



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

In accordance with City Council Resolution No. 2022-038 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>

The video recording of the meeting will be available through the City's website and on the City's YouTube channel.

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, June 7, 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 MAY 3, 2022

- **Recommendation:** Commission approve the May 3, 2022 Minutes.

WEBSITE:



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PLANNING COMMISSION BUSINESS

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. MASTER PLAN OF DEVELOPMENT FOR THE DEL RIO MARKETPLACE

The proposed project (Del Rio Marketplace) is an Amendment to the previously approved Master Plan of Development for the Northeast site of the Del Rio Road Commercial Area Specific Plan. The project proposes a mix of retail, office, light industrial, and residential uses. No exceptions are being requested at this time. An addendum to the originally certified EIR has been prepared showing no additional impacts.

The proposed project includes the following addresses/APN's:

049-102-075 (1825 El Camino Real), 049-102-051 (1745 El Camino Real), 049-102-031 (1831 El Camino Real), 049-102-048 (5510 Del Rio Rd), 049-102-045 (5700 Del Rio Rd), 049-102-056 (1905 El Camino Real)

Recommendation: Staff's recommendation is to approve the project with conditions. (AMND19-0063).

3. COMMUNITY DEVELOPMENT STAFF REPORTS

The Community Development Director will give an overview of upcoming revisions to the Municipal Code to implement government code changes related to Accessory Dwelling Units, Urban Dwelling Units and Urban Lot splits. (ZCH21-0006)

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COMMISSIONER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be held on June 21, 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 at (805) 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 (805) 470-3402 at least 24 hours prior to the meeting. Digital presentations brought to the meeting should be on a USB drive or CD. You are required to submit to the Recording Secretary a printed copy of your presentation for the record. Please check in with the Recording Secretary before the meeting begins to announce your presence and turn in the printed copy.

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

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CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES

Regular Meeting – Tuesday, May 3, 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 6:01 p.m. and Commissioner Hughes led the Pledge of Allegiance.

ROLL CALL

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

Absent: Commissioner Carranza (excused absence)
Vice Chairperson Keen (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

APPROVAL OF AGENDA

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

*Motion passed 5:0 by a roll-call vote.
(Keen, Carranza absent)*

PUBLIC COMMENT

None

Chairperson van den Eikhof closed the Public Comment period.

CONSENT CALENDAR**1. APPROVE THE DRAFT MINUTES OF MAY 3, 2022**

- Recommendation: Commission approve the May 3, 2022 Minutes.

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

*Motion passed 5:0 by a roll-call vote.
(Keen, Carranza absent)*

PLANNING COMMISSION BUSINESS

None.

COMMUNITY DEVELOPMENT STAFF REPORTS

None.

PUBLIC HEARINGS**2. CONDITIONAL USE PERMIT FOR 2300 RAMONA ROAD**

The proposed project includes the review of a proposed expansion of an existing animal housing and veterinary facility for a new 15,000 square foot animal shelter which will accommodate the addition of dog adoptions as well as cat adoptions and various shelter services for Woods Humane Society on APN 049-141-043. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption §15332, Class 32 In-fill development.

Recommendation: Staff's recommendation is to approve the project with conditions. (USE22-0027).

EX PARTE COMMUNICATIONS

Commissioner Heath visited the facility in San Luis Obispo and met with a couple of representatives.

Chairperson van den Eikhof visited the site a few months ago after the DRC saw this item. He toured the facility and met with a couple of representatives.

Planner Gasch presented the staff report, and she and Director Dunsmore answered questions from the Commission. There are two gates for the facility; one is a security gate and there is an additional gate for a staff parking area. These would remain open during operating hours.

PUBLIC COMMENT

The following members of the public spoke: Neil Trent, Heather Lewis, Wendy Burman, (all representing Woods), and Barbara Warren.

Recording Secretary Manier stated that numerous comments were received, forwarded to the Commission, and posted on the City's website.

Director Dunsmore stated that when the building permits come in for this project, each department will review this project to ensure code compliance.

Chairperson van den Eikhof closed the Public Comment period.

- MOTION:** By Commissioner Anderson and seconded by Commissioner Hughes to adopt PC Resolution approving a Conditional Use Permit USE22-0027, allowing the expansion of an existing animal shelter and spay/neuter dog adoption and care facility in the Public zone, at 2300 Ramona Road, based on findings and subject to Conditions of Approval, to include staff's recommendation to revise the wall condition as follows:
- There will be a wall over the future sewer line and if the sewer line is ever damaged, the applicant must repair it.

Motion passed 5:0 by a roll-call vote.
(Keen, Carranza absent)

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Director Dunsmore gave an update on the General Plan Update, Del Rio Marketplace/Valley Fresh Market, SB9 and ADU's. Director Dunsmore stated that we intend to hear SB9/ADU's on the next agenda.

ADJOURNMENT – 7:35 p.m.

The next regular meeting is scheduled for May 17, 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

Del Rio Marketplace (AMND19-0063)

RECOMMENDATION(S):

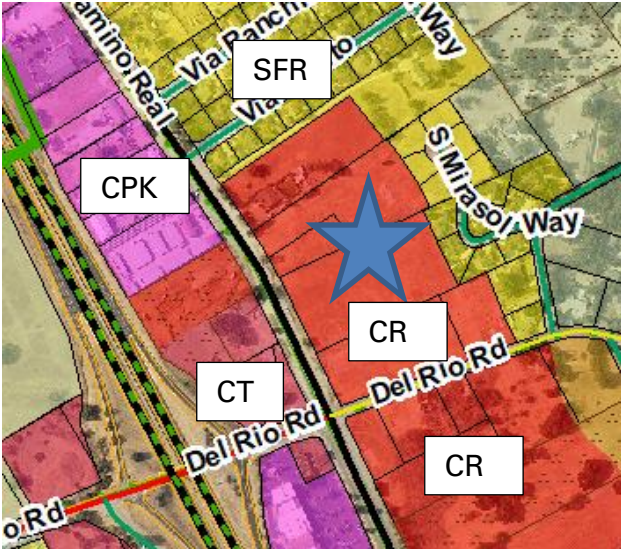
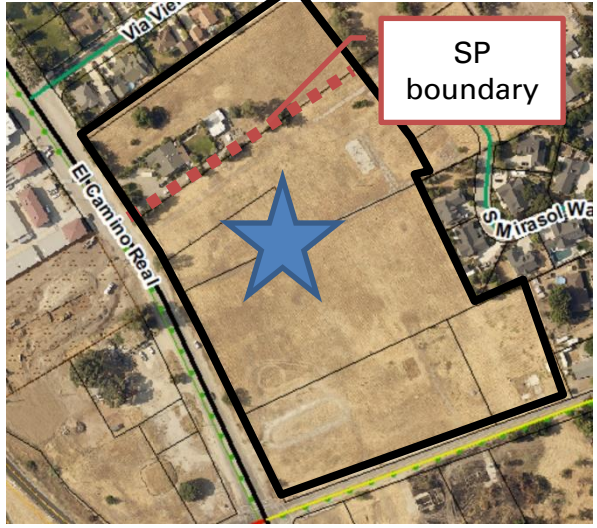
Planning Commission Adopt Draft PC Resolution approving a Conditional Use Permit Amendment, Tentative Parcel Map (AT22-0011), and EIR Addendum for the Del Rio Marketplace, subject to findings and conditions of approval.

Project Info In Brief:

PROJECT ADDRESS:	1745, 1835, 1905, 1955 El Camino Real	Atascadero, CA	APN	049-102-051, 075, 031, 056, 045
PROJECT PLANNER	Kelly Gleason Senior Planner	805-470- 3446	kgleason@atascadero.org	
APPLICANT	Patti Whelen / MP Annex, LLC			
PROPERTY OWNER	MP Annex, LLC			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
General Commercial (GC)	Commercial Retail / Specific Plan 2 (CR / SP2)	Approximately 11.1 acres	Vacant / Single-family residence	Mixed-Use development
ENVIRONMENTAL DETERMINATION				
The proposed project is consistent with the previously certified EIR for the del Rio Road Commercial Area Specific Plan adopted on June 26, 2012 and amended on September 22, 2020 in accordance with the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"). An addendum was prepared to address traffic related impacts and modify mitigation measure timing and effectiveness based on refined project plans.				

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

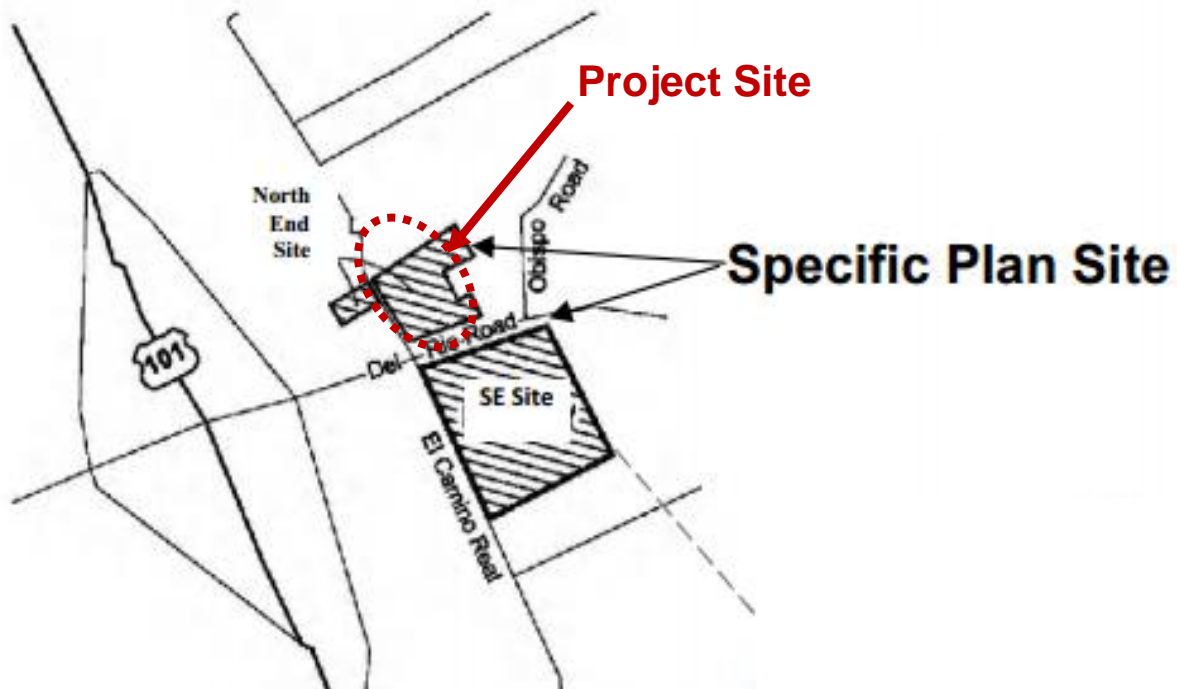
Zoning and Location		2018 Aerial	
			
North:	South:	East:	West:
Residential Single-family/PD17 (RSF-X/PD17)	Commercial retail (CR)	Residential Single-family/PD17 (RSF-X/PD17)	Commercial Retail (CR) / Commercial Tourist (CT) / Commercial Park (CPK)

DISCUSSION:

Background

The Del Rio Area Specific Plan was adopted in 2012 and amended in 2020. The original plan envisioned the North-End development site as a commercial retail center. The City initiated an amendment in 2020 to modify traffic mitigation based on the formal withdrawal of Walmart permits. During that amendment, the list of allowed and conditionally allowed uses was modified to provide flexibility in land uses and expand light-industrial and business park uses while eliminating fuel stations, drive-through restaurants, and related high traffic generating uses. The site was marketed to regional tech and manufacturing companies in addition to office and grocery anchors. A local grocery store has currently signed on to anchor the site.





Project Summary

The project site is approximately 11.1 acres. A majority of the project site is within the Del Rio Road Commercial Area Specific Plan (Specific plan) with the most northern parcel resting outside the formal Specific plan boundary. The project includes a tentative parcel map to modify the existing lot lines to accommodate building construction based on the current plan.

The applicant is proposing a mixed-use commercial center that includes retail, office, light-industrial, and residential opportunities. The current proposal includes a 32,400 square-foot grocery anchor tenant with 31,700 square-feet of ancillary retail/commercial uses, 18,600 square-feet of light-industrial space, and 31,500 square-feet of ground floor office space with options for second and third floor office or residential uses. Should the upper floors of the office buildings develop as residential, there would be up to an estimated 82 units. The applicant will be able to decide at time of building permit submittal what mix of uses the buildings will contain.

The project approval will establish a Master Plan of Development for the site and provide a “worst case” scenario traffic analysis to determine required mitigation, consistent with the Del Rio Road Commercial Area Specific Plan EIR. Per the adopted Specific Plan, the Master Plan of Development will be approved by City Council. City Council is scheduled to review the Planning Commission’s recommendation for the project on July 12th.



ANALYSIS:

Use Standards:

The project site is located in the Commercial Retail zoning district with a Specific Plan Overlay. The specific Plan refines the list of allowed and conditionally allowed uses to expand business and light-industrial type uses and restrict drive-through and other high traffic generating uses. Where silent, all other uses of the underlying zoning district are allowed.

Mixed-use development is allowed in the CR zoning district with the approval of a conditional use permit. The proposed plan envisions 3-story buildings at the northern and south-eastern buildings of the site, above intended light-industrial and office uses (Office and Exchange buildings). The second and third floor will be designed to either accommodate expanded office uses or residential units depending on demand.

Site Design:



The site concept includes an angled design to activate the corner of Del Rio and El Camino Real and to provide sight lines from the intersection into the center. A plaza space is included at the corner of the site to allow for outdoor oriented uses and to create visual



interest. The Northern portion of the site is envisioned for office and light industrial uses to create a consolidated business park component. It is important to note that the most northern parcel included in the development plan is outside the specific plan area, but is under the same ownership as the adjacent parcels and is included in the overall site design to provide shared parking and access. This parcel is zoned Commercial Retail and allows similar land uses as the Specific Plan. The Specific Plan required shared access to this parcel, which this design accommodates. Parking, access, and drainage easements will be required to ensure continued functionality of the center as one development.



The main entrance to the site is provided by a vehicular driveway from El Camino Real. This driveway is limited to right-in, right-out only to limit traffic conflicts on El Camino Real. One other driveway located along the El Camino frontage will align with the Home 2 Suites driveway allowing vehicles to turn both directions while exiting. An additional driveway is located on Del Rio Road and is envisioned to align with the proposed main commercial driveway for the Del Rio Ranch project to the south. Road and frontage improvements will be consistent with the adopted City traffic concept plans with modifications as needed to accommodate site design specifics and projected traffic needs.

The proposed office buildings with potential for second and third floor residential units have been sited toward the eastern and northern edges of the property to provide a transition between the commercial uses and the existing adjacent single-family uses, thus enhancing neighborhood compatibility. The plan has incorporated a sound wall along portions of the eastern property line per the standards of the Specific Plan.

The grocery anchor is sited at an angle to provide for a unique site design and enhanced sight line into the center from the Del Rio Road / El Camino real intersection. At the closest point to the rear property line, the grocery building will be 45-feet from the adjacent residential property. The rear loading area for the market faces the new residential development under the same ownership as this property. In some locations, the grocery building pad is at a lower elevation than the surrounding residential parcels, further reducing the visual impact of the building.

There are no required front and side yard setbacks and a required 10-foot rear setback along the eastern property line. The proposed project provides a minimum 22-foot



setback from the norther side property line (22-feet to the exchange 1 building and 80-feet to the 3-story mixed-use building) and a minimum 45-feet from the rear property line.

Landscaping

Landscaping is included along all development edges and throughout the parking lot. Landscape screening is provided along the eastern edge adjacent to the existing residential properties to support neighborhood compatibility. The northern property is outside of the formal Specific Plan boundary; however, attention has been given to the interface between the development and adjacent residential properties. The proposed office / mixed-use building is setback approximately 80-feet from the property line with parking between the building and property boundary. The property directly to the north is a flag lot consisting of a driveway to a single-family residence, providing an additional buffer to the housing development farther north. Ample room for trees and dense shrubs is provided with a solid wall or fence proposed as required by code. A condition has been added to provide dense evergreen landscaping at the project edges to the greatest extent feasible.

The El Camino frontage has been reserved for drainage improvements which will also allow ample landscaping and accentuation of the streetscape. Basins will be approximately 4-feet deep and landscaped with native grasses and trees along the banks. Basins are conditioned to be unfenced. A basin is also included at the north-eastern portion of the site. This basin accommodates drainage requirements for the adjacent residential development and will have a solid fence along the commercial development boundary to allow for transparent fencing from the residential side. This basin is maintained by the adjacent residential development and an easement has been recorded to ensure continued maintenance and access.

Trash enclosures are placed throughout the site providing accessible locations for all tenants. At the recommendation of the DRC, trash enclosures were relocated away from the pedestrian connection to the single-family neighborhood to the east creating a more inviting connection and allow for an expanded pathway that more directly connects to the Valley Fresh plaza space. Plaza spaces are included adjacent to the retail buildings to provide outdoor use opportunities and specifically cater to restaurants, coffee shops, micro-breweries, and similar uses. A condition has been included to ensure that these spaces include decorative pavement to highlight these areas.

Architecture:

The Del Rio Commercial Area Specific Plan includes architectural design standards for properties with the Specific Plan area that focus on contemporary Agrarian themes. Agrarian design themes blend modern materials with agricultural based building forms to create a modern rustic architecture. This theme allows for a variety of building features and roof forms creating cohesiveness throughout the area while allowing for unique design features and tenant identity.





Architectural Theme: *Contemporary Agrarian*

Design and Material Features:

- Gable and shed roof elements
- Vertical accents at corners and entry points
- Earth toned colors
- Mix of metal, wood, concrete, and glass
- Large openings and windows
- Geometric form
- Overlapping horizontal and vertical elements
- Layered façade elements

The proposed elevations for the grocery store include vertical wood-look siding, board and batten elements, metal roofing, and metal awnings, consistent with an agrarian theme. Black storefront window and door systems are proposed facing the parking lot and adjacent plaza spaces. The main building is 35-feet in height with architectural tower and roofline features reaching 45-feet in height, as allowed by the Specific Plan.



The other buildings are still conceptual in nature to allow for changes based on tenant needs but include similar elements such as metal siding, exposed rafter tails, and metal trellises and awnings. A condition is included to require that these buildings incorporate complimentary agrarian design elements as proposed and as consistent with the Specific Plan.





Signage

The Del Rio Road Commercial Area Specific Plan includes a sign program for development within the Specific Plan boundaries. The plan allows for wall mounted signage in addition to awning and projecting signs for each tenant space. The maximum area permitted for wall signs is 1 square-foot per linear foot of tenant building frontage and must be proportional to the building in terms of letter size and location. Valley Fresh is the only tenant identified at this time. The tenant space includes one larger main sign above the building's main entrance areas and 2 smaller signs above awnings to the side ("deli" and "bakery"). The main Valley Fresh sign is comprised of internally illuminated channel letters, consistent with the Specific Plan sign program. The Valley Fresh tenant space is 216-feet in length allowing for up to a 216 square-foot sign. The proposed sign is 214 square-feet, within the requirements of the Specific Plan. The building is located toward the rear of the site, necessitating a larger sign for visibility. The sign location and size are proportional and compatible with the building architecture.

The project also proposes a center identification sign located at the intersection of El Camino Real and Del Rio Road. The sign is envisioned to be individual letters mounted on an entry trellis feature above the corner plaza. A condition has been added that this sign be backlit or externally illuminated to minimize glare from internally illuminated letters and enhance the sense of place at the corner.



Center entry signs are also proposed at each project driveway entrance allowing for signage for each tenant along the project frontages to increase visibility. The signs include a decorative rock veneer base, wood, and steel elements consistent with the center architecture. The sign design allows for 15 tenants with varying degrees of prominence. The total sign height is proposed to be 20-feet from the ground level to the top of the architectural roof feature.

The Atascadero Municipal code allows multi-tenant free standing signs for commercial centers. The code allows for a maximum of 1 monument sign per property with a maximum height of 12-feet and a maximum total signage area of 100 square-feet. The sign as proposed would require approval of a code exception. Staff is recommending that the multi-tenant sign be reduced in height to a maximum of 12-feet from the ground level to the top of the signage area. Additional height would be allowed for the architectural roof feature. Staff is also recommending that the monument sign at the north El Camino Real driveway be redesigned as a center identification sign with reduced tenant signage. This will allow driveway identification for trucks and patrons and limit confusion with nearby adjacent residential driveways but should be designed to be smaller in scale. Staff is recommending, and a condition has been added, to limit the height of this sign to 8-feet and have a similar design to the taller monument signs.



Residential Density

The project site is zoned Commercial Retail with a majority of the site also residing within the boundaries of the Specific Plan. The Specific plan allows for all uses listed in the City's CR zoning district (with some restrictions for high traffic generating uses) and therefore, allows for residential uses on the upper floors of commercial and office buildings. The applicant does not have office tenants lined up for the proposed buildings yet and wants to remain flexible to allow second and third floor office space as needed. However, if an office user is not found for the upper floors, the applicant is proposing to include residential units in these locations. The project area is 11.1 acres allowing a maximum density of up to 266 residential units on the project site. The applicant envisions 82 units in the areas designated for mixed-use, far below the maximum allowable base density. The project



will be conditioned with a cap on the number of allowable units based on traffic analysis. The project conditions also include requirements for minimum ground floor height to ensure that the ground floor remains viable for a variety of commercial uses.

Parking

A total of 580 parking spaces are provided throughout the project site. Based on the proposed probable uses for the site, a total of 540 spaces are required by the Atascadero Municipal Code. Additional spaces have been provided to ensure maximum flexibility for future tenants. Parking has been located throughout the site to allow for each building to have adjacent parking areas. Parking lot landscaping has been provided throughout and parking areas have been designed to allow for roll-up doors on the exchange buildings should future tenants need direct truck access.

Tentative Parcel Map

The proposed project includes consideration of a Tentative Parcel Map. The existing property contains 6 legal lots of record. The existing property lines will conflict with proposed structures. The tentative map will reconfigure the lot lines and create an additional parcel. This will allow for increased financing opportunities as well as streamlined lease agreements. The project has been conditioned to provide easements for shared access, parking, and drainage facility maintenance. Agreements will also be required to be recorded against each parcel notifying any residential tenant of the commercial nature of the site to ensure that commercial activities are prioritized.

Specific Plan Compliance

All master plans of development are required to be consistent with the Del Rio Road Commercial Area Specific Plan. The Specific Plan policies ensure cohesive development throughout the Specific Plan area in addition to incorporating standards related to neighborhood compatibility.

The Specific Plan requires buildings to be articulated on all elevations and use materials and colors compatible with the Specific Plan design theme. The design should include at least two main materials and one accent material. Appropriate materials include block, stucco, wood, concrete, and/or decorative veneer. Large, unarticulated elevations are prohibited. The proposed architecture for the Del Rio Marketplace is consistent with the design standards listed in the Specific Plan.

The Specific Plan requires internal connectivity to the adjacent commercial parcel to the North. As this northern parcel is part of the proposed development, the required internal access connection has been achieved and thus, the project is consistent with this requirement.

The Specific Plan requires sound walls along the eastern property edge to mitigate noise from commercial loading areas. The original site development plan had large buildings



adjacent and parallel to the eastern property line with loading docks for multiple retail stores. The new design minimizes commercial loading in this area and buildings have been setback from the property line to lessen noise impacts. The grocery store is also designed at an angle with the rear of the building facing the residential development under the same ownership as this project. Staff has added a condition that the sound walls be consistent with the Specific Plan (along the eastern project edge) and that a noise analysis be provided to determine which property lines require a solid block wall for sound mitigation.

Traffic

An updated traffic analysis has been completed by Central Coast Transportation Consulting to determine consistency with the Del Rio Road Commercial Area Specific Plan. The analysis determined that impacts are similar or less than those listed with the 2020 Specific Plan update. Updates to Mitigation Measure timing have been included in the EIR addendum and project conditions of approval.

Based on the analysis, improvements identified at US101 are not required until the area reaches full build-out. These future improvements consist of a dedicated right turn lane onto Northbound US 101 and signal timing modifications. With this project anticipated to move forward into the construction phase by the end of the year, the project conditions require the applicant to provide a fair share payment toward the freeway on-ramp improvements and any signal timing required.

The project developer will be required to construct all improvements (curb, gutter, sidewalk and road widening) at the intersection of El Camino real and Del Rio Road to ensure proper lane alignment and configuration. This will necessitate construction of the curb return and relocation of the signal at the south-east intersection corner (on the Del Rio Ranch property).

Conclusion

The proposed project consists of a mixed-use development within the Commercial Retail zoning district and within the Del Rio Road Commercial Area Specific Plan. The project proposes a unique new concept by introducing a mix of retail, grocery, office, light-industrial, and residential uses, consistent with the underlying zoning and the Specific Plan. The project is located at a key commercial node and is part of a larger vision for the north end of town.

ENVIRONMENTAL DETERMINATION:

The City of Atascadero prepared an Environmental Impact Report (EIR) for the Del Rio Road Commercial Area Specific Plan in compliance with the California Environmental Quality Act (CEQA). The City Council certified the Final Environmental Impact Report (Final EIR) for the Del Rio Road Commercial Area Specific Plan at a public hearing on



June 26, 2012. The analysis in the Final EIR was at a “project” level of detail, which anticipated the potential impacts of future approvals to implement the project.

In 2017, the City amended the Del Rio Specific Plan to accommodate the Hilton Hotel on the western portion of the “Annex” site of the Del Rio Specific Plan to allow for a hotel instead of retail development. That amendment recognized a reduction in vehicle trips and associated environmental impacts. A four-story, 120-room hotel, north of Del Rio Road, between Hwy 101 and El Camino Real has been recently completed as a result of that amendment.

In 2017, Walmart notified the City that they would no longer be pursuing the development of their Del Rio store in Atascadero. In 2019, development plans were officially withdrawn and the site is being marketed for sale. On July 12th, 2020, the tentative parcel map and associated Master Plan of Development for the project expired. In 2020 amendments to the Specific Plan were adopted modifying the list of allowed uses on the site, including the removal of high traffic generating uses, and mitigation measures were modified to recognize the reduction in trips and traffic impacts through an addendum to the EIR.

The current Master Plan of Development for the Del Rio Marketplace proposes a mix of uses allowed within the existing Commercial Retail (CR) zoning designation and as modified by the Specific Plan overlay zone. As traffic impacts and peak hour timing vary from the previous EIR addendum, a new addendum was prepared to ensure that mitigation measures are appropriately correlated to the impacts and to show that impacts remain the same or are reduced as required by CEQA. The analysis has also shifted from Level of Service (LOS) to Vehicle Miles Traveled (VMT) with the enactment of new State law. This addendum considers newly enacted State requirements and reviews traffic impacts based on VMT, as currently required under CEQA.

After reviewing the facts and analyzing the circumstances, City staff has determined that a new EIR is not required because none of the circumstances described in CEQA Section 21166, as implemented by CEQA Guidelines Section 15162, would occur. Staff has prepared an addendum to discuss these issues and the basis for this determination. The addendum is included in the attached Resolution A for review and consideration.

FINDINGS:

To approve the master plan of development and mixed-use project, the Planning Commission must make all of the following findings:

Conditional Use Permit

1. The proposed project or use is consistent with the General Plan, and
2. The proposed project or use satisfies all applicable provisions of the Zoning Ordinance, and



3. The establishment, and subsequent operation or conduct of the use, will not 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, and
4. That the proposed project or use is consistent with the character of the immediate neighborhood and will not be contrary to its orderly development, and
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, and
6. The proposed project is in compliance with any pertinent city policy or criteria adopted by ordinance or resolution of the city council.

Tentative Parcel Map

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
2. The site is physically suitable for the type of development (Government Code § 66474(c)), and
3. The site is physically suitable for the proposed density of development (Government Code § 66474(d)), and
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
5. The design of the subdivision or the type of improvements will not cause serious health problems. (Government Code § 66474(f)), and
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)).

ALTERNATIVES:

1. The Planning Commission may recommend 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 the attached draft resolution.



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 recommend that the City Council 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 A



DRAFT PC RESOLUTION A

**RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO RECOMMENDING THAT THE CITY
COUNCIL APPROVE A CONDITIONAL USE PERMIT TO ESTABLISH A
MASTER PLAN OF DEVELOPMENT FOR A MIXED-USE PROJECT
AND A TENTATIVE PARCEL MAP (AT22-0011) TO ESTABLISH A 7
LOT COMMERCIAL DEVELOPMENT INCLUDING AN EIR
ADDENDUM LOCATED AT THE NORTH-EAST PROJECT SITE OF
THE DEL RIO ROAD COMMERCIAL AREA SPECIFIC PLAN**

**DEL RIO MARKETPLACE
MP. ANNEX, LLC
(AMND19-0063)**

WHEREAS, an application has been received from MP Annex, LLC (284 Higuera St, San Luis Obispo, CA 93401), Owner and Applicant, to consider Planning Application AMND19-0063, for a Conditional Use Permit to establish a Master Plan of Development for a mixed-use project and associated Tentative Parcel Map located at 1745, 1835, 1905, 1955 El Camino Real, Atascadero, CA 93422 (APNs 049-102-051, 049-102-075, 049-102-031, 049-102-056, and 049-102-045); and

WHEREAS, the site's General Plan Land Use Designation is General Commercial (GC); and

WHEREAS, the site's Zoning District is Commercial Retail with a Specific Plan #2 Overlay Zone (CR/SP2); and

WHEREAS, the City Council adopted the Del Rio Road Commercial Area Specific Plan and associated entitlements on July 10, 2012; and

WHEREAS, The Del Rio Road Commercial Area Specific Plan envisions a larger scale development at this key commercial node in accordance with underlying zoning requirements and standards adopted in the Specific Plan.

WHEREAS, mixed-use development with residential uses on the second and third floors is a conditionally allowed use in the Commercial Retail (CR) zoning district; and

WHEREAS, in conjunction with the approval of the Del Rio Road Commercial Area Specific Plan and associated entitlements, the City Council of the City of Atascadero, on June 26, 2012, certified the Del Rio Road Commercial Area Specific Plan Final Environmental Impact Report (State Clearinghouse No. 2010051034) (herein referred to as the "DRCASP EIR"), adopted



a Statement of Overriding Considerations and adopted a Mitigation Monitoring Program in compliance with the California Environmental Quality Act (herein referred to as "CEQA"); and

WHEREAS, a subsequent project amendment and EIR addendum was adopted by the City Council on July 11, 2017 in conjunction with the approval of a Hotel at 1800 El Camino Real; and

WHEREAS, the City Council approved an addendum to the EIR in conjunctions with amendments to the DRRCASP on September 22, 2020; and

WHEREAS, Central Coast Transportation Consulting prepared a report analyzing impacts from the proposed development as compared to mitigation measures and timing listed in the amended EIR and determined that impacts were equal to or less than impacts identified in the amended EIR; and

WHEREAS, to assess potential environmental impacts associated with the proposed detailed Master Plan of Development for the Del Rio Marketplace, City staff prepared an addendum to the DRRCASP EIR pursuant to CEQA (herein referred to as "Addendum"); and

WHEREAS, based on the Central Coast transportation Consultant Report and proposed Master Plan of Development City staff prepared draft language amending Mitigation Measure to address timing and phasing appropriate to mitigate impacts from the current project; and

WHEREAS, the Addendum concluded that the proposed amendments would not result in any new or substantially more severe impacts than disclosed in the original Del Rio Road Commercial Area Specific Plan, as amended; and

WHEREAS, Section 21000, *et seq.*, of the Public Recourses Code and Section 15000, *et seq.*, of Title 14 of the California Code of Regulations (herein referred to as the "CEQA Guidelines"), which govern the preparation, content, and processing of environmental impact reports, have been fully implemented in the preparation of the Del Rio Road Commercial Area Specific Plan and Addendum; and

WHEREAS, the minimum lot size in the CR zoning district is 0.5 acres; and

WHEREAS, the proposed subdivision includes parcels ranging from 0.7 acres to 3.8 acres; and

WHEREAS, all shared parking and access easements are required to be recorded to ensure that all parcels have legal access from the adjacent rights-of-way; and

WHEREAS, the project was reviewed by the Design Review Committee at their regularly scheduled meeting on March 10, 2022; and

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



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

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

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

SECTION 2. Public Hearings.

1. The Planning Commission held a duly noticed public hearing to consider the project on June 7, 2022 and considered testimony and reports from staff, the applicants, and the public.

SECTION 3. Findings. The Planning Commission makes the following findings, determinations and approvals

1. Findings for Approval of a Conditional Use Permit

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

FACT: The project is consistent with the Land Use, Open Space and Circulation (LOC) Policies and Programs 1.1.7 for infill development; 1.4.1 for screening exterior lights; 2.1.3 and 7.2.3 for providing street trees; and, 8.5.3 for providing on-site stormwater management. In addition, the project is consistent with Circulation Element (CIR) Policies and Programs 1.4 for requiring a tree lined street; 1.5.1 for requiring adequate off-street parking; and 2.3.1 for providing adequate sidewalks as required for all new commercial development in the City.

The General Plan also includes policies and programs aimed at enhancing the City's visual character and promoting economic viability. LOC3 promotes the transformation of El Camino Real into a distinctive and attractive commercial, office, and industrial park area which can provide for the long-term economic viability of the community. In addition, LOC13 provides policies and programs aimed at establishing a range of employment and business opportunities to provide a sound economic base and ensure that new development generates sufficient revenue to support public service needs and quality environmental, social, and educational opportunities. LOC14 also encourages land uses that provide jobs and services for residents that fit within the city's character.

The project, as proposed, will provide additional service to surrounding residents and provide increased property taxes once the site has been developed.

B. **FINDING:** The proposed project or use satisfies all applicable provisions of the Zoning Ordinance



FACT: The proposed mixed-use development is consistent with the Atascadero Municipal Code and the Del Rio Road Commercial Area Specific Plan. In the Commercial Retail Zoning District residential uses on the second and third floors can be permitted through the Conditional Use Permit process as identified in the Municipal Code. The proposed structures and site plan are consistent with the applicable provisions of the Atascadero Municipal Code as conditioned.

- C. 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 development will be located within the Del Rio Road Commercial Area Specific Plan where commercial uses are identified as desirable and encouraged. The site design has been reviewed by all City departments for consistency with code requirements. The project is proposed to have three access points, one off Del Rio Road and two off El Camino Real. The project is conditioned to construct frontage improvements along El Camino Real and Del Rio Rd that will ensure safe traffic patterns in and out of the site. Intersection improvements are also conditioned that will mitigate traffic impacts.

- D. 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 project is planned in an area zoned for larger scale commercial development. The project includes a mix of uses that will complement the surrounding area and provide development in a key commercial node. The proposed project includes landscaping along the exterior of the project to provide visual screening from adjacent residential properties. Residential uses are proposed as part of the site development adjacent to existing residential uses.

- E. 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 project has been reviewed by Central Coast Transportation Consultants for compliance with the certified EOIR, as amended. The analysis concluded that traffic volumes and patterns will be safe and within the capacity of adjacent roadways with mitigation incorporated.

- F. FINDING: The proposed project is in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council.



FACT: The Design Review Committee has reviewed the proposed project and found the site plan and elevations to be consistent with the criteria in the City's Design Review Manual. The City Council has identified this area for larger-scale commercial and office development. This plan provides a mix of retail, office, light industrial, and residential development, consistent with this policy.

2. Findings for Approval of a Tentative Parcel Map

- A. FINDING: 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 site is zoned Commercial Retail and allows for commercial development. All uses proposed are allowed by the underlying zoning district as modified by the Del Rio Commercial Area Specific Plan. The subdivision proposed lots ranging from 0.7 to 3.8 acres. Shared access and parking easements are provided. As conditioned, the proposed tentative map meets all standards of the General Plan.

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

FACT: The property is zoned Commercial Retail and is suitable for a mixed-use development. The site is relatively flat and has frontage on both El Camino Real and Del Rio Road for access.

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

FACT: The site is zoned Commercial Retail and does not have specific lot coverage standards. The maximum residential density is 266 units however, only 82 units are proposed.

- D. FINDING: 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: The proposed project is on a site with no identified sensitive habitats or species. No negative impacts to the environment will result from the project.

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

FACT: The project is designed in accordance with all local and State regulations. The project proposes a mixed-use development at a key commercial node in the City and will not create any impacts to public health.



- F. **FINDING;** 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 proposed project includes conditions to provide shared access and parking easements throughout the site for the benefit of all parcels. The project also includes relocation of an existing easement to a neighboring parcel. The relocated easement will be equivalent to the existing easement.

SECTION 4. CEQA. The current Master Plan of Development for the Del Rio Marketplace proposes a mix of uses allowed within the existing Commercial Retail (CR) zoning designation and as modified by the Specific Plan overlay zone. As traffic impacts and peak hour timing vary from the previous EIR addendum, a new addendum was prepared to ensure that mitigation measures are appropriately correlated to the impacts and to show that impacts remain the same or are reduced as required by CEQA. The analysis has also shifted from Level of Service (LOS) to Vehicle Miles Traveled (VMT) with the enactment of new State law. This addendum considers newly enacted State requirements and reviews traffic impacts based on VMT, as currently required under CEQA.

After reviewing the facts and analyzing the circumstances, City staff has determined that a new EIR is not required because none of the circumstances described in CEQA Section 21166, as implemented by CEQA Guidelines Section 15162, would occur. Staff has prepared an addendum to discuss these issues and the basis for this determination.

SECTION 5. Recommendation for Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on June 7, 2022, resolved to recommend that the city Council approve a Conditional Use Permit to establish a Master plan of Development and allow for a mixed-use project (AMND19-0063) subject to the following:

1. EXHIBIT A: Conditions of Approval
2. EXHIBIT B: EIR Addendum and Amended Mitigation Monitoring Program
3. EXHIBIT C: Project Design Package



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: June 7, 2022

CITY OF ATASCADERO, CA

Jeff van den Eikhof
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary



Attachment 1: Conditions of Approval
AMND19-0063

Conditions of Approval AMND19-0063 Vesting Tentative Parcel Map AT22-0011 (Del Rio Marketplace) APNs 049-102-051, 075, 031, 056, 045	Timing	Responsibility /Monitoring
Planning Department		PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
1. This approval includes the following entitlements: a) Vesting Tentative Parcel Map (AT22-0011) is for the creation of 7 legal lots of record described on the attached exhibits and shall apply to APNs 049-102-051, 075, 031, 056, 045 regardless of owner. b) Master Plan of Development / conditional Use Permit for a mixed-use development (Del Rio Marketplace) that includes a 32,400 square-foot grocery anchor tenant with 31,700 square-feet of ancillary retail/commercial uses, 18,600 square-feet of light-industrial space, and 31,500 square-feet of ground floor office space with options for second and third floor office or residential uses (up to 85 based density units).	Ongoing	PS
2. The approval of these entitlements shall become final and effective for the purposes of issuing building permits the day after the city Council hearing, unless an appeal is made in accordance with the Atascadero Municipal Code.	Ongoing	PS
3. The Community Development Director and/or City Engineer shall have the authority to make modifications to the final map that remain in substantial conformance with the approved Tentative Map.	BP / FM	PS, CE
4. The Community Development Director and/or city Engineer shall have the authority to make minor modifications to the Master Plan of development that are necessary to address code requirements or result in superior design.	BP / FM	PS, CE
5. Approval of these entitlements 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 final map (Tentative Map entitlement) or building permit (Master Plan of Development), or a time extension has been granted, consistent with the Atascadero Municipal Code.	BP / FM	PS
6. Vesting Tentative Subdivision Map was deemed complete on May 23, 2022 , for the purposes of vested development rights and fees consistent with the Subdivision Map Act of the State of California.	On-going	PS, CE



ITEM 2
Del Rio Marketplace
AMND19-0063 / MP Annex, LLC

Conditions of Approval AMND19-0063 Vesting Tentative Parcel Map AT22-0011 (Del Rio Marketplace) APNs 049-102-051, 075, 031, 056, 045	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
7. A final parcel map drawn in substantial conformance with the approved vesting tentative map, and in compliance with all conditions set forth herein, shall be submitted for review and approval in accordance with the Subdivision Map Act and the City's Subdivision Ordinance	FM	PS/CE
8. 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 subdivision.	Ongoing	
9. All subsequent Tentative Map and construction permits shall be consistent with the Master Plan of Development approved for the project.	BP / FM	PS, CE
10. The parcel map shall be subject to additional fees for park or recreation purposes (QUIMBY Act) as required by City Ordinance	BP	PS
11. All maintenance costs listed below shall be 100% funded by the project in perpetuity, except for public facilities that are planned for and currently maintained by the City of Atascadero. The service and maintenance cost shall be funded through an entity or mechanism established by the developer, subject to City Staff approval. This entity or mechanism must be in place prior to, or concurrently with acceptance of any final map(s) or the issuance of any building permits. The entity or mechanism shall be approved by the City Attorney, City Engineer and Administrative Services Director prior to acceptance of any Final Map(s) or issuance of any building permits. The administration of the above mentioned funds, and the coordination and performance of maintenance activities, shall be the responsibility of the entity or mechanism. <ul style="list-style-type: none"> a) All parking and access areas. b) All landscaping and lighting within the proposed project area. c) Common area fencing and/or features. d) Open areas on private property within the proposed project area including detention facilities, bio-swales, and other low-impact-development features. e) Newly constructed drainage facilities on private property within the proposed project area. f) Landscaped frontages within the right-of-way of all public streets within the defined specific plan boundary. g) On-site sewer and storm drains located outside of the right-of-way. 	Ongoing	PS, CE



ITEM 2
Del Rio Marketplace
AMND19-0063 / MP Annex, LLC

Conditions of Approval AMND19-0063 Vesting Tentative Parcel Map AT22-0011 (Del Rio Marketplace) APNs 049-102-051, 075, 031, 056, 045	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
12. Shared parking and access easements shall be recorded over all parcels. Easements shall also be recorded for shared drainage facilities. Parking shall not be designated for each use except for short-term pick-up spaces and residential uses along the perimeter of the project site as needed.	FM	PS, CE
13. An easement shall be recorded on the face of the map to replace the existing easement to 4890 Obispo Road (APN 049-102-033). The resulting easement shall be approved by the benefiting parcel owners and shall be equivalent to the existing easement rights.		
14. Agreements shall be required to be recorded against each parcel notifying any residential tenant of the commercial nature of the site to ensure that commercial activities are prioritized.	FM, BP	PS, CE
15. All trees on-site or planted as street frontage trees shall be maintained in a manner that allows the tree to grow to its full natural height and natural canopy. No growth suppressants shall be permitted that result in stunting or modifying the natural growth pattern of the tree.	Ongoing	PS
16. All Conditions and mitigation monitoring program for the Del Rio Road Commercial Area Specific Plan, as amended, are hereby incorporated by reference.	Ongoing	PS
17. The underground stormwater facilities shall be modified to be located entirely under drive aisles and parking spaces so as not to preclude tree plantings as shown on the preliminary landscape plan. All revised drainage plans shall be subject to the approval of the city Engineer or their designee.	BP	PS, CE
18. Sound walls shall be a solid material and shall be designed to be compatible with the commercial center. Walls shall be earth toned in color. Sound walls shall be included along the eastern property line in accordance with the Specific Plan and as modified per the recommendations of an acoustic analysis to be completed with building permit submittal.	BP	PS
19. Wood fencing shall be high quality and shall include a top rail. No dog-eared fencing will be permitted.	BP	PS
20. Evergreen landscaping shall be included along project edges adjacent to residentially zoned parcels to the greatest extent feasible. Landscape materials shall include trees and shrubs that provide visual screening above the fence/wall line.	BP	PS



ITEM 2
Del Rio Marketplace
AMND19-0063 / MP Annex, LLC

Conditions of Approval AMND19-0063 Vesting Tentative Parcel Map AT22-0011 (Del Rio Marketplace) APNs 049-102-051, 075, 031, 056, 045	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
21. Landscaping along El Camino Real shall include London Plane street trees at a spacing of 30-feet on-center. Additional landscaping shall include accent trees and native grasses	BP	PS
22. Del Rio landscaping shall incorporate street trees at a ratio of 1 tree per 30-feet of frontage but may be grouped along the eastern portion of the frontage to transition to a more rural character.	BP	PS
23. Plaza spaces shall include decorative pavement such as stamped and/or colored concrete, or similar.	BP	PS
24. Future buildings shall be approved by planning staff prior to permit issuance and shall incorporate design elements consistent with a contemporary agrarian design theme, consistent with the Specific Plan and this Master Plan of Development. Buildings shall compliment the grocery anchor building in color and style.	BP	PS
25. All trash enclosures shall be constructed of dark color split face block or similar and shall include high quality solid metal doors. Enclosures shall be designed in accordance with Cal Green requirements.	BP	PS
26. The center identification sign at the corner of El Camino Real and Del Rio Rd. shall be backlit or eternally illuminated	BP	PS
27. First floor ceiling height of multi-story buildings shall be a minimum of 15-feet.	BP	PS
28. Stormwater basins shall be a maximum of 5-feet deep and shall include native grasses along all slopes with trees planted along the edges of the basin. All basins shall be unfenced.	BP	PS
29. The multi-tenant sign shall be reduced in height to a maximum of 12-feet from the ground level to the top of the signage area. The architectural roof feature may extend above the 12-foot height.	BP	PS
30. The height of the free-standing monument sign located at the northern most driveway on El Camino Real shall be a maximum of 8-feet high and shall have a similar design to the taller monument signs.	BP	PS
Public Works Project Conditions		
City Engineer Project Conditions		



Conditions of Approval AMND19-0063 Vesting Tentative Parcel Map AT22-0011 (Del Rio Marketplace) APNs 049-102-051, 075, 031, 056, 045	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
13. A blanket parking and access easement shall be recorded on all parcels. Drainage easements shall be required to facilitate cross property drainage and accommodate shared stormwater systems.	BP, GP, FM	CE
14. Dedications shall be made to accommodate full buildout to the City Council adopted plan-line.	BP, GP, FM	CE
15. Street trees shall be provided along all project frontages. All street tree maintenance shall be the responsibility of the adjacent property owner. Trees shall be maintained in a way that supports to natural growth of the tree and allows the tree to reach its full natural height and width.	BP, GP	CE
GRADING, DRAINAGE AND STORMWATER		
16. The final Stormwater Control Plan (SWCP) and supporting hydrology report shall be approved by the City Engineer prior to issuance of any building permit, in accordance with the State regulations (Regional Water Quality Control Board Res. No. R3-2013-0032).	BP, GP	CE
17. Prior to a final inspection the following City Stormwater documents shall be completed and approved by the City Engineer: <ul style="list-style-type: none"> ● 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 <i>Manuals</i> <ul style="list-style-type: none"> ● ATAS - SWP-2002 Stormwater O&M Process and Form <i>Instructions</i> <ul style="list-style-type: none"> ● ATAS - SWP-3001_Stormwater System O&M_Agreement ● ATAS - SWP-3002_Private Stormwater System Recorded <i>Notice</i> Email publicworks@atascadero.org for copies of the above City templates.	BP	CE
18. A Storm Water Pollution Prevention Plan (SWPPP) is required prior to any ground disturbing activities. The WDID number provided upon acceptance of the SWPPP into the State's SMARTS system registration shall be noted on the Title Sheet of	BP	CE



Conditions of Approval AMND19-0063 Vesting Tentative Parcel Map AT22-0011 (Del Rio Marketplace) APNs 049-102-051, 075, 031, 056, 045	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
the Plans. The QSP shall coordinate with the City Inspector for State mandated storm water inspections (required by the City) and shall provide verification of QSP inspections, monitoring, SWPPP modifications and actions throughout project.		
19. An Erosion Control Plan (with notes and details) is required at Building permit and must reference Best Management Practices (BMPs) as defined by CASQA and/or City of Atascadero standards and specifications. Place a note on the plans stating that erosion control measures shall remain in place and be maintained throughout all ground disturbing operations until vegetation has been re-established over approximately 70% of the disturbed area. All finish graded areas shall be landscaped or revegetated using a native seed mixture per erosion control standards.	BP	CE
FLOOD CONTROL BASINS		
20. All basins must be shown to completely drain within 72 hours, to the satisfaction of the City Engineer. <u>Retention Basin.</u> Any drainage basin which is used as a terminal disposal facility shall be classified as a retention basin. <ol style="list-style-type: none"> a. Basin Capacity. The basin capacity is to be based on the theoretical runoff from a 50-year storm, 10-hour intensity for 10-hour duration. No reduction in required capacity shall be given for soil percolation rates. b. Percolation Test Required. A minimum of 3 percolation tests per basin shall be submitted to the City Engineer for review and approval prior to approval of the plans. The project engineer shall submit calculations and a report demonstrating the basin will drain within seven-days of a single storm event as noted above. Deep soil borings may be required in areas where there is concern of shallow depth to groundwater or bedrock. Percolation tests shall be performed at depths below the basin bottom. <u>Detention Basin.</u> Any drainage basin which has a downstream outlet designed to meter the outflow shall be classified as a detention basin. Basin capacity shall be based on receiving the runoff from a 50-year storm with the watershed in its fully-developed condition, and releasing the flow equivalent to the runoff from a 2-year storm with the project site in its pre-development condition. The outlet shall release water in a non-erosive manner.	BP	CE



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<p><u>Subsurface Infiltration Basins.</u> Subsurface basins shall be limited to locations where the depth to seasonally high groundwater is greater than 10-feet below the deepest portion of the basin.</p> <p><u>Drain Rock.</u> Drain rock shall be clean, crushed granite (or clean, angular rock of similar approved hardness) with rock size ranging from 1-1/2-inch to 3/4-inch. Rock gradation shall conform to the Specification of ASTM C-33 #4.</p> <p><u>Operational Requirements.</u></p> <ul style="list-style-type: none"> i. Water quality of inflow (both sediment and chemical loading) may require pretreatment or separation ii. Maintenance plan, including provisions for vehicular access and confined-space entry safety requirements, where applicable iii. A safe overflow path shall be identified on the plan and may require easements <p><u>Easement Requirements.</u> All drainage basins accepting runoff from roads, streets or other common ownership areas shall be located in an easement offered for dedication to the public. Reversionary clauses shall not be permitted. If a fence is required it shall be located not more than 4-inches inside the drainage easement line, except where setbacks are required as part of the land use permit or by the Land Use Ordinance.</p> <p><u>Overflow Path Required.</u> The design of all drainage basins shall identify the designated route for overflow. The Project Engineer shall design the overflow path so that the flow in a 100- year storm is non-erosive and will not damage downstream improvements, including other basins. Easements may be required for concentrated flows across multiple properties.</p>		
UTILITIES		
21. New and replacement utility distribution systems and services shall be constructed underground, to the satisfaction of the City Engineer	BP	CE
22. Each building shall be served with separate services for water, sewer, gas, power, telephone and cable TV. Utility laterals shall be located and constructed to each building in accordance	BP	CE



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with City Engineering Standards and Standard Specifications and other applicable codes		
23. The Applicant shall extend the water distribution system to the satisfaction of the Atascadero Mutual Water Company (AMWC) and City Engineer	BP	CE
24. The water system shall include easements outside of the road rights-of-way for water system facilities as required by the AMWC and to the satisfaction of the City Engineer	BP	CE
25. Each lot shall be served with a separate water lateral and meter in accordance with the AMWC requirements	BP	CE
26. A separate water meter(s) shall be installed for irrigation	BP	CE
27. Above ground facilities required for the water distribution system, such as backflow prevention device assemblies, pressure reducing units, and pressure booster stations, shall be located outside the public right-of-way and, when required, placed in easements and shall include visual screening to the satisfaction of AMWC and City Engineer.	BP / FM	CE
WASTEWATER		
28. The wastewater collection system shall be designed and constructed in accordance with City Engineering Standards and Specifications to the satisfaction of the City Engineer. <ul style="list-style-type: none"> a. Gravity sanitary sewer (SS) mains shall terminate in manholes. The development's private sanitary sewer main shall tie in to City sewer on El Camino Real in a manhole. b. Sewer Manholes shall be placed at changes in slope and every 400'. c. Gravity SS mains shall be a minimum of eight (8) inches in diameter 	BP	CE
29. The on-site sewer laterals shall be privately owned and maintained by individual building owners	BP	CE
30. Prior to issuance of first building permit, a Sewer Capacity Analysis is required to confirm the development does not exceed previously anticipated capacity with early iterations of the Master	BP	CE



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Plan of Development and Del Rio Commercial Area Specific Plan to include a list of all uses proposed on site per building		
31. Sewer capacity charges/fees will be applied to building permit at issuance. The applicant shall pay sewer fees in effect at the time the Vesting Parcel Map was deemed complete. If any unique uses are proposed, specific wastewater information may be required to be submitted, subject to the request and approval of the City Engineer	BP	CE
TRAFFIC		
32. Provide Fair share payment for Ramona Rd Realignment and the right turn lane at US 101 northbound as any associated improvements and signal timing modifications as listed in the mitigation measure	BP	CE
FRONTAGE IMPROVEMENTS		
33. The project shall construct public improvements along El Camino Real and Del Rio Road in general conformance with the City Council approved Del Rio Commercial Area Specific Plan Lines in the vicinity of US 101 Interchange as approved by City Council on 9/22/2020, and other public improvement requirements as detailed in the Del Rio Commercial Specific Plan approved by City Council 10/13/2020 as required by traffic impacts, except as specifically modified by this or subsequent entitlement, to the satisfaction of the City Engineer.	BP	CE
34. The public improvements, including the Del Rio/ El Camino Real (ECR) intersection, as required by the Traffic Impact Study for the project, must be completed by the developer (City has issued final approval) prior to final occupancy of the first building. The developer's design team shall work with the City Engineering staff for 30%, 60%, 90% and Final design reviews. <ul style="list-style-type: none"> a. At Del Rio and El Camino Real Intersection, the project shall provide: <ul style="list-style-type: none"> i. Improvements on project corner (northeast) including but not limited to ramps, traffic signal modifications and/or replacement, and striping. ii. On southeast corner, improvements are required to bring the lane alignments and configurations at the intersection to a width 	BP	CE



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<p>sufficient to serve the project (as indicated in the Traffic Impact Study) and accommodate California Legal Design Vehicle Semi Truck turning movements. Pavement widening and improvements on southeast corner to include, at a minimum, pavement widening and 5:1 transition to existing pavement, a temporary AC dike and ramp at the ultimate build out curb line location, traffic signal modifications and/or replacement, and any drainage improvements.</p> <p>b. For Del Rio road frontage, the project shall provide:</p> <ul style="list-style-type: none"> i. Curb, gutter and attached 8-foot sidewalk up to the first driveway east of El Camino Real and a 6-foot sidewalk beyond that driveway, ii. A bike lane, one westbound travel lane and one dedicated left turn lane into the development, iii. Improvement past the centerline will be required to accommodate a temporary shared/combined eastbound travel lane and bike lane with minimum 3.5' shoulder, however full development of the opposite side (south side) of Del Rio will be the responsibility of the adjacent property owners upon development. iv. At the eastern end of the property frontage, transition new pavement to existing pavement at 5:1 taper. The sidewalk shall transition to shoulder with use of HMA Sidewalk Terminus Ramp County of San Luis Obispo Detail C-7 <p>c. On El Camino Real, the project shall provide:</p> <ul style="list-style-type: none"> i. Curb, gutter and 8-foot sidewalk up to the northern most driveway and a 6-foot sidewalk beyond the driveway. ii. Improvements to the centerline of the roadway, including one through lane and a dedicated right turn pocket into the project. Provision must be made for a left turn lane into the driveway of 1920 El 		



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<p>Camino Real. Transitions into the turn lanes must consider the 40 MPH speed limit for El Camino Real. A median is required to limit left turns from the project's most southern driveway onto El Camino Real. The northern driveway must align with the southern driveway of Home 2 Suites hotel across the street to prevent conflicts that would require limiting left turn movements.</p> <p>iii. At the northern end of the property frontage, extend improvements to meet existing curb, gutter and sidewalk along the frontage of the Colony Homes development, Tract 2489. Provide a new driveway apron per City standard 423 (with 4' accessible sidewalk) for the access easement and driveway adjacent to the northern property line</p>		PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
<p>35. A separate encroachment permit is required for any work within a public Right-of-Way or easement</p>	<p style="text-align: center;">BP</p>	<p style="text-align: center;">CE</p>
<p>36. Prior to Encroachment permit issuance, the Developer shall execute an "Engineer of Work Agreement" form and provide to the City designating who will be providing engineering support for the design and construction of the improvements for the project.</p> <p>a. In coordination with the developer, the Engineer of Work (EOW)-designated Inspector, a third party not affiliated with the developer's contractor performing the work, would be required during the inspection process of the site and frontage improvements. The City and EOW inspectors to work together in collection and record keeping necessary for the inspection and approval of the improvements. The EOW inspector would be onsite frequently, or when work requiring inspection occurs, and the City Inspector would be checking in periodically based on the agreed upon schedule with City Staff (i.e. every two weeks)</p>	<p style="text-align: center;">BP</p>	<p style="text-align: center;">CE</p>



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37. Public improvement plans (PIPs) shall be prepared by a licensed civil engineer. PIPs shall be prepared on 24"x36" plan sheets, use the City Standard border and signature block, and shall comply with Section 2 of City Standard Specifications. All plans shall contain the City of Atascadero "Standard Notes for Improvement Plans" on file in the City Engineer's office	BP	CE
38. Road slope easements shall be dedicated where the road prism cut/fill slopes extend beyond the right-of-way. The easement shall extend not less than five feet (horizontally) beyond any daylight or catch line of the graded slope or other required road facility (such as a brow ditch, retaining wall, drainage swale, etc.), to the satisfaction of the City Engineer	BP/FM	CE
ROAD IMPROVEMENT REQUIREMENTS		
39. The horizontal and vertical design of roads shall be in compliance with the City of Atascadero Engineering Standards and Standard Specifications, to the satisfaction of the City Engineer. The City Engineer reserves the right to make modifications to all submitted road designs, when in the opinion of the City Engineer, the public's health and safety is benefitted	BP	CE
40. The design of structural pavement sections for on-site roads shall be based on minimum a Traffic Index (TI) = 6.0 and a 20-year design life. Off-site/public roads must match existing pavement sections and/or City Standards Specifications to the satisfaction of the City Engineer	BP	CE
41. New roads with pavement placed prior to the construction of buildings will be subjected to additional construction traffic and wear associated with the on-site construction not included in the design life of the pavement section. Therefore to off-set this, the AC thickness shall be increased from that which is derived from CalTrans method by either: <ul style="list-style-type: none"> a. 1" if the pavement is placed prior to building construction (not phased) b. 1.5" if the pavement construction is phased (i.e. – a portion of the ultimate pavement thickness is deferred and a final pavement cap placed prior to final inspection). c. Final pavement cap shall not be less than 1.5" d. Street centerline monuments shall be provided at intersections and at the beginning and end of curves along the street centerline 	BP	CE



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42. Pavement and base sections shall be designed and constructed in accordance with the City of Atascadero Engineering Standards and Standard Specifications. When said standards and specifications are not clear, lack necessary details, or are silent, the minimum standard shall be based upon the current edition of the San Luis Obispo County Public Improvement Standards or Caltrans Standard Drawings and Standard Specifications, as determined by the City Engineer	BP	CE
FINAL MAP		
43. Prior to recording the Final 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 obtain a letter from each utility company stating that the easements and rights-of-way shown on the map for public utility purposes are acceptable	FM	CE
44. Documents that the City of Atascadero requires to be recorded concurrently with the Final Map (e.g.: off-site rights-of-way dedications, easements not shown on the map, agreements, etc.) shall be listed on the certificate sheet of the map	FM	CE
45. The City of Atascadero may require an additional map sheet for information purposes in accordance with the Subdivision Map Act	FM	CE
46. A 6-foot wide Public Utility Easement (PUE) shall be dedicated contiguous to the new road rights-of-way for the property frontages along El Camino Real and Del Rio Road.	FM	CE
STANDARD CONDITIONS		
47. All public improvements shall be constructed in conformance with the City of Atascadero Engineering Department Standard Specifications and Drawings.	BP, GP	CE
48. In the event that the applicant is allowed to bond for the public improvements required as a condition of this map, the applicant shall enter into a Subdivision Improvement Agreement with the City.	FM	CE



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49. An engineer's estimate of probable cost shall be submitted for review and approval by the City Engineer to determine the amount of the bond.	FM	CE
50. The Subdivision Improvement Agreement (SIA) shall record concurrently with the Final Map. If it is the intent of the developer to pursue a reimbursement agreement with the City for the installation of off-site sewer facilities, reference to said agreement and terms shall be included in the SIA.	FM	CE
51. The applicant shall be responsible for the relocation and/or alteration of existing utilities.	BP, GP	CE
52. The applicant shall install all new utilities (water, gas, electric, cable TV and telephone) underground. Utilities shall be extended to the property line frontage of each lot or its public utility easement.	BP, GP	CE
53. The applicant shall monument all property corners for construction control and shall promptly replace them if disturbed.	FM	CE
54. The applicant shall acquire title interest in any off-site land that may be required to allow for the construction of the improvements. The applicant shall bear all costs associated with the necessary acquisitions. The applicant shall also gain concurrence from all adjacent property owners whose ingress and egress is affected by these improvements.	FM	CE
55. Slope easements shall be provided as needed to accommodate cut of fill slopes.	FM	CE
56. Drainage easements shall be provided as needed to accommodate both public and private drainage facilities.	FM	CE
57. The final map shall be signed by the City Engineer prior to the map being placed on the agenda for City Council acceptance.	FM	CE
58. Prior to recording the parcel map, the applicant shall submit a map drawn in substantial conformance with the approved tentative map and in compliance with all conditions set forth herein. The map shall be submitted for review and approval by the City in accordance with the Subdivision Map Act and the City's Subdivision Ordinance.	FM	CE



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59. Prior to recording the parcel map, the applicant shall set monuments at all new property corners. A registered civil engineer or licensed land surveyor shall indicate by certificate on the parcel map, that corners have been set or shall be set by a date specific and that they will be sufficient to enable the survey to be retraced.	FM	CE
60. Prior to recording the tract map, the applicant shall pay all outstanding plan check/inspection fees.	FM	CE
61. Prior to recording the map, the applicant shall complete all improvements required by these conditions of approval	FM	CE
62. Prior to recording the parcel map, the applicant shall have the map reviewed by all applicable public and private utility companies (cable, telephone, gas, electric, Atascadero Mutual Water Company). The applicant shall obtain a letter from each utility company indicating their review of the map. The letter shall identify any new easements that may be required by the utility company. A copy of the letter shall be submitted to the City. New easements shall be shown on the map.	FM	CE
63. Upon recording the final map, the applicant shall provide the City with a black line clear Mylar (0.4 mil) copy and a blue line print of the recorded map.	FM	CE
64. Prior to the final inspection of any public improvements, the applicant shall submit a written statement from a registered civil engineer that all work has been completed and is in full compliance with the approved plans.	FM	CE
65. Prior to the final inspection, the applicant shall submit a written certification from a registered civil engineer or land surveyor that all survey monuments have been set as shown on the final map.	BP, GP	CE
66. An encroachment permit shall be obtained prior to any work within City rights of way.	BP, GP	CE
67. Prior to the issuance of building permits the applicant shall submit a grading and drainage plan prepared by a registered civil engineer for review and approval by the City Engineer.	BP, GP	CE
FIRE DEPARTMENT PROJECT CONDITIONS		



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68. Internal project and driveways shall meet the City of Atascadero F-7 standard.	BP	FD
69. Fire hydrants shall be located within 100-feet of the fire department connection for each building.	BP	FD
70. A 26-foot wide fire lane shall be provided no closer than 15-feet and no farther than 30-feet from any building exceeding 30-feet in height, subject to the approval of the Fire Marshal. This may be accommodated within the parking lot drive aisles.	BP	FD
71. An Atascadero Construction Site Safety Plan is required to be submitted and approved prior issuance of building permits.	BP	FD



**Attachment 2: EIR Addendum and Amended Mitigation Monitoring Program
AMND19-0063**

See Following





EXHIBIT A
ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT –
Del Rio Road Commercial Area Specific Plan
(Certified by the Atascadero City Council on June 26, 2012
and amended by the Council on September 22, 2020)

1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires public agencies to analyze and consider the environmental consequences of decisions to approve development projects that they exercise discretion over. CEQA achieves this objective by requiring agencies to prepare Environmental Impact Reports (EIR's) for projects with the potential to cause significant impacts on the physical environment. EIR's are public documents that analyze environmental effects related to the planning, construction, and operation of a project, and indicate ways to reduce or avoid possible environmental damage. An EIR also discloses growth-inducing impacts, effects found not to be significant, significant cumulative impacts, and significant impacts that cannot be avoided, if any. The purpose of an EIR is to inform. EIR's are not policy documents that recommend project approval or denial.

As a lead agency, the City of Atascadero prepared an Environmental Impact Report (EIR) for the Del Rio Road Commercial Area Specific Plan in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code, section 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations, Section 15000 *et seq.*, as amended). The City Council certified the Final Environmental Impact Report (Final EIR) for the Del Rio Road Commercial Area Specific Plan at a public hearing on June 26, 2012. As noted in the Final EIR, the analysis in the Final EIR was at a "project" level of detail, which anticipated the potential impacts of future approvals to implement the project. Public Resources Code Section 21166 limits the ability of an agency to require an additional EIR, once one has been certified for a project. Section 21166 provides as follows:

§21166. Subsequent or Supplemental Impact Report; Conditions.

When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

- (a). Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
- (b). Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c). New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

The CEQA Guidelines further refine the circumstances under which a supplemental or subsequent EIR may be required. Guidelines Section 15162 provides as follows:

15162. Subsequent EIRs and Negative Declarations.

(a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1). Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2). Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3). New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A). The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B). Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C). Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D). Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In 2017, the City amended the Del Rio Specific Plan to accommodate the Hilton Hotel on the western portion of the “Annex” site of the Del Rio Specific Plan to allow for a hotel instead of retail development. That amendment recognized a reduction in vehicle trips and associated environmental impacts. A four-story, 120-room hotel, north of Del Rio Road, between Hwy 101 and El Camino Real has been recently completed as a result of that amendment.

In 2017, Walmart notified the City that they would no longer be pursuing the development of their Del Rio store in Atascadero. In 2019, development plans were officially withdrawn and the site is being marketed for sale. On July 12th, 2020, the tentative parcel map and associated Master Plan of Development for the project expired. In 2020 amendments to the Specific Plan were adopted modifying the list of allowed uses on the site, including

the removal of high traffic generating uses, and mitigation measures were modified to recognize the reduction in trips and traffic impacts through an addendum to the EIR.

The City is currently processing a Master Plan of Development for the North-East project site within the Del Rio Specific Plan. The master plan proposes a mix of uses allowed within the existing Commercial Retail (CR) zoning designation and as modified by the Specific Plan overlay zone. As traffic impacts and peak hour timing vary from the previous EIR addendum, a new addendum is being prepared to ensure that mitigation measures are appropriately correlated to the impacts and to show that impacts remain the same or are reduced as required by CEQA. The analysis has also shifted from Level of Service (LOS) to Vehicle Miles Traveled (VMT) with the enactment of new State law. This addendum considers newly enacted State requirements and reviews traffic impacts based on VMT, as currently required under CEQA.

Before acting on the proposed amendments, the Planning Commission and the City Council must apply the standards outlined above to determine whether a subsequent or supplement EIR is required.

After reviewing the facts and analyzing the circumstances, City staff has determined that a new EIR is not required because none of the circumstances described in CEQA Section 21166, as implemented by CEQA Guidelines Section 15162, would occur. Staff has prepared an addendum to discuss these issues and the basis for this determination.

2.0 Del Rio Road / US 101 Interchange / Del Rio Road & El Camino Real

The certified Final EIR for the Del Rio Road Commercial Area Specific Plan included a traffic analysis originally completed in 2010 for the Specific Plan. In 2019 and 2020, following Walmart's cancellation of the Atascadero store and submittal of the Annex site Master Plan of Development amendment, staff consulted with W-trans to complete a traffic sensitivity analysis of the Del Rio Road Interchange corridor to assess the intensity of development that can be accommodated in the vicinity of the Del Rio Road interchange while maintaining acceptable operations and identify final buildout configurations. New future growth assumptions were factored in as well as updated regional modeling to ensure the most accurate impact analysis.

The July 2020 Analysis considered the following:

1. In addition to a higher-altitude evaluation of the traffic generated by predictive land use development scenarios completed in 2019, the 2020 analysis incorporated regional growth and 20-year forecast scenarios in order to allow Caltrans to determine long-range impacts to their facilities and ensure informed future planning efforts.
2. The analyses investigated the traffic signal configurations, roadway geometrics, and right-of-way impacts including delay time and queue length. The 2020 analysis concluded that the mitigation measures proposed (detailed below) are feasible and appropriate to the impacts.

3. Caltrans owns and operates the two traffic signals at the ramp intersections of Del Rio and US 101. Caltrans priority will be mainline traffic operations on US 101 and ensuring exiting traffic does not queue onto the mainline traffic lanes from off ramps. The analyses studied the timing of the traffic signals and ramp queuing in preparation for coordinating with Caltrans on implementing the proposed mitigation measures.

The most recent analysis and addendum modified mitigation measures in response to changing land use patterns and more current development proposals. Table 1 below shows the current mitigation measures and recommended timing changes based on the Marketplace Development plan:

Table 1: Amended Specific Plan Mitigation Summary

Amended Specific Plan Mitigation Summary	
Amended Specific Plan Potential Study Area Mitigations	CCTC Recommendation
<p>#1: This mitigation measure includes the addition of a westbound right-turn lane to the intersection of Del Rio Rd/US 101 NB Ramps, such that there would be two westbound lanes on Del Rio Rd from El Camino Real to US 101 NB Ramps. This would require widening Del Rio Rd, the construction of a retaining wall on the north side, and reconstruction of the curb return. By splitting westbound traffic into through and right-turn lanes, the queue length could be reduced by providing drivers two lanes to stack in rather than one for both movements combined. Additionally, splitting through and right-turning traffic would allow turning drivers to bypass through drivers who are waiting for a green light, reducing delay and improving operations at Del Rio Rd/US 101 NB Ramps.</p>	<p>Existing Plus Approved Plus Project volumes operate acceptably without the additional westbound right turn lane at Del Rio Rd/US 101 Northbound Ramps (#3). Recommend project pay their fair share toward future improvements.</p>
<p>#2: This mitigation measure would involve several modifications to the traffic signal at Del Rio Rd/El Camino Real to more efficiently orchestrate the movement of conflicting traffic. This modification involves the replacement of the northbound left-turn protected phasing (green arrow) with protected-permissive phasing (green arrow that goes to green ball or flashing yellow arrow), and the southbound left-turn protected phasing with permissive phasing (green ball or flashing yellow arrow). The eastbound and westbound phases, which currently activate at the same time, would be split to operate sequentially, or one direction and then the other. These changes would require modification to the existing signal infrastructure to incorporate updated signal heads. In addition, this mitigation includes adjustment to the signal phasing in terms of recalls, phase lengths, and the overall cycle length.</p>	<p>Protected -permissive phasing is recommended on both the northbound and southbound approaches, see #4. Eastbound and westbound split phasing not recommended as interim measure based on unacceptable operations with project traffic.</p>
<p>#3: This mitigation measure would combine Mitigation 1 and 2.</p>	<p>Not recommended, see #2.</p>
<p>#4: This option includes any modifications that may be required to achieve acceptable operations with the addition of traffic that would be generated by the Amended Specific Plan scenario. In addition to Mitigation 1 and Mitigation 2 above, the intersection of Del Rio Rd/El Camino Real would need to be further modified to reconfigure the eastbound approach from through/left-turn and right-turn lanes, to left-turn lane and through/right-turn lanes, essentially moving the through movement from the left lane to the right lane. This may require widening the eastbound departure (on the east leg of the intersection) to avoid excessive lateral shifting of through traffic. With a dedicated eastbound left-turn lane, the eastbound-westbound split phasing could be replaced with concurrent timing, as well as protected-permissive phasing for the eastbound left-turn movement. With protected left-turn phasing in the eastbound direction and a prohibition of eastbound U-turns, it would be possible to include a southbound right-turn overlap, which is a green arrow that enables southbound right turning drivers to continue without stopping concurrently with the eastbound left-turn movement. Additionally, the signal at Del Rio Rd/El Camino Real would need to be coordinated with the signals at Del Rio Rd/US 101 NB Ramps and Del Rio Rd/US 101 SB Ramps. This would require extending the interconnect hardware between the ramp signals to Del Rio Rd/El Camino Real, and potentially upgrading the signal hardware at Del Rio Rd/El Camino Real to be compatible with interconnect technology if it is not already. (Note: Existing interconnect conduit and cable.)</p>	<p>Cumulative Plus Project operates acceptably at the Del Rio Rd/El Camino Real (#4) intersection without signal coordination or restriping of the northbound approach. Recommend Marketplace project construct the following improvements prior to occupancy:</p> <ul style="list-style-type: none"> - Restripe eastbound approach to a left, through, and right turn lane. - Install westbound left turn lane. - Modify all approaches to protected-permissive phasing except westbound. - Install southbound right turn overlap. - Update signal timing.

Vehicle Miles Traveled Analysis

While the City of Atascadero has not yet adopted VMT standards the State Office of Planning and Research (OPR) has published recommended thresholds which are applied below. OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA provides guidance for evaluating VMT for various project types.

Mixed-use projects can evaluate the individual components separately or focus the analysis on the dominant use. As shown in Table 4, the non-residential components of the project generate over 90 percent of the project's daily trips and are therefore the dominant use. OPR also notes that local-serving retail can be presumed to have a less-than-significant impact because these uses don't typically generate new demand, but instead shift travel patterns as customers shift to more convenient shopping locations. The proposed retail uses on the site are anchored by a 32,400 sq.ft. grocery store which is expected to be local serving.

OPR's suggested threshold for office uses is 15 percent below the regional average of work VMT. Work VMT captures trips from home to work. The SLOCOG Travel Demand Model was applied to estimate the work VMT.

The project's VMT was estimated using the SLOCOG Travel Demand Model. The regional VMT is summarized in Table 2.

Table 2: VMT Analysis

Regional VMT Analysis					
Scenario	Total	Demographics		VMT By Trip Purpose¹	
	Regional VMT	Employees	Population	Residential VMT	Office VMT
2020 No Project	8,899,234	117,276	246,732	4,480,333	1,595,434
2020 With Project	8,899,902	117,474	246,942	4,478,439	1,594,930
<i>Change from No Project</i>	<i>669</i>	<i>198</i>	<i>210</i>	<i>-1,894</i>	<i>-504</i>

1. Residential VMT is produced by households (sum of home-based productions); office VMT is attracted to offices (sum of home-based-work attractions).
Source: SLOCOG TDM, CCTC, 2022

The project is expected to increase overall regional VMT slightly and reduce residential and office VMT. This reduction in office VMT and residential VMT indicates a less-than-significant impact to VMT. The retail component of the project is considered local-serving and is presumed to have a less than-significant VMT impact.

The provision of commercial uses in a predominantly residential area improves the jobs-housing balance which shortens commute trips lengths. The mix of uses on the project site provides destinations serving project residents as well as other residents nearby. This

is consistent with SB 743 and regional planning goals to encourage mixed-use infill developments.

Summary

The certified Final EIR, with the inclusion of mitigation measures in the certified Final EIR, modified with input from Caltrans, concluded that, in order to mitigate impacts created by the completion of the Del Rio Road Commercial Area Specific Plan, a new 5-legged roundabout would be needed at the US 101 / Del Rio Road interchange. With the revised land-use development scenarios including updated future regional impacts and future anticipated development within the City, the new 2020 traffic analysis concluded that construction of roundabouts is not warranted and that alternative mitigation strategies can be implemented that will maintain functionality of the overpass and intersections.

With the revised land-use development scenarios for the Specific Plan area and updated projections for local and regional growth, traffic impacts at the Del Rio / 101 interchange and at the Del Rio / El Camino Real intersection decrease. The supplemental traffic analysis completed for the Del Rio Marketplace in 2022 show that there are no "new significant environmental effects or substantial increase in the severity of previously identified significant effects." (Section 15162(a)(1)). Conditions have been included for the project that modify the timing of mitigations measures and mitigation measures have been updated to include this revised timing.

2.1 Application of CEQA Guideline Section 15612

Is there substantial evidence in the record revealing that there have been substantial changes proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects as a result of the Master Plan of Development amendment and revised land use development scenarios?

No. The City has completed extensive analyses of the revised traffic impacts based on the modified land use development scenarios and the estimated foreseeable regional and local future impacts. Under the anticipated land use scenarios throughout the Specific Plan area and the submitted Master Plan of Development for the Del Rio Marketplace, the modified development pattern will result in a decrease in traffic impacts until full build-out of the area, supporting modified mitigation timing, both at the interchange and local intersection. As noted above, the original EIR analyzed the impacts of the Specific Plan Amendment with regionally serving commercial retail uses throughout the majority of the project. The 2020 addendum analyzed land uses comprised of a mixture of residential, retail, office park, and tourist serving uses. With the supplemental traffic analysis identifying uses in both the Specific Plan area, as well as an update to the baseline and regional traffic modeling, impact timing is modified and mitigation is proposed that responds to these changes. The amendment to the mitigation measures responds to the Master Plan of Development for the Del Rio Marketplace, ensuring that development within the Specific Plan area does not degrade the interchange to unacceptable levels. The proposed modification allows for property development to proceed with construction

of identified improvements and fair-share fees associated with impacts that necessitate improvements at full area build-out. Therefore, no new significant environmental effects or a substantial increase in the severity of previously identified significant effects has been identified with this analysis that would result in major changes to the FEIR. The proposed amendments, as has been shown, maintain the environmental impact resulting from development within the Specific Plan area and modify mitigation timing to respond to proposed development plans.

Is there substantial evidence in the record revealing that there have been substantial changes with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects as a result of the MP Annex LLC's proposed hotel use within the Specific Plan?

No, there is no evidence suggesting that there have been substantial changes with respect to the circumstances under which the project is undertaken which will require major revisions to the previous EIR due to the involvement of new significant impacts or increases in the severity of previously identified impacts. All uses proposed are allowed or conditionally allowed within the underlying Commercial Retail (CR) zoning designation. The additional traffic supplemental analysis reveals that no new significant environmental effects would result from the development plan and there will be no increase in the severity of any previously identified significant effects. It has been shown that the proposed amendments will in fact decrease the immediacy of traffic impacts to the Del Rio / 101 interchange as well as the Del Rio / El Camino Real intersection.

Is there substantial evidence in the record revealing that there is new information of substantial importance related to the proposed amendments, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified that shows: (1) the project will have one or more significant effects not discussed in the EIR, (2) significant effects previously shown will be substantially more severe than shown in the previous EIR, (3) mitigation measure or alternatives previously found to be infeasible would in fact be feasible, or (4) there are considerably different mitigation measure or alternatives from those analyzed in the previous EIR that would substantially reduce one or more significant effects?

No, there is no evidence suggesting that there is new information of substantial importance relating to new significant effects or the severity of previously identified significant effects, or new alternatives or mitigation measures or the efficacy of previously considered alternatives or mitigation measures. At the time of the certification of the original EIR, traffic impacts and mitigations were identified based on the construction of a regional retail center on the Annex portion of the Specific Plan area and a Walmart store on the Major Tenant site. The 202 EIR Addendum analyzed a modified land use pattern and determined that impacts would be substantially less with full project area build-out, eliminating the need for roundabouts at the affected intersections. This new analysis reveals that no new significant environmental effects would result from the development

of the Marketplace project as proposed, and in fact there will be a modification in traffic patterns and peak-hour impacts that allow for modified mitigation measure timing and signal function. As a consequence of this conclusion, it can be concluded that no new mitigation measures or alternatives need be analyzed.

3.0 BASIS FOR DECISION TO PREPARE AN ADDENDUM

CEQA Guidelines Section 15164 explains when an addendum to an EIR is required:

- (a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Although the project description has been refined with the submittal of a more precise development plan, an addendum is appropriate because impacts have been shown to decrease or stay the same from the previously certified FEIR as amended and because none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

More specifically, the project will reduce or maintain the level of anticipated traffic intensive development, therefore maintaining acceptable levels of service and supporting reduced VMT. These occurrences do not constitute substantial changes to the project or the circumstances due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Similarly, neither subsequent considerations nor statutory changes constitute new information that would show new effects or substantially more severe effects. Likewise, there are no known mitigation measures that would in fact be infeasible or that the project proponents have declined to implement. Furthermore, there have been no other changes, evidence or new information which would require revisions to the previous EIR. Because none of the criterion in section 15162 has been met, an addendum is appropriate.

Attachments:

Attachment 1: Redlined Mitigation Measures and Monitoring Program for modified measures

Attachment 2: 2022 Refined Traffic Analysis and Mitigation Identification

Del Rio Marketplace

Draft Transportation Impact Study

Prepared For: Cannon

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Morro Bay, CA 93442
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March 2022



Executive Summary

This study evaluates the potential transportation impacts of the proposed Del Rio Marketplace project in the City of Atascadero. The project includes a grocery store under Phase 1 and additional retail, light industrial, office, and residential uses under Phase 2. The following sections summarize the key findings:

Intersection Operations: The study intersections operate acceptably under Existing Plus Approved Plus Project Conditions except at the Del Rio Road/El Camino Real (#4) intersection where the following improvements are recommended prior to occupancy of the first phase:

- Add a westbound left turn lane with permissive phasing,
- Modify the southbound and northbound left turns to protected-permissive phasing,
- Restripe the eastbound approach to a left, through, and right turn lane and modify the left turn to protected-permissive phasing,
- Add overlap phasing to the southbound right turn pocket currently under construction,
- Replace eight-inch traffic signal heads with 12-inch heads,
- Install yellow reflective tape on all backplates,
- Install new signage and replace non-reflective signs, and
- Optimize signal timings including updating pedestrian and yellow clearance times.

In addition, the following improvements are recommended under Cumulative Conditions:

- Del Rio Road/Ramona Road (#1): Realign Ramona Road approximately 200 feet west of the existing location to provide greater separation from the US 101 Southbound Ramps.
- Del Rio Road/US 101 Southbound Ramps (#2): Construct an eastbound right turn lane and optimize the coordinated signal timing with the Northbound Ramps.
- Del Rio Road/US 101 Northbound Ramps (#3): Construct a westbound right turn lane and optimize the coordinated signal timing with the Southbound Ramps.

The improvements recommended prior to Phase 1 at the Del Rio Road/El Camino Real (#4) intersection operate at level of service (LOS C) under Cumulative Conditions with the addition of project traffic. No traffic signal coordination or restriping of the northbound approach are required for acceptable queuing.

We recommend the project construct the improvements at Del Rio Road/El Camino Real (#4) and make a fair share contribution towards the recommended improvements west of El Camino Real.

Site Access and On-Site Circulation: As shown on **Figure 2**, the project proposes two driveways on El Camino Real and two on Del Rio Road with limited access proposed and recommended at two of the driveways. We recommend truck turning templates for deliveries and fire access be applied to the ultimate site plan and frontage improvement designs. We also recommended convenient sidewalk connections between all buildings and the frontage improvements, and crosswalks and bike parking be provided at key locations.

Vehicle Miles Traveled (VMT): The project is expected to have a less-than-significant impact to VMT.

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1.0 Introduction

This study evaluates the potential transportation impacts of the proposed Del Rio Marketplace project in the City of Atascadero. The project includes a 32,400 square foot (s.f.) grocery store under Phase 1 and 203,700 total s.f. including additional retail, light industrial, office, and residential units under Phase 2. The project location and study intersections are shown on **Figure 1**. The site plan is shown in **Figure 2**.

The following intersections were analyzed during the weekday PM peak hour:

1. Del Rio Road/Ramona Road
2. Del Rio Road/US 101 Southbound Ramps
3. Del Rio Road/US 101 Northbound Ramps
4. Del Rio Road/El Camino Real
5. Del Rio Road/Del Rio Marketplace/Del Rio Ranch
6. El Camino Real/Del Rio Marketplace Southern Driveway

The level of service (LOS) and queuing are reported for each of the study intersections. The intersections were evaluated under the following scenarios:

- **Existing Conditions** reflects recent traffic counts and the existing transportation network.
- **Existing Plus Approved Plus Phase 1** adds approved and constructed projects plus Project-generated grocery store traffic to Existing Conditions volumes.
- **Existing Plus Approved Plus Project (Phase 1 and 2)** adds approved and constructed projects plus Project-generated traffic to Existing Conditions volumes.
- **Cumulative Plus Project** represents future traffic conditions reflective of the buildout of land uses in the area, including the proposed Project.

Each scenario is described in more detail in the appropriate chapter.

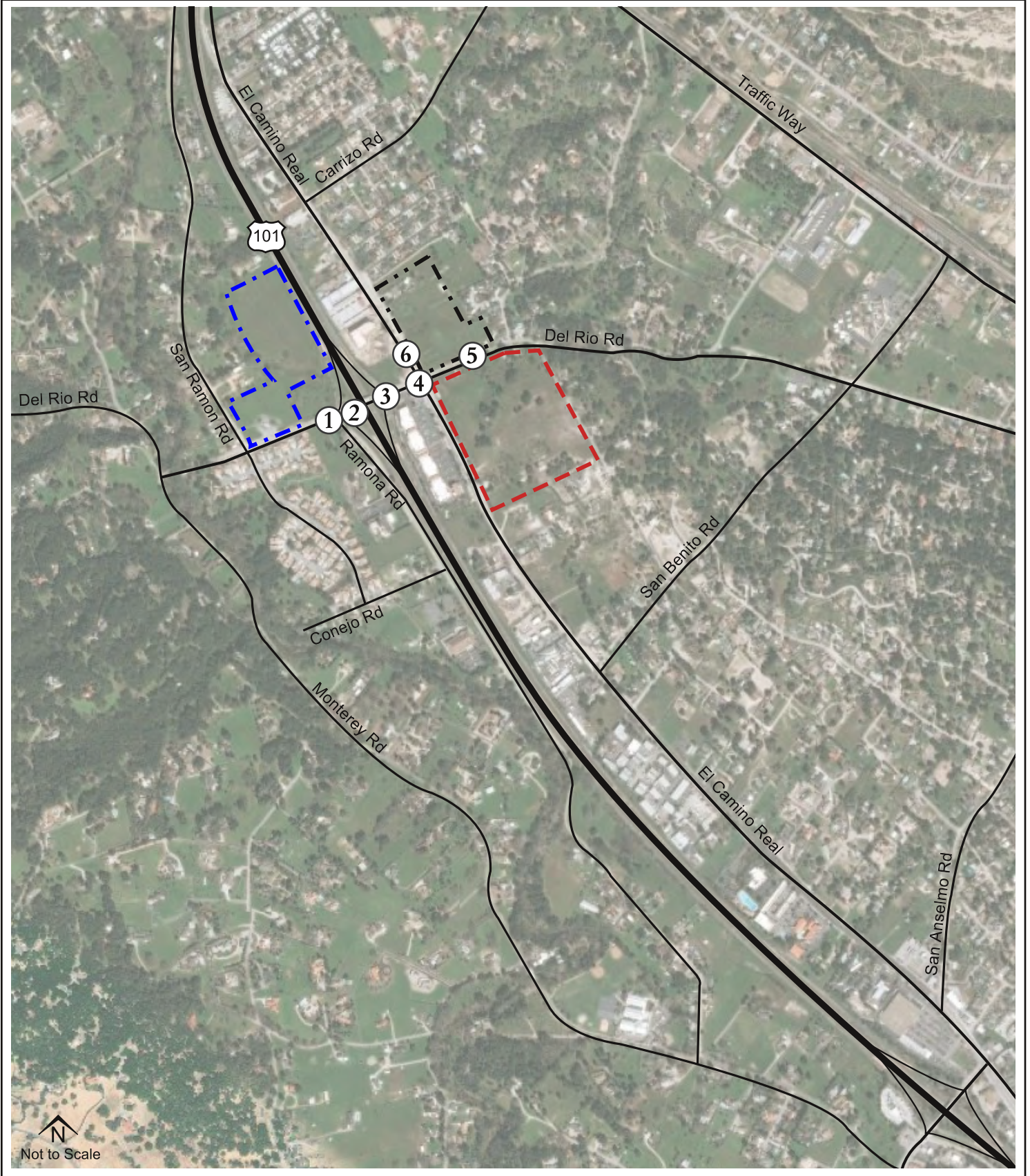
1.1 BACKGROUND

The project would develop the northeast corner of El Camino Real/Del Rio Road (known as the ‘Annex East’) east of the US 101/Del Rio Road interchange. Past studies identified the need for new roundabouts along Del Rio Road to accommodate traffic from the Walmart project and other area development. The withdrawal of the Walmart project enabled identification of smaller and less costly improvements to maintain traffic flows and acceptable operations.

1.1.1 Del Rio Road Interchange Traffic Analysis

The *Del Rio Road/US 101 Interchange Traffic Sensitivity Analysis* (W-Trans, March 2020) was prepared to evaluate multiple land use alternatives and their potential impacts to the Del Rio Road/US 101 interchange. This analysis resulted in the abandonment of the roundabout concept in favor of lower cost improvements to the signalized intersections along the corridor. Mitigation 1 would add a westbound right turn lane to the Del Rio Road/US 101 NB Ramps and Mitigation 2 would retime the signals and modify the Del Rio Road/El Camino Real intersection to construct a southbound right turn lane and provide more efficient signal phasing. Combined, these two mitigations would result in acceptable operations under the most intensive likely scenario.

Figure 1: Project and Study Locations



Legend:

 - Barrel Creek

 - Del Rio Marketplace

 - Del Rio Ranch

 - Study Intersection

Figure 2: Site Plan



Source: RRM Design Group



1.1.2 Del Rio Commercial Area Specific Plan

The proposed project is in the Del Rio Commercial Area Specific Plan. The Specific Plan was amended to accommodate the withdrawal of the Walmart project and interest in alternative land uses. The amendment and Final Environmental Impact Report (FEIR) Addendum were supported by the *Del Rio Specific Plan Amendment Traffic Analysis* (W-Trans, August 2020) that describes existing and future traffic operations along Del Rio Road.

The traffic analysis identifies four mitigations, effectively the same as Mitigation 1 and 2 described above in the Del Rio Road Interchange Traffic Analysis section, which can accommodate the planned growth with acceptable traffic operations. It also concludes that a large regional retail project on the Walmart site would require widening the Del Rio Road overcrossing. The amendment assumed this site would be a Business Park.

Since the amendment, additional information about project development east and west of the Del Rio Interchange has been received from applicants. In May 2021, CCTC prepared the *Del Rio Ranch Transportation Impact Study* for the former Walmart site south of Del Rio Road. The proposed project's land uses included light industrial, multi-family dwellings, RV campsites, a hotel, a conference center, an amphitheater, and a small shopping center. In January 2022, CCTC prepared the *Barrel Creek Draft Transportation Impact Study* located north of Del Rio Road and west of US Highway 101. The proposed project's land uses included light industrial, single family dwellings, multi-family dwellings, a hotel, a restaurant and a winery and brewery.

The amended Specific Plan recommended that the traffic signal modifications described in mitigation 4 at the Del Rio Rd/El Camino Real (#4) intersection be completed prior to occupancy of the Business Park. The Specific Plan mitigations and recommendations are summarized in **Table 1**.

Table 1: Amended Specific Plan Mitigation Summary

Amended Specific Plan Mitigation Summary	
Amended Specific Plan Potential Study Area Mitigations	CCTC Recommendation
<p>#1: This mitigation measure includes the addition of a westbound right-turn lane to the intersection of Del Rio Rd/US 101 NB Ramps, such that there would be two westbound lanes on Del Rio Rd from El Camino Real to US 101 NB Ramps. This would require widening Del Rio Rd, the construction of a retaining wall on the north side, and reconstruction of the curb return. By splitting westbound traffic into through and right-turn lanes, the queue length could be reduced by providing drivers two lanes to stack in rather than one for both movements combined. Additionally, splitting through and right-turning traffic would allow turning drivers to bypass through drivers who are waiting for a green light, reducing delay and improving operations at Del Rio Rd/US 101 NB Ramps.</p>	<p>Existing Plus Approved Plus Project volumes operate acceptably without the additional westbound right turn lane at Del Rio Rd/US 101 Northbound Ramps (#3). Recommend project pay their fair share toward future improvements.</p>
<p>#2: This mitigation measure would involve several modifications to the traffic signal at Del Rio Rd/El Camino Real to more efficiently orchestrate the movement of conflicting traffic. This modification involves the replacement of the northbound left-turn protected phasing (green arrow) with protected-permissive phasing (green arrow that goes to green ball or flashing yellow arrow), and the southbound left-turn protected phasing with permissive phasing (green ball or flashing yellow arrow). The eastbound and westbound phases, which currently activate at the same time, would be split to operate sequentially, or one direction and then the other. These changes would require modification to the existing signal infrastructure to incorporate updated signal heads. In addition, this mitigation includes adjustment to the signal phasing in terms of recalls, phase lengths, and the overall cycle length.</p>	<p>Protected -permissive phasing is recommended on both the northbound and southbound approaches, see #4. Eastbound and westbound split phasing not recommended as interim measure based on unacceptable operations with project traffic.</p>
<p>#3: This mitigation measure would combine Mitigation 1 and 2.</p>	<p>Not recommended, see #2.</p>
<p>#4: This option includes any modifications that may be required to achieve acceptable operations with the addition of traffic that would be generated by the Amended Specific Plan scenario. In addition to Mitigation 1 and Mitigation 2 above, the intersection of Del Rio Rd/El Camino Real would need to be further modified to reconfigure the eastbound approach from through/left-turn and right-turn lanes, to left-turn lane and through/right-turn lanes, essentially moving the through movement from the left lane to the right lane. This may require widening the eastbound departure (on the east leg of the intersection) to avoid excessive lateral shifting of through traffic. With a dedicated eastbound left-turn lane, the eastbound-westbound split phasing could be replaced with concurrent timing, as well as protected-permissive phasing for the eastbound left-turn movement. With protected left-turn phasing in the eastbound direction and a prohibition of eastbound U-turns, it would be possible to include a southbound right-turn overlap, which is a green arrow that enables southbound right turning drivers to continue without stopping concurrently with the eastbound left-turn movement. Additionally, the signal at Del Rio Rd/El Camino Real would need to be coordinated with the signals at Del Rio Rd/US 101 NB Ramps and Del Rio Rd/US 101 SB Ramps. This would require extending the interconnect hardware between the ramp signals to Del Rio Rd/El Camino Real, and potentially upgrading the signal hardware at Del Rio Rd/El Camino Real to be compatible with interconnect technology if it is not already. (Note: Existing interconnect conduit and cable.)</p>	<p>Cumulative Plus Project operates acceptably at the Del Rio Rd/El Camino Real (#4) intersection without signal coordination or restriping of the northbound approach. Recommend Marketplace project construct the following improvements prior to occupancy:</p> <ul style="list-style-type: none"> - Restripe eastbound approach to a left, through, and right turn lane. - Install westbound left turn lane. - Modify all approaches to protected-permissive phasing except westbound. - Install southbound right turn overlap. - Update signal timing.

Consistent with the amended Specific Plan, we recommend the Del Rio Rd/El Camino Real (#4) intersection improvements be completed prior to occupancy of the proposed project.

2.0 CEQA Transportation Analysis

This section presents analysis relevant to the California Environmental Quality Act (CEQA), notably analysis of the existing setting, plan consistency, vehicle miles traveled (VMT), and transportation safety.

2.1 EXISTING CIRCULATION NETWORK

The existing roadways adjacent to the proposed project are described below.

- *US 101* is a four-lane freeway serving intercity and regional travel. There is a full access interchange at Del Rio Road.
- *El Camino Real* is a major arterial paralleling US 101. There are two to four travel lanes, Class II bikeways, and intermittent sidewalks.
- *Del Rio Road* is a minor arterial west of El Camino Real and a collector east of El Camino Real. There are two travel lanes, intermittent Class II bike lanes, and intermittent sidewalks. There are proposed Class II bike lanes through the study area.

The existing study intersections are described below:

- Del Rio Road/Ramona Road (#1) Side-street stop controlled with marked crosswalk on the south leg only.
- Del Rio Road/US 101 Southbound Ramps (#2): Existing traffic signal with marked crosswalk and pedestrian signals on the south leg only.
- Del Rio Road/US 101 Northbound Ramps (#3): Existing traffic signal with marked crosswalk and pedestrian signals on the south leg only.
- Del Rio Road/El Camino Real (#4): Existing traffic signal with marked crosswalks and pedestrian signals on all legs.

2.1.1 Transit

The San Luis Obispo Regional Transit Authority (RTA) operates fixed route transit service in the study area. *RTA Route 9* is a bus service traveling between San Luis Obispo, Santa Margarita, Atascadero, Templeton, Paso Robles, and San Miguel with hourly headways on weekdays and reduced frequency on weekends. The closest bus stops to the project site are on El Camino Real south of Del Rio Road at Mission Oaks Plaza.

2.2 CEQA TRANSPORTATION THRESHOLDS

The CEQA transportation thresholds are described below.

2.2.1 City of Atascadero

While the City of Atascadero has not yet adopted VMT standards the State Office of Planning and Research (OPR) has published recommended thresholds which are applied below. OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* provides guidance for evaluating VMT for various project types.

Mixed-use projects can evaluate the individual components separately or focus the analysis on the dominant use. As shown in **Table 4**, the non-residential components of the project generate over 90 percent of the project's daily trips and are therefore the dominant use. OPR also notes that local-

serving retail can be presumed to have a less-than-significant impact because these uses don't typically generate new demand, but instead shift travel patterns as customers shift to more convenient shopping locations. The proposed retail uses on the site are anchored by a 32,400 s.f. grocery store which is expected to be local serving.

OPR's suggested threshold for office uses is 15 percent below the regional average of work VMT. Work VMT captures trips from home to work. The SLOCOG Travel Demand Model was applied to estimate the work VMT.

While LOS is not an allowable CEQA metric it remains in planning documents for the City of Atascadero and is analyzed under the local transportation analysis section of this report.

2.2.2 Caltrans

Caltrans has eliminated LOS consistent with SB 743 and now relies on VMT and safety to evaluate transportation impacts. Caltrans recently issued a series of policy documents related to transportation impacts and CEQA determinations. Caltrans published a VMT-Focused TIS Guide in May 2020 which replaced the prior guide reliant on LOS. The TIS Guide notes that lead agencies have the discretion to choose VMT thresholds and methods, and generally conforms to OPR guidance.

2.3 RTP CONSISTENCY

SLOCOG's 2019 Regional Transportation Plan (RTP) serves as a blueprint planning the region's transportation system. It integrates land use and transportation planning to identify and prioritize regional transportation improvements.

Figure 13-7 of the RTP shows an existing jobs-housing imbalance within subregions, with the Central County subregion having more than two jobs per housing unit and all other subregions having less than one job per housing unit. This imbalance causes congestion and increases trip lengths as commuters travel to and from the Central County for work.

The RTP's Action Strategies direct new growth to existing mixed-use corridors since these areas support a more efficient transportation network. El Camino Real is one of four corridors identified in the RTP as the priority areas for growth.

The proposed project conforms to the RTP's preferred growth scenario by adding jobs to a mixed-use corridor in the North County subregion, thereby improving the jobs-housing balance in the region and improving land use location efficiency.

2.4 VEHICLE MILES TRAVELED (VMT)

The project's VMT was estimated using the SLOCOG Travel Demand Model. The regional VMT is summarized in **Table 2**.

Table 2: VMT Analysis

Regional VMT Analysis					
Scenario	Total	Demographics		VMT By Trip Purpose ¹	
	Regional VMT	Employees	Population	Residential VMT	Office VMT
2020 No Project	8,899,234	117,276	246,732	4,480,333	1,595,434
2020 With Project	8,899,902	117,474	246,942	4,478,439	1,594,930
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1. Residential VMT is produced by households (sum of home-based productions); office VMT is attracted to offices (sum of home-based-work attractions).
Source: SLOCOG TDM, CCTC, 2022

The project is expected to increase overall regional VMT slightly and reduce residential and office VMT. This reduction in office VMT and residential VMT indicates a less-than-significant impact to VMT. The retail component of the project is considered local-serving and is presumed to have a less-than-significant VMT impact.

The provision of commercial uses in a predominantly residential area improves the jobs-housing balance which shortens commute trips lengths. The mix of uses on the project site provides destinations serving project residents as well as other residents nearby. This is consistent with SB 743 and regional planning goals to encourage mixed-use infill developments.

2.5 EMERGENCY ACCESS

The project proposes four driveways, two on Del Rio Road and two on El Camino Real. We recommend truck turning templates for fire access be applied to the ultimate site plan and frontage improvement designs to confirm adequate emergency access. Fire Department approval is also required on all development plans.

2.6 COLLISIONS

CCTC obtained traffic collision data from the Statewide Integrated Traffic Records System (SWITRS), the City’s collision database, and the Caltrans Traffic Accident Surveillance and Analysis System (TASAS). The US 101 Northbound and Southbound ramp intersections have a total collision rate lower than the statewide average.

The average collision rate at the Del Rio Road/El Camino Real (#4) intersection exceeds the statewide average collision rate for similar facilities. Approximately 30 percent of collisions were caused by improper turning, 20 percent auto right-of-way violations, and an additional 20 percent unsafe speed. 50 percent of collisions involved a fixed object and approximately 20 percent of collisions were broadside. No pedestrian, bicycle, severe injury, or fatal collisions occurred. We recommend the following be completed with the improvements at Del Rio Road/El Camino Real (#4):

- Replace eight-inch traffic signal heads with 12-inch heads.
- Install yellow reflective tape on traffic signal backplates.
- Install LEFT TURN YIELD ON GREEN (R10-12) and TURNING VEHICLES YIELD TO PEDESTRIANS (R10-15) signs as needed.
- Replace signs to comply with CAMUTCD Table 2A-3 for sign reflectivity.

- Update signal timing including pedestrian timing and yellow and red clearance intervals to meet current CAMUTCD standards, as necessary.

3.0 Local Transportation Analysis

While LOS is not an allowable CEQA metric it remains in planning documents for the City of Atascadero. The study intersections were analyzed with the Synchro 10 software package applying the HCM 6th Edition methods, except where unusual signal phasing required the use of HCM 2000.

The City’s Circulation Element specifies that level of service (LOS) C or better operations shall be maintained as the standard at all intersections and on all arterial and collector roads. Upon City Council approval, LOS D is acceptable where residences are not directly impacted and improvements to meet the City’s standard would be prohibitively costly or disruptive.

Caltrans has eliminated LOS consistent with SB 743 and now relies on VMT and safety to evaluate transportation impacts.

3.1 EXISTING OPERATIONS

Traffic count data at the study intersections was collected in February 2022. Consistent with recent studies in the area, only the weekday PM peak hour was analyzed since this is the hour which dictates future improvements. Additionally, the project is expected to generate more vehicle trips during the PM peak hour than during the AM peak hour, as shown in the trip generation section of this report.

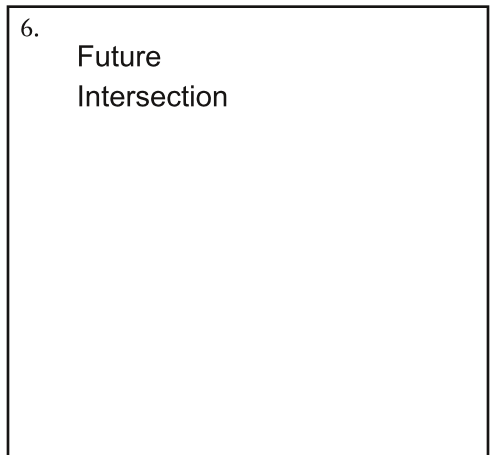
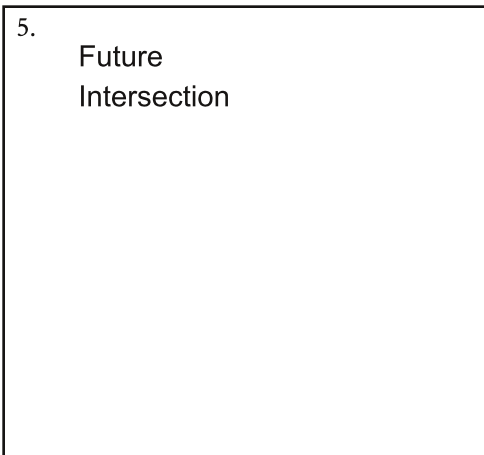
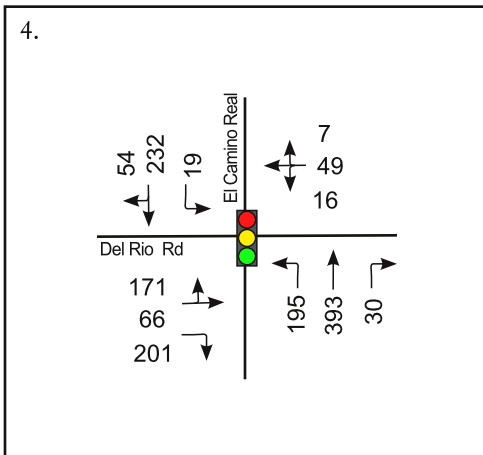
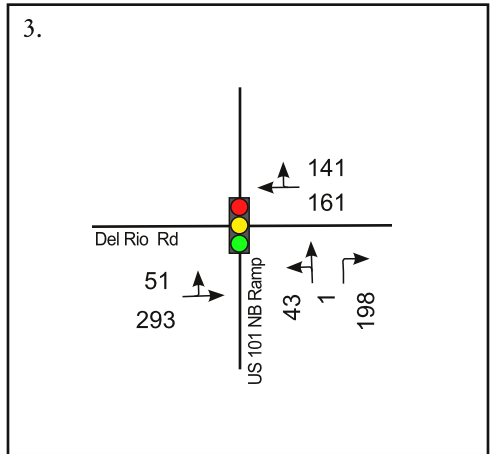
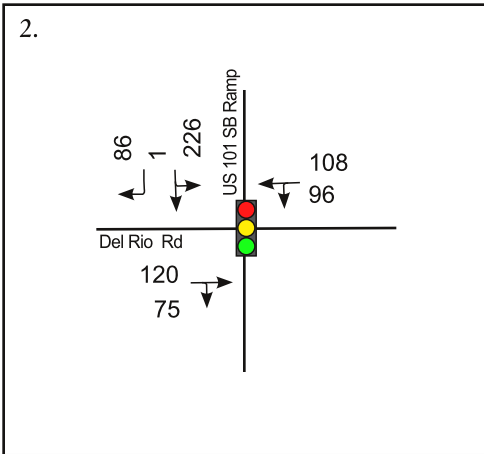
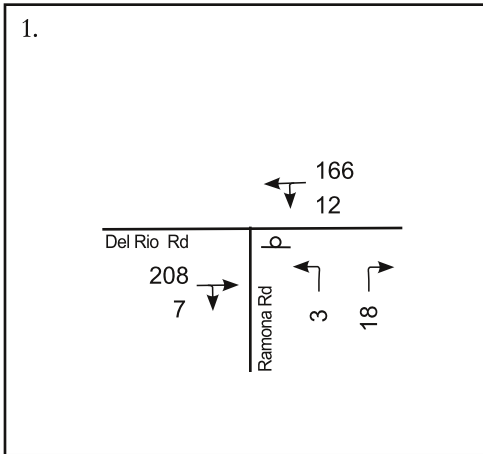
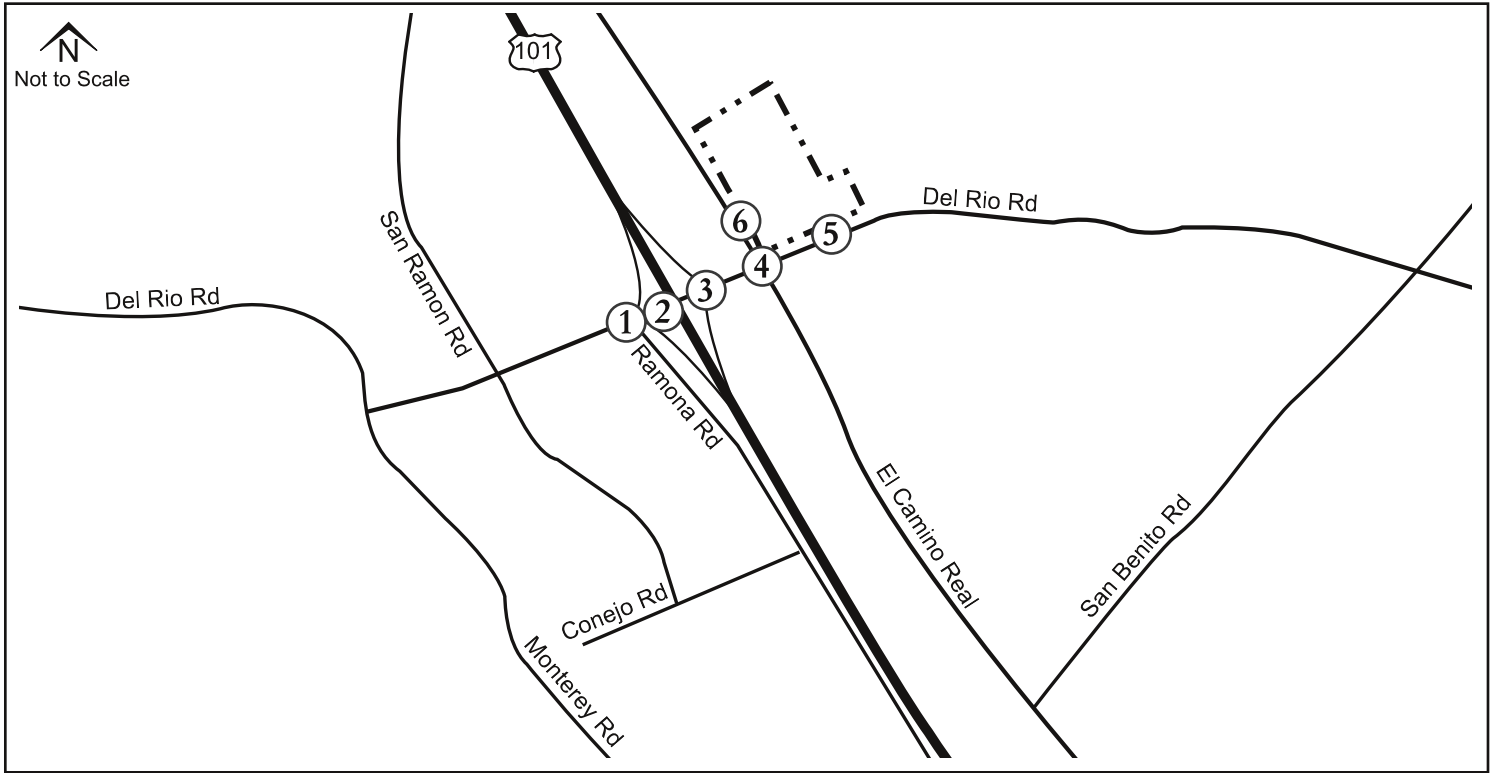
Figure 3 shows the existing traffic volumes and lane configurations. Traffic count sheets are provided in **Appendix A**. **Table 3** summarizes the LOS, with detailed calculation sheets included in **Appendix B**.

Table 3: Existing PM Peak Hour LOS

Existing PM Peak Hour Levels of Service		
Intersection	Existing	
	Delay ¹	LOS
1. Del Rio Rd/Ramona Rd	0.7 (9.4)	- (A)
2. Del Rio Rd/US 101 SB Ramps	12.2	B
3. Del Rio Rd/US 101 NB Ramps	9.6	A
4. Del Rio Rd/El Camino Real	10.8	B
1. HCM 6th average control delay in seconds per vehicle (HCM 2000 used for Intersections 2 and 3). For side-street-stop controlled intersections the worst approach's delay is reported in parentheses next to the overall intersection delay.		

No LOS or queuing deficiencies are reported under Existing Conditions.

Figure 3: Existing Volumes and Lane Configurations



Legend:

- Del Rio Marketplace
- Traffic Signal
- Stop Sign
- PM Peak Hour Traffic Volumes
- Study Intersection

3.2 EXISTING PLUS APPROVED PLUS PROJECT CONDITIONS

The amount of traffic affecting the study locations is estimated in three steps: trip generation, trip distribution, and trip assignment. Trip generation refers to the total number of trips generated by the site. Trip distribution identifies the general origins and destination of these trips, and trip assignment specifies the routes taken to reach these origins and destinations.

3.2.1 Trip Generation

The Institute of Transportation Engineers (ITE) *Trip Generation Manual* 11th Edition was used to estimate the trip generation of the Del Rio Marketplace project. Pass-by and internal capture trips were deducted to obtain total external trips. **Table 4** summarizes the project trip generation.

Table 4: Trip Generation

Del Rio Marketplace Project Trip Generation								
Land Use	Size	Daily Total	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Phase 1								
Grocery Store ¹	32.400 KSF	3,241	54	39	93	155	155	310
	<i>Pass-By Trips³</i>	<i>-370</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>-37</i>	<i>-37</i>	<i>-74</i>
Net New Trips (Phase 1 only)		2,871	54	39	93	118	118	236
Phase 1 + Phase 2								
Shopping Plaza w/Supermarket ²	64.100 KSF	6,057	140	86	226	293	318	611
Light Industrial ³	18.600 KSF	120	14	2	16	2	10	12
Office ⁴	31.500 KSF	425	55	7	62	11	53	64
Residential ⁵	82.000 DU	553	8	25	33	26	16	42
	<i>Pass-By Trips⁶</i>	<i>-1,220</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>-122</i>	<i>-122</i>	<i>-244</i>
	<i>Internal Capture⁷</i>	<i>-440</i>	<i>-5</i>	<i>-5</i>	<i>-10</i>	<i>-44</i>	<i>-44</i>	<i>-88</i>
Net New Trips (Phase 1 & 2)		5,495	212	115	327	166	231	397
Specific Plan								
<i>Specific Plan (Shopping Center)⁸</i>	<i>104.050 KSF</i>	<i>4,182</i>	<i>96</i>	<i>62</i>	<i>158</i>	<i>192</i>	<i>200</i>	<i>392</i>
<i>Amended SP (Business Park)⁹</i>	<i>190.000 KSF</i>	<i>2,364</i>	<i>46</i>	<i>30</i>	<i>76</i>	<i>37</i>	<i>43</i>	<i>80</i>
KSF = Thousand Square Feet; ITE = Institute of Transportation Engineers. 1. ITE Land Use Code #850, Supermarket. Average rates used for AM. Fitted curve equation used for Daily and PM. 2. ITE Land Use Code #821, Shopping Plaza. Average rates used for daily and AM. Fitted curve equation used for PM. 3. ITE Land Use Code #110, Light Industrial. Fitted curve equations used. 4. ITE Land Use Code #710, General Office Building. Fitted curve equations used. 5. ITE Land Use Code #220, Multifamily Housing (Low-Rise). Fitted curve equation used for Daily, average rates used for AM and PM based on data cluster. 6. PM peak hour pass-by trips multiplied by a factor of 5 to determine daily pass-by trips. 7. AM and PM Internal Capture from TripGen 10 software. PM multiplied by a factor of 5 to determine daily trips. 8. Total trip generation (Annex East) including pass-by and diverted trips. W-Trans TIA, March 2012. 9. Trip generation (Annex only). Planning Commission, September 2020. Source: ITE Trip Generation Manual, 11th Ed., 2021, and Trip Generation Handbook, 3rd Edition.								

The proposed project would generate 5,495 net new trips per weekday, including 327 AM peak hour trips and 397 PM peak hour trips. The project trip generation is similar to the original Specific Plan as

analyzed in the *Del Rio Road Area Specific Plan Traffic Impact Analysis* (W-Trans, March 2012) and is higher than the estimates analyzed in the amended Specific Plan.

3.2.2 Trip Distribution and Assignment

Trip distribution and assignment for the project trips were estimated using available studies in the area and local knowledge as summarized in **Table 5**.

Table 5: Project Trip Distribution

Project Trip Distribution	
Location	Distribution
El Camino Real (North)	10%
El Camino Real (South)	30%
Del Rio (East)	10%
Del Rio (West)	10%
US 101 (North)	20%
US 101 (South)	20%
Total	100%

Figure 4 shows the Existing Plus Approved Plus Phase 1 volumes and **Figure 5** shows the Existing Plus Approved Plus Project volumes.

3.3 EXISTING PLUS APPROVED PLUS PROJECT INTERSECTION OPERATIONS

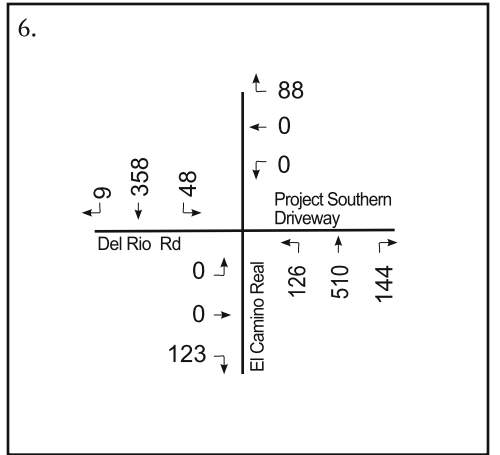
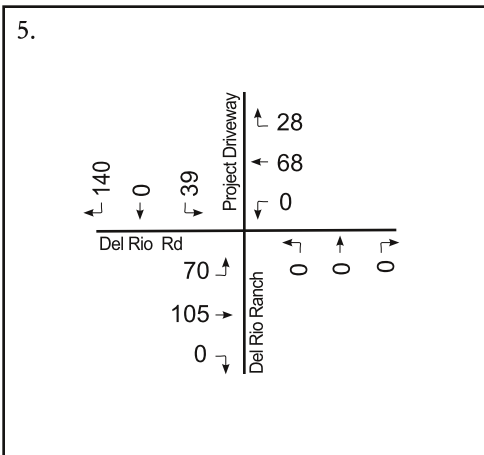
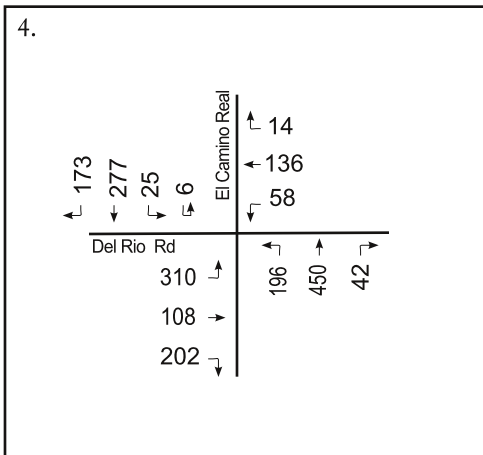
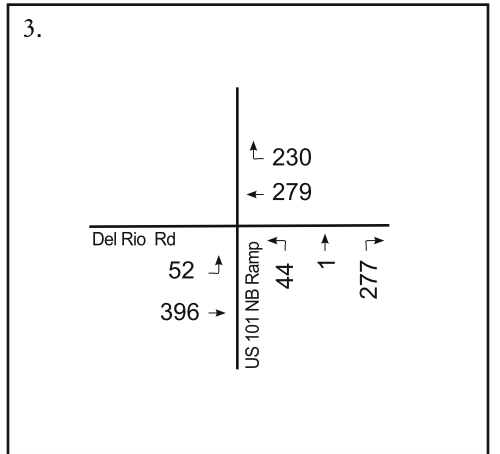
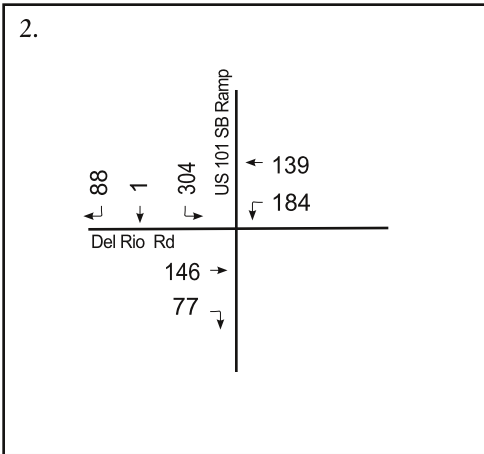
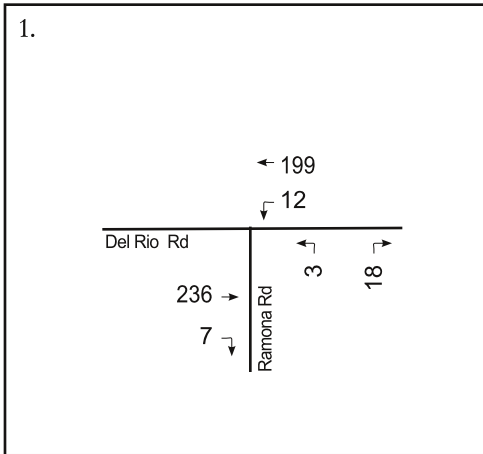
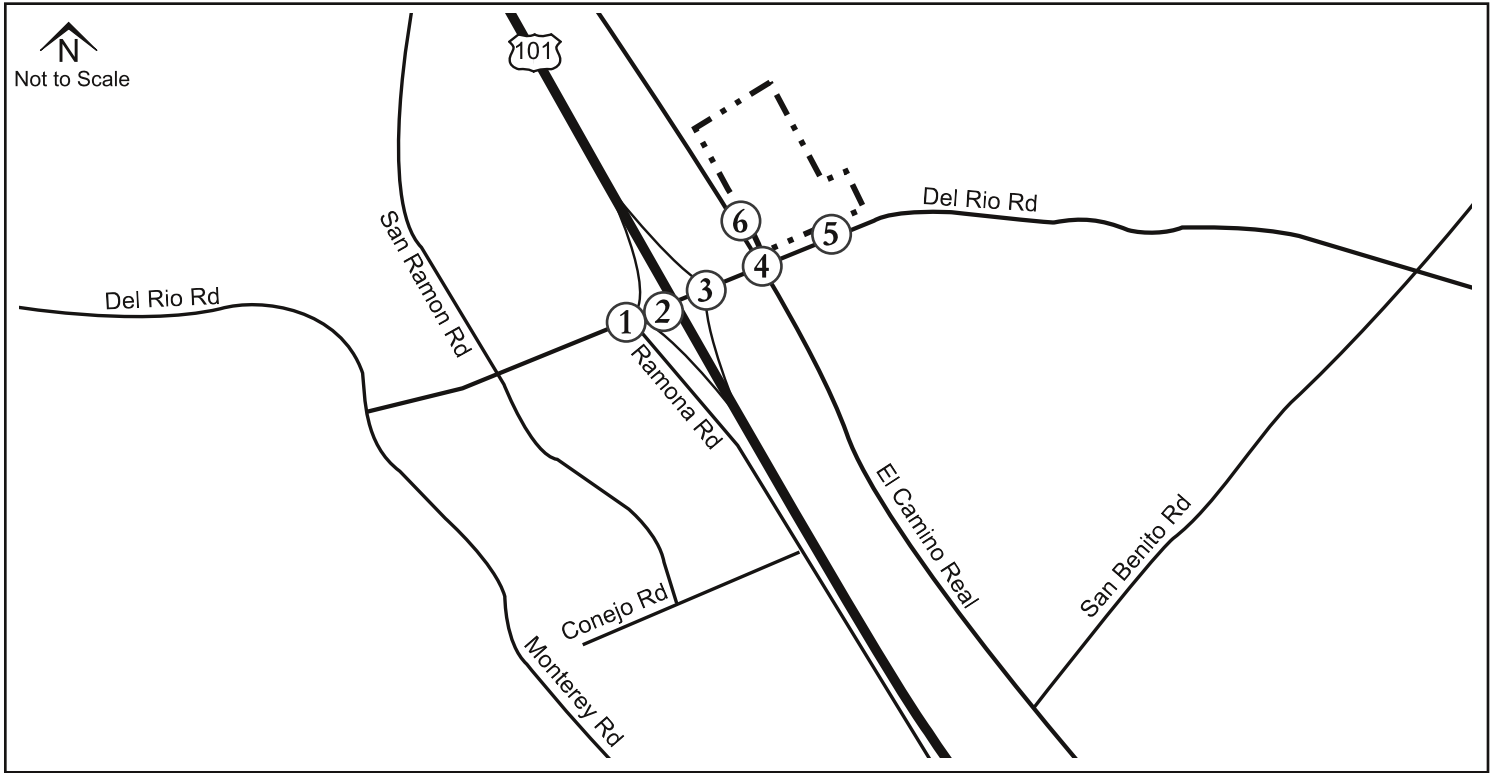
Table 6 summarizes the LOS and **Table 7** presents the key queues for the study intersections, with detailed calculation sheets included in **Appendix B**.

Table 6: Existing and Existing Plus Project PM Peak Hour Levels of Service

Existing Plus Approved Plus Project PM Peak Hour Levels of Service						
Intersection	Existing (EX)		EX + Approved + Phase 1		EX + Approved + Project	
	Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS
1. Del Rio Rd/Ramona Rd	0.7 (9.4)	- (A)	0.7 (10.2)	- (B)	0.6 (10.2)	- (B)
2. Del Rio Rd/US 101 SB Ramps	12.2	- (A)	13.5	B	13.5	B
3. Del Rio Rd/US 101 NB Ramps	9.6	B	9.8	A	9.9	A
4. Del Rio Rd/El Camino Real	10.8	A	69.6	E	94.2	F
5. Del Rio Rd/Project Driveway/ Del Rio Ranch	-	-	3.4(9.6)	- (A)	5.3(10.5)	- (A)
6. El Camino Real/Marketplace Southern Driveway	-	-	2.4(12.8)	- (B)	3.0(13.2)	- (B)

1. HCM 6th average control delay in seconds per vehicle (HCM 2000 used for Intersections 2 and 3). For side-street-stop controlled intersections the worst approach's delay is reported in parentheses next to the overall intersection delay.
Unacceptable operations shown in bold text.

Figure 5: Existing Plus Approved Plus Project Volumes



Legend:

- ⋯ - Del Rio Marketplace
- xx - PM Peak Hour Traffic Volumes
- ⊗ - Study Intersection

Table 7: Existing Plus Approved Plus Project PM Peak Hour Intersection Queues

Existing Plus Approved Plus Project PM Peak Hour Intersection Queues ¹					
Intersection	Movement	Storage Length (ft)	Existing (EX)	EX + AP + Phase 1	EX + AP + Project
1. Del Rio Rd/ US 101 SB Ramps	EBT	40	39	55	57
	WBT	290	85	76	82
	SBL ²	705	130	167	#176
	SBR	25	11	20	20
2. Del Rio Rd/ US 101 NB Ramps	EBT	290	163	236	244
	WBT	240	50	104	129
	NBL ³	475	58	35	35
	NBR	175	42	51	52
3. Del Rio Rd/ El Camino Real	EBL	240	177	#614	#688
	EBR	240	51	57	57
	NBL	280	181	237	237
	SBL	150	18	52	52
<p>1. Queue length in feet that would not be exceeded 95 percent of the time. # indicates that the 95th percentile volume exceeds capacity and the queue may be longer. M indicates the queue is metered by an upstream signal.</p> <p>2. Deceleration length of 235 feet has been subtracted from the storage length per the Highway Design Manual for 30 mph design speed.</p> <p>3. Deceleration length of 425 feet has been subtracted from the storage length per the Highway Design Manual for 50 mph design speed.</p> <p>Bold indicates queue length longer than storage length.</p>					

All study locations operate with acceptable LOS with the addition of project traffic except Del Rio Road/El Camino Real (#4). The eastbound left turn movement queue exceeds storage at the intersection with the addition of project traffic.

At Del Rio Road/US 101 Southbound Ramps (#3), the addition of project traffic would cause the eastbound through movement queue to block the upstream intersection of Ramona Road.

3.3.1 Recommended Improvements

The following intersection improvements are recommended with the addition of project traffic:

- Del Rio Road/Ramona Road (#1): Ramona Road carries low volumes, the queues reported at the Southbound Ramps would not be exceeded 95 percent of the time, and average queues are not expected to block Ramona Road. Do Not Block Intersection Markings per the California Manual on Uniform Traffic Control Devices (CAMUTCD) Section 3B.17 could be considered to address this infrequent blockage.
- Del Rio Road/El Camino Real (#4): The following improvements would bring the intersection operations to LOS B with acceptable queuing and are recommended prior to occupancy of the first phase:
 - Add a westbound left turn lane with permissive phasing,
 - Modify the southbound and northbound left turns to protected-permissive phasing,
 - Restripe the eastbound approach to a left, through, and right turn lane and modify the left turn to protected-permissive phasing,

- Add overlap phasing to the southbound right turn pocket currently under construction, and
- Optimize signal timings including updating pedestrian and yellow clearance times.

3.4 SITE ACCESS AND ON-SITE CIRCULATION

This section discusses issues related to site access and on-site circulation. On-site circulation deficiencies would occur if the project designs fail to meet appropriate standards, provide adequate truck access, or would result in hazardous conditions.

The American Association of State Highway and Transportation Officials (AASHTO) states that, “ideally, driveways should not be located within the functional area of an intersection or the influence area of an adjacent driveway.”

As shown on **Figure 2**, the project proposes two driveways on El Camino Real and two driveways on Del Rio Road. Full access is proposed at the northern driveway on El Camino Real across from an existing driveway and on Del Rio Road across from the future Del Rio Ranch entrance. Right-in/right-out only turns are recommended and proposed at the eastern driveway on Del Rio Road due to the proximity to the Obispo Road intersection. Left-in/right-in/right-out only turns are recommended and proposed at the southern driveway on El Camino Real due to the proximity to the Del Rio Road/El Camino Real (#4) intersection.

To maintain sight distance at project driveways, all landscaping, signage, or other obstructions shall comply with City Standard Drawing Number 414.

Preliminary truck turning templates provided by the applicant may have used a larger design vehicle than necessary and showed the need for one way travel on the internal circulation system during deliveries. Truck turning templates for truck deliveries and fire access should be applied to the ultimate site plan and frontage improvement designs. We recommend two-way travel with allowance for oncoming vehicles be provided on roadways fronting buildings.

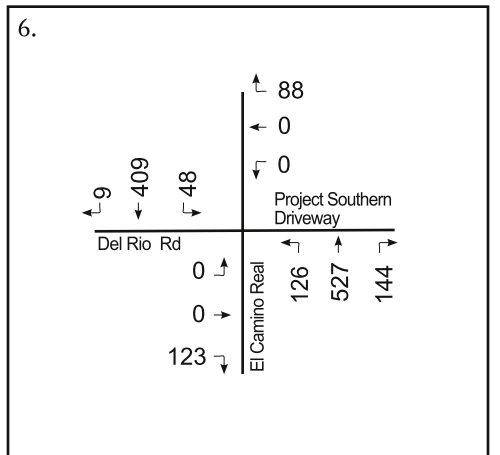
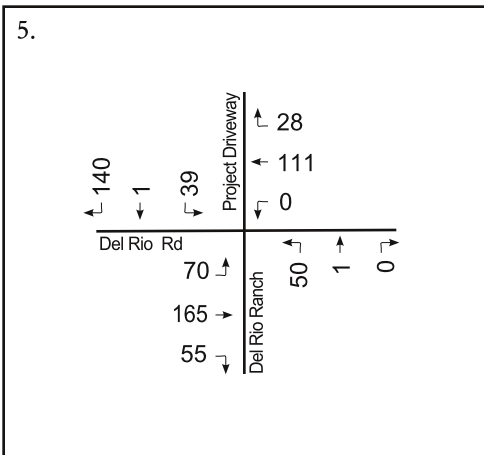
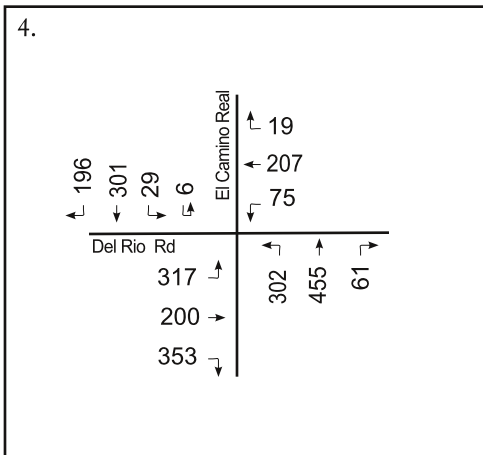
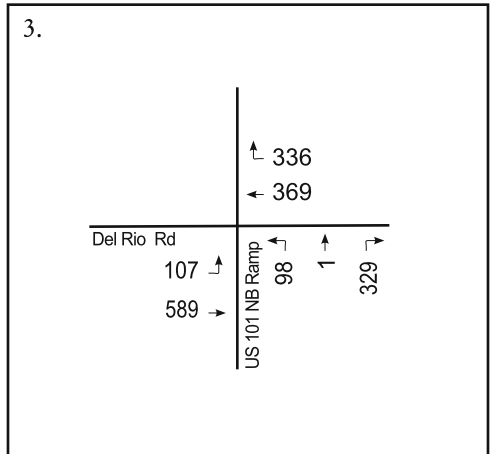
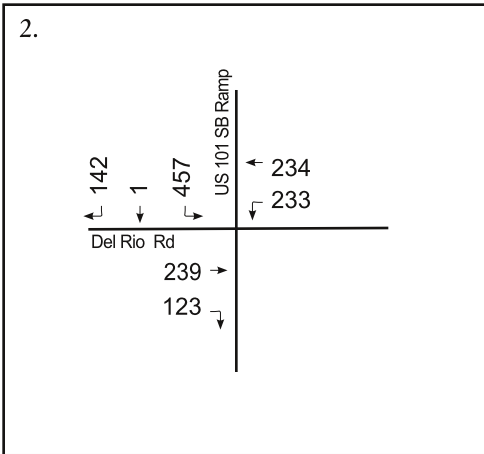
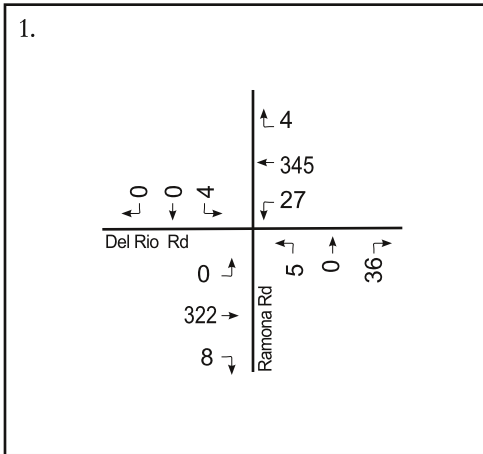
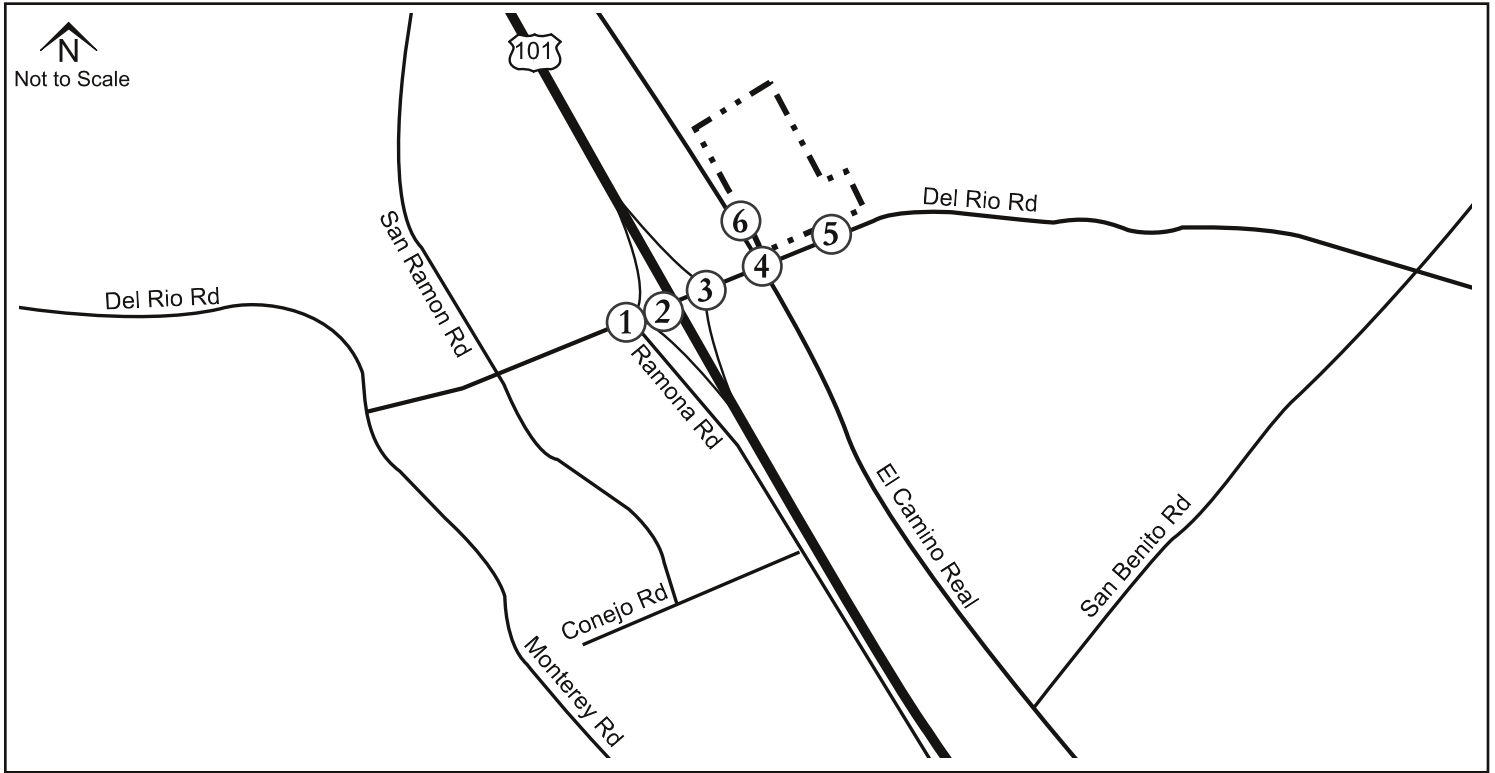
We recommend convenient sidewalk connections between all buildings, the frontage improvements, and crosswalks at key locations. Convenient and secure bike parking should also be provided at the market, plazas, and/or building entrances.

3.5 CUMULATIVE PLUS PROJECT CONDITIONS

Cumulative Conditions (2035) represent build-out of the land uses in the region. Cumulative traffic volume forecasts were developed based on the *Del Rio Commercial Area Specific Plan Amendment Traffic Analysis* (W-Trans, August 2020), *Del Rio Ranch Traffic Impact Study* (CCTC, May 2021), and the *Barrel Creek Draft Traffic Impact Study* (CCTC, January 2022). The amended Specific Plan analysis forecasts were updated to include the Del Rio Ranch and Barrel Creek projects as currently proposed. In addition, the forecasts were updated based on the difference between the 2022 counts and the 2018 data previously used in the Specific Plan amendment. The estimated trips from the existing hotel were also subtracted from the cumulative base volumes.

Figure 6 shows the Cumulative Plus Project traffic volumes, respectively. Under Cumulative Conditions, a peak hour factor (PHF) of 0.92 was used for the analysis. In addition, two percent trucks were assumed under Cumulative Conditions.

Figure 6: Cumulative Plus Project Volumes



Legend:



- Del Rio Marketplace

xx - PM Peak Hour Traffic Volumes



- Study Intersection

Table 8 presents the LOS and **Table 9** presents the key queues for the study intersections under Cumulative Plus Project Conditions, with detailed calculation sheets included in **Appendix B**.

Table 8: Cumulative Plus Project PM Peak Hour Levels of Service

Cumulative Plus Project PM Peak Hour Levels of Service		
Intersection	Cumulative+Project Delay¹	LOS
1. Del Rio Rd/Ramona Rd	0.9(11.6)	- (B)
2. Del Rio Rd/US 101 SB Ramps	34.7	C
3. Del Rio Rd/US 101 NB Ramps	14.2	B
4. Del Rio Rd/El Camino Real	194.2	F
5. Del Rio Rd/Project Driveway/Del Rio Ranch	5.3(17.5)	- (C)
6. El Camino Real/Marketplace Southern Driveway	2.9(13.5)	- (B)
1. HCM 6th average control delay in seconds per vehicle (HCM 2000 used for Intersections 2 and 3). For side-street-stop controlled intersections the worst approach's delay is reported in parentheses next to the overall intersection delay. Unacceptable operations shown in bold text.		

Table 9: Cumulative and Cumulative Plus Project PM Peak Hour Queues

Cumulative Plus Project PM Peak Hour Intersection Queues¹			
Intersection	Movement	Storage Length (ft)	Cumulative Plus Project
2. Del Rio Rd/US 101 SB Ramps	EBT	40	103
	WBT	290	#311
	SBL ²	705	#336
	SBR	25	44
3. Del Rio Rd/US 101 NB Ramps	EBT	290	m321
	WBT	240	247
	NBL ³	475	64
4. Del Rio Rd/El Camino Real	NBR	175	94
	EBL/T	240	#905
	EBR	240	131
	NBL	280	334
	SBL	150	59
<p>1. Queue length in feet that would not be exceeded 95 percent of the time. # indicates that the 95th percentile volume exceeds capacity and the queue may be longer. M indicates the queue is metered by an upstream signal.</p> <p>2. Deceleration length of 235 feet has been subtracted from the storage length per the Highway Design Manual for 30 mph design speed.</p> <p>3. Deceleration length of 425 feet has been subtracted from the storage length per the Highway Design Manual for 50 mph design speed.</p> <p>Bold indicates queue length longer than storage length.</p>			

The following LOS and queuing deficiencies are reported:

- Del Rio Road/US 101 Southbound Ramps (#2): The eastbound through movement queue length further blocks the Ramona Road intersection and the westbound through movement exceeds the storage length on the US 101 overpass. The southbound offramp approach queues would not affect US 101 freeway operations.
- Del Rio Road/US 101 Northbound Ramps (#3): The eastbound through movement queues exceed the storage length on the US 101 Overpass and the westbound queue would reach El Camino Real. The northbound offramp approach would not affect US 101 freeway operations.
- Del Rio Road/El Camino Real (#4): The intersection operates unacceptably, and the northbound left turn and eastbound left/through queue length exceeds the available storage.

3.5.1 Recommended Cumulative Improvements

The following improvements are recommended at the study intersections under Cumulative Plus Project Conditions:

- Del Rio Road/Ramona Road (#1): Consistent with recent studies in the area, realigning Ramona Road approximately 200 feet to the west would provide greater separation from the US 101 ramps and accommodate the queues.
- Del Rio Road/US 101 Southbound Ramps (#2): Consistent with recent studies in the area, optimizing signal timings would improve corridor operations. In addition, an eastbound right

- turn lane is recommended to reduce queuing on the US 101 overpass. The turn lane could use the existing Ramona Road intersection approach and be constructed when the Del Rio Road/Ramona Road (#1) intersection is realigned.
- Del Rio Road/US 101 Northbound Ramps (#3): Consistent with recent studies in the area, constructing a westbound right turn lane and optimizing signal timings would improve corridor operations.
 - Del Rio Road/El Camino Real (#4): The improvements recommended under Existing Plus Approved Plus Project Conditions operate at LOS C with acceptable queuing under Cumulative Plus Project Conditions. The natural cycle length at the US 101 Ramp intersections is shorter than the El Camino Real intersection due to the number of intersection approaches and crosswalk lengths. With an additional turn lane added in each direction between the US 101 Northbound Ramps and El Camino Real, traffic signal coordination or restriping of the northbound approach is not required or recommended.

With the recommended improvements, all study intersections would operate acceptably at LOS C or better and queuing would not encroach into the deceleration distance needed for vehicles exiting US 101.

All recommended intersection improvements have been previously identified in historic studies except the eastbound right turn lane at Del Rio Road/ US 101 Southbound Ramps (#3).

We recommend the project make a fair share contribution towards the cost of the improvements at Ramona Road and the US 101 Ramp intersections. We recommend the project construct the proposed improvements at Del Rio Road/El Camino Real (#4) prior to occupancy of the first phase.

4.0 References

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**Redlined Mitigation Monitoring and Reporting Program
for the
2022 Addendum to the FINAL
Environmental Impact Report
Del Rio Road Commercial Area Specific Plan
City of Atascadero, San Luis Obispo County, California
State Clearinghouse No. 2010051034**

The attached Mitigation Monitoring Program excerpts represent measures modified for the Marketplace development. The full Mitigation Monitoring Program is on file at the City of Atascadero.

Table 1 (cont.): Del Rio Road Commercial Area Specific Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date Initial	
<p>MM TRANS-1c: Prior to occupancy of the first new building within the Specific Plan on the east side of El Camino Real, modifications improvements to the intersection and traffic signals at Del Rio Road/El Camino Real shall be completed by the developer to more efficiently orchestrate the movement of conflicting traffic. This modification requires These improvements include the following: the replacement of the northbound left turn protected phasing (green arrow) with protected permissive phasing (green arrow that goes to green ball or flashing yellow arrow), and the southbound left turn protected phasing with permissive phasing (green ball or flashing yellow arrow). The eastbound and westbound phases, which currently activate at the same time, shall be split to operate sequentially, or one direction and then the other. These changes shall require modification to the existing signal infrastructure to incorporate updated signal heads. In addition, this mitigation includes adjustment to the signal phasing in terms of recalls, phase lengths, and the overall cycle length. —1) add a westbound left turn lane with permissive phasing; 2) modify the southbound and northbound left turns to protected-permissive phasing; 3) restripe the eastbound approach to a left, through, and right turn lane and modify the left turn to protected-permissive phasing; 4) add overlap phasing to the southbound right turn pocket fronting 1920 El Camino Real; 5) replace eight-inch traffic signal heads with 12-inch heads, 6) install yellow reflective tape on all backplates; 7) install new signage and replace non-reflective signs; and 8) optimize signal timings including updating pedestrian and yellow clearance times. All the listed items shall be coordinated and approved by the -City Engineer.</p>	<p>Site inspection; acceptance of improvements</p>	<p>Prior to issuance of the final certificate of occupancy for Walmart</p>	<p>City of Atascadero</p>		
<p>MM TRANS 1-d Prior to occupancy of the first use that exceeds 134 p.m. cumulative peak hour trips, All projects shall pay their fair share toward the addition of a westbound to northbound right-turn lane shall be added to the intersection of Del Rio Road/US 101, such that there would be two westbound travel lanes on Del Rio Road from El Camino Real to the US 101 North ramp. This would require widening Del Rio Road, the construction of a retaining wall on the north side of Del Rio Road, and reconstruction of the curb return. Prior to occupancy of the first use that exceeds 134 p.m. cumulative peak hour trips Concurrent with the addition of the right turn lane noted above, the intersection of Del Rio Road/El Camino Real shall be reconfigured at the eastbound approach from through /left-turn and right-turn lanes, to left-turn lane, and through lane, and/ right-turn lanes, moving the through movement from the left lane to the right lane.</p>	<p>Receipt of fees / Site inspection; acceptance of improvements</p>	<p>Prior to issuance of each building permit for the project</p>	<p>City of Atascadero</p>		

Table 1 (cont.): Del Rio Road Commercial Area Specific Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date Initial	
<p>This includes widening the eastbound departure (on the east leg of the intersection) to avoid excessive lateral shifting of through traffic. With a dedicated eastbound left-turn lane, the eastbound-westbound split phasing shall be required to be replaced with concurrent timing, as well as protected-permissive phasing for the eastbound left-turn movement. With protected left-turn phasing in the eastbound direction and a prohibition of eastbound U-turns, a southbound right-turn overlap shall be provided, which is a green arrow that enables southbound right-turning drivers to continue without stopping concurrently with the eastbound left-turn movement. Additionally, the signal at Del Rio Road/El Camino Real shall be coordinated with the signals at Del Rio Road/US 101 North Ramps and Del Rio Road/US 101 South Ramps. This will require extending the interconnect hardware between the ramp signals to Del Rio Road/El Camino Real, and potentially upgrading the signal hardware at Del Rio Road/El Camino Real to be compatible with interconnect technology if it is not already.</p> <p>All development within the Specific Plan area shall be responsible for paying their fair share towards these improvements as a special impact fee. The special impact fee will be in addition to the Citywide impact fees in place at the time of development and shall be collected prior to issuance of any permit. Should a developer construct the improvements, any costs of the installed improvements in excess of the project's proportional share, may be eligible for a TIF fee credit. Any potential TIF fee credit will be calculated by the City and will comply with any City resolution guiding TIF Fee credits in place at the time of construction of the improvements. The developer constructing the improvements may also be eligible for reimbursement from other development within the Specific Plan area should improvements be installed prior to Specific Plan build-out.</p>					
<p>MM TRANS 1-c Prior to issuance of building permits for any land use that exceeds <u>293 traffic capacity cumulative weekday p.m. peak hour trips</u> within the Specific Plan area, the following improvements shall be completed, <u>as determined by a traffic analysis for each project and subject to the approval of the City Engineer:</u></p>	<p>Site inspection; acceptance of improvements</p>	<p>Prior to issuance of each building permit</p>	<p>City of Atascadero</p>		

Table 1 (cont.): Del Rio Road Commercial Area Specific Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date Initial	
<ul style="list-style-type: none"> • Widening the eastbound approach to Del Rio Road/El Camino Real to three lanes that extend upstream to Del Rio Road/US 101 North Ramps, with one lane each assigned to left turns, through lanes, and right turns. • The westbound approach <u>to US 101 north ramps</u> shall be widened to include a right-turn <u>only</u> pocket. • A second northbound left-turn lane <u>at Del Rio Rd/El Camino Real</u> shall be constructed to accommodate traffic leaving the commercial developments and heading toward the freeway. • Overlaps <u>to traffic signal operations</u> shall be added to further improve traffic flow. • The Del Rio Road overpass shall to be widened to four lanes, with a through/left-turn combined lane and through lane approaching eastbound to Del Rio Road/US 101 North Ramps and left-turn and through/left-turn combined lanes on the westbound approach to Del Rio Road/US 101 South Ramps. • At Del Rio Road/US 101 South Ramps, the southbound approach shall be expanded to include an additional left-turn lane, and the phasing shall be modified to split the eastbound and westbound approaches. • Interconnect shall be provided between all three signals to coordinate cycles. <p>Should a developer construct the improvements, any costs of the installed improvements in excess of the project’s proportional share, may be eligible for a TIF fee credit. Any potential TIF fee credit will be calculated by the City and will comply with any City resolution guiding TIF Fee credits in place at the time of construction of the improvements. The developer constructing the improvements may also be eligible for reimbursement from other development within the Specific Plan area should improvements be installed prior to Specific Plan build-out.</p>					

Attachment 3: Project Design Package
AMND19-0063

See following





DEL RIO MARKETPLACE

PERSPECTIVE VIEW - Location Description

VICINITY MAP



PLANNING AREA

"NORTH END PROJECT SITE" WITHIN THE DEL RIO ROAD COMMERCIAL AREA SPECIFIC PLAN

PROJECT DESCRIPTION

THIS PROJECT CREATES A MIXED-USE CENTER FOR BUSINESS AND COMMERCIAL TENANTS, WITH RESIDENTIAL UNITS IN UPPER FLOORS OF THE MULTI-STORY BUILDINGS. THE DEL RIO MARKETPLACE WILL BE ACCESSIBLE FROM BOTH EL CAMINO AND DEL RIO, WITH A SITE DESIGN THAT CREATES PRACTICAL BUSINESS SPACE WITHIN A CREATIVE, INTERCONNECTED ENVIRONMENT. THE ONSITE CIRCULATION AND PARKING PLAN ACCOMMODATES NEEDS FOR BUSINESS VIABILITY, ENHANCED BY PEDESTRIAN WALKWAYS AND OUTDOOR GATHERING AREAS WITH LANDSCAPING AND SHADE TREES THROUGHOUT.

THIS APPLICATION PROPOSES A MASTER PLAN FOR FULL BUILD-OUT, WITH VALLEY FRESH MARKET IN THE FIRST PHASE OF DEVELOPMENT.

PROJECT DIRECTORY

OWNER: MADONNA ENTERPRISES, LLC
284 HIGUERA STREET
SAN LUIS OBISPO, CA 93401
CONTACT: CLINT PEARCE
PHONE: (805) 543-0300
EMAIL: CLINT@MADONNAPROPERTIES.COM

PLANNER: WHELEN CONSULTING
P.O. BOX 5021
SAN LUIS OBISPO, CA 93403
CONTACT: PATTI WHELEN
PHONE: (805) 503-9747
EMAIL: PATTI@WHELENCONSULTING.COM

ARCHITECT: RRM DESIGN GROUP
3765 S. HIGUERA STREET, SUITE 102
SAN LUIS OBISPO, CA 93401
CONTACT: SCOTT MARTIN
PHONE: (805)-543-1794
EMAIL: SAMARTIN@RRMDESIGN.COM

CIVIL: CANNON | ENGINEERING CONSULTANTS
1050 SOUTHWOOD DRIVE
SAN LUIS OBISPO, CA 93401
CONTACT: SUSAN ROBERTS
PHONE: (805)-544-7407
EMAIL: SUSANR@CANNONCORP.US

LANDSCAPE: RRM DESIGN GROUP
3765 S. HIGUERA STREET, SUITE 102
SAN LUIS OBISPO, CA 93401
CONTACT: DUFOR, CHRIS
PHONE: (805)-543-1794
EMAIL: CDUFOR@RRMDESIGN.COM

PROJECT ADDRESS: EL CAMINO REAL AND DEL RIO ROAD
ATASCADERO, CA

APN: 049-102-075
049-102-031
049-102-045
049-102-048
049-102-051
049-102-056

PROJECT STATISTICS

ZONING: CR - COMMERCIAL RETAIL
PROJECT AREA: 12 ACRES (+/-522,000 SF)

BUILDING GROSS AREA: 214,400 SF
GROUND FLOOR: 114,200 SF

MINIMUM LANDSCAPE COVERAGE: 10%
PROPOSED LANDSCAPE COVERAGE: 25%

MAX. ALLOWED HEIGHT: OCCUPIED 35'-0" FT.
NON-OCCUPIED FEATURES 45'-0"

MAX. PROPOSED HEIGHT: VARIES, REFER TO BUILDING ELEVATIONS

YARD SETBACKS	REQUIRED	PROPOSED
FRONT	10 FT	10 FT (RETAIL 4)
SIDE	10 FT	N/A
REAR	0 FT	N/A
ADJACENT RESIDENTIAL PROPERTY	30 FT	47' (EXCHANGE 1) 45' (VALLEY FRESH)

OCCUPANCY TYPES & AREA:

VALLEY FRESH MARKET	32,400 SF
RETAIL/SERVICE	31,700 SF
OFFICE	31,500 SF
LIGHT INDUSTRIAL/OFFICE	18,600 SF
RESIDENTIAL	100,200 SF & 92 TOTAL UNITS

PARKING

AUTO PARKING	CALCULATION	SPACE COUNT
COMMERCIAL PARKING REQUIRED:		
GROCERY STORE	32,400 SF X (1/300)	108
RETAIL 1	4,500 SF X (1/250)	18
RETAIL 2	6,000 SF X (1/250)	24
RETAIL 3	6,000 SF X (1/250)	24
RETAIL 4	6,200 SF X (1/250)	25
RETAIL 5	9,000 SF X (1/250)	36
EXCHANGE 1	10,000 SF X (1/400)	25
EXCHANGE 2	8,600 SF X (1/400)	22
OFFICE 1	18,000 SF (1/400)	45
OFFICE 2	13,500 SF (1/400)	34
TOTAL COMMERCIAL	114,200 SF	361
RESIDENTIAL PARKING REQUIRED:		
1-BED	46 X (1.5/UNIT)	69
2-BED	46 X (2/UNIT)	92
GUEST	(1/5 UNITS) X (92 TOTAL UNITS)	18
TOTAL RESIDENTIAL		179
TOTAL REQUIRED FOR PROPOSED		540
PARKING REQUIRED		564
PARKING PROVIDED		580

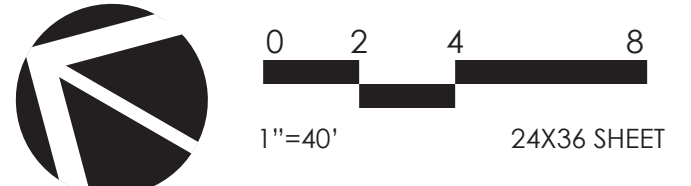
SHEET INDEX

T1	TITLE SHEET
A2	PROPOSED ARCHITECTURAL SITE PLAN
A3	VALLEY FRESH MARKET FLOOR PLAN
A4	SITE SECTIONS
A5	VALLEY FRESH MARKET ELEVATIONS
A6	VALLEY FRESH MARKET COLOR AND MATERIALS
A7	COLOR AND MATERIALS
A8	PERSPECTIVE 1
A9	CHARACTER PERSPECTIVE 2
A10	CHARACTER PERSPECTIVE 3
TM1	VESTING TENTATIVE MAP
C1	EXISTING CONDITIONS
C2	GRADING AND DRAINAGE PLAN
C3	SITE CROSS SECTIONS
C4	UTILITY PLAN
C5	TRUCK TURNING ANALYSIS
L1	CONCEPTUAL LANDSCAPE PLAN
L2	CONCEPTUAL SOUNDWALL AND FENCING PLAN
L3	CONCEPTUAL SOUNDWALL AND FENCING SECTIONS
L4	CONCEPTUAL LANDSCAPE PLAN - ENLARGEMENT
L5	LANDSCAPE SITE INSPIRATION
L6	CONCEPTUAL PLANT PALETTE
L7	CONCEPTUAL PLANT PALETTE
L8	MONUMENT SIGNAGE
L9	PROJECT SIGNAGE

TOTAL SHEET COUNT = 25

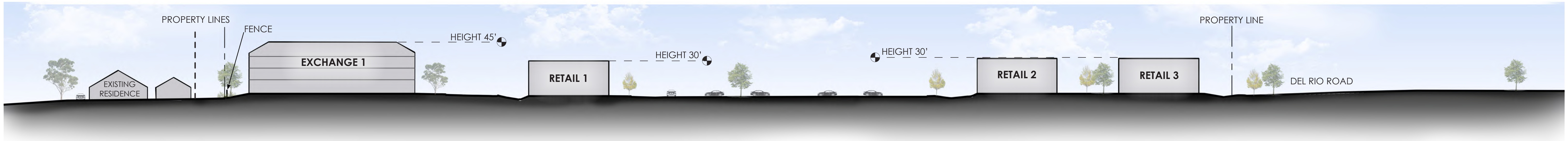


LEGEND
 ACCESSIBLE PEDESTRIAN ROUTE: [Symbol]





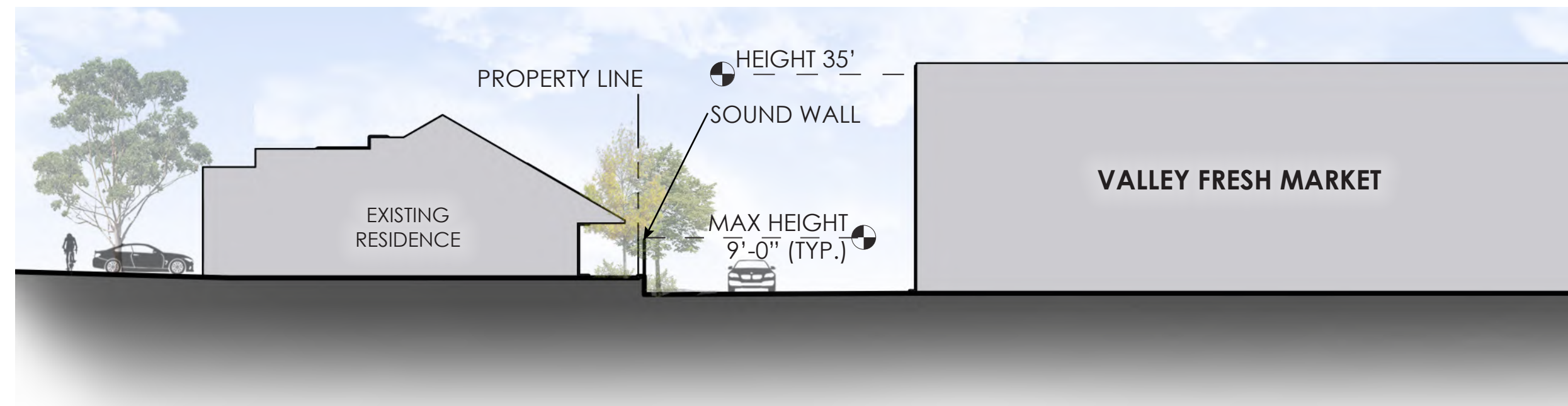
1 SECTION A
1"=40' (24 X 36 SHEET)



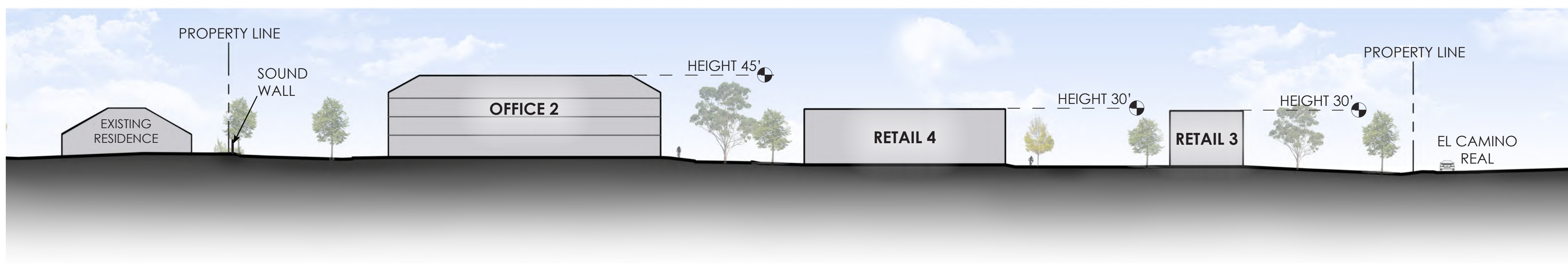
2 SECTION B
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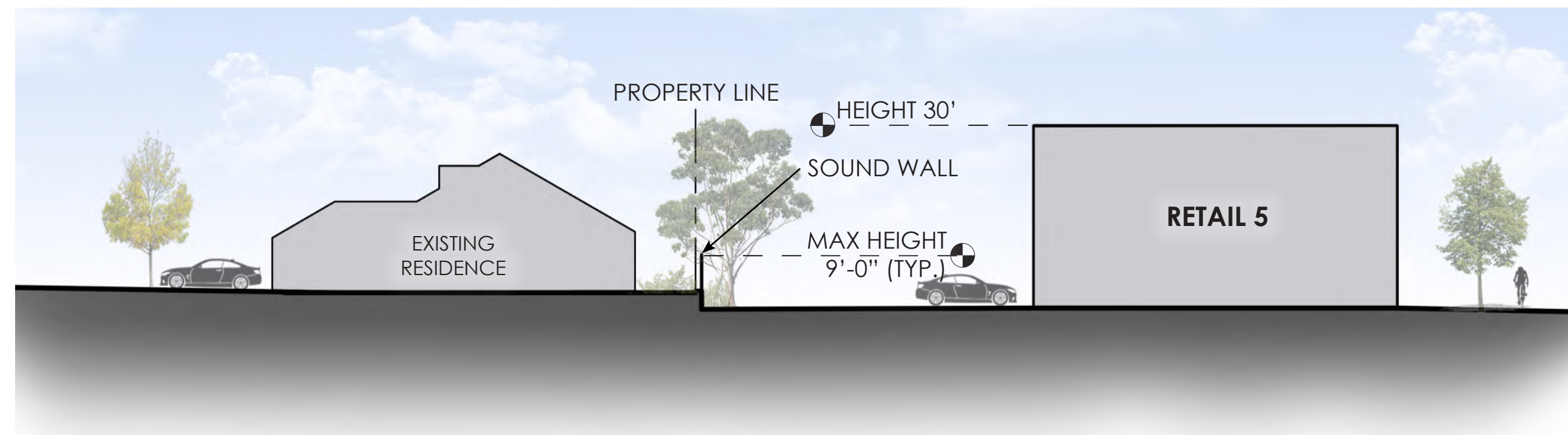
3 SECTION C
1"=40' (24 X 36 SHEET)



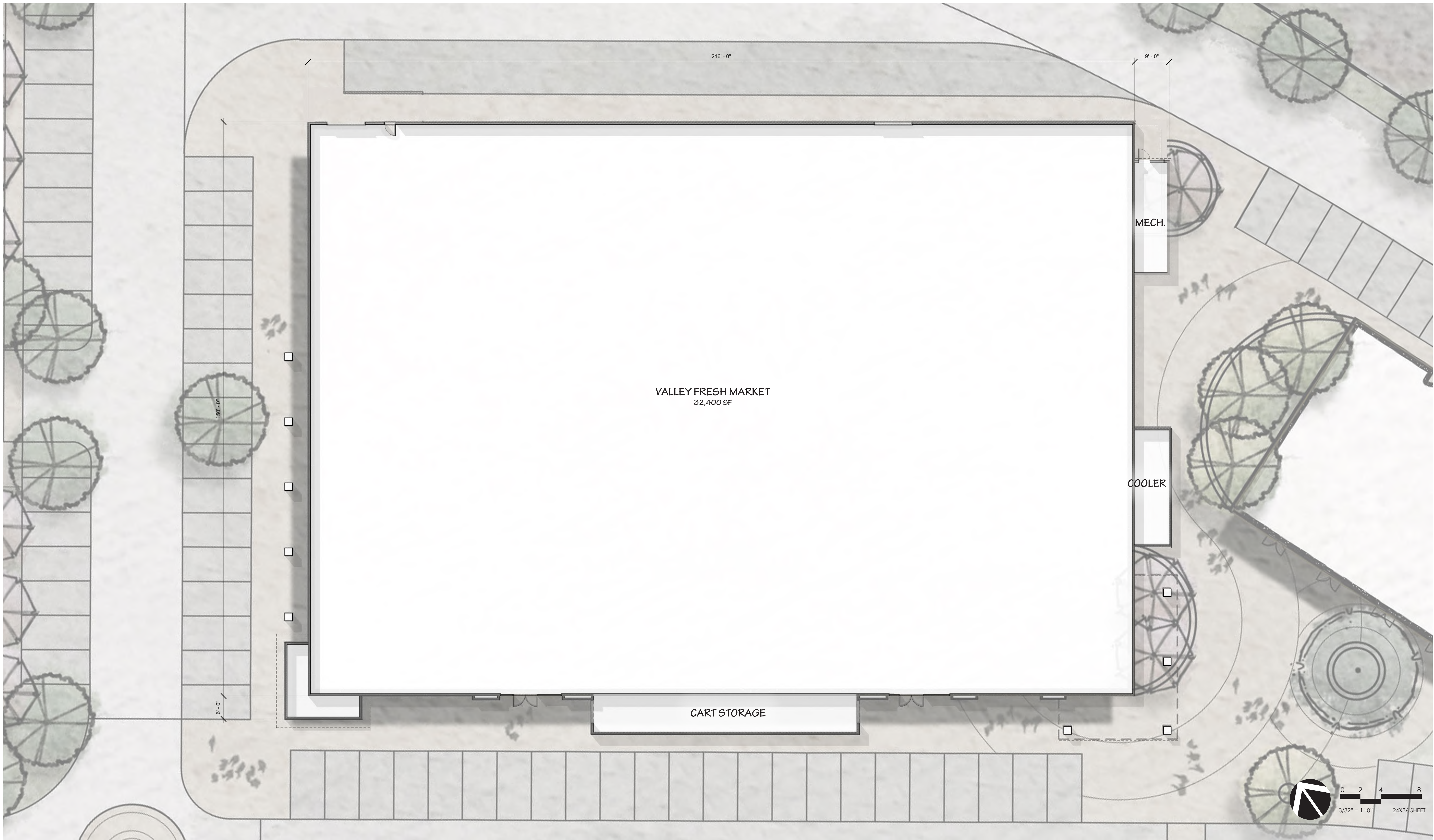
4 SECTION E
1"=20' (24 X 36 SHEET)



5 SECTION D
1"=40' (24 X 36 SHEET)



6 SECTION F
1"=20' (24 X 36 SHEET)





1 FRONT (SOUTH) ELEVATION
3/32" = 1'-0" (24 X 36 SHEET)

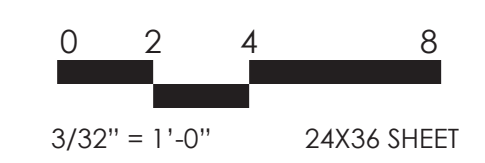


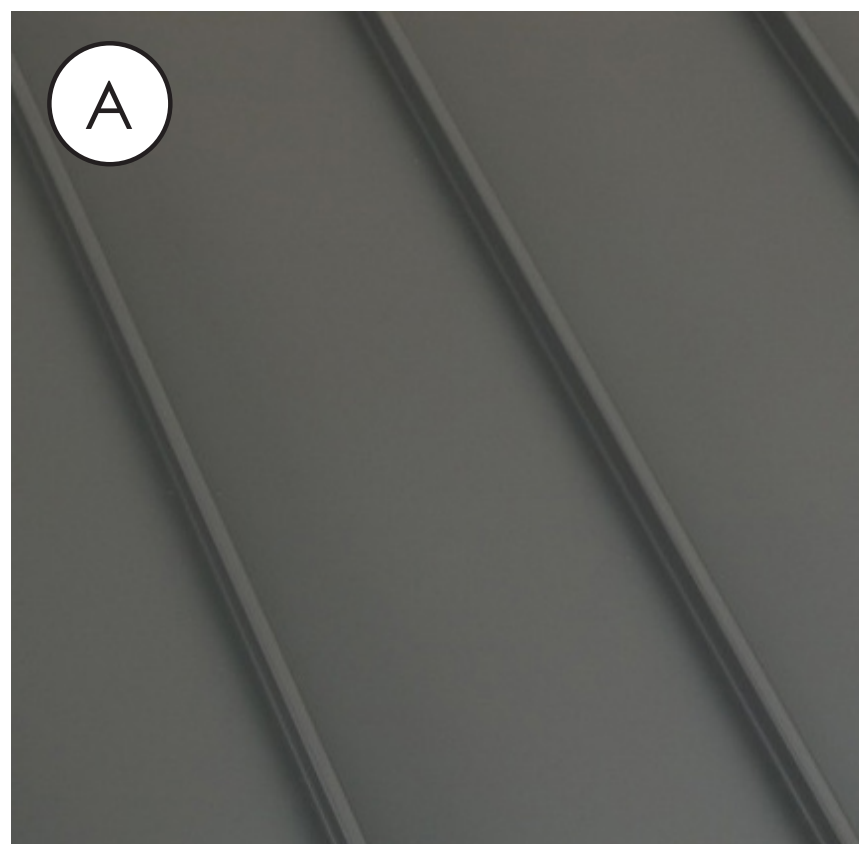
2 LEFT (WEST) ELEVATION
3/32" = 1'-0" (24 X 36 SHEET)

3 RIGHT (EAST) ELEVATION
3/32" = 1'-0" (24 X 36 SHEET)

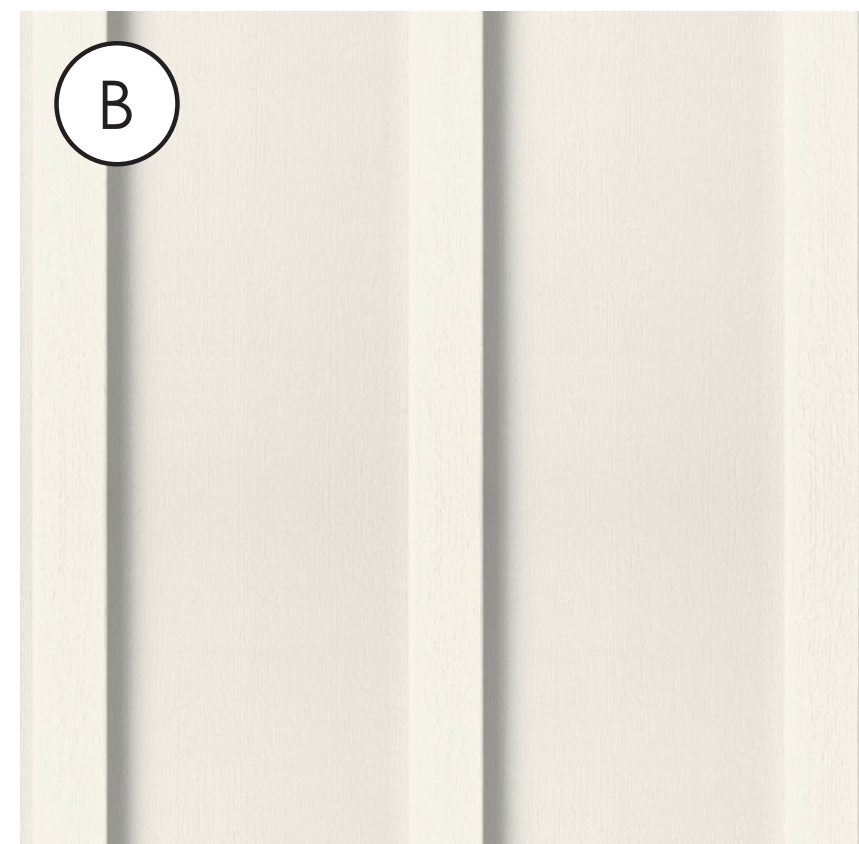


4 BACK (NORTH) ELEVATION
3/32" = 1'-0" (24 X 36 SHEET)

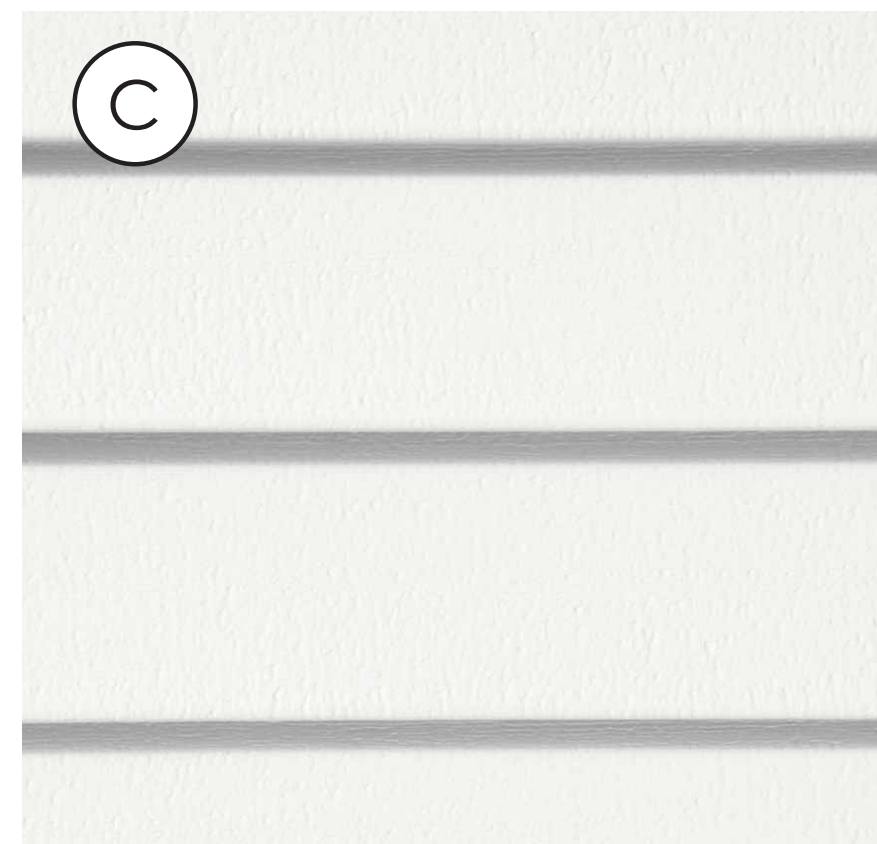




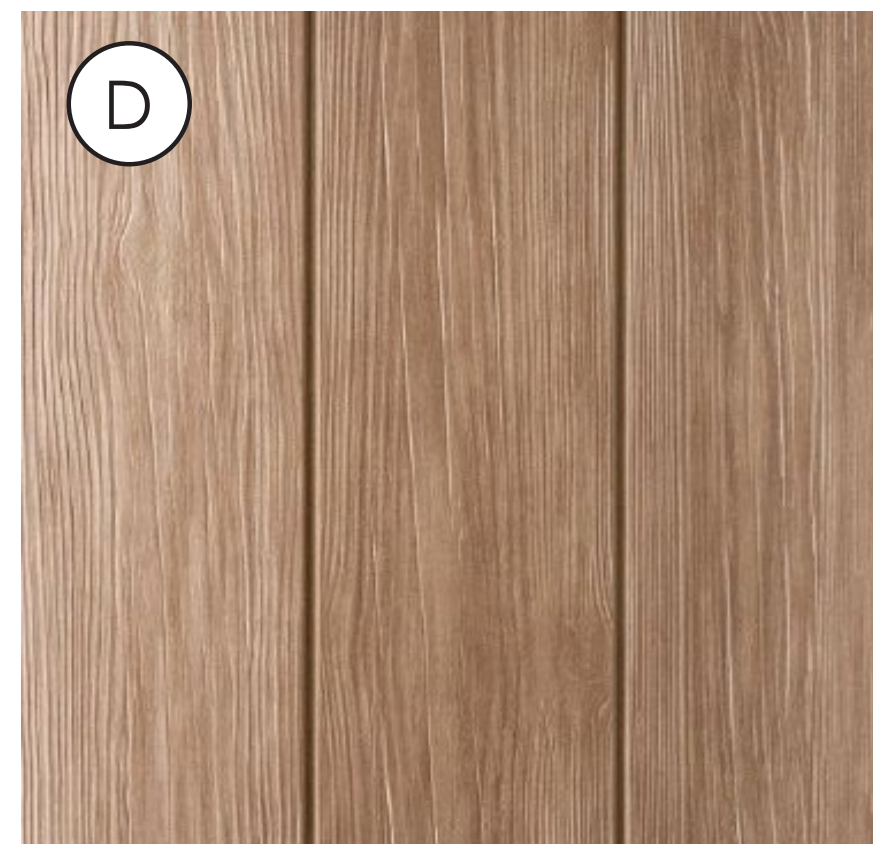
A
METAL ROOFING
STANDING SEAM GRAY



B
BOARD AND BATTEN
FIBER CEMENT SIDING



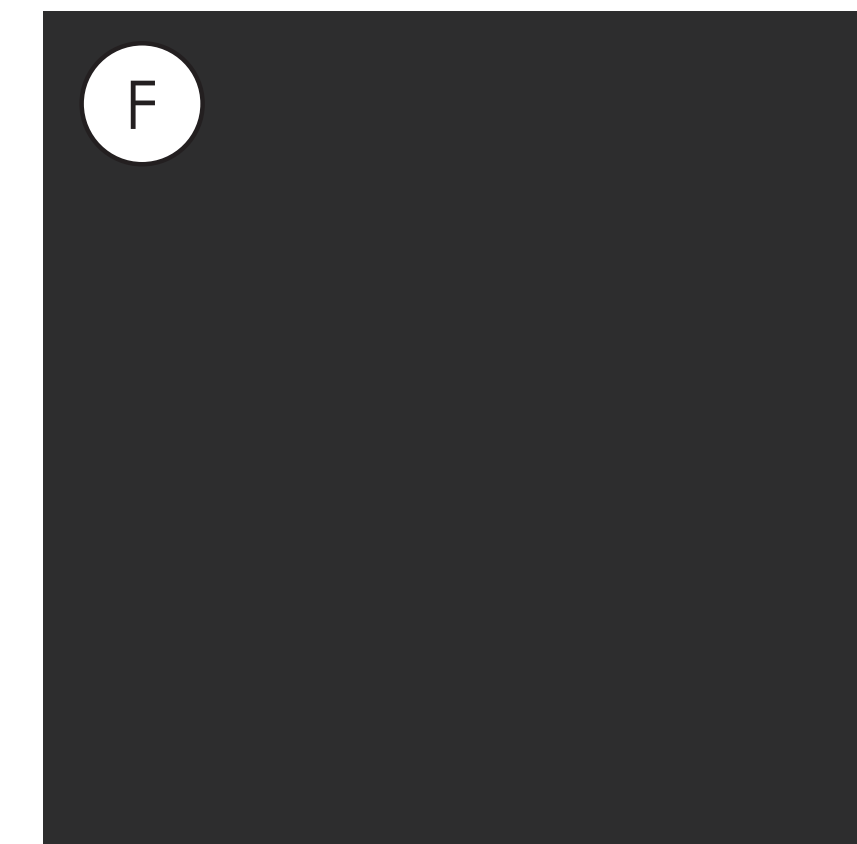
C
HORIZONTAL SIDING
FIBER CEMENT SIDING



D
VERTICAL SIDING
FIBER CEMENT WOOD LOOK



E
CONCRETE MASONRY UNIT
BLOCK WALL

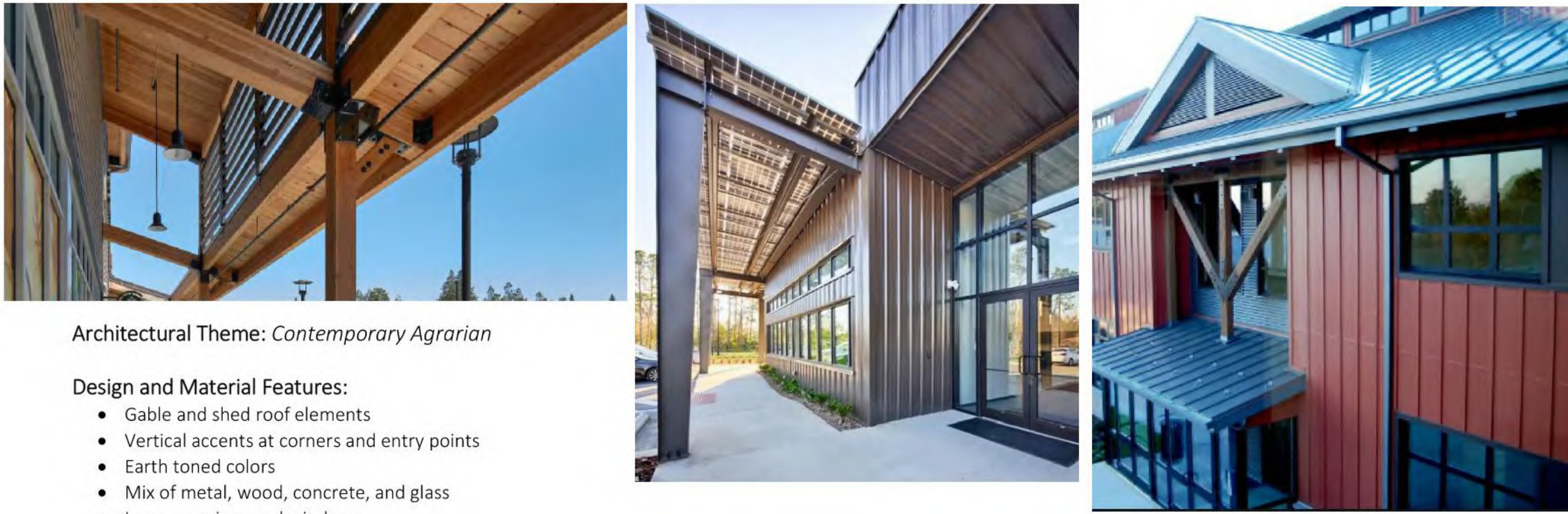


F
BLACK (ANODIZED)
STOREFRONT



G
BLACK
LIGHT FIXTURES

DESIGN GUIDELINES



Architectural Theme: *Contemporary Agrarian*

Design and Material Features:

- Gable and shed roof elements
- Vertical accents at corners and entry points
- Earth toned colors
- Mix of metal, wood, concrete, and glass
- Large openings and windows
- Geometric form
- Overlapping horizontal and vertical elements
- Layered façade elements

Figure 5-4: Architectural Design Concept – Architectural Theme Elements



GENERAL PAINT PALLET
RETAIL AND OFFICES

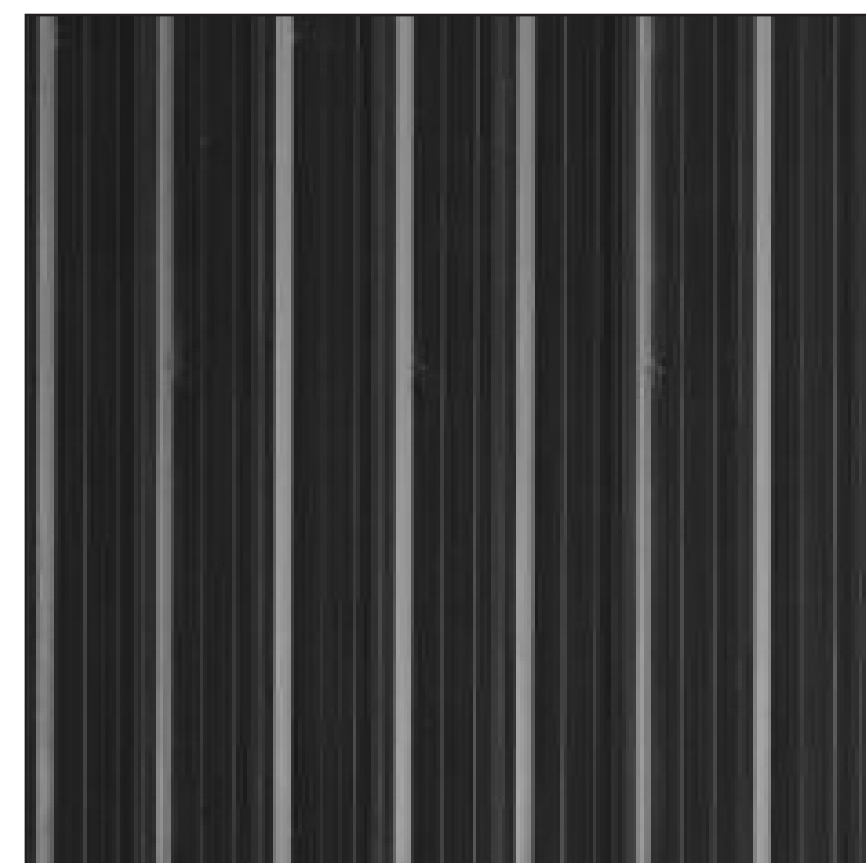
APPROVED THROUGH SPECIFIC PLAN
VARIOUS MATERIALS



INTERNALLY ILLUMINATED
CHANNEL SIGN



CORRUGATED METAL
GREY



STANDING SEAM
BLACK



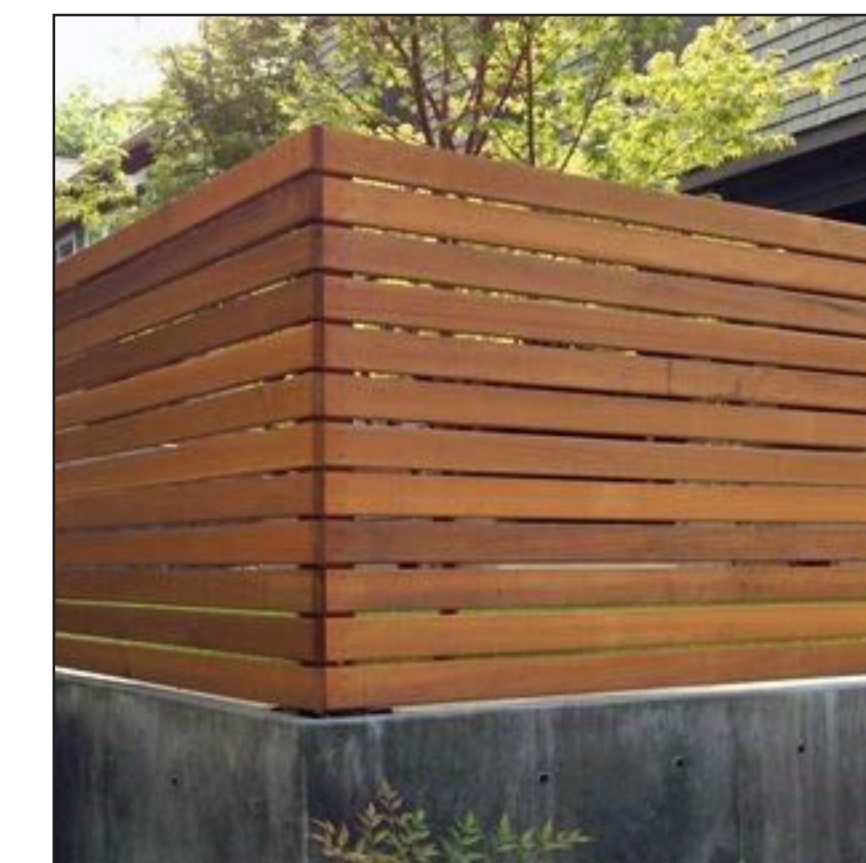
STUCCO
WHITE



STUCCO
GREY



LEDGE STONE BASE
WHITE BARK"



WOOD RAILING



METAL RAILING

GENERAL MATERIAL PALLET
RETAIL AND OFFICES







F:\p\2017\170103\4 - Production and Drafting\Const. Dwg\Civil\Del Rio Marketplace\TMA CE170103-501M0001.dwg 5-24-22 08:17:05 AM jessep



OWNER:
 MP ANNEX, LLC
 284 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401
 CONTACT: CLINT PEARCE

OWNER REPRESENTATIVE:
 WHELEN CONSULTING, INC.
 P.O. BOX 5021
 SAN LUIS OBISPO, CA 93403
 CONTACT: PATTI WHELEN
 PHONE: (805) 503-9747
 EMAIL: PATTI@WHELENCONSULTING.COM

ENGINEER/SURVEYOR:
 CANNON
 1050 SOUTHWOOD DRIVE
 SAN LUIS OBISPO, CA 93401
 CONTACT: SUSAN ROBERTS
 PHONE: (805) 544-7407
 EMAIL: SUSANR@CANNONCORP.US

APN:
 049-102-031, 045, 048, 051, 056, AND 075

PROJECT AREA:
 GROSS: 12.2 ACRES
 NET: 12.0 ACRES

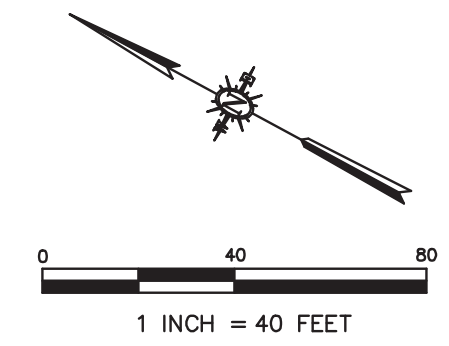
BENCH MARK:
 THE BENCH MARK FOR THIS PROJECT IS A BRASS DISK STAMPED "1450 RESET", SET IN THE SOUTHEASTERLY SIDEWALK OF DEL RIO ROAD OVER CROSSING OF HIGHWAY 101, 14.3' SOUTH OF CENTERLINE OF DEL RIO ROAD OVER CROSSING, 3.4' SOUTH OF FRONT LINE CURB, 1.6' NORTH OF SOUTH EDGE OF SIDEWALK, 12.4' WEST OF SOUTHEAST CORNER OF DEL RIO ROAD OVER CROSSING, 0.9' ABOVE ROADWAY. NGS DESIGNATION AC9284 F 1550.
 ELEVATION = 883.7' (NAVD 88)

BASIS OF BEARINGS:
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE BEARING S 25° 05' 19" EAST OF THE CENTERLINE OF EL CAMINO REAL, AS SHOWN ON THE MAP OF TRACT 3161, RECORDED AT BOOK 40 OF MAPS AT PAGE 97.

ZONING/GENERAL PLAN INFORMATION:
 ZONING DISTRICT: CR - COMMERCIAL RETAIL
 GENERAL PLAN DESIGNATION: GC - GENERAL COMMERCIAL

VESTING TENTATIVE MAP:
 BEING A SUBDIVISION OF PARCEL 2 OF 15 PM 13, THE REMAINDER PARCEL OF TRACT 3161, A PORTION OF LOT 30 OF THE ATASCADERO COLONY AS DESCRIBED IN THE DEED RECORDED AT BOOK 620 OF OFFICIAL RECORDS AT PAGE 430, PARCEL B OF 40 PM 76, PARCEL 3 OF 5 PM 28, AND A PORTION OF LOT 32 OF THE ATASCADERO COLONY AS DESCRIBED IN THE DEED RECORDED AT BOOK 03 OF OFFICIAL RECORDS AT PAGE 66.

PROPOSED EASEMENTS:
 THE PARCEL MAP WILL RESERVE RECIPROCAL EASEMENTS FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES.
 THIS PARCEL MAP WILL RESERVE (OR DEDICATE DEPENDING ON STATUS OF OWNERSHIP AT THE TIME) AN ACCESS EASEMENT FOR THE BENEFIT OF TRACT 3161, REPLACING THE EASEMENT RESERVED ON THAT TRACT MAP.



REV. NO.	DATE	REVISED	DESTROY ALL PRINTS BEARING EARLIER DATE	REV. BY	CHK. BY	APRD BY

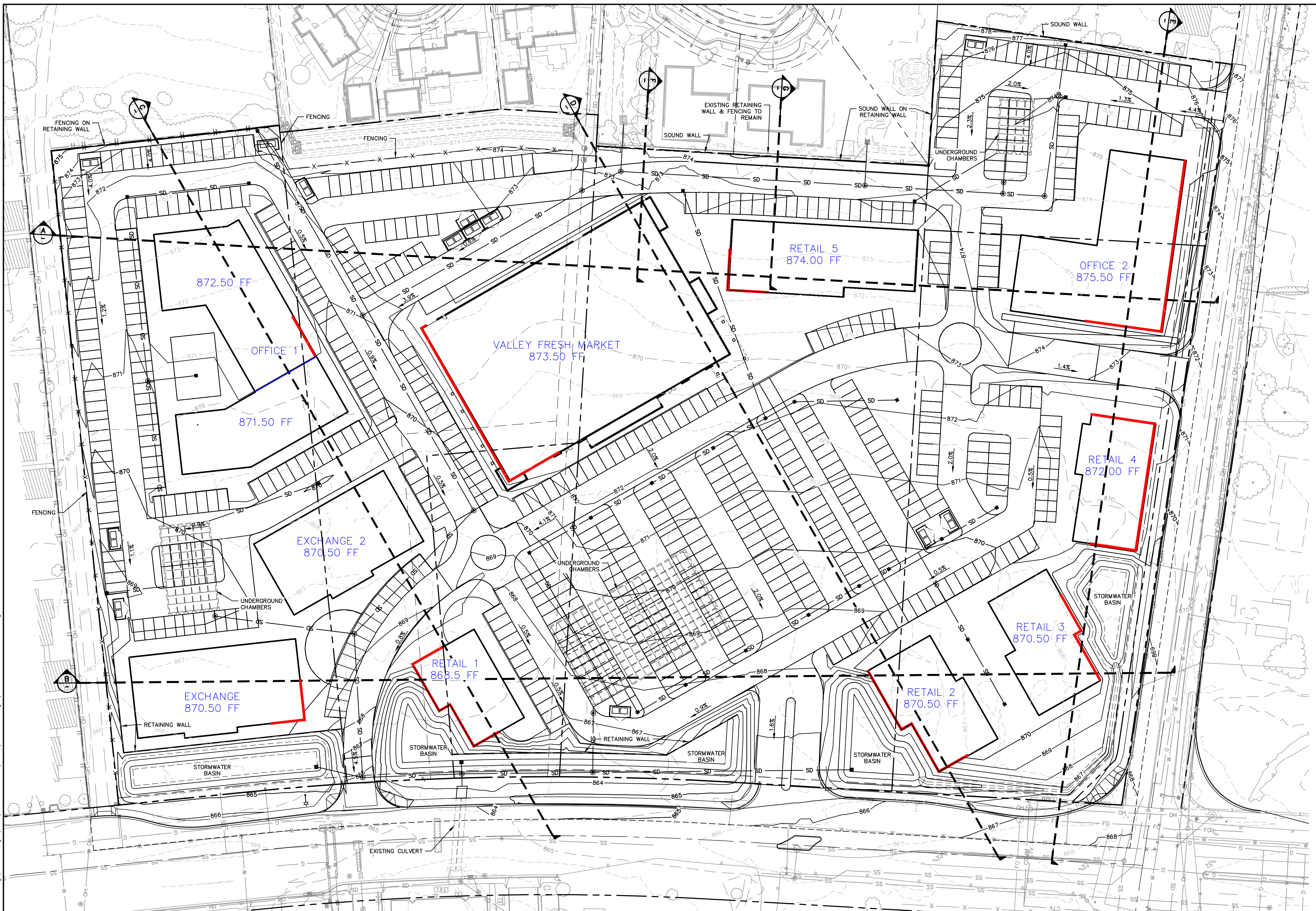


DEL RIO MARKETPLACE
VESTING TENTATIVE MAP
 AT 22-0011
 CITY OF ATASCADERO, CALIFORNIA

DRAWN BY	DATE	CA JOB NO.
WGC	4/13/2022	170103.50
CHECKED BY	SCALE	SHEET
	1"=40'	TM1 OF 6

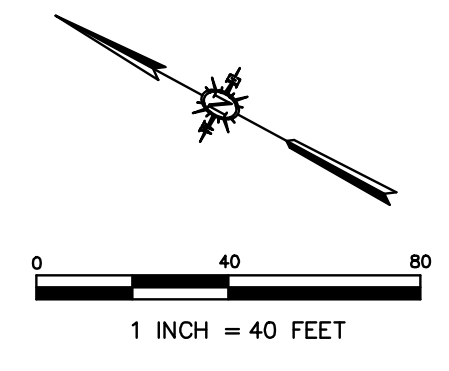
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LEGEND

- DEEPENED FOOTING AT BUILDING
- X — FENCING
- RETAINING WALL
- - - BLOCK WALL
- SD — STORM DRAIN LINE



REV. NO.	DATE	REVISED	DESTROY ALL PRINTS BEARING EARLIER DATE	REV. BY	CKD. BY	APRD. BY

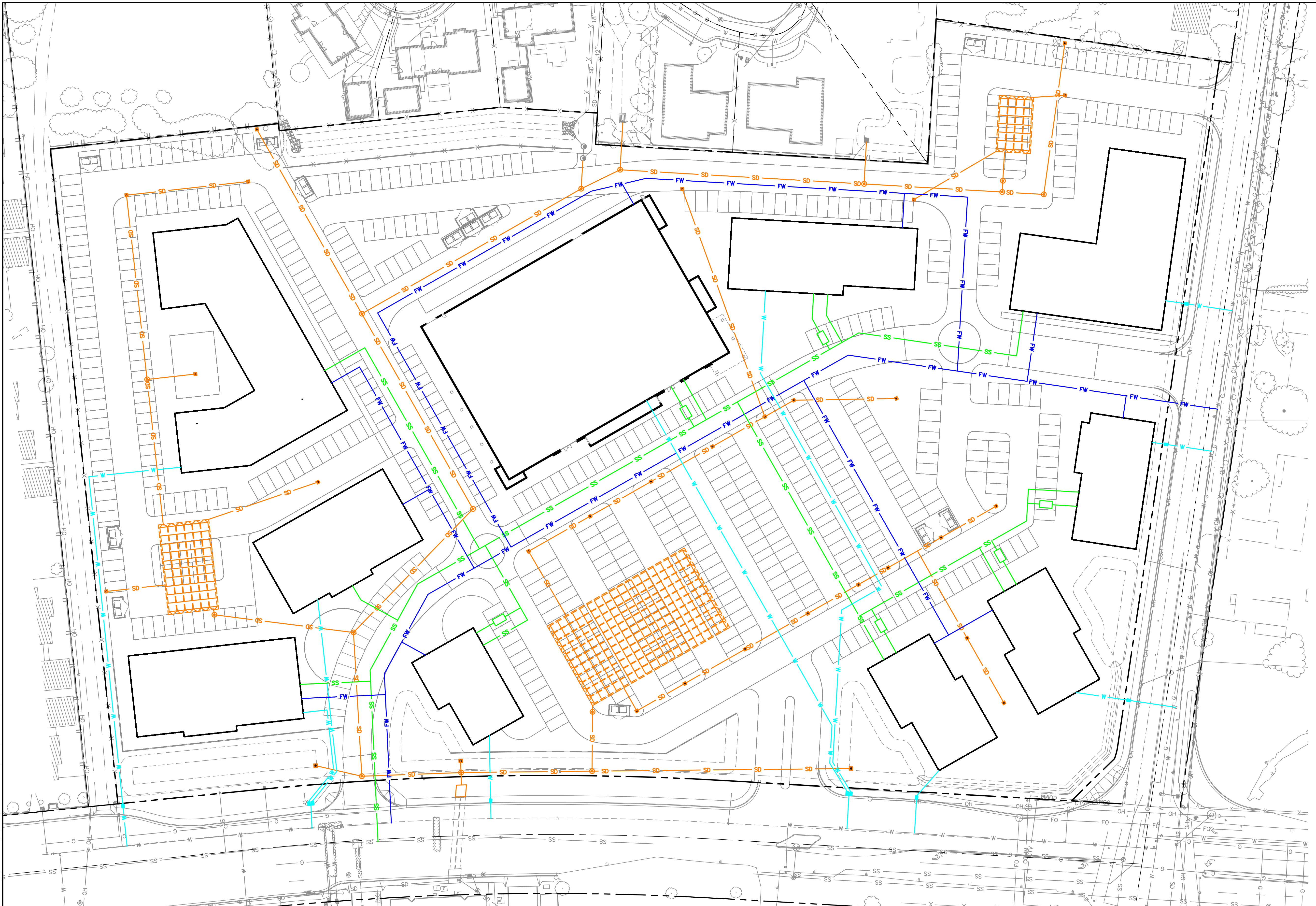
1050 Southwood Drive
San Luis Obispo, CA 93401
P 805.544.7407 F 805.544.3863

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**DEL RIO MARKETPLACE
PRELIMINARY DESIGN
GRADING & DRAINAGE PLAN
CITY OF ATASCADERO, CALIFORNIA**

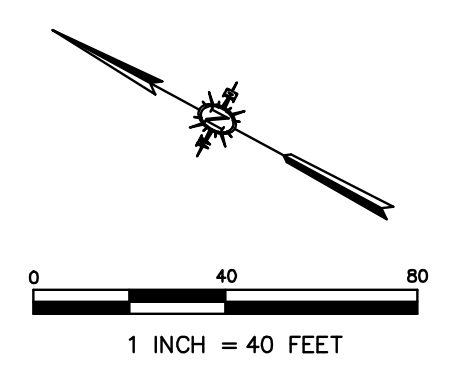
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LEGEND

- SS SANITARY SEWER LINE
- SEWER GREASE TRAP
- SD STORM DRAIN LINE
- W DOMESTIC WATER LINE
- FW FIRE WATER LINE



REV. NO.	DATE	REVISED	DESTROY ALL PRINTS BEARING EARLIER DATE	REV. BY	CKD. BY	APRD. BY

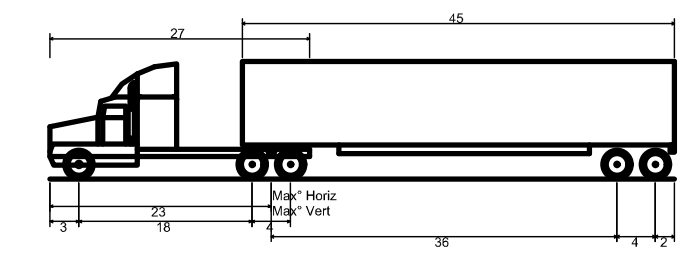
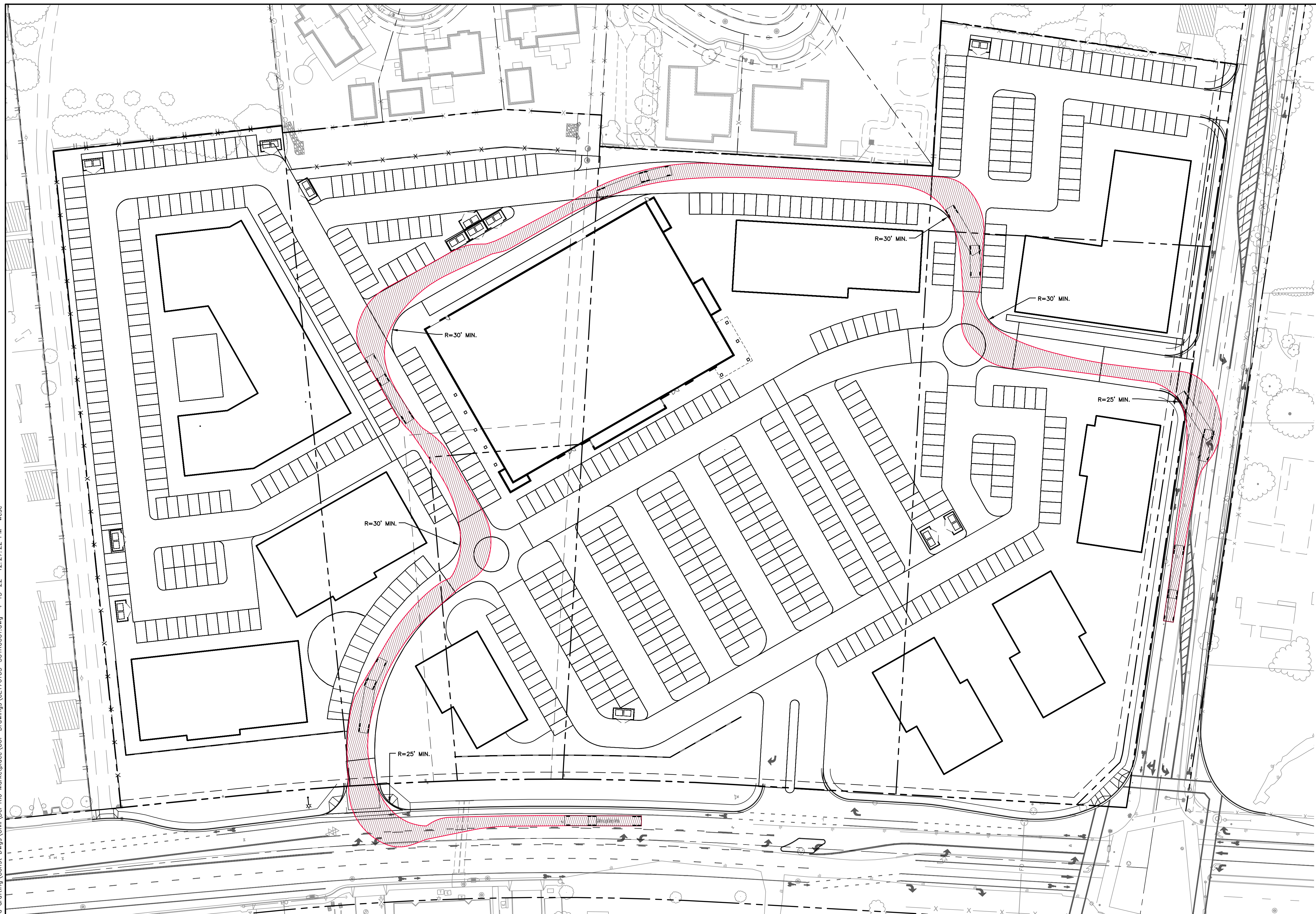
1050 Southwood Drive
 San Luis Obispo, CA 93401
 P 805.544.7407 F 805.544.3863

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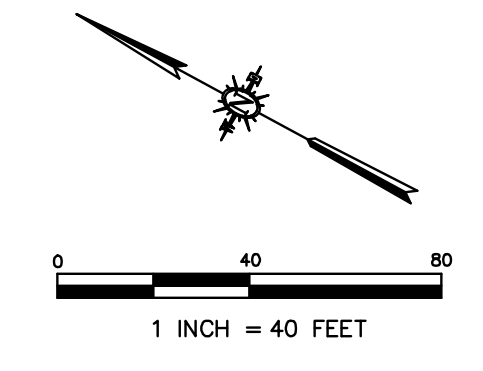
**DEL RIO MARKETPLACE
 PRELIMINARY DESIGN
 UTILITY PLAN
 CITY OF ATASCADERO, CALIFORNIA**

DRAWN BY WGC	DATE 4/13/2022	CA JOB NO. 170103.50
CHECKED BY	SCALE 1" = 40'	SHEET C4 OF 6

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California Legal Design Vehicle
 Overall Length 65.00ft
 Overall Width 8.50ft
 Overall Body Height 12.22ft
 Min Body Ground Clearance 1.42ft
 Track Width 8.50ft
 Lock-to-lock time 6.08s
 Max Steering Angle (Virtual) 26.30°



REV. NO	DATE	REVISED	DESTROY ALL PRINTS BEARING EARLIER DATE	REV. BY	CKD. BY	APRD BY

Cannon
 1050 Southwood Drive
 San Luis Obispo, CA 93401
 P 805.544.7407 F 805.544.3863




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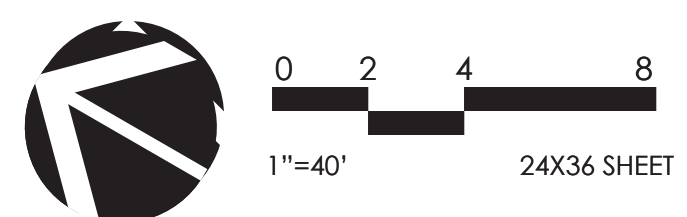
**DEL RIO MARKETPLACE
 PRELIMINARY DESIGN
 TRUCK TURNING ANALYSIS
 CITY OF ATASCADERO, CALIFORNIA**

DRAWN BY WGC	DATE 4/13/2022	CA JOB NO. 170103.50
CHECKED BY	SCALE 1" = 40'	SHEET C5 OF 6



KEY

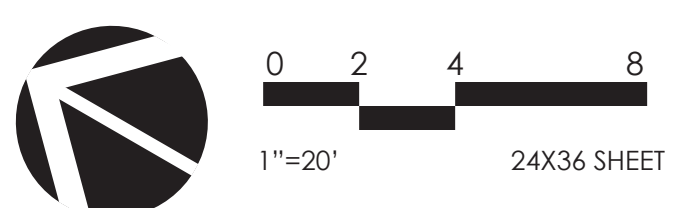
1. Entry Monument Signage
 2. Entry Landscape
 3. Plaza
 4. Bioretention Basin
 5. Pedestrian Paseo
 6. Specialty Paving
 7. Decorative Paving
 8. Trash Enclosure
 9. Circular Paving Pattern
 10. Outdoor Seating
 11. Pedestrian Crossing
 12. Light Poles (20'-25')
 13. Light Poles (12'-15')
 14. Bollard Lighting
-  Bicycle Racks
 -  Electric Vehicle Charging Station
 -  Grocery Cart Storage

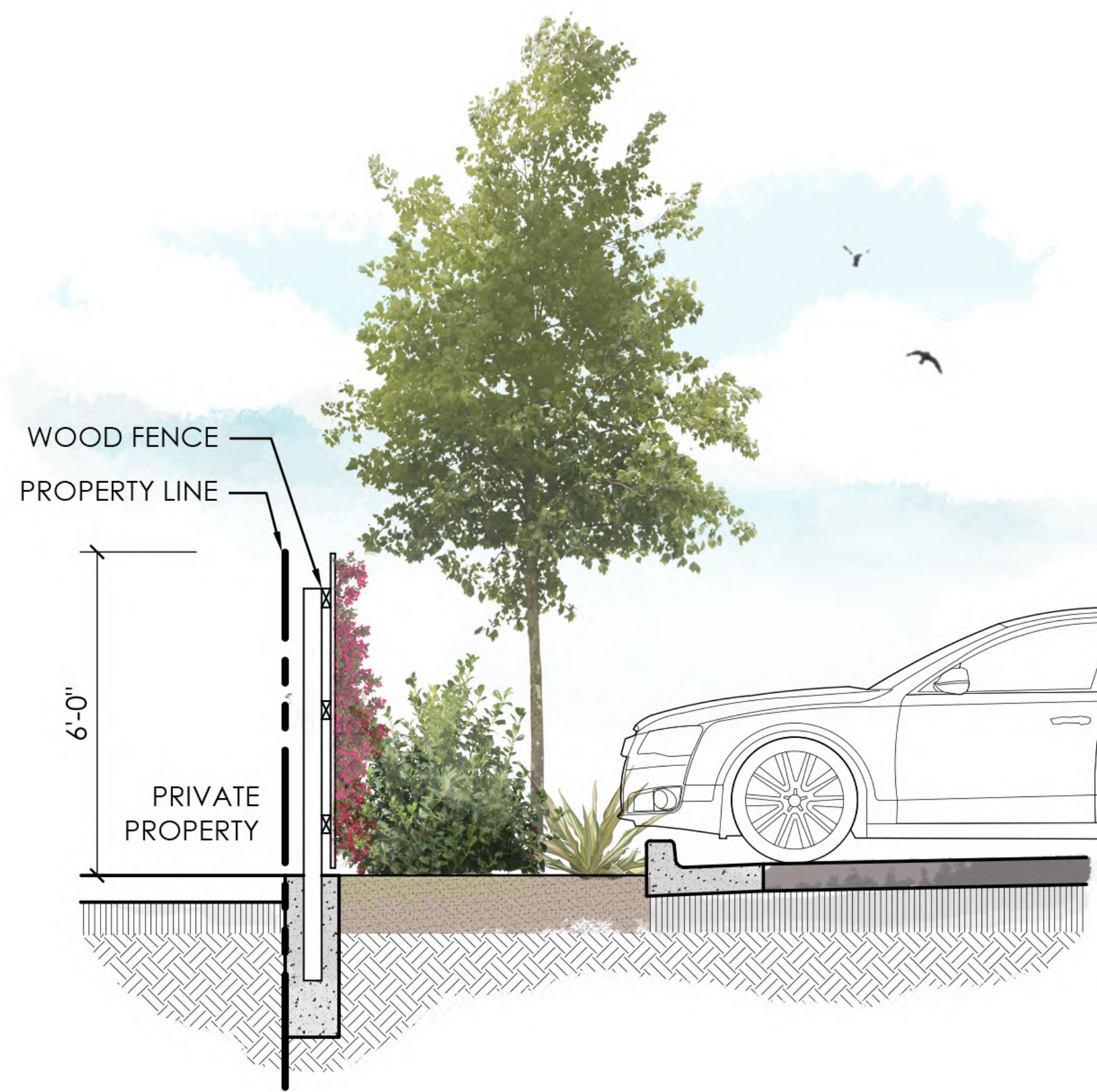




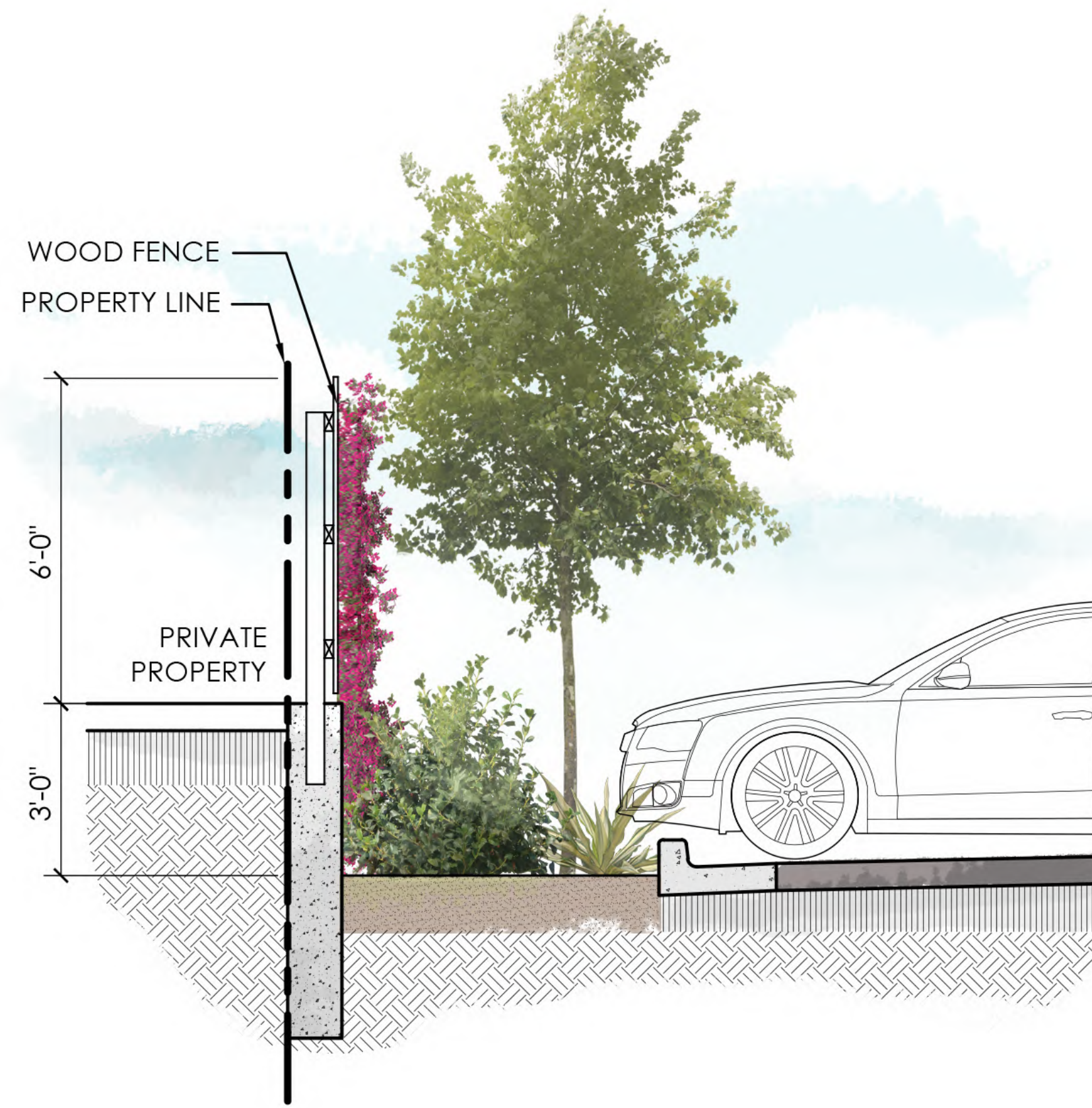
KEY

- █ Sound Wall
- █ Sound Wall on Retaining Wall
- █ Fencing
- █ Fencing on Retaining Wall





SECTION 1
FENCING



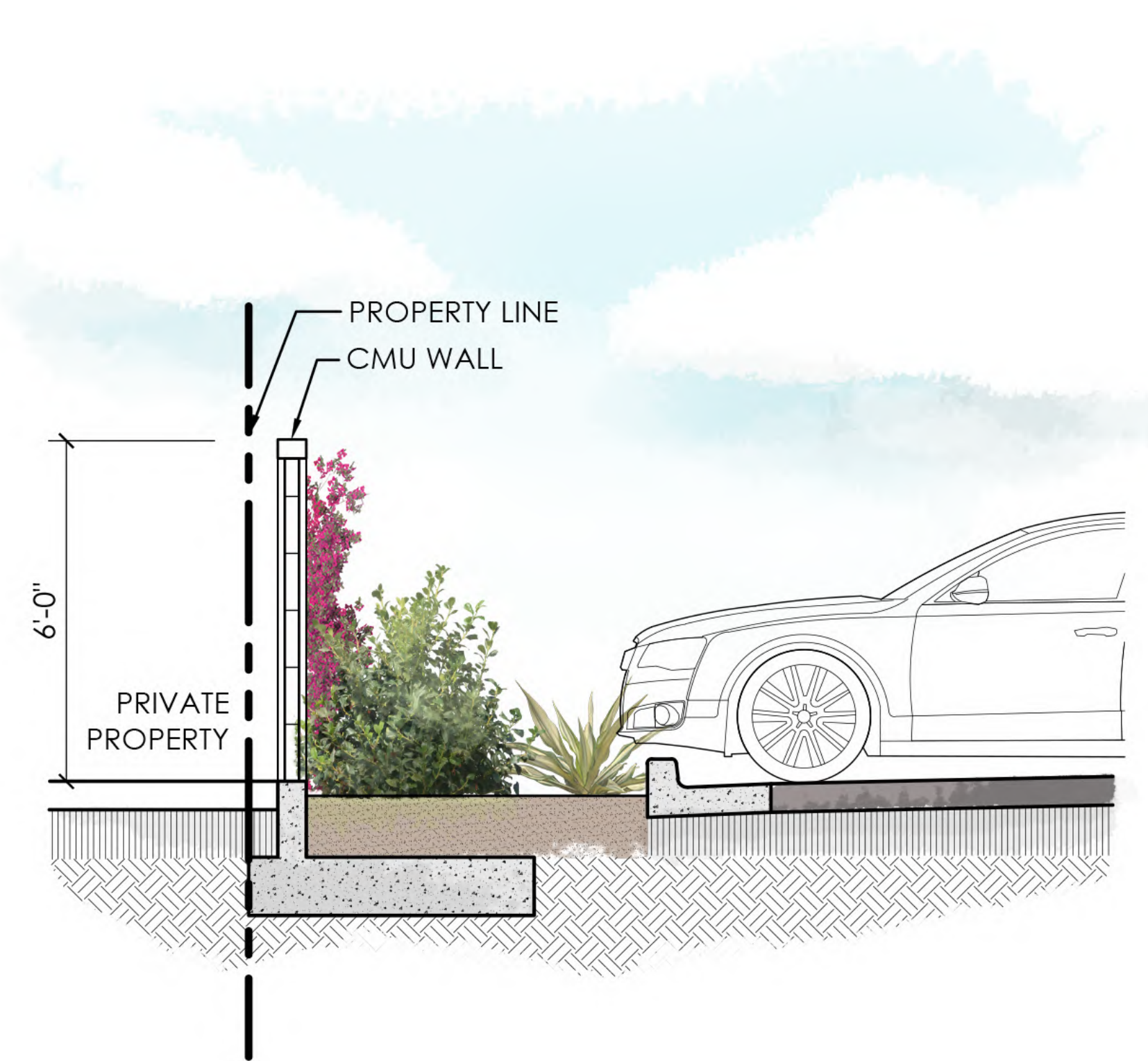
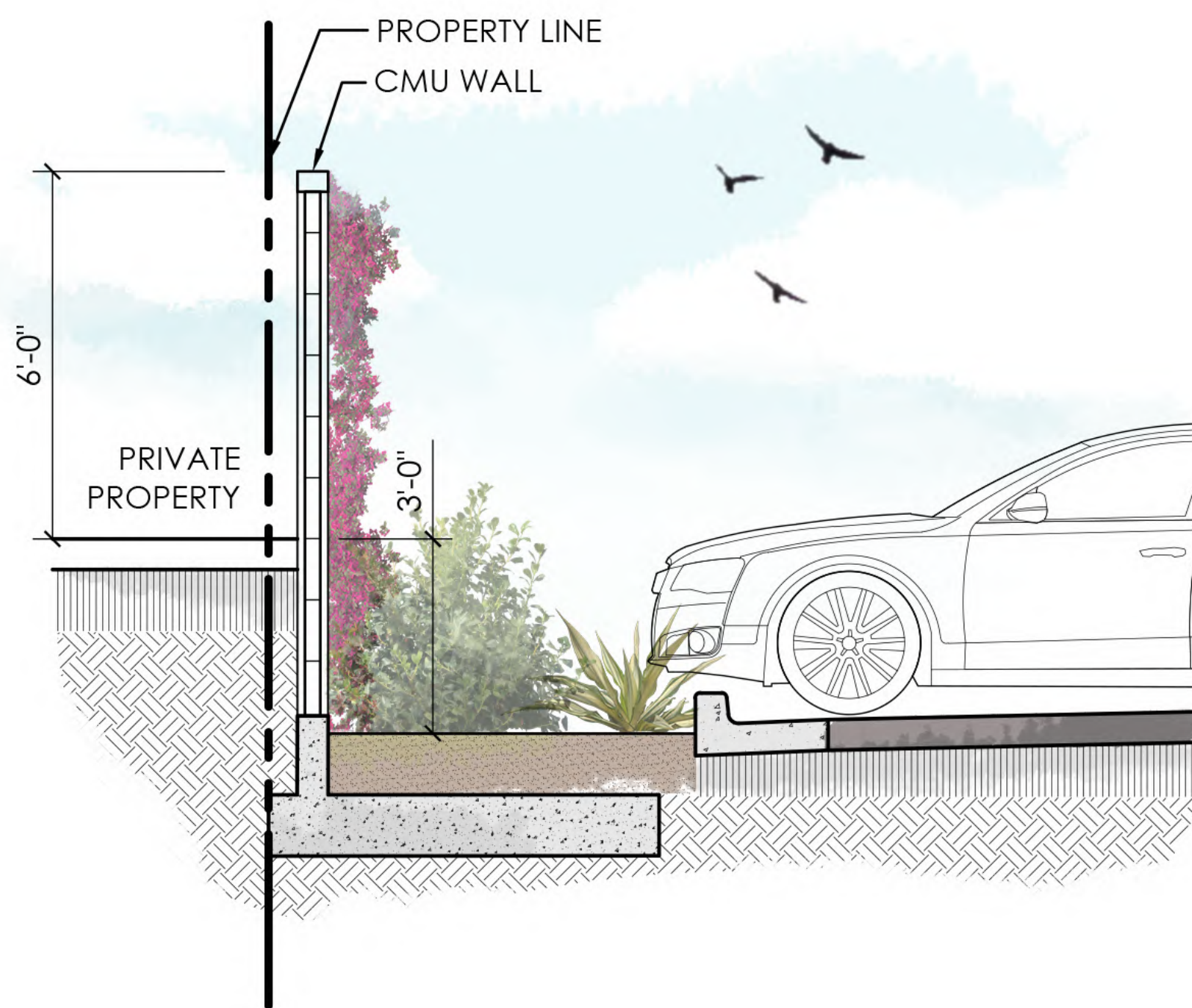
SECTION 2
FENCING ON RETAINING WALL



WOOD PRIVACY FENCE



WOOD FENCE ON WALL



SOUNDWALL



SOUNDWALL DETAIL



MONUMENT SIGNAGE PILASTER



SPECIMEN TREE



PATIO DINING





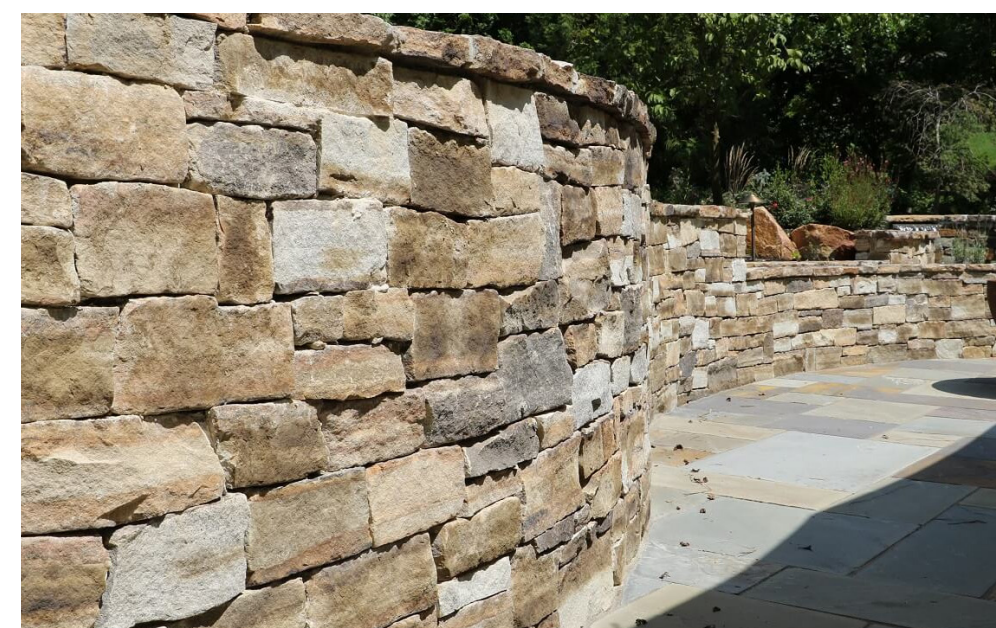
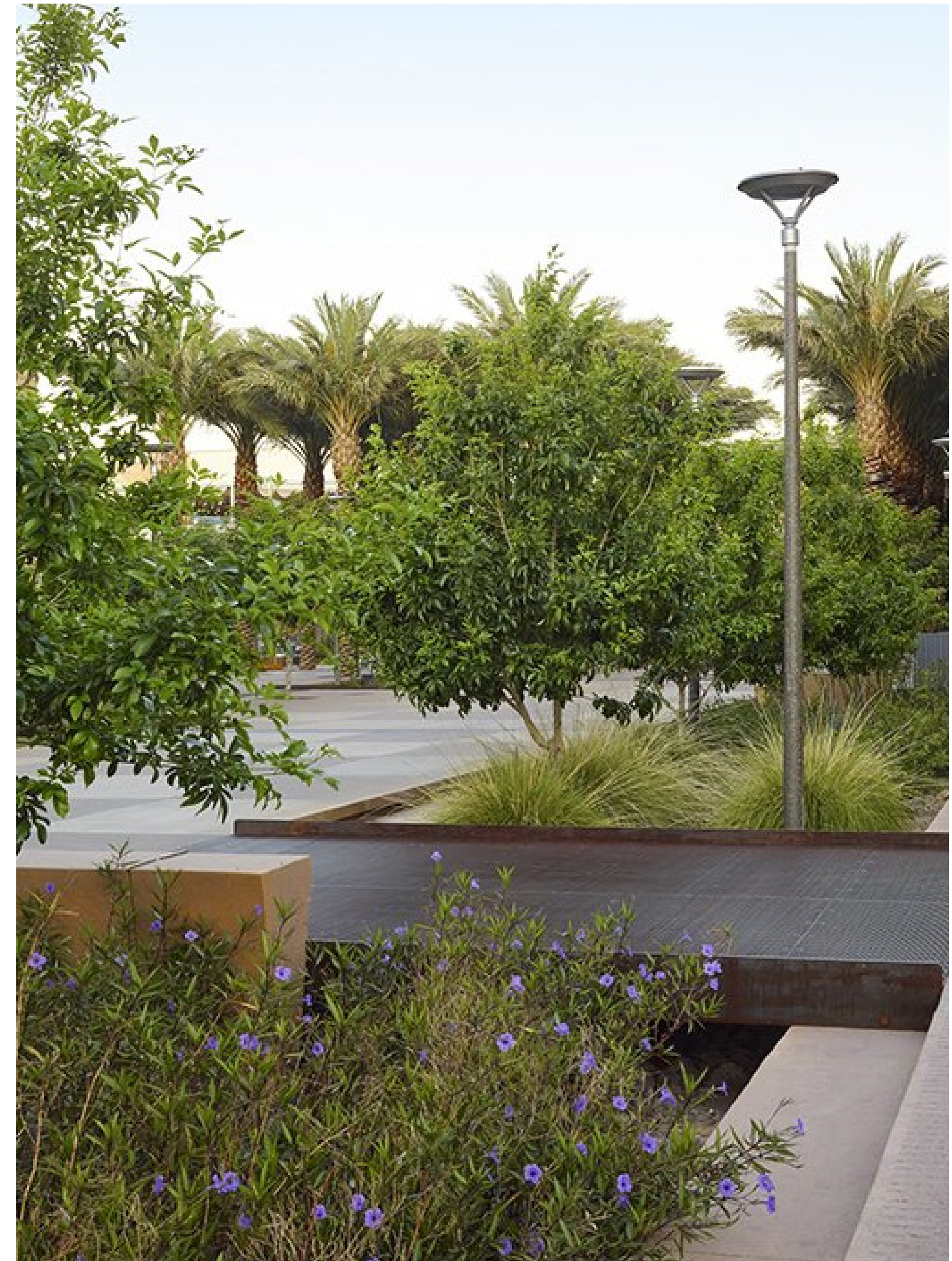
PERIMETER SEATWALL



PAVEMENT PATTERNS

KEY

- 1. Specimen Tree
- 2. Entry Landscape
- 3. Flowering Tree Allee
- 4. Overhead Monument Sign
- 5. Stone Pilasters
- 6. Patio Dining
- 7. Perimeter Seatwall
- 8. Pedestrian Promenade
- 9. Decorative Paving
- 10. Bioretention Basin
- 11. Pedestrian Connections
- 12. ADA Ramp
- 13. Steps
- 14. Lighting
-  Bicycle Racks
-  Electric Vehicle Charging Station



CONCEPTUAL PLANT PALETTE

TREES

ARBUTUS X 'MARINA'
 ARCHONTOPHEONIX CUNNINGHAMIANA
 BRACHYCHITON DISCOLOR
 BRAHEA ARMATA
 CEDRUS DEODORA
 CEIBA SPECIOSA
 CERCIDIUM X 'DESERT MUSEUM'
 CHAMAEROPS HUMILIS
 CHILOPSIS LINEARIS
 CINNAMOMUM CAMPHORA
 CITRUS X LIMON
 CITRUS X SINENSIS 'DWARF VALENCIA'
 COTINUS COGGYRRIA 'ATROPURPUREA'
 FEIJOA SELLOWIANA
 FREMONTODENDRON X 'CALIFORNIA GLORY'
 JACARANDA MIMOSIFOLIA
 OLEA EUROPAEA 'SWAN HILL'
 PHEONIX DACTILIFERA
 PINUS PINEA
 PLATANUS RACEMOSA
 QUERCUS SPP.
 RHAPIS HUMILIS
 X CHITALPA TASHKENTENSIS

BIOSWALE SHRUBS

ACHILLEA MILLEFOLIUM
 AGROSTIS PALLENS
 CHONDROPETALUM TECTORUM 'EL CAMPO'
 JUNCUS EFFUSUS
 JUNCUS PATENS
 LEYMUS CONDENSATUS 'CANYON PRINCE'
 EYMUS TRITICOIDES 'LAGUNITA'
 MUHLENBERGIA RIGENS
 SOLIDAGO CALIFORNICA

SHRUBS

ACHILLEA FILIPENDULINA
 ADENANTHOS X CANNINGHAMII
 AGAVE AMERICANA 'VARIEGATA'
 AGAVE X 'BLUE FLAME'
 ALOE ARBORESCENS
 ALOE PLICATILIS
 ANIGOZANTHOS X 'HARMONY'
 ARCTOSTAPHYLOS SPP.
 ASTERISCUS MARITIMUS
 BANKSIA BLECHNIFOLIA
 BANKSIA SPECIOSA
 BOUTELOUSA GRACILIS 'BLONDE AMBITION'
 BULBINE FRUTESCENS 'HALLMARK'
 CARPINTERIA CALIFORNICA
 CEANOTHUS X 'DARK STAR'
 COMMON YARROW
 SEASHORE BENTGRASS
 SMALL CAPE RUSH
 SOFT RUSH
 CALIFORNIA GREY RUSH
 GIANT WILD RYE
 WILD RYE
 DEER GRASS
 CALIFORNIA GOLDENROD
 FERNLEAF YARROW
 WOOLYBUSH
 CENTURY PLANT
 BLUE FLAME AGAVE
 TORCH ALOE
 FAN ALOE
 YELLOW KANGAROO PAW
 MANZANITA
 GOLD COIN DAISY
 GROUND BAKSIA
 SHOWY BAKSIA
 BLUE GRAMA GRASS
 STALKED BULBINE
 BUSH ANEMONE
 CALIFORNIA WILD LILAC

SHRUBS

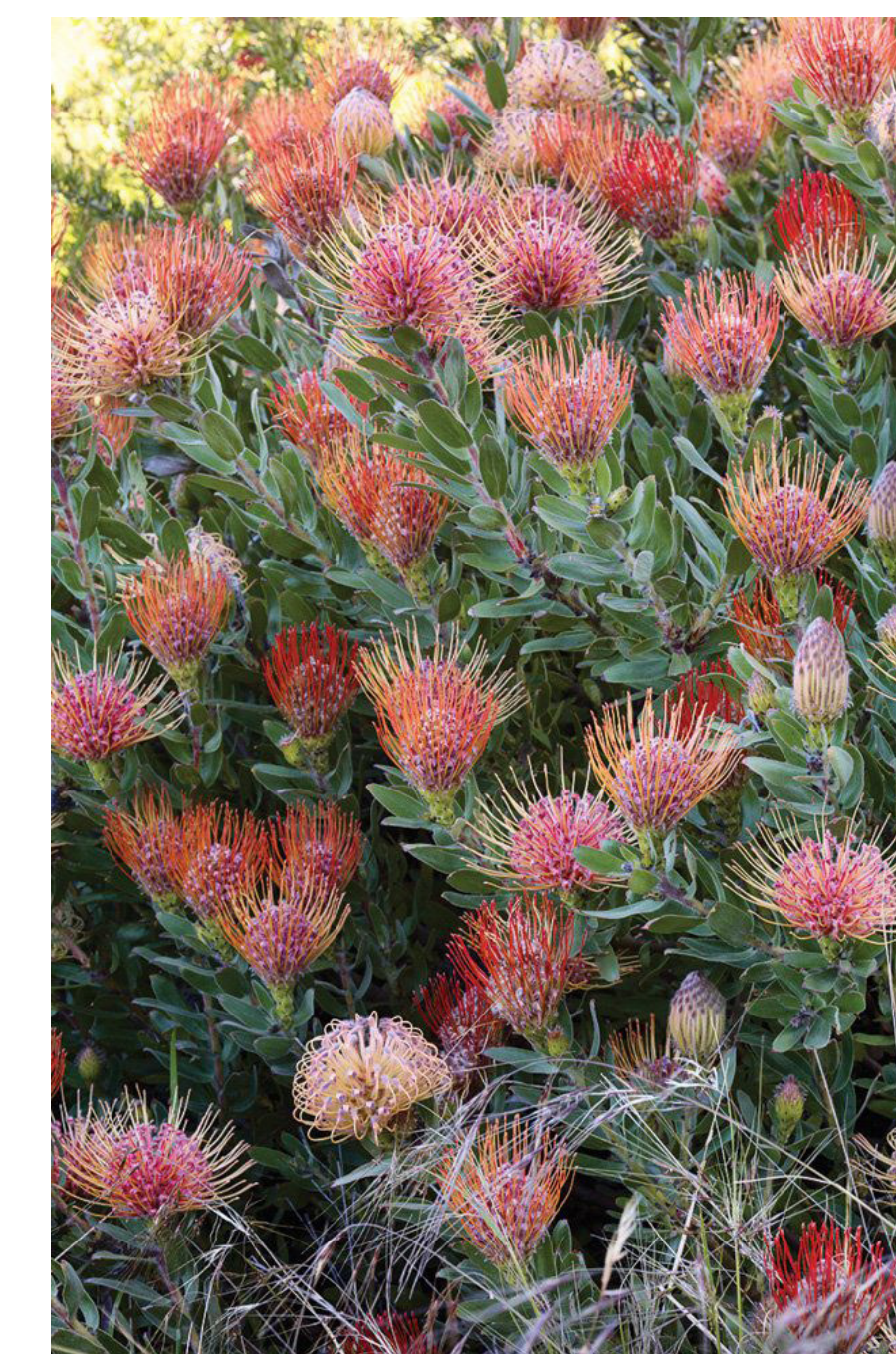
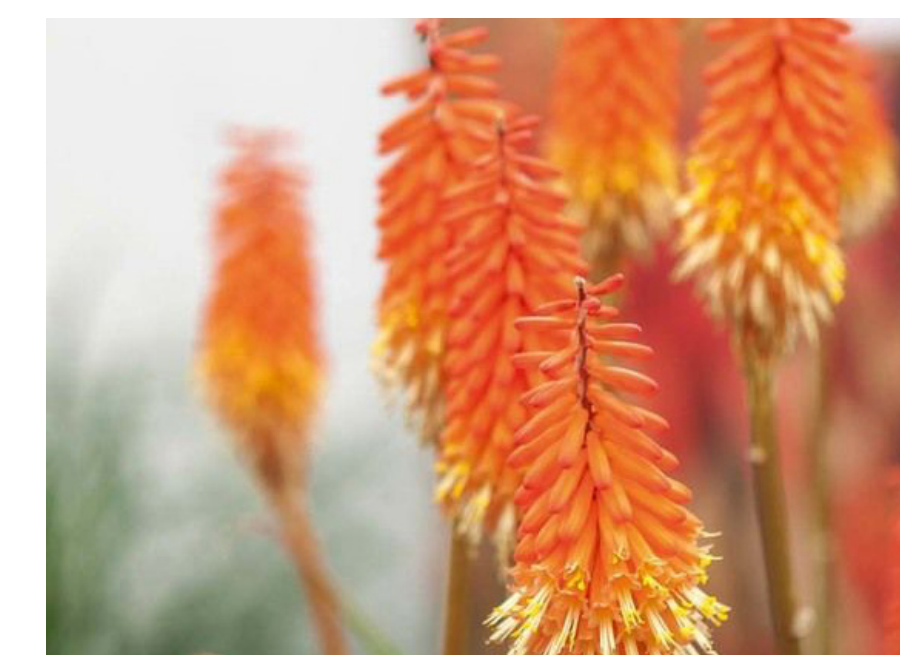
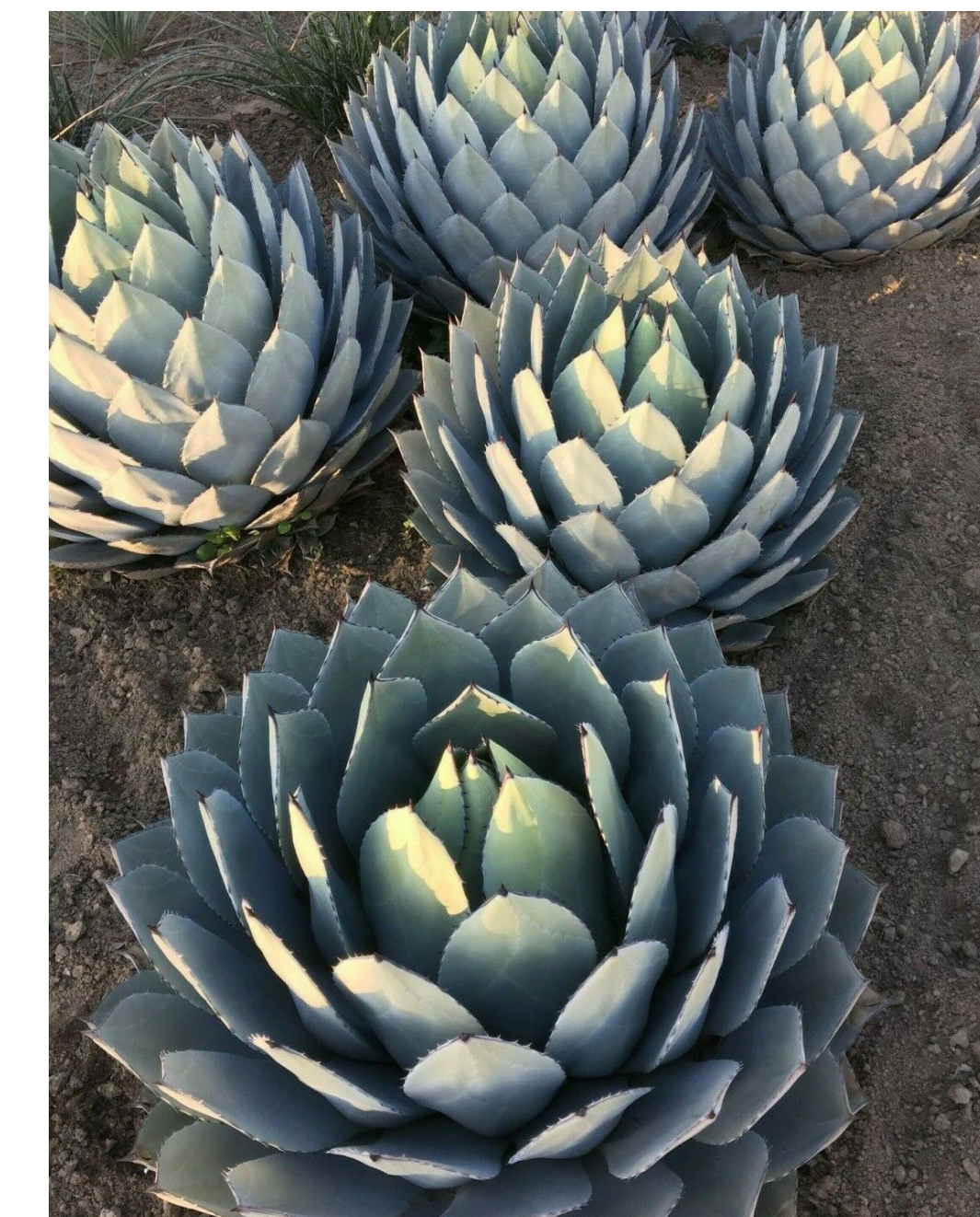
DIANELLA REVOLUTA 'VARIEGATED'
 DODONEA VISCOSA 'PURPUREA'
 ERIOGONUM FASCICULATUM 'THEODORE PAYNE'
 EUPHORBIA CHARACIAS WULFENII
 EUPHORBIA MYSINITES
 FESTUCA CALIFORNICA 'RIVER HOUSE BLUES'
 FESTUCA IDAHOENSIS
 GREVILLEA X 'MOONLIGHT'
 HEUCHERA MAXIMA
 HYDRANGEA QUERCIFOLIA
 KNIPHOFIA X 'MANGO POPSCICLE'
 LAVANDULA ANGUSTIFOLIA
 LEPECHINIA FRAGRANS
 LOMANDRA LONGIFOLIA 'BREEZE'
 LOROPETALUM CHINENSE
 MELIANTHUS MAJOR
 MISCANTHUS SINENSIS 'ADAGIO'
 MUHLENBERGIA CAPILLARIS
 MUHLENBERGIA DUBIA
 PENNISETUM MESSIACUM 'RED BUNNY TAILS'
 PENNISETUM SPATHIOLATUM
 PENSTEMON PALMERI
 PHORMIUM TENAX
 POLYSTICHUM CALIFORNICUM
 POLYSTICHUM MUNITUM
 RHAMNUS CALIFORNICA
 RHUS OVATA
 RIBES VIBURNIFOLIUM
 ROMNEYA COULTERI
 ROSMARINUS OFFICINALIS 'TUSCAN BLUE'
 SALVIA SPP.
 SANTOLINA CHAEMAECYPARISSUS
 SARCOCCA RUSCIFOLIA
 SEDUM X 'AUTUMN JOY'
 VERBENA LILACINA 'DE LA MINA'
 WESTRINGIA FRUTICOSA
 YUCCA FILAMENTOSA

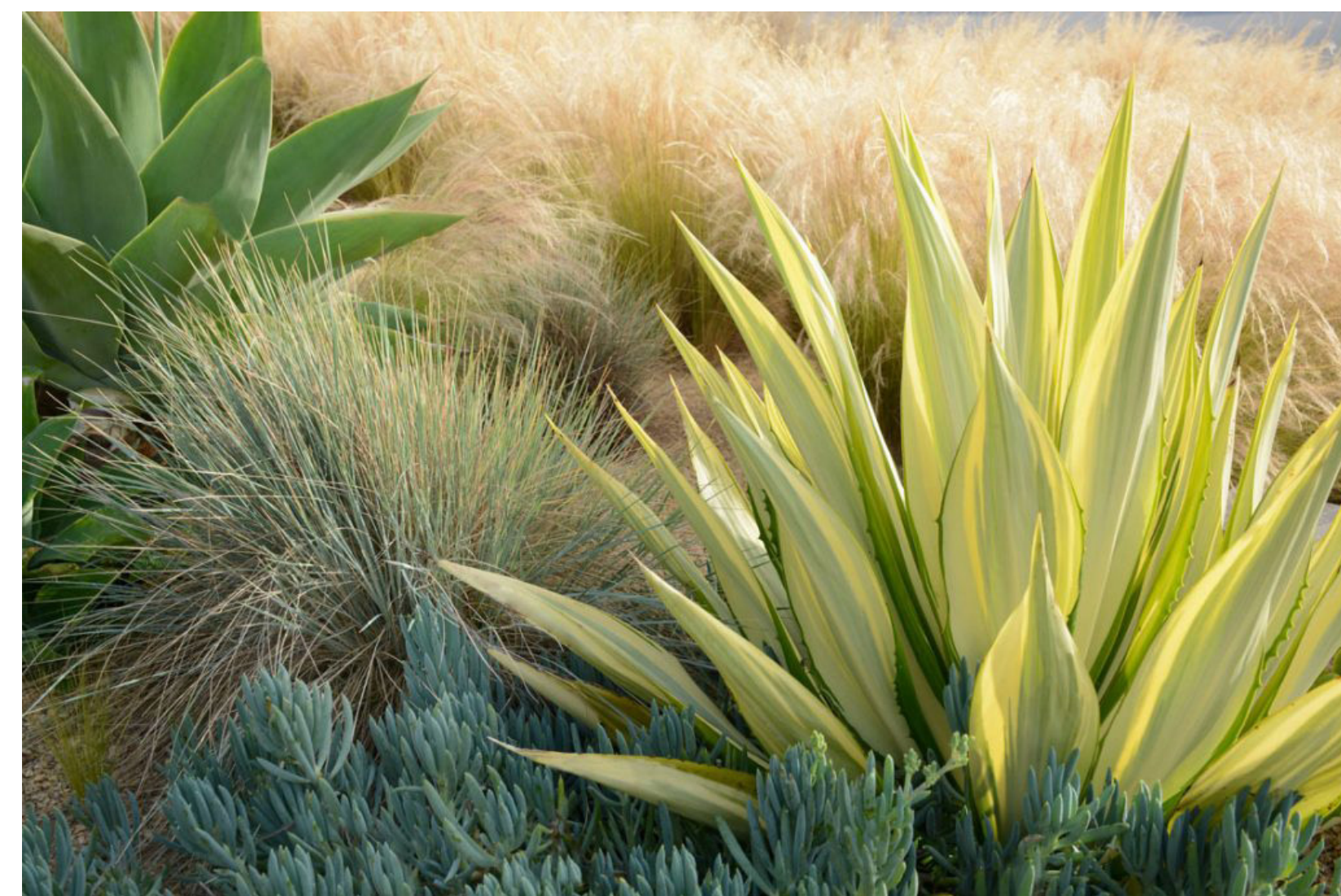
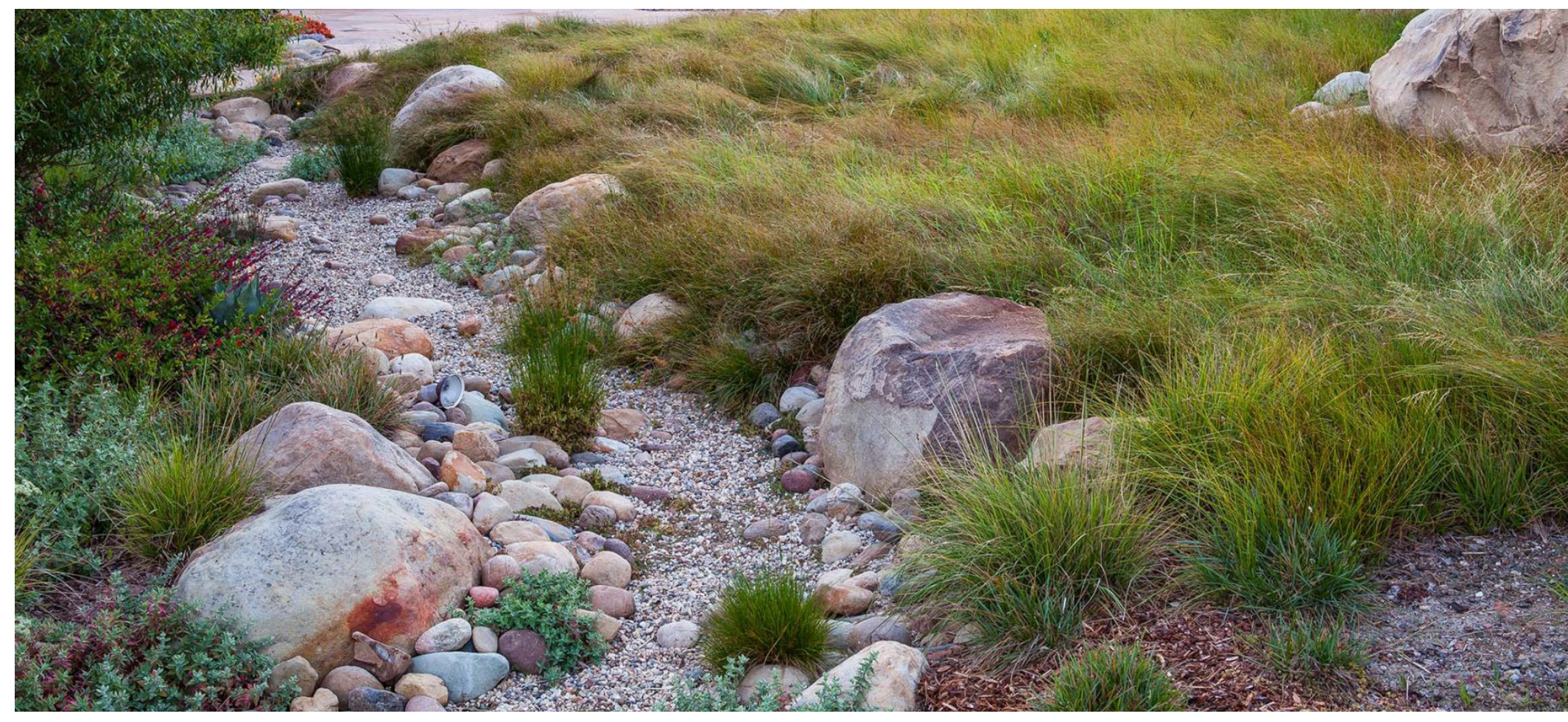
VINES

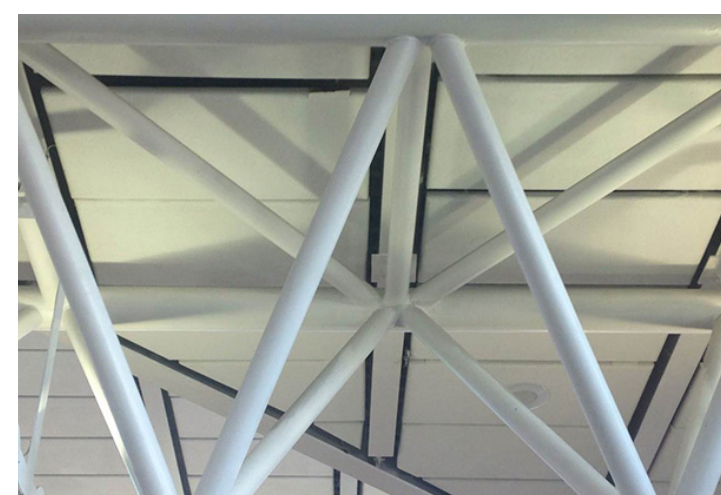
CLEMATIS ARMANDII
 CLYTOSTOMA CALLISTEGIODES
 DISTICTUS BUCCINATORIA
 FICUS PUMILA
 MACFADYENA UNGUS-CATI
 PARTHENOCISSUS X 'HACIENDA CREEPER'
 PASSIFLORA INCARNATA
 VITIS CALIFORNICA 'ROGER'S RED'

FLAX LILY
 PURPLE HOP BUSH
 CALIFORNIA BUCKWHEAT
 EVERGREEN SPURGE
 MYRTLE SPURGE
 CALIFORNIA FESCUE
 IDAHO FESCUE
 MOONLIGHT GREVILLEA
 ISLAND ALUM ROOT
 OAKLEAF HYDRANGEA
 HOT POKER
 ENGLISH LAVENDER
 ISLAND PITCHER SAGE
 BREEZE MAT RUSH
 CHINESE FRINGE FLOWER
 HONEY BUSH
 ADAGIO EULALIA GRASS
 PINK MUHLY GRASS
 PINE MUHLY
 FOUNTAIN GRASS
 RYE PUFFS
 PALMER'S PENSTEMON
 NEW ZEALAND FLAX
 CALIFORNIA FERN
 WESTERN SWORD FERN
 CALIFORNIA COFFEEBERRY
 SUGAR BUSH
 EVERGREEN CURRANT
 MATILIIJA POPPY
 ROSEMARY
 SAGE
 LAVENDER COTTON
 FRAGRANT SARCOCCOCCA
 AUTUMN JOY SEDUM
 LILAC VERBENA
 COAST ROSEMARY
 ADAM'S NEEDLE

EVERGREEN CLEMATIS
 VIOLET TRUMPET VINE
 TRUMPET VINE
 CREEPING FIG
 CAT CLAW VINE
 HACIENDA CREEPER
 PASSION FLOWER VINE
 CALIFORNIA WILD GRAPE







LATTICE GIRDER



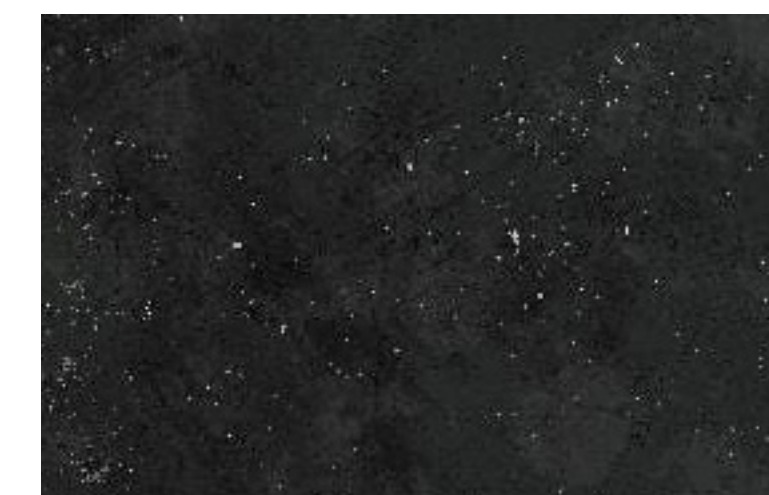
WOOD + STONE



POSTS



RAISED LETTERING



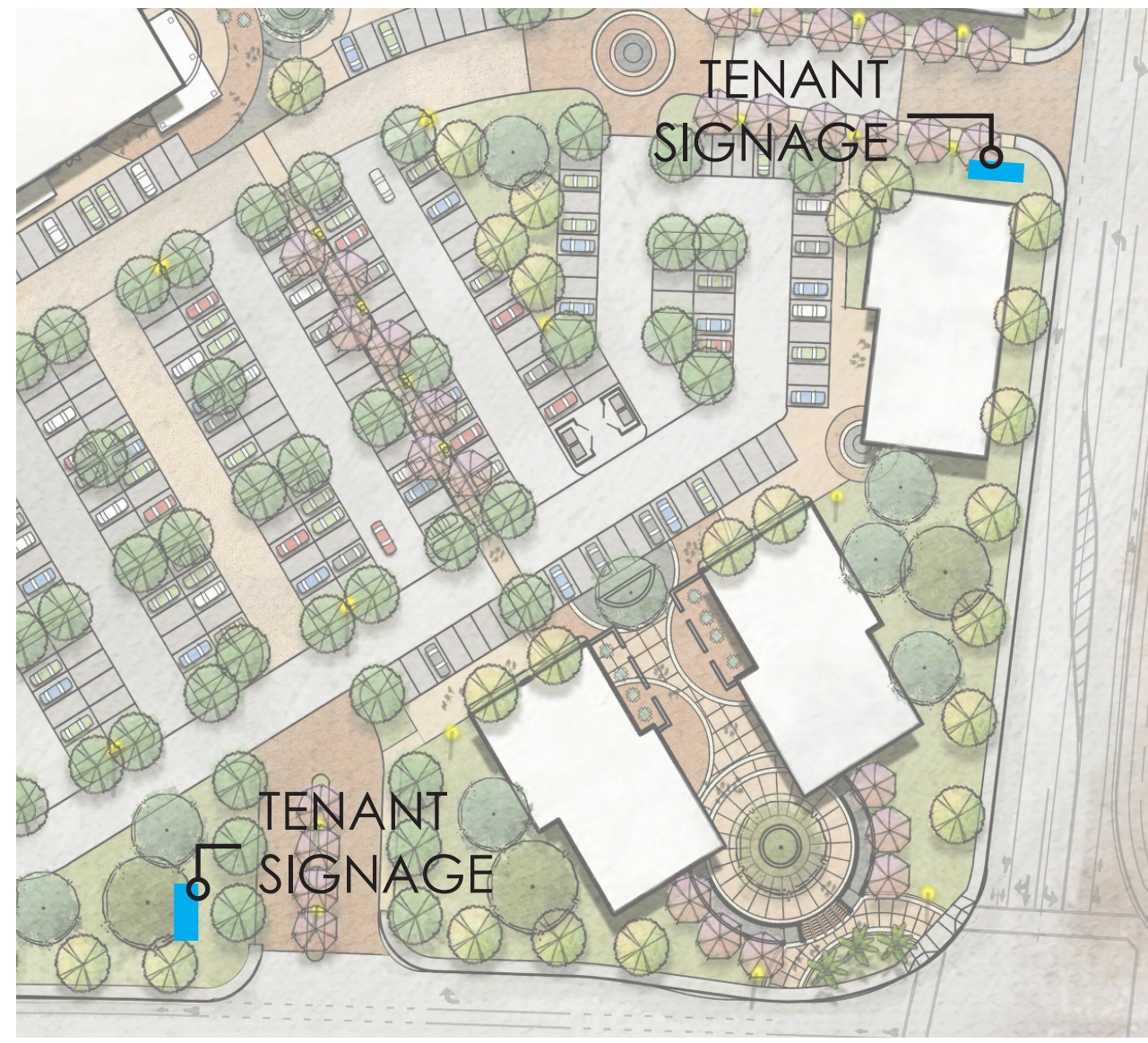
PAINTED METAL



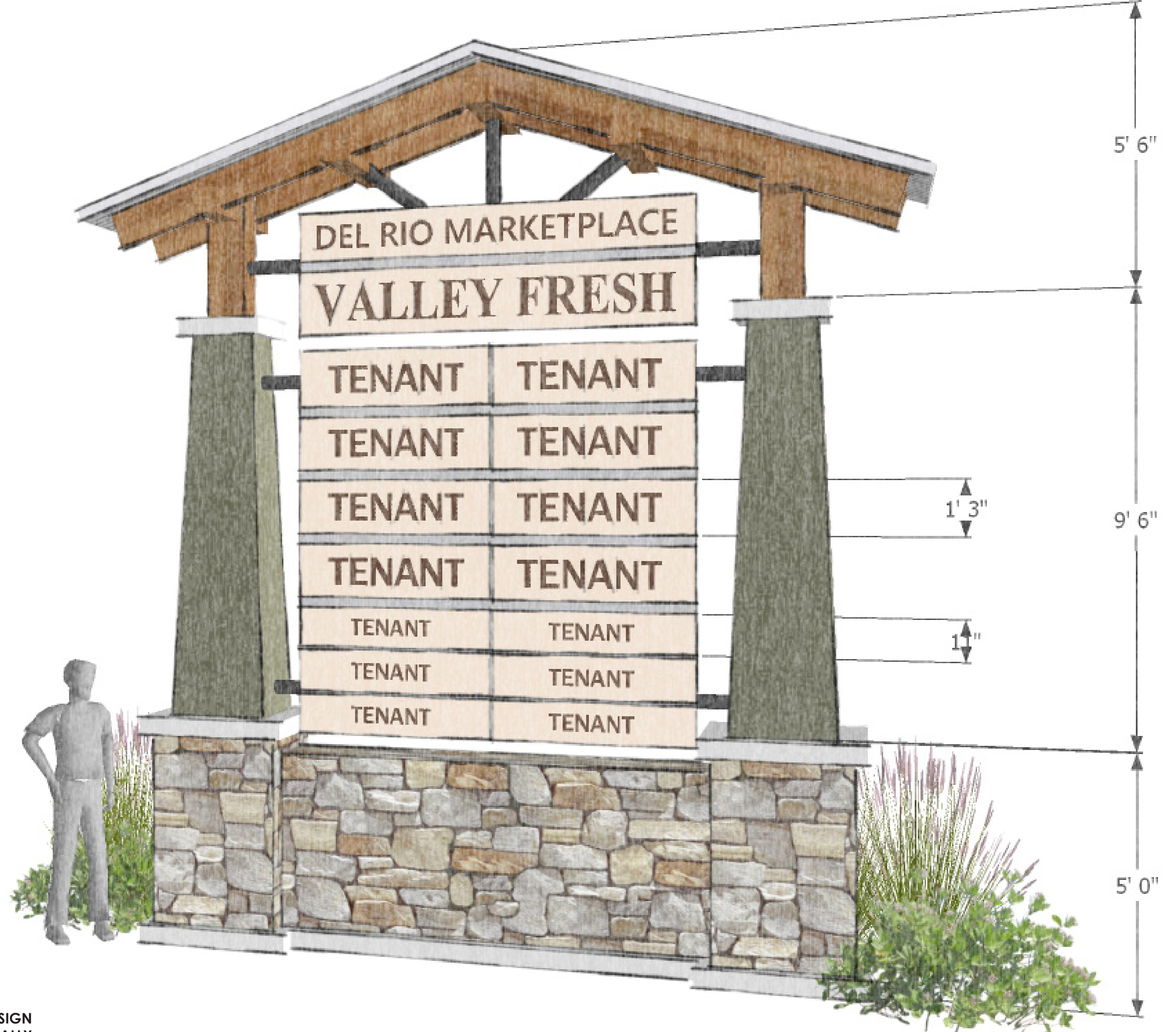
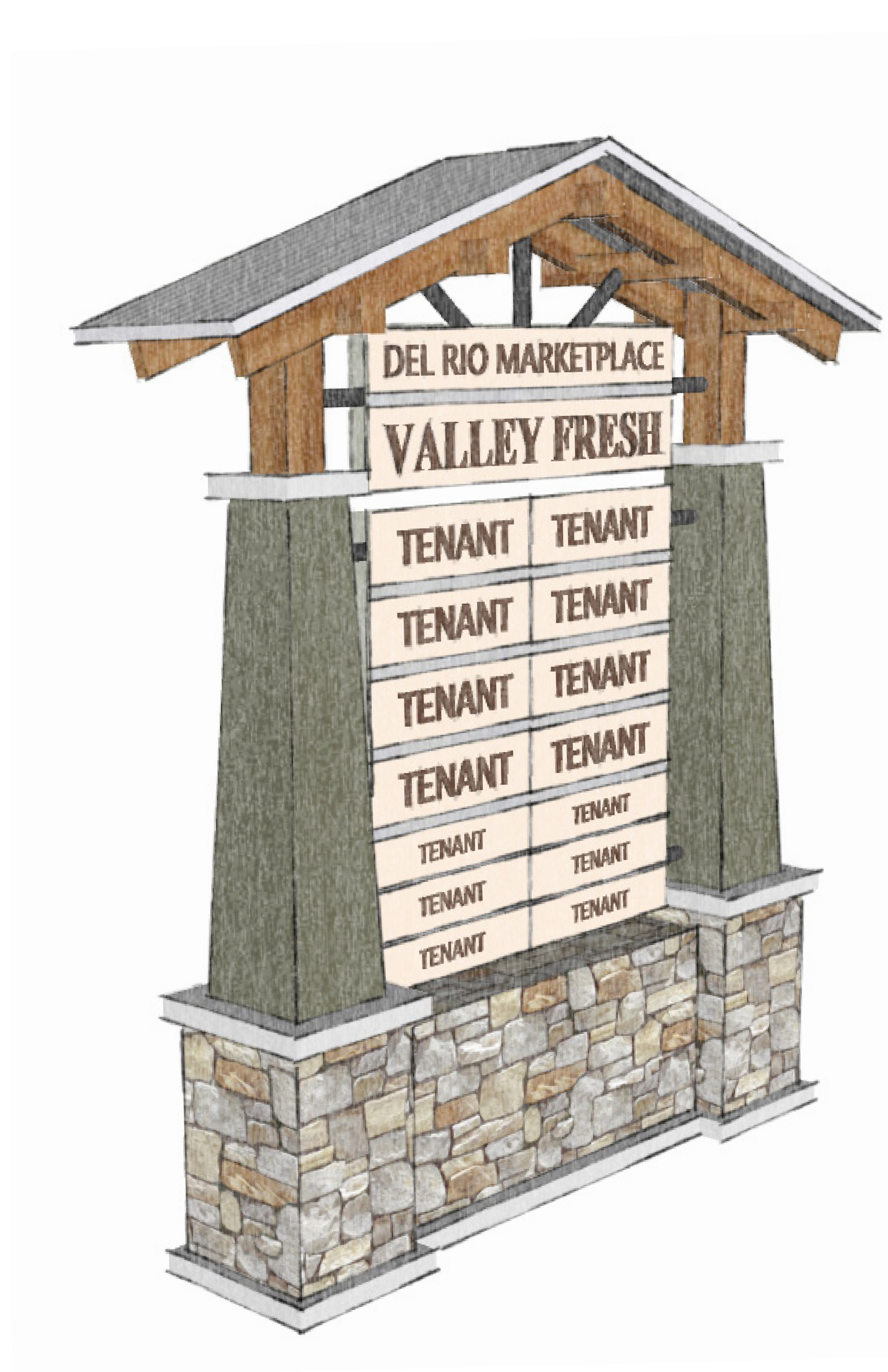
RECLAIMED WOOD

GENERAL NOTES:

- LETTERS SHALL BE BACKLIT OR ETERNALLY ILLUMINATED.



PROPOSED SIGNAGE LOCATION



THE CENTER IDENTIFICATION SIGN SHALL BE BACKLIT OR EXTERNALLY ILLUMINATED



METAL TRUSS



WOOD + STONE



LETTERING



TAPERED COLUMN



METAL ROOF



RECLAIMED WOOD



COLUMN PAINT



Atascadero Planning Commission

Community Development Department

Accessory Dwelling Unit And Senate Bill 9 Text Amendments (AMC Title 9 and Title 11)

RECOMMENDATION:

The Planning Commission review and provide feedback on proposed amendments to the Municipal Code that will respond to recent State law updates regarding Accessory Dwelling Units, Urban Dwelling Units and Urban Lot Splits.

DISCUSSION:

Background

Recent Government Code changes are designed to streamline the local review process for accessory dwelling units. These changes are intended to further reduce barriers, and make it easier to develop these smaller units that share a property with other housing units as a form of affordable housing. In 2020, the City adopted its 2021-2028 Housing Element which identified a number of City code updates that are needed in order to implement State law revisions. The Housing Element identified ADUs as a component in helping to meet the City's moderate- and low-income housing requirements. A portion of all new ADU's and JADU's will count towards the City's affordable housing stock and can be utilized for calculating our annual Regional Housing Needs Allocation (RHNA) since these units are considered to be "affordable by design".

Title 9, Chapter 5, of the Atascadero Municipal Code regulates Accessory Dwelling Units (ADUs) and is currently titled "Secondary Dwelling Units". The Code was adopted in 2004 and last updated in 2010. Since 2010, the State has provided several updates to the government code regulating ADUs and Junior ADUs (JADUs) with substantial updates that became effective on January 1, 2020. These State updates have made many portions of our local code inconsistent with State law, and State law currently supersedes much of our local ordinance. Updates to our local ordinance that comply with State law will allow our City to recognize local conditions that can apply to the regulation, guidance and health/safety standards of these accessory units.

In addition to ADU laws, the governor signed Senate Bill 9 (SB9) into law (September 2021) in an effort to streamline the development of housing and allow up to two primary housing

units on many existing single-family zoned sites in addition to allowing lot splits on existing single-family zoned sites as a staff level approval. The implementation of these code amendments will result in the adoption of separate ordinances that will result in multiple updates to the Municipal Code.

Proposed amendments and additions include:

- Repeal and replacement of Title 9, Chapter 5 (Accessory Dwelling Units)
- Addition of a new section to address Urban Dwelling Units.
- Amendments to Title 9, Chapters 3, 4, and 9 to update definitions for consistency with amended standards.
- Amendments to the City's Subdivision Regulations, Title 11 to accommodate SB9 (Urban Lot Splits)

Following Planning Commission feedback, staff will return to the Planning Commission with the proposed code updates prior to proceeding to the City Council for final adoption. Amendments to the ADU code will also require review by the state department of Housing and Community Development (HCD).

Analysis

Accessory dwelling units and Junior Accessory dwelling units

An ADU is defined as an attached or detached accessory dwelling unit that shares a property with a primary unit. A JADU is defined as a unit solely converted from existing residential space within a primary unit and is limited in size to 500 square-feet. A single site may have an ADU and a JADU if it can meet development standards. ADU's are allowed in conjunction with any legal primary dwelling unit, whether the unit is part of a mixed-use project, an apartment project, planned development, condominium, or standard single-family dwelling. However, ADU's have additional limitations within multi-family or mixed-use sites.

Some of the more significant changes to State law include:

- The introduction of Junior ADUs.
- Considerations for the allowance of ADUs on multi-family and mixed-use properties.
- Prohibition of required replacement parking when a garage is converted to create an ADU.
- Establishment of impact fee exemptions for ADU's less than 750 square feet and reduced fees for units 750 square feet or greater.
- Requires, upon application and approval, a local agency to delay enforcement against a qualifying substandard ADU for five (5) years to allow the owner to correct the violation, so long as the violation is not a health and safety issue, as determined by the enforcement agency
- Limitations on parking standards for new ADUs and JADUs
- Provides that covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable.
- Prohibits the use of ADUs or JADUs as short-term (vacation) rentals.

On September 28, 2021, staff brought this topic before the City Council for direction prior to preparing a final ordinance. The City Council directed staff to analyze the following standards for inclusion in the updated ordinance:

- Consider the maximum size of an allowed ADU to be 1,000 square-feet in areas with smaller lots in Single Family Residential zones and Multi-Family zones for consistency with the States affordable housing goals but maintain larger units on larger Single-Family properties where appropriate.
- Limit the construction of detached ADUs on properties less than 1 acre gross if served by an on-site wastewater system (septic). In addition, explore parameters for exceptions if a smaller parcel is surrounded by larger parcels.
- Limit ADU construction on sites in the City's WUI zone that do not meet fire standards for secondary road access.
- Provide standards for ADUs in planned developments and multi-family and mixed-use zones.
- Consider objective design standards

Because septic suitability and fire access are related to public health and safety, these topics may guide where it is suitable to develop accessory dwelling units.

Proposed ADU/JADU Objective Design Standards

Local agencies may adopt design standards that include, but are not limited to, design standards for parking, height, setback, landscaping, architecture, unit size, and development with historic resources. However, these standards must not preclude the ministerial review of an ADU. The following discussion provides "objective" design standards that should be incorporated into the City code for ADUs and JADUs.

Unit Size:

Unit size directly results in unit cost. ADU's are designed to be an affordable housing option, therefore the state set a maximum limit at 1,200 square feet. However, the City has discretion to require smaller units provided that standards allow at least an 850 square-foot unit, or 1,000 square-feet if the unit has 2 bedrooms. The City's current code allows up to 1,200 square-feet for an ADU regardless of zoning district or property size.

The City Council directed staff to update the ADU ordinance to include a maximum unit size of 1,000 square-feet and provide allowances for the full 1,200 square-feet on larger single-family properties.

- ***Staff is suggesting the following size standards for ADUs:***
 - 1. Up to 850 square feet for a one bedroom or less ADU***
 - 2. Up to 1,000 square-feet for any new ADU that includes two (2) or more bedrooms***
 - 3. Up to 1,200 square-feet for properties 1.5 acres gross or larger when the ADU does not exceed 50% of the floor area of the primary residence.***

Junior accessory dwelling units are limited by state law to a maximum of 500 square-feet. JADUs must be created by the conversion of existing space within the existing or proposed as part of a new primary dwelling unit. JADUs can be conversions of existing habitable space and/or conversion of an attached garage.

Accessory Buildings attached to Accessory Dwellings

Current City ADU standards allow a garage/storage space up to 500 square-feet to be attached to an ADU. The code also provides an exception process through approval of an Administrative Use Permit or a Conditional Use Permit reviewed by the Planning Commission if a larger garage/workshop is requested. Staff has concerns about allowing larger garages attached to ADUs as this may conflict with neighborhood character, especially as side and rear setbacks are reduced to four feet for ADUs under 16-feet in height.

Staff is proposing a maximum footprint of both an attached garage and ADU to not exceed 1,250 square feet. This would allow smaller ADU's to have a two-car attached garage on the ground floor, or allow flexibility for larger ADUs to be built above a garage. For example, an 800 square foot ADU could have an attached 450 square foot garage (20x22) allowing for parking of two vehicles and storage. Alternatively, a 1,000 square foot ADU built above a garage may have a larger garage that could serve both the primary residence and ADU. A larger ADU and Accessory structure will need to comply with standard residential setbacks and will not be eligible for the reduced four-foot setback set by the government code.

- ***Staff is suggesting that the footprint of an ADU and an attached garage or accessory structure should not exceed 1250 square feet.***

Minimum Lot Size:

The new Government code Prohibits the City from limiting ADUs based on minimum lot size **unless lot size is a factor in determining health and safety standards**. The Government Code allows local agencies to limit the development of ADUs based on the adequacy of water and sewer services and adequate road access in order to preserve public health and safety.

The City's Local Area Management Plan (LAMP) is approved by the Regional Water Quality Control Board, a State Agency. The LAMP governs septic systems from a technical aspect based on health and safety and regional board standards. The LAMP provides design parameters for a variety of site-specific characteristics but does not analyze or address neighborhood or regional impacts to groundwater quality.

City staff has coordinated with an engineering consultant (Monsoon Consultants) to determine what areas or parcels in the City may be most impacted by the expansion of on-site wastewater systems due to overall density or overconcentration concerns. The analysis focused on determining areas and parcel characteristics that would be vulnerable to high nitrogen loading rates should systems be expanded or added to accommodate additional units.

- ***The resulting analysis concluded that a minimum lot size of **one gross acre** would be required for ADU's to ensure that established thresholds for nitrogen***

overconcentration would not be exceeded. No minimum lot size will be established for ADU's that are connected to City sewer, only setbacks and design standards would apply.

This lot size limit captures smaller parcels on the west side in addition to known areas of concern related to septic concentration and failure such as River Gardens, the neighborhood south of Pine Mountain, some areas west of Atascadero High School and some of the neighborhoods near Rosario north east of the downtown.

The one acre minimum assumes nitrogen concentrations based on one detached ADU one primary residence and one JADU for a total of three (3) units on a 1-acre site with an on-site wastewater disposal system or multiple onsite systems. Junior ADUs do not typically produce the same level of impact due to size limitations, are converted from existing square-footage, and are not allowed to be vacation rentals. JADUs are envisioned to be similar to a master bedroom expansion or bedroom replacement and therefore, the septic concerns are reduced to a level of insignificance as long as the existing system or proposed upgrades can accommodate the additional occupancy.

- ***The City should allow for an internal JADU to replace existing space in an existing residence, up to 500 square feet regardless of lot size, providing on-site septic systems can be designed to accommodate any additional load per the requirements of the City's LAMP.***

Council also requested that staff explore an exception process that would allow some smaller parcels without City sewer access to construct ADUs if certain findings could be made and parameters could be met.

- ***Staff is proposing text that would allow ADUs on properties between $\frac{3}{4}$ and 1-acre that are surrounded by parcels larger than 1 acre where the average lot size within a $\frac{1}{4}$ mile radius is over 1-acre gross. This calculation is required to take into account any potential future lot split possibilities in determining average gross acreage. This allowance may also require a property owner to demonstrate on-site wastewater system operation and expansion by certification from an engineer.***

Emergency Access Standards:

In addition to the amendment described above regarding wastewater, the City may adopt regulations that limit ADUs where health and safety concerns exist, such as on properties that have limited road access (only one way out) and that are within the City's identified Very High Fire Severity Zone. Staff has identified several neighborhoods that do not have sufficient road access and are within these areas. The new code will need to identify these locations and limit new ADU development where it is not safe. However, these sites will still allow for JADUs.

- ***No ADU's shall be allowed in areas that are within the Very High Fire Severity Zone on roads that do not have a second way out as determined by the City Fire Department. JADU's may still be allowed on these properties.***

Building Setbacks:

The State requires that standard City setbacks be reduced to 4-feet for ADUs that are less than 16-feet in height. Standard City setbacks are 5-feet from a side property line and 10-feet from the rear. The State requires that both the side and rear setbacks be reduced to 4-feet for a qualifying ADU. The reduced setback will result in design limitations because the building code requires fire rated construction for any building wall that is less than 5-feet from a property line. Therefore, a structure that is less than 5-feet from a property line may not be able to have any operable windows, opening doors, or other features that are not fire-rated facing the property line that is less than 5-feet away. Other walls may still have these features.

While the City cannot override these standards, the City will need to modify our standard definitions to clarify side, front and rear setbacks. Specifically, our existing code labels a corner setback adjacent to a street as a “corner side setback”. Based on State law, the City would be required to allow an ADU up to 4-feet from the right-of-way on a corner lot. The amended language uses the term “corner street setback” to allow the City to maintain a 10-foot setback from the right-of-way (street).

- ***ADU’s will be subject to a new four foot minimum setback for no more than one building wall. New definitions for setbacks are proposed that will clarify each setback standard.***

Multi-Family Standards:

The State expanded the government code section related to accessory dwelling units to include provisions for ADUs within multi-family projects such as apartments and condominiums and some planned developments. Cities must allow the conversion of existing non-residential space (this includes garages and other non-conditioned storage) into ADUs at a ratio up to 25% of the number of existing units on-site. In lieu of conversion of existing space, cities must allow at least one and no more than 2 new units on the site. The State law allows for this to be an either/or scenario so cities do not have to allow for both on one site. Staff is proposing a maximum of one new unit as an ADU or the conversion of existing space within a multi-family unit under the provisions of the State law.

It is important to note that garages and carports are considered existing space on a multi-family site and are eligible for conversion. If converted, the City cannot require replacement parking but can require one new parking space per ADU. The city has no authority to limit the conversion of required parking nor require additional parking on-site.

Atascadero has many multi-family properties that have not yet been developed to full density. The City’s Housing Element contains policies and programs to encourage infill development on these sites and these sites are included in calculating the City’s ability to meet RHNA requirements. Requiring buildout to specified density prior to development of ADUs will allow compliance with Housing Element goals and eliminates a potential loophole.

- **Staff is recommending an updated land use definition for multi-family to clarify that multi-family zoned properties must be developed to density prior to construction of an ADU.**
- **Staff is proposing a new definition for a Residential Multi-Family project: More than 10 units per gross acre are considered a multi-family project, regardless of the design of the units or whether the units are owned or rented.**

Code changes needed for State Law Consistency:

Owner Occupancy:

The new State law prohibits the City from placing owner-occupancy requirements for ADUs but allows Cities to require owner occupancy provisions for residences that contain JADUs.

- **Staff is proposing language that includes requirements for owner occupancy of either the primary, ADU, or JADU as a condition of a construction permit for a JADU.**

Parking

The State law includes automatic parking reductions for ADUs. This includes both prohibitions against requiring replacement parking for ADU garage conversions in addition to waiving parking requirements based on proximity to transit stops.

- **Any draft ordinance will include provisions requiring 1 parking space per ADU, consistent with State law, except where waived by state law.**

Short-term Rental Prohibition

State law requires that ADUs that are developed consistent with the current government code be reserved for stays of greater than 30-days, thereby prohibiting the use of ADUs or JADUs as vacation rentals. However, the state law does not prohibit a property owner from living in an ADU and utilizing a primary residence as a vacation rental. This provision is supported by the State's findings that ADUs will provide additional opportunities for affordable housing.

- **Proposed code will prohibit the use of an ADU or JADU as a vacation rental and includes a requirement to record a deed restriction for new accessory dwellings prior to occupancy.**

Atascadero Municipal Code consistency:

Changes to Title 9, chapter 5 of the Zoning Code to accommodate the new ADU language will result in the need to amend the General Definitions, the Land Use Definitions, and the property development standards.

These amendments include:

- **Amending the definition (9-3.500) for detached accessory structures that are not considered dwelling units (ADUs), including standards for detached offices and art studios, to Chapter 6, section 106: Residential Accessory Uses, so that these structures are subject to the same state laws as ADUs.**
- **Updating land-use definitions related to mixed-use and multi-family residential development for clarity on when ADU standards apply (9-3.500).**

- **Updating general definitions and development standards to clarify setback standards (9-9.102).**
- **Modifications to existing planned development language to clarify setbacks as they relate to ADUs (9-3.642).**

Proposed Design Standards for Urban Dwelling Units and Urban Lot Splits (SB9)

On September 16, 2021 the governor signed Senate Bill 9 (SB9) into law in an effort to streamline the development of housing to allow multiple housing units on many existing single-family zoned sites and allowing lot splits on existing single-family zoned sites with approval at the staff level. SB 9 allows one to either add a new Urban Dwelling Unit on an existing parcel with an existing unit, or allows one to subdivide an eligible parcel and have two units on each resulting parcel, whether a pre-existing unit, a new Urban Dwelling Unit, or an accessory dwelling unit/junior accessory dwelling unit. Under SB9, an existing dwelling unit, a new urban dwelling unit, or an ADU/JADU count towards the total number of units.

In December of 2021, the City Council adopted an urgency ordinance to ensure that applications received on or after the effective date could be processed with health, safety, and objective design standards enforced to address the unique characters of Atascadero (Attachment 1). To date, the City has reviewed two applications for an urban lot split. No applications to construct a new unit under SB9, separate from an Urban Lot Split have yet been pursued.

SB9 does three things:

1. Allows for the development of one additional primary (“Urban Dwelling Unit”) dwelling unit on the same lot as a primary residence on all single-family zoned parcels within or partially within the “Urbanized Area” of a city. The Urbanized Area is a designated zone established by census data.
2. Requires that cities allow for the approval of Urban Lot Splits of single-family properties within the urbanized area, and allowing up to two units on each of the new resulting lots without discretionary review and without a hearing, if the lot split meets state and local criterion.
3. Allows the City to approve 24-month time extensions to Tentative Maps rather than the current 12-month limit

The government code grants the City the authority to:

1. Deny applications pursued in accordance with these government code sections based on health and safety issues or significant impacts on the physical environment.
2. The law also allows cities to apply objective standards associated with the construction of new units or the design of the subdivision.

Much of the City of Atascadero has constraints to development based on a variety of factors. Fire safety, limited access, on-site wastewater overconcentration, historical resources, and sensitive environmental resources present concerns that require additional review and analysis. However, many west-side properties are outside of the Urbanized zone and therefore are not eligible to utilize SB9.

Analysis:

Staff has identified the following as areas of concern for adding new units in particular areas due to:

1. Lack of availability of sewer service
2. Neighborhoods without accessible secondary emergency egress routes
3. Properties with average slopes of 30% or greater
4. Properties that include creeks, wetlands or sensitive habitat
5. Properties in locations of known archeological resources
6. Properties that include historic resources

These declared areas of concern have been taken into consideration in creating objective standards to help preserve the health and safety of our community while maintaining compliance with the California Environmental Quality Act (CEQA). SB9 requires that the City approve a lot split or the addition of new units as a *ministerial act*. Therefore, the City may not utilize CEQA to evaluate topics such as environmental impacts, health and safety impacts, or impacts to historic resources. Therefore, these topics must be guided through the implementation of objective design standards. The proposed amendments to the Atascadero Municipal Code will replace the adopted urgency standards and adopt a set of local objective standards and health/safety standards based on new HCD guidance and City Council direction. City legal staff has evaluated the proposed code amendments and has advised on specific topics.

Urbanized Area

SB9 and the resulting State law amendments apply to parcels zoned for single-family uses that are within or partially within an Urbanized Area as defined by the US Census Bureau. Atascadero is included on the El Paso de Robles (Paso Robles) – Atascadero, CA 27261 map. The area includes the east side of the City in addition to approximately half of the west side. The boundary is not a parcel specific boundary and therefore, some parcels may be partially within the Urbanized Area. State law mandates that parcels that are partially within can apply for urban dwelling units or urban lot splits under SB9 providing no other health, safety, or environmental concerns warrant limitations. SB9 does not apply to any properties within multi-family zones, commercial zones, or mixed-use zones. The law also allows cities to exempt lots within Planned Developments, even if the underlying zoning is single-family.

Objective Standards

The government code allows cities to establish objective design standards for urban lot splits and the construction of new Urban Dwelling Units (UDU). Other than lot size, the lot splits must comply with the City's Subdivision Regulations. The Atascadero Municipal Code already contains standards for deep lot subdivisions (flag lots) and depth to width ratios and these standards are repeated to the sections specific to urban subdivisions for clarity. However, additional standards were included in the interim ordinance and are recommended to ensure that adequate infrastructure is available, environmentally sensitive areas are protected, and neighborhood character is preserved.

The law also stipulates that development standards cannot hinder the ability of the owner to:

- Construct an 800 square-foot unit;
- Or at least two units total on each lot created by an SB9 lots split.

The law, however, does not dictate a maximum unit size. The findings made by the State for enactment of SB9 are based on assumptions that units constructed under these provisions will be smaller and thus, affordable by design. As such, the City's interim ordinance included an 800 square-foot maximum for any new urban dwelling unit constructed on a parcel. The City Council, while adopting this standard for the interim, directed staff to provide additional discussion and adjust this number to allow for some flexibility to homeowners.

- **Staff is proposing that the size limit for SB9 units be 1,000 square feet, consistent with the standards for ADU's.**

Staff is proposing the following objective design criteria that will increase neighborhood compatibility and health and safety:

1. All parcels must be zoned for single-family use and be within or partially within the Urbanized Area, as designated by the US Census Bureau, and;
2. All Parcels must be connected to the City's public sewer system or meet LAMP standards for minimum parcel size, and;
3. All parcels with average slopes of 30% or greater must identify an accessible 1,500 square foot or larger building envelope of 15% or less for the resulting vacant parcel, and;
4. Parcels with jurisdictional waters, known archeological sites, or sensitive environmental resource areas shall be excluded, and;
5. All parcels containing a qualifying historic resource or qualifying historic structure shall be excluded, and;
6. Urban Dwelling Units (any residential unit created in accordance with these provisions) shall be a maximum of 1,000 square-feet of habitable area, and;
7. All parcels proposing an urban lot split shall comply with the City's subdivision regulations, and;
8. All properties shall show a minimum of one off-street parking space per unit unless specifically exempted by state law.

Staff is recommending that objective design standards be included to ensure neighborhood compatibility and to support quality design:

These include the following:

1. ***Covered front entries and/or front porches***
2. ***Open space requirements that can accommodate a minimum of 200 square feet of outdoor space per unit (open space refers to outdoor use areas such as gardens, patios, decks, porches and yards)***
3. ***Reduced footprint of the second floor to increase building articulation and reduce overlook***
4. ***Dedicated laundry and storage space in each unit***

- 5. Maximum lot coverage standards of approximately 60% per lot**
- 6. Shared driveway standards for narrow properties**
- 7. Minimum site access and parking standards**
- 8. Maximum size of attached garages and accessory structures**

These design standards would be in addition to mandated elements of SB9 law which include:

- 1. Owner-occupancy requirements will apply to the existing owner/applicant in a signed affidavit requiring at least 3-years primary occupancy following occupancy and completion of unit.*
- 2. Subdivision standards requiring that each resulting lot be approximately half the size of the original lot (40% minimum)*
- 3. Requirements that no rental or deed restricted affordable housing be demolished to accommodate any lot split or second unit*
- 4. Setback exceptions for existing structures on parcels proposed to be subdivided (law allows for new lot lines to be as close as four feet to existing structures as long as fire code and building code can be met).*
- 5. Prohibition of short-term vacation rentals for new units created in accordance with SB9.*
- 6. Prohibition of ADU's or JADU's on sites that are developed to the maximum standards allowed with SB9 (two units on each site).*
- 7. Prohibition of further ministerial subdivisions on a site with a prior urban lot split.*

SB9 recognizes the potential impacts to CEQA and particularly to historic resources. Therefore, SB9 allows local jurisdictions to exclude properties that include listed historic resources from SB9 lots splits and the development of UDU's. State law requires that these properties be identified and designated by a state or local ordinance. At this time, the City's General Plan identifies all Colony Homes and related structures as historic resources that shall be documented and included in a historic preservation ordinance. However, this General Plan program has yet to be implemented. Prior to adopting an ordinance that lists all of the Colony Homes as historic resources, community outreach to each of these Colony Home owners will need to be completed.

Health and Safety Considerations

State law grants local jurisdictions the authority to deny applications based on health and safety concerns that cannot be mitigated. SB9 allows for the City's building official to determine when Health and Safety factors shall limit development and subdivision under SB9. Specific criteria may also be adopted into a City ordinance. The City of Atascadero contains a large area identified in high or very high fire severity zones, however, state law specifically preempts this as a factor for denial providing the structure is built to current building and fire codes that are designed to mitigate this impact. The law does allow for consideration in neighborhoods that do not meet fire code for secondary access as this cannot be mitigated through unit construction. The proposed ordinance would prohibit urban dwelling units and urban lot splits in neighborhoods with dead end roads exceeding the length of state standards. Many of these sites are already outside of the urbanized area and therefore would not be eligible to use SB9 anyway.

Fees, improvements and Exactions

New units built in accordance with SB9, whether on an existing site or on a new site created from an urban lot split, are subject to City Development Impact and Wastewater Capacity fees and do not qualify for incentives granted under existing ADU laws. Since SB9 lot splits must be approved without discretionary conditions, typical road improvements such as frontage improvements cannot be required prior to recordation of an SB9 lot split. However, frontage improvements, if found necessary, can be required as a condition of occupancy of a new unit on a site following an urban lot split.

Conclusion

This activity is a direct implementation of mandated policies of the City's adopted General Plan Housing Element. The State department of Housing and Community Development (HCD) is required to review and approve any municipal code changes related to ADU's and JADU's and may provide comment if code modifications do not align with HCDs guidance and legislative intent. However, the state does not review the City's codes regarding SB9. It is to the City's advantage to amend our code to adopt specific standards that speak to our local conditions, especially recognizing health and safety impacts such as fire and wastewater limitations. These proposed code amendments will implement an identified Housing Element program, providing additional ADU development that will help achieve our RHNA and comply with the latest updates to State law.

Next Steps

At this time, staff is seeking Planning Commission feedback on the following topics. The Planning Commission shall also consider the City Council direction that has been offered on these topics. Staff will return to the Planning Commission on July 5th with a code drafts for Planning Commission review and approval.

Discussion Items

ADUs and JADUs

**Note: items that are required for health and safety or for state code interpretation are not included in this discussion list.*

1. Staff is suggesting the following size standards for ADUs:
 - a) Up to 850 square feet for a one bedroom or less ADU
 - b) Up to 1,000 square-feet for any new ADU that includes two (2) or more bedrooms
 - c) Up to 1,200 square-feet for properties 1.5 acres gross or larger when the ADU does not exceed 50% of the floor area of the primary residence.
 - d) Staff is suggesting a that the footprint of an ADU and an attached garage or accessory structure should not exceed 1250 square feet.
 - e) The Planning Commission should comment on the overall size of an ADU and an attached accessory structure such as a garage or workshop that is not designed as living space.
2. Should there be architectural standards that require items such as porches, second story setbacks, architectural styles, or private open space standards?

3. Staff is proposing text that would allow ADUs on properties between $\frac{3}{4}$ and 1-acre that are surrounded by parcels larger than 1 acre where the average lot size within a 1/4 mile radius is over 1-acre gross. This allowance may also require a property owner to demonstrate on-site wastewater system operation and expansion by certification from an engineer.
4. Staff is recommending an updated *land use definition* for multi-family to clarify that multi-family zoned properties must be developed to density prior to construction of an ADU.
5. Staff is proposing a new definition for a Residential Multi-Family project: *More than 10 units per gross acre are considered a multi-family project*, regardless of the design of the units or whether the units are owned or rented.
6. Staff suggests amending the definition (9-3.500) for detached accessory structures that are not considered dwelling units (ADUs), including standards for detached offices and art studios, to Chapter 6, section 106: Residential Accessory Uses, so that these structures are subject to the same state laws as ADUs.
7. Staff suggest updates to the land-use definitions related to mixed-use and multi-family residential development for clarity on when ADU standards apply (9-3.500).
8. Staff suggests updates to the general definitions and development standards to clarify setback standards (9-9.102).
9. Staff suggests modifications to existing planned development language to clarify setbacks as they relate to ADUs (9-3.642).

SB9 discussion topics

1. Staff is proposing that the size limit for SB9 units be 1,000 square feet, consistent with the standards for ADU's.
2. All Parcels must be connected to the City's public sewer system or meet LAMP standards for minimum parcel size, and;
3. All parcels with average slopes of 30% or greater must identify an accessible 1,500 square foot or larger building envelope of 15% or less for the resulting vacant parcel, and;
4. Parcels with jurisdictional waters, known archeological sites, or sensitive environmental resource areas shall be excluded, and;
5. All parcels containing a qualifying historic resource or qualifying historic structure shall be excluded, and;
6. All parcels proposing an urban lot split shall comply with the City's subdivision regulations, and;

7. All properties shall show a minimum of one off-street parking space per unit unless specifically exempted by state law.
8. Staff is recommending that the following objective design standards be included to ensure neighborhood compatibility and to support quality design:
 - a) *Covered front entries and/or front porches*
 - b) *Open space requirements that can accommodate a minimum of 200 square feet of outdoor space per unit (open space refers to outdoor use areas such as gardens, patios, decks, porches and yards)*
 - c) *Reduced footprint of the second floor to increase building articulation and reduce overlook*
 - d) *Dedicated laundry and storage space in each unit*
 - e) *Maximum lot coverage standards of approximately 60% per lot*
 - f) *Shared driveway standards for narrow properties*
 - g) *Minimum site access and parking standards*
 - h) *Maximum size of attached garages and accessory structures*

ATTACHMENTS:

1. SB 9 Interim (urgency ordinance)

Attachment 1

DEVELOPMENT OF URBAN LOT SPLITS AND URBAN DWELLING UNITS

1. Purpose and intent.

It is the purpose and intent of this ordinance to implement the provisions of Government Code sections 65852.21 and 66411.7, which mandates the City to establish a ministerial process for approval of urban lot splits and urban dwelling units and authorizes the City to establish certain requirements and standards for such approvals, while protecting the public health, safety, and welfare of the community, such as through orderly planning and aesthetic standards.

2. Definitions.

“Urban dwelling unit” means a dwelling unit established or proposed to be developed in accordance with the standards, procedures, and requirements set forth under Government Code section 65852.21 and this chapter, either as a primary or secondary unit on a parcel.

“Urban lot split” means a subdivision or proposed subdivision of land established in accordance with the standards, procedures, and requirements set forth under Government Code section 66411.7, this chapter, and the procedures set forth in Chapter 11-14 of this code.

“Primary Frontage” means the frontage of a property abutting a street.

“Secondary Frontage” means a second side of the property that abuts a street and is parallel to the primary frontage.

“Corner street frontage” means a second side of the property that abuts a street and is perpendicular to the primary frontage.

“Individual Property Owner” means a natural person holding fee title individually or jointly in the person’s own name or a beneficiary of a trust that holds fee title. This does not include any corporation or corporate person of any kind (partnership, limited partnership, limited liability company, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified non-profit corporation (as defined by Revenue and Taxation Code Section 214.15).

3. Urban Dwelling Units.

(a) Ministerial Review Process. An application for development of an urban dwelling unit will be reviewed ministerially, without discretionary review or a hearing if it meets all the requirements set forth in this section and after payment of all applicable fees.

(b) Location Requirements. An application for development of an urban dwelling unit must meet all the following location requirements:

(1) The subject parcel must be located in an area zoned for residential single-family use and be within or partially within the urbanized area, as designated by the US Census Bureau.

(2) The subject parcel must not be located in an area designated in Government Code sections 65913.4(a)(6)(B) through (K). This includes, but is not limited to, certain farmland, wetlands, hazardous waste sites, earthquake fault zones, special flood hazard areas, regulatory floodways, lands identified for conservation, on a site with a historic resource, and within or adjacent to habitats for protected species.

(3) The subject parcel must not be located within a historic district or property, as set forth in Government Code section 65852.21(a)(6).

(c) Limitation on Demolition and Alterations. A proposed urban dwelling unit must not involve demolition or alteration of:

(4) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(5) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(6) Housing that has been occupied by a tenant in the last three years.

(7) More than 25% of the existing exterior structural walls, unless the housing has not been occupied by tenants within the last three years.

(d) Limitation on Parcels Withdrawn from Rental Market. A proposed urban dwelling unit must not involve property withdrawn from rental market under GC §7060 and following, within 15 years before the date that the development proponent submits an application.

(e) Development Standards. A proposed urban dwelling unit must comply with the following development standards:

(1) No more than two urban dwelling units per lot may be developed. Primary dwellings, Urban Dwelling Units, Accessory dwelling units (ADUs) and junior ADUs constitute units towards the maximum number of units.

(2) Maximum Size limitations shall be as follows:

(i) The maximum size of a proposed urban dwelling unit must not exceed 800 square feet in floor area, including attached accessory storage rooms or enclosed porches.

(ii) A dwelling unit, primary or secondary, that was established on the lot prior to the submittal of a complete application for a development

pursuant to this chapter may not be altered or expanded to a size greater than 800 square-feet, inclusive of any attached garage, storage space, or enclosed porch.

(3) The minimum setback from the side and rear property line shall be four feet. No setback is required for an existing, permitted structure or a structure constructed in the same location and to the same dimensions as an existing, permitted structure.

(4) The minimum setback for the primary street frontage shall be 25-feet. The minimum setback for the secondary street frontage shall be 12.5-feet. The minimum setback for the corner street frontage shall be 10-feet.

(5) The minimum setback from an access way (flag or easement) shall be 10-feet.

(6) Any proposed urban dwelling unit must be connected to the City's public sewer system.

(7) Any proposed urban dwelling unit must be connected to a separate water service (separate meter).

(8) There must be at least one off-street parking space per proposed urban dwelling unit unless specifically exempted by state law.

(9) Private open space shall be provided for each residential unit at a ratio of three hundred (300) square feet for units that provide 2 or less bedrooms. Each bedroom in excess of two (2) shall require an increase of private open space by fifty (50) square feet. The required front yard setback area shall not be used to satisfy the open space requirement; however, side and rear setback areas may be utilized. The minimum width of the private open space area shall not be less than ten (10) feet.

(10) Unconditioned Spaces. Structures such as garages and workshops attached to urban dwelling units shall be accessory to the residential unit and shall be limited to two hundred and eighty (280) square feet. Attached structures shall be included in the maximum floor area of the unit.

(11) Two (2) story units built in accordance with urban dwelling unit standards shall have a second floor that is limited to seventy-five percent (75%) of the gross area of the first floor inclusive of any attached garage.

(12) Porches shall be provided for each new unit. Porches shall be a minimum of six (6) feet deep and 8-feet wide.

(13) Lot coverage shall not exceed forty percent (40%) of the net lot area.

(14) Each unit shall include the following:

- a) Three hundred (300) cubic feet of shelved storage area. (Bedroom and entry/coat closets shall not count toward this requirement);
- b) Dedicated space for laundry facilities with hookups.

(15) All utilities shall be installed underground.

(16) Where the street frontage of a lot (or the combined street frontage of the two lots created through an urban lot split) is 80 feet or less, all units on the lot (or all units on both lots created through an urban lot split) shall share the same drive approach and driveway.

(f) The subject property shall be owned solely by one or more individual property owners.

(g) Denial Based Upon Adverse Impacts. The City will deny a proposed urban dwelling unit if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(h) Short Term Rental Limitation. Urban dwelling units developed under this section may not be rented for a term less than 30 days. Prior to construction permit completion, a covenant shall be recorded on each lot with a new urban dwelling unit stating the terms of long term occupancy.

(i) Election of development standards. If necessary, objective zoning, subdivision, or design standards will be set aside in the following order until the site can contain two, 800 square foot units. Such standards will be set aside in the following order until the site can contain two, 800 square foot units:

- a. Lot Coverage
- b. Second Floor Area limitations
- c. Porch requirement
- d. Private open space
- e. Setbacks to the degree allowed by State law

(i) A deed notification shall be recorded on all properties exercising development per the provisions of this chapter as necessary to describe these limitations.

4. Urban Lot Splits.

(a) Ministerial Review Process. An urban lot split parcel map application will be reviewed ministerially, without discretionary review or a hearing, if it meets all the

requirements set forth in this section and in accordance with the procedures set forth in Chapter 11-14 of this code.

(b) Location Requirements. An urban lot split parcel map application must meet all the following location requirements:

(1) The subject parcel must be located in an area zoned for single-family use and be within or partially within the urbanized area, as designated by the US Census Bureau.

(2) The subject parcel must not be located in an area designated in Government Code sections 65913.4(a)(6)(B) through (K). This includes certain farmland, wetlands, very high fire hazard severity zones, hazardous waste sites, earthquake fault zones, special flood hazard areas, regulatory floodways, lands identified for conservation, and habitats for protected species.

(3) The subject parcel must not be located within a historic district or property, as set forth in Government Code section 65852.21(a)(6).

(c) Limitation on Demolition and Alterations. A proposed urban lot split must not involve demolition or alteration of:

(1) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(2) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(3) Housing that has been occupied by a tenant in the last three years.

(d) Limitation on Parcels Withdrawn from Rental Market. A proposed urban lot split must not involve property withdrawn from rental market under GC §7060 and following, within 15 years before the date that the development proponent submits an application.

(e) Development Standards. A proposed urban lot split must comply with the following development standards:

(1) No more than two urban dwelling units may be developed per lot. Accessory dwelling units (ADUs) and junior ADUs will be shall be included in the maximum number of units. An urban dwelling development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

(2) The maximum size of a proposed urban dwelling unit shall not exceed 800 square feet in floor area including any attached, enclosed storage rooms, enclosed porches, or enclosed garage areas.

(3) The minimum setback from the side and rear property line is four feet. No setback is required for an existing, permitted structure or a structure constructed in the same location and to the same dimensions as an existing, permitted structure.

(4) Any proposed urban dwelling unit must be connected to the City's public sewer system.

(5) There must be at least one off-street parking space per proposed urban dwelling unit unless specifically exempted by state law.

(6) All parcels proposing an urban lot split must comply with the following design standards:

(i) Lot lines shall be at the top of slope banks.
(ii) Side lot lines shall be perpendicular to the street on straight streets, or radial to the street on curved streets.

(iii) Lots with a ratio of depth to width greater than 3:1 shall not be permitted.

(iv) All new lots shall have a minimum primary frontage width of 40-feet, unless approved as a flag lot subdivision.

(v) Where the street frontage of a lot (or the combined street frontage of the two lots created through an urban lot split) is 80 feet or less, all units on the lot (or all units on both lots created through an urban lot split) shall share the same drive approach and driveway.

(vi) Flag lot subdivisions may be approved subject to the following:

(A) The original lot shall have frontage on a dedicated street with a minimum width of at least 65 feet;

(B) The accessway to the rear shall be at least twenty (20) feet wide (developed to City standards), except where the accessway is more than one hundred fifty (150) feet long, it shall be at least twenty-four (24) feet wide with twenty (20) feet of pavement.

(C) The lot farthest from the street shall own the accessway in fee. Other lots using the accessway shall have an access and utility easement over it and a maintenance agreement shall be recorded with the final parcel map.

(D) A reflectorized house number master sign shall be located at the intersection of the street and accessway and individual reflectorized address signs shall be placed on the right-hand side of the driveway to each individual lot.

(8) All parcels with average slopes of 30% or greater must identify an accessible building envelope of 20% or less for the resulting vacant parcel.

(9) All utilities shall be separate for units residing on separate parcels. Multiple units on the same parcel may share utility connections unless prohibited by city code for residential uses.

(10) One street tree per 30-feet of primary frontage shall be installed.

(g) Denial Based Upon Adverse Impacts. The City will deny a proposed urban lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(h) Short Term Rental Limitation. A unit located on an urban lot split approved under this section may not be rented for a term less than 30 days. In conjunction with lot recordation, a covenant shall be recorded on each lot with a new urban dwelling unit stating the terms of long term occupancy.

(i) Compliance with the Subdivision Map Act. Urban lot splits must conform to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as expressly provided in this section.

(j) Dedication and Off-Site Improvements. A dedication of rights-of-way or the construction of offsite improvements for the parcels being created cannot be required as a condition of issuing a parcel map. All required frontage improvements shall be completed prior to or concurrently with a building permit for an urban dwelling unit on either resulting lot.

(k) Fire Department & Utility Easements, An easement must be provided over the front parcel to the rear parcel for access to the public right of way, providing public services and facilities, maintenance of utilities, and (if required) fire department access.

(l) Owner Occupancy. The applicant for an urban lot split must sign an affidavit stating that the applicant will occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split. This does not apply to an applicant that is a "community land trust," as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.

(m) Residential Use Requirement. All uses allowed on a site subdivided as an urban lot split must be limited to residential uses. This does not apply to an applicant that is a "community land trust," as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.

(n) Non-Conforming Zoning Conditions. Nonconforming zoning conditions are not required to be made conforming before approving an application.

(o) Prior Urban Lot Split. The parcel being subdivided may not have not been established through prior exercise of an urban lot split. In addition, neither the owner of

the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel may have used the urban lot split process as provided for in this section.

(p) Size Requirements. The urban lot split meets all of the following size requirements:

(1) Both newly created parcels must be no smaller than 1,200 square feet;

(2) Both newly created parcels must be of approximately equal lot area, which for purposes of this paragraph means that one parcel may not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

(q) A deed notification shall be recorded on all properties exercising development per the provisions of this chapter as necessary to describe these limitations.

5. Appeals.

For the purposes of this chapter, decisions of the Community Development Director or Building Official to appeal or deny an application may be appealed in compliance with section 9-1.111 of the Atascadero Municipal Code.