



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

In accordance with City Council Resolution No. 2022-003 and the requirements of AB 361, the Planning Commission Meeting will not be physically open to the public and Planning Commissioners will be teleconferencing into the meeting.

HOW TO OBSERVE THE MEETING:

To maximize public safety while still maintaining transparency and public access, the meeting will be available by clicking on the following link:

Planning Commission - 832 5023 8111 (No Passcode Required)

<https://us02web.zoom.us/j/83250238111?pwd=SG9OdGxyNHNTNmRWEpHTzRQK0VnQT09>

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to participate in live public comment through the Zoom platform using the link above or by calling **669-900-6833** to listen and provide public comment via phone.

If you wish to comment but not via a live platform, please email public comments to: pc-comments@atascadero.org by 12:00 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 forwarded to the Planning Commission and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the Planning Commission the next business day. ***Please note, email comments will not be read into the record.***

AMERICAN DISABILITY ACT ACCOMMODATIONS:

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

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 are available for public inspection during City Hall business hours by appointment.



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

REGULAR MEETING
Tuesday, February 15, 2022
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 Jeff van den Eikhof
Vice Chairperson Tori Keen
Commissioner Jason Anderson
Commissioner Victoria Carranza
Commissioner Greg Heath
Commissioner Randy Hughes
Commissioner Dennis Schmidt

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. APPROVE THE DRAFT MINUTES OF JANUARY 18, 2022

- **Recommendation:** Commission approve the January 18, 2022 Minutes.

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PLANNING COMMISSION BUSINESS

PLANNING COMMISSION REORGANIZATION:

A. Election of Chairperson and Vice Chairperson

The Commission will select a Chairperson and Vice Chairperson

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 OUTDOOR SALES YARD AT 6501 VIA AVE

The proposed project includes a Conditional Use Permit for outdoor sales yard. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption § 15332, Class 1 Existing Facilities Projects.

Recommendation: Staff's recommendation is to approve the project with conditions. (USE21-0083).

COMMISSIONER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be held on March 1, 2022, at 6:00 p.m.

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

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

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

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

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

TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA

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

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

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

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

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

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

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

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

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CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES

**Regular Meeting – Tuesday, January 18, 2022 – 6:00 P.M.
City Hall (Teleconference)
6500 Palma Avenue, Atascadero, California**

CALL TO ORDER - 6:00 p.m.

Chairperson van den Eikhof called the meeting to order at 6:04 p.m. and Commissioner Anderson led the Pledge of Allegiance.

OATH OF OFFICE

City Clerk Lara Christensen administered the Oath of Office to Planning Commissioner Greg Heath.

ROLL CALL

Present: **By Teleconference** - Commissioners Anderson, Carranza, Heath, Hughes, Keen, and Chairperson van den Eikhof

Absent: Commissioner Dennis Schmidt (excused absence)

Vacant: None

Others Present: **By Teleconference** - Recording Secretary, Annette Manier

Staff Present: **By Teleconference** –
Community Development Director, Phil Dunsmore
Senior Planner, Kelly Gleason
Associate Planner, Mariah Gasch
Assistant Planner, Bailey Sullivan

Staff Absent: None

APPROVAL OF AGENDA

MOTION: By Commissioner Anderson and seconded by Vice Chairperson Keen to approve the Agenda.

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

PRESENTATION**A. Recognition of outgoing Planning Commission member Jennifer McIntyre.**

Director Dunsmore thanked Commission member McIntyre (who was unavailable for the meeting) for her service on the Commission.

PUBLIC COMMENT

None

Chairperson van den Eikhof closed the Public Comment period.

CONSENT CALENDAR**1. APPROVE THE DRAFT MINUTES OF NOVEMBER 16, 2021**

- Recommendation: Commission approve the November 16, 2021 Minutes.

2. APPROVAL OF TIME EXTENSION FOR 940 EL CAMINO REAL (TEX21-0105)

- Recommendation: Commission approve the Time Extension.

3. APPROVAL OF TIME EXTENSION FOR 11885 HALCON ROAD (TEX21-0108)

- Recommendation: Commission approve the Time Extension.

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

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

PLANNING COMMISSION BUSINESS

Director Dunsmore introduced Assistant Planner Sullivan to the Commission. Commissioner Heath introduced himself to the Commission.

COMMUNITY DEVELOPMENT STAFF REPORTS

None.

PUBLIC HEARINGS

None.

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Director Dunsmore gave an update on the upcoming Joint Session on January 28, 2022. Director Dunsmore stated that we do not have any items ready for the Feb. 1st meeting so it may be cancelled.

Director Dunsmore gave an update on La Plaza and the Del Rio properties.

ADJOURNMENT – 6:40 p.m.

The next regular meeting is scheduled for February 1, 2022, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant



Atascadero Planning Commission

Staff Report – Community Development Department

Atascadero Hay and Feed
6501 Via Ave. / USE21-0083

RECOMMENDATION(S):

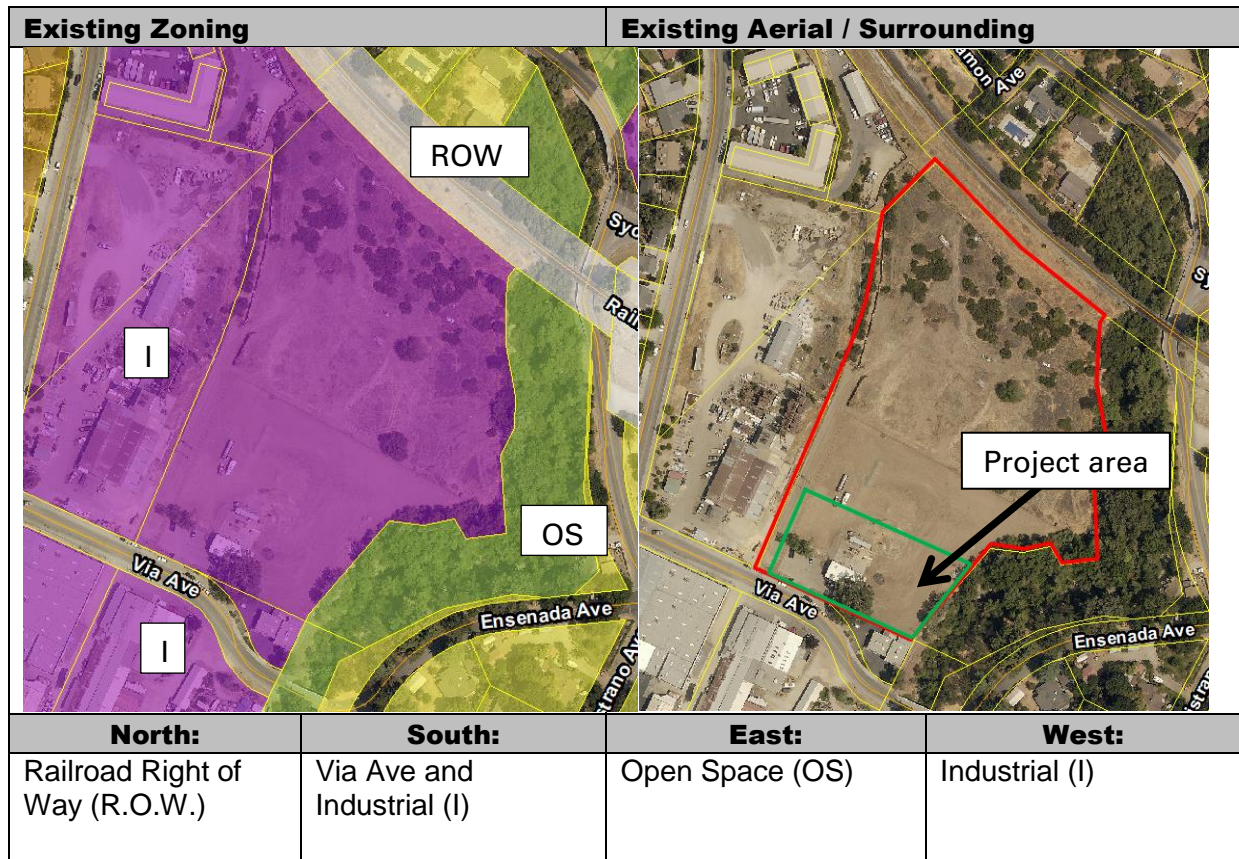
Staff Recommends: The Planning Commission adopt Draft Resolution approving Conditional Use Permit (CUP) USE21-0083 allowing a new business that includes outdoor sales of landscaping material and equipment rentals in the Industrial zone.

Project Info In-Brief:

| | | | | |
|--|-----------------------------------|-----------------------------------|-----------------------|--|
| PROJECT ADDRESS: | 6501 Via | Atascadero, CA | APN | 028-201-004 |
| PROJECT PLANNER | Mariah Gasch Associate Planner | 470-3436 | mgasch@atascadero.org | |
| PROPERTY OWNER | Vetter Trust | | | |
| GENERAL PLAN DESIGNATION: | ZONING DISTRICT: | SITE AREA | EXISTING USE | PROPOSED USE |
| Industrial (I) | Industrial (I) | 7.36-acre site; 1.4-acre use area | Vacant | 1.4-acre commercial business including outdoor sales of landscaping material and small equipment rentals |
| 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 15301 <input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____ <input type="checkbox"/> No Project – Ministerial Project | | | | |

DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:



Summary:

The proposed project includes use of an existing office building and a 1.4-acre outdoor sales yard in the Industrial zone. The site is proposed to be used as a commercial business for the sale of landscape material and small equipment rentals (examples referenced are small tractors and riding lawnmowers). Atascadero Municipal Code (AMC) 9-3.330 states that outdoor storage in excess of 10,000 square feet requires approval of a Conditional Use Permit. The entire site is approximately 7.6 acres; however, the lease area for the applicant’s proposed project is less than two (2) acres (approximately 1.4-acres). There are no plans for the remaining site at this time. A retention basin is proposed to collect stormwater runoff in the north-east corner of the use area. There is also a number of existing but defunct wells from previous uses that are to be walled off by concrete. There are no current plans for the remaining vacant portion of the site which will remain behind a fenced area.

Background:

The subject site was previously used as an automotive wrecking yard and had been vacant for over 15 years. This same site was granted a use permit by the Planning Commission in 2018 for a similar land use. The previous applicant completed minimal improvements, including fencing, grading, and site clean-up prior to being evicted from the site by the property owner. In 2019, a Recreational Vehicle (RV) storage yard was proposed at the site. The DRC reviewed the RV use, provided project direction to forward the item to the Planning Commission, however, the project was withdrawn prior to Commission action. Most recently, in 2020, the Planning Commission approved an outdoor contract construction yard on approximately 1.31 acres of the site. That tenant primarily utilized the existing office building and simply parked trucks and cable supplies on the site. They have since vacated the site.

This project was brought before the Design Review Committee on January 26, 2022. The Design Review Committee did not have any recommendations for revisions to the proposed design and forwarded it on to Planning Commission.

Analysis:

The proposed land use for Atascadero Hay and Feed (outdoor sales and equipment rental over 10,000 SF), is a conditionally allowed use in the Industrial zoning district and requires a Conditional Use Permit to be approved by the Planning Commission. Section 9-6.139 of the City's Zoning Regulations provides a set of site design standards for outdoor sales yards in addition to the provisions of the use permit (Attachment 5).

- A 10-foot landscape strip is not required along property lines since no sales displays are within 10 feet of any property lines.
- There is an existing six-foot-tall wooden fence surrounding the area of use as well as a 4-foot-tall steel fence along the Via Avenue frontage.
- There is an existing building to be used as an office onsite.
- The existing parking lot is paved with asphalt, and the project proposes improving the driveway to city standards.
- The proposed sales area will be a decomposed granite (DG) surface behind the parking area within the fenced yard.
- The existing concrete pad located behind the existing metal building will locate the small equipment rental area.

Site improvements include landscaping along the frontage, development of the landscaping materials sales yard, concrete enclosure around abandoned wells, and the implementation of a retention basin in the northeast corner of the use area

Existing Building and Proposed Sales Yard

The site has an existing metal building that has remained on the site from the former automotive wrecking yard. The metal building was converted to an office space in recent years. The previous tenant painted the building green. The style and color of the structure fits into the industrial setting of the site and the surrounding buildings. Staff does not recommend any changes to the existing building.

Existing Office Building



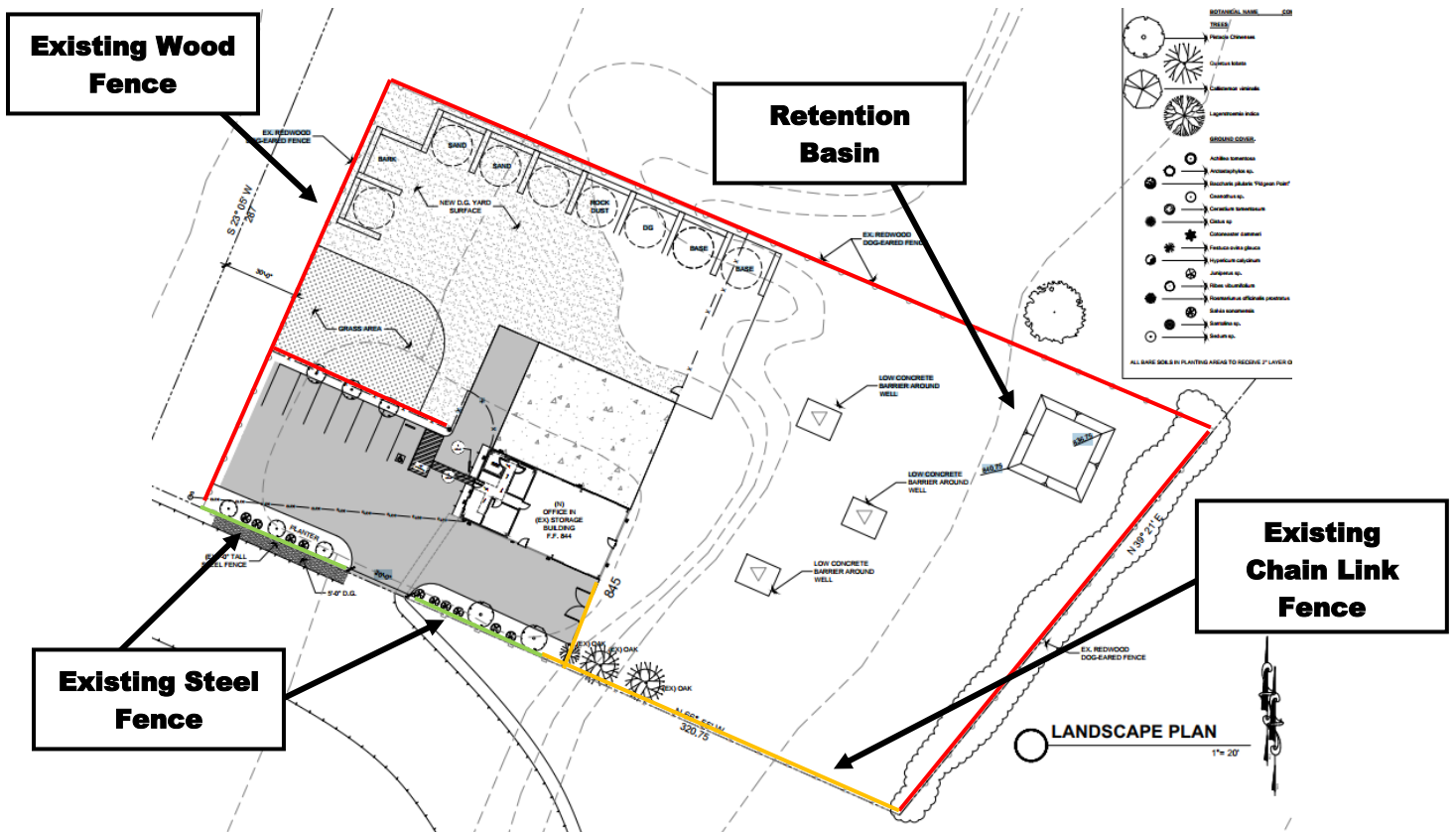
The applicant proposes to limit the area available for material and equipment sales as shown on the submitted site plan. Storage of landscape materials such as bark, sand, gravel, Decomposed Granite and base will be stored along the existing fence. Each material will be separated by 6' tall concrete block barriers that are natural concrete color.

Proposed concrete barrier



There are 3 groundwater testing wells left on the site from the cleanup and testing of the site when the former auto wrecking yard was abandoned many years ago. The current plan shows these testing wells remaining in place surrounded by new concrete barriers. Grass/turf is proposed over the existing septic and leach area, separating the parking lot from the sales yard. Staff has added a condition that the turf area be replaced with native, drought tolerant vegetation and mulch on the landscape plan.

Proposed Landscape Plan



Landscaping

A site plan has been submitted which identifies a landscape area with street trees along Via Avenue in compliance with AMC Section 9-4.125 (Landscape standards). The applicant is proposing five new Chinese Pistache trees, creeping sage, and an array of native and drought resistant ground cover shrubs to be planted in the existing dirt areas along the front property line adjacent to the paved parking area (Attachment 3). Three additional Chinese Pistache trees are proposed to separate the parking area from the grass area and sales yard. AMC Section 9-4.125 requires a minimum landscape coverage of 5% for Industrial zoned sites. Based on the 1.4-acre active use area, the code requires approximately 3,040 square feet of landscaping. With existing and proposed landscaping, the site will have approximately 4,009 square feet of landscaping and street trees at the front of the lot and adjacent to the parking area. A large oak tree exists adjacent to the office building, and some existing trees next to the parking area also provide greenery on site.

Fencing, Screening and Lighting

The site contains an existing six-foot-tall dog-eared, redwood fence along the sides and rear of the property. This separates the current lease area from the unused portion of the property. There is also a wood fence separating the parking area from the sales lot. There is an existing chain link fence along the east portion of the Via Avenue frontage and in front the office building, and a pipe fence along the remaining frontage on Via Avenue. The existing fencing on site is in adequate condition. Therefore, staff has no recommendations for additional fencing.

Although there is no lighting in the sales area proposed, there are six (6) downcast security lights with motion sensors on the west and south sides of the existing building. All lighting will be required to comply with Atascadero Municipal Code standards including shielding and elimination of glare. There will also be a trash enclosure located behind the building on the existing concrete pad. Staff has added a condition that the trash facilities must meet current Cal Green regulations.

Parking

The site has an existing seven (7) parking spaces which the applicant proposes to utilize for the sales lot. Equipment rental requires 1 parking space per 2,000 sf per AMC 9-4.118. The existing concrete slab that will be used for equipment rental is about 2,700 sf, and therefore only requires one (1) parking space. For the sales yard, AMC Section 9-4.118 requires one (1) space per 3,000 SF of outdoor use for building materials. The outdoor sales area is approximately 12,500 SF, requiring four (4) parking spaces. The overall parking requirement is five (5) parking spaces. The applicant's proposal of seven (7) exceeds the requirement.

Summary

ITEM 2
Atascadero Hay and Feed
USE21-0083 / Vetter Trust, Buffett

The proposed land use for Atascadero Hay and Feed (outdoor sales and equipment rental over 10,000 SF), is a conditionally allowed use in the Industrial zoning district and requires a Conditional Use Permit to be approved by the Planning Commission. Staff recommends that the Planning Commission adopt Draft Resolution approving Conditional Use Permit (CUP) USE21-0083 allowing a new business that includes outdoor sales of landscaping material and equipment rentals in the Industrial zone.

ENVIRONMENTAL DETERMINATION:

The proposed project is Categorical Exempt (Class 1) 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 15301, because it consists of the leasing of an existing private facility with negligible expansion beyond existing use.

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 2021.

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

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

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
2. Location and Zoning Map
3. Aerial View
4. Site Photos

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|---|
| ATTACHMENT 1: Draft Resolution USE21-0083 |
|---|

DRAFT PC RESOLUTION

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO, CALIFORNIA,
APPROVING USE21-0083, TO ALLOW A SALES YARD AND
EQUIPMENT RENTAL BUSINESS IN THE INDUSTRIAL ZONE**

**ATASCADERO HAY AND FEED
6501 VIA AVENUE**

WHEREAS, an application was received from Kevin Buffett, 6155 Via Avenue, Atascadero, CA 93422, (tenant and applicant) for a Conditional Use Permit to allow for a Sales Yard with Equipment Rental at 6501 Via Ave (APN 028-201-004); and

WHEREAS, the site has a General Plan Designation of Industrial; and

WHEREAS, the property is in the Industrial (I) zoning district; and

WHEREAS, the Design Review Committee reviewed the design of the project at a timely and properly noticed meeting on January 27, 2021; 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 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

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

SECTION 1. CEQA. The Planning Commission finds as follows:

1. The proposed project is Categorically Exempt (Class 1) 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 15301, because it consists of the leasing of an existing private facility with negligible expansion beyond existing use.

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

FINDING: The proposed project or use is consistent with the General Plan.

FACT: Outdoor Sales Yard and Equipment Rental is consistent with the General Plan as an allowed use in the Industrial zone.

FINDING: The proposed project or use satisfies all applicable provisions of the Zoning Regulations of the Atascadero Municipal Code.

FACT: The proposed equipment rental and sales yard, and use of an existing office building, meets all applicable provisions of the Zoning Ordinance as a conditionally allowed use in the zoning district

FINDING: 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.

FACT: The proposed equipment rental and sales yard, and use of an existing office building, include minor improvements to the property. The proposed use will not be detrimental to the health, safety, or welfare of the general public or nearby residences.

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

FACT: The proposed equipment rental and sales yard, and use of an existing office building, has been reviewed by the Design Review Committee and is designed to be consistent with the character of the immediate neighborhood and includes improvements. The proposed use will not be inconsistent with the character of the surrounding area.

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

FACT: The proposed equipment rental and sales yard, and use of an existing office building, does not generate any traffic beyond the normal traffic volume of the surrounding neighborhood.

SECTION 3. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on February 15, 2022, resolved to approve Conditional Use Permit USE21-0083, subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Site Plan
- EXHIBIT C: Landscape Plan

ITEM 2
Atascadero Hay and Feed
USE21-0083 / Vetter Trust, Buffett

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

Jeff van den Eikof
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary

ITEM 2
Atascadero Hay and Feed
USE21-0083 / Vetter Trust, Buffett

| |
|---|
| EXHIBIT A: Conditions of Approval USE 21-0083 |
|---|

| Conditions of Approval USE21-0083 | Timing |
|---|---|
| 6501 Via Avenue Atascadero Hay and Feed Outdoor Sales Yard | BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy |
| Planning Conditions | |
| 1. This Conditional Use Permit shall allow the land use of Outdoor Sales and Equipment Rental at 6501 Via Ave. described in the attached exhibits and located on APN 028-201-004. | 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. | |
| 3. 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 |
| 4. 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 |
| 5. 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 and started construction on the project. | BP |
| 6. 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 |
| 7. The type of rental equipment onsite is limited to small equipment such as mini excavators, small tractors, riding lawnmowers, etc. No oversized heavy equipment such as excavators, backhoes, bulldozers, cranes, etc. without amendment to the conditional use permit. | Ongoing |
| 8. The sign design shall be consistent with what is shown in Exhibit A. | Ongoing |
| 9. No sub-lease of the building or site may occur unless otherwise approved by the City. | Ongoing |
| 10. No other land use shall be allowed in conjunction with the outdoor sales lot unless specifically approved by the City. | Ongoing |
| 11. No storage, paving, stockpiling, grading, or use of the site shall be allowed beyond the area identified in the site plan for active use and within 30 feet of the top of the bank of Atascadero Creek. | Ongoing |
| 12. All new fences shall be wood or vinyl coated with a neutral color. Any vinyl coated fences shall be screened with evergreen vegetation, with the exception of the fence along the creek. | Ongoing |
| 13. The three testing wells shall be removed or protected by a low barrier as shown on the Exhibit C. | Ongoing |
| 14. Barbed wire shall not be installed anywhere on the site. | Ongoing |
| 15. All signs shall conform to AMC 9-15. | Ongoing |

ITEM 2
Atascadero Hay and Feed
USE21-0083 / Vetter Trust, Buffett

| | |
|--|--------------------|
| 16. Trash facilities shall meet Cal Green requirements. Applicant shall include details of proposed trash enclosure with construction permit. The trash enclosure shall be designed to the satisfaction of the Community Development Department. | BP/ Ongoing |
| 17. The Applicant shall submit a landscape and irrigation plan with submittal of construction documents. The landscape plan shall be consistent with what is shown in Exhibit C and include native, drought tolerant species to the satisfaction of the Community Development Department. The landscaped area above the existing septic system shall contain native, drought tolerant species. | BP/ Ongoing |
| Public Works Conditions | |
| 18. Frontage improvements are required prior to finalization of the building permit, including installation of new sidewalk and accessible driveway approach integral to the existing curb and gutter, per City Standards. 14. | |
| 19. Verify Finished floor elevation of (E) Building on Construction permit submittal- Exhibit B shows 844, but contours around shown as 845. Update FF elev. or contours, whichever applies. | |

EXHIBIT B: Site Plan
USE21-0083

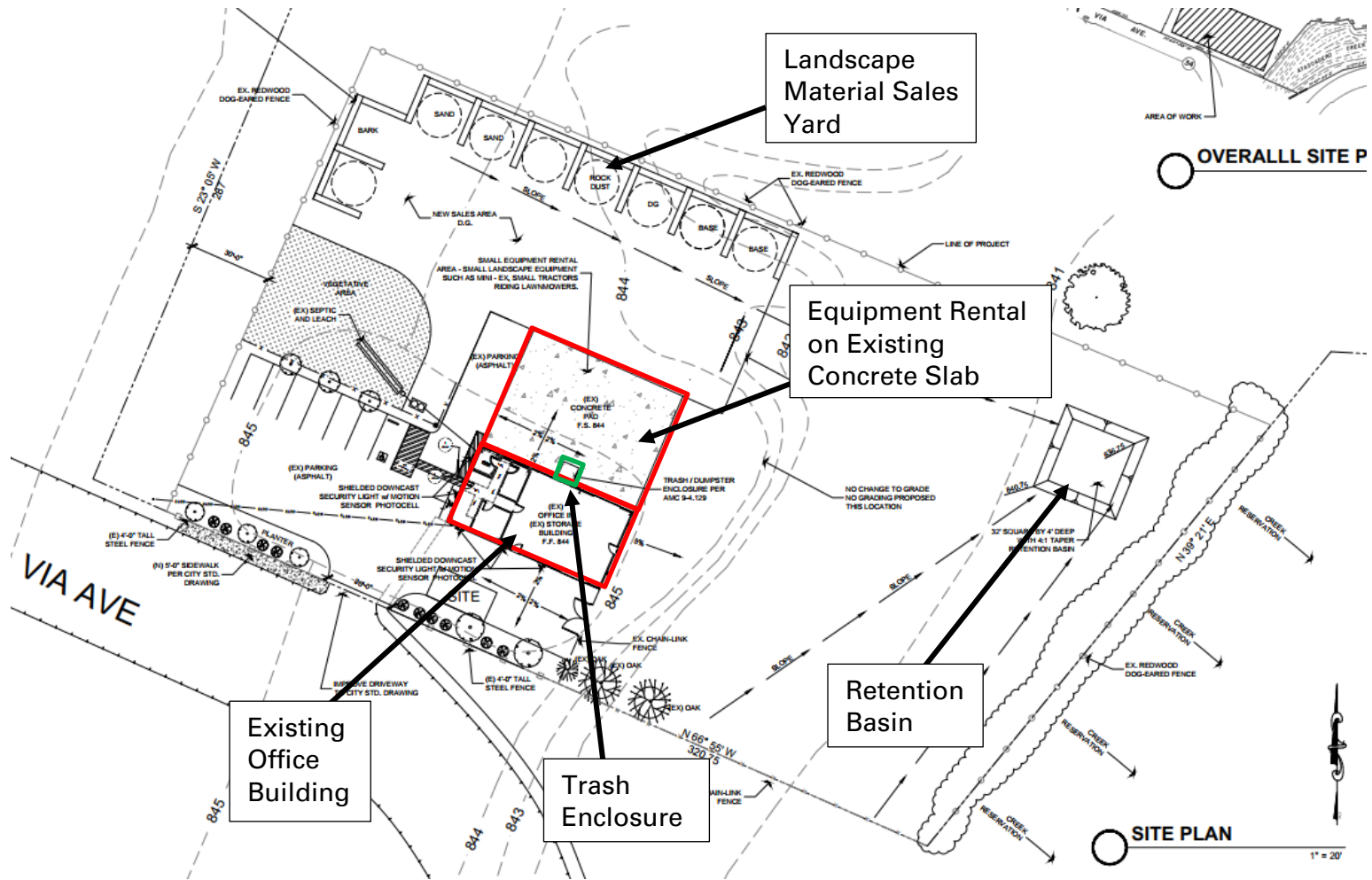
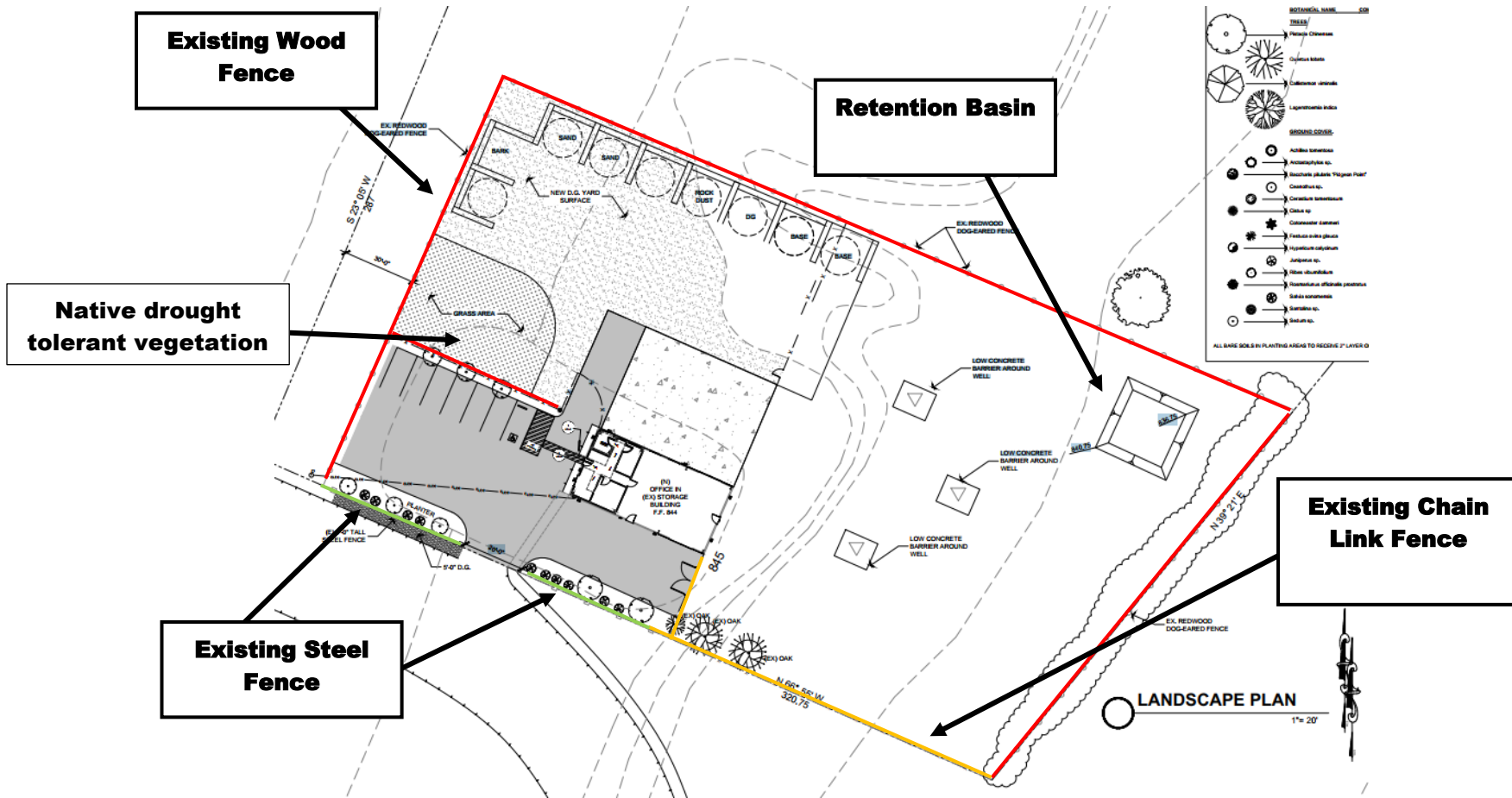
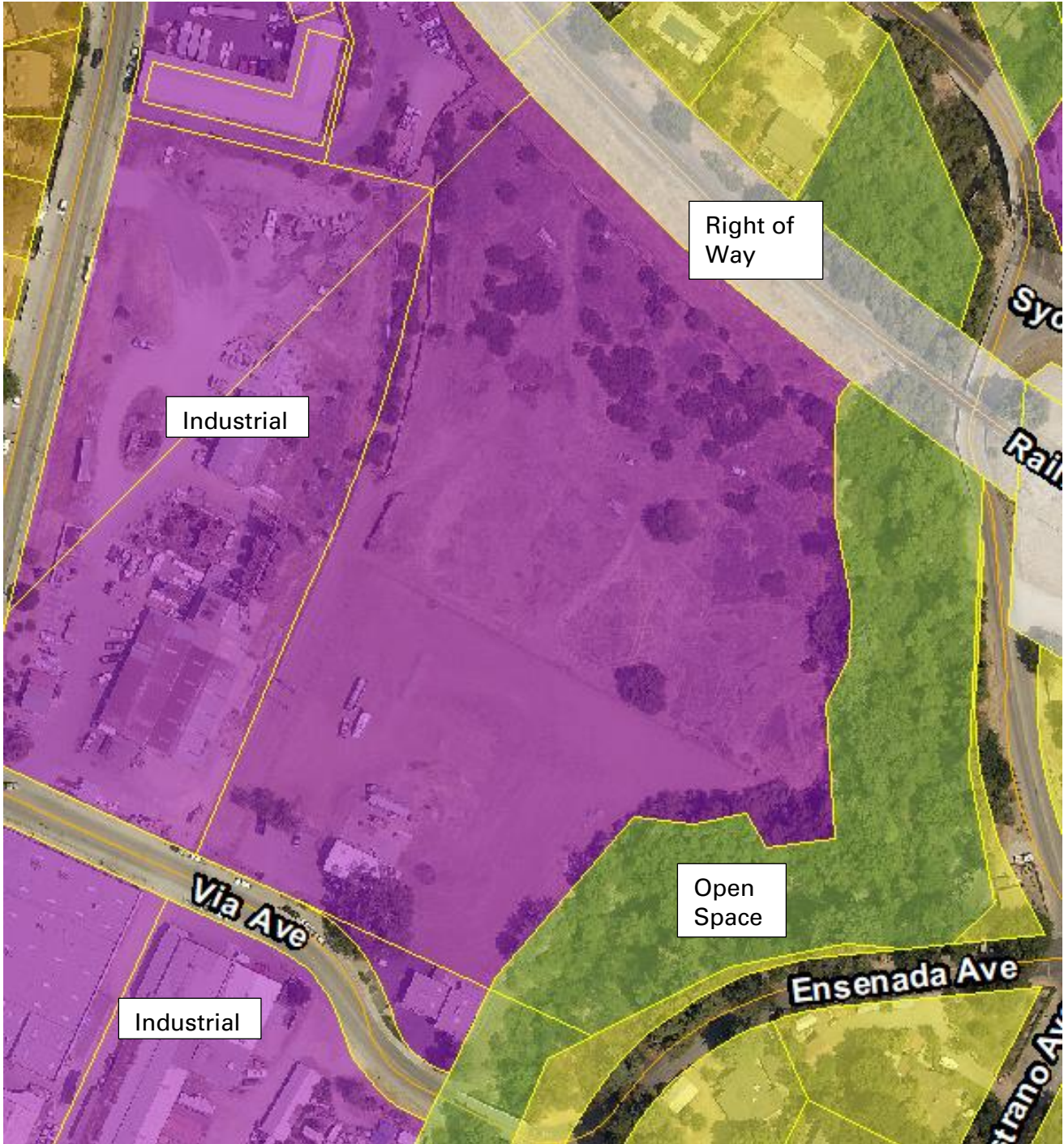


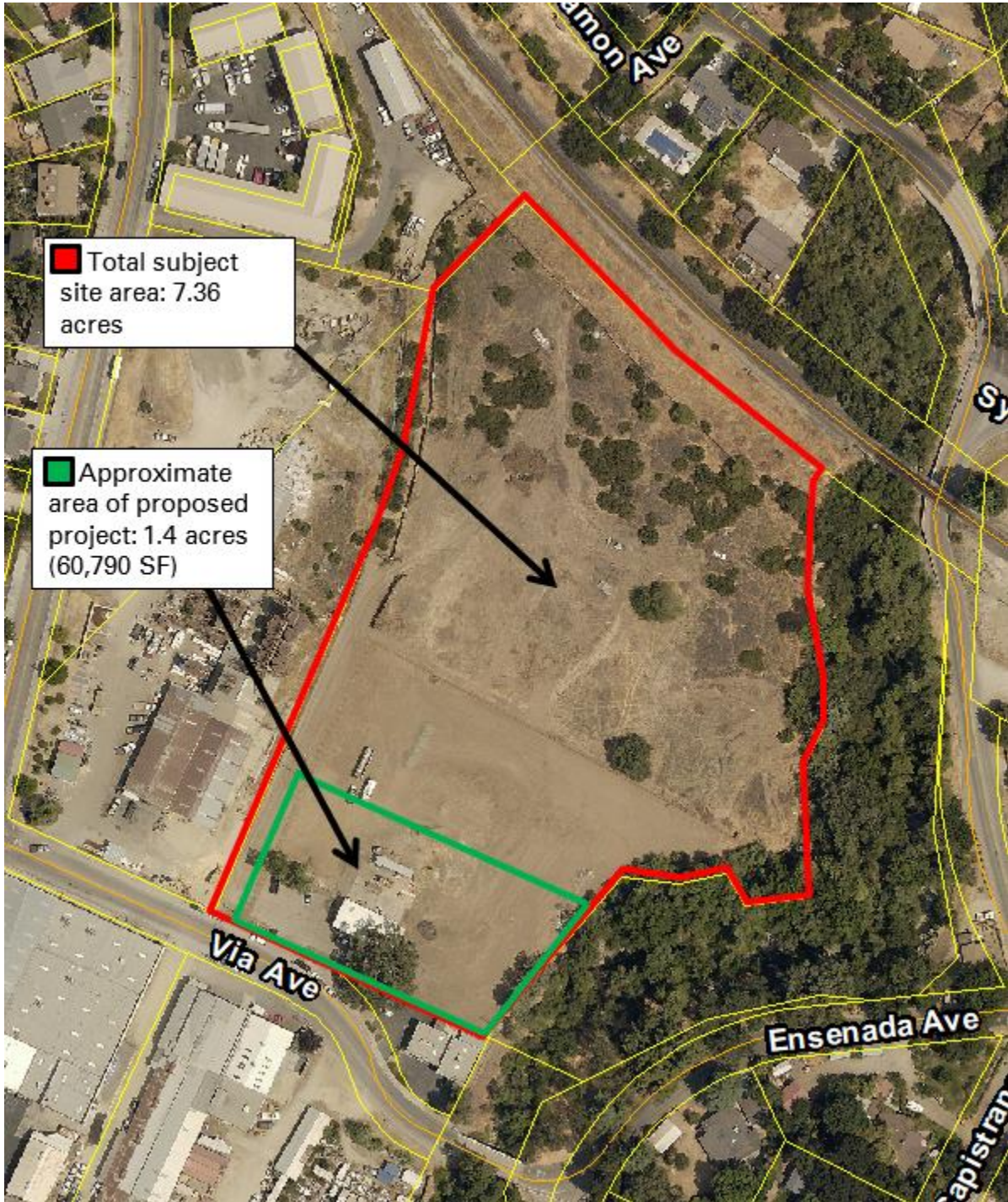
EXHIBIT C: Landscape Plan
USE21-0083



**ATTACHMENT 1: Location and Zoning
USE21-0083**



**ATTACHMENT 3: Aerial View
USE21-0083**



ATTACHMENT 4: Site Photos
USE21-0083

Existing Frontage and Access from Via



Existing Storage Area



Existing Storage Area and Concrete Pad

