





# CITY OF ATASCADERO CITY COUNCIL AMENDED AGENDA

## **HYBRID MEETING INFORMATION:**

The City Council meeting will be available via teleconference for those who wish to participate remotely. The City Council meeting will also be held in the City Council Chambers and in-person attendance will be available at that location.

## **HOW TO OBSERVE THE MEETING REMOTELY:**

To participate remotely, residents can livestream the meeting on [Zoom](#), SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and listen live on KPRL Radio 1230AM and 99.3FM. The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website and on the City's YouTube Channel. To participate remotely using the Zoom platform please visit:

[https://us02web.zoom.us/webinar/register/WN\\_ZwJ7a031S3KXauEym9ehaA](https://us02web.zoom.us/webinar/register/WN_ZwJ7a031S3KXauEym9ehaA)

## **HOW TO SUBMIT PUBLIC COMMENT:**

Public comment may be provided in-person or remotely. Call **(669) 900-6833** (Meeting ID: 889 2347 9018) to listen and provide public comment via phone or via the [Zoom](#) platform using the link above.

*Note that the Zoom participation option is provided to the public as a courtesy in order to facilitate participation. The City does not, however, guarantee that meeting participation will be available via Zoom. If Zoom participation is not enabled, or turned off, the meeting will continue with public attendance in-person only.*

Written public comments are accepted at [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org). **Comments should identify the Agenda Item Number in the subject line of the email.** Such comments will be forwarded to the City Council and made a part of the administrative record. **To ensure distribution to the City Council before consideration of an item, please submit comments not later than 12:00 p.m. the day of the meeting.** All correspondence will be distributed to the City Council, posted on the City's website, and be made part of the official public record of the meeting. **Please note, comments will not be read into the record.** Please be aware that communications sent to the City Council are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under applicable law. Communications will not be edited for redactions and will be printed/posted as submitted.

## **AMERICAN DISABILITY ACT ACCOMMODATIONS:**

Any member of the public who needs accommodations should contact the City Clerk's Office at [cityclerk@atascadero.org](mailto: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.

## **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:**

Pursuant to Government Code § 84308, City Council Members are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the City Council Member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the City's decision on the agenda item since January 1, 2023. Members of the City Council who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a City Council Member since January 1, 2023, are required to disclose that fact for the official record of the subject proceedings. Disclosures must include the amount of the campaign contribution and identify the recipient City Council Member and may be made either in writing to the City Clerk before the agenda item or by verbal disclosure during consideration.

City Council agendas and minutes may be viewed on the City's website:

[www.atascadero.org/agendas](http://www.atascadero.org/agendas)

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 City Clerk and are available for public inspection on our website, [www.atascadero.org](http://www.atascadero.org). Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the City Council. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Council meetings that are made a part of the record or referred to in their statement will be noted in the Minutes and available for review by contacting the City Clerk's office. All documents will be available for public inspection by appointment during City Hall business hours.



# CITY OF ATASCADERO CITY COUNCIL

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## AMENDED AGENDA

Tuesday, February 13, 2024

City Hall Council Chambers, Fourth Floor\*

*\*Based on necessary repairs to the City Hall elevator, the City Council meeting may be held either in the Council Chambers on the Fourth Floor or in Room 106 on the First Floor, and if the meeting must be relocated to Room 106, signage will be posted to direct the public*

6500 Palma Avenue, Atascadero, California

<b><u>City Council Closed Session:</u></b>	<b>5:30 P.M.</b>
<b><u>City Council Regular Session:</u></b>	<b>6:00 P.M.</b>

### CITY COUNCIL CLOSED SESSION:

1. CLOSED SESSION — PUBLIC COMMENT
2. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION
3. CLOSED SESSION — CALL TO ORDER
  - a. Conference with Legal Counsel – Existing Litigation  
Government Code Sec. 54956.9(d)(1)  
Name of Case: Newton v. City of Atascadero  
San Luis Obispo Superior Court Case No. 20CV-0046
4. CLOSED SESSION — ADJOURNMENT
5. COUNCIL RETURNS
6. CLOSED SESSION — REPORT, if any

Announcement(s) of any reportable action(s) taken in Closed Session that occur(s) after the recess of Regular Session will be made at the beginning of the next Regular City Council meeting as Closed Session is not recorded or videotaped.

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

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Funk

**ROLL CALL:** Mayor Moreno  
Mayor Pro Tem Funk  
Council Member Bourbeau

**APPROVAL OF AGENDA:** Roll Call

Recommendation: Council:

1. Approve this agenda.
2. Waive the reading in full of all ordinances appearing on this agenda; 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.

**A. 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 Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.)

**1. City Council Draft Minutes – January 23, 2024**

- Recommendation: Council approve the January 23, 2024, Draft City Council Regular Meeting Minutes. [City Clerk]

**2. Proclamation of Existence of a Local Emergency Related to the Early February 2024 Storms**

- Fiscal Impact: Proclaiming the existence of a local emergency due to the Early February 2024 Storms allows the City to pursue FHWA funding for the San Marcos landslide, which is estimated to cost between \$500,000 and \$1,000,000 to repair.
- Recommendation: Council adopt Draft Resolution proclaiming the existence of a local emergency related to the Early February 2024 Storms. [City Manager & Public Works]

**UPDATES FROM THE CITY MANAGER:** (The City Manager will give an oral report on any current issues of concern to the City Council.)

**COMMUNITY FORUM:** (This portion of the meeting is reserved for persons wanting to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. Comments made during Community Forum will not be a subject of discussion. A maximum of 30 minutes will be allowed for Community Forum, unless changed by the Council. Comments will be allowed for the entire 30-minute period so if the final speaker has finished before the 30 minute period has ended and a member of the public wishes to make a comment after the Council has commenced another item, the member should alert the Clerk within the 30 minute period of their desire to make a comment and the Council will take up that comment upon completion of the item which was commenced. Any members of the public who have questions or need information may contact the City Clerk's Office, between the hours of 8:30 a.m. and 5:00 p.m. at (805) 470-3400, or [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org).)

**B. PUBLIC HEARINGS:**

**1. Appeal of ARCO Canopy Signage Use Permit at 9590 El Camino Real**

- Fiscal Impact: The proposed project is not estimated to have any notable fiscal impact.
- Recommendation: Council:
  1. Adopt Draft Resolution A, affirming the Planning Commission's approval of an Administrative Use Permit to allow increased signage at 9590 El Camino Real.

**OR**

2. Adopt Draft Resolution B, affirming in part the Planning Commission's approval of an Administrative Use Permit to allow increased signage at 9590 El Camino Real, with modifications to the conditions of approval. [Community Development]

**C. MANAGEMENT REPORTS: None**

**D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:** (On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. The following represent standing committees. Informative status reports will be given, as felt necessary):

Mayor Moreno

1. City Selection Committee
2. County Mayors Round Table
3. Regional Economic Action Coalition (REACH)
4. SLO Council of Governments (SLOCOG)
5. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Funk

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

Council Member Bourbeau

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Integrated Waste Management Authority (IWMA)
4. SLO County Water Resources Advisory Committee (WRAC)

Council Member Dariz

1. Air Pollution Control District
2. California Joint Powers Insurance Authority (CJPIA) Board
3. Community Action Partnership of San Luis Obispo (CAPSLO)
4. Design Review Committee
5. Visit SLO CAL Advisory Committee

Council Member Newsom

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. League of California Cities – Council Liaison

**E. INDIVIDUAL DETERMINATION AND / OR ACTION:** (Council Members may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda. The Council may take action on items listed on the Agenda.)

1. City Council
2. City Clerk
3. City Treasurer
4. City Attorney
5. City Manager

## **ADJOURNMENT**



# CITY OF ATASCADERO CITY COUNCIL

## DRAFT MINUTES

Tuesday, January 23, 2024

City Hall Council Chambers, Fourth Floor  
6500 Palma Avenue, Atascadero, California

<b><u>City Council Regular Session:</u></b>	<b>6:00 P.M.</b>
<b><u>Successor Agency to the Community Redevelopment Agency of Atascadero:</u></b>	<b>Immediately following conclusion of the City Council Regular Session</b>

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

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

### ROLL CALL:

Present: Council Members Dariz, Newsom, Mayor Pro Tem Funk, and Mayor Moreno

Absent: None

Others Present: City Treasurer Sibbach

Staff Present: City Manager James R. Lewis, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Public Works Director Nick DeBar, Fire Chief Casey Bryson, Police Chief Dan Suttles, Community Services & Promotions Director Terrie Banish, Deputy Administrative Services Director Cindy Chavez, Public Works Analyst Ryan Betz, City Attorney Dave Fleishman, Deputy City Manager/City Clerk Lara Christensen, Deputy City Manager – IT Luke Knight, and Accounting Specialist Dawn Patterson

### APPROVAL OF AGENDA:

MOTION BY: Bourbeau

SECOND BY: Funk

1. Approve this agenda.
2. Waive the reading in full of all ordinances appearing on this agenda; 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.

AYES (5): Bourbeau, Dariz, Funk, Newsom, and Moreno

*Passed 5-0*

**A. CONSENT CALENDAR:**

**1. City Council Draft Minutes – January 9, 2024 Regular Meeting**

- Recommendation: Council approve the January 9, 2024, Draft City Council Regular Meeting Minutes. [City Clerk]

**2. December 2023 Accounts Payable and Payroll**

- Fiscal Impact: \$5,509,319.81.
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for December 2023. [Administrative Services]

**3. Approval of a Debt Management Policy**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution, approving a Debt Management Policy that would apply to the City and its related entities, including the Successor Agency and Public Financing Authority. [Administrative Services]

**MOTION BY:** Bourbeau

**SECOND BY:** Funk

**1. Approve the consent calendar (#A-3: Resolution No. 2024-001).**

AYES (5): Bourbeau, Dariz, Funk, Newsom, and Moreno

*Passed 5-0*

**UPDATES FROM THE CITY MANAGER:**

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

**COMMUNITY FORUM:**

The following persons spoke by telephone or through the webinar: Geoff Auslen.

**B. PUBLIC HEARINGS: None**

**C. MANAGEMENT REPORTS**

**1. Update on Council Goals and Actions**

- Fiscal Impact: None.
- Recommendation: Council review and file a report on the progress being made relative to the City Council's goals. [City Manager]

City Manager Lewis and Deputy City Manager Christensen gave the report and answered questions from the Council.



**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

***Mayor Moreno closed the Public Comment period.***

***The Update on Council Goals and Actions was received and filed.***

**2. Fiscal Year 2022-23 Audit**

- Fiscal Impact: None.
- Recommendation: Council review and accept the financial audit for the period ended June 30, 2023. [Administrative Services]

Administrative Services Director Rangel gave the report and answered questions from the Council. The City's Independent Auditor Adam Guise also answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

***Mayor Moreno closed the Public Comment period.***

**MOTION BY:** Bourbeau

**SECOND BY:** Newsom

**1. Accept the financial audit for the period ended June 30, 2023.**

AYES (5): Bourbeau, Dariz, Funk, Newsom, and Moreno

***Passed 5-0***

**D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:**

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

Mayor Moreno

4. SLO Council of Governments (SLOCOG)

Mayor Pro Tem Funk

2. Design Review Committee
3. Homeless Services Oversight Council

Council Member Bourbeau

3. Integrated Waste Management Authority (IWMA)

Council Member Dariz

1. Air Pollution Control District

**E. INDIVIDUAL DETERMINATION AND / OR ACTION: None**

**F. ADJOURNMENT**

Mayor Moreno adjourned the meeting at 7:25 p.m. to the Meeting of the Successor Agency.

**MINUTES PREPARED BY:**

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Lara K. Christensen  
City Clerk

**APPROVED:**



# ***Atascadero City Council***

## ***Staff Report - City Manager and Public Works***

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### **Proclamation of Existence of a Local Emergency Related to the Early February 2024 Storms**

#### **RECOMMENDATION:**

Council adopt Draft Resolution proclaiming the existence of a local emergency related to the Early February 2024 Storms.

#### **DISCUSSION:**

A powerful, slow moving, atmospheric river struck California beginning February 3, 2024 ("Early February 2024 Storms") and continued for several days threatening life and safety, public and private property and structures, and other critical infrastructure throughout the Central Coast and Southern California. On February 4, 2024, Governor Newsom signed a Proclamation of a State of Emergency in response to these storms which Proclamation applies to communities in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties.

While the City's infrastructure and creeks handled the three to five inches of rainfall that occurred with these storms, high wind gusts caused trees and limbs to fall, some which caused power outages for large areas of the City and County. During the storms, City crews remained busy clearing catch basins and roads and no widespread damage of City infrastructure has been reported. However, there was a large landslide to the embankment of San Marcos Road between Los Altos Road and the entrance to Oak Ridge Estates (11800 San Marcos Road). Due to the landslide's proximity to the road and steep drop-off, San Marcos Road is currently traffic signed to a one-lane road at this location. Photos of the landslide are shown below.

The landslide location is on a section of San Marcos Road that is City maintained and a FHWA designated roadway. City staff, in coordination with Caltrans staff, are working on the necessary process and paperwork to get funding assistance to make repairs to the landslide. The City had a FHWA repair from the 2023 winter storms on San Marcos Road not far from the current landslide. That repair included construction of a soldier pile wall and earth work and completing something similar at this location is expected to cost between \$500,000 and \$1,000,000. To be considered for FHWA funding, the City must declare the existence of a local emergency within 10 days of the incident.



The California Emergency Services Act (California Government Code sections 8639, 8550, et. seq.) and Atascadero Municipal Code Title 4, Chapter 4, Emergency Organization and Functions, Section 4.4-07 empowers the Director of Emergency Services to request the City Council to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by the existence of conditions of disaster or of extreme peril to the safety of persons and property within the City and the City Council is in session. The proclamation gives the City certain powers and immunities that do not exist in the absence of such a declaration and is required for to obtain State and federal emergency funds or other similar reimbursement purposes.

As a result of the Early February 2024 Storms, saturated soil conditions in the City of Atascadero and County of San Luis Obispo increase the likelihood of further damage from earth slippage events, including the potential for flooding, should there be additional storms bringing strong winds and more precipitation. Given the current landslide and these conditions, the public interest and necessity require a Proclamation of Existence of Local Emergency related to the Early February 2024 Storms. The City Council Meeting, scheduled for February 13, 2024, is within the ten-day requirement following the incident for the City Council to proclaim the existence of a local emergency. Adoption of the Draft Resolution will meet State law requirements to seek reimbursement from the State to repair damages to San Marcos Road.

**FISCAL IMPACT:**

Proclaiming the existence of a local emergency, due to the Early February 2024 Storms, allows the City to pursue FHWA funding for the San Marcos Road landslide, which is estimated to cost \$500,000 to \$1,000,000 to repair.

**ATTACHMENT:**

1. Draft Resolution



# **Atascadero City Council**

## **Staff Report - Community Development Department**

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### **Appeal of ARCO Canopy Signage Use Permit at 9590 El Camino Real**

#### **RECOMMENDATIONS:**

Council:

1. Adopt Draft Resolution A, affirming the Planning Commission's approval of an Administrative Use Permit to allow increased signage at 9590 El Camino Real.

**OR**

2. Adopt Draft Resolution B, affirming in part the Planning Commission's approval of an Administrative Use Permit to allow increased signage at 9590 El Camino Real, with modifications to the conditions of approval.

#### **REPORT-IN-BRIEF:**

The applicant for the new ARCO fuel station at 9590 El Camino Real is appealing the Planning Commission's use permit conditions that prohibit an LED light strip on the outside of the canopy over the fuel pumps. The Planning Commission voted 4-1 to approve the use permit on November 8, 2023 (commissioners Hughes and Carranza were absent), to allow the applicant to install oversized signage in the form of a colored band on the canopy as part of the ARCO branding. However, the Commission modified conditions on the use permit in order to prohibit installation of the LED light strip as part of the color band.

#### **DISCUSSION:**

##### Background

The ARCO station was reviewed by the Design Review Committee via two hearings on July 19 and September 19, 2019, which included signage and lighting as subjects of discussion. At both meetings, Planning staff recommended that the proposed canopy color banding and associated lighting strip be eliminated from the project due to their inconsistency with the broader Mediterranean style of the project and consistent with past approvals for similar uses. Staff was concerned that the additional color banding and lighting would be incompatible with the neighborhood as residential uses look upon the site from the east. The DRC endorsed the project with staff conditions that the canopy remain consistent with building architecture. This action included allowances for logos on the canopy but not the color banding or light strip. A final Notice of Action was sent to the

applicant after the second meeting which included the removal of these elements as a condition of approval.

An administrative use permit application was submitted by the applicant in 2022 to add the color banding and lighting strip. This administrative use permit was denied by the Hearing Officer on September 7, 2022, with a determination that the project could not meet any required findings. The applicant did not submit an appeal within the 14-day window prescribed by Atascadero Municipal Code (AMC) 9-1.111. As a result, the applicant submitted the same proposal as a second administrative use permit in 2023, which was elevated by the Community Development Director to the Planning Commission for review.

The project was heard by the Planning Commission on November 8, 2023, resulting in a vote of 4-1 in favor of the project as conditioned and modified. Commissioners Hughes and Carranza were absent. The Planning Commission modified Condition 1 and Condition 6 of the project to allow the color banding but not the LED lighting. These conditions, with their addendums shown in italics, read as follows:

Condition 1: “This Administrative Use Permit shall allow for increased signage on a gas station canopy consisting of color banding *and an LED lighting strip* around the perimeter of the gas station canopy at 9590 El Camino Real (APN 056-071-011), as described in attached Exhibits, regardless of owner.”

Condition 6: “Color banding shall be consistent with what is shown in Exhibit C, *with the following modifications:*

*-LED lighting strip is not included in this approval and will not be permitted unless an appeal or amendment is approved.”*

#### Summary Project Description

The attached staff report to the Planning Commission from the November 8, 2023 hearing provides a more complete project overview and analysis. However, the following summary highlights the project components and applicable City policies.

The applicant proposes an adhesive vinyl band in a blue and purple gradient pattern surrounding the pump island canopy roof in keeping with ARCO’s standard branding. At the center of this band is a proposed blue LED light strip enclosed in a protruding housing made of transparent plastic. Per Atascadero Municipal Code, the color banding and light strip are considered part of the total allowed sign area for the fuel station since they provide for the colors and brand identity.

The City of Atascadero’s Sign Ordinance limits total signage area on gas station canopies to 20 square-feet on a maximum of two exterior faces. The Design Review Committee increased the allowed sign area for this project to 51 square-feet of canopy signage for the proposed logos. The total area of signage proposed for the canopy is 768 square-feet, including 717 square-feet of color banding. These dimensions were approved by the Planning Commission during the November 8, 2023, hearing consistent with AMC 9-

5.011, which allows modifications to the Sign Ordinance through administrative use permit approval. The approval did not include the LED light band.

The proposed lighting strip does not follow exterior lighting guidelines within the Atascadero Municipal Code. AMC 9-4.137 requires that exterior lighting be fully recessed or shielded such that no glare occurs to neighboring properties and the lighting element cannot be directly seen from outside the subject property. The proposed lighting strip is unshielded and housed in semitransparent plastic with the lighting element directly visible from neighboring properties and streets. During the November 8, 2023, Planning Commission hearing, staff recommended that, in the event that the lighting strip was approved, a condition should be added that it be inset and the light directed down to prevent visibility of the lighting element from adjacent properties and streets.

### Findings

In order to support or deny exceptions to the Sign Ordinance, specific findings must be made. Most importantly, findings must be made to support neighborhood compatibility and General Plan consistency. Two additional findings must be made to approve an exception to the Sign Ordinance, the most relevant of which requires that the sign(s) be consistent with the intent of the Ordinance. The attached resolutions provide a complete list of findings to support or deny the use permit. The inability to make any one of the findings is grounds to deny a use permit, while all findings must be made in the affirmative to approve a use permit.

#### Administrative Use Permit Findings:

1. FINDING: *Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;*
2. FINDING: *Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development;*
3. FINDING: *Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by Ordinance or Resolution of the City Council;*
4. FINDING: *Modification of the applicable standard will not result in the authorization of a use not otherwise allowed.*

#### Sign Ordinance Exception Findings:

5. FINDING: *The signs are consistent with the purposes set forth in Section 9-15.002;*
6. FINDING: *The opportunity to combine signs for more than one (1) use on a single sign structure has been considered.*

### Conclusion

The applicant is appealing the Planning Commission's action disallowing an LED light strip around the canopy at the new ARCO station. The LED light strip is part of the



standard branding and the applicant is requesting City Council consideration to allow for the light to be included as part of the signage for the gas station.

### **ALTERNATIVES:**

Council may continue the item for further discussion and direction or may look at suggesting other modifications to the canopy lighting or signage. Council should provide clear direction to staff or the project applicant on specific information needed to return for review.

### **FISCAL IMPACT:**

The proposed project is not estimated to have any notable fiscal impact.

### **ATTACHMENTS:**

1. Draft Resolution A
2. Draft Resolution B
3. Design Review Committee Staff Report and Attachments – 07/10/2019
4. Design Review Committee Staff Report and Attachments – 09/25/2019
5. Administrative Hearing Staff Report and Attachments – 09/07/2022
6. Planning Commission Staff Report and Attachments – 11/08/2023
7. Adopted Planning Commission Resolution No. 2023-0018

**DRAFT RESOLUTION A**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF ATASCADERO, CALIFORNIA, AFFIRMING THE PLANNING  
COMMISSION'S APPROVAL OF AN ADMINISTRATIVE USE PERMIT  
(USE23-0067) TO ALLOW INCREASED SIGNAGE AT 9590 EL CAMINO  
REAL**

**ARCO SIGNAGE  
A M B ENTERPRISES, INC.  
(USE23-0067)**

**WHEREAS**, an application has been received from A M B Enterprises, Inc. (6708 Foothill Blvd., Tujunga, CA 91042), Applicant, to consider Planning Application USE23-0067, for an Administrative Use Permit to allow increased signage on the ARCO gas station located at 9590 El Camino Real, Atascadero, CA 93422 (APN 056-071-011); and

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

**WHEREAS**, the site's current Zoning District is Commercial Tourist (CT); and

**WHEREAS**, Atascadero's Municipal Code allows for the construction of signage in excess of that allowed by said Code via the Administrative Use Permit process; and

**WHEREAS**, the project was reviewed by the Design Review Committee at their regularly scheduled meetings on July 10, 2019 and September 25, 2019; and

**WHEREAS**, a timely and properly noticed Public Hearing upon the subject Administrative Use Permit application was held by the Administrative Hearing Officer at which hearing evidence, oral and documentary, was admitted on behalf of said Use Permit; and

**WHEREAS**, the Administrative Hearing Officer, at a Public Hearing held on September 9, 2022, studied and considered the proposed use permit for increased signage area; and

**WHEREAS**, the Administrative Hearing Officer found the proposed increased signage area to be inconsistent with Atascadero Municipal Code 9-1.112(d)(1)(d)(3) and denied the project based on those findings; and

**WHEREAS**, the applicant did not appeal the Administrative Hearing Officer's decision within the appeal period prescribed within the Atascadero Municipal Code; and

**WHEREAS**, the applicant submitted the same application for new consideration on June 29, 2023; and

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

**WHEREAS**, the Planning Commission, at a Public Hearing held on November 8, 2023, studied and considered the proposed use permit for increased signage area; and

**WHEREAS**, the Planning Commission approved the project on a 4-1 vote at the November 8, 2023 hearing; and

**WHEREAS**, the Planning Commission modified conditions 1 and 6 of the subject Use Permit to prohibit the installation of a lighting band around the canopy perimeter; 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**, an appeal was filed on November 21, 2023 for review of the Planning Commission action by the City Council in accordance with the provisions of Atascadero Municipal Code Section 9-1.111; and

**WHEREAS**, the City Council held a duly noticed public hearing to consider the appeal on February 13, 2024 at 6:00 p.m. in accordance with the provisions of Atascadero Municipal Code Section 9-1.110 and considered testimony and reports from staff, the applicants, and the public.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

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

**SECTION 2. Public Hearing**. The City Council of the City of Atascadero, in a regular meeting assembled on February 13, 2024, resolved to affirm the Planning Commission's action to approve an Administrative Use Permit for increased gas station canopy signage subject to conditions of approval as shown in Exhibit A, attached hereto and incorporated herein by this reference.

**SECTION 3. Findings**. The City Council makes the following findings, determinations and approvals with respect to the Administrative Use Permit:

**A. Findings for Affirming the Planning Commission's Approval of an Administrative Use Permit**

1. **FINDING**: Modification of the applicable standard will not result in a project that is inconsistent with the General Plan.

**FACT**: A significant portion of policies within the General Plan are dedicated to attracting and supporting commercial businesses, especially along major vehicular corridors. The General Plan also aims to expand tourist commercial nodes near freeway interchanges through Policy 13.3. Allowing ARCO to expand their signage to meet

corporate standards will provide enhanced wayfinding for those traveling along El Camino Real and potentially expand the customer base for a tourist-serving use.

2. FINDING: Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development.

FACT: The project will not be inconsistent with the character of the neighborhood or contrary to its orderly development. The immediate neighborhood of the project is commercial and tourist-serving in nature and contains a significant number of artificial light sources already, such as the streetlights on the intersection of Santa Rosa Road and El Camino Real. The majority of the signage area in the project is color banding without text and should not cause significant visual impact.

3. FINDING: Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council.

FACT: The proposed oversized signage can be permitted through the Administrative Use Permit process as identified in the Municipal Code. The proposed project is consistent with all applicable provisions with approval of an Administrative Use Permit.

4. FINDING: Modification of the applicable standard will not result in the authorization of a use not otherwise allowed.

FACT: This project does not involve a change of use nor a significant expansion of an existing use. Gas stations are an allowed use in the Commercial Tourist zone.

## **B. Findings for Signage Design Exception**

1. FINDING: The signs are consistent with the purposes set forth in Section 9-15.002.

FACT: The signage, as proposed, meets the purposes set forth in Section 9-15.002. It does not impede or distract travelers or create visual clutter with excessive text or animation. Additionally, the signage enhances brand communication and improves wayfinding by meeting the corporate standards that consumers have come to associate with ARCO gas stations.

2. FINDING: The opportunity to combine signs for more than one (1) use on a single sign structure has been considered.

FACT: All signage associated with this project is on a single structure.

**SECTION 4. CEQA.** The proposed project is Categorical Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§

15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15301, because it is limited to the application of a vinyl decal and LED light strip to an existing structure.

**SECTION 5. Approval.** The City Council of the City of Atascadero, in a regular meeting assembled on February 13, 2024, resolved to affirm the Planning Commission’s action to approve an Administrative Use Permit to allow for increased signage subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Site Plan
- EXHIBIT C: Proposed Color Banding
- EXHIBIT D: Elevations

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the 13th day of February, 2024.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

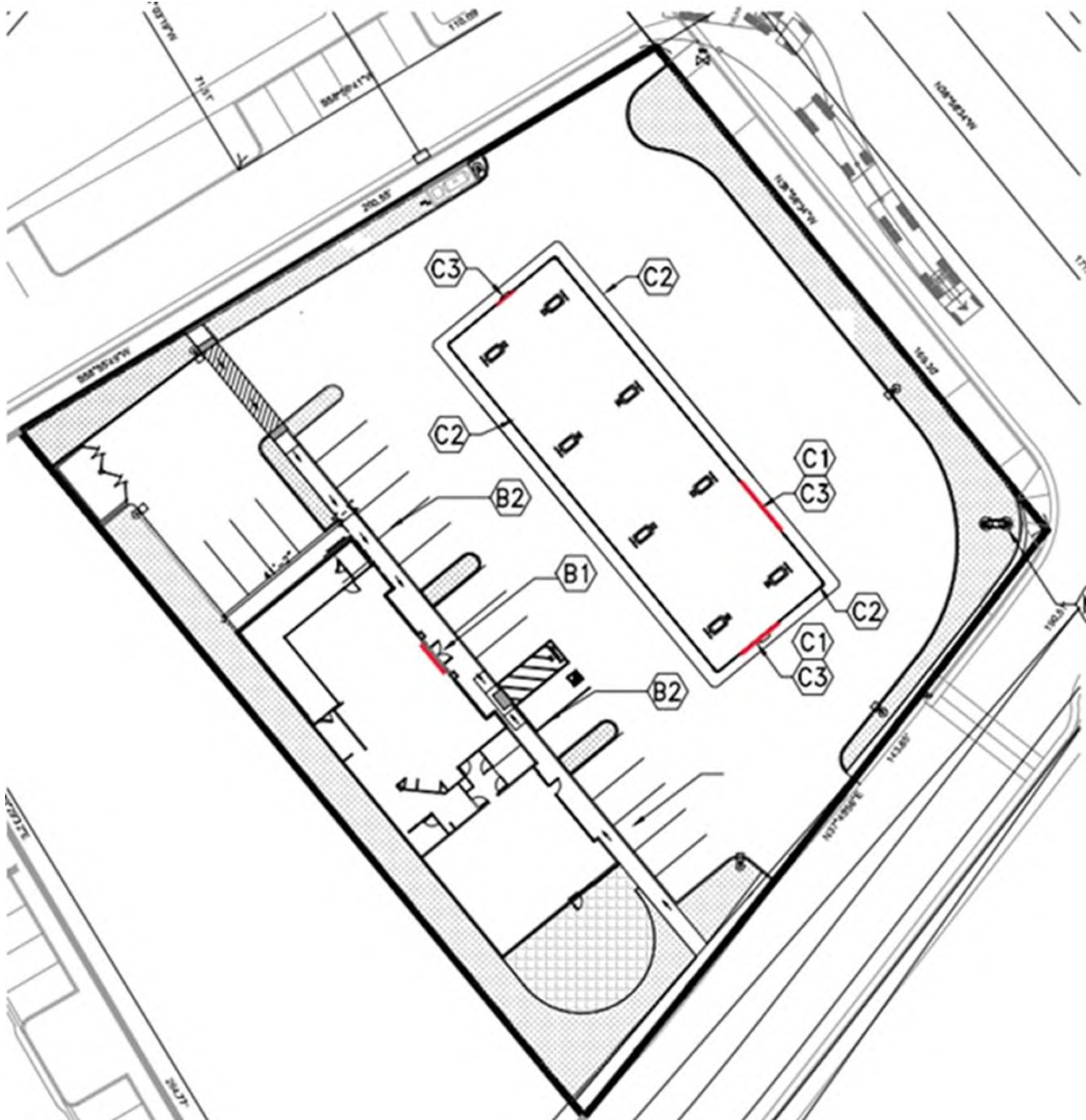
ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

<b>Conditions of Approval / Mitigation Monitoring Program</b>	<b>Timing</b>	<b>Responsibility /Monitoring</b>
<p><b>9590 El Camino Real</b></p> <p><b>USE23-0067</b></p>	<p>BL: Business License  GP: Grading Permit  BP: Building Permit  FI: Final Inspection  TO: Temporary Occupancy  FO: Final Occupancy</p>	<p>PS: Planning Services  BS: Building Services  FD: Fire Department  PD: Police Department  CE: City Engineer  WW: Wastewater  CA: City Attorney</p>
<b>Planning Services Conditions</b>		
<p>1. This Conditional Use Permit shall allow for increased signage on a gas station canopy consisting of color banding and an LED lighting strip around the perimeter of the gas station canopy at 9590 El Camino Real (APN 056-071-011), as described in attached Exhibits, regardless of owner.</p>	<b>Ongoing</b>	<b>PS</b>
<p>2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval, unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.</p>	<b>Ongoing</b>	<b>PS</b>
<p>3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, and/or (2) result in a superior site design or appearance.</p>	<b>BP</b>	<b>PS, BS, CE</b>
<p>4. Approval of this Administrative Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit. If the signage is removed for a period of greater than 6 months, any new signage shall be done in accordance with the City's non-conforming use code.</p>	<b>BP/Ongoing</b>	<b>PS</b>
<p>5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.</p>	<b>Ongoing</b>	<b>CA</b>
<p>6. Color banding and lighting shall be consistent with what is shown in Exhibit C, with the following modifications:</p> <ul style="list-style-type: none"> <li>- LED lighting strip shall be shielded in a way which directs the light downward as opposed to being located within a protruding housing.</li> </ul>	<b>BP</b>	<b>PS</b>

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DATE:  
ATTACHMENT:

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02/13/24  
1C

**Materials:**

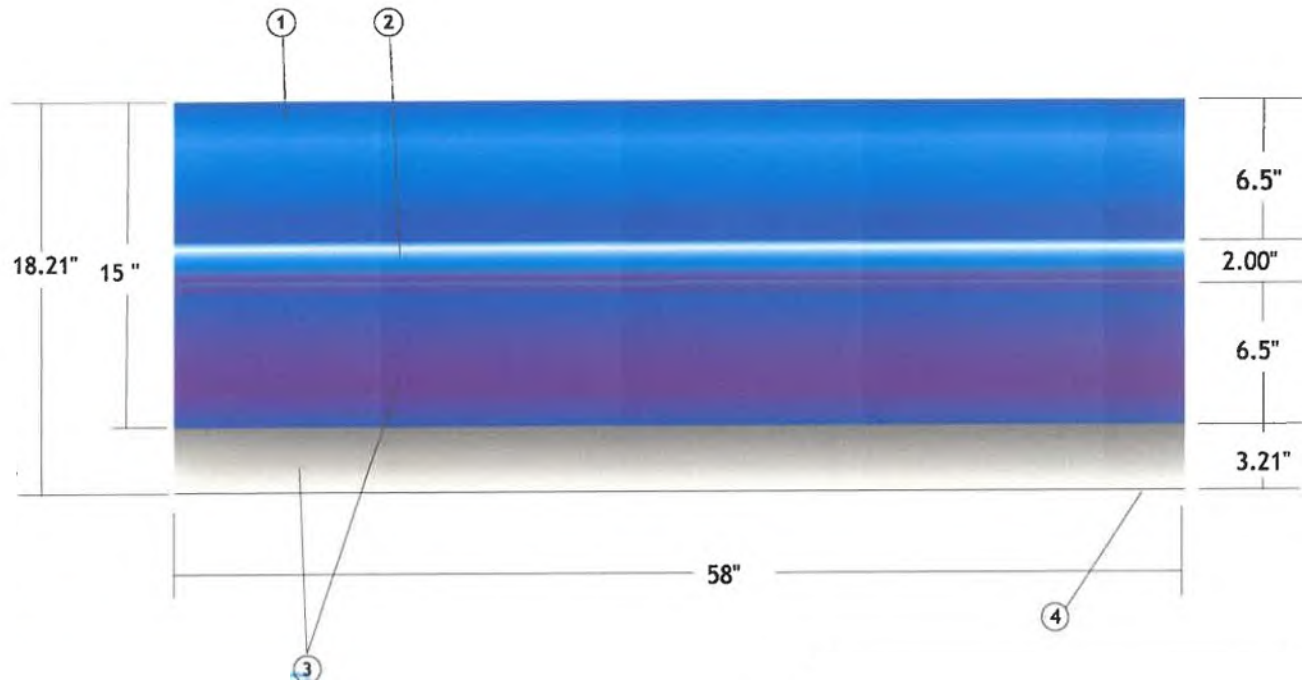
- 1. XL 1002
- 2. Premask

**Finishing:**

- 1. Premask
- 2. Die cut

**Colors:**

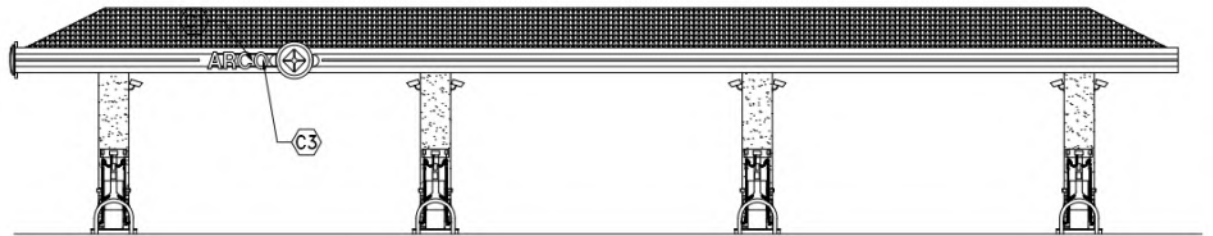
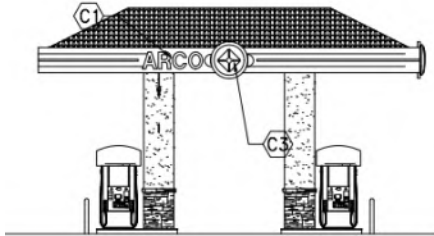
- 1. Dk Blue HT
- 2. Light Blue HT
- 3. Black
- 4. Pearl
- 5. Clear





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02/13/24  
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CANOPY ELEVATIONS



**DRAFT RESOLUTION B**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF ATASCADERO, CALIFORNIA, AFFIRMING IN PART THE  
PLANNING COMMISSION'S APPROVAL OF AN ADMINISTRATIVE  
USE PERMIT TO ALLOW INCREASED SIGNAGE AT 9590 EL CAMINO  
REAL WITH MODIFICATIONS TO THE CONDITION OF APPROVAL**

**ARCO SIGNAGE  
A M B ENTERPRISES, INC.  
(USE23-0067)**

**WHEREAS**, an application has been received from A M B Enterprises, Inc. (6708 Foothill Blvd., Tujunga, CA 91042), Applicant, to consider Planning Application USE23-0067, for an Administrative Use Permit to allow increased signage on the ARCO gas station located at 9590 El Camino Real, Atascadero, CA 93422 (APN 056-071-011); and

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

**WHEREAS**, the site's current Zoning District is Commercial Tourist (CT); and

**WHEREAS**, Atascadero's Municipal Code allows for the construction of signage in excess of that allowed by said Code via the Administrative Use Permit process; and

**WHEREAS**, the project was reviewed by the Design Review Committee at their regularly scheduled meetings on July 10, 2019 and September 25, 2019; and

**WHEREAS**, a timely and properly noticed Public Hearing upon the subject Administrative Use Permit application was held by the Administrative Hearing Officer at which hearing evidence, oral and documentary, was admitted on behalf of said Use Permit; and

**WHEREAS**, the Administrative Hearing Officer, at a Public Hearing held on September 9, 2022, studied and considered the proposed use permit for increased signage area; and

**WHEREAS**, the Administrative Hearing Officer found the proposed increased signage area to be inconsistent with Atascadero Municipal Code 9-1.112(d)(1)(d)(3) and denied the project based on those findings; and

**WHEREAS**, the applicant did not appeal the Administrative Hearing Officer's decision within the appeal period prescribed within the Atascadero Municipal Code; and

**WHEREAS**, the applicant submitted the same application for new consideration on June 29, 2023; and

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

**WHEREAS**, the Planning Commission, at a Public Hearing held on November 8, 2023, studied and considered the proposed use permit for increased signage area; and

**WHEREAS**, the Planning Commission approved the project on a 4-1 vote at the November 8, 2023 hearing; and

**WHEREAS**, the Planning Commission modified conditions 1 and 6 of the subject Use Permit to prohibit the installation of a lighting band around the canopy perimeter; 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**, an appeal was filed on November 21, 2023 for review of the Planning Commission action by the City Council in accordance with the provisions of Atascadero Municipal Code Section 9-1.111; and

**WHEREAS**, the City Council held a duly noticed public hearing to consider the appeal on February 13, 2024 at 6:00 p.m. in accordance with the provisions of Atascadero Municipal Code Section 9-1.110 and considered testimony and reports from staff, the applicants, and the public.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

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

**SECTION 2. Public Hearing**. The City Council of the City of Atascadero, in a regular session assembled on February 13, 2024, resolved to modify the Planning Commission's action, thereby allowing for a light strip at the fuel island canopy. The attached conditions of approval are modified to allow the installation of a lighting band as described in the submittal materials in Exhibit B.

**SECTION 3. Findings**. The City Council makes the following findings, determinations and approvals with respect to the Administrative Use Permit:

**A. Findings for Affirming the Planning Commission's Approval of an Administrative Use Permit**

1. **FINDING**: Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;

FACT: A significant portion of policies within the General Plan are dedicated to attracting and supporting commercial businesses, especially along major vehicular corridors. The General Plan also aims to expand tourist commercial nodes near freeway interchanges through Policy 13.3. Allowing ARCO to expand their signage to meet corporate standards will provide enhanced wayfinding for those traveling along El Camino Real and potentially expand the customer base for a tourist-serving use.

2. FINDING: Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development;

FACT: The project will not be inconsistent with the character of the neighborhood or contrary to its orderly development. The immediate neighborhood of the project is commercial and tourist-serving in nature and contains a significant number of artificial light sources already, such as the streetlights on the intersection of Santa Rosa Road and El Camino Real. The majority of the signage area in the project is color banding without text and should not cause significant visual impact.

3. FINDING: Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council; and

FACT: The proposed oversized signage can be permitted through the Administrative Use Permit process as identified in the Municipal Code. The proposed project is consistent with all applicable provisions with approval of an Administrative Use Permit.

4. FINDING: Modification of the applicable standard will not result in the authorization of a use not otherwise allowed.

FACT: This project does not involve a change of use nor a significant expansion of an existing use. Gas stations are an allowed use in the Commercial Tourist zone.

## **B. Findings for Signage Design Exception**

1. FINDING: The signs are consistent with the purposes set forth in Section 9-15.002; and

FACT: The signage, as proposed, meets the purposes set forth in Section 9-15.002. It does not impede or distract travelers or create visual clutter with excessive text or animation. Additionally, the signage enhances brand communication and improves wayfinding by meeting the corporate standards that consumers have come to associate with ARCO gas stations.

2. FINDING: The opportunity to combine signs for more than one (1) use on a single sign

structure has been considered; and

FACT: All signage associated with this project is on a single structure.

**SECTION 4. CEQA.** The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15301, because it is limited to the application of a vinyl decal and LED light strip to an existing structure.

**SECTION 5. Approval.** The City Council of the City of Atascadero, in a regular session assembled on February 13, 2024, resolved to affirm in part the Planning Commission’s action to approve an Administrative Use Permit to allow for increased signage subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Site Plan
- EXHIBIT C: Proposed Color Banding
- EXHIBIT D: Elevations

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_, 2024.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

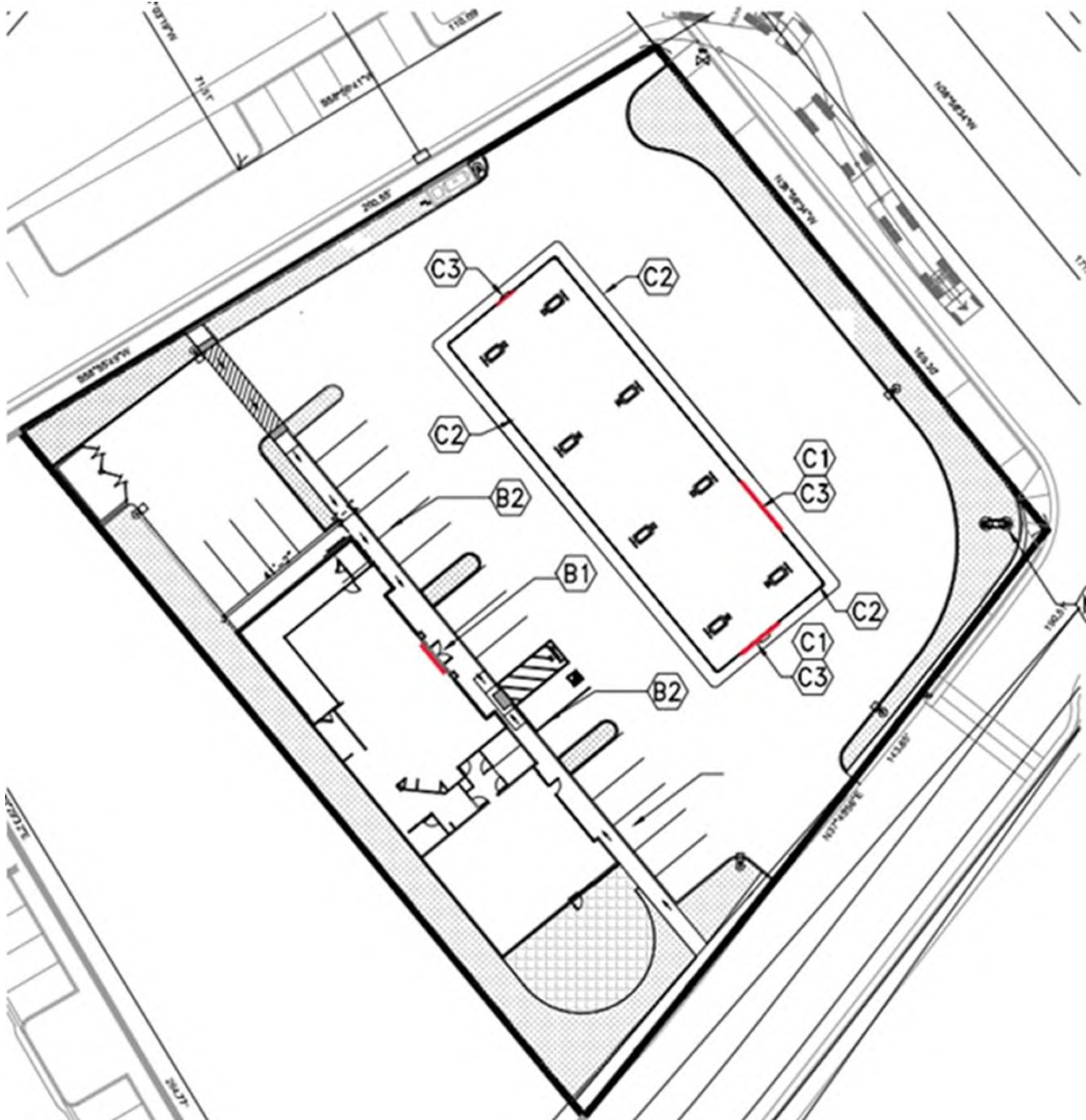
ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

<b>Conditions of Approval / Mitigation Monitoring Program</b>  <b>9590 El Camino Real</b>  <b>USE23-0067</b>	<b>Timing</b>  BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	<b>Responsibility /Monitoring</b>  PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
<b>Planning Services Conditions</b>		
1. This Administrative Use Permit shall allow for increased signage on a gas station canopy consisting of color banding and lighting strip around the perimeter of the gas station canopy at 9590 El Camino Real (APN 056-071-011), as described in attached Exhibits, regardless of owner.	<b>Ongoing</b>	<b>PS</b>
2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval, unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>Ongoing</b>	<b>PS</b>
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, and/or (2) result in a superior site design or appearance.	<b>BP</b>	<b>PS, BS, CE</b>
4. Approval of this Administrative Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit. If the signage is removed for a period of greater than 6 months, any new signage shall be done in accordance with the City's non-conforming use code.	<b>BP/Ongoing</b>	<b>PS</b>
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.	<b>Ongoing</b>	<b>CA</b>
6. Color banding and lighting strip shall be consistent with what is shown in Exhibit C.	<b>BP</b>	<b>PS</b>

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ITEM NUMBER:  
DATE:  
ATTACHMENT:

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02/13/24  
2C

**Materials:**

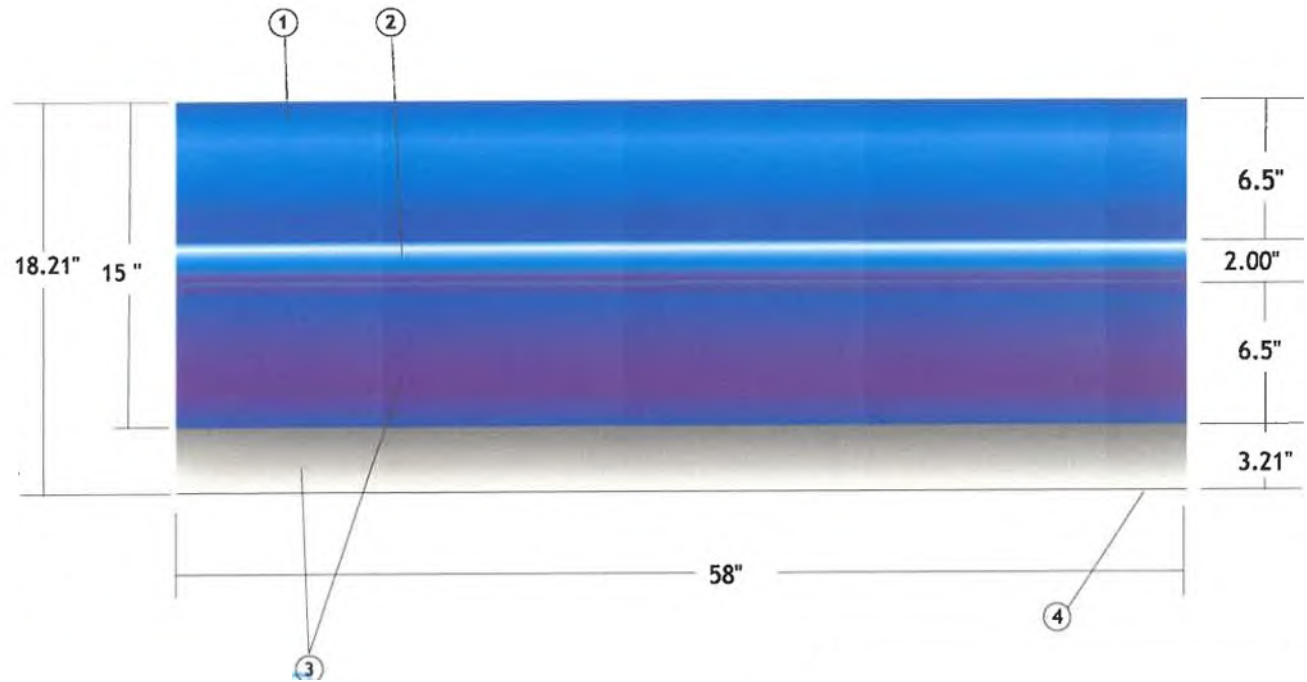
- 1. XL 1002
- 2. Premask

**Finishing:**

- 1. Premask
- 2. Die cut

**Colors:**

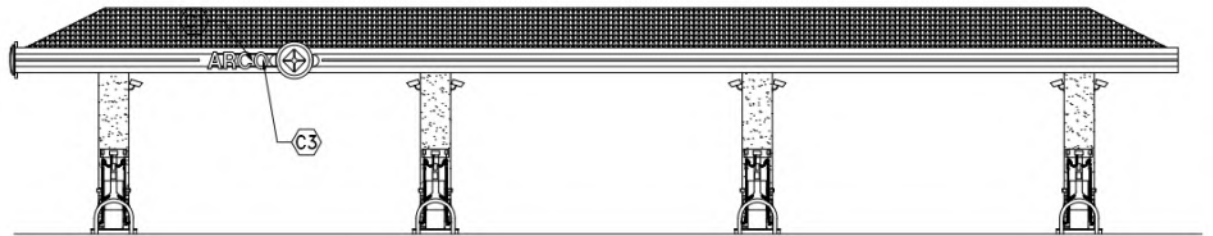
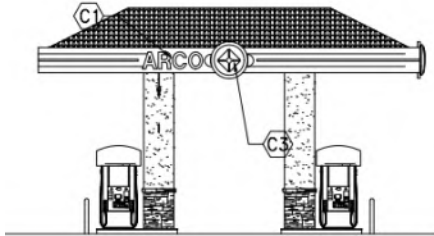
- 1. Dk Blue HT
- 2. Light Blue HT
- 3. Black
- 4. Pearl
- 5. Clear





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2D



CANOPY ELEVATIONS





## Atascadero Design Review Committee

### Staff Report – Community Development Department Fueling Station

MEETING DATE	PROJECT PLANNER	APPLICANT CONTACT		PLN NO.
7/10/2019	Kelly Gleason	Arco / Jeannette Verdugo		PRE19-0034
PROJECT ADDRESS	GENERAL PLAN DESIGNATION	ZONING DISTRICT	ASSESOR PARCEL NUMBER(S)	SITE AREA
9550 El Camino Real	General Commercial (GC)	Commercial Tourist (CT)	056-071-011	Approximately 1.4 acres
RECOMMENDATION				
<p><i>Staff Requests the Design Review Committee:</i></p> <ol style="list-style-type: none"> <li>Review the proposed design for a service station and direct the applicant to make any modifications to the site or building design as necessary.</li> </ol>				
PROJECT DESCRIPTION				
<p>The proposed project consists of a gas station, 3,000 square foot convenience store, and 1,400 square foot restaurant at the corner of El Camino Real and Montecito Ave. The project proposed access from Montecito Ave and shared access using an existing commercial center driveway off El Camino Real. The project site is 1.38 acres.</p>				
ENVIRONMENTAL DETERMINATION				
<p><i>The City of Atascadero's environmental review process incorporates the requirements in implementing the California Environmental Quality Act. Persons, agencies, or organizations interested in obtaining more information regarding the environmental should contact the Community Development Department.</i></p>				
<input type="checkbox"/> EIR / MND / ND / Statutory Exemption to be circulated	<input type="checkbox"/> Prior CEQA Review:	<input type="checkbox"/> Categorical Exemption	<input checked="" type="checkbox"/> No Project - § 15268 Ministerial Project	

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

**ITEM 3**  
**Arco Gas Station**  
**PRE 19-0034**

**DISCUSSION:**

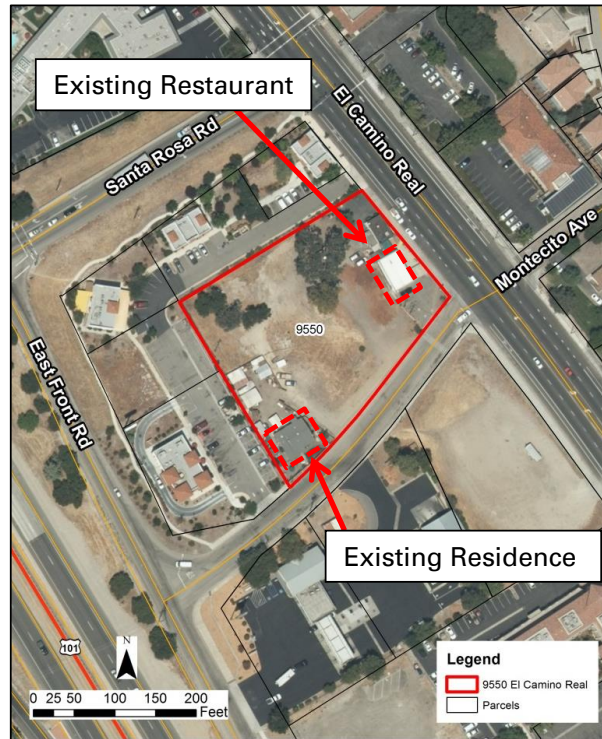
*Project History*

The subject parcel is located at the intersection of Montecito Avenue and El Camino Real. The site is the current location of a restaurant (Garcia's) that faces El Camino Real as well as a single family residence at the rear of the property.

*Project Description / Summary*

The property is zoned Commercial Tourist (CT) and is approximately 1.5 acres. The front of the parcel faces El Camino Real. Montecito Avenue runs adjacent to the southern property line. An access easement for the project is recorded over the driveway off EL Camino Real that serves the adjacent commercial center.

The applicant is proposing the construction of a fueling station with eight pumps, electric vehicle charging spaces, and an approximately 4,600 square foot indoor store and restaurant space. The restaurant will have an outdoor eating area covered by a trellis facing Montecito Avenue.



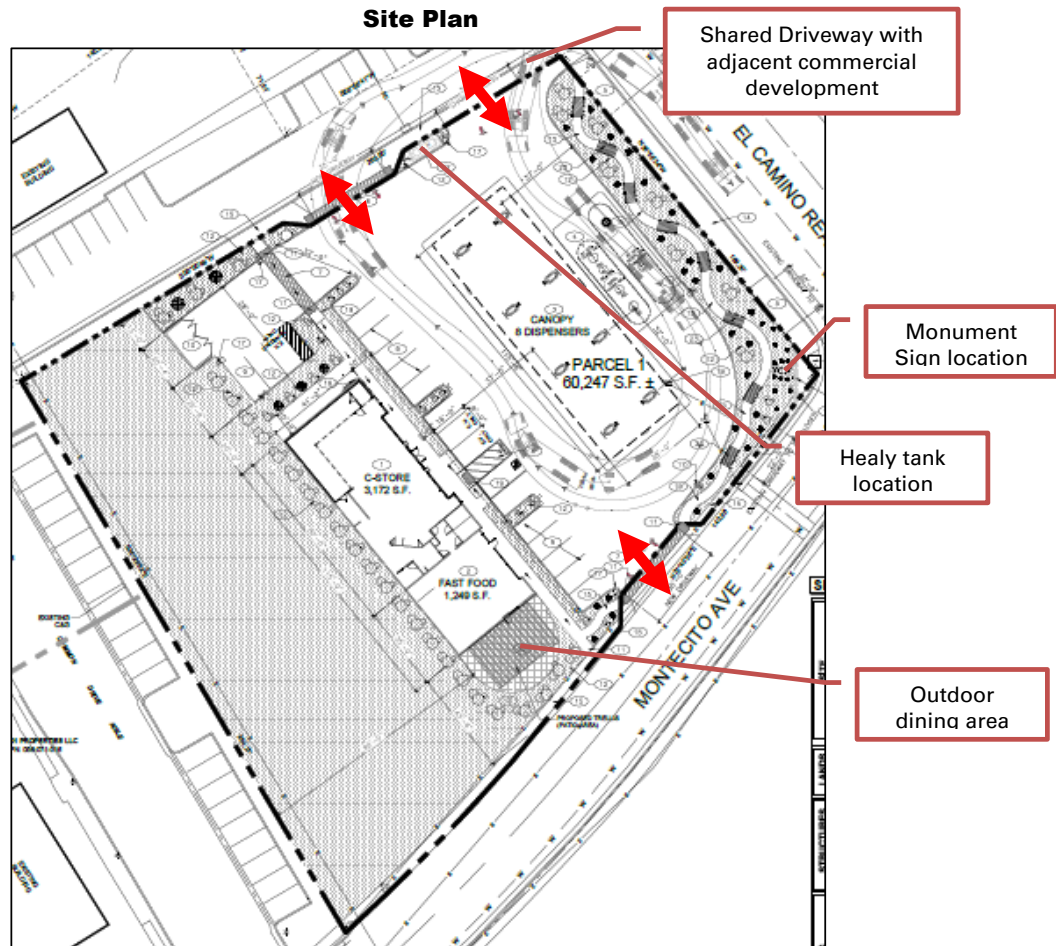
**ANALYSIS:**

Site Design and Access.

The development area will occupy approximately 0.9 acres, or 60%, of the site. The project area will include a new convenience store and restaurant, fuel dispenser canopy, and parking. The project is accessed from 3 driveways: two approaches along the northern property line from the adjacent commercial access easement; and one along the southern property line off of Montecito Avenue. Since the site is a former fuel station site, there are former underground fuel tanks and potential underground soil contamination at this site. The applicant will need to work with the County Environmental Health Division to remediate the site and obtain a site clearance letter prior to issuance of construction permits from the City.



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**Arco Gas Station**  
**PRE 19-0034**



Parking

The applicant proposes 35 parking spaces for the project, including two electric vehicle spaces, one handicap space, and 16 spaces at the fueling station. The municipal code requires a total 37 spaces for the two uses on the property; 26 spaces for the restaurant and 12 spaces for the convenience store. **Staff recommends that the applicant include two additional bike racks to reduce the total number of required parking spaces to 35 in order to comply with AMC parking standards.**

Architectural Design

*Building Design*

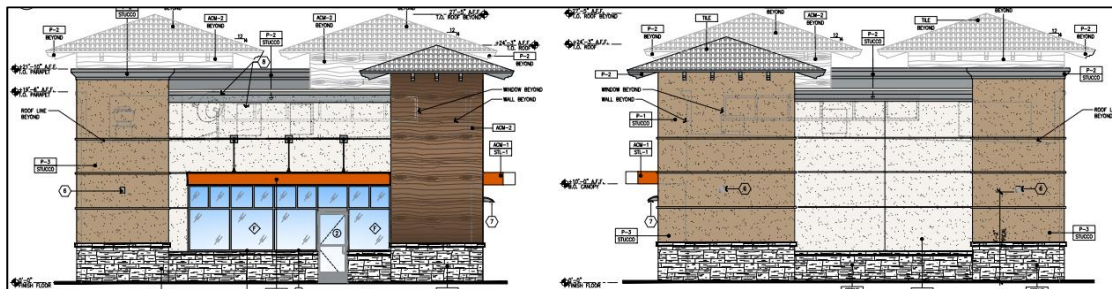
The overall design of the building is a generic, corporate design, common to Arco fuel stations nationwide. Staff is encouraging a design that is custom to our vicinity and reflects Atascadero. The proposed building façade will use a combination of stacked stone, wood-appearance panels, and stucco. The main color theme consists of white and tan with medium toned wood accents. Tile roofs are proposed on tower elements.



**ITEM 3**  
**Arco Gas Station**  
**PRE 19-0034**

The primary façade facing El Camino Real includes white stucco exterior walls with 2 wood-look tower features and 2 stucco tower with a darker tan. Storefront windows face El Camino Real and Montecito Ave. Contemporary steel awnings are proposed which will be accented in orange, consistent with corporate colors for AMPM. An approximately 3-4 foot stacked stone base is proposed wrapping the entire building. The proposed rear façade and easement-facing facade have minimal design features with no windows or entrances.

**Side Elevations**



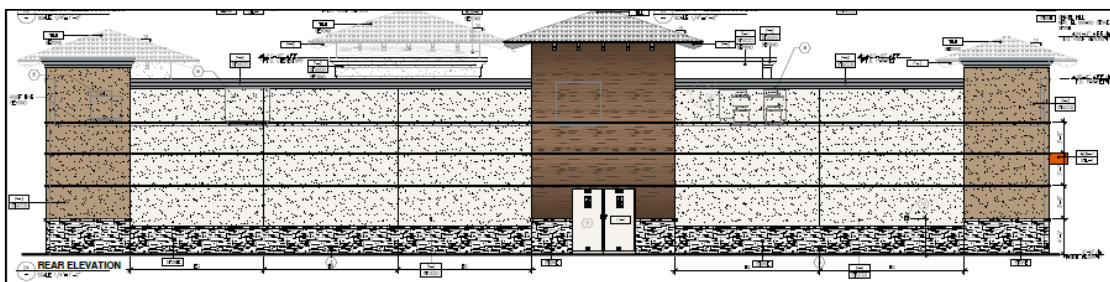
**Facing entry Montecito**

**Facing entry access easement**

**Front Elevation – facing El Camino Real**



**Rear Elevation – Facing K-man and Tastee Freeze**



**Staff recommends the following modifications:**

- 1. Consider the use of brick veneer instead of stacked stone, and increase the height of the brick or stacked stone base in areas without windows**

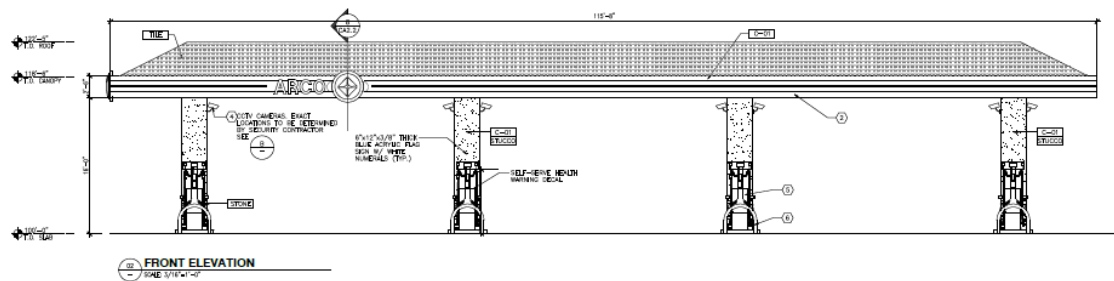


**ITEM 3**  
**Arco Gas Station**  
**PRE 19-0034**

- 2. Eliminate white from the stucco color palate and choose varying earth toned colors.**
- 3. Widen the wrapped parapet tower feature on the rear of the building and add a trellis/awning feature with landscaping.**
- 4. The color of the service door on the rear of the building should be a dark brown color to match the wood-grain wall paneling.**
- 5. Steel awnings should be black or dark grey in color. (color banding counts toward sign area – see sign discussion below)**
- 6. Eliminate cornice and replace with a minimal wall cap.**
- 7. Add a wall trellis to the side elevation facing the adjacent commercial development and as an appropriate landscape area for vines.**

### Gas Pump Canopy

The pump canopy is designed to be compatible with the building architecture including a tile roof and stucco columns with a stacked stone base. Signage is proposed on the fascia of the canopy as discussed below.



### Landscaping

The applicant has presented a landscape concept plan that shows areas for landscaping but does not call out specific plant species. Once design review has been completed and the site plan is determined to be in conformance with city codes and appearance review standards, a more detailed site landscape plan will be provided for staff review. The concept plan shows an approximately 20-foot landscape buffer between El Camino real and the drive aisle for the gas pumps. The current plan shows a meandering walk with trellises within this landscape area, adjacent to the public sidewalk. An approximately 15-foot landscape planter is provided along the Montecito Ave frontage in addition to a covered outdoor dining patio with decorative pavement. Landscaping is included through the parking lot within landscape fingers allowing for shade tree planting. A new sidewalk is proposed between the project site and the existing adjacent commercial development to facilitate connectivity between the sites.

The site is approximately 1.4 acres and only 0.9 acres of the site is proposed for development. The existing non-conforming residence is required to be demolished once the site is developed with conforming uses. The Atascadero Municipal Code (AMC 9-4.125(b)(2)) requires that all areas of the site not shown for development be landscaped. The applicant is currently proposing hydroseed with native grasses or a similar groundcover creating the long term appearance of a vacant site.



**Staff recommends the following modification/conditions for the project landscaping:**

- 1. Eliminate the meandering path adjacent to the public sidewalk. Frontage landscaping should include medium shrubs and grasses such as deer grass, manzanita, ceanothus, sage, etc.**
- 2. Provide vines where wall trellises are conditioned.**
- 3. Street trees shall be planted at 30-feet on center along the Montecito and El Camino real frontages. Trees shall be London Plane Sycamore trees.**
- 4. Shade trees shall be included in all parking lot landscape fingers.**
- 5. The Healy tank shall be relocated to an area of the site where additional landscaping can be provided OR the landscape planter surrounding the proposed tank shall be increased in size to allow for adequate screening.**
- 6. All landscaping shall be drought tolerant and comply with State and local regulations.**
- 7. Taller shrubs shall be used adjacent to the trash enclosure to provide adequate screening.**
- 8. Areas not proposed for development shall include an interim landscape plan. The interim landscape plan shall be installed prior to occupancy of the Arco station.**

Signage

The design proposal includes wall mounted signage for both tenant spaces. The AMPM sign is designed at approximately 23 square feet square-feet, which complies with the sign ordinance maximum allowable area. The restaurant space includes a wall sign facing El Camino Real. Staff expects that any future tenant may also request signage facing Montecito Ave. Per the Atascadero municipal Code, 150 square-footage is permitted for the total area of all tenant signage and signage can be located on the 2 street facing facades. The proposed signage meets these standards. No internally illuminated cabinet signs will be permitted. All signage types must conform to the municipal code standards.

The design team is showing externally illuminated changeable advertising signage on the façade facing El Camino real. This type of signage is not permitted by code.

The canopy includes the ARCO name and logo on the sides facing El Camino Real and Montecito Ave. The logo hangs over, and protrudes above, the edge of the fascia. The canopy also includes color banding specific to the corporate colors. The banding is illuminated by a blue light.

A monument sign is proposed at the corner of Montecito and El Camino Real. The Atascadero Municipal Code allows for monument signs. The sign is located within a landscape planter, as required by code. Size and height will need to conform to code standards. A condition has been included that the monument sign design be consistent with the building architecture.



**Staff recommends the following modifications related to signage:**

- 1. Color banding on the canopy does not provide enhancement or consistency with the Mediterranean architectural style. Color banding and associated lighting strip should be eliminated.**
- 2. The canopy logo should be decreased to fit entirely on the fascia.**
- 3. Changeable copy wall signage should be eliminated, consistent with code standards.**
- 4. Signage shall be permitted facing Montecito Ave for the restaurant tenant provided that the total area for all tenant signage does not exceed 150 square-feet.**

**DRC DISCUSSION ITEMS:**

1. Architectural Design – General Recommendations
2. Landscape Design – General recommendations
3. Signage – recommendation to Hearing Officer for increased AMPM signage
4. Signage – General Recommendations

**ATTACHMENTS:**

1. Notice of Action
2. Aerial Image
3. Site / Landscape Plan
4. Elevations





**Attachment 1: Notice of Action**  
**PRE 19-0034**

## DRC NOTICE OF ACTION

Proposed Conditions of Approval:

1. Increase the height of the stacked stone base in areas without windows. Replace stacked stone with a brick veneer.
2. Eliminate white from the stucco color palate and choose varying earth toned colors.
3. Widen the wrapped parapet tower feature on the rear of the building and add a trellis/awning feature with landscaping.
4. The color of the service door on the rear of the building should be a dark brown color to match the wood-grain wall paneling.
5. Steel awnings should be black or dark grey in color. (color banding counts toward sign area – see sign discussion below)
6. Eliminate cornice and replace with a minimal wall cap.
7. Add a wall trellis to the side elevation facing the adjacent commercial development as appropriate landscape area for vines.
8. Eliminate the meandering path adjacent to the public sidewalk. Frontage landscaping should include medium shrubs and grasses such as deer grass, manzanita, ceanothus, sage, etc.
9. Provide vines where wall trellises are conditioned.
10. Street trees shall be planted at 30-feet on center along the Montecito and El Camino Real frontages. Trees shall be London Plane trees.
11. Shade trees shall be included in all parking lot landscape fingers.
12. The Healy tank shall be relocated to an area of the site where additional landscaping can be provided OR the landscape planter surrounding the proposed tank shall be increased in size to allow for adequate screening.
13. All landscaping shall be drought tolerant and comply with State and local regulations.
14. Taller shrubs shall be used adjacent to the trash enclosure to provide adequate screening.
15. Areas not proposed for development shall include an interim landscape plan. The interim landscape plan shall be installed prior to occupancy of the Arco station.
16. Color banding on the canopy does not provide enhancement or consistency with the Mediterranean architectural style. Color banding and associated lighting strip should be eliminated.
17. The canopy logo should be decreased to fit entirely on the fascia.
18. Changeable copy wall signage should be eliminated, consistent with code standards.
19. Signage shall be permitted Facing Montecito Ave for the restaurant tenant provided that the total area for all tenant signage does not exceed 150 square-feet.

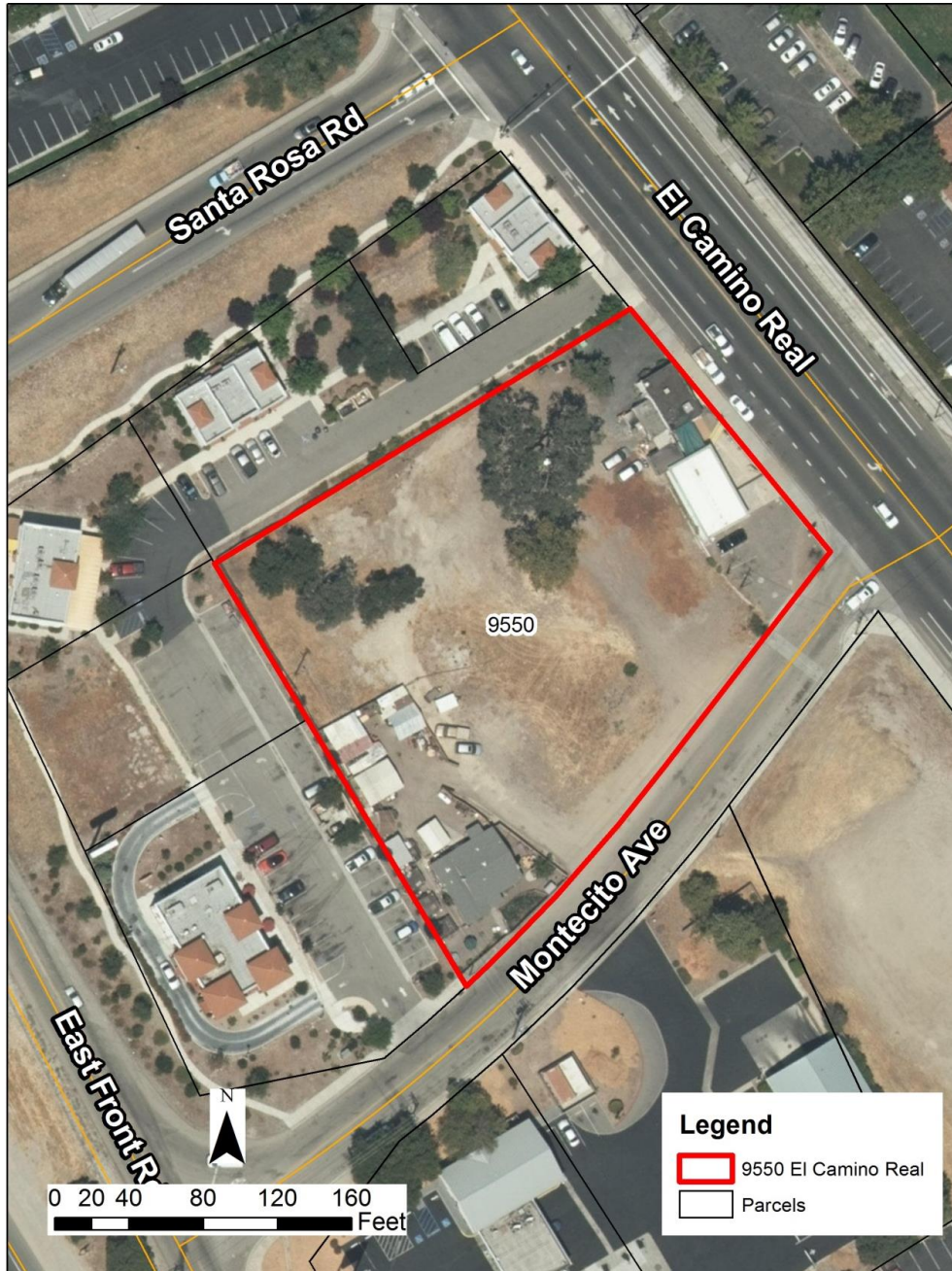
Action/ Decision Summary: *To be recorded at meeting conclusion*

Meeting Date: July 10, 2019

Project Planner: Kelly Gleason  
Senior Planner



**Attachment 2: Site Plan**  
**PRE 19-0034**







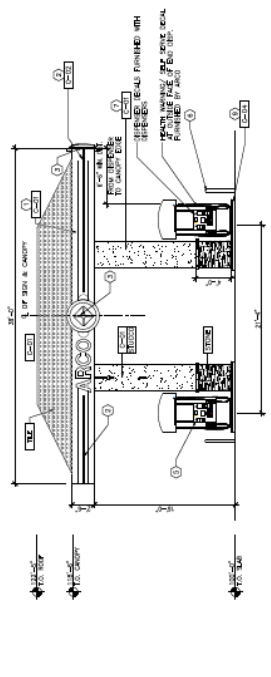
ITEM 3  
 Arco Gas Station  
 PRE 19-0034

Attachment 4: Elevations  
 PRE 19-0034

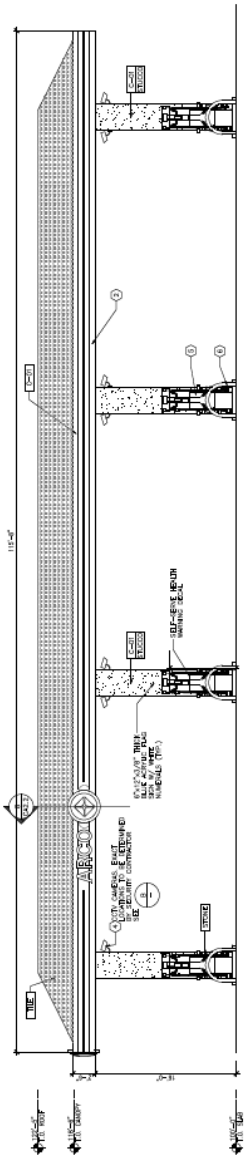
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  - 2) NEW
  - 3) EXISTING
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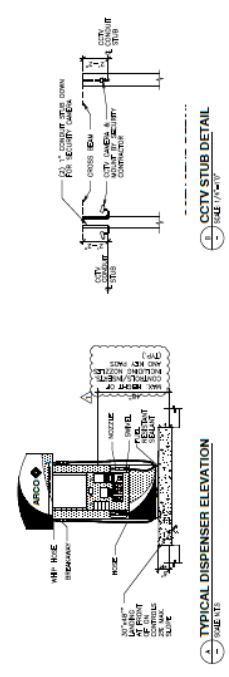
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1) SIDE ELEVATION  
 SCALE: 1/8" = 1'-0"



2) FRONT ELEVATION  
 SCALE: 1/8" = 1'-0"



**ITEM 2**

Fueling Station  
 PRE19-0034 / Arco



***Atascadero Design Review Committee***  
***Staff Report – Community Development Department***

***Fueling Station***

MEETING DATE	PROJECT PLANNER	APPLICANT CONTACT		PLN NO.
9/25/2019	Kelly Gleason	Arco / Jeannette Verdugo		PRE19-0034
PROJECT ADDRESS	GENERAL PLAN DESIGNATION	ZONING DISTRICT	ASSESOR PARCEL NUMBER(S)	SITE AREA
9550,9590 El Camino Real	General Commercial (GC)	Commercial Tourist (CT)	056-071-011	Approximately 1.4 acres
RECOMMENDATION				
<p><i>Staff Requests the Design Review Committee:</i></p> <ol style="list-style-type: none"> <li>Review the proposed design for a service station and direct the applicant to make any modifications to the site or building design as necessary.</li> </ol>				
PROJECT DESCRIPTION				
<p>The proposed project consists of a gas station, 3,000 square foot convenience store, and 1,400 square foot restaurant at the corner of El Camino Real and Montecito Ave. The project proposed access from Montecito Ave and shared access using an existing commercial center driveway off El Camino Real. The project site is 1.38 acres.</p>				
ENVIRONMENTAL DETERMINATION				
<p><i>The City of Atascadero's environmental review process incorporates the requirements in implementing the California Environmental Quality Act. Persons, agencies, or organizations interested in obtaining more information regarding the environmental should contact the Community Development Department.</i></p>				
<input type="checkbox"/> EIR / MND / ND / Statutory Exemption to be circulated	<input type="checkbox"/> Prior CEQA Review:	<input type="checkbox"/> Categorical Exemption	<input checked="" type="checkbox"/> No Project - § 15268 Ministerial Project	

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

**ITEM 2**

**Arco Gas Station  
PRE19-0034**

**DISCUSSION:**

*Project Description / Summary*

The property is zoned Commercial Tourist (CT) and is approximately 1.5 acres. The front of the parcel faces El Camino Real. Montecito Avenue runs adjacent to the southern property line.

The applicant is proposing the construction of a fueling station with eight pumps, electric vehicle charging spaces, and an approximately 4,600 square foot indoor store and restaurant space. The restaurant will have an outdoor eating area covered by a trellis facing Montecito Avenue.

*Project History*

The subject parcel is located at the intersection of Montecito Avenue and El Camino Real. The site is the current location of a restaurant (Garcia's) that faces El Camino Real as well as a single family residence at the rear of the property.



The project initially went to DRC in July of 2019. The DRC recommended modifications to project architecture and landscaping. In addition, it was brought to our attention that the applicant did not have access rights over the driveway and parking area adjacent to the project site. DRC proposed conditions and revisions to improve the project prior to returning for a second meeting. The applicant has implemented some of the requested changes including:

- Modified site access to be separate from existing driveways.
- Increase in the height of the veneer base in areas without windows. Replace stacked stone with a brick veneer.
- A callout on the north elevations for metal wall trellises.
- Shade trees included in all parking lot landscape fingers.
- An interim landscape plan for the vacant portion of the lot.
- Modifications to building architecture including replacement of foam cornice and color changes to the rear service door
- Elimination of changeable copy wall signage



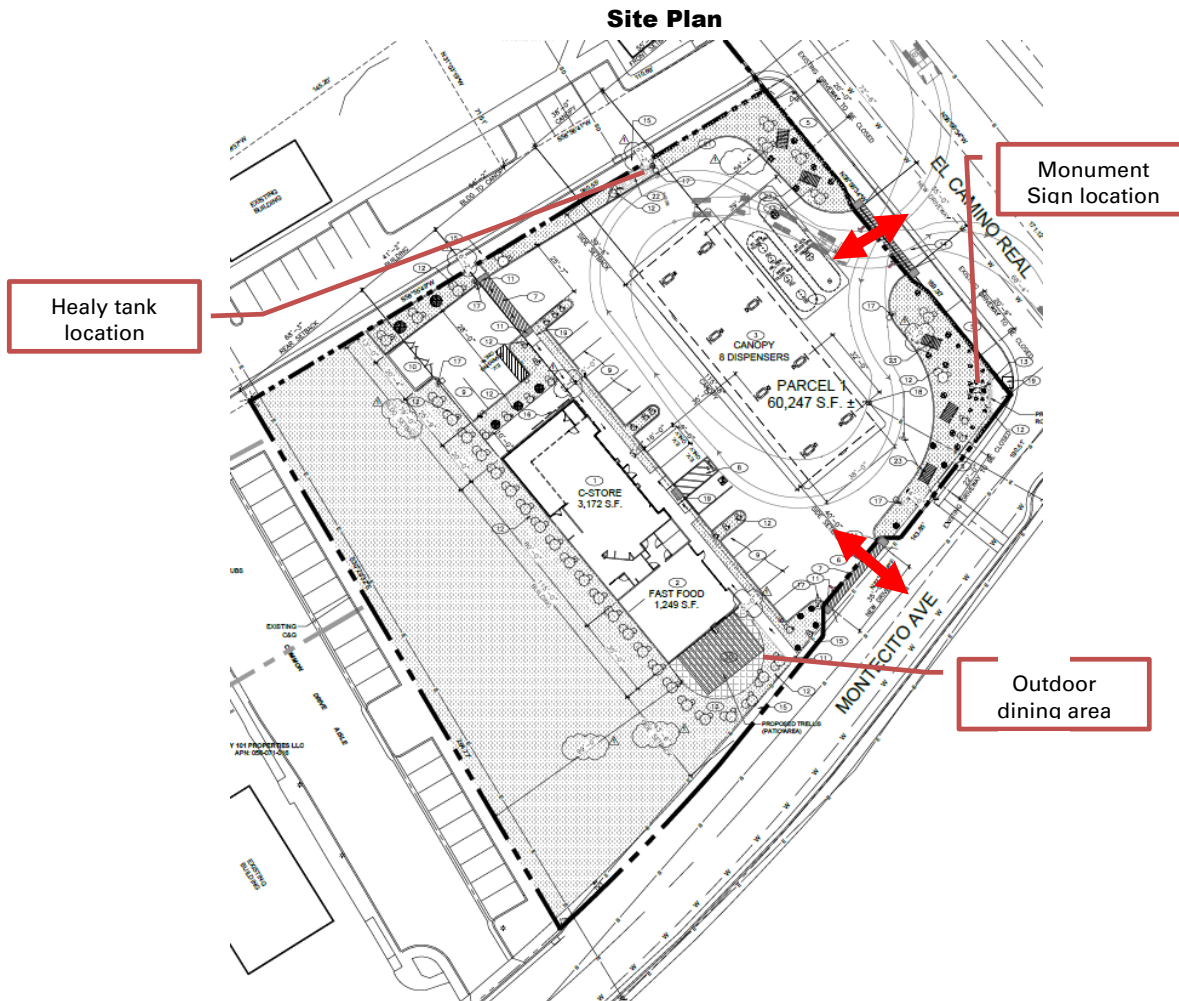
**ITEM 2**

Arco Gas Station  
PRE19-0034

**ANALYSIS:**

Site Design and Access.

The development area will occupy approximately 0.9 acres, or 60%, of the site. The project area will include a new convenience store and restaurant, fuel dispenser canopy, and parking. The applicant has modified the site access to eliminate using the adjacent property improvements. The project is now accessed from 2 driveways: one approach along the eastern property line from El Camino Real; and one along the southern property line off of Montecito Avenue. The rear of the building is oriented to a portion of the site that is proposed to remain undeveloped. The building orientation does not activate this portion of the site and limits future integrated development.



In summary the building and parking area are inefficiently laid out on the site and leave a large portion of the site undeveloped at the back of the building. This strip of land will





ITEM 2

Arco Gas Station  
PRE19-0034

be an ideal site for harboring transients, unauthorized storage, or simply a lack of maintenance. Staff suggests that the building be re-oriented to the corner, taking advantage of the entire site. The outdoor dining area for the restaurant could be expanded, or the site could have a more substantial landscape area or expanded retail store opportunity. ***The issue of the unplanned vacant area is the most substantial item for the DRC to provide input on.***

Parking

The applicant proposes 35 parking spaces for the project, including two electric vehicle spaces, one handicap space, and 16 spaces at the fueling station. The municipal code requires a total 37 spaces for the two uses on the property; 26 spaces for the restaurant and 12 spaces for the convenience store. ***Staff recommends that the applicant include two additional bike racks to reduce the total number of required parking spaces to 35 in order to comply with AMC parking standards.***

Architectural Design

*Building Design*

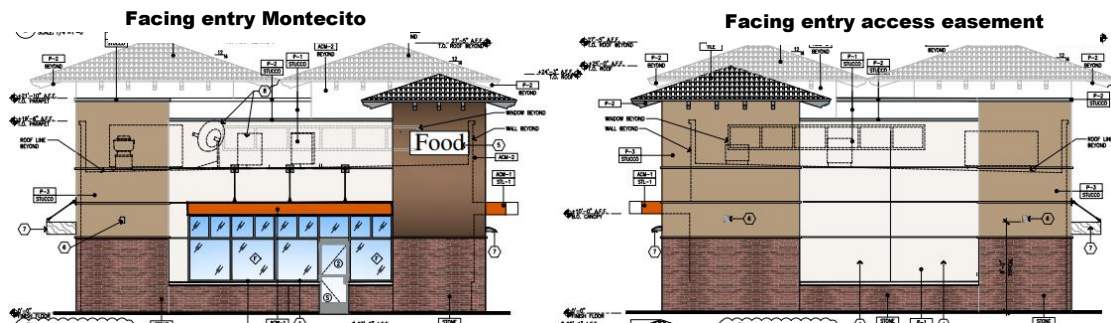
The overall design of the building remains a generic, corporate design, common to Arco fuel stations nationwide. In addition to wood-appearance panels and stucco, the applicant has included brick veneer consistent with local historic architectural materials. The main color theme consists of white and tan with medium toned wood accents. Tile roofs are proposed on tower elements. The primary façade facing El Camino Real includes white stucco exterior walls with 2 wood-look tower features and 2 stucco tower features with a darker tan. Storefront windows face El Camino Real and Montecito Ave. Contemporary steel awnings are proposed which will be accented in bright orange, consistent with corporate colors for AMPM. The brick veneer base is proposed to wrap the entire building and has been raised in height consistent with DRC's previous direction. The base is approximately 3 feet high under windows and increases to 8 feet in areas without windows. Two metal vine wall trellises are called out on the elevations facing the existing adjacent commercial center to the north. The proposed rear façade has minimal design features with no windows or public entrances.



**ITEM 2**

Arco Gas Station  
PRE19-0034

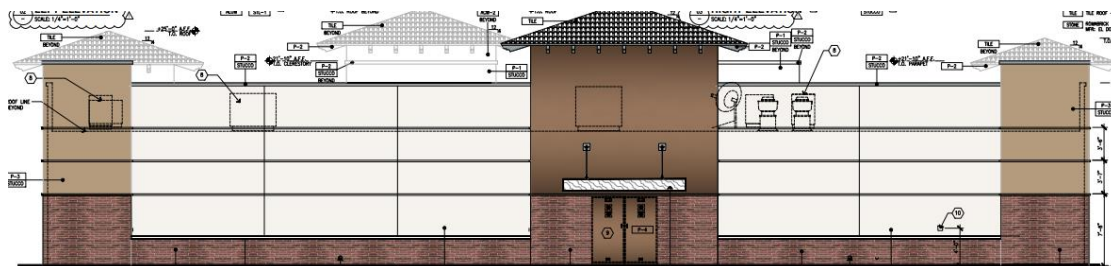
**Side Elevations**



**Front Elevation – facing El Camino Real**



**Rear Elevation – Facing K-man and Tastee Freeze**



**Staff recommends the following modifications:**

- 1. Eliminate white from the stucco color palate and choose varying earth toned colors that are compatible with the Atascadero blend brick veneer.**
- 2. Widen the wrapped parapet tower feature on the rear of the building and add a trellis/awning feature with landscaping.**
- 3. Steel awnings should be black or dark grey in color.**

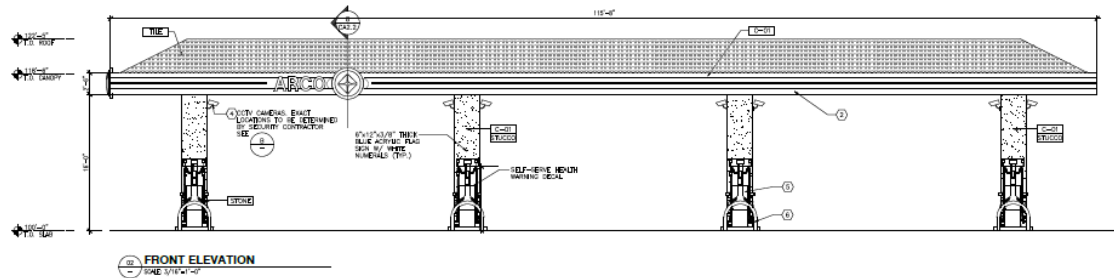


**ITEM 2**

**Arco Gas Station  
PRE19-0034**

**Gas Pump Canopy**

The pump canopy is designed to be compatible with the building architecture including a tile roof and stucco columns with a veneer base. Signage is proposed on the fascia of the canopy as discussed below. **Staff is recommending that brick veneer be used for the column bases to match the base style of the proposed store and restaurant and be raised to 8-feet in height consistent with the building design.**



**Landscaping**

The applicant has prepared a revised landscape concept plan that shows areas for landscaping as well as specific plant species. The specific trees proposed include the chanticleer pear, Chinese pistache, chitalpa, majestic beauty magnolia, and sweet bay. Due to the ample planter area required to buffer the gas pumps from El Camino Real, staff is recommending that oaks be planted along the street frontages with compatible smaller accent trees such as western redbuds intermixed.

The landscape plan shows an approximately 20-foot landscape buffer between El Camino Real and the drive aisle for the gas pumps. The current plan shows trellises within this landscape area, adjacent to the public sidewalk. An approximately 15-foot landscape planter is provided along the Montecito Ave frontage in addition to a covered outdoor dining patio with decorative pavement. Landscaping is included through the parking lot within landscape fingers allowing for shade tree planting. The applicant is also proposing installing two small, rectangular metal vine trellises to the easement facing facade of the store building as an architectural feature. Landscape areas for these trellises are not shown in the proposed landscape plan. Staff is recommending that either above ground or in ground planters be provided to accommodate vine plantings for the trellis features.

The site is approximately 1.4 acres and only 0.9 acres of the site is proposed for development. The existing non-conforming residence is required to be demolished once the site is developed with conforming uses. The Atascadero Municipal Code (AMC 9-4.125(b)(2)) requires that all areas of the site not shown for development be landscaped. The applicant is currently proposing planting eight trees alternating with patches of deer grass across the undeveloped rear area of the site. The current proposal creates an attractive nuisance and a potential safety risk. Site design factors related to this area have been discussed above in the “site design” section.



**ITEM 2**

**Arco Gas Station  
PRE19-0034**

The gas station will also have a healy tank located along the northern property line. The current plan shows minimal landscape screening opportunities surrounding the tank. Staff is recommending that the tank be located in a planter that provides a minimum of 3-feet of landscaping surrounding the three sides of the tank not adjacent to the gas station parking/drive aisle.

***Staff recommends the following modification/conditions for the project landscaping:***

- 1. Eliminate the free-standing trellises along the El Camino Real frontage. Frontage landscaping should include medium shrubs and grasses such as deer grass, manzanita, ceanothus, sage, etc.***
- 2. Provide vines where wall trellises are called out. Trellises and vine species should be reflected on the landscape plan.***
- 3. Street trees shall be planted at 30-feet on center along the Montecito and El Camino real frontages. Trees shall be Native Oak trees. Complimentary trees shall be interspersed along the frontage for variety and color.***
- 4. The Healy tank shall be located in a planter that provides a minimum of 3-feet of landscaping surrounding the three sides of the tank not adjacent to the gas station parking/drive aisle.***
- 5. All landscaping shall be drought tolerant and comply with State and local regulations.***
- 6. Taller shrubs shall be used adjacent to the trash enclosure to provide adequate screening.***
- 7. Modification of the site design to eliminate the attractive nuisance caused by orienting the rear of the building to a large undeveloped portion of the site.***

**Fencing**

There is currently a wooden fence that runs along the northern, eastern, and part of the southern property lines which is associated with the existing residence. This fence is in poor condition with large sections of it having fallen over into the vacant area of the property. The proposed project does not reflect any new fencing along the property and provides a landscape buffer or strip around most of the developed area of the site. ***Staff recommends the use of a split rail fence to enclose the project site to provide a clear separation from the adjacent properties but retain visibility for safety.***

**Signage**

The design proposal includes wall mounted signage for both tenant spaces. The AMPM sign is designed at approximately 23 square-feet, which complies with the sign ordinance maximum allowable area. The restaurant space includes a wall sign facing El Camino Real. Staff expects that any future tenant may also request signage facing Montecito Ave. In accordance with the Atascadero municipal Code, 150 square-feet is permitted for the total area of all tenant signage and signage can be located on the 2 street-facing facades. The proposed signage meets these standards. No internally illuminated cabinet signs will be permitted. All signage types must conform to the municipal code standards.



**ITEM 2**

**Arco Gas Station  
PRE19-0034**

The canopy includes the ARCO name and logo on the sides facing El Camino Real and Montecito Ave. The logo hangs over, and protrudes above, the edge of the fascia. The canopy also includes color banding specific to the corporate colors. The banding is illuminated by a blue light.

A monument sign is proposed at the corner of Montecito and El Camino Real. The Atascadero Municipal Code allows for monument signs. The sign is located within a landscape planter, as required by code. Size and height will need to conform to code standards. A condition has been included that the monument sign design be consistent with the building architecture.

***Staff recommends the following modifications related to signage:***

- 1. Color banding on the canopy does not provide enhancement or consistency with the Mediterranean architectural style. Color banding and associated lighting strip should be eliminated.***
- 2. The canopy logo should be decreased to fit entirely on the fascia.***
- 3. Signage shall be permitted facing Montecito Ave for the restaurant tenant, provided that the total area for all tenant signage does not exceed 150 square-feet.***

**DRC DISCUSSION ITEMS:**

1. Architectural Design – General Recommendations
2. Landscape Design – General recommendations
3. Signage – recommendation to Hearing Officer for increased AMPM signage
4. Signage – General Recommendations

**ATTACHMENTS:**

1. Notice of Action
2. Aerial Image
3. Site Plan
4. Landscape Plan
5. Elevations



ITEM 2

Arco Gas Station  
PRE19-0034

**Attachment 1: Notice of Action**  
**PRE 19-0034**

## DRC NOTICE OF ACTION

Proposed Conditions of Approval:

1. The site shall comply with minimum parking standards set forth in the Atascadero Municipal Code. Bike racks can be used to count toward parking requirements in accordance with municipal code standards.
2. Eliminate white from the stucco color palate and choose varying earth toned colors.
3. Widen the wrapped parapet tower feature on the rear of the building and add a trellis/awning feature with landscaping.
4. Steel awnings should be black or dark grey in color.
5. Veneer on the canopy shall be consistent with the building material and shall be 8-feet in height consistent with the proposed building design.
6. Frontage landscaping should include medium shrubs and grasses such as deer grass, manzanita, ceanothus, sage, etc.
7. The freestanding trellises shall be eliminated along the street frontages.
8. Provide above ground or in ground planters for vines where wall trellises are provided.
9. Street trees shall be planted at 30-feet on center along the Montecito and El Camino Real frontages. Trees shall be native oak trees with accent trees intermixed.
10. The Healy tank shall be located in a planter that provides a minimum of 3-feet of landscaping surrounding the three sides of the tank not adjacent to the gas station parking/drive aisle.
11. All landscaping shall be drought tolerant and comply with State and local regulations.
12. Taller shrubs shall be used adjacent to the trash enclosure to provide adequate screening.
13. Color banding on the canopy does not provide enhancement or consistency with the Mediterranean architectural style. Color banding and associated lighting strip shall be eliminated.
14. The canopy logo shall be decreased to fit entirely on the fascia.
15. Signage shall be permitted facing Montecito Ave for the restaurant tenant provided that the total area for all tenant signage does not exceed 150 square-feet.
16. Modification of the site design to eliminate the attractive nuisance caused by orienting the rear of the building to a large undeveloped portion of the site

Action/ Decision Summary: *To be recorded at meeting conclusion*

Meeting Date: September 25, 2019

Project Planner: Kelly Gleason  
Senior Planner



**ITEM 2**

Arco Gas Station  
PRE19-0034

**Attachment 2: Site Plan  
PRE 19-0034**



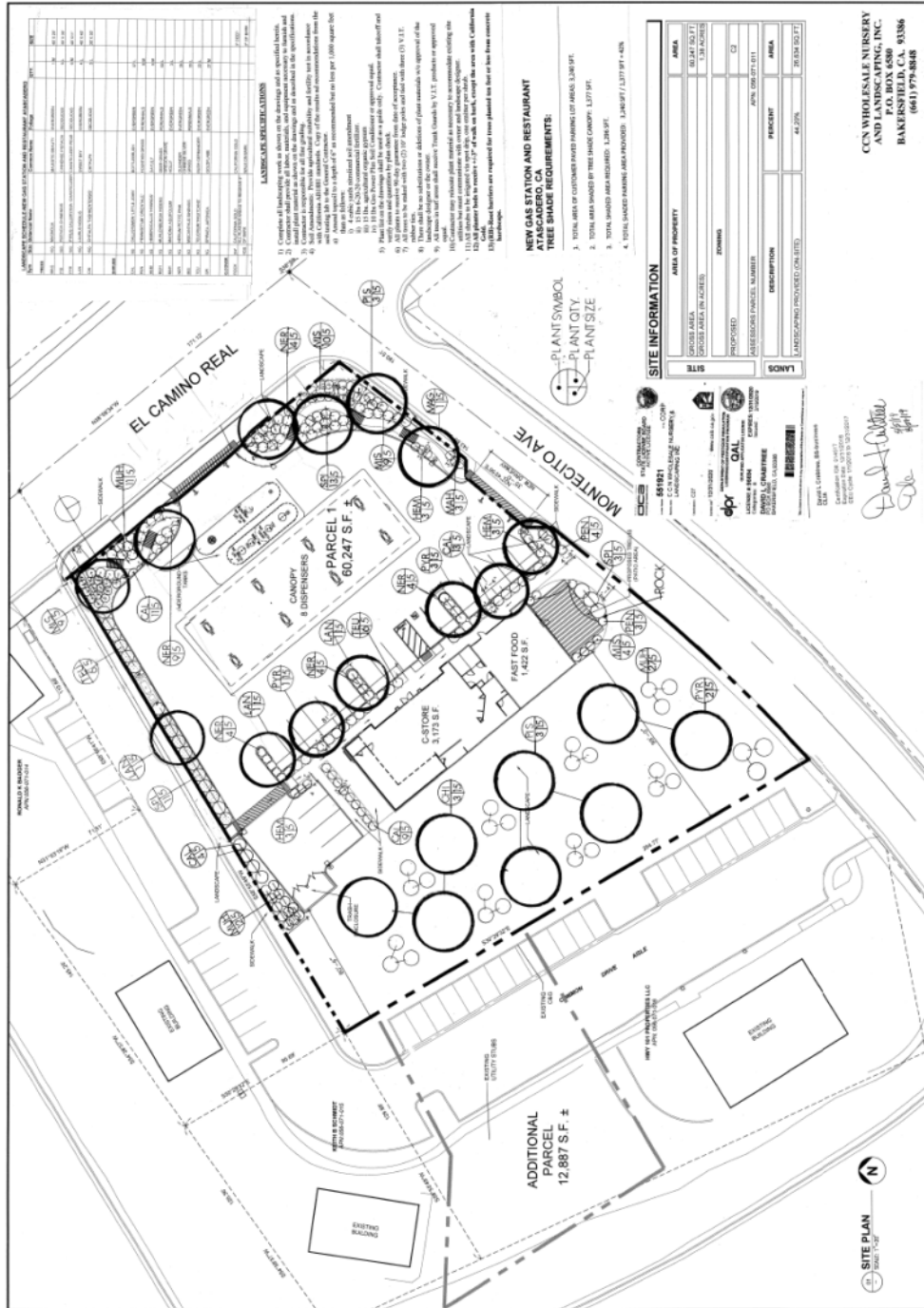




ITEM 2

Arco Gas Station  
 PRE19-0034

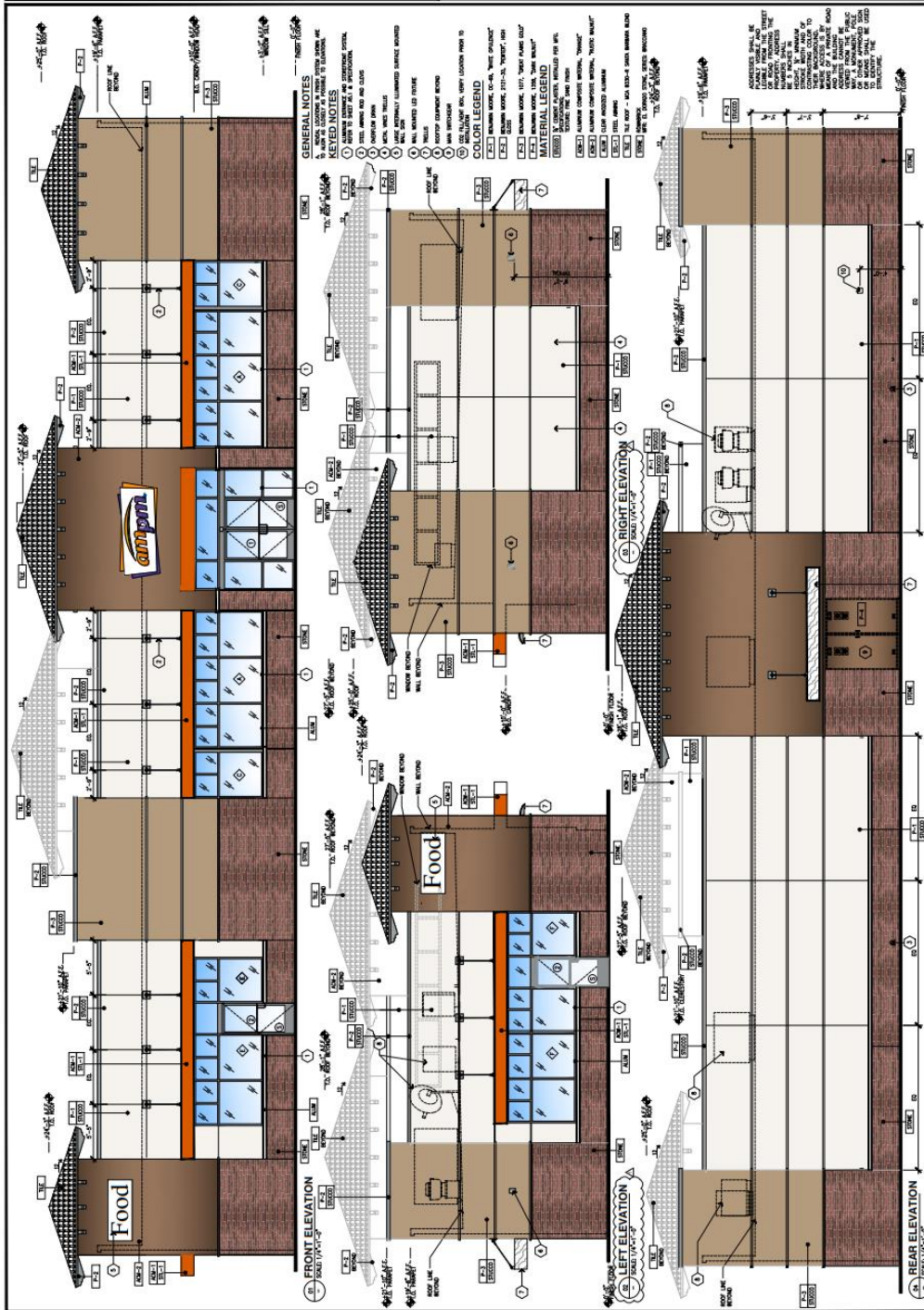
Attachment 4: Landscape Plan  
 PRE 19-0034



ITEM 2

Arco Gas Station  
 PRE19-0034

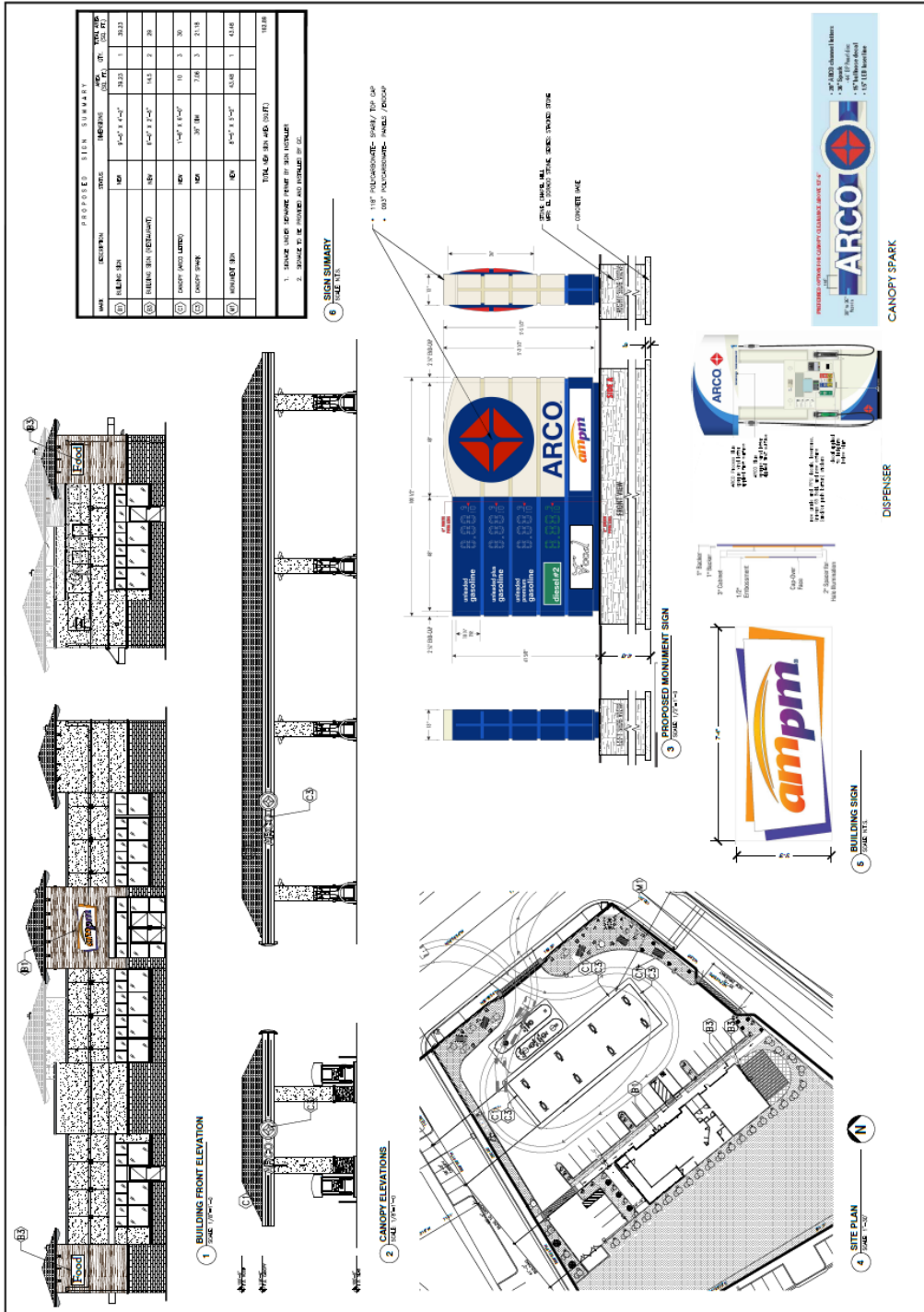
Attachment 5: Elevations  
 PRE 19-0034



ITEM 2

Arco Gas Station  
 PRE19-0034

Attachment 5: Elevations  
 PRE 19-0034





# CITY OF ATASCADERO

## COMMUNITY DEVELOPMENT

### Administrative Hearing Agenda Report

ITEM # 1

FROM: Bailey Sullivan

MEETING DATE: 9/07/2022

FILE NUMBER: USE22-0063

PROJECT ADDRESS: 9590 El Camino Real

The applicant, AMB Enterprises Inc., requests a modification to the area of signage permitted on the recently constructed ARCO gas station pump island canopy at 9590 El Camino Real. The applicant proposes to add 768 square feet of color banding on all four (4) sides of the canopy in ARCO's corporate blue color with an associated exposed LED lighting strip. The applicant also proposes to add LED illumination to the previously approved 21.18 square-foot logo and the 20 square-foot ARCO letter sign.

The ARCO Gas Station is located in the Commercial Tourist (CT) zoning district and has a general plan designation of General Commercial (GC). The property is approximately 1.5 acres. The front of the parcel faces El Camino Real. Montecito Avenue runs adjacent to the southern property line. New signage proposed on the canopy exceeds what has previously been approved for the site by DRC and requires approval of an Administrative Use Permit.

#### EVALUATION:

The Atascadero Sign Ordinance has specific limitations regarding the amount of signage and color banding that may be displayed on gas station canopies. The sign ordinance allows up to 20 square feet of signage, including logos and color banding, on a maximum of two (2) sides of a canopy structure. The existing approved pump island canopy does not comply with the ordinance requirements and is painted a tan color on all four sides with a logo on the South, North and East elevations. The total new signage proposed is 768 square feet, which would exceed the maximum allowed. Any new signage or replacement of signage (as proposed with the addition of signage, chroma color banding, and increase logo size) must comply with the current code and DRC approval unless an exception is granted.

#### ***9-15.005 Allowed signs***

*(a)(7) Gas Station Canopies. In addition to the signs allowed above, a maximum of twenty (20) square feet signs, logos and or color banding shall be permitted on no more than two (2) sides of a pump island canopy structure. The remainder of the pump canopy fascia shall be of an architectural treatment consistent with site architecture.*

#### ***9-15.004 Sign design standards.***

*(i) Color banding. The installation or painting of high chroma color banding on buildings and structures shall be defined as a sign and shall be subject to the same size restrictions as other signs. (Ord. 400 § 1 (part), 2002*

Page 2

The color banding is proposed on all four sides of the existing canopy and exceeds the 20-sf allowed by code, with a combined total square footage of 768. The LED lighting strip also does not meet the Atascadero Municipal Code Exterior Lighting guidelines (AMC 9-4.137). The code requires that any exterior lighting be fully shielded and directed in such a way that no glare occurs to neighboring properties. The proposed LED lighting would be fully exposed and, as designed, does not include a channel that would create a halo effect, which would comply with the municipal code.

### **Exceptions to the Sign Standards**

AMC Section 9-15.006 allows the sign area or other limitations of the Sign Ordinance to be modified through approval of an Administrative Use Permit, subject to findings and appearance review. The gas station canopy is 4,388 square-feet and accommodates 8 pump islands, making it one of the larger canopies in the City. All recent permits issued for gas stations and canopy amendments have adhered to the allowed maximum signage requirements set forth in the Municipal Code and no exceptions have been granted in recent years. In addition, the Arco station is directly adjacent to El Camino Real and Montecito Ave making it very visible from the adjacent roadways and, thus, extra signage is not needed for identification. The site is approved to have one monument sign and building signage over each tenant space in addition to the approved canopy logos.

Modification of the sign standards must be consistent with the purposes of the Sign Ordinance, which include protecting the economy and aesthetics of the community, implementing quality sign design standards, and minimizing possible adverse impacts of signs on other properties. Staff analysis indicates the proposed project does not uphold these purposes. Gas canopies tend to be tall structures placed near public streets. The high chroma colors typically used are not compatible with the rural character of the community and are distracting in these gateway locations often placed at freeway exits. While the increased signage may increase traffic to an individual business, they generally detract from the attractiveness of a downtown community.

Staff recommends denying the sign as proposed because it does not provide enhancement or consistency with the Mediterranean architectural style previously approved by the DRC, nor does it adhere to the lighting shielding requirements.

The City has not approved an increase in canopy color banding in recent history. Approving increased signage here would set a precedent for future gas stations and tenants. If the operator of this station changes and additional color banding and lighting is approved, any future tenant or brand will be able to replace Arco's colors with their own corporate colors without additional review or approval.

**RECOMMENDATION:** Staff recommends the Administrative Hearing Officer deny USE22-0063 thereby not allowing increased signage on the perimeter of the gas station canopy from what was approved by DRC.

ENVIRONMENTAL DETERMINATION
<input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15311 <input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____ <input type="checkbox"/> No Project – Ministerial Project

**Findings**

AMC 9-1.112 requires the Hearing Officer to make one of the following findings for denial:

1. *Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;*

Staff comment: One of the General Plan Framework Principles is to improve the appearance of the community, including the quality and visual impact of signs. The proposed signage does not support this principle as the color banding on the canopy has too large an impact on its immediate neighborhood. The proposed amount of signage is not an appropriate expression of the desired appearance for the gateways of Atascadero.

2. *Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development;*

Staff comment: The immediate neighborhood on El Camino Real is generally commercial businesses catering to tourists to the City. High chroma colors are typically not used in building architecture and the canopy was previously approved by the DRC to remain consistent with the building architecture and surrounding existing development.

3. *Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council; and*

Staff comment: The proposed sign is inconsistent with the Design Review Manual which recommends signs that use restrained colors and are proportional in size to the associated building.

**Code Requirements**

1. AMC 9-15 (Sign Ordinance)
2. AMC 9-1.112 Administrative Use Permit

**Attachments**

Page 4

Attachment 1 - Location and Zoning Map  
Attachment 2 - Elevations and Site Plan  
Attachment 3 - Proposed Signs

**Action:**

- Approve
- Approve as modified
- Deny
- Continue to: \_\_\_\_\_ to allow \_\_\_\_\_

- Continue indefinitely to allow: \_\_\_\_\_

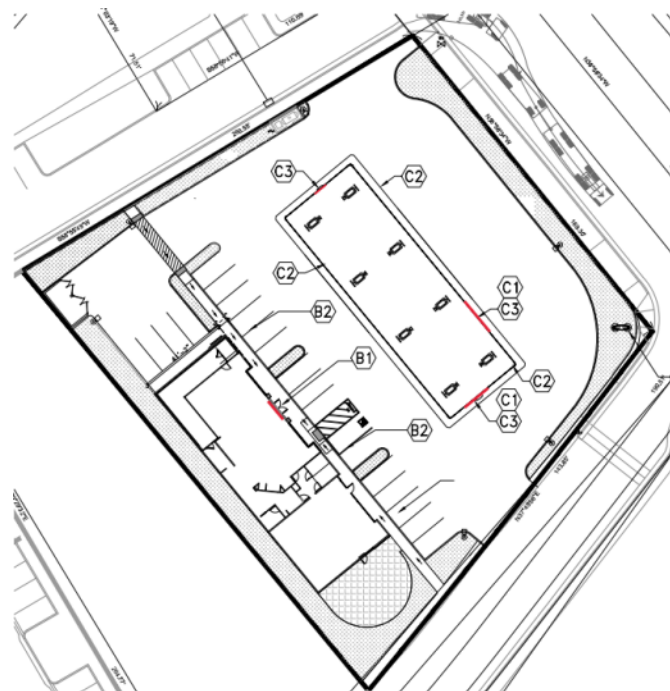
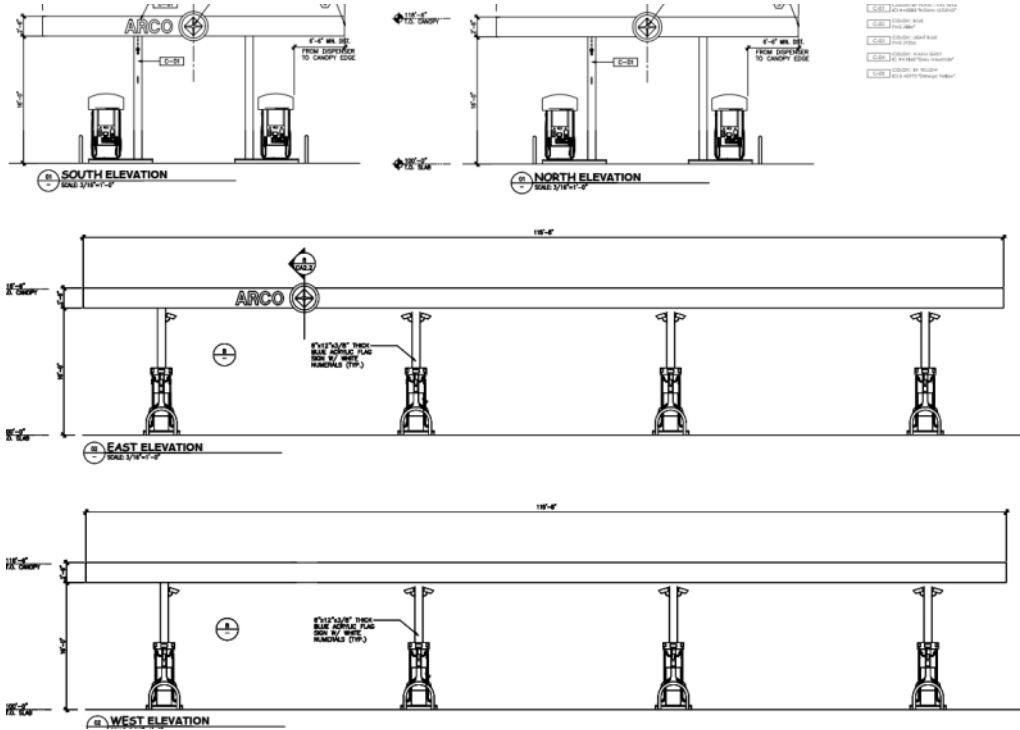
\_\_\_\_\_  
Phil Dunsmore, Hearing Officer

**Attachment 1: Location Map and Zoning  
USE22-0063**

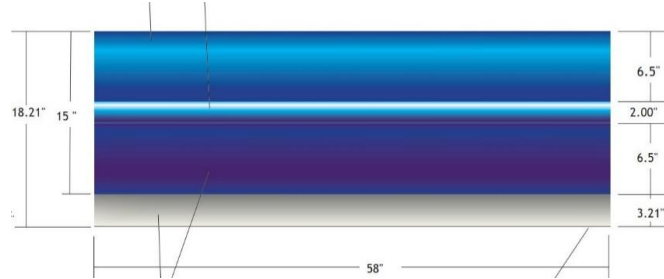




**Attachment 2: Elevations and Site Plan  
USE22-0063**



**Attachment 3: Proposed Signage  
USE22-0063**





**ITEM 2**  
Gas Station Canopy Signage  
USE23-0067 / AMB Enterprises, Inc.

**Atascadero Planning Commission**  
**Staff Report – Community Development Department**

**USE23-0067**  
**9550/9590 El Camino Real**

**RECOMMENDATION(S):**

*Planning Commission:*

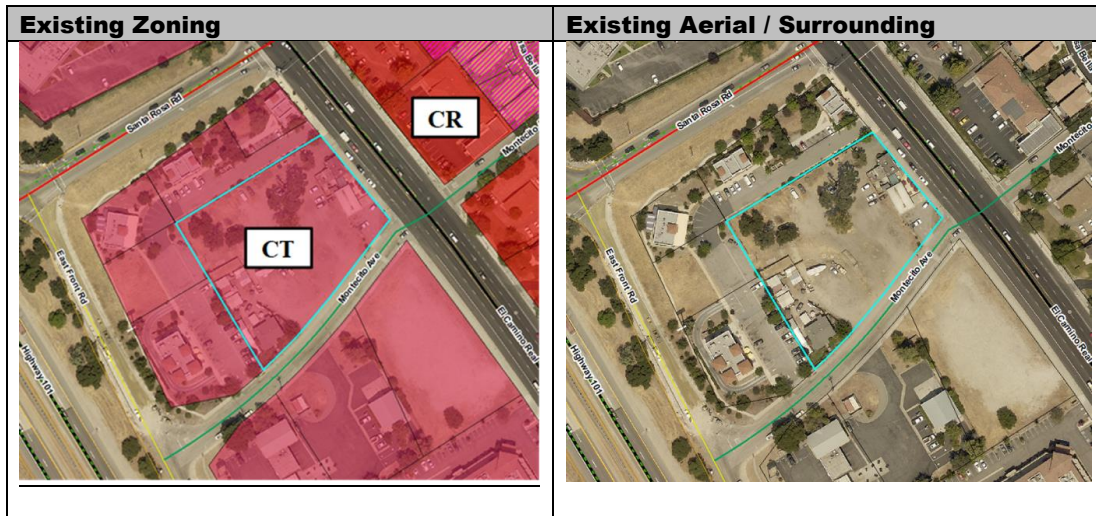
1. Adopt Draft PC Resolution A, denying an Administrative Use Permit (USE23-0067) for oversized signage at 9590 El Camino Real, based on finding(s).

OR

2. Adopt Draft PC Resolution B, approving an Administrative Use Permit (USE23-0067) to allow oversized signage at 9590 El Camino Real, based on finding(s) and subject to conditions of approval.

**DISCUSSION:**

Existing Surrounding Uses / Parcel Configurations:



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

**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

North:	South:	East:	West:
CT (Commercial Tourism), CR (Commercial Retail)	CT (Commercial Tourism)	CR (Commercial Retail)	Highway 101, R.O.W. (East Front Road)

*Background*

The applicant, AMB Enterprises Inc., is resubmitting a request to modify to the area of signage permitted on the recently constructed ARCO gas station pump island canopy at 9590 El Camino Real. The proposal for this signage is identical to a prior proposal submitted for an Administrative Use Permit under file number USE22-0063. This Administrative Use Permit was denied and the applicant failed to appeal within the 14-day appeal period per Atascadero Municipal Code 9-1.111. As a result, the applicant is resubmitting the same proposal for consideration. Based on this circumstance, this application is being forwarded directly to the Planning commission for review and action.

The ARCO Gas Station is located in the Commercial Tourist (CT) zoning district and has a general plan designation of General Commercial (GC). The property is approximately 1.5 acres. The front of the parcel faces El Camino Real. Montecito Avenue runs adjacent to the southern property line. New signage proposed on the canopy exceeds what has previously been approved for the site by DRC and requires approval of an Administrative Use Permit.

*Project Description / Summary*

The applicant proposes to add a total of 768 square feet of color banding on all four (4) sides of the canopy in ARCO’s corporate blue color with an associated exposed LED lighting strip. The applicant also proposes to add LED illumination to the previously approved 21.18 square-foot canopy logo and the 20 square-foot canopy ARCO letter sign.

*Analysis*

The Atascadero Sign Ordinance has specific limitations regarding the amount of signage and color banding that may be displayed on gas station canopies. The sign ordinance allows up to 20 square feet of signage, including logos and color banding, on a maximum of two (2) sides of a canopy structure.

**9-15.008 Types of signs and standards**

(b)(1) Gas Station Canopies: “...a maximum of twenty (20) square feet of signs, logos and or color banding shall be permitted on no more than two (2) sides of a pump island canopy structure. The remainder of the pump canopy fascia shall be of an architectural treatment consistent with site architecture.”

The existing approved pump island canopy is painted a tan color on all four sides with a logo on the south, north and east elevations and has 51 total square feet of canopy signage that was approved by the Design Review Committee. The total new signage proposed, which includes the area of color banding, is 768 square feet, which would



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

exceed the maximum allowed by Atascadero Municipal Code and exceeds the signage originally approved by the DRC.

The color banding is proposed on all four sides of the existing canopy. The banding is a vinyl decal element that is adhered to the existing canopy fascia. An LED lighting strip is proposed in the center of the color banding and will be enclosed in a clear plastic protruding housing. This light strip does not meet the Atascadero Municipal Code Exterior Lighting guidelines (AMC 9-4.137). These guidelines require that any exterior lighting be fully shielded and directed in such a way that no glare occurs to neighboring properties. While the light strip is narrow and does not have a wide lens, the proposed LED lighting would be unshielded and would thus cause glare visible from other properties.

**9-4.137 Exterior lighting**

(b) Nondecorative Exterior Lighting Shielded: "All nondecorative exterior lighting shall be shielded to direct light toward buildings or the ground. Light sources shall be designed and adjusted to direct light away from any road or street and away from any property or buildings outside the ownership of the applicant."

(d) Decorative Exterior Lighting Shielded: "Where lights are used for the purpose of illuminating or accenting building walls, signs, flags, architectural features, or landscaping, the light source is to be shielded so as not to be directly visible from off-site."

If the Planning Commission approves the proposed lighting strip, staff recommends including a condition that the LED strip be shielded in a way which directs the illumination downward.

*Exceptions to the Sign Standards*

AMC Section 9-15.011 allows the sign area or other limitations of the Sign Ordinance to be modified through approval of an Administrative Use Permit, subject to findings and appearance review. The gas station canopy coverage area is 4,388 square-feet and accommodates 8 pump islands, making it one of the larger canopies in the City. All recent permits issued for gas stations and canopy amendments have adhered to the allowed maximum signage requirements set forth in the Municipal Code and no exceptions have been granted in recent years. The ARCO station is directly adjacent to El Camino Real and Montecito Ave., making it very visible from the adjacent roadways and, thus, extra signage is not needed for visibility or identification. The site is approved to have one monument sign and building signage over each tenant space in addition to the approved canopy logos and "ARCO" signs.

Modification of the sign standards must be consistent with the purposes of the Sign Ordinance, which include protecting the economy and aesthetics of the community, implementing quality sign design standards, and minimizing possible adverse impacts of signs on other properties.



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**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

At the previous AUP hearing, the Planning Director found that the proposed signage increase was inconsistent with the required findings. Staff's findings for denial are repeated in the draft denial resolution listed under Attachment 1. If the Planning Commission denies the application, only one finding needs to be identified.

**FINDINGS:**

In order to approve this request for additional signage, the Planning Commission must make all of the following findings, including specific findings for signage exceptions:

*Administrative Use Permit (AMC Section 9-1.112(d))*

1. Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;
2. Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development;
3. Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by Ordinance or Resolution of the City Council;
4. Modification of the applicable standard will not result in the authorization of a use not otherwise allowed.

*Signage Design Exception Findings:*

1. The signs are consistent with the purposes set forth in Section 9-15.002; and
2. The opportunity to combine signs for more than one (1) use on a single sign structure has been considered.

If the Planning Commission cannot make any one of the findings listed above, the project must be denied. If a finding cannot be made, the Planning Commission must clearly state the finding that cannot be made and provide facts to support that conclusion for the record.

**CONCLUSION:**

The City has not approved an increase in canopy color banding in recent history. Approving increased signage here would set a precedent for future gas stations and tenants. If the operator of this station changes and additional color banding and lighting is approved, any future tenant or brand will be able to replace ARCO's colors with their own corporate colors without additional review or approval. The previous application was reviewed and denied by the Administrative Hearing Officer. If the Planning Commission can make the required findings for approval, a resolution and proposed conditions are



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

included as Attachment 2.

**ENVIRONMENTAL DETERMINATION:**

The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15301, because its scope is limited to on-premise signs and electrical conveyances which do not expand or alter the existing use.

**ALTERNATIVES:**

1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications, including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may approve the project. The Commission must make all of the findings in the affirmative, 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 – Denial
2. Draft PC Resolution B - Approval
3. Elevations
4. Site Plan
5. Site Photos



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

**ATTACHMENT 1: Draft Denial Resolution A**  
**USE23-0067**

**DRAFT PC RESOLUTION A**

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ATASCADERO, CALIFORNIA, DENYING AN  
ADMINISTRATIVE USE PERMIT (USE23-0067) FOR INCREASED  
SIGNAGE AT 9590 EL CAMINO REAL  
APN 056-071-011  
(AMB Enterprises, Inc.)**

**WHEREAS**, an application has been received from an Applicant, AMB Enterprises, Inc., (6708 Foothill Blvd., Tujunga, CA 91042), and owner Dinesh Sharda, Pardin Enterprises Inc., (9590 El Camino Real Atascadero, CA 93422) to consider an Administrative Use Permit (USE 23-0067) to allow oversized signage at the ARCO service station at 9590 El Camino Real; and

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

**WHEREAS**, the site's Zoning is Commercial Tourism (CT); and

**WHEREAS**, a previous application for the proposed signage was heard by the Administrative Hearing Officer in a public hearing held on September 7, 2022; and

**WHEREAS**, The Administrative Officer found the proposed increased signage area to be inconsistent with Atascadero Municipal Code 9-1.112(d)(1)(d)(3) and denied the project based on those findings; and

**WHEREAS**, the applicant failed to appeal the Administrative Hearing Officer's decision within the established appeal period; and

**WHEREAS**, the applicant submitted the same application for new consideration on June 29, 2023; and

**WHEREAS**, due to the previous denial by the Administrative Hearing Officer, this application has been elevated to the Planning Commission by the Community Development Director; and

**WHEREAS**, the proposed project qualifies for a Categorical Exemption consistent with CEQA section 15301: existing facilities; and

---

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO  
COMMUNITY DEVELOPMENT DEPARTMENT AT  
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**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

**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 Administrative 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 Administrative Use Permit; and

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on November 8, 2023, studied and considered the Administrative Use Permit USE23-0067.

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Atascadero, California, makes the following findings, determinations, and recommendations with respect to the proposed Administrative Use Permit:

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

**SECTION 2. Public Hearing.** The Planning Commission of the City of Atascadero, at a duly noticed public hearing assembled on November 8, 2023, studied and considered the Administrative Use Permit USE23-0067.

**SECTION 3. Findings.** The Planning Commission finds as follows:

*Administrative Use Permit:*

1. Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;

**Fact:** One of the General Plan Framework Principles is to improve the appearance of the community, including the quality and visual impact of signs. The proposed signage does not support this principle as the color banding on the canopy has too large an impact on its immediate neighborhood. The proposed amount of signage is not an appropriate expression of the desired appearance for the gateways of Atascadero.

2. Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development;

**Fact:** The immediate neighborhood on El Camino Real is generally commercial businesses catering to tourists to the City. High chroma colors are typically not used in building architecture and the canopy was previously approved by the DRC to remain consistent with the building architecture and surrounding existing development.



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

3. Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council; and

**Fact:** The proposed sign is inconsistent with the Design Review Manual which recommends signs that use restrained colors and are proportional in size to the associated building.

**SECTION 4. CEQA.** The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15301, because it is limited to the application of a vinyl decal and LED light strip to an existing structure.

**SECTION 5. Denial.** The Planning Commission of the City of Atascadero, in a regular session assembled on November 8, 2023, resolved to deny Administrative Use Permit USE23-0067.

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

AYES: ( )  
NOES: ( )  
ABSENT: ( )  
ABSTAINED: ( )  
ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jeff van den Eikhof  
Planning Commission Chairperson

ATTEST:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

**ATTACHMENT 2: Draft Approval Resolution**  
**USE 23-0067**

**DRAFT PC RESOLUTION B**

**RESOLUTION OF THE PLANNING COMMISSION**  
**OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING AN**  
**ADMINISTRATIVE USE PERMIT (USE23-0067) TO ALLOW**  
**INCREASED SIGNAGE AT 9590 EL CAMINO REAL**  
**APN 056-071-011**  
**(AMB Enterprises, Inc.)**

**WHEREAS**, an application has been received from the Applicant, AMB Enterprises, Inc., (6708 Foothill Blvd., Tujunga, CA 91042), and owner Dinesh Sharda, Pardin Enterprises Inc., (9590 El Camino Real Atascadero, CA 93422) to consider an Administrative Use Permit (USE23-0067) to allow increased signage at the ARCO service station at 9590 El Camino Real; and

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

**WHEREAS**, the site's Zoning is Commercial Tourism (CT); and

**WHEREAS**, a previous application for the proposed signage was heard by the Administrative Hearing Officer in a public hearing held on September 7, 2022; and

**WHEREAS**, The Administrative Officer found the proposed increased signage area to be inconsistent with Atascadero Municipal Code 9-1.112(d)(1)-(d)(3) and denied the project based on those findings; and

**WHEREAS**, the applicant failed to appeal the Administrative Hearing Officer's decision within the established appeal period; and

**WHEREAS**, the applicant submitted the same application for new consideration on June 29, 2023; and

**WHEREAS**, due to the previous denial by the Administrative Hearing Officer, this application has been elevated to the Planning Commission by the Community Development Director; and

**WHEREAS**, the proposed project qualifies for a Categorical Exemption consistent with CEQA section 15301: existing facilities; 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



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

**WHEREAS**, a timely and properly noticed Public Hearing upon the subject Administrative 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 Administrative Use Permit; and

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on November 8, 2023, studied and considered the Administrative Use Permit USE 23-0067.

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Atascadero, California, makes the following findings, determinations and recommendations with respect to the proposed Administrative Use Permit:

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

**SECTION 2. Public Hearing**. The Planning Commission of the City of Atascadero, at a duly noticed public hearing assembled on November 8, 2023, studied and considered the Administrative Use Permit USE23-0067.

**SECTION 3. Findings**. The Planning Commission finds as follows:

*Administrative Use Permit:*

1. Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;

**Fact:** A significant portion of policies within the General Plan are dedicated to attracting and supporting commercial businesses, especially along major vehicular corridors. The General Plan also aims to expand tourist commercial nodes near freeway interchanges through Policy 13.3. Allowing ARCO to expand their signage to meet corporate standards will provide enhanced wayfinding for those traveling along El Camino Real and potentially expand the customer base for a tourist-serving use.

2. Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development;

**Fact:** The project will not be inconsistent with the character of the neighborhood or contrary to its orderly development. The immediate neighborhood of the project is commercial and tourist-serving in nature and contains a significant number of artificial light sources already, such as the streetlights on the intersection of Santa Rosa Road and El Camino Real. The majority of the signage area in the project is color banding without text and should not cause significant visual impact.



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

3. Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council; and

**Fact:** The proposed oversized signage can be permitted through the Administrative Use Permit process as identified in the Municipal Code. The proposed project is consistent with all applicable provisions with approval of an Administrative Use Permit.

4. Modification of the applicable standard will not result in the authorization of a use not otherwise allowed.

**Fact:** This project does not involve a change of use nor a significant expansion of an existing use. Gas stations are an allowed use in the Commercial Tourist zone.

*Signage Design Exception:*

3. The signs are consistent with the purposes set forth in Section 9-15.002; and

**Fact:** The signage, as proposed, meets the purposes set forth in Section 9-15.002. It does not impede or distract travelers or create visual clutter with excessive text or animation. Additionally, the signage enhances brand communication and improves wayfinding by meeting the corporate standards that consumers have come to associate with ARCO gas stations.

4. The opportunity to combine signs for more than one (1) use on a single sign structure has been considered; and

**Fact:** All signage associated with this project is on a single structure.

**SECTION 4. CEQA.** The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15301, because it is limited to the application of a vinyl decal and LED light strip to an existing structure.

**SECTION 5. Approval.** The Planning Commission of the City of Atascadero, in a regular session assembled on November 8, 2023, resolved to approve Administrative Use Permit USE23-0067 subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Site Plan
- EXHIBIT C: Proposed Color Banding
- EXHIBIT D: Elevations



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

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

AYES: ( )  
NOES: ( )  
ABSENT: ( )  
ABSTAINED: ( )

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jeff van den Eikhof  
Planning Commission Chairperson

ATTEST:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**ITEM 2**  
**Gas Station Canopy Signage**  
**USE23-0067 / AMB Enterprises, Inc.**

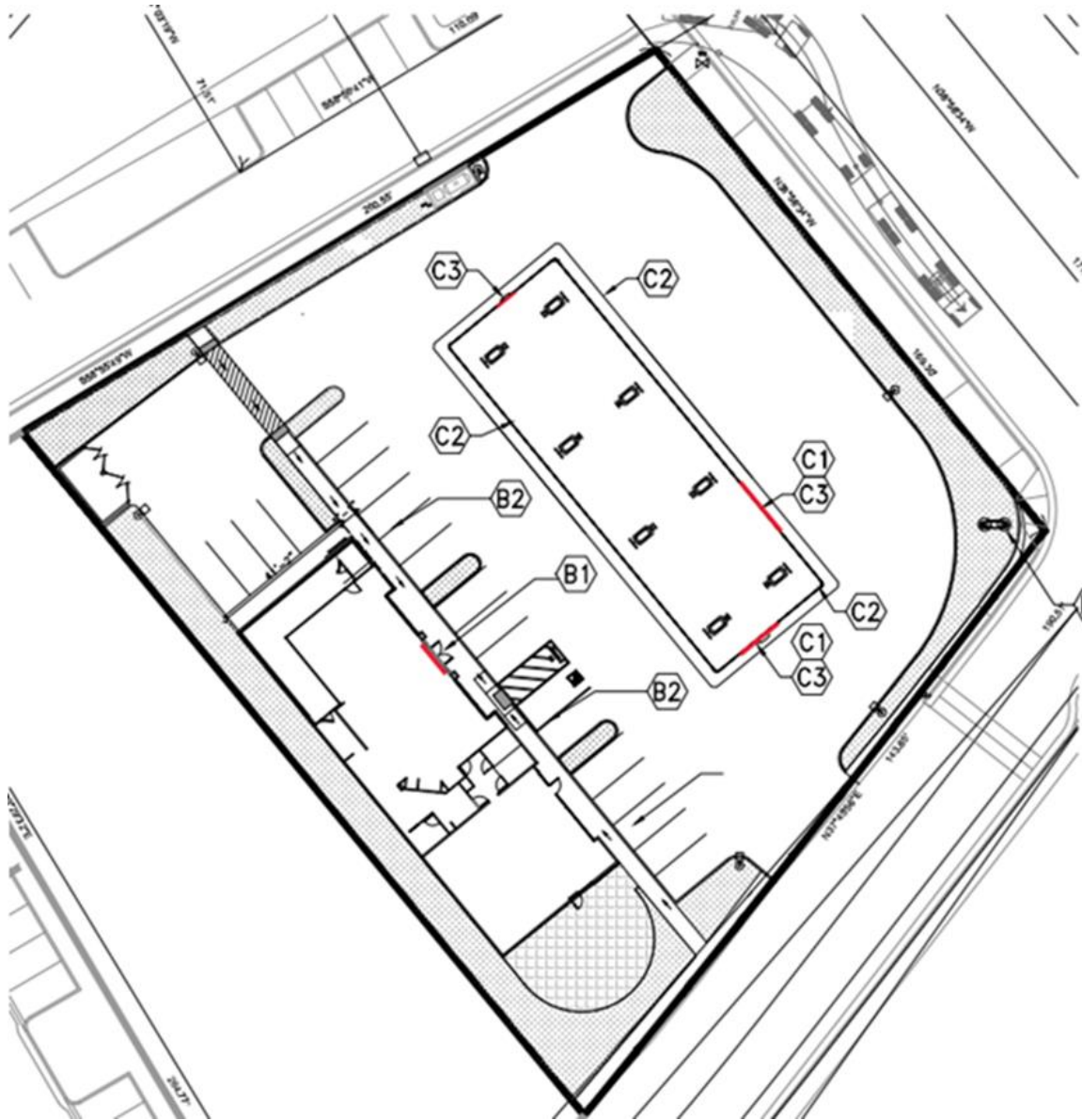
**Exhibit A: Conditions of Approval**  
**USE23-0067**

Conditions of Approval / Mitigation Monitoring Program	Timing	Responsibility /Monitoring
<p><b>9590 El Camino Real</b></p> <p><b>USE23-0067</b></p>	<p>BL: Business License            GP: Grading Permit            BP: Building Permit            FI: Final Inspection            TO: Temporary Occupancy            FO: Final Occupancy</p>	<p>PS: Planning Services            BS: Building Services            FD: Fire Department            PD: Police Department            CE: City Engineer            WW: Wastewater            CA: City Attorney</p>
<b>Planning Services Conditions</b>		
<p>1. This Conditional Use Permit shall allow for increased signage on a gas station canopy consisting of color banding and an LED lighting strip around the perimeter of the gas station canopy at 9590 El Camino Real (APN 056-071-011), as described in attached Exhibits, regardless of owner.</p>	<b>Ongoing</b>	<b>PS</b>
<p>2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval, unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.</p>	<b>Ongoing</b>	<b>PS</b>
<p>3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, and/or (2) result in a superior site design or appearance.</p>	<b>BP</b>	<b>PS, BS, CE</b>
<p>4. Approval of this Administrative Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit. If the signage is removed for a period of greater than 6 months, any new signage shall be done in accordance with the City's non-conforming use code.</p>	<b>BP/Ongoing</b>	<b>PS</b>
<p>5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.</p>	<b>Ongoing</b>	<b>CA</b>
<p>6. Color banding and lighting shall be consistent with what is shown in Exhibit C, with the following modifications:</p> <ul style="list-style-type: none"> <li>- LED lighting strip shall be shielded in a way which directs the light downward as opposed to being located within a protruding housing.</li> </ul>	<b>BP</b>	<b>PS</b>



**ITEM 2**  
Gas Station Canopy Signage  
USE23-0067 / AMB Enterprises, Inc.

**Exhibit B: Site Plan**  
**USE23-0067**



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



**ITEM 2**  
Gas Station Canopy Signage  
USE23-0067 / AMB Enterprises, Inc.

**Exhibit C: Proposed Color Banding**  
**USE23-0067**

**Materials:**

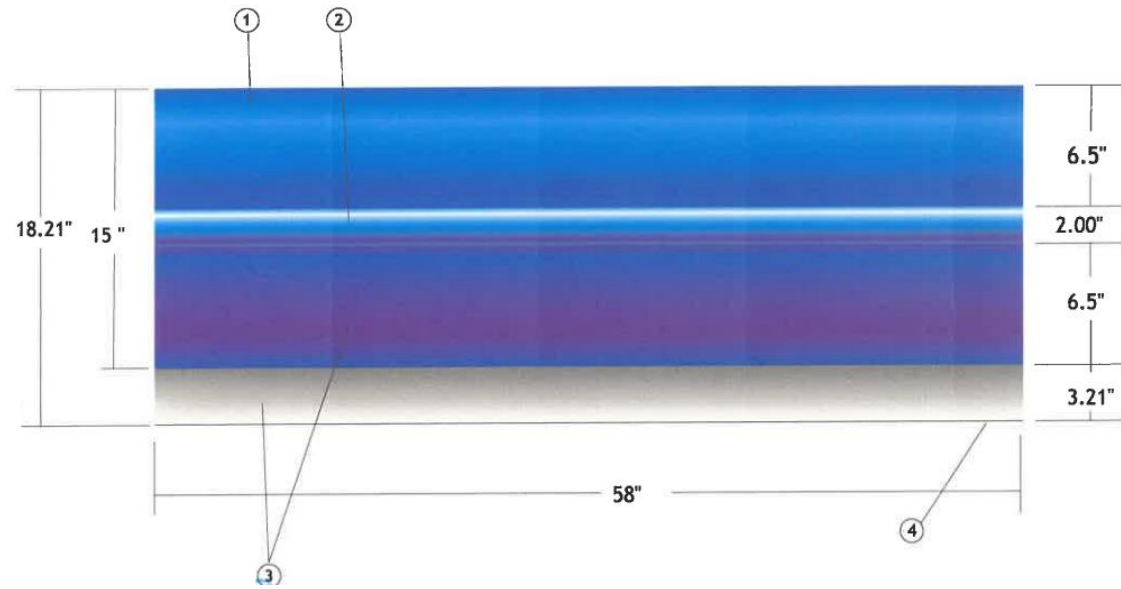
- 1. XL 1002
- 2. Premask

**Finishing:**

- 1. Premask
- 2. Die cut

**Colors:**

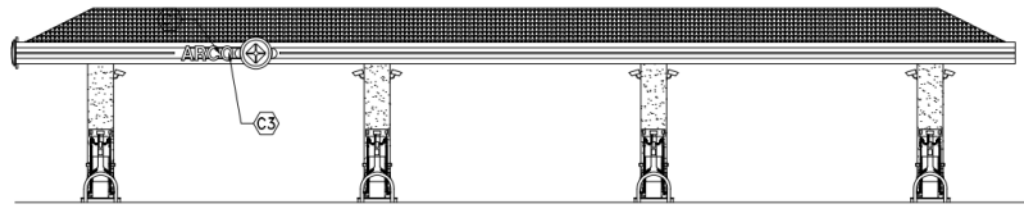
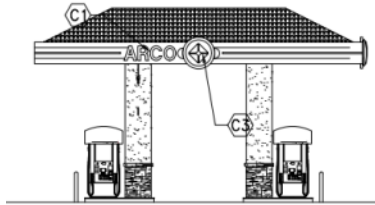
- 1. Dk Blue HT
- 2. Light Blue HT
- 3. Black
- 4. Pearl
- 5. Clear



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**ITEM 2**  
Gas Station Canopy Signage  
USE23-0067 / AMB Enterprises, Inc.

**Exhibit D: Elevations**  
**USE 23-0067**



CANOPY ELEVATIONS



**ITEM 2**  
Gas Station Canopy Signage  
USE23-0067 / AMB Enterprises, Inc.

**ATTACHMENT 5: Site Photos**  
**USE 23-0067**



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**ITEM 2**  
Gas Station Canopy Signage  
USE23-0067 / AMB Enterprises, Inc.

**ATTACHMENT 6: Examples of proposed lighting and color banding  
USE 23-0067**



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**PC RESOLUTION 2023-0018**

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING AN  
ADMINISTRATIVE USE PERMIT (USE23-0067) TO ALLOW  
INCREASED SIGNAGE AT 9590 EL CAMINO REAL  
APN 056-071-011  
(AMB Enterprises, Inc.)**

**WHEREAS**, an application has been received from the Applicant, AMB Enterprises, Inc., (6708 Foothill Blvd., Tujunga, CA 91042), and owner Dinesh Sharda, Pardin Enterprises Inc., (9590 El Camino Real Atascadero, CA 93422) to consider an Administrative Use Permit (USE23-0067) to allow increased signage at the ARCO service station at 9590 El Camino Real; and

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

**WHEREAS**, the site's Zoning is Commercial Tourism (CT); and

**WHEREAS**, a previous application for the proposed signage was heard by the Administrative Hearing Officer in a public hearing held on September 7, 2022; and

**WHEREAS**, The Administrative Officer found the proposed increased signage area to be inconsistent with Atascadero Municipal Code 9-1.112(d)(1)-(d)(3) and denied the project based on those findings; and

**WHEREAS**, the applicant failed to appeal the Administrative Hearing Officer's decision within the established appeal period; and

**WHEREAS**, the applicant submitted the same application for new consideration on June 29, 2023; and

**WHEREAS**, due to the previous denial by the Administrative Hearing Officer, this application has been elevated to the Planning Commission by the Community Development Director; and

**WHEREAS**, the proposed project qualifies for a Categorical Exemption consistent with CEQA section 15301: existing facilities; 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 Administrative 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 Administrative Use Permit; and

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on November 8, 2023, studied and considered the Administrative Use Permit USE 23-0067.

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Atascadero, California, makes the following findings, determinations and recommendations with respect to the proposed Administrative Use Permit:

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

**SECTION 2. Public Hearing**. The Planning Commission of the City of Atascadero, at a duly noticed public hearing assembled on November 8, 2023, studied and considered the Administrative Use Permit USE23-0067.

**SECTION 3. Findings**. The Planning Commission finds as follows:

*Administrative Use Permit:*

1. Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;

**Fact:** A significant portion of policies within the General Plan are dedicated to attracting and supporting commercial businesses, especially along major vehicular corridors. The General Plan also aims to expand tourist commercial nodes near freeway interchanges through Policy 13.3. Allowing ARCO to expand their signage to meet corporate standards will provide enhanced wayfinding for those traveling along El Camino Real and potentially expand the customer base for a tourist-serving use.

2. Modification of the applicable standard will not result in a project that is inconsistent with the character of the immediate neighborhood or contrary to its orderly development;

**Fact:** The project will not be inconsistent with the character of the neighborhood or contrary to its orderly development. The immediate neighborhood of the project is commercial and tourist-serving in nature. The majority of the signage area in the project is color banding without text and should not cause significant visual impact.

3. Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council; and

**Fact:** The proposed oversized signage can be permitted through the Administrative Use Permit process as identified in the Municipal Code. The proposed project is consistent

with all applicable provisions with approval of an Administrative Use Permit.

4. Modification of the applicable standard will not result in the authorization of a use not otherwise allowed.

**Fact:** This project does not involve a change of use nor a significant expansion of an existing use. Gas stations are an allowed use in the Commercial Tourist zone.

*Signage Design Exception:*

1. The signs are consistent with the purposes set forth in Section 9-15.002; and

**Fact:** The signage, as proposed, meets the purposes set forth in Section 9-15.002. It does not impede or distract travelers or create visual clutter with excessive text or animation. Additionally, the signage enhances brand communication and improves wayfinding by meeting the corporate standards that consumers have come to associate with ARCO gas stations.

2. The opportunity to combine signs for more than one (1) use on a single sign structure has been considered; and

**Fact:** All signage associated with this project is on a single structure.

**SECTION 4. CEQA.** The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15301, because it is limited to the application of a vinyl decal and LED light strip to an existing structure.

**SECTION 5. Approval.** The Planning Commission of the City of Atascadero, in a regular session assembled on November 8, 2023, resolved to approve Administrative Use Permit USE23-0067 subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Site Plan
- EXHIBIT C: Proposed Color Banding
- EXHIBIT D: Elevations

On motion by Chairperson van den Eikhof, and seconded by Commissioner Anderson, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: Anderson, Heath, Keen, van den Eikhof (4)  
NOES: Schmidt (1)

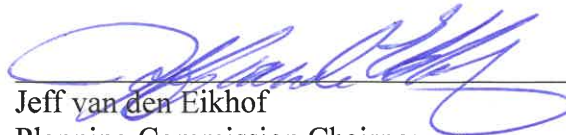
ITEM NUMBER: B-1  
DATE: 02/13/24  
ATTACHMENT: 7

ABSENT: Hughes, Carranza (2)

ABSTAINED: None (0)

ADOPTED: November 8, 2023

CITY OF ATASCADERO, CA

  
\_\_\_\_\_  
Jeff van den Eikhof  
Planning Commission Chairperson

ATTEST:

  
\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**Exhibit A: Conditions of Approval  
 USE23-0067**

<b>Conditions of Approval / Mitigation Monitoring Program</b>  <b>9590 El Camino Real</b>  <b>USE23-0067</b>	<b>Timing</b>  BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	<b>Responsibility /Monitoring</b>  PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
<b>Planning Services Conditions</b>		
1. This Administrative Use Permit shall allow for increased signage on a gas station canopy consisting of color banding around the perimeter of the gas station canopy at 9590 El Camino Real (APN 056-071-011), as described in attached Exhibits, regardless of owner.	<b>Ongoing</b>	<b>PS</b>
2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval, unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>Ongoing</b>	<b>PS</b>
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, and/or (2) result in a superior site design or appearance.	<b>BP</b>	<b>PS, BS, CE</b>
4. Approval of this Administrative Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit. If the signage is removed for a period of greater than 6 months, any new signage shall be done in accordance with the City's non-conforming use code.	<b>BP/Ongoing</b>	<b>PS</b>
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.	<b>Ongoing</b>	<b>CA</b>
6. Color banding shall be consistent with what is shown in Exhibit C, with the following modifications: <ul style="list-style-type: none"> <li>- LED lighting strip is not included in this approval and will not be permitted unless an appeal or amendment is approved.</li> </ul>	<b>BP</b>	<b>PS</b>

**Exhibit B: Site Plan**  
**USE23-0067**



**Exhibit C: Proposed Color Banding**  
**USE23-0067**

**Materials:**

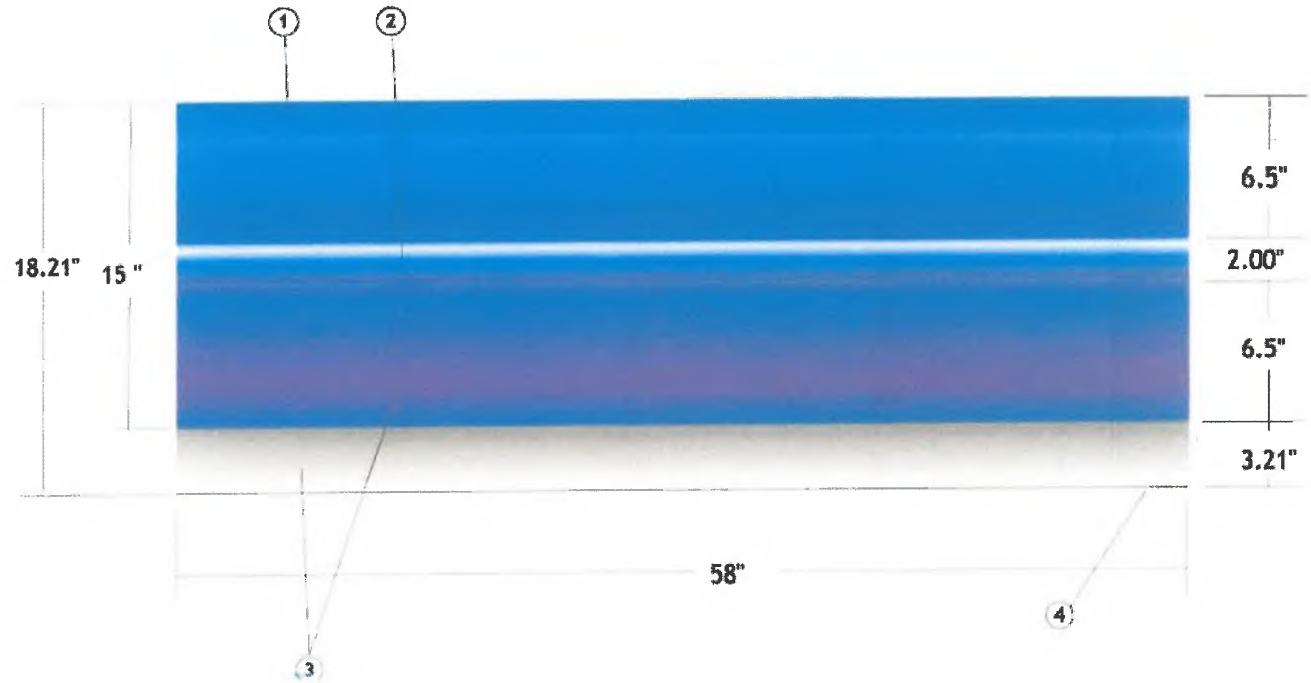
- 1. XL 1002
- 2. Premask

**Finishing:**

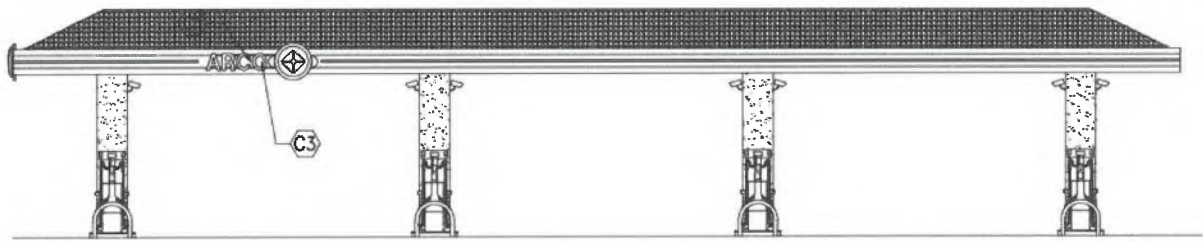
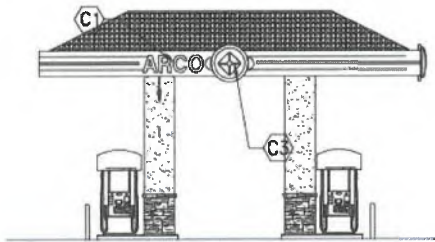
- 1. Premask
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**Colors:**

- 1. Dk Blue HT
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- 3. Black
- 4. Pearl
- 5. Clear



**Exhibit D: Elevations**  
**USE 23-0067**



CANOPY ELEVATIONS



**ATTACHMENT 5: Site Photos**  
**USE 23-0067**



**ATTACHMENT 6: Examples of proposed lighting and color banding  
USE 23-0067**

