



**TO:** Planning Commission Chair and Members

**FROM:** Peter Imhof, Planning and Environmental Review Director

**CONTACT:** Lisa Prasse, Current Planning Manager

**SUBJECT:** Request by AJR Trucking, Inc. for a Determination of Similar Use Under the General Commercial (C-G) General Plan/Coastal Land Use Plan (GP/CLUP) and General Commercial (C-3) Inland Zoning Ordinance. Case No. 19-96-DSU; APN: 073-070-005; 6416 Hollister Avenue.

**RECOMMENDATION**

It is recommended that the Planning Commission:

- 1) Open a public hearing to take verbal and written testimony;
- 2) After considering the evidence presented during the public hearing, make one of the following determinations regarding a proposed trucking business and dispatch office use in the C-G General Commercial General Plan land use designation and the Inland C-3 zone district:
  - a) Determine that a trucking business and dispatch office use is similar to the Outdoor Storage or Building/ Contractor Services or other similar use permitted under the C-G land use designation and determine that the trucking business with a dispatch office use is of similar character to permitted uses enumerated under the Inland C-3 zone district; or
  - b) Determine that a trucking business with a dispatch office use is not similar to the uses as defined under the C-G land use designation, and not included among the permitted uses enumerated in the Inland C-3 zone.

**APPLICANT**

Adam Barker  
AJR Trucking, Inc.  
435 E. Weber Avenue  
Compton CA 90222

**AGENT**

John Cuykendall  
Dudek  
621 Chapala Street  
Santa Barbara, CA 93101

## REQUEST/PROJECT DESCRIPTION

The applicant has submitted a request for the Planning Commission (PC) to make the finding that a trucking business with a dispatch office (trucking business) is similar to the permitted uses enumerated within the C-G land use designation and C-3 zoning district. Specifically, the applicant is requesting that the PC find that a trucking business is similar to: a building/landscape materials and equipment use; or a business use; or an outdoor storage use; or a public or quasi-public facility currently allowed under the C-G land use designation and one of the permitted uses outlined in Inland Zoning Ordinance (IZO) C-3 zoning district. Section 35-226.3 (12) of the Inland Zoning Code allows the Planning Commission to make a determination that a proposed use not specifically listed in the C-3 use is “of similar character to” permitted uses enumerated in the C-3 zoning district and “not more injurious to the health, safety or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life or property or similar causes.” The applicants are requesting such a determination. Should the request be granted, the applicant intends to submit a building license application and seek any other permits needed to operate at the site.

As described in the August 22, 2019 written request (provided as Attachment 1), AJR Trucking is a vendor to the United States Postal Service and transports mail within the Tri-County area. AJR Trucking would use the site to operate its transportation service for the Goleta Post Office. Trucks will operate (be off-site) daily between 3 pm – 10 pm and from 2 am – 11 am. The operation will involve up to sixteen (16) 24’ box trucks and twenty (20) Class 8 trucks (truck cabs only with no trailers). The applicant indicates that the weight of the box trucks and class 8 truck cabs is between 15,000-18,000 lbs. These vehicles would be parked onsite when not in use. The trucks are anticipated to be on site during the time period of 10 pm - 2 am and 11 am – 3 pm.

Business operations would be conducted from the 1,200-square foot existing building located along the northern property boundary (site plan is provided as Attachment 6). The operations office would be occupied by 1-3 employees. Truck drivers will park their personal vehicles in the space vacated by the trucks.

Primary ingress/ egress access would be from Aero Camino via an existing driveway with a secondary egress point from the westernmost driveway on Hollister Avenue.

## LOCATION

The site in question is located on a portion of the parcel with the address 6416 Hollister Avenue (northwest corner of Hollister Avenue and Aero Camino Road) as shown on the project plans (Attachment 7). Although this property currently has one Assessor Parcel Number, this corner property was developed in the 1960s as three parcels with three addresses (corner portion as 6410 Hollister, the portion next to Willow Springs Apartments as 6416 Hollister, and the portion along Aero Camino as 179 Aero Camino). Currently, the entire property uses the address of 6416 Hollister Avenue and a sizeable

portion of the site is screened with a chain link fence with slats. All three parcels, totaling 1.35 acres, have the same General Plan and zoning designation and over the years have been used as individual parcels and as a combined site.

As with any use determination, if the Planning Commission determines that the proposed trucking business is consistent with the uses allowed within the General Plan Land Use C-G designation and IZO C-3 zoning district, then trucking businesses would be allowed in all areas with this designation. The use determination is not site-specific. Attachments 5 and 6, the City's GP/CLUP Land Use Map and Zoning Map, respectively, show where these designations exist throughout the City.

## BACKGROUND

### Past Development and Uses

As referenced above, the 1.35-acre site was developed in the 1960s with a dairy use and a gas station. The dairy use/store occurred at 6416 Hollister Avenue, storage for the dairy use occurred at 179 Aero Camino, and 6410 Hollister was a gas station/muffler store. While there are several permits for signs, equipment replacements, and additions covering an approximately 20-year period, the following table provides the information regarding the primary development activity on the site between 1961-1979 for which the City has records on:

**TABLE 1**  
**Summary of Development Activity**

<b>DATE</b>	<b>Address</b>	<b>USE</b>	<b>PERMIT</b>
1/13/1961	6416 Hollister	Milk Processing Plant with a drive- up store for Durbiano Dairies	*Land Use Rider 11637
11/08/1961	6416 Hollister	Addition to Milk Processing Plant	Land Use Rider 17168
9/6/1962	6410 Hollister	Gas Station	Land Use Rider 22027
2/24/1964	179 Aero Camino	Storage Building for Durbiano Dairies	Land Use Rider 28316
2/6/1979	6410 Hollister Avenue	Muffler Shop	Land Use Rider (no number)
6/2/1982	6416 Hollister Avenue	Faststop Dairy Store	Land Use Rider 9711/SCD and 82-BAR-179
*A Land Use Rider was the County's original version of a Land Use Permit			

The existing City records do not contain any documentation as to when either the dairy use (6416 Hollister and 179 Aero Camino) or the gas station/muffler shop (6410 Hollister Avenue) were discontinued.

On page 3 of the applicant's August 22, 2019 justification letter, it is pointed out that the County approved a change use land use permit in 1994 for an unspecified use. Unfortunately, the City does not have this record nor was it provided as part of the submittal information. The applicant has also provided aerials from 1994 and 1995 that show the presence of large vehicles onsite.

Around 2002, Student Transportation of America (STA) (a school bus transportation business) moved to the site and continued to operate there until late 2018/early 2019. STA has relocated to 153 Aero Camino and has been operating at the new site on Aero Camino since at least January 2019. There is no documentation that indicates that the prior STA use was legally established at the subject site as either a conforming or non-conforming use.

### Adjacent Uses

The adjacent uses and land use designations are as follows:

Table 2  
Adjacent Uses

LOCATION	USE	LAND USE DESIGNATION & ZONING
North	Multi-Tenant Industrial Building	General Industrial/M-1
East	Automotive Repair Garage/Smog Business	General Commercial /C-3
South	Santa Barbara Airport Operations/Tenant	Santa Barbara Airport Specific Plan
West	Willow Springs I Apartment Complex	Medium Density/PRD

The adjacent non-residential uses (excluding the Santa Barbara flight operations) tend to observe normal business hours and cease operations by the early evening.

## CURRENT LAND USE DESIGNATION AND REGULATIONS

As indicated above, the applicant, AJR Trucking, would like to use the site located at the northwest corner of Aero Camino and Hollister Avenue (6416 Hollister Avenue) to run the trucking operation with the trucks on site during the hours of 10 pm - 2 am and 11 am – 3 pm. The site has a General Commercial (C-G) General Plan/Coastal Land Use Plan (GP/CLUP) designation and General Commercial (C-3) zoning. (The zoning of the site will become CG when the new Zoning Code is adopted in the near future.)

The purpose/intent of the C-G General Plan land use designation, pursuant to General Plan Policy LU 3.7, is:

to provide appropriate sites to accommodate a diverse set of commercial uses that do not need highly visible locations, such as wholesale trade and service commercial, or that may involve activities that reduce compatibility with other uses. Appropriate sites are in locations that may have limited suitability for other more retail-oriented uses. General commercial uses may serve as a buffer between industrial activities or major transportation corridors and residential areas.

Table 2-2 of the General Plan identifies the general categories of uses that would be consistent with the C-G land use designation.

The purpose and intent of the C-3 zone district as stated in IZO Section 35-226.1 is:

to provide areas for wholesale and heavy commercial uses and services which are necessary within the County [City] but which are not suited to the light commercial district. The intent is to provide for these areas while protecting adjacent uses from negative impacts such as noise, odor, lighting, and traffic.

The existing C-3 zone district does not specifically address a trucking business. Some of the permitted uses within the C-3 zone include:

- a bus terminal (IZO Section 35-226.3 (3);
- unenclosed used automobile sales lot (IZO Section 35-226.3 (7);
- automobile, farm implement and machinery repair, sales and service but not automobile wrecking yards or junk yards (IZO Section 35-226.3 (8) (c) when within a completely enclosed building except for materials storage which may be permitted within an area enclosed by a solid wall, fence or hedge of not less than six feet in height;
- lumber and building materials sales yard when within a completely enclosed building except for materials storage which may be permitted within an area enclosed by a solid wall, fence or hedge of not less than six feet in height within an area enclosed by a solid wall, fence or hedge not less than six (6) feet in height (IZO Section 35-226.3 (8) (j);

- wholesaling distributing center when within a completely enclosed building except for materials storage which may be permitted within an area enclosed by a solid wall, fence or hedge of not less than six feet in height within an area enclosed by a solid wall, fence or hedge not less than six (6) feet in height (IZO 35-226.3 (8) (I));
- contractors' equipment storage yard when conducted within an area enclosed by a solid wall, hedge or fence not less than six feet in height (IZO 35-226.3(11)).

The trucking business also does not appear among the uses allowed with either a Major or Minor Conditional Use Permit as stated in IZO Section 35-226.4 and 35.226.5 respectively nor with the general CUP uses allowed in any zoning district as stated in IZO Section 35-317.5 (1) and (2).

However, City of Goleta IZO Section 35-226.3 (12) states:

Any other retail or wholesale store, shop, or establishment which the Planning Commission finds is of similar character to those enumerated in this section [C-3 zone district] and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

While most of the adjacent uses are businesses as noted in Table 2 above, there is a residential development located directly to the west of the site. The residents of Willow Springs I would be the mostly likely of the adjacent uses to be impacted by the trucking business, given the night time hours. The impacts from vehicle emissions and noise that would be generated by the business operation occur at 10 pm and then at 2 am. These time periods of activity could be injurious to the health, safety, and welfare of the neighborhood, given the disturbances (i.e., workers conversations, vehicle doors opening and closing, engines starting, vehicles entering and exiting the site, etc.) that would occur twice nightly and could affect nearby residents' sleep.

## **DRAFT ZONING ORDINANCE**

On October 7, 2019, the PC recommended adoption of the New Zoning Ordinance (NZO) to the City Council, with the City Council slated to commence review of the NZO on November 5, 2019. It may be useful for the PC to know what the new, draft General Commercial (CG) zoning district requires allows for the property, as the new uses and regulations will be applicable to the site in the near future. Once the NZO is adopted, the property will be zoned General Commercial (CG). However, until the NZO is adopted and becomes effective, the provisions of the existing, adopted Inland Zoning Ordinance govern allowable uses on the subject properties.

Section 17.08.010 of the draft NZO describes the intent of this district as follows:

to provide appropriate sites for a diverse set of commercial uses that do not need highly visible locations or that may involve activities that are not compatible with other uses through implementation of the General Commercial (C-G) land use designation in the General Plan.

The table provided as Section 17.08.020 of the draft NZO outlines the uses allowed in all of the future commercial zone districts. Fleet Based Service and Transportation Passenger Terminal will be uses allowed with the approval of a major CUP. However, Section 17.71.050 of the NZO defines light fleet-based services as “business that rely on fleets of three or more vehicles with rated capacities less than 15,000 lbs.” and transportation passenger terminals as “facilities for passenger transportation operations. This classification includes rail stations, bus terminals, and scenic and sightseeing facilities.” As the nature of the project does not appear to align with the allowed or conditionally allowed uses of the CG zoning district, as provided in Section 17.08.020 of the NZO, or the definitions of Section 17.71.050 of the NZO (proposed vehicles will be over 15,000 lbs. and the business does not provide passenger transportation operations), the proposed trucking business use would not be allowed at this location.

#### APPLICANT IDENTIFIED SIMILAR USES/NON-CONFORMING USE

Pages 4-7 of the applicant’s August 22, 2019 justification letter outlines the proposed uses and the reasons why the applicant feels the trucking business should be allowed based on consistency with the uses contained in General Plan Table 2-2 and General Plan Policy 3-7 and the various uses allowed by the C-3 zoning district. The following table outlines the uses to which the applicant believes the trucking business is similar based on current regulations:

**Table 3 Applicant-Identified Uses**

<b>General Plan Table 2-2 General Commercial Land Use</b>	<b>C-3* Zoning Uses</b>
Building/Landscape Materials and Equipment	Contractors Equipment Storage Yard (C-3 zoning district)
Business Services	Automobile Parking Lot (C-2 zoning district)
Outdoor Storage	Trailer and Truck Rentals (C-2 zoning subject to Minor Conditional Use Permit)
Public and Quasi-Public Uses	
*All permitted uses in the C-2 zone district are also allowed in the C-3 zone district,	

Lastly, the applicant believes that the site “has been legally permitted to operate as a commercial delivery/transportation service use for over the last 30 years” (page 7 of

August 22, 2019 justification letter). The applicant requests that, if the PC does not find the trucking business to be similar to one of the identified uses, then the trucking business should be considered a legal non-conforming use and AJR Trucking be allowed to occupy the tenant space and operate on the property. As stated above, the City does not have documentation that a “commercial delivery/transportation service” was a legally established use at the site in the past. This lack of documentation has bearing on whether the proposed use may be considered to have non-conforming use status at the property.

## CONCLUSION

The questions before the Planning Commission are 1) is the proposed trucking business and associated office use consistent with the intent of the C-G land use designation and with the uses permitted thereunder; 2) are the proposed trucking business and associated use similar to the listed permitted uses identified in in the C-3 zoning district and the soon-to-be-adopted CG zoning district; and 3) is a trucking business an appropriate use in these land use designations throughout the City?

In determining whether the trucking business is “similar in character to the C-3 uses and is not more injurious to the health, safety, or welfare of the neighborhood,” factors for consideration as to whether a trucking business is similar to both the uses allowed by the General Plan and by the zoning include, but are not limited to: the size of the vehicles; the time of day that the vehicles will be entering and existing the site; and the similarities or differences between the commercial businesses permitted by existing regulations and the trucking business operations as described in the justification letter. On staff’s analysis, the trucking business should not be considered a public/quasi-public use, as it is a privately-owned company and is only a vendor to the USPS. In the past, the City has not used the nature of contracts which a business may have to determine the nature of the business, as the duration of contracts is finite and subject to change.

The applicant’s written request is provided as Attachment 1, the General Plan provisions (LU 3-7 and Table 2-2) are provided as Attachment 2, and relevant C-3 and CG zoning provisions are provided as Attachment 3 and Attachment 4 respectively.

As stated above, should the PC determine that the proposed use is similar to those permitted under the Inland C-3 zoning district and the C-G GP/CLUP land use designation, the determination would allow for the operation of a truck storage and office use as a permitted use within all locations that have the C-3 zoning district and C-G land use designation, subject to applicable regulations.

On October 17, 2019, although not required, a courtesy notice of this item was mailed to property owners and tenants within 300 feet of the site.

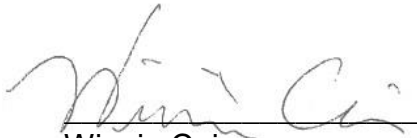


## CALIFORNIA ENVIRONMENTAL QUALITY ACT

The determination discussion is exempt from the California Environmental Quality Act (CEQA) (California Code of Regulations Title 14, Chapter 3) pursuant to the general rule that CEQA only applies to projects which have the potential to significantly affect the environment as outlined Section 15061(b)(3) of the CEQA Guidelines. Specific projects would be subject to CEQA review individually.

Legal Review By:

Approved By:



Winnie Cai  
Assistant City Attorney



Peter Imhof  
Planning and Environmental Review Director

## ATTACHMENTS:

1. Applicant's Determination Request Letter
2. City of Goleta General Plan Policy LU 3-7 and Table 2-2 (Allowable Uses and Standards for Commercial Use Categories)
3. Inland Zoning Code Section 35-226 of the Goleta Municipal Code (General Commercial C-3)
4. Draft NZO Chapter 17.08
5. General Plan Map
6. Zoning Map
7. Conceptual Site Plans for 6416 Hollister Avenue



ATTACHMENT 1

APPLICANT'S REQUEST



**DUDEK**

621 CHAPALA STREET  
SANTA BARBARA, CALIFORNIA 93101  
T 805.963.0651 F 805.963.2074

**RECEIVED**

**AUG 22 2019**

**City of Goleta  
Planning & Environmental Svcs.**

August 22, 2019

City of Goleta  
Planning Commission  
c/o Lisa Prasse, Planning Manager  
130 Cremona Drive, Suite B  
Goleta, CA 93117

**SUBJECT: Request for a Determination of Similar Use Under the General Commercial Land Use (C-G) and General Commercial Zoning (C-3) for a Proposed Transportation Service Use at 6416 Hollister Avenue (APN: 073-070-005), City of Goleta.**

Dear Planning Commissioners:

On behalf of AJR Trucking, Inc. (AJR), we would like to request a Determination of Similar Use to allow the proposed AJR Transportation Service use to occupy a portion of the site located at 6416 Hollister Avenue.

This letter provides property and background information, a detailed project description, the City's General Plan and Zoning designations applicable to the subject property, and justification of the proposed use at the subject site.

## **1.0 PROPERTY INFORMATION**

### Property Location

The property is located at 6416 Hollister Avenue, in the City of Goleta. The property is located within the Santa Barbara Industrial Center Tract, north of Hollister Avenue and west of Aero Camino; Office/industrial buildings are located to the north; auto repair/industrial buildings are located to the east; the Willow Springs residential apartment development and resident carport parking is to the west; and the Santa Barbara Airport and businesses are located within project vicinity, across Hollister Avenue to the south.

Access to the site is available from Hollister Avenue via four (4) driveways and two (2) driveways from Aero Camino. The property is approximately 1.35 acres in size and identified as Assessor Parcel Number 073-070-005.

### Existing Use

The subject property is developed with two single story structures that include an approximate 4,530 square foot building located near the western property boundary and an approximate 1,200 square foot building located along the northern property boundary. The site is almost entirely paved with asphalt, with the exception of frontage areas along Hollister Avenue and Aero Camino, which have been developed with

four (4) landscape pocket areas (palms/shrubs) along Hollister and two (2) larger areas along Aero Camino with eucalyptus trees.

The property was recently occupied by Student Transportation of America, Inc. (STA) that utilized the property to manage/dispatch, maintain, and store its school bus fleet for its school bus transportation service operation. The bus fleet storage was located within an enclosed yard area, which was screened with a 6' tall chainlink fence with wood slat screening. The enclosed yard area accommodated approximately 40 - 50 school buses (see Exhibit A – site aerial).

#### Development History

Based on available information from the permit files at the City of Goleta, the subject property is currently permitted with a total of two buildings. Although none of the available permits identify a specific total building area, the building footprints identified on site plans generally coincide with that which exists on the property today.

The existing buildings appear to have been constructed in 1961 (or earlier) as a dairy/milk processing plant. Within the permit files, Building #1 (paralleling the western property line) was originally a dairy/milk processing/distribution facility and later a mini-mart. Building #2 (paralleling the northern property line) was a related storage building. Building #1 has been subject to a number of additions since the 1960s. The drive-through canopy at the front (south) of the building, for instance, was enclosed in the 1980s to add additional building area. The Durbiano Dairy and then the Gold Coast Dairy operated their respective dairy transportation/delivery services from this same portion of the property.

In addition to Buildings #1-2, City permit files indicate that a Shell service station was developed on or about 1963-64 at the corner of the southeast corner of the subject property; the service station was later used as a muffler shop for a period of time, but is no longer present on the property.

Below is a list of permits located in City files.

- **Land Use Rider 11637:** Permit was for a milk processing plant (Building #1). Owner was Durbiano Dairies; Land Use Rider approved 01/13/1961.
- **Land Use Rider 15023:** Permit was for a gas tank. Owner was Durbiano Dairies; Land Use Rider approved 04/21/1961.
- **Land Use Rider 15135:** Permit was for a pole sign and wall sign. Owner was Durbiano Dairies; Land Use Rider approved 05/17/1961.
- **Land Use Rider 17168:** New addition of space at rear of Building #1 "(Durbiano Dairies)". Land Use Rider approved 11/08/1961.
- **Land Use Rider 30918:** Remodel of space at rear of Building #1 "(Durbiano Dairies)".

- **63-V-015:** Permit request was for a pole sign located in setback. Indicates a Shell Service Station was in construction at the SE corner of project site (NW corner of Hollister-Aero Camino); associated address appears to be 6410 Hollister Avenue; Planning Commission approval for gas station was 09/26/1962. Documents indicate gas pumps were located within the setback. Pole sign was deemed a structure by Planning Commission and that it must respect FY setback (03/27/1963); no variance granted.
- **74-BAR-13/ Land Use Rider 59801:** Golden Coast Dairy refrigerator storage room addition to west side of Building #1. Land Use Rider approved 02/08/1974.
- **76-DP-40/ 77-BAR-7/ Land Use Rider 77547:** Land Use Rider approved 04/14/1977 for Golden Coast Dairy small addition and landscape improvements. Development Plan (DP) assigned to track project as a revision, but County file notes indicate that buildings pre-existed development plans and that there were no original conditions of approval.
- **76-DP-40/ 1981 SCD:** Substantial Conformity Determination (SCD) for Golden Coast Dairy remodel of Building #1 and #2, parking lot/ truck loading improvements; SCD approval 10/27/1981.
- **76-DP-40/ 1982 SCD/ Land Use Rider 97111/82-BAR-179/BP 97111 (Commercial Remodel/ Addition):** Proposal was for a 738 SF addition to the front of Building #1 "(Fastop Dairy Store)", filling in the covered drive-through portion of the building. Associated SCD issued 06/02/1982. Notes relating to required handicap access for bathrooms are included within the file. Final action date is 07/16/1982.
- **BP 249525:** Plans approved either 10/21/1993 or 11/22/1993. Permit was for installation of an oven, hood, and ventilation equipment. Permit was "Voided" on 09/16/1998 due to lack of final inspections.

In addition, to the above list of permits for the property, the County approved a land use permit in 1994 for a change in use (Permit No. 94-LUS-304). The City does not have any information on file concerning the approved change in use, but based on historical aerials, the property was subsequently used for the storage of large vehicles onsite (see Exhibit B - 1994 and 1995 Aerials). The storage of large vehicles onsite has continued uninterrupted since 1994, as Student Transportation of America, Inc. continued such use when they first occupied the site in 2002 following the previous use.

## **2.0 PROJECT DESCRIPTION**

The proposed business / use is described as follows:

AJR Trucking, Inc. is one of the nation's leading contractors of the United State Postal Service (USPS) transportation service. AJR will provide delivery vehicles to the Goleta office of the USPS to transport mail daily to/from within the Tri-County area. AJR will utilize the portion of the subject property, as shown on the attached site plan to operate their transportation service for the Goleta Post Office (se Exhibit C). Delivery trucks will operate daily between 3 p.m. – 10 p.m. and from 2 a.m. – 11 a.m. The operation will

involve up to sixteen (16) 24' box trucks and twenty (20) Class 8 trucks (truck cabs only, no trailers). These vehicles will be parked onsite when not in use during 10 p.m. – 2 a.m. and between 11 a.m. – 3 p.m.

Business operations will be conducted from the small 1,200 square foot existing building along the northern property boundary. The operations office will be occupied by 1-3 employees. Truck drivers will park their personal vehicle in the space vacated by the truck.

Primary ingress/egress access to the AJR use will be from Aero Camino via an existing driveway with a secondary egress point from the existing westernmost driveway on Hollister Avenue (see site plan).

### **3.0 LAND USE AND ZONING**

#### **City General Commercial Land Use Designation**

The property has a General Commercial land use designation of C-G. This land use designation is intended to accommodate a diverse set of commercial uses. The following uses are expressly permitted under the General Commercial land use designation, which we believe the proposed AJR use would be similar in character and not more injurious to the health, safety, or welfare of the neighborhood because of odor, dust, smoke, vibration, noise, danger to life and property, or other similar causes.

- Building / Landscape Materials and Equipment
- Business Services
- Outdoor Storage
- Public and Quasi Public Uses

#### Building / Landscape Materials and Equipment

Although the City land use and zoning documents do not have a specific definition of Building / Landscape Materials and Equipment, this type of use typically will include various building and landscaping materials, as well as a variety of equipment rentals, including dozers/tractors, mini excavators, concrete mixers, rollers, and more. We believe the proposed AJR use would similar in character to a "building/landscape materials and equipment" use, and therefore, an allowed use under the General Commercial designation.

#### Business Services

The City defines Business Services as follows:

"A subcategory of commercial land use that permits establishment primarily engaged in rendering services to other business establishments on a fee and contract basis, such as advertising and mailing; building maintenance; personnel and employment services; management and consultant



services; protective services; equipment rental and leasing; photo finishing; copying and printing; travel; office supply; and similar services.”

The proposed AJR use as described above is engaged in rendering services to the USPS on a contractual basis, similar to an equipment rental and leasing type business, which is an expressly allowed use under the C-G land use designation. We believe the proposed AJR use would also be similar in character as a “business services” in that AJR provides transportation services to the Goleta post office.

#### Outdoor Storage

It does not appear the City defines “outdoor storage” beyond stating that outdoor storage must be fenced with a minimum 6’ tall fence to screen the area. Typical uses allowed under the “outdoor storage” include contractor equipment, vehicle parking lots, materials, etc.

The proposed AJR use would be similar in character with the expressly permitted “outdoor storage” use, as AJR would store its vehicles temporarily onsite during a portion of the day. The area to be used for storage of vehicles when not in use would be surrounded by a 6’ high fence. As a result, we believe the proposed AJR use would be similar in character to outdoor storage uses, and therefore, an allowed under this category.

#### Public and Quasi-public Facilities

Public and Quasi-public facilities is defined as follows:

“Institutional, academic, governmental and community service uses, either owned publicly or operated by non-profit organizations, including private hospitals and cemeteries”, with Institutional uses defined as publicly or privately owned and operated activities such as hospitals, convalescent hospitals, intermediate care facilities, nursing homes, museums, and schools and colleges.”

The AJR use as described above would be similar in character to a Public and Quasi-public facility, such as the City’s vehicle, equipment and storage yard located on Coromar Drive. The AJR use will provide the Goleta USPS office with transportation service to deliver mail to and from local communities throughout the tri-counties (Santa Barbara County, San Luis Obispo County, and Ventura County). We believe the proposed AJR use would be similar in character as a “Public and Quasi-public facility” use, and therefore, an allowed use under the C-G land use designation.

## **City General Commercial Zoning Designation**

### **C-3 Zone District**

The property has a General Commercial zoning designation of C-3. The C-3 zone provides areas for wholesale and heavy commercial uses and services, which are necessary within the City/County, and will not create any impacts, such as traffic, noise, lighting, and odor. The following uses are expressly permitted uses, which we believe the proposed AJR use would be similar in character and not more injurious to the health, safety, or welfare of the neighborhood because of odor, dust, smoke, vibration, noise, danger to life and property, or other similar causes.

#### **Contractors Equipment Storage Yard**

The City defines a Contractor's equipment storage yard as follows:

"Storage yard operated by, or on behalf of a contractor licensed by the State of California for storage of large equipment, vehicles, or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities. Said yard shall not include a junk yard."

Under the C-3 zone, a contractor's equipment storage yard is an allowed use subject to the area being enclosed by a solid wall, hedge or fence not less than six feet in height. Contractor's equipment may include large construction vehicles, such as backhoes, excavators, bulldozers, dump trucks, etc. We believe the proposed AJR use would be similar in character as a "Contractors Equipment Storage Yard" use, and therefore, an allowed use under the C-3 zoning designation.

### **C-2 Zone District**

Under the C-3 zone, all permitted uses in the C-2 zone district are allowed. The following uses are listed under the C-2 zone, as allowed uses, as noted.

- Automobile Parking Lot
- Trailer and Truck Rentals (subject to MCUP)

#### **Automobile Parking Lot**

The City defines a parking lot as follows:

"An off-street area, usually surfaced and improved, for the temporary storage of five (5) or more vehicles."

The AJR use as described above would be similar in character to an "Automobile Parking Lot", as the delivery vehicles used by AJR would be stored onsite on a temporary basis when not in service during operating hours. We believe the proposed AJR use would be similar in character as an "Automobile Parking Lot" use, and therefore, an allowed use under the C-2 zoning designation.

#### Trailer and Truck Rentals

A trailer and truck rental use is allowed subject to a Minor Conditional Use Permit under the C-2 zone. Trailers are defined as those used for carrying property. We believe the proposed AJR use would be similar in character as a "Trailer and Truck Rental" use allowed in the C-2 zone, but since the site is zoned C-3, a MCUP would not be required, and therefore, an allowed use under the C-3 zoning designation.

#### **4.0 LEGAL NONCONFORMING USE**

Prior to incorporation of the City of Goleta, the Land Use and Zoning applied to this property was General Industry land use and General Commercial zoning. Under this land use and zoning, the storage of vehicles was an allowed use.

We believe the portion of the site proposed for the AJR use has been legally permitted to operate as a commercial delivery/transportation service use over the last 30 years, as evident by permits and historical aerial photos. The past uses include Durbiano Dairy, Gold Coast Dairy, and STA, all of which operated a delivery/transportation service on the portion of the property proposed to be used by AJR. Upon incorporation of the City of Goleta, the existing uses technically became legal nonconforming with respect to the use.

A legal non-conforming use is defined as follows:

"Any use of land, building, or structure which was lawful prior to the adoption of this Article or any amendment hereto, or previously adopted County Ordinances, and which does not conform to the present regulations on use of the zoning district in which it is situated."

We believe the proposed AJR use, if not considered similar in character to the above listed uses enumerated under the City's Land Use and Zoning described above, should be considered a legal non-conforming use and allowed to occupy the tenant space and operate on the property.

## CONCLUSION

AJR is pursuing this site due to its excellent location and size, compatible surrounding land uses, and existing facilities. AJR will occupy the small office building along the northern property boundary for their operation and utilize the existing large undeveloped historical vehicle storage area for vehicle parking.

It is not anticipated that the AJR use will generate traffic or noise impacts, as the use would be consistent with historical uses on the property. We believe the proposed use, as outlined in this letter is consistent with historical uses on the property and as an allowable use under the C-G land use and C-3 zone designations and/or as a legal non-conforming use, and the AJR use will be compatible within the industrial/commercial neighborhood, as it would not generate parking, traffic or noise impacts.

On behalf of AJR, Trucking, Inc., we would like to thank the Commission for its time and consideration, and respectfully request the Commission's support of the requested Determination of Similar Use. Should you have any questions or concerns regarding our application prior to the hearing date, please do not hesitate to contact me at (805) 308-8533 or by e-mail at [jcuykendall@dudek.com](mailto:jcuykendall@dudek.com).

Sincerely,

**DUDEK**



John T. Cuykendall  
Senior Project Manager

cc: Zach Brys

Exhibit A: Aerial – STA use  
Exhibit B: Aerial – 1994 and 1995  
Exhibit C: AJR Site Plan

# EXHIBIT A

## Aerial – STA Use









## EXHIBIT B

Aerial – 1994 and 1995





6416 Hollister Ave (9/1994)





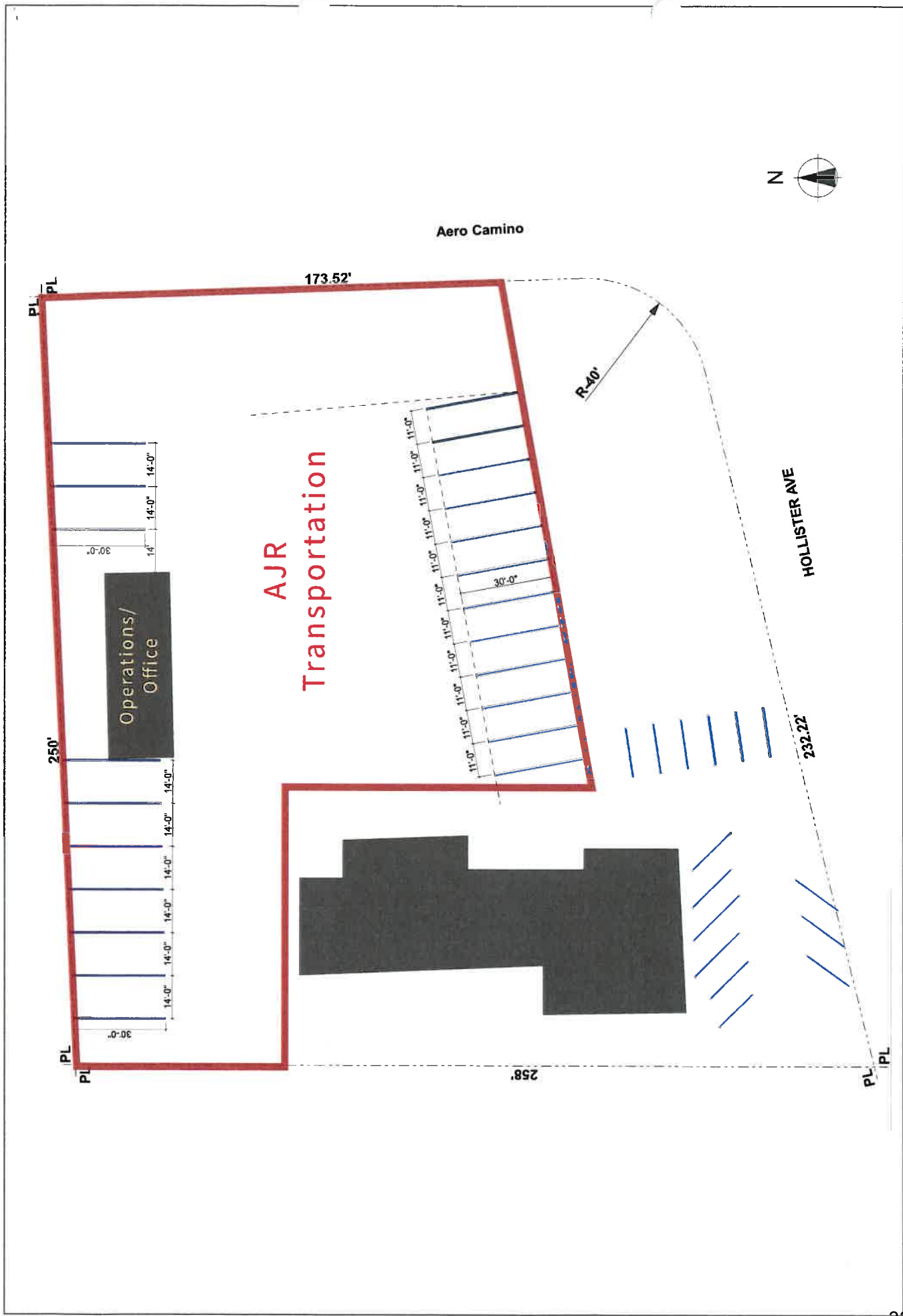


## EXHIBIT C

### AJR – Site Plan







**FIGURE 1**  
**Site Plan**  
 6416 Hollister Ave

SOURCE: ARPA Technology Group 2019

**DUDEK**



ATTACHMENT 2

GENERAL PLAN LAND USE POLICY

LU-3.7 AND TABLE 2-2



and sold as separate lots to individual mobile home unit owners. The intent is that mobile home park sites be planned as a whole, with an adequate internal vehicular and pedestrian circulation system, adequate common and individual parking, common open space and recreation facilities, and other common amenities. Mobile homes usually provide a more-affordable housing alternative, and this designation is intended to preserve and protect existing mobile home parks in the city. The Mobile Home Park designation is intended to provide for development of residential units at densities ranging up to a maximum of 15.0 units per acre. Assuming an average household size of 2.0 to 3.0 persons, this use category allows population densities between 30.0 persons per acre and 45.0 persons per acre.

### **Policy LU 3: Commercial Land Uses [GP/CP]**

**Objective:** *To provide lands in locations that are suitable, functional, attractive, and convenient for an appropriate mix and scale of residential- and business-serving commercial uses, including business and professional offices, retail trade, business services, and residential mixed uses.*

**LU 3.1 Commercial Land Use Categories. [GP/CP]** Table 2-2 shows the permitted uses and recommended standards for building intensity in each of the commercial land use designations. The commercial use categories are intended to provide appropriate locations for business uses that serve neighborhoods, the community, the region, and the traveling public while seeking to minimize traffic congestion, visual, and other impacts on surrounding residential areas. The intent of each use category is further described in the following sections. *(Amended by Reso. 08-30, 6/17/08)*

**LU 3.2 Regional Commercial (C-R).** **[GP]** This category is intended to provide for a wide range of retail commercial uses, including, but not limited to, larger scale commercial uses that serve the community, the region, and the traveling public. These uses are typically land-extensive. The Regional Commercial use designation provides for commercial uses that require large sites or attract large volumes of activity, such as “large box” retail uses, restaurants, high-volume retail businesses, and professional, personal, and financial services. In order to limit regional traffic impacts, lands designated in this category shall be limited to existing locations of “large-box” uses as of 2005, shown on the Land Use Plan map in Figure 2-1, and no additional areas shall be designated.



***Regional Commercial at the Camino Real Marketplace***

**LU 3.3 Community Commercial (C-C).** **[GP]** The Community Commercial category is intended to allow relatively small commercial centers that provide convenience goods and services to serve the everyday needs of the surrounding residential neighborhoods

**TABLE 2-2  
ALLOWABLE USES AND STANDARDS FOR COMMERCIAL USE CATEGORIES**

Allowed Uses and Standards	Commercial Use Categories					
	C-R	C-C	C-OT	C-VS	C-I	C-G
<b>Retail Trade</b>						
Large-Scale Retail Establishments	X	X	-	-	-	-
General Merchandise	X	X	X	-	-	X
Food and Drug Stores	X	X	X	-	X	X
Apparel and Specialty Stores	X	X	X	-	-	X
Building/Landscape Materials and Equipment	X	X	X	-	-	X
Eating and Drinking Establishments	X	X	X	X	X	X
Other Retail Trade Establishments	X	X	X	X	-	X
Coastal-Related Commercial	X	X	X	X	-	-
Cannabis Storefront Retail	X	X	X	-	-	X
<b>Services (Including Offices)</b>						
Finance, Insurance, and Real Estate	X	X	X	-	-	X
Personal Services	X	X	X	-	-	X
Business Services	-	X	X	-	-	X
Information Technology Services	-	-	-	-	-	X
Professional Services	-	X	X	-	-	X
Medical and Health-Related Services	X	X	X	-	-	-
Educational Services	-	-	X	-	-	X
Entertainment and Recreation Services	X	X	X	X	-	-
Building and Construction Services	-	-	-	-	-	X
Other Services	X	X	X	X	X	X
<b>Transient Lodging and Services</b>						
Resorts	-	-	-	X	-	-
Hotels, Motels, Bed and Breakfast Inns	X	X	X	X	-	-
RV Parks	-	-	X	X	-	X
Other Visitor Services and Attractions	-	-	-	X	-	X
<b>Auto-Related Uses</b>						
Retail – Automotive Sales and Rentals	-	-	X	-	-	X
Auto Repair and Painting	-	-	-	-	-	X
Auto Wrecking Yard/Junk Yard	-	-	-	-	-	X
Auto Service (Gas) Station	X	-	X	-	X	X
Car Wash	-	X	X	-	X	X
<b>Wholesale Trade and Storage</b>						
General Wholesale Trade	-	-	-	-	-	X
Warehousing – General	-	-	-	-	-	X
Warehousing – Self-Storage	-	-	-	-	-	X
Outdoor Storage	-	-	-	-	-	X
<b>Residential Uses</b>						
Residential Units	-	X	X	-	-	-
One Caretaker Unit	X	X	X	X	-	X
Assisted-Living Residential Units	-	-	-	-	-	X
<b>Other Uses</b>						
Religious Institutions	-	X	X	-	-	X
Public and Quasi-public Uses	X	X	X	-	X	X
Wireless Communications/Telecommunications	X	X	X	X	X	X
Cannabis Microbusiness	-	-	-	-	-	X*
<b>Standards for Density and Building Intensity</b>						
<b>Recommended Standards for Density</b>						
Maximum Residential Density	N/A	12/acre	20/acre	N/A	N/A	20/acre
<b>Recommended Standards for Building Intensity</b>						
Structure Height	35 feet	35 feet	30 feet	35 feet	25 feet	35 feet
Maximum Lot Coverage Ratio	N/A	N/A	N/A	N/A	N/A	N/A
<b>Notes:</b> 1. Use Categories: C-R – Regional Commercial; C-C – Community Commercial; C-OT – Old Town Commercial; C-VS – Visitor Commercial; C-I – Intersection; Commercial; C-G – General Commercial. 2. X indicates use is allowed in the use category; - indicates use not allowed. 3. General Note: Some uses requiring approval of a conditional use permit are as set forth in text policies, and others are specified in the zoning code. 4. Wholesale trade is permitted within the C-R use category, provided that it is an integral part of a retail trade use. 5. The standards for building intensity recommended by this General Plan pursuant to Government Code Section 65302(a) may be revised by a Resolution of the decision-making body of the City for specific projects based upon a finding of good cause. 6. N/A = Not applicable. 7. Accessory uses to the allowed uses in this table are regulated through zoning. * Cannabis microbusiness, as defined by Section 26070 of the California Business and Professions Code, is allowed on parcels designated C-G only where a cannabis business legally existed prior to June 16, 2009. (Amended by Reso. 08-30, 6/17/08, Reso. 09-32, 5/19/09, and Reso. 19-21, 4/16/19)						

while protecting the residential character of the area. Uses that may attract significant traffic volumes from outside the Goleta Valley are discouraged. Mixed-use, including residential, development at densities up to 12 units per acre may be permitted subject to approval of a conditional use permit in appropriate locations provided that it is compatible with adjacent uses, does not break up the continuity of commercial use at the sidewalk level, or is not within the airport approach zone as designated in the Safety Element. All community commercial development shall be designed to facilitate and promote pedestrian circulation in and to the area, as well as to link these areas to other activity centers. Noise levels and hours of operation may be regulated to avoid any potential conflict with adjacent residential uses. The size of any mixed-use developments shall be consistent with street and utility capacities. The Fairview Shopping Center and Calle Real Center are included in this designation.

**LU 3.4 Old Town Commercial (C-OT). [GP]** This designation is intended to permit a wide range of local- and community-serving retail and office uses. A major purpose is to enhance the physical and economic environment for existing businesses and uses of the Old Town commercial district, the historic center for the Goleta Valley situated along Hollister Avenue between Fairview Avenue and State Route 217 (SR-217). The following criteria and standards shall apply to lands designated Old Town Commercial:

- a. Management of this area shall emphasize improving and reinforcing the character of the area as a pedestrian-oriented retail business area with a mix of businesses and services.
- b. "Large box" uses shall not be permitted within this use designation.
- c. Visitor-serving commercial uses, including transient lodging, may be permitted by conditional use permit.
- d. Existing heavy commercial uses (including printing and auto services and repair) are permitted uses although significant expansion of these activities shall be allowed only by conditional use permit if the expansion is compatible with adjacent uses.
- e. Allowed uses include retail uses; professional and business office uses; public uses, including governmental administration activities; restaurants; entertainment; cultural activities; personal, financial, and small business services; and various other public and quasi-public uses. See Table 2-2 for a complete listing of permitted uses.



**Old Town Commercial**

- f. Any new development in the Old Town Commercial category shall include buildings, pedestrian plazas, design amenities, and facilities that are consistent with the Goleta Old Town Heritage District architecture and design guidelines.
- g. Continuity of retail and office uses is required at the street or sidewalk level. Residential and office uses may be allowed on the second floor of a structure or behind the portion of a building adjacent to the street, subject to approval of a conditional use permit.
- h. Residential uses may be approved only in conjunction with a permitted principal nonresidential use on the same site.
- i. New uses or design features (such as drive-through windows, excessive light and glare) that are incompatible with residential uses or pedestrian-oriented retail activities are prohibited.

**LU 3.5 Intersection or Highway Commercial (C-I). [GP]** This use category is intended to provide for a limited variety of commercial uses of low to moderate intensity located at major roadway intersections. Customers are anticipated to drive to these establishments. Uses are limited to various commercial and retail services oriented to the traveling public, including, but not limited to, gas stations, convenience markets, highway-oriented restaurants, and similar uses.

**LU 3.6 Visitor Commercial (C-V). [GP/CP]** This use category is intended to provide for a variety of commercial uses of low to moderate intensity often at or near scenic locations that may serve as destinations for visitors. Customers are anticipated to drive or be transported to these establishments by vehicles. Development in Visitor Commercial areas shall be designed in a manner that will limit encroachment into residential or resource areas. When located near the beach or other natural areas, public access to resource areas shall be required. Transient lodging units such as hotels that are operated as hotel condominiums, time-shares, or under a fractional ownership model shall be permitted uses, regulated through measures including but not limited to owner-occupancy limitations, to assure these accommodations are available without limitation to the general public and protect the City's transient occupancy tax base. *(Amended by Reso. 08-30, 6/17/08)*

**LU 3.7 General Commercial (C-G). [GP]** The purpose of this category is to provide appropriate sites to accommodate a diverse set of commercial uses that do not need highly visible locations, such as wholesale trade and service commercial, or that may involve activities that reduce compatibility with other uses. Appropriate sites are in locations that may have limited suitability for other more retail-oriented uses. General commercial uses may serve as a buffer between industrial activities or major transportation corridors and residential areas. The following criteria and standards apply to lands within this designation:

- a. The permitted uses in this classification have similar characteristics to some industrial uses, and mixed-use developments that include residential uses, except for assisted living residential uses, are not allowed.
- b. While General Commercial uses do not usually generate high volumes of traffic, sites within this designation should be accessible from major arterials in order to minimize the need for traffic to pass through residential areas on local streets.
- c. Uses that require access by heavy vehicles shall be permitted only in locations where the street can support such heavy vehicle traffic and such uses would be compatible with adjacent uses.



- d. Heavy commercial uses that may cause noise, air emissions, hazardous materials, or excessive light and glare shall require approval of a conditional use permit.

#### **Policy LU 4: Office and Industrial Uses [GP/CP]**

**Objective:** *To provide lands in areas suitable for businesses that create diverse types of employment opportunities and related economic activities where impacts of these uses on the surrounding residential neighborhoods can be minimized and where traffic impacts can be adequately managed.*

**LU 4.1 General Purpose. [GP/CP]** Table 2-3 shows the various office and industrial land use designations, including permitted uses and recommended standards for building intensity for each category. The categories are intended to provide appropriate locations for a range of employment-creating economic activities, from those based on advanced technology to storage and warehousing, while seeking to minimize traffic congestion, visual, and other impacts on the surrounding residential areas. The intent of each office and industrial use category is further described in the following sections. *(Amended by Reso. 09-32, 5/19/09)*

**LU 4.2 Business Park (I-BP). [GP/CP]** This use designation is intended to identify lands for attractive, well-designed business parks that provide employment opportunities to the community and surrounding area. The intensity, design, and landscaping of development should be consistent with the character of existing development currently located in these areas. Uses in the Business Park designation may include a wide variety of research and development, light industrial, and office uses, as well as small-scale commercial uses that serve the needs of business park employees. In addition, lands designated with a Hotel Overlay may include transient lodging that emphasizes extended stays, as set forth in LU 1.12. Activities in business park areas shall be conducted primarily indoors, and outdoor storage, processing, manufacturing, and vehicle repair are prohibited.

Performance standards for Business Park uses shall ensure that:

- a. The scale and design of these uses are compatible with each other and with the existing character of the park and surrounding neighborhoods.
- b. Lighting from these uses will not interfere or conflict with adjacent nonindustrial properties.
- c. Signage will be controlled.
- d. Curb cuts will be minimized and sharing of access encouraged.



***Business Park on Robin Hill Road***



ATTACHMENT 3

Article III Inland Zoning Ordinance

C3 General Commercial



## Sec. 35-226. C-3 General Commercial.

### Sec. 35-226.1. Purpose and Intent.

The purpose of this district is to provide areas for wholesale and heavy commercial uses and services which are necessary within the County but which are not suited to the light commercial district. The intent is to provide for these areas while protecting adjacent uses from negative impacts such as noise, odor, lighting, and traffic.

### Sec. 35-226.2. Processing.

1. No permits for development, including grading, shall be issued except in conformance with Sec. 35-314. (Land Use Permits).
2. Prior to the issuance of any Land Use Permit for buildings and structures which total 5,000 or more square feet in gross floor area or where on-site buildings and structures and outdoor areas designated for sales or storage total 20,000 square feet in size, a Final Development Plan shall be approved as provided in Sec. 35-317. (Development Plans). *(Amended by Ord. 4319, 6/23/98)*
3. Prior to the issuance of any Land Use Permit for buildings or structures, all final plans of buildings and structures shall be approved by the Board of Architectural Review, as provided in Sec. 35-329. (Architectural Review).

### Sec. 35-226.3. Permitted Uses.

1. All uses permitted in the C-2 district.
2. Bakery.
3. Bus terminal.
4. Frozen food locker.
5. Printing plant.
6. Storage warehouse including mini-storage facilities *(Amended by Ord. 3986, 2/21/92)*.
7. Unenclosed used automobile sales lot.
8. The following uses when conducted within a completely enclosed building except for material storage which may be permitted within an area enclosed by a solid wall, fence, or hedge not less than six (6) feet in height:
  - a. Agricultural packing or processing plant.
  - b. Agricultural supply store or distribution center for supplies such as feed, fertilizer, pesticides, and fuel. *(Amended by Ord. 3986, 2/21/92)*.

- c. Automobile, farm implement and machinery repair, sales and service but not automobile wrecking yards or junk yards.
  - d. Automobile body work and painting.
  - e. Blacksmith shop, welding shop, or machine shop.
  - f. Carpenter and cabinet shop.
  - g. Cleaning and dyeing establishment.
  - h. Furniture repair and upholstery.
  - i. Heating, plumbing, or ventilating supplies, sales and service.
  - j. Lumber and building materials sales yard.
  - k. Sign painting store.
  - l. Wholesale distributing center.
9. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
10. Recycling centers for the collection of, in addition to domestic recyclables, non-ferrous metals, high temperature alloys, exotics, precious metals and other similar types of materials.
11. Contractors' equipment storage yard when conducted within an area enclosed by a solid wall, hedge or fence not less than six feet in height. *(Amended by Ord. 3986, 2/21/92)*
12. Any other retail or wholesale store, shop, or establishment which the Planning Commission finds is of similar character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.
13. Emergency Shelter. *(Added by Ord. 4128, 11/16/93)*
14. Single Room Occupancy Facility. *(Added by Ord. 4128, 11/16/93)*
15. Buildings, structures, and uses accessory and customarily incidental to any of the above uses, provided:
- a. There shall be no manufacture, assembling, processing or compounding, of products other than such as are customarily incidental or essential to the above uses.
  - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

*Sec. 35-226.4. Uses Permitted with a Major Conditional Use Permit.*

1. Amusement enterprises conducted partially or wholly outdoors.
2. Outdoor theater.
3. Swap meet.
4. Onshore oil drilling and production facilities, subject to the requirements set forth in DIVISION 8, ENERGY FACILITIES.

*Sec. 35-226.5. Uses Permitted with a Minor Conditional Use Permit.*

1. Mechanical car wash.
2. Handicraft-type industries subject to the provisions of Sec. 35-315.12. (Conditional Use Permits).
3. Residences, provided the residential use is secondary as defined in DIVISION 2, DEFINITIONS, to a primary commercial use on the same lot. (Amended by Ord. 3986, 2/21/92)
4. Certified Farmer's Market. (Added by Ord. 4087, 12/15/92)

*Sec. 35-226.6. Minimum Lot Size.*

None.

*Sec. 35-226.7. Setbacks for Buildings and Structures.*

1. Front:
  - a. Thirty (30) feet from the centerline and ten (10) feet from the right-of-way line of any public street.
  - b. In addition, forty-two (42) feet from the centerline of any street with four or more lanes or a two-lane expressway, as defined in the Circulation Element text and designated on the Circulation Element Maps of the Comprehensive Plan.
  - c. Open canopies, porches, roofed or unroofed, and similar accessory uses may encroach not more than twelve (12) feet into the front setback area, provided that in no event shall such uses encroach upon a public street right-of-way.
2. Side:
  - a. None, except when side yards are provided, they shall be a minimum of three (3) feet.
3. Rear:
  - a. Ten percent of the depth of said lot, but in no case shall the rear yard setback be required to exceed ten feet, except that for any lot having a rear boundary abutting the rear boundary of a lot zoned residential, the required rear yard setback shall be not less than twenty-five (25) feet.

**Sec. 35-226.8. Distance Required Between Buildings on the Same Building Site.**

None, except that residential buildings shall have a minimum distance of five (5) feet from any other detached building on the same building site. (Amended by Ord. 3793, 01/09/90)

**Sec. 35-226.9. Height Limit.**

No building or structure shall exceed a height of thirty-five (35) feet.

**Sec. 35-226.10. Parking.**

As required in DIVISION 6, PARKING REGULATIONS.

**Sec. 35-226.11. Landscaping.**

For developments not requiring a Development Plan, a landscape plan shall be approved by the Planning and Development Department, and installation and maintenance guaranteed by performance securities as set forth in Sec. 35-289 (General Regulations). (Amended by Ord. 3794, 01/09/90)

All parking areas shall be landscaped as required under DIVISION 6, PARKING REGULATIONS.

**Sec. 35-226.12. Storage.**

Areas for trash or outdoor storage shall be enclosed and screened in such a manner as to conceal all trash or stored material from public view.



ATTACHMENT 4

New Zoning Ordinance

Chapter 17.08



## Chapter 17.08 Commercial Districts

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### Sections:

- 17.08.010 Purpose and Intent
- 17.08.020 Land Use Regulations
- 17.08.030 Development Regulations

### 17.08.010 Purpose and Intent

The purposes of the Commercial Districts are to:

- A. Designate adequate land for a full range of residential- and business-serving commercial uses and services, consistent with the General Plan, to maintain and strengthen the City's economic resources, and meet the needs of local community for goods and services;
- B. Establish development and design standards that improve the visual quality of commercial development to ensure appropriate buffers and transitions to adjacent neighborhoods; and
- C. Ensure that new development is designed to minimize traffic and parking impacts and is appropriate to the physical characteristics of the area.

The specific intent of each District are as follows:

**CR Regional Commercial.** This District is intended to provide for a wide range of retail commercial uses, including, but not limited to larger scale commercial uses that service the community, region, and traveling public through implementation of the Regional Commercial (C-R) land use designation in the General Plan.

**CC Community Commercial.** This District is intended for relatively small commercial centers that provide convenience goods and services to the surrounding residential neighborhoods while protecting the residential character of the area through implementation of the Community Commercial (C-C) land use designation in the General Plan.

**OT Old Town.** This District is intended to permit a wide range of local- and community-serving retail and office uses to enhance the physical and economic environment for existing businesses and uses of the historic center by implementing the Old Town Commercial (OT) land use designation set forth in the General Plan. Regulations and development standards are intended to reinforce the character of the area as a pedestrian-oriented, retail business area with a mix of businesses and services and through consistency with the Goleta Old Town Heritage District Architecture and Design Guidelines.

**VS Visitor-Serving Commercial.** This District is intended to provide for a range of commercial uses of low to moderate intensity, often at or near scenic locations that serve as destinations for visitors, through implementation of the Visitor Commercial (C-V) land use designation of the General Plan.

**CI Intersection or Highway Commercial.** This District is intended to provide for a limited range of commercial uses of low to moderate intensity located at major roadway intersections by implementing the Intersection or Highway Commercial (C-I) land use designation of the General Plan.

**CG General Commercial.** This District is intended to provide appropriate sites for a diverse set of commercial uses that do not need highly visible locations or that may involve activities that are not compatible with other uses through implementation of the General Commercial (C-G) land use designation in the General Plan.

### 17.08.020 Land Use Regulations

Table 17.08.020 below prescribes the land use regulations for Commercial Districts. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other sections of this Title. Use classifications are defined in Chapter 17.72, Use Classifications.

TABLE 17.08.020: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							"P" – Zoning Permit or Exempt "MU" – Minor Conditional Use Permit "CU" – Major Conditional Use Permit "- " - Use Not allowed
Uses	District						Additional Regulations
	CR	CC	OT	VS	CI	CG	
Residential Uses							
Residential Housing Types							
Multiple-Unit Development	-	CU <sup>1</sup>	CU <sup>1</sup>	-	-	-	See § 17.24.120, Mixed-Use Development
Residential Care Facilities							
Small	-	P	P	-	-	-	
Large	-	-	-	-	-	CU <sup>1</sup>	See § 17.41.210, Residential Care Facilities, Large
Supportive Housing	Subject only to those standards and permit procedures as they apply to other residential dwellings of the same type (use) in the same zone or as allowed pursuant to State law.						
Transitional Housing	Subject only to those standards and permit procedures as they apply to other residential dwellings of the same type (use) in the same zone.						
Public/Quasi-Public Uses							
Colleges and Trade Schools	CU	CU	MU	-	-	P	
Community Assembly	-	MU	MU	-	-	MU	
Community Garden	P	P	P	-	P	P	See § 17.41.100, Community Gardens
Cultural Institutions and Facilities	P	P	P	-	P	-	
Day Care Facility	MU	P	P	MU	MU	P	
Emergency Shelter	CU	-	-	-	-	P	See § 17.41.120, Emergency Shelters
Government Buildings	P	P	P	p <sup>2</sup>	CU	P	
Hospital	CU	-	-	-	-	CU	

TABLE 17.08.020: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							<p>"P" – Zoning Permit or Exempt</p> <p>"MU" – Minor Conditional Use Permit</p> <p>"CU" – Major Conditional Use Permit</p> <p>"-" - Use Not allowed</p>
Uses	District						Additional Regulations
	CR	CC	OT	VS	CI	CG	
Parking, Public or Private	MU	MU	MU	MU	MU	MU	
Public Safety Facilities	P	P	P	-	P	P	
Schools, Private	CU	CU	MU	-	-	CU	
Skilled Nursing Facility	MU	MU	MU	-	-	P	
Social Service Facilities	MU	MU	MU	-	-	MU	
<b>Commercial Uses</b>							
<b>Adult-Oriented Business</b>							
Adult Bookstore, Adult Novelty Store, or Adult Video Store	-	-	-	-	-	P	See § 17.41.050, Adult-Oriented Businesses
<b>Animal Sales, Care and Services</b>							
Animal Sales and Grooming	P	P	P	-	-	P	
Boarding, Kennel	CU	MU	MU	-	-	CU	
Veterinary Services	-	MU	MU	-	-	P	
<b>Automobile/Vehicles Sales and Services</b>							
Auction	-	-	-	-	-	P	
Automobile Rentals	-	-	CU	-	-	P	
Automobile/Vehicle Sales and Leasing	-	-	CU	-	-	MU	See § 17.41.070, Automobile/Vehicle Service and Repair
Automobile/Vehicle Service and Repair, Major	-	-	P <sup>3</sup>	-	-	CU	See § 17.41.070, Automobile/Vehicle Service and Repair
Automobile/Vehicle Service and Repair, Minor	-	-	P <sup>3</sup>	-	-	P	See § 17.41.070, Automobile/Vehicle Service and Repair
Service and Gas Stations	CU	-	CU	-	P	CU	See § 17.41.220, Service and Gas Stations
Automobile/Vehicle Washing	-	P	CU	-	P	P	See § 17.41.080, Automobile/Vehicle Washing
Building Materials, Sales, and Service	P	P	CU	-	-	P	See § 17.41.190, Outdoor Sales

<b>TABLE 17.08.020: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b>							<b>"P" – Zoning Permit or Exempt</b> <b>"MU" – Minor Conditional Use Permit</b> <b>"CU" – Major Conditional Use Permit</b> <b>"-" - Use Not allowed</b>
<i>Uses</i>	<i>District</i>						<i>Additional Regulations</i>
	<i>CR</i>	<i>CC</i>	<i>OT</i>	<i>VS</i>	<i>CI</i>	<i>CG</i>	
Business Services	-	P	P	-	-	P	
Cannabis Microbusiness	-	-	-	-	-	P <sup>4</sup>	See § 17.41.090 Cannabis Uses
<b>Cannabis Retailer</b>							
<i>Storefront</i>	P	P	P	-	-	P	See § 17.41.090 Cannabis Uses
<i>Non-Storefront</i>	P	P	-	-	-	P	See § 17.41.090 Cannabis Uses
Catering Service	P	P	P	P	-	P	
Check-Cashing Business	-	-	CU	-	-	P	
<b>Commercial Entertainment and Recreation</b>							
<i>Banquet and Conference Center</i>	CU	-	CU	P	-	-	
<i>Cinemas</i>	P	P	-	P	-	-	
<i>Indoor Sports and Recreation</i>	P	P	MU	P	-	-	
<i>Outdoor Entertainment</i>	CU	-	-	CU	-	-	
<b>Eating and Drinking Establishments</b>							
<i>Bars/Night Clubs/Lounges</i>	CU	P	P	-	-	P	
<i>Restaurant</i>	P	P	P	P	P	P	See § 17.41.110, Eating and Drinking Establishments
Finance, Insurance, and Real Estate Services	P	P	P/CU <sup>5</sup>	-	-	P	
<b>Food and Beverage Sales</b>							
<i>General Market</i>	P	P	P	-	P	P	See § 17.41.190, Outdoor Sales
<i>Liquor Store</i>	P	P	MU	-	-	P	
<i>Specialty Food Sales and Facilities</i>	P	P	P	-	-	P	See § 17.41.190, Outdoor Sales
Information Technology Services	-	-	-	-	-	P	
Instructional Services	-	-	P	-	-	P	
Live/Work Units	-	MU	MU	-	-	-	See § 17.41.170, Live/Work Units

TABLE 17.08.020: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							"P" – Zoning Permit or Exempt "MU" – Minor Conditional Use Permit "CU" – Major Conditional Use Permit "-" - Use Not allowed
Uses	District						Additional Regulations
	CR	CC	OT	VS	CI	CG	
Lodging and Visitor-Services							
Hotels and Motels	P	P	CU	P	-	-	
Recreational Vehicle Parks	-	-	CU	CU	-	CU	
Time Share Use	-	-	-	P	-	-	
Maintenance and Repair Services	P	P	P	-	-	P	
Media-Production Facility	MU	MU	-	-	-	P	
Medical, Dental, and Health-Related Services	P	P	P/CU <sup>5</sup>	-	-	-	
Mobile Vendors	P	P	P	P	P	P	See § 17.41.180, Mobile Vendors
Nurseries and Garden Centers	P	P	CU	-	-	P	See § 17.41.190, Outdoor Sales
Personal Services							
General Personal Services	P	P	P	-	-	P	
Restricted Personal Services	MU	MU	CU	-	-	P	
Professional Services	-	P	P/CU <sup>5</sup>	-	-	P	
Retail Sales							
General Retail	P	P	P	-	-	P	See § 17.41.190, Outdoor Sales
Large Format Retail	P	P	-	-	-	-	See § 17.41.190, Outdoor Sales
Industrial Uses							
Automobile Wrecking/Junk Yard	-	-	-	-	-	CU	
Cannabis Distribution	-	-	-	-	-	P	See § 17.41.090 Cannabis Uses
Construction and Material Yards	-	-	-	-	-	CU	

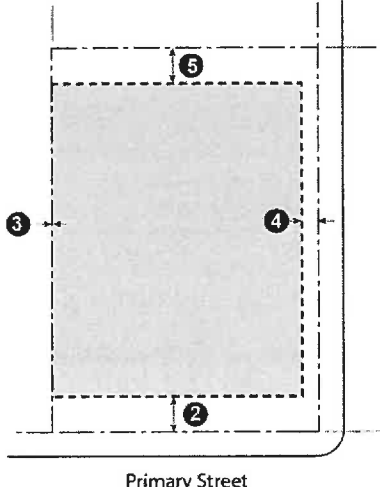
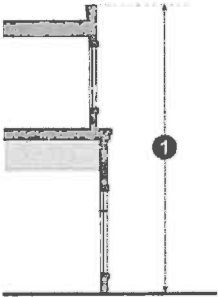
TABLE 17.08.020: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							"P" – Zoning Permit or Exempt "MU" – Minor Conditional Use Permit "CU" – Major Conditional Use Permit "- " - Use Not allowed
Uses	District						Additional Regulations
	CR	CC	OT	VS	CI	CG	
Vehicle/Equipment Facilities							
Heavy Vehicle and Large Equipment Sales/Rental, Service, and Repair	-	-	-	-	-	CU	
Wholesale Trade, Warehouse, Storage and Distribution							
Indoor Warehousing and Storage	-	-	-	-	-	P	
Outdoor Storage	-	-	-	-	-	CU	
Personal Storage	-	-	-	-	-	MU	See § 17.41.200, Personal Storage
Wholesaling and Distribution	-	-	-	-	-	P	
Transportation, Communication, and Utility Uses							
Communication Facilities							
Antennas and Transmission Towers	See Chapter 17.42, Telecommunications Facilities						
Facilities within Buildings	-	-	-	-	-	P	
Light Fleet-Based Services	-	-	-	-	-	CU	
Transportation Passenger Terminal	-	-	-	CU	-	CU	
Accessory Uses							
See § 17.41.040, Accessory Uses.							
Animal Keeping	P	P	P	P	-	P	See § 17.41.060, Animal Keeping
Cannabis Personal Use Cultivation	P	P	P	P	P	P	See § 17.41.090, Cannabis Uses
Caretaker Unit	MU	MU	MU	MU	-	MU	
Home Occupation	-	P	P	-	-	-	See § 17.41.160, Home Occupations



TABLE 17.08.020: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							"P" – Zoning Permit or Exempt "MU" – Minor Conditional Use Permit "CU" – Major Conditional Use Permit "- " - Use Not allowed
Uses	District						Additional Regulations
	CR	CC	OT	VS	CI	CG	
Temporary Uses	See § 17.41.250, Temporary Uses for permit requirements for each type of temporary use						
Nonconforming Uses	Chapter 17.36, Nonconforming Uses and Structures						
Notes:							
1. Only in mixed-use developments.							
2. Limited to City Hall only.							
3. Only for pre-existing uses. Any significant expansion requires a Major Conditional Use Permit and a finding that the expansion is consistent with adjacent uses.							
4. Microbusinesses in CG are only allowed for cannabis businesses legally located prior to June 16, 2009.							
5. Office uses are permitted on the street facing ground floor. Office uses on the second floor of a structure or behind the portion of a building adjacent to the street are subject to approval of a Minor Conditional Use Permit.							

### 17.08.030 Development Regulations

Table 17.08.030 prescribes development regulations for Commercial Districts for permitted and conditionally permitted uses. Letters in parenthesis (e.g., (A)) refer to the regulations following the table. When in the "Additional Regulations" column, the regulations apply to all districts. When in just one district's column, the regulations apply only to that particular district.

TABLE 17.08.030: DEVELOPMENT REGULATIONS—COMMERCIAL DISTRICTS								
	District						Additional Regulations	#
	CR	CC	OT	VS	CI	CG		
<div><div></div><div></div><div><p>KEY</p><ul style="list-style-type: none"><li>--- Lot Line</li><li>--- Setback Line</li><li>■ Buildable Area</li></ul></div></div>								
Maximum Dwelling Unit Density (units/acre)	N/A	12	20	N/A	N/A	20	See § 17.24.120, Mixed-Use Development	
Maximum Building Height (ft.)	35	35	30	35	25	35		1
Minimum Setbacks (ft.)	See also § 17.24.120, Mixed-Use Development Where the minimum required setback is 0 and a setback is provided, the setback shall be a minimum of 5feet.							
Front	20	10	0(A)	20	10	10		2
Interior Side	10	0	0	20	5	0		3
Street Side	OT District: 0(A) Other Districts: <ul style="list-style-type: none"><li>• Lots less than 100 feet in width: 20% of lot width, min 10</li><li>• Lots 100 feet or more in width: Same as required front setback</li></ul>							4
Rear	10% of lot depth, max 10			20(B)	10% of lot depth, max 10			5
Minimum Common Open Space	N/A	N/A	N/A	40% (combined)	N/A	N/A		
Minimum Landscaping	5%	N/A	N/A		5%	N/A		
Limitations on Curb Cuts	(C)	(C)	(C)	(C)	(C)	(C)		
Parking	See Chapter 17.38, Parking and Loading							

- A. **Front and Street Side Setback in OT Zone District.** A setback is required to ensure ten feet between the face of gutter and the back of sidewalk.
- B. **Reduced Rear Setbacks, Corner Lots Backing on Key Lots.** The rear setback for a corner lot backing up on a key lot may be reduced to the size of the required side setback for the key lot or ten feet, whichever is greater, provided the front, side, and rear setback area required by the applicable district regulations is not reduced. An accessory structure on a corner lot backing up on a key lot shall be setback from the rear property line by a distance equal to the side setback requirements applicable to the key lot.
- C. **Limitations on Curb Cuts.** Wherever possible, parking and loading entrances must share curb cuts in order to minimize the overall number of curb cuts. Curb cuts are limited to one per parcel unless an absolute need is demonstrated. On corner lots, curb cuts must be located on the street frontage with the least traffic volume wherever feasible.

## Chapter 17.09 Office Districts

### Sections:

- 17.09.010 Purpose and Intent
- 17.09.020 Land Use Regulations
- 17.09.030 Development Regulations

### 17.09.010 Purpose and Intent

The purposes of the Office Districts are to:

- A. Provide for orderly, well-planned, and balanced business park and office development that serves the community, consistent with the General Plan; and
- B. Establish development standards that create a unified and distinctive character, contribute to the pedestrian environment, and ensure appropriate transitions and buffers between business parks and offices and residential uses.

The specific intent of each Office District are as follows:

**BP Business Park.** This District is intended to provide for attractive, well-designed business parks that provide employment opportunities to the community and surrounding area through implementation of the Business Park (I-BP) land use designation of the General Plan.

**OI Office Institutional.** This District is intended to provide areas for existing and future office-based uses by implementing the Office and Institutional (I-OI) land use designation in the General Plan.

### 17.09.020 Land Use Regulations

Table 17.09.020 below prescribes the land use regulations for Office Districts. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other sections of this Title. Use classifications are defined in Chapter 17.72, Use Classifications.

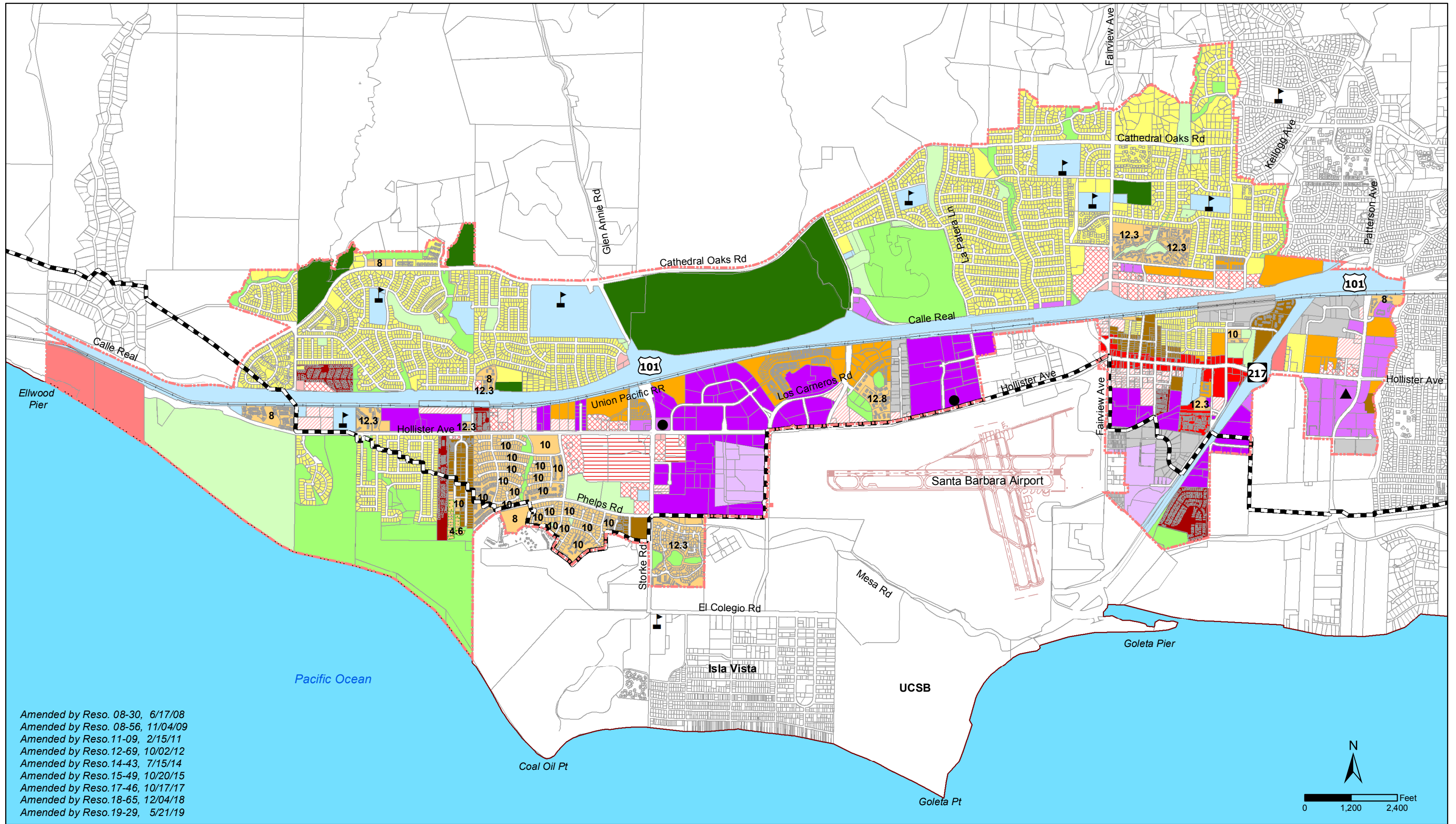
TABLE 17.09.020: LAND USE REGULATIONS—OFFICE DISTRICTS			"P" – Zoning Permit or Exempt "MU" – Minor Conditional Use Permit "CU" – Major Conditional Use Permit "- " - Use Not allowed
Uses	District		Additional Regulations
	BP	OI	
Residential Uses			
Residential Care Facility, Large	-	CU	
Residential Housing Types			
Multiple-Unit Development	-	CU <sup>1</sup>	See § 17.24.120, Mixed-Use Development

ATTACHMENT 5

General Plan Land Use Map

Figure 2-1





Legend					
Residential Use Categories		Commercial Use Categories		Office and Industrial	
Single-Family		Regional		Business Park	
Planned Residential		Community		Office and Institutional	
Medium Density		Old Town		Service/Industrial	
High Density		Visitor-serving		General Industrial	
Mobile Home Park		Intersection			
		General Commercial			
Other Use Categories		Overlay Areas		Other Features	
Agriculture		Hotel Overlay		Goleta City Boundary	
Open Space / Passive Recreation		Hospital Overlay		Coastal Zone Boundary	
Open Space / Active Recreation		Open Space Overlay		Schools	
Public / Quasi-public				Maximum Density in Planned Residential Areas (units/acre)	

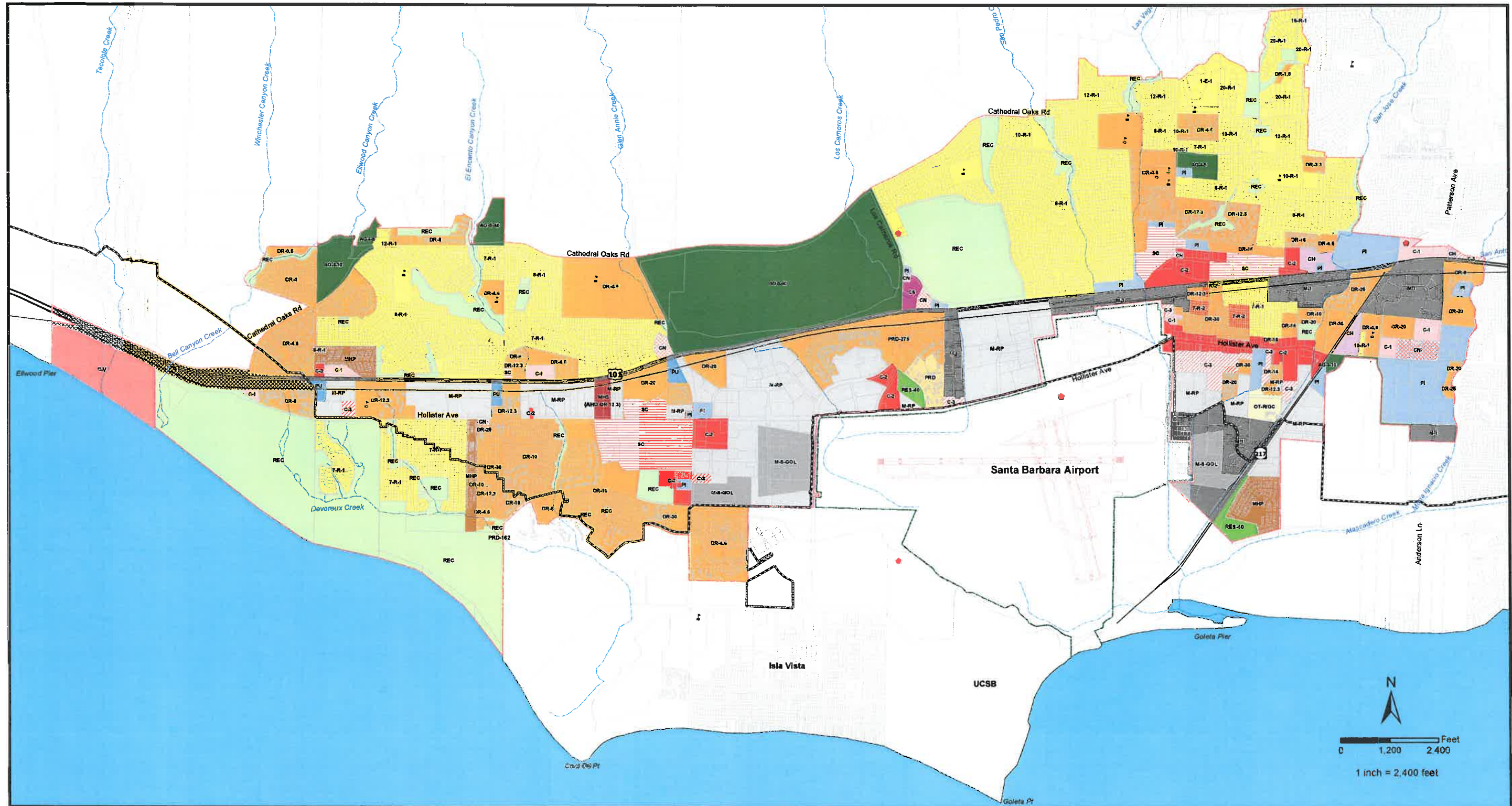




ATTACHMENT 6

Zoning Map





LEGEND		Commercial Districts		Office and Industrial Districts		Other Use Categories		Other Features	
<b>Residential Districts</b>									
R-1/E-1	Single Family Residential	C-1	Limited Commercial	PI	Professional and Institutional	AG	Agriculture	[Red dashed line]	City of Goleta Boundary
PRD	Planned Residential Development*	C-2	Retail Commercial	M-RP	Industrial Research Park	REC	Recreation	[Black dashed line]	Coastal Zone Boundary
DR	Design Residential*	C-3	General Commercial	M-S-GOL	Service Industry Goleta	RES	Resource Management	[Black solid line]	Goleta West Sanitary District
R-2	Two Family Residential	CN	Neighborhood Commercial	M-1	Light Industry	PU	Public Works Utilities and Private Services Facilities	[Green dashed line]	City of Santa Barbara Boundary
MHP	Mobile Home Planned Development	SC	Shopping Center			TC	Transportation Corridor	[Blue dashed line]	Creeks
MHS	Mobile Home Subdivision	C-V	Resort/Visitor Serving Commercial	<b>Mixed Use Categories</b>				[Red pentagon]	Fire Stations
		CH	Highway Commercial	OT-R/GC	Old Town Resident/General Commercial			[Black flag]	Schools
		CS	Service Commercial			#	*Maximum Density in Planned Residential Areas (units/acre) or Minimum Lot Size in Single Family Areas (in thousands of square feet).		

**CITY OF GOLETA ZONING MAP**  
**March 2019**

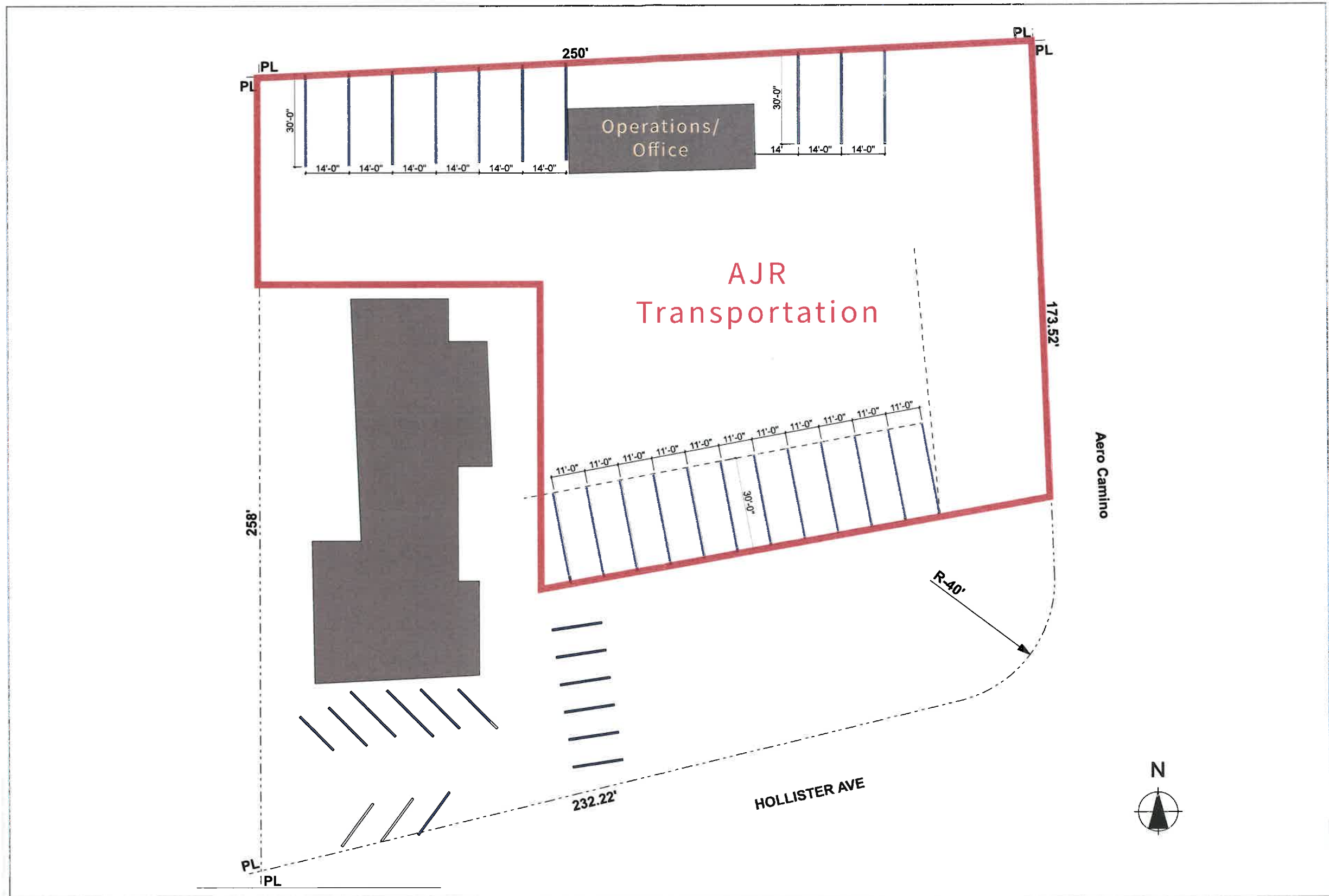




ATTACHMENT 7

Site Plan





SOURCE: ARPA Technology Group 2019

**DUDEK**

**FIGURE 1**

**Site Plan**

6416 Hollister Ave

**RECEIVED**  
 AUG 22 2019  
 City of Goleta  
 Planning & Environmental Svcs

