

Prather Investments & Far Western Liquor Appeal of the Orcutt Gas Station Development Plan & Minor Conditional Use Permit

**Case Nos. 21APL-00000-00062, 21APL-00000-00063, 18DVP-00000-00001, &
18CUP-00000-00001**

Appealed by Prather Investments & Far Western Liquor

Santa Barbara County Board of Supervisors

May 3, 2022



**County of Santa Barbara
Planning and Development
Gwendolyn Beyeler**

Location



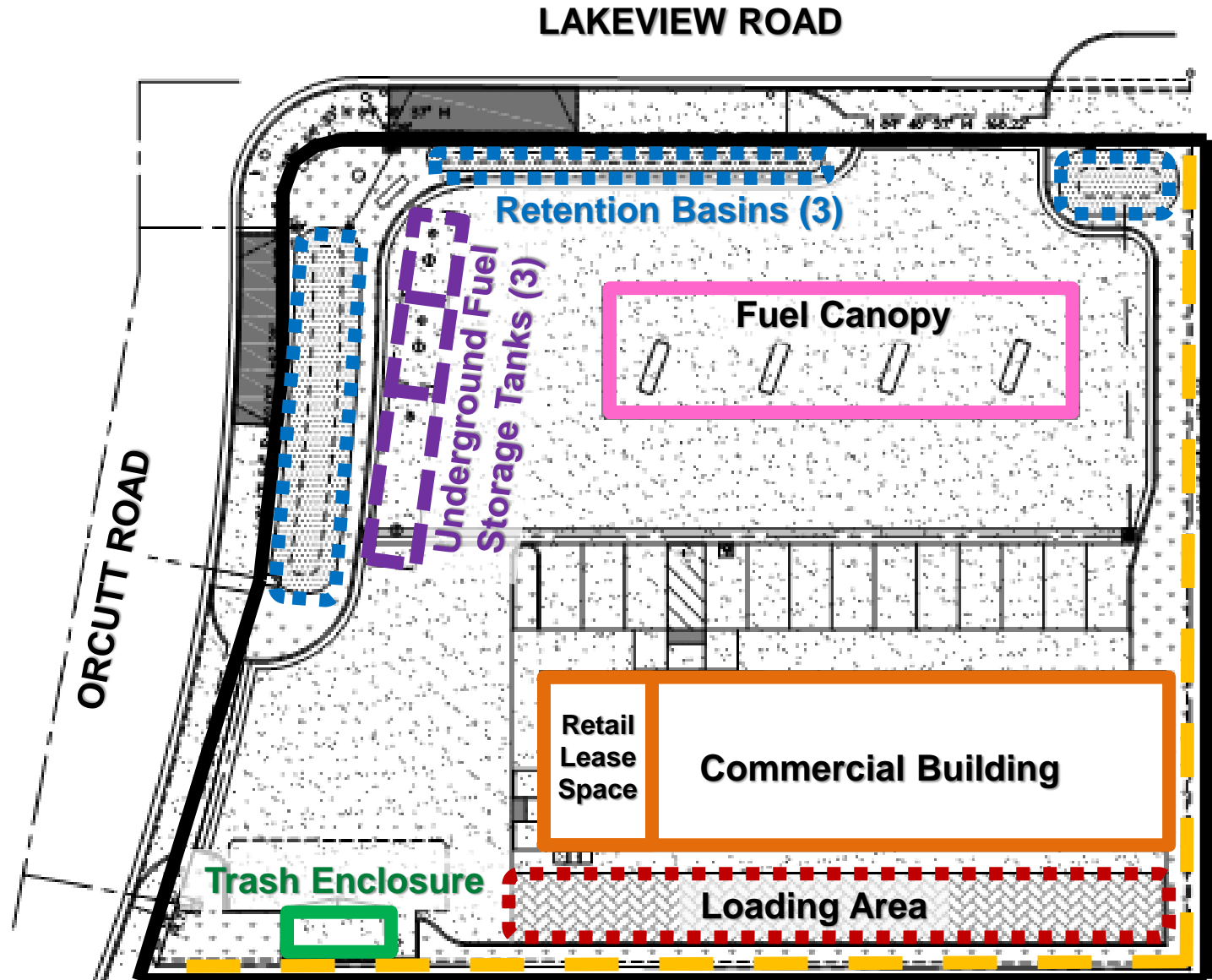
Site Photos



Project Description

- Service station on vacant lot
- One 5,054-sq.-ft. commercial building with a retail space
- One 2,814-sq.-ft. fuel canopy with four fuel dispenser islands
- Hours: 5:00 a.m. to 12:00 a.m.
- 440 cubic yards cut & 430 cubic yards fill
- 10,092 sq. ft. of landscaping

Site Plan



Elevations



NORTH ELEVATION

Commercial Building

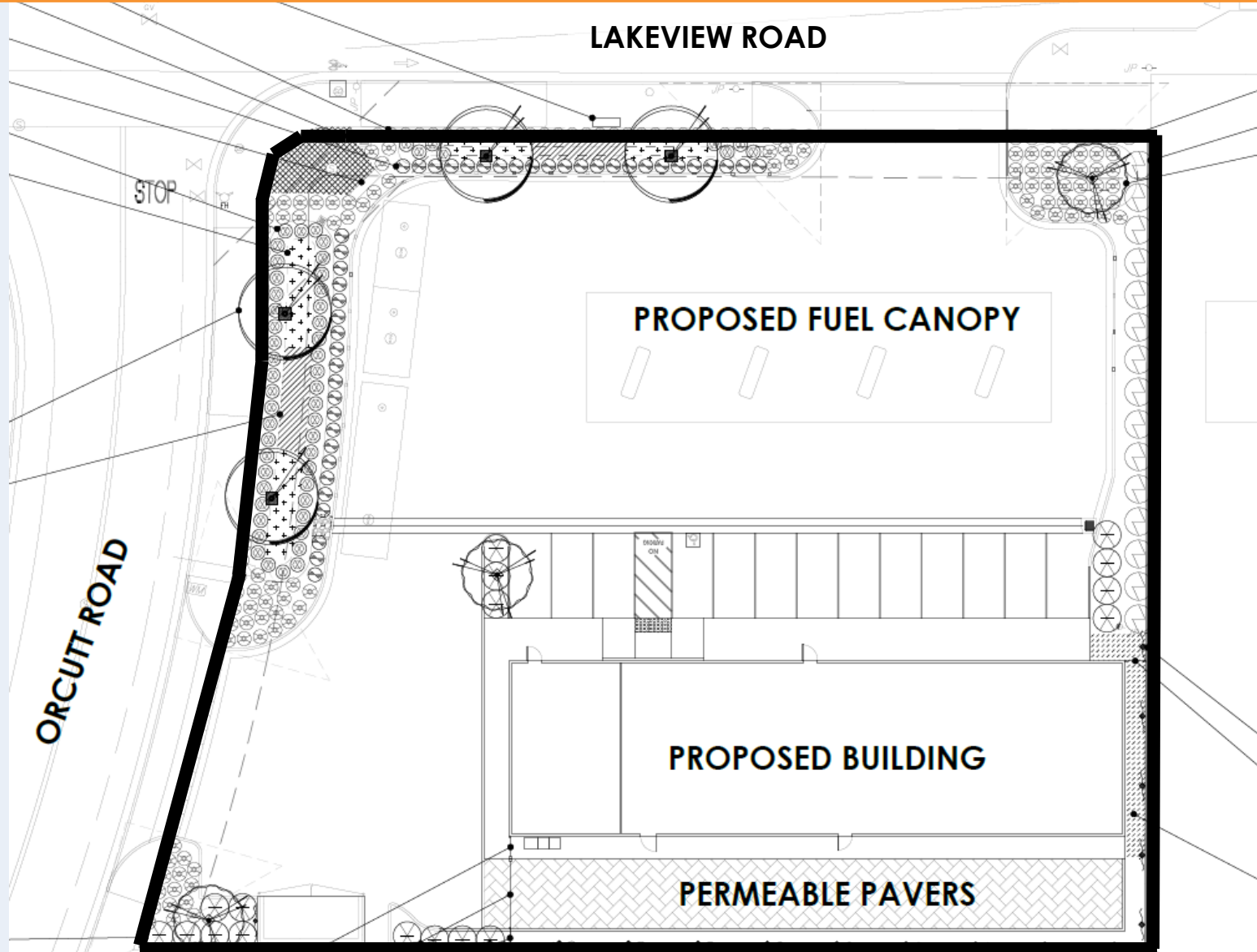
Retail Space



NORTH ELEVATION

Fuel Canopy and Fuel Dispenser Islands

Landscaping Plan



Environmental Review

Mitigated Negative Declaration (19NGD-00000-00001)

- Circulated for 30 days (July 12, 2020 through August 12, 2020)
- Comment letters:
 - One community member
 - CalTrans
 - Air Pollution Control District
- Mitigations were incorporated in the following areas: Aesthetics, Air Quality, Cultural Resources, Fire Protection, Geologic Processes, Hazardous Materials, Land Use, Transportation, & Water Resources

Appeal Issue 1

Issue:

- Inconsistent with Land Use and Development Code (LUDC).
- Error and abuse of discretion.
- Not supported by evidence.

Response

- Consistent with LUDC and all policies in Comprehensive Plan.
- Planning Commission approved Project 5-0 at a fair and impartial hearing.
- Supported by evidence.
- All findings can be made.

Appeal Issue 2.A

2.A Issue:

- Traffic will exceed acceptable Level of Service.
- Inconsistent with Orcutt Community Plan (OCP) circulation policies and standards.
- Staff attempted to amend the OCP in favor of the Project.

Response

- OCP allows projects to exceed design capacity on Lakeview Road with a contribution to an alternative transportation fund to offset Project-generated traffic
- Consistent with OCP.
- Staff analysis clarifies environmental impacts and does not amend the OCP.

Appeal Issue 2.B

2.B Issue:

- Inconsistent with OCP land use policies and standards.
- Turn restrictions benefit Applicant by diverting traffic away from nearby commercial uses.
- Traffic study assumes illegal left turns across solid double lines at Lakeview Road to enter the Evergreen Shopping Center.

Response

- Consistent with OCP.
- Turn restrictions will result in right turn only movements onto Lakeview Road during peak hours.
- Multiple routes exist to enter the Evergreen Shopping Center.
- Traffic studies were reviewed by the County Public Works, City of Santa Maria Public Works, and CalTrans.

Appeal Issue 3

3 Issue:

- Must comply with Visual Resource Policy 5 and Board of Supervisors Resolution 87-344 requiring for above ground utilities to be placed underground.
- Compliance would be consistent with requirement applied to Evergreen Shopping Center.

Response

- Applicant has withdrawn request to waive the undergrounding requirement and will underground all required utilities.

Recommended Actions

1. Deny the appeals, Case Nos. 21APL-00000-00062 and 21APL-00000-00063.
2. Make the required findings for approval of the Project as specified in Attachment 1 of this Board Agenda Letter, including CEQA findings.
3. Adopt the Mitigated Negative Declaration (19NGD-00000-00001 (Attachment 3), and adopt the mitigation monitoring program contained in the conditions of approval.
4. Grant *de novo* approval of the Project, Case Nos. 18DVP-00000-00001 and 18CUP-00000-00001, subject to the conditions included as Attachment 2 of this Board Agenda Letter.