



# CITY OF ATASCADERO

## COMMUNITY DEVELOPMENT

### Final Action Report

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**FROM:** Mariah Gasch

**MEETING DATE:** September 26, 2022

**FILE NUMBER:** USE22-0080

**PROJECT ADDRESS:** 6100 El Camino Real, Atascadero, CA, 93422

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**SITUATION:** The mural has been painted on the side of the new business, 805 Boardshop. The mural faces El Camino Real and appears on an otherwise blank wall. The mural is located in the Downtown Commercial Zoning (DC) district and is in a highly trafficked area of downtown. It will be visible to vehicles and pedestrians on 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 mural will be painted on a blank wall facing the new La Plaza building. The size and location will not pose any safety hazards and artwork does not depict a commercial message or advertisement for a business.

**RECOMMENDATION:** Staff recommends the Administrative Hearing Officer approve USE 22-0080 determining that the mural at the above address is non-commercial in nature and poses no safety concerns.

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

The project is Categorically Exempt (Class 11) 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 project includes addition of a sign.

## **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. Land Use, Open Space and Conservation (LOC) Goal #4 is to "provide for a strong and distinctive Downtown area". Adding public art contributes to achieving this goal by providing a distinct feature that is not seen outside of the Downtown.

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 project is not commercial in nature and does not conflict with the character of the immediate neighborhood. The mural will enhance building quality in the DC zoning 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 mural will not conflict with City policies. The City allows non-commercial art murals in all commercial zoning districts.

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 artwork does not display a commercial message.

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

The mural is located on the south side of the building and will be seen by traffic heading in the downtown. The size and location do not pose a safety risk to drivers. No reflective or otherwise distracting elements are proposed.

## **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 \_\_\_\_\_

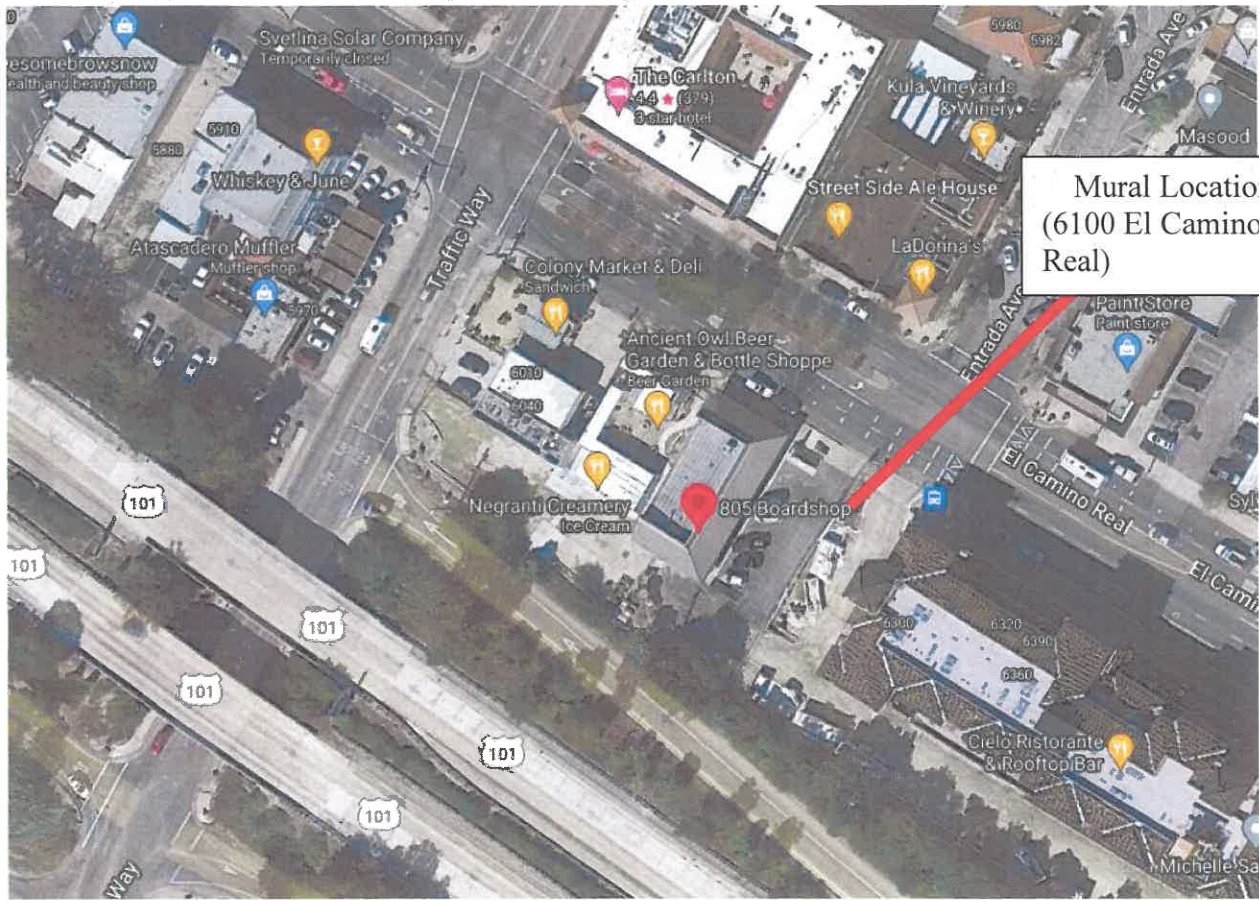
- Continue indefinitely to allow: \_\_\_\_\_

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

**ATTACHMENTS:**

- Attachment 1: Location Map
- Attachment 2: Mural

**Attachment 1: Location Map**  
**USE 22-0080**



**Attachment 2: Mural**  
**USE 22-0080**

