



CITY OF ATASCADERO

ADMINISTRATIVE HEARING

NOTICE OF ACTION

Item: _____ 2
Department: Community Development
Date: 08/03/26

TO: Phil Dunsmore, Administrative Hearing Officer
FROM: Kelly Gleason, Planning Manager
PREPARED BY: Emma Jantos, Planning Intern

SUBJECT: USE26-0040 The Colony Sandwich Co. Non-Commercial Mural

RECOMMENDATION:

The Administrative Hearing Officer approve USE26-0040 to allow a non-commercial mural at 6040 El Camino Real Ave (APN 030-191-001), based on findings and subject to conditions of approval.

DISCUSSION:

PROJECT SUMMARY

The Atascadero Municipal Code allows non-commercial murals in all zoning districts subject to an Administrative Use Permit to review the size, location, and placement to ensure that the message is non-commercial in nature and does not create any safety issues related to distractive or reflective elements. The applicant, Equality Mural Project, proposes a 59'x 16' mural facing Highway 101 that is visible from the Traffic Way exit and the parking lot behind Colony Sandwich Company. An artist's rendering of the proposed mural is included in Attachment 3.

ANALYSIS

The proposed art mural will cover the southwest building façade of Colony Sandwich Company facing Highway 101. In 2017 the City approved an Equality Project mural in the same location under PLN2017-1659. The size and location have not changed from the previously approved mural and will not pose any safety hazards due to the new mural design. The artists' statement and a depiction of the mural is included in Attachment 3. Based on the submitted application materials, the proposed artwork does not depict a commercial message or advertisement for a business.

FINDINGS:

1. **FINDING:** *Modification of the applicable standard will not result in a project that is inconsistent with the General Plan;*
FACT: There are no conflicts with the policies set forth in the City's General Plan. Land Use, Open Space and Conservation (LOC) Goal #4.2 is to "enhance the appearance of the downtown area and improve pedestrian circulation." Adding public art contributes to achieving this goal by providing a distinct feature that is not seen outside of the Downtown, encouraging pedestrians to visit and develops a sense of place.

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 is not commercial in nature and does not conflict with the character of the immediate neighborhood. A mural has previously existed in this location. The mural will enhance building quality in the DC zoning district. The proposed mural will face the Traffic Way exit on US Highway 101 and will act as a gateway entrance for those exiting to visit Downtown Atascadero.
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 mural will not conflict with City policies or criteria adopted by ordinance or resolution. The City allows non-commercial art murals in all zoning districts subject to the 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: No new or modified uses are proposed.
5. **FINDING:** *The proposed art display is non-commercial in nature; and*
FACT: The artwork does not display a commercial message.
6. **FINDING:** *The size, location, and/or medium used will not pose any safety risks to drivers.*
FACT: The proposed mural faces the Traffic Way off-ramp from Highway 101 Northbound and will be seen by traffic heading into downtown. No reflective media or otherwise distracting elements are proposed. The size and location do not pose a safety risk to drivers.

ENVIRONMENTAL DETERMINATION:

The project qualifies for a Class 11 exemption (Categorically Exempt) 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.) Section 15311, because it meets all required conditions to be considered an accessory structure.

CONCLUSION:

The request to allow the installation of a 99SF painted mural meets the intent of the code and all applicable City standards. The mural is noncommercial nature and does not contain distracting elements.

CONDITIONS:

1. The approval of Administrative Use Permit USE26-0040 allows the installation of a 994 SF non-commercial mural on a parking lot-facing façade of an existing building at 6040 El Camino Real Ave (APN 030-191-001), as depicted and described on the attached exhibits. The approval of this entitlement runs with the land, regardless of the owner.
2. The approval of this entitlement shall become final and effective for the purposes of issuing building permits fourteen (14) days after the Administrative Hearing Officer's action unless an appeal is made in accordance with the Atascadero Municipal Code.
3. If the mural is defaced, or vandalized, the property owner will repair or repaint the wall as needed.
4. Before changing the mural, the applicant or property owner must submit a sketch or photo of the proposed art to staff so they can verify the message is non-commercial. This must be submitted at least five (5) working days before any changes begin.
5. Approval of this entitlement 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 signs have been installed, or the project has received a time extension consistent with the Atascadero Municipal Code.
6. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this Administrative Use Permit.
7. The Community Development Department shall have the authority to approve minor changes to the project that result in a superior site design or appearance.

CODE REQUIREMENTS:

1. AMC 9-1.112 Administrative Use Permit
2. General Plan Land Use, Open Space and Conservation Element Goal LOC 4

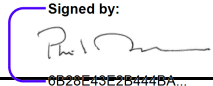
ACTION:

☒ APPROVE

☐ APPROVE AS MODIFIED

☐ DENY

☐ CONTINUE TO ALLOW _____

SIGNED:  Signed by: 8/5/2026
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 Phil Dunsmore, Administrative Hearing Officer Date

ATTACHMENTS:

1. Location Map
2. Mural Location
3. Proposed Mural Concept and Artist Statement

Attachment 1: Location Map
USE26-0040



**Attachment 2: Mural Location
USE26-0040**



Attachment 3: Proposed Mural Concept and Artist Statement
USE26-0040**Artist Statement:**

As an artist, I feel an intrinsic responsibility to use my platform to highlight and uplift marginalized communities. I believe that I can use color and portraiture to create a space for discourse around what it means to belong to a community. My work also aims to increase a sense of belonging and connectedness for folks that might not otherwise feel that way. It is through this approach that I believe bridges can be built. Art is a critical component in pushing for a positive community change and I know that I will continue to pursue spaces that allow me to show others how beautiful each one of us is. Being a Latino artist fans my flame to pursue this positive movement through art, because it impacts my family and I as well. If we can all feel connected and like we belong, then I believe we will see a community that begins to shift and move in all the right ways. Together.

- Neo Medina