



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, October 25, 2022

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

City Council Regular Session:

6:00 P.M.

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

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

ROLL CALL:

Present: Council Members Bourbeau, Dariz, and Funk, and Mayor Moreno

Absent: Mayor Pro Tem Newsom

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, Interim Police Chief Jerel Haley, Public Works Director Nick DeBar, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Deputy City Manager – IT Luke Knight, and Senior Planner Kelly Gleason

APPROVAL OF AGENDA:

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to:

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

Motion passed 4:0 by a roll-call vote. Newsom absent.

PRESENTATIONS:

1. California Park & Recreation Society District 8 Awards

- a. 2022 Champion of the Community – Mark Capozzoli
- b. Excellence in Design: Facility & Park Planning – Pickleball Courts

The City Council recognized Mark Capozzoli for being selected the 2022 CPRS District 8 Champion of the Community and the Atascadero Pickleball Courts for receiving the 2022 CPRS District 8 Excellence in Design: Facility & Park Planning award.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – October 11, 2022

- Recommendation: Council approve the October 11, 2022 Draft City Council Regular Meeting Minutes. [City Clerk]

2. September 2022 Accounts Payable and Payroll

- Fiscal Impact: \$4,939,932.66.
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for September 2022. [Administrative Services]

3. Pine Mountain Backup Power Replacement

- Fiscal Impact: \$16,500.
- Recommendation: Council authorize the Director of Administrative Services to appropriate \$13,700 in Vehicle and Equipment Replacement Fund reserves and \$2,800 in General Fund reserves for the purchase and installation of a backup generator and related equipment for the Pine Mountain radio repeater facility. [Information Technology]

4. Parcel Map AT 18-0123 (11885 Halcon Road)

- Fiscal Impact: None.
- Recommendation: Council:
 1. Approve Parcel Map AT 18-0123.
 2. Accept the offer of dedications for the Bicycle and Pedestrian Access Easement and the Public Utility Easements on behalf of the public.
 3. Reject the offer of dedication for Via Milagro without prejudice to future acceptance on behalf of the public. [Public Works]

MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to approve the Consent Calendar.

Motion passed 4:0 by a roll-call vote. Newsom absent.

UPDATES FROM THE CITY MANAGER:

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

COMMUNITY FORUM:

The following persons spoke in-person, by telephone or through the webinar: Zach Jackson, Randy Carminati, and Geoff Auslen.

B. PUBLIC HEARINGS:

1. Accessory Dwelling Unit Text Amendments (AMC Title 9)

- Fiscal Impact: The addition of ADUs and JADUs in accordance with State law without fees or other mechanisms in place to ensure that services and infrastructure can be provided to serve the residents of the new units will have a significant long-term negative fiscal impact to the City, its infrastructure, and its capacity to serve its citizens.
- Recommendation: Council:
 1. Introduce, for first reading, by title only, Draft Ordinance A, repealing and replacing Chapter 5 (Accessory Dwelling Units) of Title 9 of the Atascadero Municipal Code.
 2. Introduce, for first reading, by title only, Draft Ordinance B, amending Title 9 for consistency with updated Chapters 5 and 18 related to Accessory Dwelling Units and Urban Dwelling Units. [Community Development]

Council Member Dariz noted that he is an architect and he has or may have clients who are building ADUs, JADUs, and/or UDU, which creates a potential conflict of interest. He stepped down from the dais, recusing himself from the discussion and vote for this item.

Ex Parte Communications:

Since the September 13, 2022 Meeting, Council Member Bourbeau reported speaking with Geoff Auslen, Max Zappas, and management at the manufactured home dealership in Paso Robles.

Council Member Funk and Mayor Moreno had nothing new to report.

Community Development Director Dunsmore and Senior Planner Gleason gave the staff report and answered questions from the Council. City Manager Rickard also answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Geoff Auslen.

Mayor Moreno closed the Public Comment period.

Mayor Moreno recessed the meeting at 8:08 p.m.

Mayor Moreno reconvened the meeting at 8:23 p.m. with all present. Dariz recused.

MOTION: By Council Member Funk and seconded by Council Member Bourbeau to:

1. Introduce, for first reading, by title only, Draft Ordinance A, repealing and replacing Chapter 5 (Accessory Dwelling Units) of Title 9 of the Atascadero Municipal Code with the following changes:
 - ~~Deleting 9-5.050(a)(2)(b) The ADU contains at least 3 bedrooms~~
 - Updating 9-5.050(e)(1) by removing the words in a single-family zone

- Updating 9-5.050(f)(1)(ii) by changing the word rear to side
 - Updating 9-5.050(f)(1)(iii) by changing the words up to to a minimum of
 - Updating 9-5.050(f)(5)(iii) by changing the words up to to a minimum of
2. Introduce, for first reading, by title only, Draft Ordinance B, amending Title 9 for consistency with updated Chapters 5 and 18 related to Accessory Dwelling Units and Urban Dwelling Units with the following changes:
- Updating 9-3.330 Table 3-2 Footnote 1 to read
 - 1 Residential uses allowed only on second and third floors. If a project is required to comply with the Americans with Disabilities Act and does not have an elevator, one accessible unit may be located on the ground floor in conjunction with commercial space and shall not exceed the greater of:
 - 500 sf; or
 - 10% of the size of the ground floor commercial space not to exceed 1,000 sf.
 - Revising the definition of Vacation Rental in 9-9.102 to read “Any habitable structure, or portion thereof, utilized as a short-term rental for stays of 30 days or less.”

Deputy City Manager/City Clerk Christensen read the title of the Ordinances:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING TITLE 9, PLANNING AND ZONING, TO REPEAL AND REPLACE CHAPTER 5, ACCESSORY DWELLING UNITS, OF THE ATASCADERO MUNICIPAL CODE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING SECTIONS 9-3.330, 9-3.490, 9-3.500, 9-3.651, 9-3.662, 9-3.679, 9-3.677, 9-4.106, 9-4.107, 9-4.108, 9-4.116, 9-4.128, 9-6.103, 9-6.106, 9-9.102 OF TITLE 9, PLANNING AND ZONING, OF THE ATASCADERO MUNICIPAL CODE FOR CONSISTENCY WITH STATE REGULATIONS REGARDING ACCESSORY DWELLING UNITS AND URBAN DWELLING UNITS

Motion passed 3:0 by a roll-call vote. Dariz recused. Newsom absent.

Council Member Dariz returned to the dais at 8:25 p.m.

C. MANAGEMENT REPORTS:

1. Wrestling Bacchantes Statue Enhancements

- Fiscal Impact: Reallocation of \$7,000 in 2010 Bond Proceeds Master Agreement Funds.
- Recommendation: Council:
 1. Approve the addition of a viewing sidewalk around the Wrestling Bacchantes statue in the Sunken Gardens Concept Plan.
 2. Authorize the Director of Administrative Services to reallocate \$7,000 in 2010 Bond Proceeds Master Agreement Funds to the Wrestling

Bacchantes Project from the Centennial Bridge and Plaza Project.
[Public Works]

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

MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to:

- 1. Approve the addition of a viewing sidewalk around the Wrestling Bacchantes statue in the Sunken Gardens Concept Plan.**
- 2. Authorize the Director of Administrative Services to reallocate \$7,000 in 2010 Bond Proceeds Master Agreement Funds to the Wrestling Bacchantes Project from the Centennial Bridge and Plaza Project.**

Motion passed 4:0 by a roll-call vote. Newsom absent.

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

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

Mayor Moreno

1. SLO Regional Transit Authority (RTA)

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)
2. County Mayors Round Table

Council Member Dariz

1. Community Action Partnership of San Luis Obispo (CAPSLO)

Council Member Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)
2. Homeless Services Oversight Council

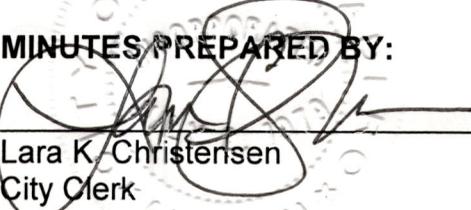
E. INDIVIDUAL DETERMINATION AND / OR ACTION:

Council Member Funk noted that ballots are out and encouraged everyone to be sure to return them by November 8.

F. ADJOURNMENT

Mayor Moreno adjourned the meeting at 8:36 p.m.

MINUTES PREPARED BY:


Lara K. Christensen
City Clerk

APPROVED: November 8, 2022

Atascadero City Council

October 25, 2022

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