



ADMINISTRATIVE USE PERMIT HEARING

In accordance with City Council Resolution No. 2022-064 and the requirements of AB 361, the Administrative Use Permit Meeting will not be physically open to the public and Staff will be teleconferencing into the meeting.

HOW TO OBSERVE THE MEETING:

To maximize public safety while still maintaining transparency and public access, you may join the Zoom webinar from your computer, tablet, or smartphone by visiting:

To join the virtual hearing: (No passcode required)

<https://us02web.zoom.us/j/84567568854?pwd=UytsbTU1OVb3N2JYQVVJQmlMT1FaZz09>

Webinar ID: 845 6756 8854

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to participate in live public comment through the Zoom platform using the link above or by calling the number below to listen and provide public comment via phone.

US: +1 (669) 900-6833 (and use *9 to raise your hand to speak)

If you wish to provide written public comment, please email your comments to aup-comments@atascadero.org by 5:00 pm 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 forwarded to the Zoning Administrator and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the Zoning Administrator the next business day. ***Please note, email comments 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 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.

Administrative Use Permit agendas and staff reports may be viewed on the City's website: 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. 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.



CITY OF ATASCADERO

COMMUNITY DEVELOPMENT DEPARTMENT

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

MEETING WILL BE HELD VIRTUALLY

The City of Atascadero's Zoning Hearing Officer will hold a VIRTUAL public hearing at **10:00 a.m. on Wednesday, September 7, 2022** at City Hall to consider the following project:

1. **9590 EL CAMINO REAL (USE22-0063)**

The application is to allow for color banding signage on a recently constructed gas pump canopy at 9590 El Camino Real on APN 056-071-011 for AMB Enterprises Inc. Staff recommendation is to deny the project. (*Bailey Sullivan, 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 \$1,530 and must accompany the appeal documentation.



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

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

- 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 _____

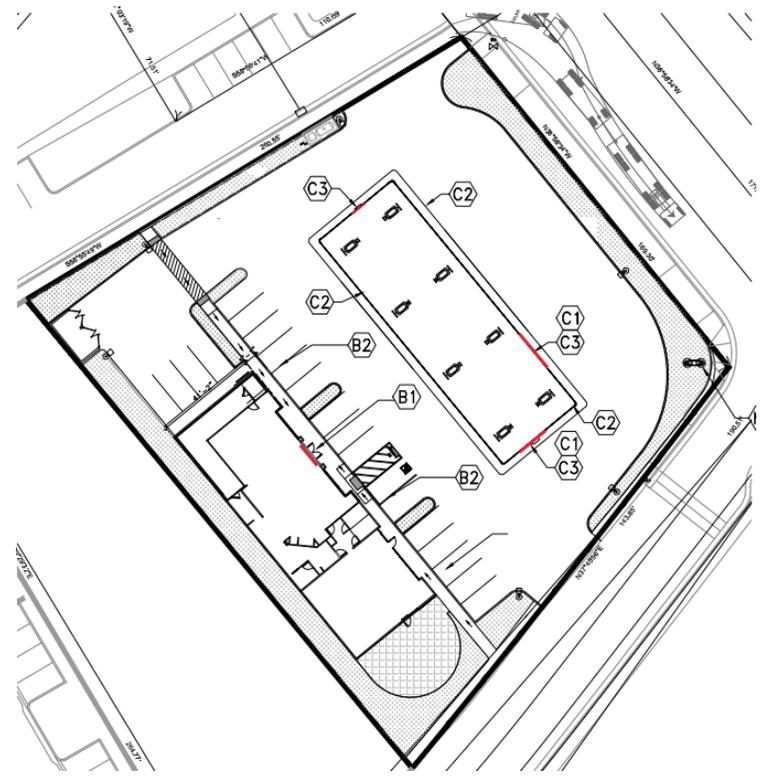
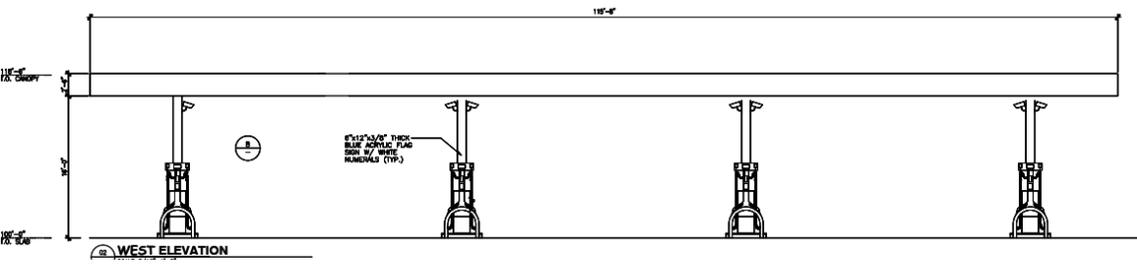
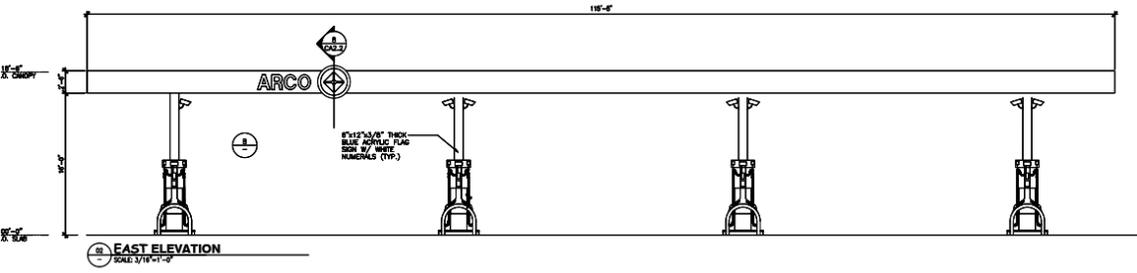
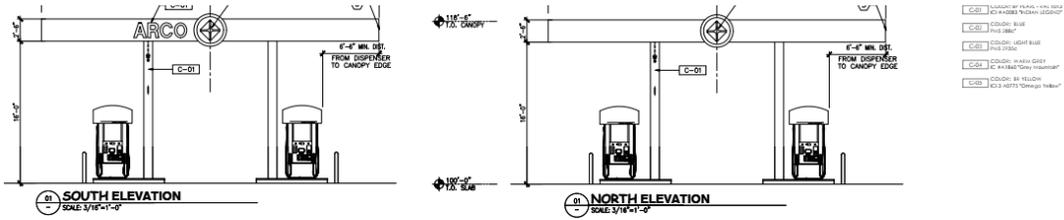
- Continue indefinitely to allow: _____

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

