

## **\* COVID-19 NOTICE \***

**Consistent with Executive Orders N-25-20 and No. N-29-20 from the Executive Department of the State of California and the San Luis Obispo County Health Official's March 18, 2020 Shelter at Home Order, the AUP Meeting will not be physically open to the public and Planning Staff will be teleconferencing into the meeting.**

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

Members of the public are highly encouraged to call **669-900-6833** to listen and provide public comment via phone, or submit written public comments to [aup-comments@atascadero.org](mailto:aup-comments@atascadero.org) by 5:00 pm on the day before the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Zoning Administrator's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

### **AMERICAN DISABILITY ACT ACCOMMODATIONS:**

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

To join the meeting:

<https://us02web.zoom.us/j/84567568854?pwd=UytsbTU1OVBN2JYQVVJQmlMT1FaZz09>

Phone: (669) 900-6833

Webinar ID: 845 6756 8854

Administrative Use Permit agendas and staff reports may be viewed on the City's website: [www.atascadero.org](http://www.atascadero.org). Final Action Reports will be available after the meeting, and upon request from the Community Development Department.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, [www.atascadero.org](http://www.atascadero.org). All documents submitted by the public during AUP meetings that are either read into the record or referred to in their statement will be noted in the audio recording and available for review by contacting the Community Development Department. All documents will be available for public inspection during City Hall business hours by appointment request, or once City Hall is open to the public following the termination of the Shelter at Home Order.



# CITY OF ATASCADERO

## COMMUNITY DEVELOPMENT DEPARTMENT

### Administrative Use Permit Hearing **A G E N D A**

The City of Atascadero's Zoning Hearing Officer will hold a public hearing at **10:00 a.m.** on **Thursday, May 13, 2021** at City Hall to consider the following project.

1. **5760 EL CAMINO REAL, STE. D, USE21-0039**; The application for the project is to allow for a commercial painted sign that exceeds size limitations in the Downtown commercial zoning district. **(Movement for Life Physical Therapy)** (*Mariah Gasch, Assistant Planner*)
2. **5760 EL CAMINO REAL, USE21-0040**; The application for the project is to allow for a non-commercial message art mural. **(Equality Mural Project)** (*John Holder, Associate Planner*)
3. **5995 ENTRADA AVE, USE21-0042**; The application for the project is to allow for a non-commercial art mural. **(Equality Mural Project)** (*John Holder, Associate Planner*)

PLEASE NOTE: Any court challenge to the actions taken at the public hearing may be limited to considering only those issues raised at the public hearing described in this notice or in written correspondence to the City of Atascadero at, or prior to, the public hearing.

Any decision of the Hearing Officer is final unless appealed to the Planning Commission within 14 days of the action. Any person aggrieved by the decision may file an appeal. Appeal forms are available in the Community



**CITY OF ATASCADERO**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

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Development Department or on the City's website ([www.atascadero.org](http://www.atascadero.org)).  
The fee for filing an appeal is \$806 and must accompany the appeal documentation.



# CITY OF ATASCADERO

## COMMUNITY DEVELOPEMENT

### **Administrative Hearing Agenda Report**

**ITEM # 1**

**FROM:** Mariah Gasch

**MEETING DATE:** May 13, 2021

**FILE NUMBER:** USE21-0039

**PROJECT ADDRESS:** 6907 El Camino Real Suite D

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#### **SITUATION:**

The applicant, Southpaw Sign Co., is proposing one new painted wall sign in the Downtown Commercial (DC) zoning district. The sign is for the business Movement for Life at 6907 El Camino Real. Movement for Life has already obtained a business license for this location in suite D. The proposed sign is twenty feet long and four feet tall (20' x 4') for a total of 80 square feet. The sign is centered above the business's main entry door. The length of the building façade with the proposed sign is approximately 155 feet. Atascadero Municipal Code 9-15.008 limits wall signage to one square-foot per linear foot of building frontage with a total combined maximum of 50-square-feet per tenant space in the Downtown Commercial zoning district. Since the proposed sign for Movement for Life is 30 square feet above the allowed maximum in the Downtown Commercial zoning district, the applicant is requesting the exception in order to maximize underutilized wall space alongside Capistrano Avenue.

This wall already has one existing painted sign for Wild Fields, which is located next door to this business. Wild Fields requested an exception to the size of their painted wall sign in 2019. The Wild Fields sign is a total of 98 square feet.

#### **EVALUATION:**

The total aggregate signage area for the business is proposed to be 80 square feet with only one sign proposed. The painted wall sign would help identify and promote this business and would be consistent with existing signage for the building. In addition, this building is part of a planned center and is set back a considerable distance from the adjacent rights-of-way. Larger signage will increase visibility from the public way as well as from the adjacent parking lots. The proposed sign design is also proportionate to the existing building wall.

Existing Wild Fields sign



**RECOMMENDATION:**

Staff recommends the Administrative Hearing Officer approve USE21-0039 to allow the signage as proposed.

**ENVIRONMENTAL DETERMINATION**

- ☒ Categorical Exemption CEQA – Guidelines Section 15311
- ☐ Statutory Exemption §§ 21000, et seq & \_\_\_\_\_
- ☐ No Project – Ministerial Project

**Findings**

AMC 9-15.011 requires the Hearing Officer to make the following 4 findings:

1. *The sign is consistent with the purposes set forth in Section 9-15.002;*

The proposed sign helps meet needs that are based in the following purposes outlined in section 9-15.002 of the AMC. Section 9-15.002(a) intends to “Maintain and improve the aesthetic environment and overall community appearance to foster the City’s ability to attract sources of economic development and growth.” Section 9-15.002(c) intends to “implement quality sign design standards that are consistent with the City’s General Plan, Zoning Ordinance and Appearance Review Guidelines;” Section 9-15.002(e) intends to “minimize possible adverse impacts of signs on private and public property in order to maintain property values and to maintain a positive City image;” Section 9-15.002(g) intends to “generally limit commercial signage to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public.” Finally, Section 9-15.002(h) intends to “limit the size and number of signs to levels that

reasonably allow for the identification of a residential, public or commercial location and the nature of any such commercial business.”

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

The proposed sign is centered above the existing door and is large enough to be visible to advertise the individual tenant’s services.

3. *For freeway-oriented signs, the sign area and height are the minimum needed to achieve adequate visibility along the freeway due to highway ramp locations and grade differences; and*

The proposed sign is not freeway-oriented.

4. *Conformance with all other applicable codes and ordinances of the City, including, but not limited to, the Zoning Ordinance, General Plan and its several elements, and the appearance review guidelines. (Ord. 604 § 2, 2016)*

The sign conforms with applicable codes and ordinances of the City, including Framework Principles of the General Plan that call for improving the appearance and character of Atascadero through signage. General Plan Policy 1.3 states: “Enhance the rural character and appearance of the City, including commercial corridors, gateways and public facilities.” The proposed sign helps promote the downtown commercial corridor. General Plan Goal LOC 4 states: “Provide for a strong and distinctive Downtown Area.” This sign will help enhance and promote a commercial node in the downtown area, and allow for a unique and distinctive sign design that will help frame street-facing businesses in the downtown commercial zone. Additionally, the proposed sign is in compliance with the City’s appearance review manual guidelines related to signs. Specifically, the sign is in scale and proportion in its visual relationship to the building and surrounding structures, and can be considered harmonious with the building.

### **Conditions**

1. The design and location of the sign shall be consistent with Attachment 2.

### **Code Requirements**

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

### **Attachments**

Attachment 1 - Location Map

Attachment 2 - Proposed Elevation

### **Action:**

☐ Approve

☐ Approve as modified

☐ Deny

☐ Continue to: \_\_\_\_\_ to allow \_\_\_\_\_

\_\_\_\_\_

☐ Continue indefinitely to allow: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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



**Attachment 1: Location Map**  
**USE21-0039**

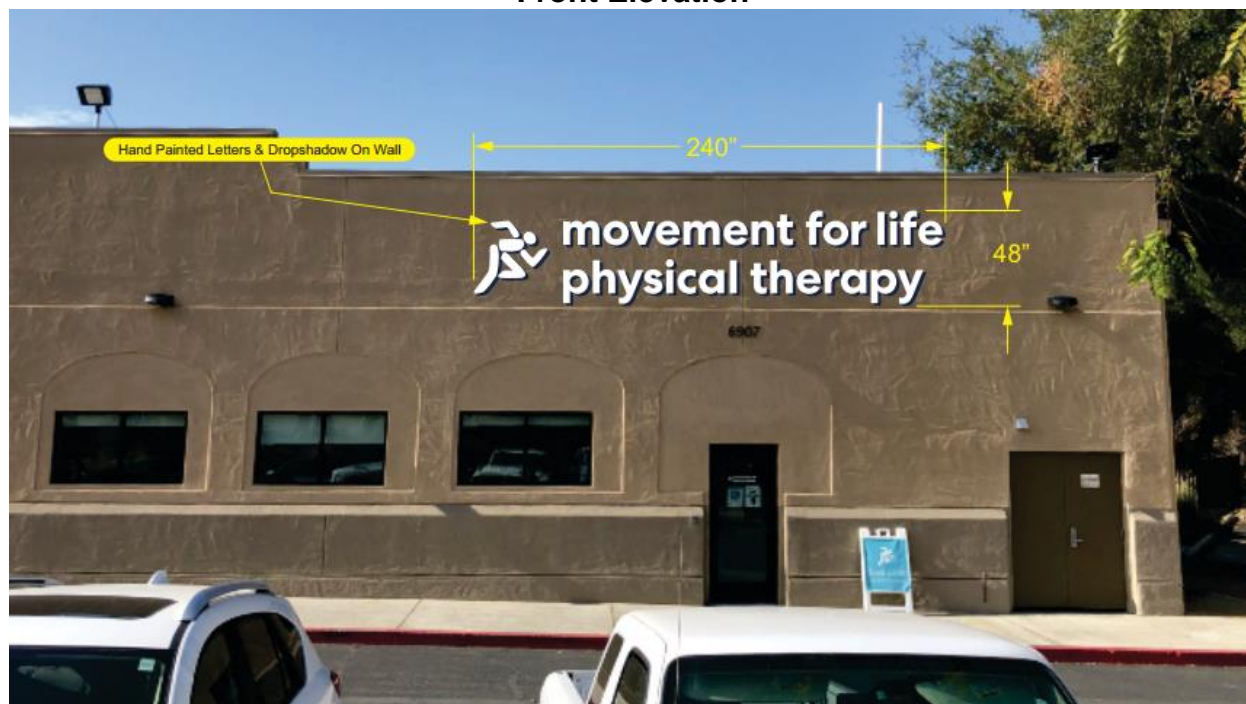
**Aerial Map**





**Attachment 2: Proposed Elevation**  
**USE21-0039**

**Front Elevation**





# CITY OF ATASCADERO

## COMMUNITY DEVELOPEMENT

### Administrative Hearing Agenda Report

ITEM # 2

FROM: John Holder

MEETING DATE: May 13, 2021

FILE NUMBER: USE21-0040

PROJECT ADDRESS: 5760 El Camino Real

**SITUATION:** The applicant is proposing a 30 by 27 foot art mural sized at 5760 El Camino Real. The proposed is located in the downtown zone and has a wall facing north on El Camino Real. There are no other art murals on the property and the building currently contains commercial and residential units. The proposed art mural will be painted on the north façade and will be visible from El Camino Real.

**EVALUATION:** City policy allows art and murals in all zoning districts with review of an Administrative Use Permit to ensure that the message is non-commercial in nature and does not create any safety issues related to distractive or reflective elements. The proposed art mural will cover the entire building façade facing north and promote an environmental sustainability message. The City has reviewed a similar wall murals located along Traffic Way and there are other similar murals in the downtown zone. The size and location will not pose any safety hazards and proposed artwork will not depict a commercial message or advertisement for a business.

**RECOMMENDATION:** Staff recommends the Administrative Hearing Officer approve USE 21-0040 determining that the proposed mural at the above address is non-commercial in nature and consistent with the attached exhibits.

#### ENVIRONMENTAL DETERMINATION

- ☒ Categorical Exemption CEQA – Guidelines Section 15301
- ☐ Statutory Exemption §§ 21000, et seq & \_\_\_\_\_
- ☐ No Project – Ministerial Project

The proposed project is Categorically Exempt (Class 01) 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 15311, because the proposed project includes the minor alteration of an existing structure that will have no expansion of the existing use.

#### Findings

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

There are no conflicts with the policies set forth in the City's 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;*

The proposed project is not commercial in nature and does not conflict with the character of the immediate neighborhood. The proposed mural will enhance building quality in the downtown district.

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;*

The proposed mural is will not conflict with City policies.

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

No new or modified uses are proposed.

5. *The proposed art display is non-commercial in nature; and*

The proposed artwork does not display a commercial message.

6. *The size, location, and/or medium used will not pose any safety risks to drivers.*

The proposed mural is located on the north side of the building and will be seen from El Camino Real. The size and location does not pose a safety risk to drivers.

**Conditions:**

1. If the mural is defaced, or vandalized, the property owner will repair or repaint the wall as needed.
2. Prior to any modification or replacement of the mural, the applicant or property owner shall provide staff with a sketch or photo of any proposed changes to ensure a non-commercial message at least five (5) working days prior to any changes.

**Code Requirements**

1. AMC 9-1.112 Administrative Use Permit
2. AMC 9-15 Signs

**Action:**

- ☐ Approve
- ☐ Approve as modified

☐ Deny

☐ Continue to: \_\_\_\_\_ to allow \_\_\_\_\_

\_\_\_\_\_

☐ Continue indefinitely to allow: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Hearing Officer

**ATTACHMENTS:**

Attachment 1: Location Map

Attachment 2: Proposed Mural Location

Attachment 3: Proposed Mural

**Attachment 1: Location Map**  
**USE 21-0040**



Proposed Project  
(5760 El Camino  
Real)

**Attachment 2: Proposed Mural Location  
USE21-0040**





**Attachment 3: Proposed Mural**  
**USE21-0040**







# CITY OF ATASCADERO

## COMMUNITY DEVELOPEMENT

### Administrative Hearing Agenda Report

ITEM # 3

FROM: John Holder

MEETING DATE: May 13, 2021

FILE NUMBER: USE21-0042

PROJECT ADDRESS: 5995/5991 Entrada Avenue, Atascadero, CA, 93422

**SITUATION:** The applicant is proposing a 25 by 25 foot art mural at 5995/5991 Entrada Avenue. The project is located in the downtown zone on a wall facing the parking area behind a commercial building on Entrada and adjacent to El Camino Real. There are no other art murals on the property and the building contains a commercial paint company. The proposed art mural will cover a portion of the southeast facing building façade of 5991 Entrada and will be facing the parking area of 5995 Entrada. Both 5991 Entrada and 5995 are currently occupied by the same commercial paint company.

**EVALUATION:** City policy allows art and murals in all zoning districts with review of an Administrative Use Permit to ensure that the message is non-commercial in nature and does not create any safety issues related to distractive or reflective elements. The mural will be painted on a blank wall section. The City has reviewed a similar size wall mural located along Traffic Way and there are other similar murals in the downtown zone. The size and location will not pose any safety hazards and proposed artwork will not depict a commercial message or advertisement for a business.

**RECOMMENDATION:** Staff recommends the Administrative Hearing Officer approve USE 21-0042 determining that the proposed mural at the above address is non-commercial in nature and poses no safety concerns.

#### ENVIRONMENTAL DETERMINATION

- ☒ Categorical Exemption CEQA – Guidelines Section 15301
- ☐ Statutory Exemption §§ 21000, et seq & \_\_\_\_\_
- ☐ No Project – Ministerial Project

The proposed project is Categorically Exempt (Class 01) 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 15311, because the proposed project includes the minor alteration of an existing structure that will have no expansion of the existing use.

### Findings

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

There are no conflicts with the policies set forth in the City's 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;*

The proposed project is not commercial in nature and does not conflict with the character of the immediate neighborhood. The proposed mural will enhance building quality in the downtown district.

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;*

The proposed mural will not conflict with City policies.

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

No new or modified uses are proposed.

5. *The proposed art display is non-commercial in nature; and*

The proposed artwork does not display a commercial message.

6. *The size, location, and/or medium used will not pose any safety risks to drivers.*

The proposed mural is located on the north-west side of the building and will be seen from El Camino Real and Entrada. The size and location does not pose a safety risk to drivers.

**Conditions:**

1. If the mural is defaced, or vandalized, the property owner will repair or repaint the wall as needed.
2. Prior to any modification or replacement of the mural, the applicant or property owner shall provide staff with a sketch or photo of any proposed changes to ensure a non-commercial message at least five (5) working days prior to any changes.

**Code Requirements**

1. AMC 9-1.112 Administrative Use Permit
2. AMC 9-15: Signs

**Action:**

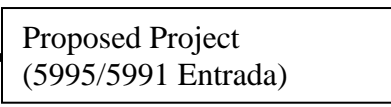
- ☐ Approve
- ☐ Approve as modified
- ☐ Deny
- ☐ Continue to: \_\_\_\_\_ to allow \_\_\_\_\_

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

\_\_\_\_\_  
Hearing Officer

**ATTACHMENTS:**

- Attachment 1: Location Map
- Attachment 2: Proposed Mural Location
- Attachment 3: Proposed Mural



**Attachment 2: Proposed Mural Location on building  
USE 21-0042**



**Attachment 3: Proposed Mural**  
**USE 21-0042**

