</sup>	0	0	4	4	8
<i>Subtotal</i>	<i>33</i>	<i>19</i>	<i>33</i>	<i>295</i>	<i>380</i>
<b>Total Credits</b>	<b>36</b>	<b>36</b>	<b>231</b>	<b>370</b>	<b>673</b>
2018-2028 RHNA	207	131	151	354	843
Remaining RHNA after Credits Applied	171	95	-80	-16	266
Notes: 1. Affordability manufactured homes are assumed to be within the affordability range of moderate-income families, as these housing types provide more affordable options without the units being subsidized. The average cost for a manufactured unit in Atascadero is \$180,363 for a typical three-bedroom unit according to the San Luis Obispo County Accessory Dwelling Unit and Mobile/Manufactured Home Market Study Report, January 2020. 2. Identified affordable units have a declaration of restrictions recorded on the property. 3. Affordability for multi-family units in the very low- and low-income categories is based on a declaration of restrictions recorded on the property. Affordability for non-restricted multi-family units are divided evenly between the moderate- and above moderate-income categories based on market costs for multi-family rental units. 2018 Census rental cost data by bedroom and 2020 HUD 50th Percentile Rents show that market rents for multi-family units in Atascadero are affordable to moderate-income households, while larger units are affordable to above moderate-income households. 4. Affordability for ADUs is divided evenly between the low- and moderate-income categories. In March 2020, Apartments.com estimated that the average rent for a studio apartment in Atascadero (\$893) and the average rent for a one-bedroom apartment in Atascadero (\$1,306) meets the affordability criteria for low-income persons (studio units, one-person households) for moderate-income persons (one-bedroom units, one-person households) set forth in Table D.18: Affordable Housing Costs by Household Size and Tenure – 2019. 5. Grand Oaks Micro Homes fall within the affordability levels in Table D.18 for moderate-income households. Additionally, three units within the Grand Oaks development are deed restricted for moderate-income households via a density bonus agreement.					

### **3. Residential Sites Inventory**

State law requires that jurisdictions demonstrate in the Housing Element that the land inventory is adequate to accommodate that jurisdiction's share of the region's projected growth. The City has a remaining RHNA of 266 units in the extremely/very low- and low-income categories. The City has various residential and mixed-use development opportunities with sufficient capacity to meet and exceed the identified housing need. A detailed listing of sites, consistent with State law, is included in Table F.7.

#### **Sites Inventory Considerations**

##### ***Realistic Capacity***

Consistent with HCD Guidelines, the methodology for determining realistic capacity on each identified site must account for land use controls and site improvements. A realistic density calculation of 80 percent of the maximum density has been applied to sites allowing multi-family development. The 80 percent buildout factor is based on historical trends and the assumption that development standards combined with unique site features may not always lead to 100 percent buildout. The realistic capacity for mixed-use development is based on typical densities of existing or approved mixed-use developments. The two most recently approved mixed-use projects in Atascadero, La Plaza Development (currently under construction) and the Downtown Colony Lofts (approved in 2019), will be developed at 28.2 and 27.8 units/acre, respectively. A realistic density calculation of 80 percent of the maximum density will be applied to sites allowing mixed-use development. To ensure that the realistic capacity takes into consideration the development of non-residential uses for mixed-use projects, such as ground floor commercial uses, only half the site acreage is used in the capacity calculation. This provides for a conservative estimate of development potential as many of the identified mixed-use sites can achieve higher residential capacity.

##### ***Densities Appropriate for Accommodating Lower Income Housing***

The capacity of sites that allow development densities of at least 20 units per acre is credited toward the lower-income RHNA based on state law. The California Government Code states that if a local government has adopted density standards consistent with the population based criteria set by state law (at least 20 units per acre for Atascadero), HCD is obligated to accept sites with those density standards (20 units per acre or higher) as appropriate for accommodating the jurisdiction's share of regional housing need for lower-income households. Per Government Code Section 65583.2(c)(3)(B), the City's High-Density Residential designation (20-24 du/ac) is consistent with the default density standard of 20 units per acre and therefore considered appropriate to accommodate housing for lower-income households. The Commercial Professional (CP) and Commercial Retail (CR) zones, which allow residential development in a mixed-use format at a density of up to 24 units per acre, are also consistent with the default density standard and therefore considered appropriate to accommodate housing for lower-income households.

### ***Assembly Bill 1397***

Consistent with updated Housing Element law (Assembly Bill 1397) related to the suitability of small and large sites, the lower-income sites inventory presented in this section is predominately limited to parcels that are between 0.5 and 10 acres in size, as the state has indicated these size parameters are most adequate to accommodate lower-income housing need. One mixed-use site consists of three parcels, two of which are less than one-half acre in size. These sites are included because they comprise a larger site, are under common ownership, and function as a single site.

AB 1397 also adds specific criteria for assessment of the realistic availability of non-vacant sites during the planning period. If non-vacant sites accommodate half or more of the lower-income need, the housing element must describe “substantial evidence” that the existing use does not constitute an impediment for additional residential use on the site. Non-vacant sites make up just 10 percent of all lower-income sites in the sites inventory. Among all lower income sites (with a total capacity of 368 units), only two sites (with a total capacity of 37 units) are non-vacant.

### ***Sites Inventory***

The Housing Element Sites Inventory consists predominantly of vacant residential and mixed-use sites in addition to projected ADU production, two vacant single-family residential sites with proposed development, and two underutilized high-density residential sites with a high probability of development within the planning period. Together, these sites ensure that the remaining RHNA can adequately be accommodated during the planning period. The sites have no identified constraints that would prevent development or reuse during the Housing Element period. Table F.3 summarizes the sites inventory (see also Figures F.1 and F.2).

### ***Adequacy of Sites for RHNA***

The Sites Inventory identifies capacity for 497 units, 369 of which are on sites suitable for development of lower-income housing. Overall, the City can adequately accommodate—and have excess capacity for—the remaining RHNA of 266 units.

### ***Detailed Sites Inventory***

The following sections provide details on the City’s 2020-2028 Housing Element sites inventory.

### ***Accessory Dwelling Units***

As noted in the credits discussion above, in 2019, 23 accessory dwelling unit building permits were applied for, issued, and finalized in Atascadero. The City projects that during the planning period, approximately 225 accessory dwelling units (ADUs) will be developed (25 per year) based on ADU trends in Atascadero and recent, favorable ADU legislation which has created new incentives and streamlined processes to build ADUs. As part of Housing Element implementation, the City will create and provide pre-approved ADU plans as a tool for encouraging development of ADUs and lowering plan review costs for applicants (Program 1.D). The projected ADUs are included as credits consistent with HCD guidelines. New ADUs are

anticipated to be affordable to low- and moderate-income households given their comparable size and rent relative to small rental units in Atascadero (studio and one-bedroom units). The projected ADUs are divided evenly between the low- and moderate-income categories. In March 2020, Apartments.com estimated that the average rent for a studio apartment in Atascadero, CA was \$893 and the average rent for a one-bedroom apartment in Atascadero, CA \$1,306. The rental cost for studio apartments meets the affordability criteria for low-income, one-person households, and the rental costs for one-bedroom apartments meets the affordability criteria for moderate-income, one-person households, as set forth in Table D.18: Affordable Housing Costs by Household Size and Tenure – 2019 in Section D: Housing Needs Assessment.

<b>Table F.3: Sites Inventory Summary</b>					
	<b>Ex./Very Low Income (0-50% AMI)*</b>	<b>Low Income (51-80% AMI)</b>	<b>Moderate Income (80-120% AMI)</b>	<b>Above Moderate Income (121+% AMI)</b>	<b>Total</b>
<b>Sites</b>					
Accessory Dwelling Units <sup>1</sup>	0	112	113	0	225
Vacant/Proposed Project Single-Family Residential (SFR) Sites with ADUs <sup>1</sup>	0	5	5	10	20
Vacant High Density Residential (HDR) Sites <sup>2</sup>	129	0	0	0	129
Vacant Mixed-Use Sites <sup>2</sup>	86	0	0	0	86
Underutilized High Density Residential (HDR) Sites <sup>2</sup>	37	0	0	0	37
<b>Total Sites</b>	<b>252</b>	<b>117</b>	<b>118</b>	<b>10</b>	<b>497</b>
Remaining RHNA after Credits Applied	171	95	-80	-16	266
Surplus/Shortfall (+/-) after sites applied	-81	-22	-198	-26	-327
Notes: 1. Affordability for ADUs is divided evenly between the low- and moderate-income categories. In March 2020, Apartments.com estimated that the average rent for a studio apartment in Atascadero (\$893) and the average rent for a one-bedroom apartment in Atascadero (\$1,306) meets the affordability criteria for low-income persons (studio units, one-person households) for moderate-income persons (one-bedroom units, one-person households) set forth in Table D.18: Affordable Housing Costs by Household Size and Tenure – 2019. 2. The capacity of sites that allow development densities of at least 20 units per acre are credited toward the lower-income RHNA based on state law.					

### ***Vacant Single-Family Residential (SFR) Sites***

Two vacant sites zoned Single-Family Residential (SFR) are included in this inventory due to proposed projects on the site. The 1.8-acre Annex subdivision site (APNs: 049-102-020, -032) is in the process of being developed with six single-family homes and six accessory dwelling units. The 1.3-acre Atascadero Avenue site (APN: 056-181-039) is in the process of being developed with four single-family homes and



four accessory dwelling units. The ADU units are divided equally between the low- and moderate-income categories, as the rental costs for studio apartments meet the affordability criteria for low-income persons (one-person households) and the rental costs for one-bedroom apartments meet the affordability criteria for moderate-income persons. The single-family units are credited against the above-moderate income RHNA.

### ***Vacant High Density Residential (HDR) Sites***

The sites inventory includes five vacant High Density Residential/RMF-24 (HDR/RMF-24) sites totaling 5.9 acres with a realistic capacity of 129 units (Table F.4). The HDR designation allows a density of 20 to 24 units per acre. Because these sites allow development densities of at least 20 units per acre (the City's default density as established by HCD), they are credited toward the lower-income RHNA.

HDR Sites 1, 4, and 5 are subject to the provisions of AB 1397, which requires that vacant sites identified in the previous two Housing Elements only be deemed adequate to accommodate a portion of the housing need for lower-income households if a site is zoned at residential densities consistent with the default density established by HCD (20 units per acre) and the site allows residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households. The sites are included in this 6<sup>th</sup> Cycle Housing Element based on the allowed density in the HDR/RMF-24 sites (20 to 24 units per acre) and because the City of Atascadero has created a by-right process (not subject to a CUP or specific plan) for RMF-24 properties identified in the Housing Element. This applies to all residential development on identified RMF-24 sites, including developments in which at least 20 percent of the units are affordable to lower-income households.

<b>Table F.4: Vacant High Density Residential (HDR) Sites</b>						
<b>Site #</b>	<b>APN</b>	<b>Address</b>	<b>Size (ac.)</b>	<b>GP/ Zone</b>	<b>Realistic Capacity (units)</b>	<b>Site Details</b>
HDR 1 <sup>1</sup>	049-042-025	1055 El Camino Real	1.80	HDR/ RMF-24	34	HDR Site 1 is located along El Camino Real south of Santa Cruz Road, adjacent to the Hilltop Mobile Manor. The vacant site was included in the 4 <sup>th</sup> and 5 <sup>th</sup> cycle Housing Element.
HDR 2	049-151-005	2405 El Camino Real	2.04	HDR/ RMF-24	39	HDR Site 2, located on Rio Rita Street, is part of the former Walmart site. It is the only parcel designated for HDR within the former project site. The site was included in the 5 <sup>th</sup> cycle Housing Element. It is located adjacent to two parcels with property owners who have requested upzoning from a single-family zone to a multi-family, higher-density residential zone.
HDR 3	028-192-060, 061, 062, 063	5266, 5272, 5280 Traffic	0.67	HDR/ RMF-24	13	HDR Site 3 is located on Traffic Way just north of Honda Avenue.

Table F.4: Vacant High Density Residential (HDR) Sites						
Site #	APN	Address	Size (ac.)	GP/ Zone	Realistic Capacity (units)	Site Details
		Way, 5255 Alamo				
HDR 4 <sup>1</sup>	030-101-053	8959 Curbaril	0.87	HDR/ RMF-24	17	HDR Site 4 is located on Curbaril Avenue north of Santa Ysabel Avenue. The site was included in the 4 <sup>th</sup> and 5 <sup>th</sup> cycle Housing Element.
HDR 5 <sup>1</sup>	045-321-024	9355 Avenida Maria	0.51	HDR/ RMF-24	26	HDR Site 5 is a vacant portion of the Knolls at the Avenida project. The Phase 2 site is approved for 26 affordable farmworker housing units. The site was included in the 4 <sup>th</sup> and 5 <sup>th</sup> cycle Housing Element.
Note: 1. Subject to the provisions of AB1397: Projects with at least 20% affordable units must be permitted by right.						

#### ***Vacant Mixed-Use Sites***

Four mixed-use sites are included in the sites inventory with a total acreage of 8.8 acres and a total realistic capacity of 86 units (see Table F.5). Mixed-use sites make up a small percentage (17%) of the site inventory capacity and just 23 percent of the capacity for all lower-income sites. The sites are zoned for Commercial Retail (CR), which allows a density of up to 24 units per acre. The mixed-use sites in this inventory have been chosen based on their size, availability, and appropriateness for residential development. Because these sites allow development densities of at least 20 units per acre, they are credited toward the lower-income RHNA. None of the identified mixed-use sites is subject to the provisions of AB 1397.

Table F.5: Vacant Mixed-Use Sites						
Site #	APN	Address	Size (ac.)	GP/ Zone	Realistic Capacity (units)	Site Details
MU 1	049-163-044	3745 El Camino Real	1.86	GC/ CR	18	MU Site 1 is located on the east side of El Camino Real just south of Campbell Lane. The site is the only vacant property in a group of four Commercial properties.
MU 2	030-511-001	8725 Arcade Rd	0.65	GC/ CR	6	MU Site 2 is located on Arcade Road. It is one parcel removed from El Camino Real. The size of the site would likely accommodate a development with a residential component comprising a quarter of the development.

Table F.5: Vacant Mixed-Use Sites						
Site #	APN	Address	Size (ac.)	GP/ Zone	Realistic Capacity (units)	Site Details
MU 3	030-512-002, 011, 012	8580 El Centro, 8805 & 8705 Cascada	1.14	GC/ CR	12	MU Site 3 is located on Cascada Road and is made up of three parcels. It is one parcel removed from El Camino Real. The size of the site would likely accommodate a development with a residential component comprising a quarter of the development.
MU 4	045-331-014	11600 El Camino Real	5.19	MU-PD/ CR	50	MU Site 4 (Dove Creek commercial parcel) is located on the west side of El Camino Real north of Santa Barbara Road and one block from the City's southern boundary. This site has the potential to become a mixed-use node at the south end of the City.

#### ***Underutilized High Density Residential (HDR) Sites***

The sites inventory includes two partially vacant, underutilized High Density Residential/RMF-24 (HDR/RMF-24) sites (see Table F.6). The City has many underutilized RMF-24 zoned sites; the two sites included were chosen based on size, location, and high potential for redevelopment. The HDR designation allows a density of 20 to 24 units per acre. Because these sites allow development densities of at least 20 units per acre (the City's default density as established by HCD), these units are credited toward the lower-income RHNA. These two partially vacant, underutilized sites make up a small percentage (7%) of the site inventory capacity and just 10 percent of the capacity for all lower-income sites.

Underutilized Site 1 is located in an area undergoing a transition from lower-density to high-density residential uses. On the north side, the site is adjacent to a high-density, affordable housing project that is approved and under development (in Summer 2020). On the south side, the site is one parcel removed from a permitted 208-unit apartment development. On the east side, the site is adjacent to two parcels on which property owners have requested that the City upzone to accommodate a high-density residential use (HDR/RMF-24). The site is also located just south of a large vacant property that is zoned for a commercial/ mixed-use development. The size and location in an area that is transitioning to higher-density residential and mixed-use make this property very likely to redevelop within the planning period. The 1.93-acre site is currently developed, with one single-family unit at the rear of the property. Only the vacant portion of the property has been used to calculate realistic capacity. The vacant portion of the property (1.4 acres) has a realistic capacity of 27 units.

Underutilized Site 2 is located on Santa Ysabel Avenue, one parcel east of El Camino Real. The site is located adjacent to an area planned to transform to mixed and residential uses along El Camino Real. The property backs up to a commercial center (Adobe Plaza) and is adjacent to an apartment complex. The

0.51-acre property is currently developed with one single-family unit, but the remainder of the property is unimproved. The property has a realistic capacity of 10 units.

Table F.6: Underutilized High-Density Residential Sites						
Site #	APN	Address	Size (ac.)	GP/ Zone	Realistic Capacity (units)	Site Details
U 1	049-151-020	2453 El Camino Real	1.4	HDR/ RMF-24	27	Underutilized Site 1 is located in an area transforming from lower density to high density residential uses. The 1.93-acre site is currently developed with one single-family unit at the rear of the property. Only the vacant portion of the property is used to calculate realistic capacity. The vacant portion of the property (1.4 acres) has a realistic capacity of 27 units.
U 2	030-121-003	7298 Santa Ysabel	0.51	HDR/ RMF-24	10	Underutilized Site 2 is located on Santa Ysabel Avenue one parcel east of El Camino Real. The site is located adjacent to an area that is intended to transform to mixed and residential uses along El Camino Real. The 0.51-acre property is currently developed with one single-family unit, but the remainder of the property is unimproved. The property has a realistic capacity of 10 units.

#### 4. Site Infrastructure and Services

Site development potential indicated in the sites inventory is consistent with (and in most cases, lower than) the development capacity reported in the Land Use, Open Space & Conservation Element. Full urban-level services are available to each site in the inventory. Such services are more than adequate for the potential unit yield on each site. Specifically, water and sewer service are available or are programmed to be made available for all the sites included in the inventory.

##### Water and Sewer Infrastructure

Water service in the City is supplied by the Atascadero Mutual Water Company (AMWC). AMWC provides water service within and around Atascadero. The water system includes approximately 250 miles of pipeline and 17 active wells that pump from the Atascadero sub-basin of the Paso Robles Ground Water

Basin (both riparian and appropriated Salinas River underflow). AMWC has over 10,000 customer service connections, 3,700 valves, and 1,700 fire hydrants.

The 2016 Urban Water Management Plan (UWMP) indicates AMWC has sufficient resources to serve future demands through 2040 based on population projections and reasonably available groundwater and imported water. The 2016 UWMP also clarifies that that lower-income residential demands are included in AMWC's future demand projections.

Due to the increase in the cost of water service to ensure a reliable water supply, the City recognizes that the connection fees for water is critical for the development of affordable housing. Program 3.L requires the City to work with AMWC to explore possible options to ease the burden of water service fees for second units and other affordable housing projects.

The City of Atascadero provides wastewater collection and treatment service for a portion of the City's population, serving an area consisting of approximately 2,000 acres of the roughly 15,000 acres within the City boundary. Approximately 5,000 residential, commercial, and industrial customers are served by the wastewater collection and treatment system. The remainder of the City's population is served by on-site wastewater treatment systems (septic systems). The City's Wastewater Division maintains a 1.4 million gallon-per-day (mgd) wastewater treatment facility, over 66 miles of pipeline, and 13 wastewater-pumping stations. The treatment plant operates at approximately 96 percent capacity, experiencing an average daily flow of 1.38 mgd. Average daily flow for residential use is estimated to be 100 gallons per capita per day. Based on the 2020 average household size of 2.43 persons (California Department of Finance), the daily flow is 0.0002 mgd per household. The average daily flow of the remaining RHNA units is estimated to be 0.05 mgd. The City has begun the process of analyzing and defining the project scope for an expanded and enhanced treatment facility. Construction is budgeted and is expected to be completed in 2024. The expansion will be completed during the planning cycle. Minor modifications can also be made to ensure capacity until construction begins on the new facility. The facility will be designed to accommodate anticipated growth through 2024 with opportunities for expansion as needed for growth projections beyond the 20-year design horizon. All sites identified in the sites inventory are located adjacent to existing sewer lines to facilitate connections and are located within the urban services line that identifies the extent of areas serviced by wastewater service or where the City anticipates extending services to in the future. It is anticipated that housing development through the planning period can be accommodated by the existing and, eventually upgraded facility.

## **Dry Utilities**

All sites in the land use inventory lie within developed areas and have access to full dry utilities. Electricity services in Atascadero are provided by Pacific Gas & Electric (PG&E), which has a 70 kilovolt electrical transmission line that extends north-south from San Luis Obispo through Atascadero and on to Paso Robles and beyond. A substation is located near Atascadero Lake. Two transmission lines also branch out from the substation westerly to Cayucos and Harmony. Electricity is generally available throughout Atascadero through a local distribution system of mostly overhead wires.

Natural gas is provided by the Southern California Gas Company, with natural gas lines extending north-south and east-west from Atascadero. The north-south line follows El Camino Real and U.S. 101, connecting southerly to San Luis Obispo and Santa Maria, and northerly to Paso Robles and beyond. The east-west line generally follows Route 41 east to Shandon. Natural gas is generally available throughout Atascadero through a local distribution system. Additional dry utilities include various telecommunications providers and cable providers and solid waste collection (WM Waste Management).

## 5. Environmental Constraints

The sites inventory analysis reflects land use designations and densities established in the General Plan Land Use, Open Space & Conservation Element. Thus, any environmental constraints that would lower the potential yield (e.g., steep slopes) have already been accounted for. Any additional constraints that would occur on a more detailed site review basis would be addressed as part of the individual project review process. The City's capacity to meet its regional share and individual income categories are not constrained by any environmental conditions.

## 6. Financial Resources

The City currently utilizes several sources of funding to assist in the provision of quality housing to lower-income residents.

- The City's inclusionary housing program offers the option of paying a fee in lieu of building affordable housing for projects of 10 units or fewer. Fees deposited into the account may be used in the acquisition, construction, or rehabilitation of affordable housing. As of May 2020, the fund balance was \$908,000.
- The City of Atascadero participates in HUD federal funding programs through the Urban County of San Luis Obispo. The County of San Luis Obispo is the lead agency in administering HUD funding programs for the County and six participating cities of San Luis Obispo, Paso Robles, Atascadero, Morro Bay, Arroyo Grande, and City of Pismo Beach. Administration of the Community Development Block Grant (CDBG) program is divided among the County and the six participating cities, with the County being the lead agency. Administration of the HOME Investment Partnership (HOME) and the Emergency Solutions Grant (ESG) programs is handled by the County of San Luis Obispo. In 2018, the Urban County used \$1.9 million in CDBG funds, \$1 million in HOME funds, and \$148,000 in ESG funds for projects and services that address unmet community needs by providing gap financing for vital services and facilities.
- Another source of local housing funding is through the San Luis Obispo County Housing Trust Fund (SLOCHTF), which is a private nonprofit corporation created to increase the supply of affordable housing in San Luis Obispo County for very low-, low-, and moderate-income households. SLOCHTF provides financing and technical assistance to help private developers, nonprofit corporations, and government agencies produce and preserve homes that working families, seniors on fixed incomes and persons with disabilities can afford to rent or buy. Since incorporating in 2003, SLOCHTF has loaned nearly \$25 million to assist over 1,000 units of

affordable housing. The loans have also assisted over 200 beds for those in need of shelter and care.

## 7. Administrative Resources

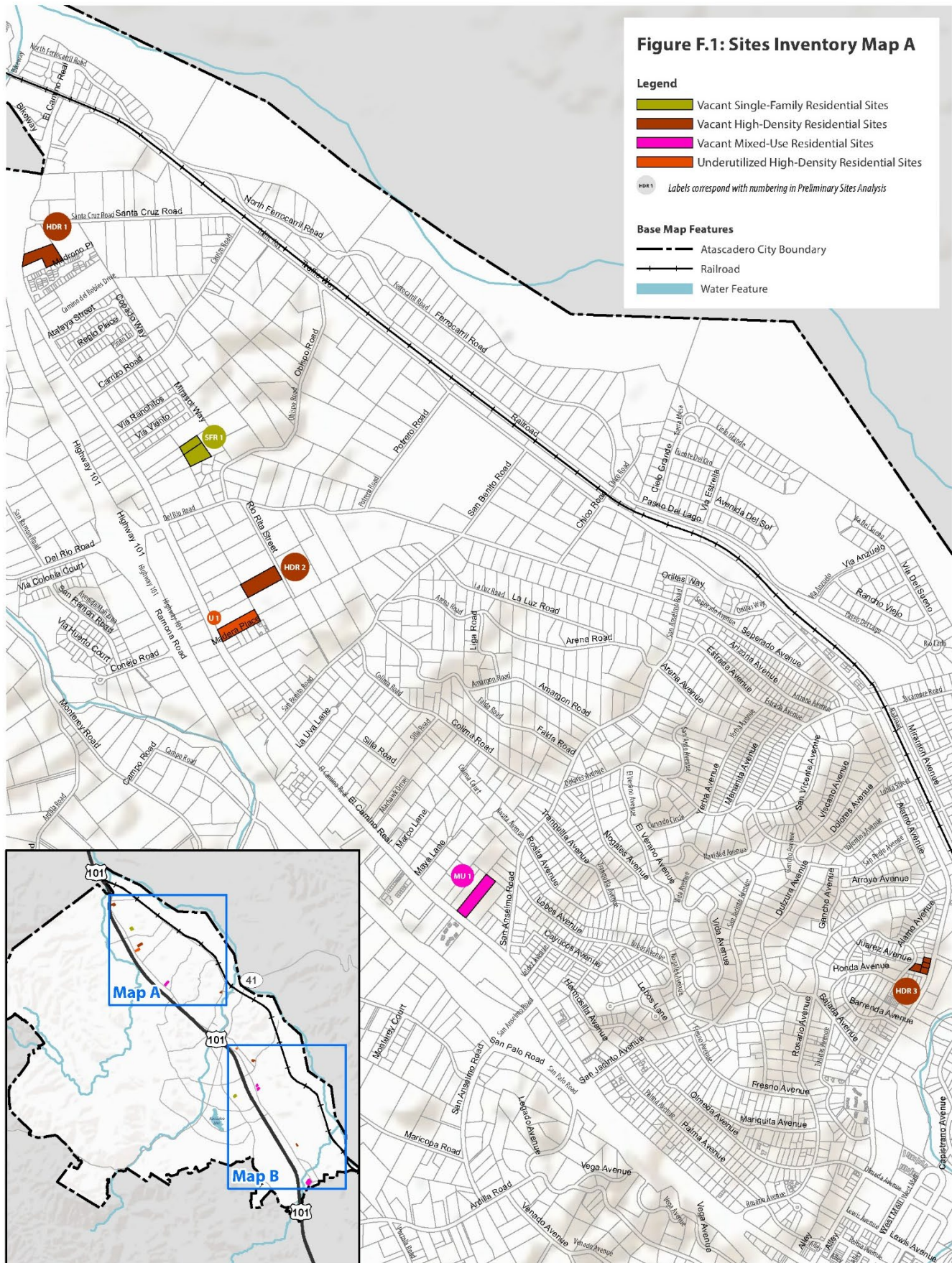
Agencies with administrative capacity to implement programs contained in the Housing Element include the City of Atascadero and local and regional non-profit private developers. The Planning Division within the City of Atascadero Community Development Department takes the lead in implementing Housing Element programs and policies. The Division is responsible for implementing the General Plan by ensuring that development projects are consistent with the General Plan and ensuring that development projects are consistent with current local zoning ordinances and state codes. The City also works closely with non-profit developers to expand affordable housing opportunities in Atascadero.

- El Camino Homeless Organization (ECHO) is a non-profit organization serving the homeless population of Northern San Luis Obispo County. The organization also assists those in need with obtaining permanent housing and developing skills necessary to lead a more stable life. ECHO operates a permanent shelter in Atascadero at 6370 Atascadero Avenue, within the City's Emergency Shelter Overlay Zone.
- The Community Action Partnership San Luis Obispo (CAPSLO) provides a wide variety of social services in San Luis Obispo County. CAPSLO operates the Maxine Lewis Memorial Homeless Shelter and the Prado Day Center in San Luis Obispo. They also operate Head Start and Migrant Head Start programs and two health centers in San Luis Obispo and Arroyo Grande. The Energy Conservation division provides weatherization and home repairs throughout the County.
- Habitat for Humanity is an international non-profit organization dedicated to partnering with those in need of safe and affordable homes. The San Luis Obispo County Habitat chapter has been active since 1997 and is involved in several development projects throughout the Central Coast. Habitat for Humanity for San Luis Obispo County has built 17 homes: four in Atascadero, one in Cambria, three in Paso Robles, four in Grover Beach, and five in San Luis Obispo.
- The Housing Authority of San Luis Obispo County (HASLO) was created to provide housing assistance for the County's lower-income residents. The Housing Authority administers the Housing Choice Voucher (formerly Section 8) rental assistance program and manages public housing developments. The Housing Authority also administers the Tenant Based Rental Assistance (TBRA) Program for the San Luis Obispo Supportive Housing Consortium and established the San Luis Obispo Non-Profit Housing Corporation to take advantage of federal tax credits. The Non-Profit Housing Corporation has since helped with the development of the low-income Atascadero Senior Housing Project in 2008 and owns two housing complexes in Atascadero.
- People's Self-Help Housing (PSHH) is a diverse, nonprofit organization committed to furthering opportunities for decent, safe, affordable housing and support services in San Luis Obispo, Santa Barbara, and Ventura Counties. PSHH has two primary programs: Self Help Homeownership Program and a Rental Housing Development and Construction Services Program. Additionally, PSHH administers the Supportive Housing Program, assisting residents with accessing community

services and provides home ownership counseling. PSHH has constructed 15 affordable home-ownership properties and currently owns and operates Atascadero Gardens, a 17-unit affordable rental complex. The purchase of this building in 1999 prevented a pending conversion to market rate units and tenant displacement. Since 2012, PSHH has developed a tract of 24 single-family residential homes in El Camino Oaks subdivision (Oakgrove Phase II) that fell into foreclosure and constructed an 11-unit affordable (very low- and low-income units) subdivision tract on Atascadero Avenue that was purchased from a bankruptcy auction.

- Transitional Food and Shelter is a charitable organization operating throughout San Luis Obispo County. The organization has three primary programs: shelter, food, and family-to-family assistance. The organization provides temporary, emergency shelter in motels and apartments in the North County for homeless persons who are fragile, sick, and/or disabled. The program provides relief for those who cannot be accommodated in more traditional homeless shelters. The organization also operates “The People’s” kitchen of Paso Robles, serving food nightly to homeless and/or hungry.







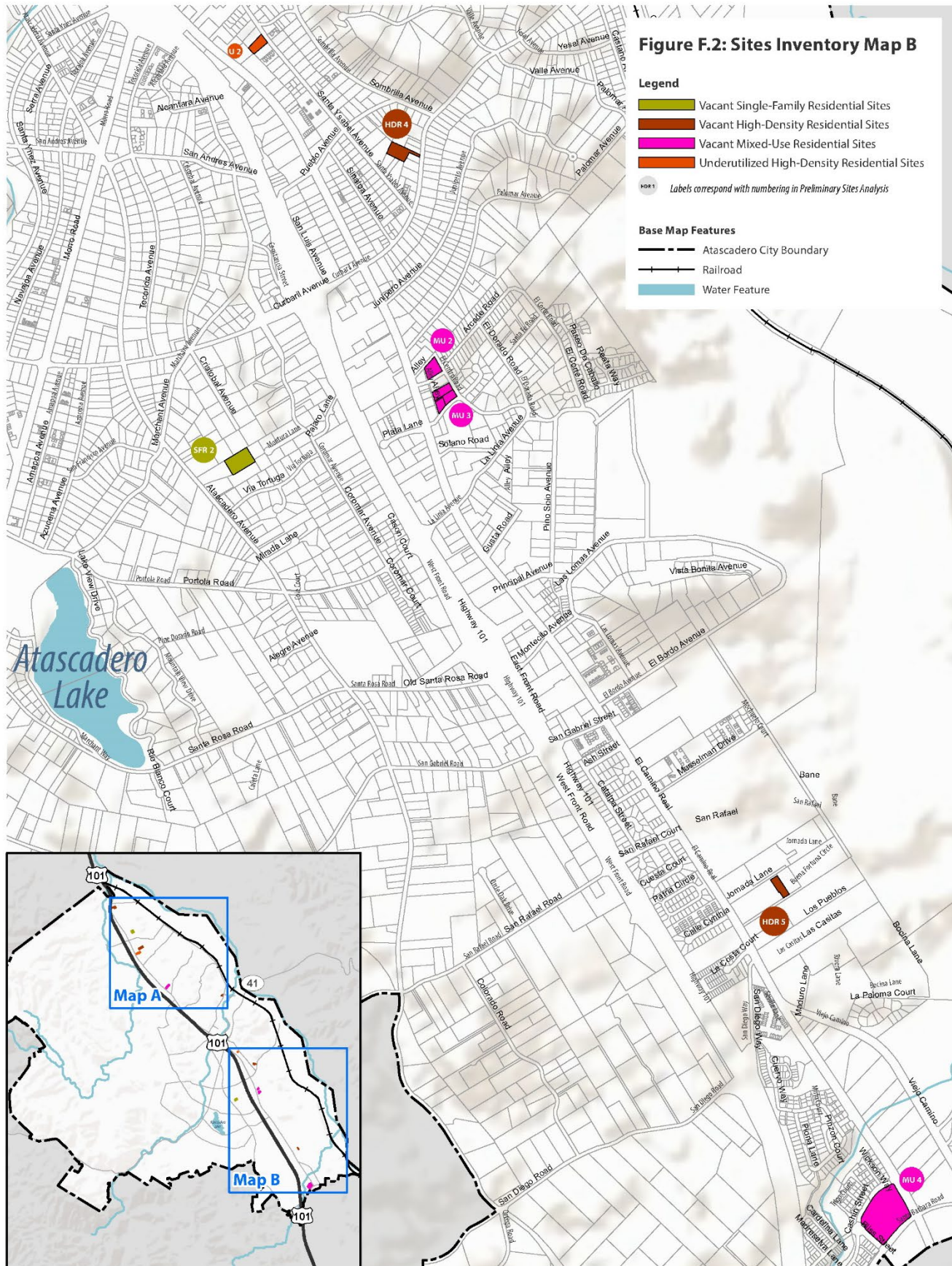


Table F.7: Sites Inventory Table									
Site #	APN	Size (ac.)	GP/ Zone	Max. Density (du/ac)	Existing Use	Realistic Capacity (units)	Affordability Level	Infrastructure Capacity	Onsite Constraints
SFR 1	049-102-020	0.63	SFR-X/ RSF-Y	1	Vacant	6 SFR/ 6ADU	Low/ Moderate/ Above Moderate	Yes	No
	049-102-032	1.17	SFR-X/ RSF-Y	4	Vacant	6 SFR/ 6ADU	Low/ Moderate/ Above Moderate	Yes	No
SFR 2	056-181-039	1.30	SFR-X/ RSF-X		Vacant	6 SFR/ 6ADU	Low/ Moderate/ Above Moderate	Yes	No
HDR 1 <sup>1</sup>	049-042-025	1.80	HDR/ RMF-24	24	Vacant	34	Very Low/Low	Yes	No
HDR 2	049-151-005	2.04	HDR/ RMF-24	24	Vacant	39	Very Low/Low	Yes	No
HDR 3	028-192-060	0.67	HDR/ RMF-24	24	Vacant	13	Very Low/Low	Yes	No
	028-192-061		HDR/ RMF-24	24	Vacant		Very Low/Low	Yes	No
	028-192-062		HDR/ RMF-24	24	Vacant		Very Low/Low	Yes	No
	028-192-063		HDR/ RMF-24	24	Vacant		Very Low/Low	Yes	No
HDR 4 <sup>1</sup>	030-101-053	0.87	HDR/ RMF-24	24	Vacant	17	Very Low/Low	Yes	No
HDR 5 <sup>1</sup>	045-321-024	0.51	HDR/ RMF-24	24	Vacant	26	Very Low/Low	Yes	No
MU 1	049-163-044	1.86	GC/CR	24	Vacant	18	Very Low/Low	Yes	No
MU 2	030-511-001	0.65	GC/CR	24	Vacant	6	Very Low/Low	Yes	No
MU 3 <sup>2</sup>	030-512-002 <sup>2</sup>	0.28	GC/CR	24	Vacant	3	Very Low/Low	Yes	No
	030-512-011 <sup>2</sup>	0.37	GC/CR	24	Vacant	4	Very Low/Low	Yes	No

Table F.7: Sites Inventory Table									
Site #	APN	Size (ac.)	GP/ Zone	Max. Density (du/ac)	Existing Use	Realistic Capacity (units)	Affordability Level	Infrastructure Capacity	Onsite Constraints
	030-512-012	0.50	GC/CR	24	Vacant	5	Very Low/Low	Yes	No
MU 4	045-331-014	5.19	MU- PD/CR	24	Vacant	50	Very Low/Low	Yes	No
U 1	049-151-020	1.4	HDR/ RMF-24	24	1 SFR unit– size reflects undeveloped portion	27	Very Low/Low	Yes	No
U 2	030-121-003	0.51	HDR/ RMF-24	24	1 SFR unit	10	Very Low/Low	Yes	No

Note:

1. Subject to the provisions of AB1397: Projects with at least 20% affordable units must be permitted “by-right”.
2. Sites under 0.5 acres are include only if they are part of a larger site under common ownership that functions as a single use.

## G. 2014-2019 Housing Element Program Accomplishments

This chapter analyzes program performance from the 2014-2019 Housing Element programs. State law (California Government Code Section 65588[a]) requires each jurisdiction to review its Housing Element as frequently as appropriate and evaluate:

- The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal
- The effectiveness of the Housing Element in attainment of the community's housing goals and objectives
- Progress in implementation of the Housing Element

This evaluation provides valuable information on the extent to which programs have achieved stated objectives and whether these programs continue to be relevant to addressing current and future housing needs in Atascadero. The evaluation provides the basis for recommended modifications to policies and programs and the establishment of new housing objectives. Following the evaluation table, the quantified objective performance is summarized.

<b>Table G.1: 2014-2019 Program Accomplishments</b>	
<b>2014-2019 Housing Element Program</b>	<b>Program Performance and Continued Appropriateness</b>
<b>Program 1.1 -1:</b> Continue street and infrastructure improvement projects to benefit existing high-density residential areas.	Provision of infrastructure in high-density areas of the City continues to be a priority for the City. This program will remain in the Housing Element.
<b>Program 1.1-2:</b> Continue to require the use of specific plans for residential projects of 100 or more units.	This program applies to single-family residential developments only. While the specific plan requirement will remain as a program, the City continues to review each project to determine the most efficient and effective process to meet our housing and development goals. This program will remain in the Housing Element.
<b>Program 1.1-3:</b> Continue to allow manufactured housing and group housing in accordance with State law.	Seventeen modular homes have been installed as permanent residences since the 2104 Housing Element update. The City updated definitions for clarity and consistency with state law. Group housing is provided throughout the City but is not tracked at this time. The City treats manufactured homes as a single-family dwelling and permitted in all zones that allow single-family housing. This program has been implemented and is removed from the Housing Element.
<b>Program 1.1-4:</b> Support the extension and expansion of sewer service for the Eagle Ranch annexation area by allocating the funding necessary.	The City is currently updating the wastewater treatment plant facilities plan. The Eagle Ranch project has been withdrawn. This program is no longer appropriate since the area is no longer being annexed. While this area remains within the city's sphere of influence, development of Eagle Range within the planning period is unlikely. The program is removed.

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 1.1-5:</b>  Continue to allow mixed residential and commercial development and promote second- and third-story residential development in the City's downtown zoning districts. Taking into account market conditions and development costs, the City will provide, when possible, developer incentives such as expedited permit processing and fee deferrals for units that are affordable to lower income households. The City will publicize these incentives on the City's website (<a href="http://www.atascadero.org">www.atascadero.org</a>) within one week of a confirmed decision to make them available in a timely fashion.</p>	<p>The La Plaza project was approved in 2017 and includes 42 residential units, 38 of which are studio and one-bedroom units equating to affordable-by-design units. The City has also approved two other mixed-use developments resulting in a total of six units. To date, the City has met its projected unit goal for mixed-use development. Provision of housing in the City's Downtown remains an important City goal. This program will remain.</p>
<p><b>Program 1.1-6:</b>  Adopt a Rural Residential Zone in the Zoning Regulations consistent with its designation on the Zoning Map and standards that distinguish it from the Residential Suburban zone (to facilitate the development of a variety of housing types).</p>	<p>The City is reviewing all zoning designations in preparation for the upcoming comprehensive General Plan update. This program will remain in the Housing Element and be addressed as part of the upcoming General Plan update.</p>
<p><b>Program 1.1-7:</b>  Continue to encourage, where suitable, Planned Unit Development (PD) Overlay Zones, particularly the PD-25 zone of small lot subdivisions, for higher density attached or row-house style housing in the RMF-10 and RMF-16 zoning districts.</p>	<p>Staff continues to encourage use of PDs for high-quality design and flexibility of development standards. Staff is looking at allowing small lot subdivisions by right as part of the next General Plan update. Since 2014, over 80 units have been approved through the PD overlay process. The RMF-16 zone has been amended to allow development at a density of 24 units per acre and named RMF-24. An updated version of this program is included in this Housing Element.</p>

**Table G.1: 2014-2019 Program Accomplishments**

2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 1.1-8:</b>  Continue to maintain an affordable housing density bonus ordinance that establishes procedures for obtaining and monitoring density bonuses in compliance with State law. Following adoption the City shall regularly update the ordinance to be in compliance with Government Code §65915 Ordinance.</p>	<p>The City has adopted an ordinance for state density bonus projects and continues to monitor changes in the law to provide updates as needed. The City issued over 60 residential units in accordance with state density bonus law. The City will adopt an updated density bonus ordinance to be consistent with state law.</p> <p>This density bonus program is an important component of the City's affordable housing strategy and will remain in the Housing Element, including an action to update the City's density bonus ordinance to remain in compliance with Government Code §65915.</p>
<p><b>Program 1.1-9:</b>  Continue to monitor the impact of the City's current inclusionary housing policy on production of market rate housing in response to market conditions. If the policy presents an obstacle to the development of the City's fair share of regional housing needs, the City will revise the policy accordingly.</p>	<p>The City is reviewing the inclusionary housing policy and looking at ways to encourage development of residential units that are affordable-by-design, including reducing impact fees for smaller units and capping unit sizes for high-density residential projects. There are economic challenges to requirements for affordable housing production within smaller projects and infill development, especially units that are deed restricted and allow for minimal equity gains at the low- and very low-income level. The state is also focused on streamlining housing projects, limiting the ability of cities to apply increased affordability standards to housing projects through discretionary action. As part of the City's Housing Element update, options for affordable impact fees and restructuring of the existing Inclusionary Housing Policy are being contemplated.</p> <p>This program is an important component of the City's affordable housing strategy and will remain in the Housing Element; it will be folded into a combined inclusionary housing program.</p>
<p><b>Program 1.1-10:</b>  Adopt an inclusionary housing ordinance that requires residential developments to provide deed-restricted, affordable units or an in-lieu fee. The inclusionary ordinance shall be consistent with state rent control laws for rental housing.</p>	<p>The City will explore crafting an affordable housing ordinance as a part of its strategic planning initiatives. The current policy allows for use of the state Density Bonus program in lieu of the City's more stringent affordable housing requirement. Because density bonus law requires only moderate level deed restriction of for-sale units, the City is limited in its ability to require low or very-low income units at this time.</p> <p>This program is an important component of the City's affordable housing strategy and will remain in the Housing Element as part of a combined inclusionary housing program.</p>

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 1.1–11:</b>  To encourage the development of second units, the City will evaluate the development standards and update the Zoning Regulations for second units (secondary residential units). For example, the City will explore incentives such as eliminating the covered parking requirement for a secondary residential unit.</p>	<p>The City is in the process of updating the ordinance to be consistent with state law. Since 2014, the City has issued over 25 permits for ADUs.</p> <p>Due to the numerous changes to state laws regulating ADU development (previously known as second units), the City will adopt a revised ADU ordinance. This program is an important component of the City’s affordable housing strategy and will remain in the Housing Element with strengthened actions to promote development of ADUs.</p>
<p><b>Program 1.1–12:</b>  To encourage the development of second units, the City should consider reduced development impact fees for second units as part of an AB 1600 study. The City will also work with Atascadero Mutual Water Company to investigate the possibility of reductions to water connection fees for second units.</p>	<p>Part of the City's current development impact fee study efforts includes examining development impact fees in relation to ADUs and unit size to provide incentives for the development of units that are affordable-by-design. It is also the City's understanding that the Atascadero Mutual Water Company continues to evaluate and reduce water meter fees for ADUs.</p> <p>Recent state law addresses impact fee exemptions or limitations based on the size of the ADU. A revised ADU ordinance will address impact fees consistent with state law. This program is removed and replaced with an updated program addressing ADU development.</p>
<p><b>Program 1.1–13:</b>  The City will consider an amnesty program that would reduce or eliminate fees for unpermitted second units.</p>	<p>The City's fees for unpermitted construction continue to be nominal. Most permits submitted to legalize unpermitted second units relate to the conversion of a permitted guesthouse to a second unit. Fees for these permits are relatively low as development impact fees were paid for all guesthouse upon initial construction. The City had an amnesty program that eliminated fees related to non-permitted construction and issued approximately 21 amnesty permits between 2004 and 2008. Since 2014, the City has legalized approximately seven previously unpermitted ADUs.</p> <p>Recent state law addresses unpermitted ADUs. A revised ADU ordinance will address this topic consistent with state law. This program is removed and replaced with an updated program addressing ADU development.</p>



Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<b>Program 1.1–14:</b> Continue to maintain Chapter 12 of the Zoning Regulations (Condo Conversion Ordinance) in order to reduce the impacts of condo conversions on lower cost rental housing.	Preserving lower cost rental housing is an important component of the City’s affordable housing strategy. This program will remain in the Housing Element.
<b>Program 1.1–15:</b> Continue to work with non-profit agencies, such as the County Housing Authority, Habitat for Humanity, the San Luis Obispo County Housing Trust Fund and Peoples’ Self-Help Housing, to preserve existing affordable housing and to pursue funding for new units for extremely low-, very low-, low-, and moderate-income families.	Staff has worked with Peoples’ Self-Help Housing and produced 34 affordable housing units (Atalaya Street development – 24 homes 2014/2015, Triangle parcel – 11 units 2017) and worked with Corporation for a Better Housing to produce 60 very low- and low-income units since 2014. The City continues to work with non-profit organizations to provide opportunities for extremely low-, very low-, low-, and moderate-income families. The City utilizes funds from the inclusionary housing fund to assist with these projects.  This program is an important component of the City’s affordable housing strategy and will remain.
<b>Program 1.1–16:</b> Continue to encourage developers to work with agencies such as the California Housing Finance Authority (CHFA) and the Department of Housing and Urban Development (HUD) to obtain loans for development of new multi-family rental housing for low income households. This will be accomplished by working with appropriate non-profit organizations, such as People’s Self Help Housing and the San Luis Obispo County Housing Trust Fund to identify opportunities.	Staff has worked with various affordable housing developers to produce affordable housing. The City continues to work with non-profit organizations to provide opportunities for extremely low-, very low-, low-, and moderate-income families. The City provides necessary assistance in completing applications for funds and utilizes funds from the City’s inclusionary housing fund to assist with these projects.  This program is an important component of the City’s affordable housing strategy and will remain.

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 1.1–17:</b>  Continue to contract with the San Luis Obispo Housing Authority for administration of the Section 8 housing voucher program. The City utilizes this relationship for program implementation and income verifications, and will apply for additional Section 8 vouchers, as appropriate.</p>	<p>The City continues its contract with the San Luis Obispo Housing Agency for the Housing Choice Voucher program (Section 8). The Housing Choice Voucher program (Section 8) is an important affordable housing resource for City residents and will remain.</p>
<p><b>Program 1.1–18:</b>  Amend the Zoning Regulations to allow a waiver of the two-story height limit in the RMF Zone through the Minor Use Permit process. This option applies to projects that are not using the Planned Development option.</p>	<p>Staff has yet to commence this ordinance. This will be reviewed and carry over into next housing element cycle. Currently, height waivers are processed with a Minor CUP. A modified version of this program is included in the Housing Element.</p>
<p><b>Program 1.1–19:</b>  To encourage and facilitate development of a variety of housing types, the City should consider amending the Zoning Regulations to establish standards, policies, and procedures for efficiency or micro detached units consistent with the California Building Code. The ordinance should provide a definition of efficiency or micro detached unit as a single habitable living unit, separate from and not including a single-room occupancy unit.</p>	<p>The building code was updated to include minimum standards for efficiency units.</p> <p>Facilitating residential development of a variety of housing types is an important City goal. The City is considering objective design standards that encourage a variety of housing types and limiting the size of residential units on multi-family zoned properties to encourage units that are affordable by design. This program is removed and is replaced with a program addressing objective design standards.</p>

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 1.1–20:</b>  To reduce constraints to multi-family housing production the City will amend the Zoning Regulations to modify Conditional Use Permit requirements for multi-family housing. A CUP will be required only for multi-family projects greater than 50 units. This will not affect the ‘by right’ approval of multi-family projects in the RMF-24 zone, which are not subject to a CUP or a Specific Plan. The City will periodically evaluate the approval process for projects requiring a CUP and monitor the impact the requirement has on project certainty, cost, and approval time.</p>	<p>Staff has yet to commence this ordinance. Consideration of amending the Conditional Use Permit requirements for multi-family housing will occur during the upcoming Housing Element planning period. This approach does not currently affect the City’s ability to meet the RHNA for the current planning period as the City has eliminated the CUP requirement for RMF-24 properties identified in the Housing Element. This program will remain.</p>

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 1.1–21:</b>  The housing needs of persons with disabilities, including persons with developmental disabilities are typically not specifically addressed by Title 9 Regulations. The housing needs of persons with disabilities, in addition to basic affordability, range from slightly modifying existing units to requiring a varying range of supportive housing facilities. In order to assist in the housing needs for persons with Developmental Disabilities, the City will implement the following programs:</p> <ul style="list-style-type: none"> <li>• The City shall seek State and Federal monies, as funding becomes available, in support of housing construction and rehabilitation targeted for persons with disabilities, including persons with developmental disabilities.</li> <li>• The City shall provide regulatory incentives, such as expedited permit processing and reduced fee, to projects targeted for persons with disabilities, including persons with developmental disabilities.</li> <li>• The City shall work with local organizations such as the Tri-Counties Regional Center and Transitions Mental Health Association to implement an education and outreach program informing families within the City of housing and services available for persons with disabilities, including developmental disabilities. The program will include the development of an informational brochure available on the City’s website or at City Hall.</li> </ul>	<p>The City works diligently to identify grant and other funding opportunities to support housing rehabilitation. The City is also in contact with multiple non-profit organizations and makes available to them pre-planning and other services to streamline these types of projects. This program will remain.</p>

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 2.1–1:</b>  As new projects, code enforcement actions, and other opportunities arise, the City will investigate ways to meet its housing needs through rehabilitation and preservation of existing units (see also Program 4.3.3 for potential rehabilitation funding). Utilize code enforcement to identify housing maintenance issues and expedite rehabilitation of substandard and deteriorating housing by offering technical assistance to homeowners and occupants.</p>	<p>While this is on-going, the City lost its primary funding tool when the RDA was dissolved. The City will continue to find ways to rehabilitate structures. City staff will be exploring block grants and other funding mechanisms to achieve this goal. Housing maintenance and rehabilitation is an important City goal and as such, this program remains in the Housing Element with modified objectives.</p>
<p><b>Program 2.1–2:</b>  Continue to participate in federal grant programs, such as Community Development Block Grants (CDBG), to obtain loans and/or grants for housing rehabilitation. Apply an appropriate amount of the City’s annual share of CDBG funds toward rehabilitation of existing housing units</p>	<p>The City will continue to participate in obtaining these funds and will seek how to gain additional grants with the loss of the RDA. This program remains.</p>
<p><b>Program 2.1–3:</b>  Continue to maintain the sliding density scale for sloped lots in the Zoning Regulations.</p>	<p>The City uses a sliding scale of density for sloped lots and plans to continue this approach. Density adjustments by slope are codified in the City’s Zoning Regulations. This program is implemented and as such is removed from the Housing Element.</p>

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<b>Program 2.1–4:</b> The City shall continue to monitor the status of subsidized affordable projects, rental projects, and mobile homes in the City and provide technical and financial assistance, when possible, to ensure long-term affordability. This will involve contacting owner/operators of subsidized projects annually to determine the status of the units and their potential to convert to market-rate. If projects are at-risk, the City will maintain contact with local organizations and housing providers who may have an interest in acquiring at-risk units, and, when feasible, keep track of and apply for funding opportunities to preserve at-risk units, and assist other organizations in applying for funding to acquire at-risk units.	Based on City records and information from the California Housing Partnership Corporation, in the next 10 years (2013-2023) no assisted housing developments in Atascadero will be at risk of losing affordability. City staff continues to monitor the status of affordable housing rental units and for-sale units in partnership with the SLO County Housing Authority. An updated version of this program remains in the Housing Element, as preservation of affordable housing is an important goal for the City.
<b>Program 2.2–1:</b> Continue to implement the Historic Site (HS) overlay zone to help preserve and protect historic Colony homes.	The City will continue to maintain this overlay zone to preserve and protect historic colony homes. This program will remain in the Housing Element, as preservation of historic homes is an important City goal.
<b>Program 2.2–2:</b> Continue to maintain a GIS based map of historic buildings and sites.	The City continues to maintain GIS data regarding historic buildings and sites. This program will remain in the Housing Element and has been consolidate into a single program addressing historic home preservation.
<b>Program 3.1–1:</b> Promote environmentally sustainable building practices that provide cost savings to homeowners and developers	City staff continues to work with developers and homeowners to avoid environmental impacts and promote sustainable building practices. This program will remain in the Housing Element as part of a comprehensive energy conservation program.
<b>Program 3.1–2:</b> Make available in the Community Development Department brochures from PG&E and others that detail energy conservation measures for new and existing buildings.	In partnership with PG&E and San Luis Obispo Green Build, the City provide brochures available to homeowners that detail energy conservation. This program will remain in the Housing Element as part of a comprehensive energy conservation program.

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<b>Program 3.1- 3:</b> Continue to strictly enforce the State energy standards of Title 24.	The City's Building Department continues to enforce Title 24 requirements upon review of building plans that require energy reports. This program will remain in the Housing Element as part of a comprehensive energy conservation program.
<b>Program 3.1- 4:</b> Enhance partnerships with Solar Providers for installation of PV panels and other alternative electrical services for low-income households.	The City will continue to partner with non-profits by providing housing lists and affordable unit locations to assist in targeting these income groups. Recent changes to state law require all newly constructed homes to be powered by solar power. This program will remain in the Housing Element as part of a comprehensive energy conservation program.
<b>Program 4.1-1:</b> Cooperate with non-profit groups and local religious organizations to allow the temporary use of churches as homeless shelters.	The City continues to encourage local churches to provide temporary shelters for the homeless population. The City adopted Appendix O for emergency shelters during the latest Building Code Update cycle. A local declaration of a Shelter Crisis requires that the City suspend the typical building code standards to the extent that strict compliance would hinder or prevent the mitigation effects of the shelter crisis. The State developed Appendix O as a way of establishing certain minimum standards that must remain in effect for temporary or permanent structures during the declared crisis period. This program will remain in the Housing Element.
<b>Program 4.1-2:</b> Continue to support local motel voucher programs for temporarily displaced and extremely low-income persons. The motel voucher program is funded through the City's CDBG funding. Motel vouchers are available to aid residents experiencing emergency situations, such as a house fire, in finding temporary housing. The City works with non-profit organizations (such as Loaves and Fishes) to aid the residents in need and provide technical support for the motel voucher program.	The City will continue to work with local non-profits and obtain CDBG grant funding for this program. This program will remain in the Housing Element and will be consolidated into a single program addressing homeless resources.

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 4.1–3:</b>  Continue to allow small (6 or fewer) group housing (residential care facilities) by right in all residential zones and large (7 or more) residential care facilities in the Residential Multi Family (RMF) zone. The City should also consider allowing large residential care facilities by right in additional residential, commercial, public, and/or industrial zones, such as LSFX and RSFX zones, where sewer is available.</p>	<p>The City continues to support proper permitting of group housing in accordance with state law. Residential care facilities serving six or fewer residents (small) are permitted by right in all residential zones. Residential care facilities serving more than six residents (large) are conditionally permitted in most residential zones. This program has been implemented and is removed from the Housing Element.</p>
<p><b>Program 4.1–4:</b>  Consider amending the Zoning Regulations to expand the Emergency Shelter (ES) Overlay Zone to other appropriate properties, subject to the same or similar, as appropriate, locational and operational criteria as outlined in the Zoning Regulations.</p>	<p>City staff will continue to monitor the City's homeless shelter for consistency with state housing policy. This program is included in the Housing Element with an expanded scope to evaluate the Emergency Shelter (ES) Overlay Zone for continued compliance with all applicable state laws.</p>



Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<p><b>Program 4.1–5:</b>  Continue to provide information and complaint referral services for those persons who believe they have been denied access to housing because of their race, religion, sex, marital status, ancestry, national origin, color, or disability, family status, sexual orientation, source of income, or political affiliation. The City will educate Community Development Department staff on how to respond to complaints received regarding potential claims of housing discrimination. Staff will be trained to provide the person with an informational handout detailing the process of reporting and filing a claim through the California Department of Fair Employment and Housing. The staff will notify the City Manager and the City Attorney’s office of the intent to file a claim and will be available to provide assistance to the person filing a claim, as needed. Information on Fair Housing law and how to file a claim will also be made available on the City’s website and at the Community Development</p>	<p>Housing discrimination information is provided at City Hall. Fair housing is an important issue to the City, and this program will remain in the Housing Element. An additional program to affirmatively further fair housing has been added.</p>

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<b>Program 4.1–6:</b> The City will amend the Zoning Regulations to ensure that permit processing procedures for farmworker housing do not conflict with Health and Safety Code Sections 17021.5, which states that farmworker housing for six or fewer employees should be “deemed a single-family structure with a residential land use designation”, and 17021.6 which states that for "employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single- family or household...no conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing of this employee housing that is not required of any other agricultural activity in the same zone”.	This was completed as a part of the Land Use definition update in 2017. This program has been implemented and removed from the Housing Element.
<b>Program 4.2–1:</b> Continue to ensure full compliance with the California Disability Guidelines and enforce the complementary provisions of the Uniform Building Code. The Zoning Regulations will be evaluated on an ongoing basis and amended as necessary, to ensure ADA compliance and remove governmental constraints on the production of housing for persons with disabilities.	City staff continues to comply with ADA standards for new occupancy and change of occupancy building projects. ADA compliance is a routine function of the City’s planning and development review and as such, this program is not needed in the Housing Element. This program has been removed.
<b>Program 4.3–1:</b> Adopt a policy to determine allocation of the City Affordable Housing In-Lieu funds to support the creation of new affordable housing units in Atascadero.	This program has not yet been implemented but remains in the Housing Element as a single, consolidated program addressing funding sources for affordable and special needs housing.

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<b>Program 4.3–2:</b> Work with nonprofits and identify funding to address the housing needs of extremely low-income households and totally and permanently disabled persons.	RDA funds are no longer available since the agency no longer exists. City staff continues to work with non-profits for any grant funding opportunities. This program will remain in the Housing Element as a single, consolidated program addressing funding sources for affordable and special needs housing.
<b>Program 5.1–1:</b> Continue to facilitate understanding of the impacts of economic issues, employment, and growth on housing needs among financial, real estate, and development professionals in formalized settings, such as the Economic Round Table.	City staff attend economic roundtables and other events as continuing education of these impacts. This program will remain in the Housing Element as part of a housing finance constraints program to encourage identification of non-governmental constraints and to facilitate production of affordable housing.
<b>Program 5.1–2:</b> Continue to work with development community to identify and mitigate any constraints on access to financing for multi-family development. The City will conduct regular stakeholder meetings with members of the development community including representatives from local non-profit housing organizations, developers, and real estate brokers to solicit feedback.	City Staff continues to work with developers, key stakeholders, and property owners on overcoming constraints in project design to help facilitate financing. This program will remain.
<b>Program 5.2–1:</b> Continue to monitor and evaluate development standards and advances in housing construction methods.	As City staff identifies issues with the Municipal Code and advance construction methods, the City will amend the code as necessary. This program will remain in the Housing Element to encourage identification and possible mitigation of non-governmental constraints.
<b>Program 5.2–2:</b> Continue to track the affordability of housing projects and progress toward meeting regional housing needs. Reports should be provided semi-annually to the Planning Commission and annually to the City Council and the California Department of Housing and Community Development.	The City tracks all housing projects and provides status updates to both the Council and Planning Commission. This program is folded into an adequate sites program addressing housing resources to meet the 2018-2028 RHNA.

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<b>Program 6.1–1:</b> Continue to consolidate all actions relating to a specific project on the same Council or Commission agenda	Staff continues to consolidate all actions relating to a specific project on the same Council or Commission agenda for ease of tracking and to reduce the project review timeframe. This program will remain as part of a larger project streamlining program.
<b>Program 6.1 – 2:</b> Continue to review minor project modifications through the Design Review Committee and more substantial changes through a conditional use process.	Staff continues to use the DRC to make determinations on minor project changes. This program will remain as part of a larger project streamlining program.
<b>Program 6.1–3:</b> Continue to review and revise local review procedures to streamline the process	The City created the Design Review Committee in 2010 to help with project streamlining and review. The DRC has been helpful in working out issues that normally the Planning Commission would have addressed. This program will remain in the Housing Element as part of a larger project streamlining program.
<b>Program 6.1–4:</b> Continue to maintain pre-approved stock development plans to streamline the plan check process.	Stock plans are available for projects that include the construction of three or more of the same unit. This process allows for cost and time savings through the process. The City is also participating in regional efforts to create and make available stock development plans for Accessory Dwelling Units (ADUs). This program will remain in the Housing Element as part of a larger project streamlining program.
<b>Program 6.1–5:</b> Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning compliance issues in the most cost-effective and expeditious manner possible.	The City provides pre-application and technical assistance to all projects when requested. This program is an important tool for facilitating development of affordable housing and will remain.
<b>Program 6.1–6:</b> Provide, when possible, developer incentives such as expedited permit processing and fee deferrals for units that are affordable to lower income households. Atascadero will promote these incentives to developers on the City's website ( <a href="http://www.atascadero.org">http://www.atascadero.org</a> ) and during the application process.	The City's process streamlining is already expediting projects. Developers can defer development impact fees until final occupancy. This program is an important tool for facilitating development of affordable housing and will remain in the Housing Element and folded into several programs related to facilitating housing production.

Table G.1: 2014-2019 Program Accomplishments	
2014-2019 Housing Element Program	Program Performance and Continued Appropriateness
<b>Program 6.1–7:</b> The City should consider amending the Zoning Regulations to allow single-room occupancy units (SROs) by right in the Residential Multi-Family (RMF) zone	The City will review and if needed revise the SRO siting regulations as part of a future Zoning Regulations update. This program will remain in the Housing Element.
<b>Program 6.1–8:</b> To encourage affordability by design, the City shall modify the Capital Facility Fee schedule to index fees based on size of unit, providing lower rates for small units. Indexed rate shall apply to apartments and second units. By 2015	The City has solicited a proposal for completion of Capital Facility Fee study; work is underway (Spring 2020). This program remains in the Housing Element and is folded into a single Capital Facility Fee program.
<b>Program 6.1–9:</b> The City shall continue to monitor impact fees and the Capital Facility Fee schedule to identify barriers to housing development, particularly affordable units. If constraints are identified, the City shall revise the fee schedule accordingly.	The City has solicited a proposal for completion of this effort. The consultant will look at proposals for encouraging residential units that are affordable-by-design. This program remains in the Housing Element and is folded into a single Capital Facility Fee program.
<b>Program 6.2.1 1:</b> Following amendment of the General Plan Conservation and Safety Elements to comply with AB 162 related to floodplain mapping, the City will amend the Housing Element, if needed, for consistency. By 2023	This program has been completed as a part of the 2014-2019 Housing Element update. This program has been implemented and removed.

Table G.2 summarizes the quantified objectives contained for the 2014-2019 Housing Element and compares the City's progress toward fulfilling these objectives. The City recognizes that it had limited resources to address the varied affordable housing needs in the community. As part of the 2014-2019 Housing Element, the City established a set of quantified objectives for housing construction, rehabilitation, and preservation. The City made significant progress towards the construction and conservation goal. The City's rehabilitation goals, however, fell short due to the loss of its primary rehabilitation funding tool when the RDA was dissolved. The City will continue to find ways to rehabilitate structures. City staff will be exploring alternative funding mechanisms to achieve this goal.

- The construction objective represents the City's remaining RHNA for the 2014-2019 planning period.
- The rehabilitation objective represents objectives for code enforcement rehabilitation as well as participation in rehabilitation grants.

- The conservation objectives represent conservation and expansion of existing affordable housing.

Table G.2: Summary of 2014-2019 Quantified Objectives and Progress					
Objectives	Income Levels				Total
	Very Low	Low	Moderate	Above Moderate	
Construction Objectives					
Goal(a)	98	62	69	164	393
Progress	48 (49%)	28(45%)	178(258%)	308(188%)	562
Rehabilitation Objectives					
Goal(b)	7	13	55	55	130
Progress	--	--	--	--	0
Conservation Objectives					
Goal(c)	2	3	15	5	25
Progress	71 (1,420%)		--	--	71

# Appendix A

## **Public Outreach Contact List**

Organization/Name	Contact Information
Atascadero Chamber of Commerce	805-466-2044 info@atascaderochamber.org
Atascadero Association of Realtors	AAORstaff@AtascaderoRealtors.com (805) 466-9200
Atascadero Community Link	(805)466-5404 http://www.linkslo.org/
Atascadero Mutual Water Company (AMWC), John Niel	lhalderman@amwc.us
Atascadero Unified School District	805-462-4200
California Department of Housing and Community Development (HCD)	(Tom Brinkhuis) 916.263.6651 Tom.Brinkhuis@hcd.ca.gov
California Department of Transportation (Caltrans)	Info-d5@dot.ca.gov (805) 549-3111
Central Coast Commission for Senior Citizens	(805) 925-9554 seniors@KCBX.net
City of San Luis Obispo, John F Rickenbach	JFRickenbach@aol.com
City of Paso Robles, Katie Banister	KBanister@prcity.com
Community Action Partnership, San Luis Obispo (CAPSLO)	(805) 544-4355 CAPSLO hotline@capslo.org
Community Church of Atascadero (Rev. Heather Branton)	ccaucppastor@gmail.com
Corporation for Better Housing	(818) 905-2430 maria@corpoffices.org
Darren Thomas, Adco Design Inc.	darren@adco.biz
El Camino Homeless Organization (ECHO)	(805) 462-3663 wlewis@echoshelter.org
Federal Emergency Management Agency	Gregor.blackburn@fema.dhs.gov
Habitat for Humanity	info@hfhsloco.org 805-782-0687
Housing Authority San Luis Obispo (HASLO)	(805) 543-4478 info@haslo.org nguzman@haslo.org
Homeless Services Oversight Council (HSOC) San Luis Obispo County	SS_HomelessServices@co.slo.ca.us
Housing Trust Fund, San Luis Obispo County	info@sloctf.org
Independent Living Resource Center, Inc. (ILRC), Jerry Mihaic	info@ilrc-trico.org JMIHAIC@ILRC-TRICO.org
Local Agency Formation Commission (LAFCO)	DChurch@SLOLAFCO.com 805.781.5795
North County Connection, Susan Warren	805.462.8600 INFO@NCCSLO.ORG info@northcountyconnection.com
North County Women's Shelter	805-461-1338
Northern Chumash Tribe Mona Olivas Tucker, Chairwoman	olivas.mona@gmail.com



Organization/Name	Contact Information
People's Self Help Housing	(805) 781-3088 info@pshhc.org sherylf@pshhc.org morgenb@pshhc.org
Salinan Tribe of Monterey and San Luis Obispo Counties, Fredrick Segobia	info@salinantribe.com
Salvation Army	(805) 544-2401 Elaine.Mansoor@usw.salvationarmy.org
San Luis Obispo Council of Governments (SLOCOG), Sara Sanders	ssanders@slocog.com pio@slocog.org JDinunzio@slocog.org
San Luis Obispo County Air Pollution Control District (APCD)	(805) 781-5912 info@slocleanair.org
San Luis Obispo County Housing Trust Fund (SLOHTF)	(805) 543-5970 info@sloctf.org
San Luis Obispo County Planning and Building	(805) 781-5600 chanh@co.slo.ca.us asingewalg@co.slo.ca.us lhoffman@co.slo.ca.us
SLOCo Yimby, Krista Jeffries	slocoyimby@gmail.com
Southern California Gas Company (SoCalGas)	dceja@semprautilities.com
Transitions Mental Health Association (THMA)	(805) 540-6500 info@t-mha.org
Tri-Counties Regional Center	(805) 461-7402 Tri-counties@tri-counties.org
Transitional Food and Shelter	805-466-5404 jwilshusen@atascadero.org
Loaves and Fishes	contact@atascaderoloaves.org 805-461-1504
Independent Living Resource Center	(805) 462-1162
Atascadero Land Preservation Society (ALPS)	info@supportalps.org
<b>Developers/Realtors/Consultants/Brokers/Misc.</b>	
AM Roofing	am.roofing@yahoo.com
Cal Coastal Properties	(805) 242-6202 info@calcoastalslo.com
Century 21 Hometown Realty	805.461.1121 bonniechomes@gmail.com Dawn.Espana@c21home.com richardshannonc21@gmail.com
Economic Vitality Corporation	info@sloevc.org (805) 788-2012
Home Builder's Association of the Central Coast	(805) 546-0418 LHatcher@hbacc.org
John Rickenbach Consultants	JFRickenbach@aol.com (805) 610-1109

Organization/Name	Contact Information
The Laughlin Company	info@laughlincompany.com
Many Figs Holdings and Development, Scott Newton	scott@manyfigs.com
Midland Pacific Homes	jmoresco@gmail.com
Placeworks	asinsheimer@placeworks.com
Planning Solutions, Pam Jardini	planningsolutions@charter.net
Roberts Engineering, Tim Roberts	tim@robertsenginc.com
RRM	info@rrmdesign.com (805) 543-1794
Semmes & Co. Builders, Inc.	(805) 466-6737 info@semmesco.com Jessicas@semmesco.com
Shea Homes	Customerservice@sheahomes.com
SLO Plastering	keith@sloplastering.com
Sphere Real Estate	marty@spherepartnersre.com
Vivian Hanover Ventures	Vivian@vhvrealstate.com
Z Villages	zvillagesmanagement@gmail.com mike@zvillages.com max@zvillages.com jordan@zvillages.com
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Myrna Wood	mybizzwood@gmail.com
Scott Newton, Property Owner	scott@manyfigs.com
Steve Petrowsky	steve@petrowsky.com