



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 **11:00 a.m.** or later on **Thursday, December 6, 2018**, at City Hall, Room 106, 6500 Palma Ave., Atascadero, to consider the following projects:

1. **5460 ENCINO, USE18-0134:** The project is an application for a sloping lot adjustment. The front setback is proposed to be reduced on Encino for the garage only, in order to limit grading needed for development of the site. Staff recommendation is for the Hearing Officer to approve the AUP. **(Sanchez)** (*Callie Taylor, Senior Planner*)
2. **5920 WEST MALL, USE18-0130:** The project is an application to allow multiple signs on two faces of the building. **(Signs of Success/Dignity Health/Med Plus)** (*Mariah Gasch, Assistant 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 Development Department or on the City's website (www.atascadero.org). The fee for filing an appeal is \$762 and must accompany the appeal documentation.

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CITY OF ATASCADERO

COMMUNITY DEVELOPEMENT

Administrative Use Hearing Staff Report

ITEM # 1

FROM: Callie Taylor, Senior Planner
Erick Gomez, Planning Intern

MEETING DATE: November 20, 2018

FILE NUMBER: USE 18-0134

PROJECT ADDRESS: 5460 Encino Avenue, Atascadero, CA 93422
APN# 031-092-016

SITUATION: The applicant has submitted a building permit for a single-family residence on a sloping lot. A sloping lot adjustment is requested, as allowed by AMC 9-4.106, to construct the garage with a reduced setback of 10 feet in order to minimize the quantity of grading needed to develop the site.

EVALUATION: The fifth goal of the Land Use, Open Space and Circulation element of the General Plan is to “[p]reserve the contours of the hills.” The policies and programs that support this goal include increasing minimum lot size on steeper slopes and using site planning that minimizes the amount of grading needed. The Hillside Grading Guidelines interpret this General Plan goal and give practical requirements for development projects that propose grading. They include the prohibition of cut and fill pads when the native slope is 30% or greater.

Atascadero Municipal Code (AMC) section 9-4.106(a)(3) allows adjustments for reduction of the front setback on sloping lots where the slope results in an elevation change of at least 7 feet, as measured from the area within 50 feet from the center line of the adjacent road (i.e. where the average slope at the front of the lot is over 14%). The front setback reduction may be applied to the garage only, and allows the garage to be placed as close as 5 feet from the front property line. Other portions of the residence must be placed at the standard 25 or 20 foot setback, depending on the depth of the lot.

The existing parcel is a 0.5-acre hillside property near the northern section of Encino Avenue. The site has a natural average slope of approximately 32%. The proposed development plan for the residence places the garage approximately 10 feet from the street right-of-way, thereby alleviating site disturbance that would result from a cut in the hillside further back up the slope. The applicant is proposing cut and fill grading of approximately 1100 cubic yards to accommodate the design. Total grading quantities and native tree impacts are minimized by proposing the garage closer to the street. The residence is designed to step up the hill with stem wall construction further from the street. The habitable portion of the residence has been designed to meet the required 20 foot setback, as required for a shallow lot which averages less than ninety (90) feet deep.

The Encino Avenue right-of-way is 20 feet wide on the section adjacent to the property, but widens to 40 feet further south. This is due to the abandonment of a portion of Encino Avenue prior to this project. The street is the connector between Santa Lucia Road to Atajo Avenue. Setbacks for the new residence are measured from the edge of the Encino Road right-of-way.

The subject site at 5460 Encino Avenue was created through a prior subdivision which included a mitigated negative declaration. The environmental review analyzed future development of the parcel with a single family residence, and included mitigation measures for preservation of native trees and hillsides. The proposed residence, including the proposed setback reduction, is consistent with the analysis and determination of the previous environmental review. No further environmental review is required. No additional trees are proposed for removal with the construction of the single family residence on the subject lot.

RECOMMENDATION: Staff recommends the Administrative Hearing Officer approve Administrative Use Permit USE18-0119, thereby reducing the front setback for the garage from 20 to 10 feet from the front property line on Encino Avenue, subject to Conditions of Approval.

ENVIRONMENTAL DETERMINATION
<input type="checkbox"/> Environmental Impact Report SCH: _____ <input checked="" type="checkbox"/> Negative / Mitigated Negative Declaration No. 2003-0012 <input type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 153_____ <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 the following 5 findings:

- (1) Modification of the applicable standard will not result in a project that is inconsistent with the General Plan; and

Staff comment: Reducing the front setback for the garage will minimize impact to the property. The setback reduction will result in significantly less grading to develop the site, protecting the existing trees and contours. The proposal is consistent with the Land Use, Open Space and Circulation element of 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; and

Staff comment: The project is a single-family residence in a single-family residential zoning district. The neighborhood is located on the steep slopes with narrow, winding roads and houses configured on sites in multiple ways to accommodate the slope. Various other homes in the vicinity are also built with

reduced setbacks.

- (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 residence will be in compliance with all pertinent City policies and criteria.

- (4) Modification of the applicable standard will not result in the authorization of a use not otherwise allowed; and

Staff comment: A single-family residence is permitted in the Single Family Residential zoning district.

- (5) Any other findings deemed necessary.

Staff comment: No other findings are deemed necessary.

Conditions

1. The garage shall be placed no closer than 5 feet from the front property line.
2. Other portions of the residence shall be placed no less than 20 feet from the front property line.

Code Requirements

1. AMC 9-4.106(a)(3) Sloping Lot Adjustment.
2. AMC 9-1.112 Administrative Use Permit.

Action:

- ☐ Approve
- ☐ Approve as modified
- ☐ Deny
- ☐ Continue to : _____ to allow _____

- ☐ Continue indefinitely to allow: _____

Hearing Officer

ATTACHMENTS:

- Attachment 1: Location and Zoning
- Attachment 2: Site Plan
- Attachment 3: Elevation
- Attachment 4: Site Photos

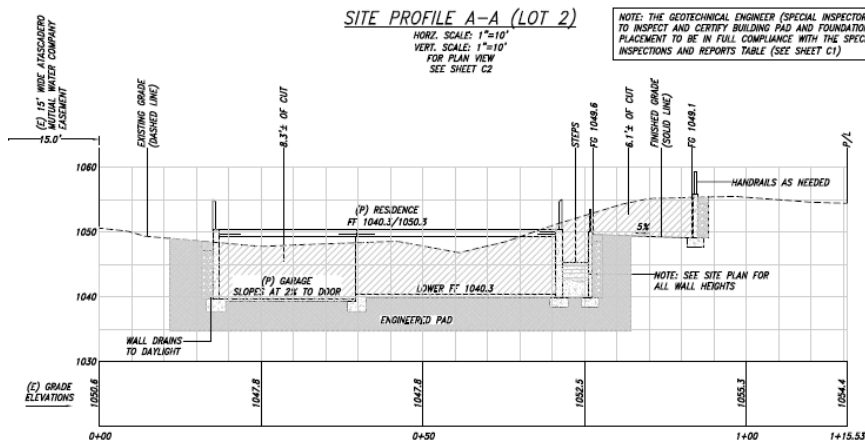
**ATTACHMENT 1: Location and Zoning
USE 18-0134**





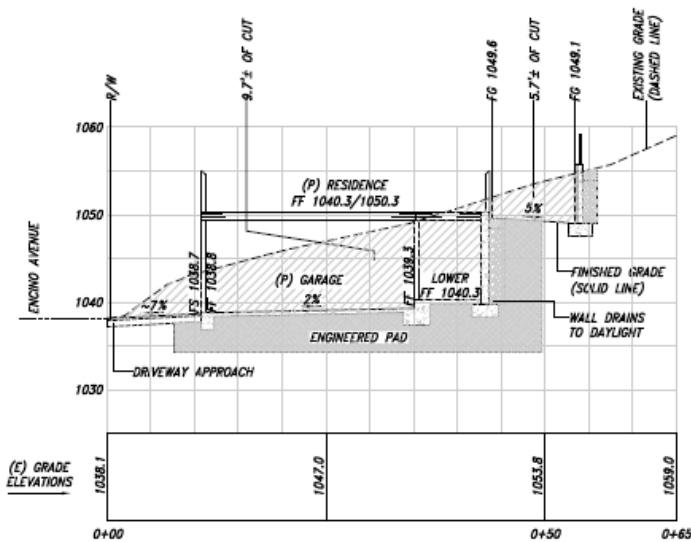
ATTACHMENT 3: Elevations

USE 18-0134



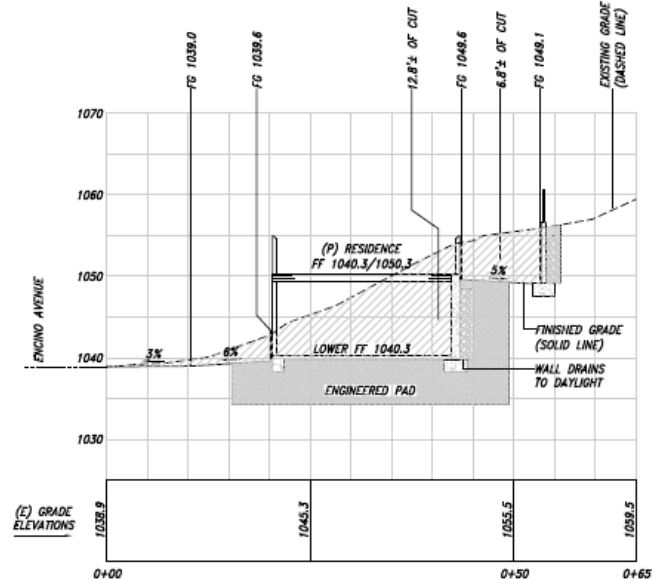
SITE PROFILE B-B (LOT 2)

HORZ. SCALE: 1"=10'
 VERT. SCALE: 1"=10'
 FOR PLAN VIEW SEE SHEET C2



SITE PROFILE C-C (LOT 2)

HORZ. SCALE: 1"=10'
 VERT. SCALE: 1"=10'
 FOR PLAN VIEW SEE SHEET C2



Note: AMC 9-4.106 (a)(3) allows a sloping lot adjustment when a point 50 feet from the centerline of the adjacent right-of-way is 7 feet above or below the elevation of the centerline. In the exhibit above, the slope is measured from the property line, but the project also meets the actual code requirement. The right of way is 40 feet wide. From the centerline to the front property is 20 feet. Thirty feet from the property line (i.e. 50 feet from the centerline of the road), the elevation is more than 15 feet lower than the road.

ATTACHMENT 4: Site Photos
USE 18-0134





CITY OF ATASCADERO

COMMUNITY DEVELOPEMENT

Administrative Hearing Agenda Report

ITEM # 2

FROM: Mariah Gasch

MEETING DATE: December 6, 2018

FILE NUMBER: USE 18-0130

PROJECT ADDRESS: 5920 West Mall

SITUATION: The applicant, Dignity Health/ Med Plus, is proposing 4 new building mounted wall signs consisting of half-inch flat cut acrylic, non-illuminated painted letters. Atascadero Municipal Code 9-15.008 limits wall signage to one sign per building face with a public frontage and the sign may not exceed one square foot per linear foot of building frontage, nor exceed 50 sf. The applicant is requesting an exception to allow more than one sign per building face with a public street frontage or parking lot.

EVALUATION: One sign (Sign A) is proposed on the front façade along West Mall. Sign A would be 8.09 square feet containing two lines of words. This side of the building is 42.5 feet wide and has one existing sign that is 13.58 square feet. Three signs (Signs B, C and D) are proposed along the side of the building that faces the adjacent parking lot. Sign B would be 4.56 square feet, Sign C would be 8.43 square feet and Sign D would be 4.63 square feet. This side of the building is approximately 56 feet long and has no existing signage. The total square footage of the existing and proposed signs combined is less than 50 square feet. The combined total square footage of the signs also do not exceed one square foot per linear foot on the front or the side. The proposed signs are dark grey, neutral in appearance and are centered appropriately above existing awnings.

RECOMMENDATION: Staff recommends the Administrative Hearing Officer approve Use 18-0130 to approve the request to allow up to three signs on the building façade facing the parking lot and up to two signs along the façade facing West Mall with Conditions of Approval.

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

1. *The need for such signing is based on the purposes set forth in Section 9-15.002;*

The proposed signs accomplish three of the required purposes. Section 9-15.002 (b) describes the purpose to “encourage the effective use of signs as a means of communication in the City and reduce possible traffic and safety hazards from confusing or distracting signs.” Section 9-15.002(e) describes the purpose of minimizing “possible adverse impacts of signs on private and public property in order to maintain property values and to maintain a positive City image.” Finally, Section 9-15.002 (i) describes the purpose of regulating “signs in a manner so as not to physically interfere with or obstruct the vision of pedestrian or vehicular traffic.”

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

The proposed signs are centered above the existing awnings and are large enough to be visible to advertise the 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 signs are 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)*

Improving the appearance and character of Atascadero, including signage, is a Framework Principle of the General Plan. This sign in this zoning district is appropriate for the desired appearance and character of the City.

Conditions

1. Building permits shall be obtained prior to installation of the sign. Property owner’s permission shall be obtained in writing and submitted to City prior to issuance of permit(s).
2. The design and location of each sign shall be consistent with what is shown in Attachment 3.

Code Requirements

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

Action:

- ☐ Approve
- ☐ Approve as modified
- ☐ Deny
- ☐ Continue to : _____ to allow _____

- ☐ Continue indefinitely to allow: _____

Hearing Officer

Attachment 1: Location Map
USE 18-0130

Aerial Map



Attachment 2: Site Plan
USE 18-0130

Proposed Site Plan



Attachment 3: Proposed Signs
USE 18-0130

Proposed Sign A

Flat Cut Acrylic Letters

Location 1

53"
 6.3" Primary Care
 53"
 6.3" Walk-In Care

COLORS (As Shown): Dark Gray
 SCALE: 1/16" = 1"

TOTAL SF: ~~4.64~~
 8.09

Front Elevation



Proposed Sign B

Flat Cut Acrylic Letters

Location 2

6'-1"
 9" Primary Care

Proposed Sign C

11'-3"
 9" Occupational Medicine

Proposed Sign D

6'-2"
 9" Walk-In Care

West Elevation

COLORS (As Shown): Dark Gray

TOTAL SF: 17.625



West Elevation Facing Parking Lot

Scale 1/8" = 1ft

Attachment 4: Rendering
USE 18-0130

