Atascadero City Council
Staff Report – Community Development

Title 9 Planning and Zoning Text Amendments
Downtown Office and Residential
PLN 2015-1571 / ZCH 2015-0177
(City of Atascadero)

RECOMMENDATION:

The Planning Commission recommends the City Council introduce an Ordinance for first reading, by title only, to amend Title 9 as follows:

1. Require a Conditional Use Permit and specific findings for new office and health care uses located on the ground floor within key locations within the Downtown Commercial Zoning District; and
2. Clarify/modify the setback standards for West Mall, based on findings; and
3. Remove the language that allows for residential uses to be established on the ground floor in the Downtown Zoning district north of Olmeda Avenue.

DISCUSSION:

Background:

The City adopted the Downtown Revitalization Plan (DRP) in 2000 in order to outline goals, objectives, and programs aimed at supporting the economic vitality and redevelopment of the downtown area. The plan is designed to implement the City’s General Plan with a goal of coordinating public and private investment to help realize the vision of an enhanced and economically viable downtown. The Plan envisioned a downtown with a land use pattern predominated by “multi-story mixed uses with retail uses on the ground floor and residential and office above”. The plan suggests utilizing incentives to relocate medical office uses outside of the Downtown.

When the DRP was originally adopted in July of 2000, changes were implemented to the Zoning Code to prohibit offices on the ground floor in the downtown commercial zone. Less than two years later, on April 23, 2002, the Atascadero Main Street organization requested an amendment of the Downtown Commercial Zoning District to accommodate offices and other non-retail uses interested in occupying ground floor storefront locations as a way to address vacancies in the Downtown. At that time, the Carlton Hotel was under construction, and many surrounding storefronts were vacant. The City Council ultimately approved this amendment allowing offices and health care services on the ground floor in June of 2003.
Almost 15 years later, the area around Sunken Gardens is predominantly surrounded by office uses and a new medical office building is nearing completion, completing a “medical office plaza” around the park. However, the City has a number of public and private projects in the works that will invigorate and strengthen the vision of Downtown as a social, economic, and entertainment destination, such as the following:

- Newly opened pedestrian bridge linking Sunken Gardens and the Downtown to Colony Square and pedestrian plaza along the creek along with plazas, a creek trail and over 100 parking spaces.
- New development proposal for Colony Square to include new retail, restaurant, and a boutique hotel.
- Approved La Plaza mixed-use development with 40 residential units and multiple ground floor commercial uses.
- El Camino traffic calming and streetscape plan (consultant currently preparing traffic analysis).
- El Camino corridor study-Cal Trans Grant (RFP is being released).
- Farmer’s Market is back in Downtown.
- New owner is purchasing and acquiring tenants for the former City Hall (Creekside building).
- The restoration of City Hall has resulted in new activity around the Sunken Gardens Park.
- New coffee shops, restaurants and breweries are becoming established in downtown.
- The seven storefronts along Traffic Way are in new ownership.

These efforts are helping to stimulate the visions that were adopted in the DRP. However, there are currently no zoning provisions that appropriately guide the location, parking needs, and development standards for new office and health care uses that choose to locate on the ground floor within key pedestrian locations. Additionally, residential uses are an allowed use on the ground floor in the Downtown Commercial zone north of Olmeda. Now is the time to look to the desired future of our downtown, especially the area surrounding the park and other key locations such as Entrada and Traffic Way to take steps towards a gradual transition to more pedestrian-oriented uses, such as retail and restaurant uses, while encouraging residential and office uses in new buildings to be above the ground floor. A logical code revision would prioritize land uses that are consistent with the General Plan and Downtown Revitalization Plan, such as restaurants, retail, and entertainment uses, while requiring new health care services, and similar office uses on the ground floor to acquire a Conditional Use Permit while providing adequate parking.

**Previous Review and Outreach**

On November 10, 2015, staff brought this proposal to the City Council to determine if there was interest in pursuing the text amendment. On a unanimous vote, the City Council directed staff to explore the text amendment, and thereby authorized staff to begin the process. On February 2, 2016, this item was brought before Planning Commission for review and recommendation. At that time, the staff recommendation was to prohibit new medical and other offices in the downtown. The Planning Commission referred the item back to staff to look into alternatives and to do additional outreach to local businesses and the community. Staff has included the following groups in targeted outreach efforts since that time:

- Chamber of Commerce
- Atascadero Downtown Colony District
Canvassing of all Downtown businesses
Meeting with individual business owners and interested persons.

Since that time, the City Council has also directed staff to look at whether residential uses are appropriate on the ground floor North of Olmeda Ave. on properties such as the Armory and Printery property. In order to normalize the allowance of land uses within the downtown and to promote the economic growth of the Downtown area, the exception that allows residential units on the ground floor should be eliminated to provide consistency throughout the Downtown.

Lastly, as a clean-up item, this amendment addresses a setback discrepancy that was written into the code for East Mall but was also incorrectly applied to West Mall. This discrepancy requires a 20-foot setback for West Mall when the right of way already extends 20 feet beyond the back of the sidewalk.

Planning Commission Action:

At a hearing on January 16, 2018, the Planning Commission voted 6-0 to recommend the City Council amend the Zoning Ordinance to shift office and health care uses on the ground floor to a conditionally allowed use. Their action includes updates that would clarify the building setback on West Mall and remove the zoning language that allows for ground floor residential on the Printery and Armory properties north of Olmeda Avenue. Although Commission Zirk provided testimony on the item, he abstained from voting on the action.

Based on comments from property owners around Sunken Gardens Park, Commissioners asked that language be added to the ordinance to allow an existing ground floor office to be reconstructed without having to obtain a use permit should the office be destroyed by a disaster such as fire or flood.

Analysis:

Consistency with Adopted Plans:

The proposed Zone Text Amendment proposes to remove incentives and require discretionary review (Conditional Use Permit) for uses that may not support the long term vision of development within the City’s Downtown core, such as ground floor office and health care services.

Applicable General Plan Policies:

- “To encourage pedestrian orientation, businesses are encouraged to occupy small lots with sidewalk storefronts, and residences are allowed on upper floors.”
- “Develop a Master Plan for the Sunken Garden and surrounding block to establish the area as a vibrant dining, community gathering area and civic destination.”
- “Development within the Downtown will be consistent with the Downtown Revitalization Plan...”
• “Land Use type desired in the Downtown is multi-story mixed-use with retail commercial uses occupying the ground floor with residential, office and visitor accommodations above.”

Downtown Revitalization Plan goals:

• Economic vitality and redevelopment of the downtown.
• Multi-story mixed uses with retail uses on the ground floor and residential and office above.
• Develop incentives to “Transition … downtown medical offices” to more appropriate locations.
• Designed to support Business and jobs in the downtown - Office uses can be great in the downtown in appropriate locations!

Existing Zoning Standards:

The Zoning Ordinance currently allows the following uses on the ground floor throughout the Downtown Commercial zoning district. These uses are also exempt from parking requirements:

• Offices
• Health Care Services (doctors, dentists, etc.)
• Business Support Services (copy, mail, etc.)
• Restaurants, food services, bars, tasting rooms, micro-breweries, etc.
• Personal Services (salon, barber, etc.)
• Retail
• Entertainment

What the code revision will do:

The revision will reclassify new office and health care uses on the ground floor in specific locations in the Downtown Commercial Zone as “Conditionally Allowed Uses” requiring a Planning Commission use permit and specific findings to be made. The amendment will also remove the parking exemption from new office and health care uses that locate on the ground floor.

The Conditional Use Permit process can achieve the following:

• Help to guide appropriate land uses.
• Require specific findings to be made to consider approval.
• Require conditions such as appearance enhancements, window displays, etc.
• Can be denied if findings cannot be met on a case by case basis.

Where the Use Permit would be required for ground floor uses:

East Mall, West Mall, and Traffic Way west of Palma and on El Camino Real north of Atascadero Creek as illustrated on the map below. All other locations in the Downtown Commercial zone would allow ground floor office uses without a use permit, however, parking would still be required for new or expanded office uses.
**Proposed findings for new office and health care services on the Ground Floor**

1. The location and setting of the existing building is not ideal for pedestrian uses such as restaurants, retail or related uses.
2. The existing building and site improvements are designed exclusively for office uses and could not accommodate other uses.
3. The proposed new office use will be a significant contribution to economic development by providing new jobs, pedestrian traffic, and active uses in the downtown.
4. The proposed new office will meet parking, accessibility, and property development standards and will not result in new surface parking adjacent to Atascadero Creek, East Mall or West Mall.
5. The proposed new office building will provide a storefront and other architectural features that complement the pedestrian scale and retail environment desired within the downtown.

**Effect on existing office uses:**

Existing office uses on the ground floor would be allowed to remain and would not be affected. Office and Health Care uses on the ground floor that do not provide on-site parking would need to supply parking improvements in order to expand or relocate. Existing office uses would not be required to
obtain a use permit or supply parking unless they decided to move to a new location within the applicable zone. Under the Commission’s recommendation, offices that are involuntarily destroyed by natural disaster should not be subject to obtaining a use permit. Staff has included proposed text amendments to the non-conforming zoning language to include this recommendation.

**City’s existing policy on non-conforming uses:**

In accordance with the Municipal Code (AMC 9-7.103), non-conforming uses are allowed to remain indefinitely but may not be expanded, reconstructed, or significantly remodeled. New office uses can be established where a prior office use existed unless the prior office use has been discontinued for 6-months or more.

**West Mall Setback**

The Municipal Code currently requires a 20-foot setback along West Mall. This setback was meant to ensure that the parkway along West Mall would remain. However, upon examination of the recorded property boundaries, the right-of-way for West Mall includes the existing parkway area which is already 20 feet wide; therefore, a 20-foot setback would result in buildings having to locate 40-feet from back of sidewalk. This has already been a Director’s policy for a number of years and this proposed zoning code update will formally correct this issue.

**Proposed Environmental Determination**

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

**CONCLUSION**

The proposed text amendments are consistent with the General Plan and are part of annual effort to align the zoning regulations with City policy while ensuring the City has an accurate and legible code. Each year, a series of zoning amendments will be explored in order to keep the Zoning Ordinance a “living document” that can be responsive to economic development and the latest changes to state and local policies. The time is right to begin guiding appropriate land uses for the City center, while keeping incentives in place for appropriate land uses. Although this initial zoning step is only a slight adjustment, additional amendments could be examined in the future as the City continues to monitor the progress of the downtown.

**FISCAL IMPACT:**

None. Over time, the proposed zoning text amendments hope to encourage and strengthen tax generating uses within the downtown core.
ALTERNATIVES

1. The City Council may wish to incorporate zoning amendments that will result in a more rapid transition of ground floor land uses in the downtown. This could be accomplished by adjusting required findings, requiring a use permit upon change of ownership, or requiring alternative timing mechanisms. Alternatively, the Council may wish to choose a slower transition to the downtown by allowing offices to remain beyond 6-months vacancy, or by allowing new offices without parking.

2. The City Council may determine that more information is needed on some proposed revisions and may refer the item back to staff to develop the additional information. The City Council should clearly state the type of information that is required and move to continue the item to a future date.

3. The Council may choose to postpone or deny action on some or all of the proposed text amendments. The Council should specify the reasons for denial of the project and recommend an associated finding with such action.

ATTACHMENTS:

Attachment 1: Proposed Zoning Regulation Amendments with Tracked Changes
Attachment 2: Draft Ordinance A
### (AMC 9-3.330) Table 4.1

<table>
<thead>
<tr>
<th>Use</th>
<th>Permitted Uses By Zones</th>
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**Agricultural Resources**

**Services-Business, Financial & Professional**

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<tr>
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<th>Health Care Services</th>
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**Notes:**

1. Residential uses allowed only on second and third floors, except sites north of Olmeda Avenue. If a project is required to provide a unit in compliance with the Americans with Disabilities Act, the handicapped accessible unit may be located on a first floor. A first floor unit shall be located in a non-storefront location within a tenant space.

2. Multi-family dwellings permitted when located on the second floor or above, or within an existing residential structure of historical significance.

3. Temporary events requiring more than 3 days for onsite setup and teardown require the approval of a conditional use permit (Section 9-2.110).

4. Outdoor commercial and industrial sales and storage developments (as defined by Section 9-9.102) of ten thousand (10,000) square feet or more require the approval of a conditional use permit (Section 9-2.110), even if such a development is listed as an allowable use in a particular zoning district.

5. Handcrafted and artisan food production shall be ancillary to the retail component.

6. Mobile Food vending permitted if use is located outside of right-of-way and located on private property.

7. When no overnight stays of animals are included.

8. No outdoor storage permitted.


10. **Allowed above ground floor. Conditional Use Permit required on ground floor on East Mall, West Mall, and Traffic Way west of Palma and on El Camino Real north of Atascadero Creek subject to the following findings:**

   1. The location and setting of the existing building is not ideal for pedestrian uses such as restaurants, retail or related uses.

   2. The existing building and site improvements are designed exclusively for office uses and could not accommodate other uses.

   3. The proposed new office use will be a significant contribution to economic activities.
**Allowed Land Uses and Permit Requirements**

<table>
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<th>AUP</th>
<th>CUP</th>
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</table>

**Use**

- **CN** – Commercial Neighborhood
- **CP** – Commercial Professional
- **CR** – Commercial Retail
- **CS** – Commercial Service
- **CT** – Commercial Tourist
- **CPK** – Commercial Park
- **DC** – Downtown Commercial
- **DO** – Downtown Office
- **IP** – Industrial Park
- **I** – Industrial

**Zoning District Abbreviations**

- Development by providing new jobs, pedestrian traffic, and active uses in the downtown

4. The proposed new office will meet parking, accessibility, and property development standards and will not result in new surface parking adjacent to Atascadero Creek, East Mall or West Mall.

5. The proposed new office building will provide a storefront and other architectural features that complement the pedestrian scale and retail environment desired within the downtown.

**AMC 9-7.110 Destroyed structures and signs.**

If a nonconforming structure, a structure that constitutes a nonconforming land use (Section 9-7.106) or a nonconforming sign is destroyed or partially destroyed to the extent of seventy-five (75) percent or more of the replacement cost of the total structure before destruction by fire, explosion or act of God, the destroyed use, structure or sign may be replaced or reconstructed; provided, the use, structure or sign and the land on which it was located are in conformity, or are brought into conformity with all applicable requirements of this title. If a nonconforming use, structure or sign is partially destroyed to less than seventy-five (75) percent of the replacement cost of the total structure before destruction, it may be restored to its former nonconforming status, with the exception of the following:

A. A ground floor health care or office use within the DC zoning district may be reconstructed within the same building footprint providing that the same use, business ownership and floor area of the business remain unchanged.
**9-3.347 DC/DO Zone.**

The following are property development standards for both the DC and DO zoning districts, in addition to those found in Chapters 9-4, 9-6, and other special use regulations found in this title.

<table>
<thead>
<tr>
<th>Development Feature</th>
<th>Requirement by Zoning District</th>
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<tbody>
<tr>
<td></td>
<td>DC</td>
</tr>
<tr>
<td>Minimum lot size</td>
<td>No minimum</td>
</tr>
<tr>
<td>Setbacks</td>
<td>Minimum and maximum setbacks required. See Section 9-4.103 for setback requirement, allowed projections into setbacks, and exceptions to setbacks.</td>
</tr>
<tr>
<td>Front</td>
<td>None allowed, except for building insets designed to accommodate outdoor eating and seating areas, and except for East and West Mall between El Camino Real and Palma Avenue, where a minimum of 20 feet is required.</td>
</tr>
<tr>
<td>Sides (each)</td>
<td>None required, except for East Mall between El Camino Real and Palma Avenue, where a minimum of 20 feet is required.</td>
</tr>
<tr>
<td>Rear</td>
<td>None required.</td>
</tr>
<tr>
<td>Creek</td>
<td>To be determined through Design Review</td>
</tr>
<tr>
<td>Height limit</td>
<td>45 feet not to exceed 3 stories; 18 feet on the west side of El Camino Real between Atascadero Creek and the lot line common to Lots 19 and 20, Block H-B, Atascadero Colony Map.</td>
</tr>
<tr>
<td>Landscaping</td>
<td>As required by Section 9-4.124 et seq. (Landscaping, screening and fencing)</td>
</tr>
<tr>
<td>Off-street parking</td>
<td>None required, except as required by Section 9-4.114 for hotels, motels, residential uses, offices, government offices and facilities, and health care services on the ground floor, and for all development east of Atascadero Creek.</td>
</tr>
<tr>
<td>Signs</td>
<td>See Chapter 9-15.005(b)</td>
</tr>
<tr>
<td>Density</td>
<td>20 dwelling units/acre maximum</td>
</tr>
</tbody>
</table>
DRAFT ORDINANCE A

ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF ATASCADERO, CALIFORNIA, AMENDING THE ATASCADERO
MUNICIPAL CODE BY APPROVING PLN 2015-1571 / ZCH 2015-0177
TITLE 9 ZONING ORDINANCE CODE TEXT AMENDMENTS
City of Atascadero

WHEREAS, an application has been received from the City of Atascadero (6500 Palma Ave., Atascadero, CA 93422), to consider Zone Change Text Amendments to Title 9; and

WHEREAS, a Notice of Exemption was prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA); and,

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

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

WHEREAS, the Planning Commission of the City of Atascadero, at a Public Hearing held on January 16, 2018, studied and considered Zone Text Change 2015-0177 to amend certain zoning use and development standards within the Downtown Zoning District, and,

WHEREAS, the Planning Commission of the City of Atascadero has recommended approval of the proposed amendments to Title 9 of the Atascadero Municipal Code; and,

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

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

WHEREAS, the City Council of the City of Atascadero, at a Public Hearing held on February 13, 2018, studied the Planning Commission’s recommendation and considered the proposed zoning text amendments; and,
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Atascadero hereby ordains as follows:

SECTION 1. Findings for Approval of a Zone Text Change. The City Council finds as follows:

1. The Zoning Text Change is consistent with General Plan policies and all other applicable ordinances and policies of the City.

2. This Amendment of the Zoning Ordinance will provide for the orderly and efficient use of lands where such development standards are applicable.

3. The Text Change will not, in itself, result in significant environmental impacts.

SECTION 2. Approval. The City Council of the City of Atascadero, in a regular session assembled on February 13, 2018, resolved to introduce for first reading, by title only, an ordinance that would amend the City Zoning Code Text as shown in Exhibit B:

EXHIBIT A: Categorical Exemption
EXHIBIT B: Zone Text Change – Title 9 Zoning Ordinance

SECTION 3. A summary of this ordinance, approved by the City Attorney, together with the ayes and noes, shall be published twice: at least five days prior to its final passage in the Atascadero News, a newspaper published and circulated in the City of Atascadero, and; before the expiration of fifteen (15) days after its final passage in the Atascadero News, a newspaper published and circulated in the City of Atascadero. A copy of the full text of this ordinance shall be on file in the City Clerk’s office on and after the date following introduction and passage and shall be available to any interested member of the public.

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

AYES: _____________________

NOES: _____________________

ABSTAIN: _____________________

ADOPTED: _____________________

CITY OF ATASCADERO, CA

______________________________
Tom O’Malley, Mayor
Attest:

______________________________
Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

______________________________
Brian A. Pierik, City Attorney
EXHIBIT A: CEQA Exemption
PLN 2015-1571 / ZCH 2015-0177
Title 9 Zoning Ordinance Text Amendments

CITY OF ATASCADERO
NOTICE OF EXEMPTION

6500 Palma Avenue Atascadero, CA 93422 805.481.3000

TO: File
FROM: Kelly Gleason Senior Planner City of Atascadero 6500 Palma Avenue Atascadero, CA 93422
SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.
Project Title: PLN 2015-1571 / ZCH 2015-0177
Project Applicant: City of Atascadero
Project Location: Downtown Atascadero
Project Description: Zoning Ordinance Text Updates including revisions to allowed uses and development standards for the Downtown zoning district in Title 9 of the Atascadero Municipal Code. The application does not include the construction of any project.
Name of Public Agency Approving Project: City of Atascadero
Name of Person or Agency Carrying Out Project: City of Atascadero
Exempt Status:

- [ ] Minsterial (Sec. 15062)
- [ ] General Rule Exemption (Sec. 15061(b)(3))
- [ ] Emergency Project (Sec. 15077 (b) and (c))
- [ ] Categorically Exempt (Sec. 15061)

Reasons why project is exempt: The Guidelines of the California Environmental Quality Act (CEQA) (Section 15061. (3), (b)) exempts activities that are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed text amendment will not have any significant adverse environmental impacts associated with this project application.

Contact Person: Kelly Gleason (805) 470-3446
Date: January 2, 2018

[Signature]
Kelly Gleason
Senior Planner
# 9-3.330 Nonresidential district allowable land uses

## Table 4.1: Non-Residential Uses

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<td>Temporary Offices</td>
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## Notes:

(These notes apply only to Table 3-2).

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2. The existing building and site improvements are designed exclusively for office uses and could not accommodate other uses.

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<th>Permitted Uses By Zones</th>
<th>Special Use Regulation(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowed Land Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uses and Permit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Residential Zones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Allowed Use, Zoning Clearance Required</td>
<td></td>
</tr>
<tr>
<td>CUP</td>
<td>Conditional Use Permit Required</td>
<td></td>
</tr>
<tr>
<td>AUP</td>
<td>Administrative Use Permit Required</td>
<td></td>
</tr>
<tr>
<td>□</td>
<td>Not Permitted</td>
<td></td>
</tr>
</tbody>
</table>

will not result in new parking along Atascadero Creek, East Mall or West Mall.

5. The proposed new office building will provide a storefront and other architectural features that complement the pedestrian scale and retail environment desired within the downtown.

<table>
<thead>
<tr>
<th>Zoning District Abbreviations</th>
<th>CN – Commercial Neighborhood; CP – Commercial Professional; CR – Commercial Retail; CS – Commercial Service; CT – Commercial Tourist; CPK – Commercial Park; DC – Downtown Commercial; DO – Downtown Office; IP – Industrial Park; I – Industrial</th>
</tr>
</thead>
</table>

9-3.347 DC/DO Zone.

The following are property development standards for both the DC and DO zoning districts, in addition to those found in Chapters 9-4, 9-6, and other special use regulations found in this title.

<table>
<thead>
<tr>
<th>Development Feature</th>
<th>Requirement by Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DC</td>
</tr>
<tr>
<td>Minimum lot size</td>
<td>No minimum</td>
</tr>
<tr>
<td>Setbacks</td>
<td>Minimum and maximum setbacks required. See Section 9-4.103 for setback requirement, allowed projections into setbacks, and exceptions to setbacks.</td>
</tr>
<tr>
<td>Front</td>
<td>None allowed, except for building insets designed to accommodate outdoor eating and seating areas, and except for East between El Camino Real and Palma Avenue, where a minimum of 20 feet is required.</td>
</tr>
<tr>
<td>Sides (each)</td>
<td>None required, except for East between El Camino Real and Palma Avenue, where a minimum of 20 feet is required.</td>
</tr>
<tr>
<td>Rear</td>
<td>None required</td>
</tr>
<tr>
<td>Creek</td>
<td>To be determined through Design Review</td>
</tr>
<tr>
<td>Height limit</td>
<td>45 feet not to exceed 3 stories; 18 feet on the west side of El Camino Real between Atascadero Creek and the lot line common to Lots 19 and 20, Block H-B, Atascadero Colony Map.</td>
</tr>
<tr>
<td>Landscaping</td>
<td>As required by Section 9-4.124 et seq. (Landscaping, screening and fencing)</td>
</tr>
<tr>
<td>Off-street parking</td>
<td>None required, except as required by Section 9-4.114 for hotels, motels, residential uses, offices, government offices and facilities, and health care services, and for all development east of Atascadero Creek.</td>
</tr>
<tr>
<td>Signs</td>
<td>See Chapter 9-15</td>
</tr>
<tr>
<td>Density</td>
<td>20 dwelling units/acre maximum</td>
</tr>
</tbody>
</table>
9-7.110 Destroyed structures and signs.
If a nonconforming structure, a structure that constitutes a nonconforming land use (Section 9-7.106) or a nonconforming sign is destroyed or partially destroyed to the extent of seventy-five (75) percent or more of the replacement cost of the total structure before destruction by fire, explosion or act of God, the destroyed use, structure or sign may be replaced or reconstructed; provided, the use, structure or sign and the land on which it was located are in conformity, or are brought into conformity with all applicable requirements of this title. If a nonconforming use, structure or sign is partially destroyed to less than seventy-five (75) percent of the replacement cost of the total structure before destruction, it may be restored to its former nonconforming status, with the exception of the following:

(a) A ground floor health care or office use within the DC zoning district may be reconstructed within the same building footprint providing that the same use, business ownership and floor area of the business remain unchanged.