

*** 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, the City Council Meeting will not be physically open to the public and Planning Commissioners will be teleconferencing into the meeting.

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to call **805-538-2888** to listen and provide public comment via phone, or submit written public comments to pc-comments@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 Chairperson'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.

If you would like to view presentations provided during the meeting, you may access them by clicking on the following link:

<https://attendee.gotowebinar.com/register/7234459264268435982>

AMERICAN DISABILITY ACT ACCOMMODATIONS:

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

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

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the Planning Commission. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Planning Commission meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the Community Development Department. 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 PLANNING COMMISSION AGENDA

At the time of this publishing, it is expected that this meeting will be held virtually. Should circumstances change, which would allow for the meeting to be physically open to the public, the change will be noted on the City's website with the posting of the agenda and agenda packet.

**REGULAR MEETING
Tuesday, July 7, 2020
6:00 P.M.**

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

CALL TO ORDER

Pledge of Allegiance

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

APPROVAL OF AGENDA

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

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

1. DRAFT MINUTES OF JUNE 2, 2020

- Recommendation: Commission approve the June 2, 2020, Minutes.

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COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS

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

DISCLOSURE OF EX PARTE COMMUNICATIONS:

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

2. TENTATIVE PARCEL MAP AT 7850 CURBARIL AVE.

The proposed project consists of a proposal to allow for the creation of a 3-unit condominium subdivision in the Residential Multi-Family (RMF-10) zoning district. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption §15315, Class 15 Minor Land Divisions.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (SBDV19-0069-Winslow)

3. CONDITIONAL USE PERMIT AT 3335 CHICO ROAD

The proposed project consists of a proposal to allow an oversized accessory structure (garage) on a residential parcel in the Residential Single-Family (RSF-Y) zoning district. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption §15303, Class 3 accessory (appurtenant) structures.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (USE20-0046-Erwin)

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COMMISSIONER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be held on July 21, 2020, at 6:00 p.m.

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

WEBSITE: www.atascadero.org



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CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES

**Regular Meeting – Tuesday, June 2, 2020 – 6:00 P.M.
City Hall (Teleconference)
6500 Palma Avenue, Atascadero, California**

CALL TO ORDER - 6:00 p.m.

Chairperson Dariz called the meeting to order at 6:03 p.m. and Commissioner Wolff led the Pledge of Allegiance.

ROLL CALL

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

Absent: None

Others Present: Recording Secretary, Annette Manier

Staff Present: Community Development Director, Phil Dunsmore
Senior Planner, Kelly Gleason
Associate Planner, John Holder
IT Manager, Luke Knight

APPROVAL OF AGENDA

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

Motion passed 7:0 by a roll-call vote.

PUBLIC COMMENT

None.

Chairperson Dariz closed the Public Comment period.

CONSENT CALENDAR

1. DRAFT MINUTES OF APRIL 21, 2020

- Recommendation: Commission approve the April 21, 2020, Minutes.

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

Motion passed 7:0 by a roll-call vote.

COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS

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

DISCLOSURE OF EX PARTE COMMUNICATIONS:

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

2. CONDITIONAL USE PERMIT FOR SPROUSE COMMUNICATIONS AT 6501 VIA AVE.

The proposed project consists of a Conditional Use Permit for a new outdoor contract construction services yard, installation of cargo containers (seatrains), and use of existing office for Sprouse Communications. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption 15301, Class 1 Existing Facilities.

Ex-Parte Communications:

- Recommendation: Approve the project with conditions (USE20-0010)

EX-PARTE COMMUNICATIONS

Commissioner Anderson and Chairperson Dariz reviewed this project at the DRC. Commissioner Shaw discussed the project with Planner Holder, Director Dunsmore, and Deputy Director of Engineering, Ryan Hayes.

Planner Holder presented the staff report. Planner Holder and Director Dunsmore answered questions from the Commission.

PUBLIC COMMENT

The following members of the public spoke during public comment: Jesse Sprouse.

Chairperson Dariz closed the Public Comment period.

MOTION: By Commissioner Anderson and seconded by Commissioner Shaw to approve the Draft Resolution 2020 approving a Conditional Use Permit (USE20-0010) for a contract construction services storage yard at 6501 Via Ave. on APN 028-201-004, based on findings and subject to conditions of approval.

Motion passed 7:0 by a roll-call vote.

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Director Dunsmore stated that there are currently no items scheduled for the next meeting, so the meeting may be cancelled.

Director Dunsmore gave an update on a major upcoming project for the Del Rio Specific Plan, which includes traffic mitigation and a business park on the northeast corner that will likely be heard in July.

Director Dunsmore gave an update on the new outdoor dining permits.

ADJOURNMENT – 6:49 p.m.

The next regular meeting is scheduled for **June 16, 2020**, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant

Adopted



Atascadero Planning Commission

Staff Report – Community Development Department

Curbaril Condominium Map Tentative Parcel Map AT 19-0052 SBDV19-0069

RECOMMENDATION(S):

Planning Commission adopt PC Resolution 2020, approving Tentative Parcel Map AT 19-0052, to allow the division of one lot with a vacant Colony home and two new residences into three condominiums in the Residential Multi-Family (RMF-10) zoning district subject to conditions of approval.

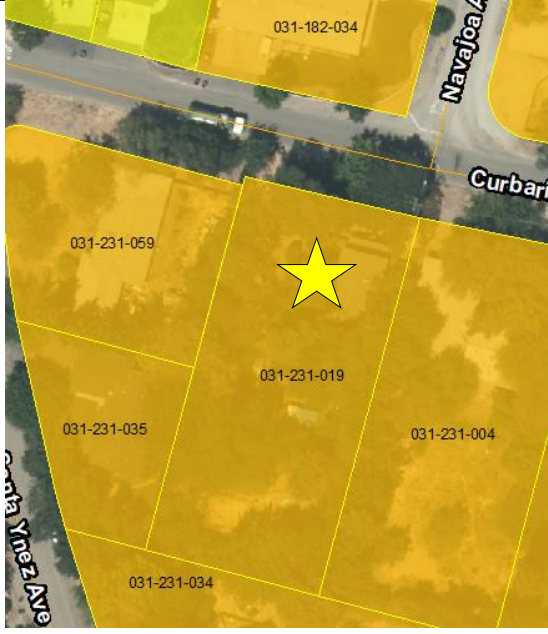
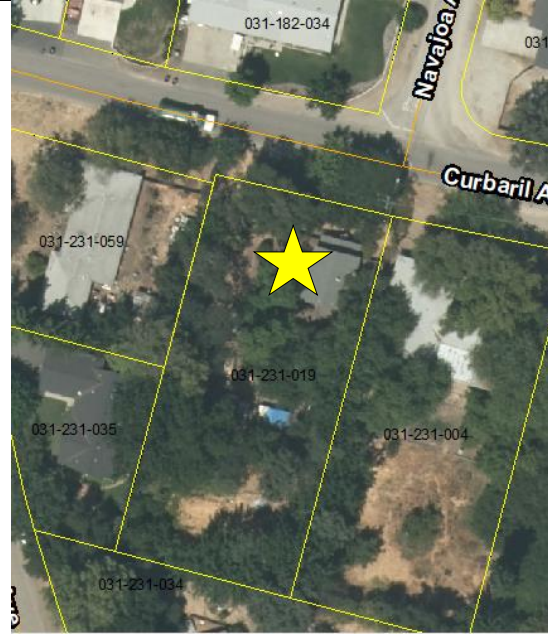
Project Info In-Brief:

PROJECT ADDRESS:	7850 Curbaril Avenue	Atascadero, CA	APN	031-231-019
PROJECT PLANNER	Mariah Gasch Assistant Planner	470-3436	mgasch@atascadero.org	
APPLICANT	Eric Winslow			
PROPERTY OWNER	Eric Winslow			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
Medium Density Residential	Residential Multi-Family	0.5 Acres	Multi-family Residential	Multi-family Residential - Condos
ENVIRONMENTAL DETERMINATION				
<input type="checkbox"/> Environmental Impact Report SCH: _____				
<input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____				
<input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15315				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				
<input type="checkbox"/> No Project – Ministerial Project				



DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
			
North:	South:	East:	West:
Residential Multifamily (RMF-10) & Single-Family Residential (LSF-X)	Residential Multifamily (RMF-10)	Residential Multifamily (RMF-10)	Residential Multifamily (RMF-10)

Background

The subject property is host to an existing vacant historic Colony home, which was badly damaged by a fire. The applicant is building two additional units while considering reconstruction of the Colony home. The Design Review Committee reviewed the design proposal for the two new residential units and made recommendations to ensure that they complement the existing Colony home. The applicant incorporated changes recommended by the DRC and building permits have been issued for the two new units and a garage to serve the existing home. The property is located in a neighborhood that consists of both single-family and multi-family units.

Summary

The proposed Tentative Parcel Map will result in a 3-unit airspace condominium map with three residences sharing common site improvements. Condominium unit #1 is the historic Colony house that will be reconstructed. Condominium units #2 and #3 have received construction permit approval. They are each 1,350 square feet with three bedrooms and attached garages.

Zoning Analysis

Lot Coverage



Medium-density multi-family residential projects are limited to 40% lot coverage by structures. This lot is approximately 21,780 square feet in area, and the structures cover approximately 5,159 square feet or 24% of the lot.

Parking

Atascadero Municipal Code (AMC) 9-3.262 states that one covered parking space is required per dwelling unit. The two new units will each have their own attached two-car garages. The applicant is building one detached two-car garage for use by the residents of the reconstructed colony house. AMC 9-3.262 requires two parking spaces for a two-bedroom unit and 0.5 spaces for each bedroom over two. Each of the three units will have three bedrooms, resulting in the requirement of 7.5 spaces. This number is rounded up to eight spaces. The development provides the eight required parking spaces with six spaces within individual garages and three within the driveway. Additional guest spaces not required for multi-family projects with less than five units.

Landscaping

AMC 9-4.125 requires lots in the Residential Multi-Family to have at least 25% of the lot landscaped. The property has existing tree coverage from native oak trees on the property. The applicant is also planning to add additional vegetation. AMC 9-4.125 requires that a minimum 5-foot landscape strip be provided within the side yard setback for all multi-family projects. This has been added to their site plan and installation is required prior to finalizing a building permit.

Subdivision Regulations

AMC 9-3.245 states that the minimum lot size in the Residential Multiple-Family Zone is one-half (1/2) acre but that smaller lots may be created for condominiums. The overall density within the project must conform to density standards stated in AMC 9-3.252. This code section limits density to a maximum of ten units per acre, with a minimum density of two units. The subject property is approximately 0.5 acres. The proposed density does not exceed what is allowed by AMC 9-3.252.

Conclusion

The proposed condominium map, as conditioned, is consistent with the General Plan and Zoning Ordinance, and the airspace configurations are consistent with the requirements of the Subdivision Ordinance. Staff recommends the Planning Commission approve the Tentative Parcel Map as conditioned.

ENVIRONMENTAL DETERMINATION:

The proposed project is Categorically Exempt (Class 15) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15315, because it is a minor land division of four or fewer parcels.

FINDINGS:

To recommend approval of the proposed project, findings are required to be made by the Planning Commission. The City's General Plan and Zoning Ordinance identify the specific findings that must be made to approve a Tentative Parcel Map for a condominium. Findings and the facts to support these findings are included in Draft Resolution 2020.



ALTERNATIVES:

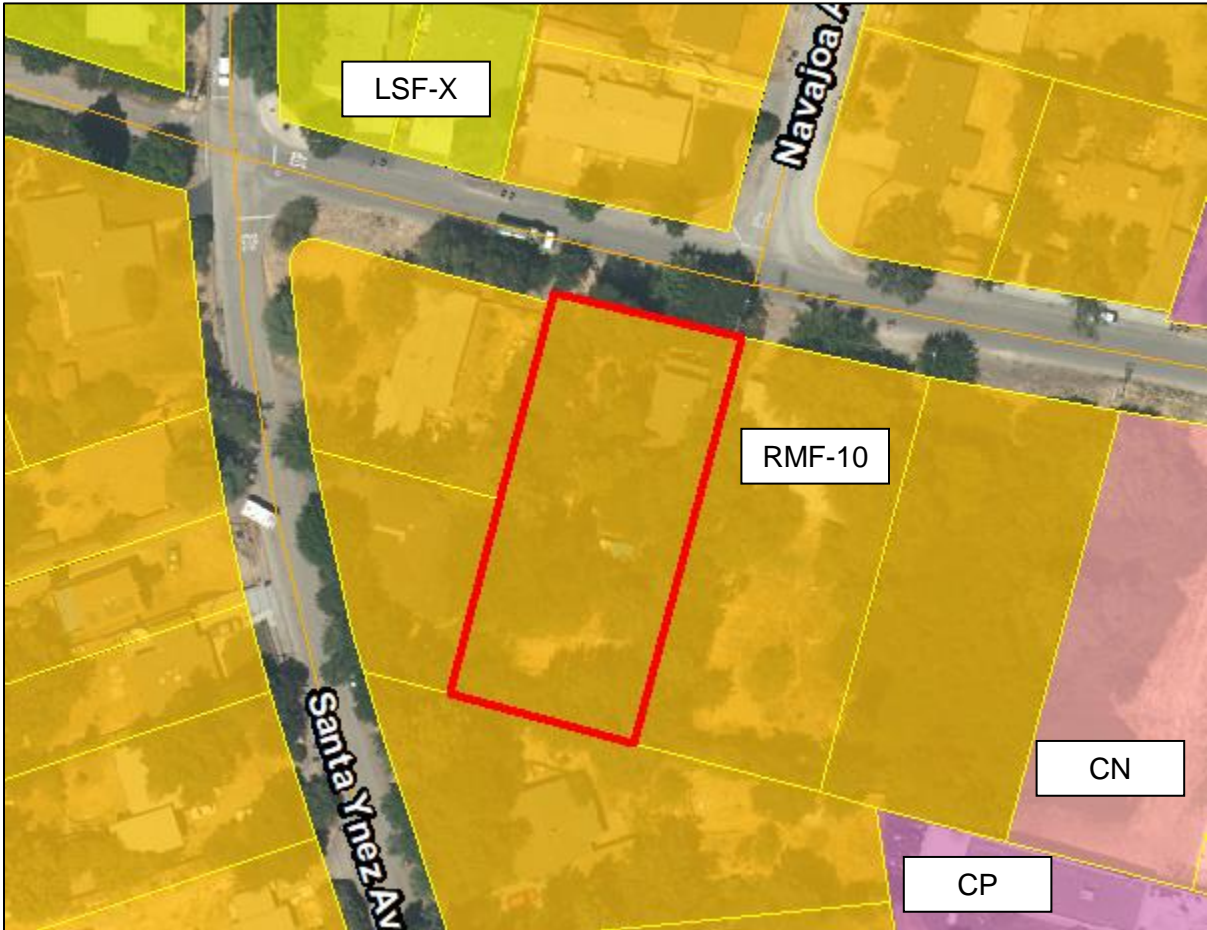
1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more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

ATTACHMENTS:

1. Zoning Map
2. Site Photos
3. Draft Resolution 2020



ATTACHMENT 1: Zoning Map
SBDV19-0069



ATTACHMENT 2: Site Photos
SBDV19-0069



Front Elevation of Lot - Driveway



Existing Colony House

**ATTACHMENT 3: Draft Resolution 2020
SBDV19-0069**

DRAFT PC RESOLUTION 2020

**RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF ATASCADERO, CALIFORNIA,
APPROVING SBDV 19-0069 / TENTATIVE PARCEL MAP AT 19-0052
ESTABLISHING THREE AIRSPACE UNITS ON ONE COMMON LOT
AT 7050, 7054 & 7058 CURBARIL AVENUE (APN 031-231-019)
(Winslow)**

WHEREAS, an application has been received from Eric Winslow (Applicant/ Owner), PO Box 6014, Atascadero, CA 93423 to consider Tentative Parcel Map AT 19-0052 to allow the three airspace condominium units on one lot at 7050, 7054 & 7058 Curbaril Avenue (031-231-019); and

WHEREAS, the site has a General Plan Designation of Medium Density Residential (MDR); and

WHEREAS, the site is in the Residential Multifamily (RMF-10) zoning district; and

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

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

WHEREAS, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on July 7, 2020, studied and considered Tentative Parcel Map AT 19-0052.

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

SECTION 1. Findings for approval of Tentative Parcel Map AT 19-0052. The Planning Commission finds as follows:

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

Fact: The Residential Multifamily zone was established to increase density with projects such as apartments and condominiums. General Plan Land Use, Open Space and Conservation (LOS) Element Policy 1.1 aims to preserve Atascadero's rural character by increasing density near the urban core. Policy 2.1 requires that the mass and scale of multifamily projects fit in with adjacent single-family neighborhoods. The three houses are not physically connected and appear as three residences on one lot.



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

Fact: The site is relatively flat and does not require substantial grading for development.

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

Fact: The site does not require substantial grading. The density meets standards set by the General Plan and Municipal Code and allows for each unit to maintain open, outdoor space.

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

Fact: Atascadero Creek is approximately 500 feet away from the subject property and will not be affected by the proposed parcel map, and,

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

Fact: The existing colony house will be restored and the two other units have approved building permits, which have been reviewed by the City for code compliance.

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

Fact: The three units will share a common driveway. No other properties rely on this property for access.

SECTION 2. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on July 7, 2020, resolves to approve Tentative Parcel Map AT 19-0052 (SBDV 2019-0069), subject to the following:

EXHIBIT A: Conditions of Approval

EXHIBIT B: Tentative Parcel Map



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

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

ADOPTED:

CITY OF ATASCADERO, CA

Mark Dariz
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary



EXHIBIT A: Conditions of Approval
SBDV 19-0069

Conditions of Approval	Timing
<p><i>Tentative Parcel Map</i> 7850 Curbaril Ave. SBDV 19-0069</p>	<p>BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy</p>
Planning Services	
1. SBDV 19-0069 (Tentative Parcel Map AT 19-0052) shall be for the subdivision of 7850 Curbaril Avenue; Lot 12, Block FC, Atascadero Colony, recorded in Map Book 4, Page 53 in the County of San Luis Obispo, State of California (Assessor's Parcel Number 031-231-019), as generally shown in attached Exhibit B, regardless of owner.	Ongoing
2. The appeal period is fourteen (14) days following the Planning Commission approval unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing
3. Approval of this Tentative Parcel Map shall be valid for a period of twenty-four (24) months and shall expire on July 7, 2022 , consistent with Section 66452.6(a)(1) of the California Subdivision Map Act.	FM
4. The approved Tentative Parcel Map may be extended consistent with Section 66452.6(e) of the California Subdivision Map Act. Any requested map extension shall be consistent with Section 11-4.23 of the Atascadero Municipal Code.	FM
5. The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a construction design issue that is not substantive to the Tentative Parcel Map.	FM
6. The Subdivider shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning the subdivision.	Ongoing
7. The Subdivider shall pay all applicable Quimby Act fees to the City in accordance with the fee schedule and policies in effect at the time of subsequent applications.	FM
8. This map shall be for the approval of 3 airspace units on one common lot. There shall be no further division of the property.	Ongoing
9. Prior to recordation of the final parcel map, the applicant shall submit a condominium plan for recording concurrently with the final parcel map. A qualified licensed professional shall prepare the final parcel map and the condominium plan.	FM
Engineering	
9. Prior to approval of the Parcel Map, the Applicant shall have the map reviewed by the public utility providers for power, telephone, gas, cable TV, and the Atascadero Mutual Water Company. The Applicant shall provide a letter from each utility company stating that the easements and rights-of-way shown on the map for public utility purposes are acceptable.	
10. Documents that the City of Atascadero requires to be recorded concurrently with the Parcel Map (e.g.: CC&Rs, easements not shown on the map, agreements, etc.) shall be listed on the certificate sheet of the map.	



Conditions of Approval	Timing
<i>Tentative Parcel Map</i> 7850 Curbaril Ave. SBDV 19-0069	BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy
11. The City of Atascadero may require an additional map sheet for information purposes in accordance with the Subdivision Map Act.	
12. The Parcel Map shall offer of a 6-feet wide Public Utility Easement (PUE) contiguous to the Curbaril Avenue right-of-way.	
13. Development improvements that modify a natural drainage course may be required to provide an easement for the benefit of upstream tributary properties to an adequate point of discharge, to the satisfaction of the City Engineer.	
14. The Applicant shall construct a 5-foot wide, integral, sidewalk, curb and gutter in accordance with City Standard Specifications and Drawing. The new curb-face shall be 18-feet off-set from the right-of-way centerline. The street shall be saw-cut at least 2-feet from the lip of the new gutter and repaved in accordance with City Standard Specifications and Drawings. A 5:1 pavement taper shall be constructed at each end of the new frontage improvements. All new pavement shall have a structural section designed based on a Traffic Index = 6.0.	
15. Where the new frontage improvements do not join existing frontage improvement, the Applicant shall construct an asphalt ramp in accordance with San Luis Obispo County Standard No. C-7.	
16. The existing utility pole located at the southerly end of the new frontage improvements shall be relocated to behind the new sidewalk, or, to the satisfaction of the City Engineer.	
17. All finish graded areas shall be landscaped to the satisfaction of the Community Development Director or revegetated using a native seed mixture to prevent erosion, to the satisfaction of the City Engineer. All disturbed areas shall show at least 70% of the area with vegetation started before a final site inspection is approved, or, covered with alternative erosion control materials / methods acceptable to the City Inspector.	
18. Post-construction stormwater shall comply with the Section 5 of the City Standard Specifications and the Regional Water Quality Control Board Res. No. R3-2013-0032.	
19. A Stormwater Control Plan is required and shall include Tier 1 and Tier 2 requirements. Prior to Occupancy Release of any structure the Applicant shall provide the following documents, to the satisfaction of the City Engineer: ATAS - SWP-1001_Engineer Certification Form ATAS - SWP-1003_OwnerAgentInfo ATAS - SWP-1007_Exhibit_B_Instructions_SCM FORM ATAS - SWP-1008_Stormwater System Plans and Manuals ATAS - SWP-3001_Stormwater System O&M_Agreement ATAS - SWP-3002_Private Stormwater System Recorded Notice	
20. Where storm water is concentrated as a result of new improvements, the drainage shall be conveyed in a non-erosive, controlled condition to an adequate point of discharge, to the satisfaction of the City Engineer. Where concentrated drainage from new improvements cannot be avoided and crosses more than one property, drainage easements may be required, to the satisfaction of the City Engineer.	
21. Each condominium unit shall be served by a separate sewer lateral, to the satisfaction of the City Engineer	
22. New utility services shall be constructed underground to each unit, to the satisfaction of the City Engineer.	



Conditions of Approval	Timing
<p><i>Tentative Parcel Map</i> 7850 Curbaril Ave. SBDV 19-0069</p>	<p>BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy</p>
<p>23. Each unit shall be served with separate services for water, sewer, gas, power, telephone and cable TV. Utility laterals shall be located and constructed to each unit in accordance with City Standards Specifications and Drawings.</p>	





Atascadero Planning Commission

Staff Report – Community Development Department

USE 20-0046

Conditional Use Permit for an Oversized Accessory Structure

RECOMMENDATION(S):

Staff Recommends: The Planning Commission (PC) adopt draft Resolution PC 2020 approving Conditional Use Permit (CUP) USE20-0046 allowing a 682 square foot garage addition to an existing workshop based on findings and subject to Conditions of Approval.

Project Info In-Brief:

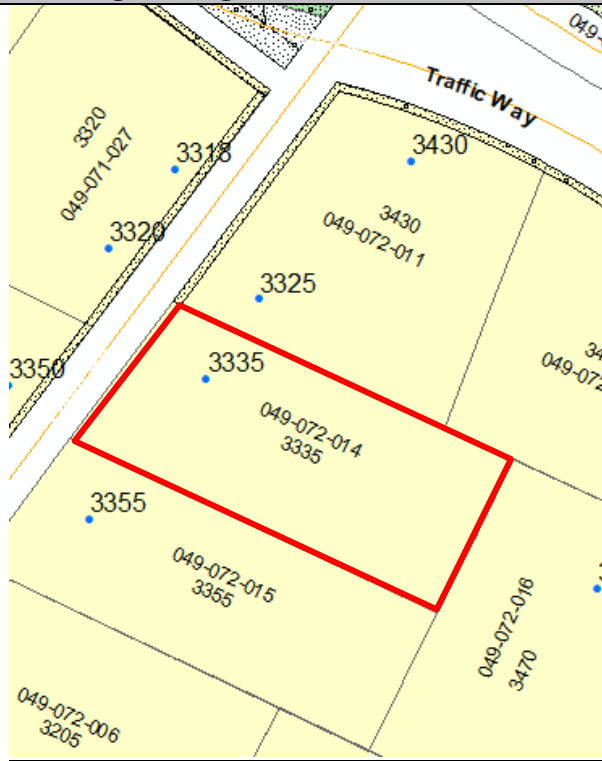

PROJECT ADDRESS:	3335 Chico Road	Atascadero, CA	APN	049-072-008
PROJECT PLANNER	John Holder Associate Planner	470-3448	jholder@atascadero.org	
PROPERTY OWNER	Scott Erwin			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
Single-Family Residential (SFR-Y)	Residential Single Family(RSF-Y)	1.05 acres	Single-Family Residence (ADU)	Garage/Accessory Storage
ENVIRONMENTAL DETERMINATION				
<input type="checkbox"/> Environmental Impact Report SCH: _____				
<input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____				
<input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15303				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				
<input type="checkbox"/> No Project – Ministerial Project				

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

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

DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
			
North:	South:	East:	West:
Residential Single Family(RSF-Y)	Residential Single Family(RSF-Y)	Residential Single Family(RSF-Y)	Residential Single Family(RSF-Y)

Summary:

The subject property site is an approximately 1.05 acre parcel located within the Residential Single-Family (RSF-Y) zoning district adjacent to the intersection of Traffic Way and Chico Road. The property is developed with an existing residence and existing detached workshop. Two driveways provide access to the existing workshop and residence from Chico Road. The applicant is proposing a non-conditioned 682 square foot garage addition to the existing detached 308 square foot workshop.

Analysis:

According to Atascadero Municipal Code (AMC) Section 9-6.106, residential accessory structures are permitted within Residential Single-Family zoning districts and are limited to a floor area no greater than fifty percent (50%) of the gross floor area of the principle structure on the property. The existing residence on the property on the property is



considered the principle structure on the property. The code also limits each property to a total of two accessory structures unless a Conditional Use Permit is approved by the Planning Commission.

The existing primary residence on site is 684 square feet and the existing workshop is 308 square feet. The applicant is proposing an addition to the existing workshop garage of 682 square feet, totaling 990 square feet for the workshop/garage. The proposed addition is beyond the fifty percent (50%) limit for an accessory structure. The garage addition to the workshop would be served by existing electrical lines on the property and a new all-weather class II aggregate driveway would be built extending from the existing driveway. The new garage area would have entrances to the structure on both the west and east sides. The architecture on the garage addition is compatible with surrounding structures and consistent with the primary structure on site.

The project is required to comply with policies in the Atascadero General Plan and regulations in the AMC including setback, height, and the native tree regulations. The construction of the project is not expected to impact native trees on the property, and the structure also meets setback standards. However, the proposed structure would be over the size limit for an accessory structure and therefore requires a Conditional Use Permit approved by the Planning Commission.

Neighborhood Compatibility

The surrounding parcels are generally developed with single-family residences on 1 to 2 acre lots, characterized by limited agricultural uses, accessory structures, and large, deep lots along Chico Road and Traffic Way. The site has previously been used for residential and agricultural purposes, and two large chicken barns were recently demolished on a portion of the property. The architectural style of the garage addition will be consistent with the existing workshop and is compatible with the character of the immediate parcels and pattern of development in the area.



ENVIRONMENTAL DETERMINATION:

The proposed project is Categorically Exempt (Class 3) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15303, because it is an accessory (appurtenant) structure and will not require any grading on slopes over 20%.

FINDINGS:

To approve the Conditional Use Permit, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached PC Resolution 2020 A.

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

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

ALTERNATIVES:

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



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

ATTACHMENTS:

1. Draft PC Resolution 2020
2. Site Photos



**ATTACHMENT 1: Draft Resolution 2020
USE20-0046**

DRAFT PC RESOLUTION 2020

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO, CALIFORNIA,
APPROVING USE20-0046, TO ALLOW THE EXPANSION OF AN
OVERSIZED ACCESSORY STRUCTURE**

3335 CHICO ROAD (049-072-008)

WHEREAS, an application was received from Scott Erwin (Owner), 3325 Chico Road, Atascadero, CA 93422, for a Conditional Use Permit to allow the expansion of an oversized accessory structure (garage); and

WHEREAS, the property is in the Residential Single Family zoning district; and

WHEREAS, any residential accessory structures in excess of fifty (50) percent of the primary residence on site are subject to the approval of a minor Conditional Use Permit; and

WHEREAS, the proposed project qualifies for a Categorical Exemption consistent with CEQA guidelines Section 15303; new construction or conversion of small structures; and

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

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

WHEREAS, the Planning Commission reviewed the proposed Conditional Use Permit application on July 7, 2020, at 6:00 p.m. and considered testimony and reports from staff, the applicants, and the public.

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

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

1. The proposed project is Categorically Exempt (Class 3) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15303, for new construction of accessory structures.

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



1. The proposed project or use is consistent with the General Plan; and

Fact: Detached accessory structures are consistent with the Residential Single Family land use designation of the General Plan. Land Use, Open Space and Conservation Element Program 1.1.6 requires the size, use and appearance of accessory structures in the residential zoning districts to be compatible with the surrounding neighborhood. The proposed structure has an appearance compatible with the architecture of the surrounding area and existing structures on the property.

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

Fact: As proposed, the project will meet the property's setback, height and other site design requirements. The use of the structure will be limited to uses permitted by the Zoning Ordinance. The project, with Planning Commission approval of this Conditional Use Permit, satisfies all applicable provisions of the Zoning Ordinance related to residential accessory structures.

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

Fact: The use of the accessory structure will be for accessory storage. This is a typical use in residential single-family neighborhoods. The proposed structure will be constructed to meet the standards of the building code.

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

Fact: The proposed structure will be towards the middle of the property and behind the primary residential structure. The structure is residential in character and fits into the neighborhood.

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

Fact: The addition of a residential accessory structure will not contribute additional traffic in the neighborhood. The use of the structure will be similar to uses currently onsite and no additional residential units will be added.

SECTION 3. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on July 7, 2020, resolved to approve Conditional Use Permit USE20-0046, subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Site Plan
- EXHIBIT C: Elevations
- EXHIBIT D: Floor Plan



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

AYES: ()

NOES: ()

ABSENT: ()

ABSTAINED: ()

ADOPTED:

CITY OF ATASCADERO, CA

Mark Dariz
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary

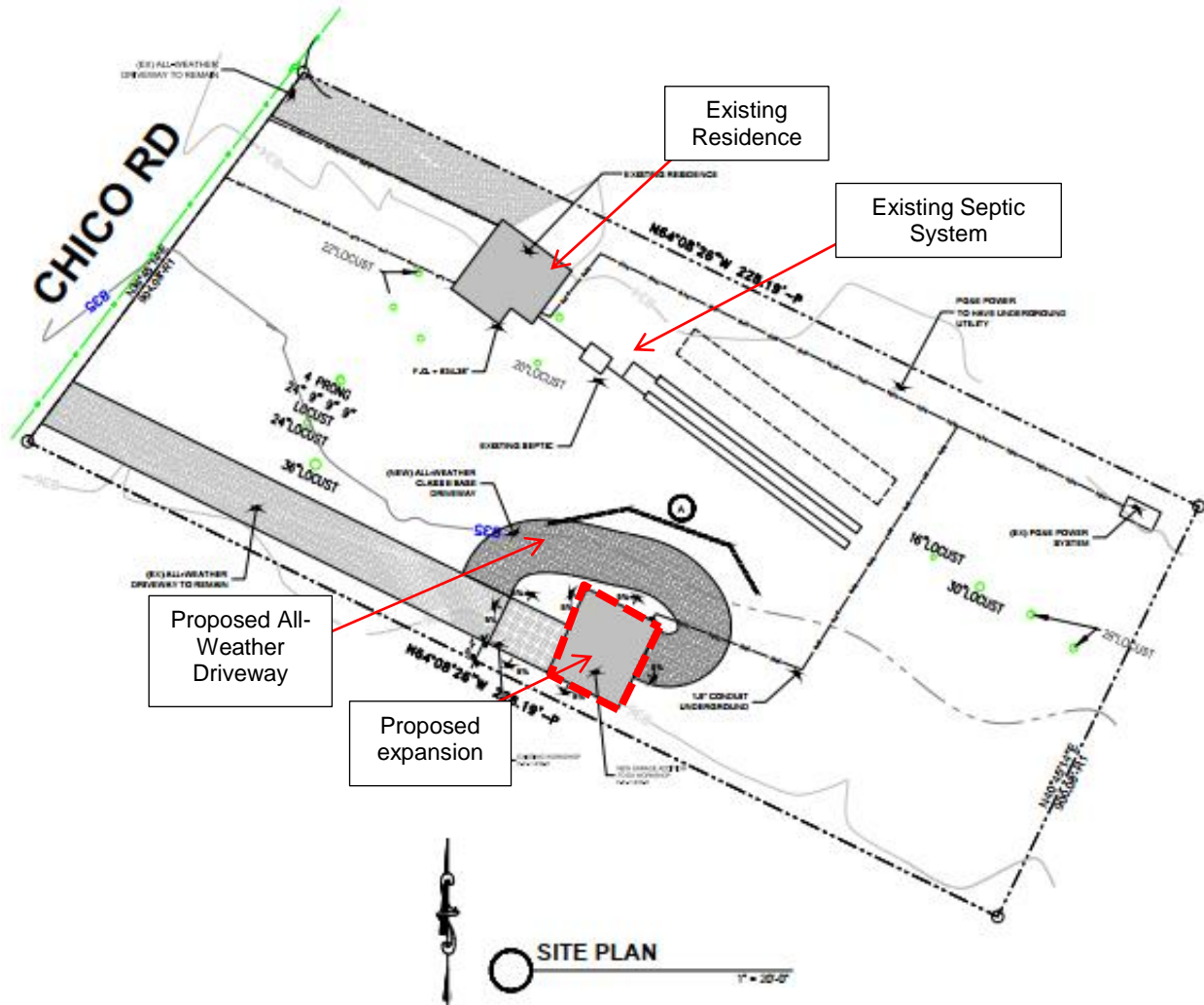


EXHIBIT A: Conditions of Approval USE20-0046
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Conditions of Approval USE20-0046 3335 Chico Road. Detached and Oversized Accessory Structure	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy
Planning Services Conditions	
1. This Conditional Use Permit shall allow the accessory structure described in the attached exhibits and located on APN 049-072-008.	Ongoing
2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Master Plan of Development. The Planning Commission shall have the final authority to approve any other changes to the Master Plan of Development and any associated Tentative Maps unless appealed to the City Council.	BP
4. Approval of this Conditional Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit.	BP
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning the construction or use of the detached accessory structure.	Ongoing
6. Architectural elevations shall be consistent with Exhibit C. Exterior building and roof colors and materials shall be consistent with existing structure on site as approved by the Planning Commission.	BP / FI
7. All utilities servicing the accessory structure shall be installed underground.	BP
8. Building Height shall comply with the standards of the Zoning Ordinance.	BP
9. The proposed structure shall not be used as a secondary residential unit. The accessory structure shall not have cooking facilities including a kitchen or wet bar. No overnight stays are permitted.	Ongoing

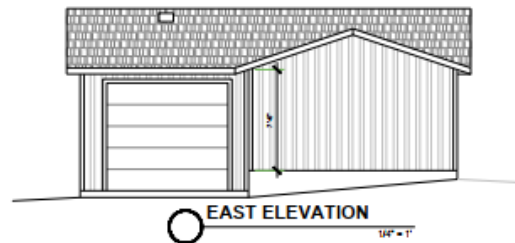
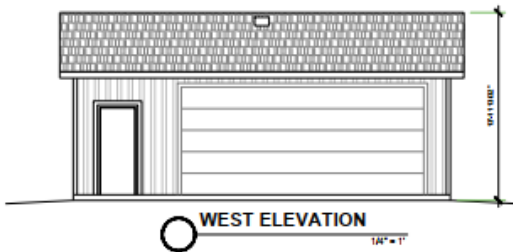
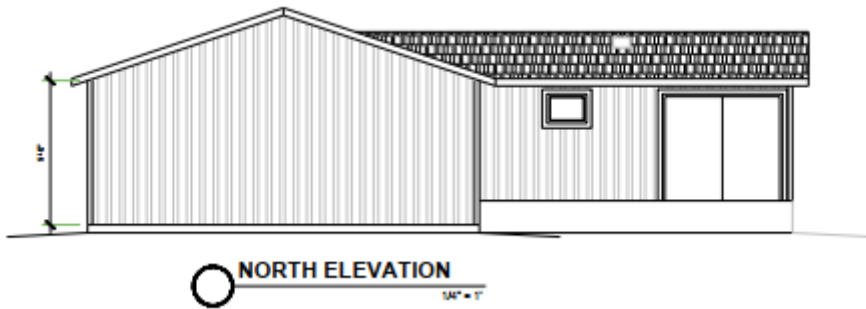
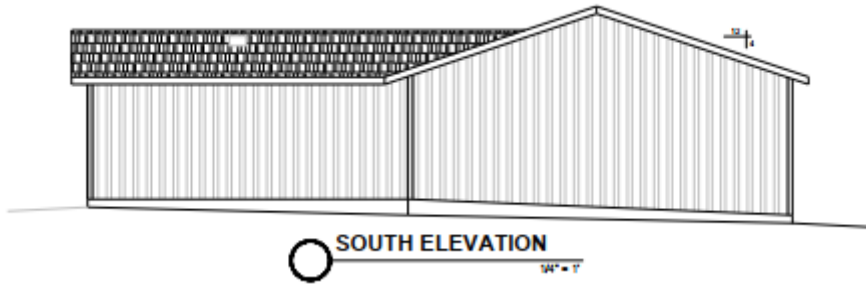
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO
 COMMUNITY DEVELOPMENT DEPARTMENT AT
<http://www.atascadero.org>
 6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

**EXHIBIT B: Site Plan
USE20-0046**

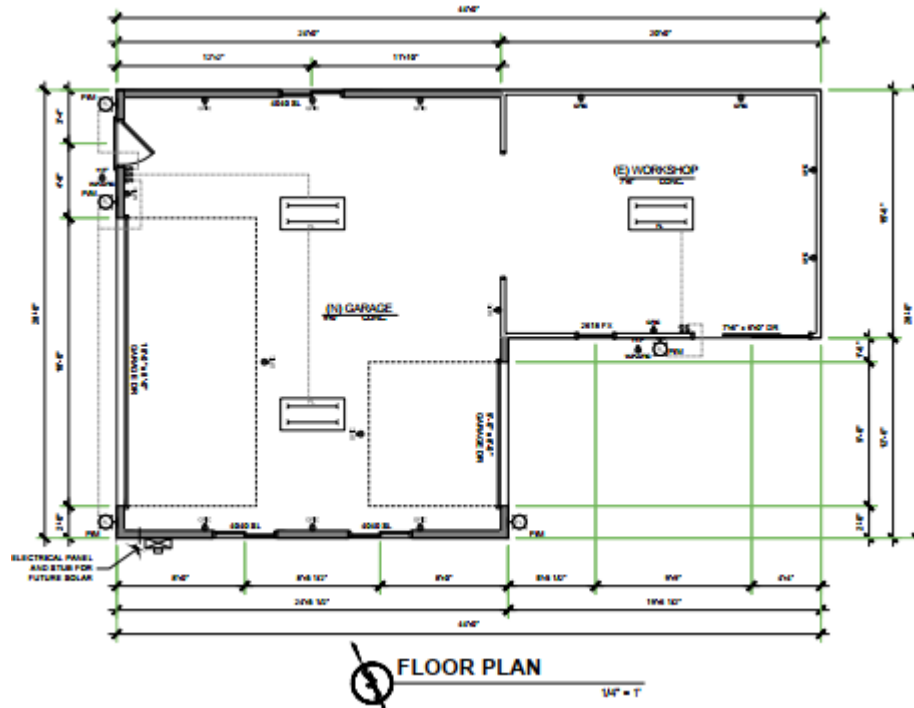


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EXHIBIT C: Elevations
USE20-0046



**EXHIBIT D: Floor Plan
USE20-0046**



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ATTACHMENT 2: Site Photos
USE20-0046

View of property access and existing shed and residence (west):



View of property existing shed and residence (north):

