



BOARD OF SUPERVISORS  
AGENDA LETTER

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**

**Submitted on:**  
**(COB Stamp)**

**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** August 26, 2025  
**Placement:** Departmental Agenda  
**Estimated Time:** 35 MIN.  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

**TO:** Board of Supervisors  
**FROM:** Department Director(s): Lisa Plowman, Planning & Development  
Contact: Travis Seawards, Deputy Director, Planning & Development  
**SUBJECT:** Consider the Famcon Pipe and Supply General Plan Amendment, Rezone, and Development Plan, Case Nos. 23GPA-00001, 23RZN-00001, and 23DVP-00016, Fourth Supervisorial District.

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

Staff recommends that the Board of Supervisors take the following actions:

- a) Make the required findings for approval of the Proposed Project, consisting of a General Plan Amendment, Rezone, and Development Plan (Case Nos. 23GPA-00001, 23RZN-00001 and 23DVP-00016), including California Environmental Quality Act (CEQA) findings, included as Attachment 1 to this Board Letter;
- b) Adopt the Final Mitigated Negative Declaration (Case No. 24NGD-00011) included as Attachment 3 to this Board Letter, including the mitigation and monitoring program contained in the conditions of approval and determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this Proposed Project;
- c) Adopt a Resolution, included as Attachment 4 to this Board Letter, amending the Santa Barbara County Zoning Map (Case No. 23RZN-00001) of the County Land Use and Development Code to change Assessor's Parcel Numbers 107-150-021 and 107-150-022 from Highway Commercial (CH) to General Commercial (C-3); and
- d) Adopt a Resolution, included as Attachment 5 to this Board Letter, amending the Land Use Element maps of the Land Use Element (Case No. 23GPA-00001), including community and area plans, as applicable of the Santa Barbara County Comprehensive Plan; and Orcutt

Community Plan Policies LU-O-6 and KS33-1, to change the land use designation of Assessor's Parcel Numbers (APNs) 107-150-021 and 107-150-022 from Highway Commercial to General Commercial and to adjust the Urban/Rural boundary line;

- e) Approve the Preliminary and Final Development Plan (Case No. 23DVP-00016) for approval of a pipe supply and sales business subject to the conditions of approval, included as Attachment 2 to this Board Letter.

**Summary Text:**

This item is a request from Steve Penza (hereinafter Applicant) to consider the recommendations of the County Planning Commission regarding the Proposed Project, Case Nos. 23GPA-00001, 23RZN-00001, and 23DVP-00016. The Proposed Project is a request to consider the following:

- Adopt the Final Mitigated Negative Declaration, Case No. 24NGD-00011, and adopt the mitigation monitoring program contained in the conditions of approval and determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this Proposed Project;
- Case No. 23RZN-00001 for approval of a Rezone to re-designate the zoning of the subject 4.01-acre property (APNs 107-150-021 and 107-150-022) from Commercial Highway (CH) to General Commercial (C-3), to allow the proposed construction of a warehouse/office building with outdoor storage and sales of pipe supplies in compliance with Chapter 35.104 and Section 35.24.040 of the County Land Use and Development Code; and
- Case No. 23GPA-00001 for approval of a General Plan Amendment to amend the Land Use Element Map (COMP-1) of the Comprehensive Plan Land Use Element, the Orcutt Community Plan Land Use Designations Eastern Section Map, and Orcutt Community Plan Policies LU-O-6 and KS33-1 to redesignate APNs 107-150-021 and 107-150-022 from Highway Commercial to General Commercial and to adjust the Urban/Rural boundary line to allow the proposed construction of a warehouse/office building and outdoor storage and sales of pipe supplies in compliance with Section 35.104 of the County Land Use and Development Code;
- Case No. 23DVP-00016 for approval of a Preliminary and Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code, on property zoned C-3, to develop a pipe supply and sales business consistent with the uses "Building and landscape materials sales – Outdoor" and "Office supporting retail" where onsite buildings and structures and outdoor areas designated for sales or storage total 20,000 sf or more in compliance with Section 35.82.080.D.6 of the Land Use and Development Code.

The application involves APNs 107-150-021 and 107-150-022, zoned Commercial Highway (CH), located at 1350 Founders Avenue on a portion of Key Site 33 within the Orcutt Community Plan area, Fourth Supervisorial District.

**Project Description:**

**General Plan Amendment**

The Proposed Project includes a request for a General Plan Amendment (GPA), Case No. 23GPA-00001, to adjust the Urban/Rural Boundary and Land Use Designation on the COMP-1 Map of the Comprehensive Plan Land Use Element and the Orcutt Community Plan and Land Use Designations Eastern Section Maps of the Orcutt Community Plan (Figure 1). The proposed Land Use Designation will change from Highway Commercial to General Commercial. The GPA includes revisions to Orcutt

Community Plan Policy LU-O-6 and KS33-1 to allow a change to the Urban/Rural Boundary and redesignation of land use, as follows (revisions shown in strikethrough and underlined font):

*Policy LU-O-6: The Orcutt Urban/Rural Boundary shall separate principally urban land uses and those uses which are rural and/or agricultural in nature. This boundary shall represent the maximum extent of the Orcutt urban area and the Urban/Rural Boundary shall not be extended until existing inventories of vacant land within the urban area are nearing buildout, except for those parcels served by existing public water and sewer utilities. Other bBoundary adjustments shall be approved only as part of a major Community Plan update.*

*Policy KS33-1: The Ikola parcels (APN 107-150-~~19~~ and ~~-018~~), the Blackenburg parcel (APN 107-150-13), and the Armstrong parcels (APN 104-150-07, -15, -16) are designated Highway Commercial/CH. APNs 107-150-021 and -022 are designated General Commercial/C. All other parcels are designated Agriculture II and zoned AG-II-100. Any proposed development on Key Site 33 shall comply with the following development standards.*

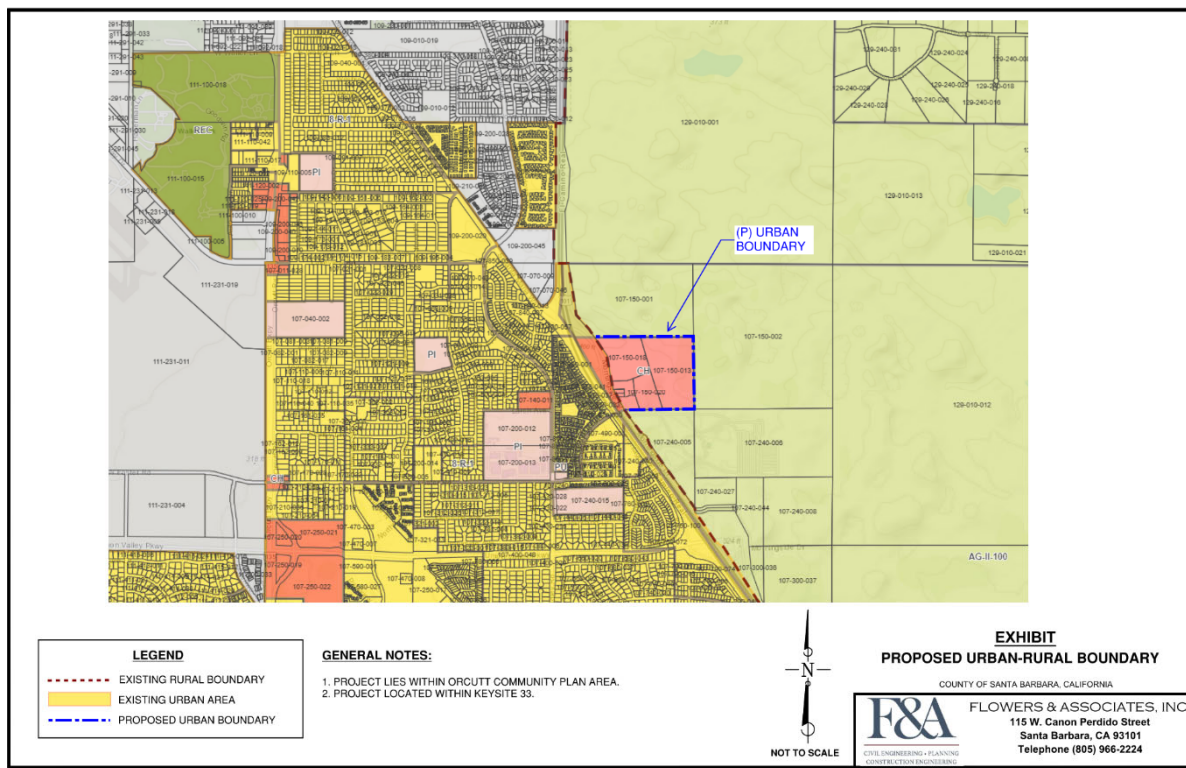


Figure 1 Urban/Rural Boundary Adjustment to COMP-1 Map of the Comprehensive Plan Land Use Element

## Rezone

The Proposed Project includes a request for a Rezone, Case No. 23RZN-00001, to change the Zone District from Commercial Highway (CH) to General Commercial (C-3) in order to allow the proposed “Building and landscape materials sales – Outdoor” as a permitted use (Figure 2).

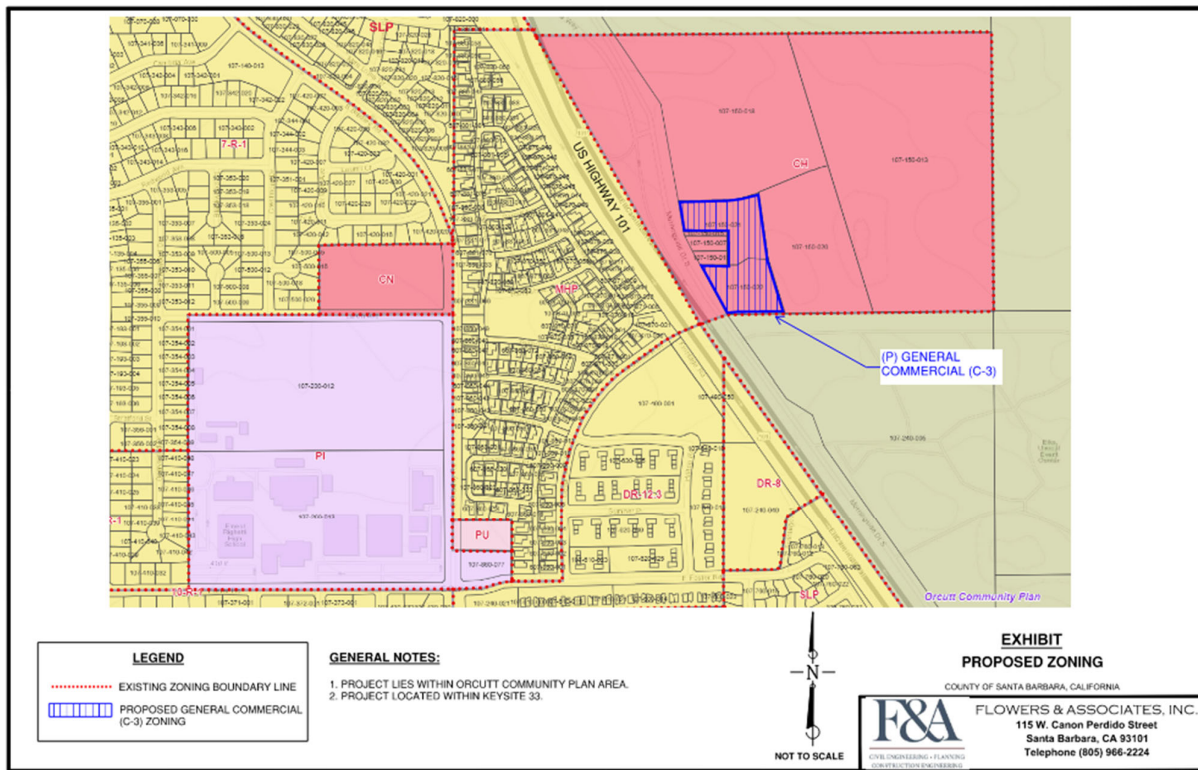


Figure 2 Proposed Rezone Map

## Development Plan

The Proposed Project includes a request for a Development Plan (DVP), Case No. 23DVP-00016, for construction of a pipe sales and storage site, including a new 11,040-square-foot (sf), 35-ft.-tall structure and approximately 40,000 sf of outdoor, uncovered storage area for piping materials. The DVP is being processed concurrently with the General Plan Amendment (Case No. 23GPA-00001) and Rezone (Case No. 23RZN-00001). The DVP is required for development that exceeds the 20,000 sf threshold for on-site structures and outdoor areas designated for sales or storage in the General Commercial (C-3) Zone District. The new 11,040 gross-square-foot structure will contain a warehouse, offices, and employee areas (Attachment 9 Project Plans).

The proposed “Building and landscape materials sales – Outdoor” and “Office supporting retail” will include eight employees, and hours of operations will be from 6:30 a.m. to 5:00 p.m. The Proposed Project includes internal driveways with an 18-space parking lot, including two accessible spaces. The driveways will require 105,300 sf of Class II base and 26,950 sf of hardscape (including sidewalks). Grading for the Proposed Project includes 5,005 cubic yards (cy) of cut, 21,348 cy of fill, and 16,343 cy of net fill with over-excavation and re-compaction. One 32,000-sf Advanced Drainage Systems underground chamber stormwater retention basin (60,940 cubic feet of storage) will be constructed on the southern portion of the site to capture stormwater runoff from the Proposed Project.

Proposed landscaping will include a 50-foot-wide screening buffer along the northern and southern portions of the site adjacent to Morningside Drive and perimeter screening trees incorporated within existing trees along the “u-shaped” boundary adjoining the existing pet grooming business property to the west. Grading will create a development pad for the building, parking lot, outdoor storage area, and stormwater retention basin. Grading will also create a 10-percent sloped driveway to allow

egress from the outdoor storage area. The egress driveway will be immediately adjacent to the southern boundary of the neighboring property that contains the existing pet grooming business.

Retaining walls will be constructed to maintain the grade difference between the proposed development and the neighboring development pad for the pet grooming business to the west. Two walls (5-ft.-maximum height) will be constructed along the eastern and northern boundaries of the pet grooming business, and the third wall (10-ft.-maximum height) will maintain the grade between the proposed egress driveway and the pet grooming business. Two eucalyptus trees (*Corymbia citriodora*) will be removed to allow for grading of the proposed egress driveway. The Proposed Project will also include installation of a perimeter chain link fence and exterior dark-sky-compliant security lighting around the building and parking lot.

The Proposed Project site consists of two legal parcels, APNs 107-150-021 and 107-150-022 of 2.154 acres and 1.865 acres, respectively. The Applicant proposes to voluntarily merge the two parcels prior to issuance of the Zoning Clearance (Attachment B, Condition No. 28). The merger will ensure that new development does not cross property lines. The Proposed Project will take access via a new 40-ft.-wide driveway off Founders Avenue and a 25-ft.-wide driveway off Morningside Drive. Water service will be provided by the Golden State Water Company, and wastewater treatment will be provided by the Laguna County Sanitation District. The Proposed Project site is addressed as 1350 Founders Avenue, identified as a portion of Key Site 33 within the Orcutt Community Plan Area, Fourth Supervisorial District.

#### **Discussion:**

The Applicant's request for the proposed General Plan Amendment, Rezone, and Development Plan is compatible with the surrounding area and the Orcutt Community Plan. As described in Sections 4.0 and 6.0 of the County Planning Commission Staff Report, dated June 3, 2025, (Attachment 8) the proposed change in commercial zoning is compatible with the existing setting of the Proposed Project and adjacent existing properties, because commercial uses are allowed in both the existing Highway Commercial (CH) Zone District and the proposed General Commercial Zone District (C-3). Additionally, urban development exists within Key Site 33 boundaries, including the existing pet grooming business and the Santa Maria Join Union High School Mark Richardson Career Technical Education Center and Agricultural Farm (CTECAF). Infrastructure for both water and sewer already exists within the easement along Founders Avenue (along the northern site boundary), because both main lines were built to serve the CTECAF (approximately 450 feet northeast of the site). The Proposed Project will be compatible with the CTECAF because it is a commercial use that will provide irrigation supplies to the agricultural industry and potentially create a synergistic relationship for students and CTECAF programs.

The Proposed Project meets all applicable development standards and requirements. The North Board of Architectural Review (NBAR) reviewed the proposed development on November 17, 2023, and April 25, 2025, and NBAR members indicated that the scale and character are appropriate for the area and the overall design of the structure is acceptable. The Proposed Project includes an underground storm water detention basin that complies with stormwater requirements. The proposed 50-foot-wide screening buffer along the northern and southern portions of the site adjacent to Morningside Drive and perimeter screening trees incorporates existing trees and will screen the Proposed Project from public views along Highway 101 in compliance with screening requirements for commercial uses and Key Site 33 standards. The proposed trash and recycling enclosure will be located adjacent to the paved driveway and parking lot and will provide convenient

access to disposal and hauling providers. The Proposed Project is consistent with parking and loading standards for wholesaling, warehousing, and storage facilities, because 18 spaces will be provided for the 11,040 sf building with eight employees.

As detailed in Attachment 1, Findings can be made that upon approval of the General Plan Amendment the Proposed Project is consistent with the policies of the Comprehensive Plan, including the Orcutt Community Plan. Findings can also be made for project compliance with the County Land Use Development Code (LUDC) upon approval of the Rezone because the proposed use, zoning, and land use designation are commercial in nature, and the proposed development will be compatible with its surroundings. The Proposed Project is in the interests of the general community welfare and deemed to be in the public interest because it will provide wholesale pipe supplies and associated products that are used for large water conveyance and utilities projects, such as projects managed by local agricultural operations, utility providers, municipalities, and State agencies such as Caltrans. The Proposed Project is consistent with good zoning and planning practices, because it will not change the community buildout level or cause any adverse impacts to the level of traffic or circulation on existing roadways. There are adequate services for the Proposed Project. Water and wastewater treatment services are available to serve the Proposed Project from Golden State Water Company and Laguna Sanitation, respectively. The Proposed Project will be served by the County Fire Department, and there is adequate access off Morningside Drive and Founders Avenue to serve the development.

### **Background:**

#### **Site Background**

The subject property is a vacant 4.01-acre lot comprised of 2.15-acre APN 107-150-021 and 1.86-acre APN 107-150-022 located 100 ft. east of the Highway 101 northbound Santa Maria Way offramp and Morningside Drive. The subject property is identified as a portion of Orcutt Community Plan Key Site 33 within the Fourth Supervisorial District. Surrounding properties and uses include Morningside Drive and a pet grooming business to the west, Founders Avenue and a vacant lot to the north, a vacant lot and the Mark Richardson Career Technical Education Center and Agricultural Farm to the east, and a driveway and the Elks Rodeo Events Center to the south.

The existing topography of the subject property is relatively flat with gentle rolling hills sloping downward from east to west. Vegetation consists of grasslands. The site contains a ten-foot-deep, approximately 19,700 square feet drainage basin on the southwest corner, and a graded slope associated with an adjacent building pad that was developed for the adjacent/offsite pet grooming business.

Several access, pipeline, and utility easements are recorded with east-west orientations across the northern, middle, and southern portions of the site. The 26-foot-wide public secondary emergency access and sewer easement, which traverses east-west through the middle portion of the site, was recorded as part of an approved 30,000 square foot (sf) church on APN 107-150-020 immediately adjacent and east of the subject property. The church project was approved by the County Planning Commission on November 28, 2007, under a Conditional Use Permit (Case No. 06CUP-00000-00055), Development Plan (Case No. 06DVP-00000-00012), and Parcel Map 14,711 (Case No. 06TPM-00000-00022/Case No. 08MPC-00000-00001), which created the current configuration of the subject parcels and the adjacent APN 107-150-020. The church CUP and DVP permits expired, the church was never constructed, and the 6.41-acre parcel (APN 107-150-020) remains undeveloped.



However, the easements that were recorded as part of the church project remain and will be utilized by the Proposed Project. For instance, the 30-foot-wide recorded easement along the northern portion of the site was recorded for construction of water and sewer utilities in 2019 (Recording No. 2019-0048787), and also to provide primary access to the church. The driveway and easement currently provide access to the Santa Maria Joint Union High School Mark Richardson Career Technical Education Center and Agricultural Farm (CTECAF), which was constructed after the church project was proposed. Utilities such as water and sewer main lines were constructed within the easement as part of the CTECAF project, and services are provided to CTECAF by Golden State Water Company and Laguna County Sanitation District. The roadway, pipeline, and utilities easement along the southern portion of the site was recorded to provide access and utilities in favor of a previous owner of the property that was subsequently sold and developed into the CTECAF.

#### Application Background

This application for a General Plan Amendment, Rezone, and Development Plan is being considered by the Board of Supervisors pursuant to LUDC Section 35.80.020, which states that the Planning Commission reviews Comprehensive Plan Amendments and provides a recommendation to the County Board of Supervisors, who are the final decision makers of the project.

On April 12, 2023, the Planning Commission reviewed the proposed General Plan Amendment, Rezone, and Development Plan and accepted the permit applications for case processing, pursuant to LUDC Section 35.104.030. Pursuant to LUDC Section 35.80.020, the General Plan Amendment (GPA) must return to a Planning Commission hearing for the Commission's recommendation on initiation of the GPA to the Board of Supervisors. During deliberations of the April 12<sup>th</sup> hearing, Commissioners commented that in the years since the Orcutt Community Plan was adopted, there has been little demand to develop properties within Orcutt Community Plan Key Site 33 with Highway Commercial uses, because the anticipated traffic associated with the adjacent Elks Rodeo Events Center never materialized. Commissioners also commented that several other sites in the County had been rezoned from Highway Commercial (CH) to other designations, indicating that the CH Zone District might be outdated due to low demand for the uses allowed in CH. The Planning Commission recommended that the Applicant gather the support of surrounding landowners (within the CH Zone District/Key Site 33) in their effort to pursue a GPA and Rezone. The Planning Commission suggested that neighbor support would allow the Applicant to request that the entirety of Orcutt Community Plan Key Site 33 be rezoned, making it clear for County decision-makers to make Findings that the approval of a Rezone and General Plan Amendment would be consistent with good zoning and planning practices (i.e. avoid "spot zoning"), pursuant to LUDC Section 35.104.060.

The Applicant corresponded with the landowners of the remaining properties comprising Key Site 33. The Applicant indicated that two out of three surrounding landowners supported the GPA and Rezone effort, but there was no indication that the adjacent neighbor to the north would support the request. Therefore, the Applicant is not requesting a Rezone and GPA of any other neighboring parcels in Key Site 33, and the request for the GPA and Rezone is limited to the subject properties consisting of APNs 107-150-021 and 107-150-022. In this instance, commercial uses already exist in the surrounding development and commercial uses are already allowed in the Highway Commercial Zone. The GPA and Rezone will not amount to spot zoning due to the similarities of allowed uses in both Highway Commercial and General Commercial Land Use Designations and Zone Districts. The Proposed Project consists of changing the zoning from one commercial zone to another commercial zone.

#### CEQA

A Mitigated Negative Declaration (Case No. 24NGD-00011) was prepared to evaluate the Proposed Project in compliance with the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15070. The Mitigated Negative Declaration identified that the potentially significant environmental impacts associated with the Proposed Project can be reduced to less than significant with the implementation of the proposed mitigation measures in the areas of Aesthetics/Visual Resources, Fire Protection, Geologic Processes, and Water Resources. Aesthetics/Visual Resources impacts will be mitigated by requiring landscape buffers, dark sky compliant exterior lighting, and project approval by the North Board of Architectural Review (NBAR). Fire Protection impacts will be mitigated to reduce wildfire risk to structures and people by requiring fire-resistant building materials and design, maintenance of defensible space around structures, and payment of Development Impact Mitigation Fees (DIMFs) for fire suppression services. Geologic Processes impacts will be mitigated to reduce or avoid effects of construction and operation by requiring a soils engineering study and an erosion and sediment control plan. Water Resources impacts will be mitigated by ensuring domestic water supply and incorporating water conservation features into the project.

On April 4, 2025, the Mitigated Negative Declaration was circulated for 30 days via the State Clearinghouse. The 30-day public review period ended on May 5, 2025, and no comments were received. The Final Mitigated Negative Declaration is included as Attachment 3 to this Board Letter. The project description and Development Plan Conditions of Approval (Attachment 2), with their corresponding permit monitoring requirements, constitute the Mitigation Monitoring Program for the Proposed Project.

#### Planning Commission Recommendation

On June 11, 2025, the Planning Commission reviewed the Proposed Project and recommended that the Board of Supervisors make the required findings for approval of the Proposed Project, adopt the Mitigated Negative Declaration, and approve the Proposed Project (Attachment 6). While preparing the Board Letter, staff found that the Recommended Actions and General Plan Amendment Resolution provided to the Planning Commission contained typographical and formatting errors. Staff made the applicable revisions and on July 30, 2025, the Planning Commission reaffirmed their approval recommendation for the Project, including the corrected recommended actions and resolutions (Attachments 4, 5, 7).

#### Summary

In summary, with the approval of the proposed General Plan Amendment, Rezone, and Development Plan, the proposed pipe supply and sales business complies with all applicable standards and is compatible with the surrounding area. Mitigation measures added to the Proposed Project as part of the CEQA review are incorporated into the Conditions of Approval. The Planning Commission recommended that the Board of Supervisors make the required findings for approval, adopt the Mitigated Negative Declaration, and approve the Proposed Project.

#### **Fiscal and Facilities Impacts:**

Budgeted: Yes

Total fees for processing the Proposed Project application are approximately \$127,000 (approximately 450 hours of staff time). This project cost is fully recovered by fees paid by the Applicant. Funding for the Proposed Project is budgeted in the Planning and Development Department's Permitting Budget Program as shown on Page 307 of the County of Santa Barbara Fiscal



Year (FY) 2025-26 Adopted Budget. The processing fees are paid by the applicant and factored into the FY 2025-26 Adopted Budget. There is no additional cost to the General Fund.

**Fiscal Analysis:**

<b>Funding Source</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Total</b>
General Fund				
State				
Federal				
Fees	\$27,200	\$32,990	\$66,000	<b>\$126,190.00</b>
<b>Total</b>				<b>\$126,190.00</b>

**Special Instructions:**

1. The Planning and Development Department will satisfy all noticing requirements.
2. The Clerk of the Board will publish the names of the members of the Board of Supervisors voting for and against the General Plan Amendment, Rezone, and Final Development Plan in the Santa Maria Times before the expiration of 15 days after its passage.
3. The Clerk of the Board shall forward the executed Resolution, Ordinance, and Board Minute Order via email to the assigned Case Planner, Steve Conner, at [conners@countyofsb.org](mailto:conners@countyofsb.org).

**Attachments:**

**Attachment 1** – Findings of Approval

**Attachment 2** – Development Plan Conditions of Approval

**Attachment 3** – Final Mitigated Negative Declaration

**Attachment 4** – Board of Supervisors Resolution – Rezone 23RZN-00001

**Attachment 5** – Board of Supervisors Resolution – General Plan Amendment 23GPA-00001

**Attachment 6** – County Planning Commission Staff Report, dated June 3, 2025

**Attachment 7** – County Planning Commission Memorandum, dated July 22, 2025

**Attachment 8** – County Planning Commission Action Letter, dated July 30, 2025

**Attachment 9** – Project Plans

**Contact Information:**

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Planner

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