

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 East Anapamu Street, Room 407  
Santa Barbara, CA 93101  
805 568 2240

**Agenda Number:**

**Prepared on:** June 26, 2003  
**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** July 15, 2003  
**Placement:** Departmental  
**Estimate Time:** 30 minutes  
**Continued Item:** NO  
**If Yes, date from:** N/A  
**Document FileName:** G:\GROUP\Permitting\Case  
Files\Gpa\02 cases\02gpa-00000-  
00001\BoS Final.doc

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**TO:** Board of Supervisors  
**FROM:** Dianne Meester, Assistant Director  
**STAFF CONTACT:** Tina Frank, Planner  
Development Review Division – North County  
(805) 934-6298  
**SUBJECT:** Goller Comprehensive Plan Amendment and Rezone of the Gas Station  
Property; Case Nos. 02GPA-00000-00001 and 02RZN-00000-00002

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**Recommendation:**

That the Board of Supervisors:

- A. Accept the Planning Commission recommendations and approve the Comprehensive Plan Amendment and Rezone, Case Nos. 02GPA-00000-00001 & 02RZN-00000-00002:
1. Adopt the required findings for the project including CEQA findings specified in Attachment A of the Board Letter dated June 13, 2003;
  2. Accept the exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b,3), included in Attachment B of the Planning Commission Staff Report dated May 8, 2003;
  3. Adopt a resolution and approve 02GPA-00000-00001 designating the subject property as General Commercial (C) on the Comprehensive Plan Land Use Element, Cuyama Valley Area (COMP-9) map specified in Attachment B of the Board Letter dated June 13, 2003; and,
  4. Adopt an ordinance and approve 02RZN-00000-00002 to rezone the subject property as Retail Commercial (C-2) under the Article III Zoning Ordinance, specified in Attachment C of the Board Letter dated June 13, 2003.

The application involves Assessor Parcel Number 149-021-001, located southwest of the intersection of Highway 166 & Perkins Road, known as 5007 Highway 166, New Cuyama area, Fifth Supervisorial District.

**Alignment with Board Strategic Plan:**

The recommendation is primarily aligned with Goal No. 4. A Community that is Economically Vital and Sustainable.

**Executive Summary and Discussion:**

Comprehensive Plan Amendment and Rezone

At the Planning Commission hearing of May 21, 2003, the Commission adopted a resolution recommending that your Board approve the requested general plan amendment and rezone. The Planning Commission's June 13, 2003 Action Letter and May 8, 2003 staff report (with attachments) are included as Attachments E and F, respectively, of this agenda letter.

**Mandates and Service Levels:**

Government Code §65355 requires that prior to adopting or amending a general plan that the legislative body shall hold at least one public hearing on the proposed amendment.

Government Code §658565 requires that upon receipt of an affirmative recommendation of the Planning Commission on a proposed rezoning that the legislative body shall hold a public hearing on the matter.

**Fiscal and Facilities Impacts:**

No fiscal impact associated with this request is expected. The costs associated with processing this general plan amendment and rezone are borne by the applicant pursuant to the Planning & Development fee schedule as set by the Board of Supervisors.

**Special Instructions:**

The Clerk of the Board shall forward a copy of the Minute Order to Planning and Development, Hearing Support Section, Attn: Cintia Mendoza.

Planning & Development will prepare all final action letters and otherwise notify all concerned parties of the Board of Supervisor's final action.

The Clerk of the Board will distribute copies of the Board minute order as follows:

Agent: Michael Nolan, P.O. Box 155, New Cuyama, CA 93254  
Owners: Curtis & Judith Goller, P.O. Box 180, New Cuyama, CA 93254  
Assessor  
Surveyor  
Planning & Development

**Concurrence:**

County Counsel

02GPA-00000-00001, 02RZN-00000-00002, Goller Gas Station Property

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**Attachments:**

- A. Findings
- B. Resolution to Approve General Plan Amendment (02GPA-00000-00001)
- C. Rezone Ordinance (02RZN-00000-00002)
- D. Planning Commission Action Letter
- E. Planning Commission Staff Report

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## **ATTACHMENT A: FINDINGS**

### **1.0 CEQA FINDINGS**

Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b,3) [No Possibility of Significant Effect].

### **2.0 ADMINISTRATIVE FINDINGS**

**2.1 Pursuant to Section 35-325.5 of Article III, the following findings are required for approval of a Rezone or Ordinance Amendment.**

**2.1.1 In order for the Planning Commission to recommend approval or for the Board of Supervisors to approve a Rezone or Ordinance Amendment request, the following findings shall be made by the Planning Commission and Board of Supervisors:**

**a. The request is in the interests of the general community welfare.**

The proposed project is in the interests of the general community welfare because the primary purpose of the project is to ensure the economic vitality of this commercial property in New Cuyama. The existing Highway Commercial zoning and land use designations do not allow the range of commercial uses that will be allowed with the proposed Retail Commercial (C-2) zoning and General Commercial (C) land use designations. Since this service station is the only store to buy gasoline along the 80-mile stretch on Highway 166 between Santa Maria and Maricopa in Kern County, it is important for both the community and traveling public that it remains in business.

**b. The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and this Article.**

As discussed in sections 6.2 and 6.3 of the staff report, the project may be found consistent with the applicable sections of the Inland Zoning Ordinance.

**c. The request is consistent with good zoning and planning practices.**

The project is consistent with good zoning and planning practices. The proposed rezone and general plan amendment will not result in the spot zoning of the property, but it will abut property to the south that is already zoned Retail Commercial (C-2).