



**Planning Department**  
**168 North Edwards Street**  
**Post Office Drawer L**  
**Independence, California 93526**

**Phone: (760) 878-0263**  
**FAX: (760) 878-0382**  
**E-Mail: inyoplanning@**  
**inyocounty.us**

---

**AGENDA ITEM NO.:** 7 (Action Item – Public Hearing)

**PLANNING COMMISSION MEETING DATE:** April 27, 2022

**SUBJECT:** Conditional Use Permit (CUP) 2022-01/Valero

#### **EXECUTIVE SUMMARY**

The applicant is requesting a CUP to remove and replace an existing gas station sign that will include an electronic price reader. The project is proposed on a property located at 130 S. Edwards Street, in the community of Independence. A gas station, mini-mart and a Port of Subs restaurant are currently operating at the site. The applicant has applied for the CUP to change the current Chevron sign into a Valero sign and to include the electronic component to display gas prices. All other proposed signage changes on the site are compliant with the Central Business zone, in which the gas station is located, without a CUP.

#### **PROJECT INFORMATION.**

**Supervisory District:** 5

**Project Applicant:** Sal Pablo – Sign Development Inc.

**Property Owner:** Abdul Jobah

**Site Address/** 130 S. Edwards Street

**Community:** Independence

**A.P.N.:** 002-056-08

**General Plan:** Central Business District (CBD)

**Zoning:** Central Business (CB)

**Size of Parcel:** Approximately 0.6-acres

**Surrounding Land Use:**

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Gas Station, mini-mart, restaurant	Central Business District (CBD)	Central Business (CB)
North	Vacant lot	Central Business District (CBD)	Central Business (CB)
East	County offices	Public Facility (PF)	Public (P)
South	Kearsarge Street/Vacant lot	Central Business District (CBD)	Central Business (CB)
West	Highway 395	NA	NA

**Staff Recommended Action:**

**1.) Approve the Conditional Use Permit (CUP) 2022-01/Valero and find the project is exempt under CEQA.**

**Alternatives:**

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:**

Cathreen Richards

**STAFF ANALYSIS**

Background and Overview

The applicant is requesting a CUP to remove and replace an existing gas station sign that will include an electronic price reader. The project is proposed on a property located at 130 S. Edwards Street, in the community of Independence (map attached). A gas station, mini-mart and a Port of Subs restaurant are currently operating at the site. The applicant has applied for the CUP to change the current Chevron sign into a Valero sign and to include an electronic reader board to display gas prices (sign plan attached). All other proposed signage changes are compliant with the Central Business zone, without a CUP, in which the gas station is located. A gas station, mini-mart and a sandwich shop have been on this site for many years and currently, the applicant is in the process of changing the gas station franchise from Chevron to Valero. This change will require an update to all of the signage on the site with regard to the gas station. The applicant is requesting the CUP to include LED lit gas prices, which is defined by the County Code as an electronic sign and requires the CUP in the CB zone per 18.75.120. Since this requested use is allowed in the CB zone with a CUP, it is appropriate and meets the requirements of the Inyo County Code.

### General Plan Consistency

The goal of this project is to allow for an electronic sign. The project is consistent with the General Plan designation of CB in which it is located, as it allows for commercial uses including retail and transportation services such as gas stations.

### Zoning Ordinance Consistency

The CB designation allows for electronic signs as a conditional use. The current uses on the site are well established and are allowed by right. The applicant is seeking the use permit to change and upgrade an existing sign to include an electronic component for gas prices, in compliance with County's zoning ordinance. By acquiring the CUP the applicant is creating consistency with the code.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a CUP is to change an existing sign to have an electronic component to display gas prices. No new building or use changes are part of the project and the entire property is built out and disturbed.

### **NOTICING & REVIEW**

The application for CUP 2022-01/Valero has been reviewed by the appropriate county departments. The CUP is being conditioned with meeting all State and County Building Codes including those related to lighting.

The hearing for CUP 2022-01/Valero was noticed on March 12, 2022 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County Code. No comments have been received to date.

### **RECOMMENDATION**

Planning Department staff recommends the approval of Conditional Use Permit No. 2022-01/Valero, with the following Findings and Conditions of Approval:

### **FINDINGS**

1. The proposed Conditional Use Permit is exempt by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and, the provisions of the California Environmental Quality Act have been satisfied.

*[Evidence: The Common Sense Rule 15061(b) (3) states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The application for this CUP is for a sign gas station sign to include an*

*electronic price component. The property has been in use as a gas station, mini-mart and sandwich shop for years. The changes will be changes and upgrades to signage on the property. No new building or use changes are proposed as part of the project and the entire property is already disturbed (graded and compacted).].*

2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of CBD.  
*[Evidence: The goal of this project is to allow for an electronic sign. The project is consistent with the General Plan designation of CB in which it is located, as it allows for commercial uses including retail and transportation services such as gas stations; and therefore, the CUP is consistent with the County's General Plan as the sign is directly related to the allowed use.]*
3. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance, which permits "Electronic Signs" as a conditional use in the CB Zone.  
*[Evidence: The CB designation allows for electronic signs as a conditional use. The current uses on the site are well established and are allowed by right. The applicant is seeking the use permit to change and upgrade an existing sign to include an electronic component for gas prices in compliance with County's zoning ordinance. By acquiring the CUP the applicant is creating consistency with the code.]*
4. The proposed Conditional Use Permit is necessary or desirable.  
*[Evidence: The General Plan's Visual Resources Goal VIS-1.5 - Outdoor Advertising: Outdoor advertising shall promote business in a manner that does not significantly degrade natural and community visual resources. The existing sign that is being replaced has been at this location for many years and has not caused issues to date. The only change will be that the gas prices will be lit up similar to the Shell gas station a few blocks south. It also helps to promote a local business that caters to visitors in the area; and therefore, is a desirable use.]*
5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.  
*[Evidence: The proposed conditional use permit is to allow a gas station sign to include an electronic price component. Changing the sign will not likely increase the current level of vehicles exiting and entering Highway 395; and therefore the project will have no impact on the transportation or service facilities in the vicinity.]*
6. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.  
*[Evidence: The proposed conditional use permit is to allow a gas station sign to include an electronic price component. The sign will not create impacts on the health or safety of persons living or working in the vicinity.]*
7. Operating requirements necessitate the Conditional Use Permit for the site.

*[Evidence: For the sign change to include the electronic price component a conditional use permit is required per the Inyo County Code. Therefore, the conditional use permit is necessary for the sign at the site.]*

## **CONDITIONS OF APPROVAL**

### **1. Hold Harmless**

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2022-01/Valero. The County reserves the right to prepare its own defense.

### **2. Compliance with County Code**

The applicant/developer shall conform to all applicable provisions of Inyo County Code including the Building Code. Failure to meet this condition may result in the revocation of CUP 2022-01/Valero. If the use provided by this conditional use permit is not established within one year of the approval date it will become void.

### **3. The applicant shall complete VAR 2022-01/Valero prior to any changes to signage at the project location. Failure to do so may result in the revocation of CUP 2022-01/Valero.**

#### **Attachments:**

- Vicinity Map
- Sign Plan

**Size of Parcel:** Approximately 0.6-acres

**Surrounding Land Use:**

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Gas Station, mini-mart, restaurant	Central Business District (CBD)	Central Business (CB)
North	Vacant lot	Central Business District (CBD)	Central Business (CB)
East	County offices	Public Facility (PF)	Public (P)
South	Kearsarge Street/Vacant lot	Central Business District (CBD)	Central Business (CB)
West	Highway 395	NA	NA

**Staff Recommended Action:** 1.) Approve the Conditional Use Permit (CUP) 2022-01/Valero and find the project is exempt under CEQA.

**Alternatives:**

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:** Cathreen Richards

**STAFF ANALYSIS**

Background and Overview

The applicant is requesting a CUP to remove and replace an existing gas station sign that will include an electronic price reader. The project is proposed on a property located at 130 S. Edwards Street, in the community of Independence (map attached). A gas station, mini-mart and a Port of Subs restaurant are currently operating at the site. The applicant has applied for the CUP to change the current Chevron sign into a Valero sign and to include an electronic reader board to display gas prices (sign plan attached). All other proposed signage changes are compliant with the Central Business zone, without a CUP, in which the gas station is located. A gas station, mini-mart and a sandwich shop have been on this site for many years and currently, the applicant is in the process of changing the gas station franchise from Chevron to Valero. This change will require an update to all of the signage on the site with regard to the gas station. The applicant is requesting the CUP to include LED lit gas prices, which is defined by the County Code as an electronic sign and requires the CUP in the CB zone per 18.75.120. Since this requested use is allowed in the CB zone with a CUP, it is appropriate and meets the requirements of the Inyo County Code.

### General Plan Consistency

The goal of this project is to allow for an electronic sign. The project is consistent with the General Plan designation of CB in which it is located, as it allows for commercial uses including retail and transportation services such as gas stations.

### Zoning Ordinance Consistency

The CB designation allows for electronic signs as a conditional use. The current uses on the site are well established and are allowed by right. The applicant is seeking the use permit to change and upgrade an existing sign to include an electronic component for gas prices, in compliance with County's zoning ordinance. By acquiring the CUP the applicant is creating consistency with the code.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a CUP is to change an existing sign to have an electronic component to display gas prices. No new building or use changes are part of the project and the entire property is built out and disturbed.

### **NOTICING & REVIEW**

The application for CUP 2022-01/Valero has been reviewed by the appropriate county departments. The CUP is being conditioned with meeting all State and County Building Codes including those related to lighting.

The hearing for CUP 2022-01/Valero was noticed on March 12, 2022 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County Code. No comments have been received to date.

### **RECOMMENDATION**

Planning Department staff recommends the approval of Conditional Use Permit No. 2022-01/Valero, with the following Findings and Conditions of Approval:

### **FINDINGS**

1. The proposed Conditional Use Permit is exempt by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and, the provisions of the California Environmental Quality Act have been satisfied.  
*[Evidence: The Common Sense Rule 15061(b) (3) states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The application for this CUP is for a sign gas station sign to include an electronic price component. The property has been in use as a gas station, mini-mart*

*and sandwich shop for years. The changes will be changes and upgrades to signage on the property. No new building or use changes are proposed as part of the project and the entire property is already disturbed (graded and compacted).].*

2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of CBD.  
*[Evidence: The goal of this project is to allow for an electronic sign. The project is consistent with the General Plan designation of CB in which it is located, as it allows for commercial uses including retail and transportation services such as gas stations; and therefore, the CUP is consistent with the County's General Plan as the sign is directly related to the allowed use.]*
3. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance, which permits "Electronic Signs" as a conditional use in the CB Zone.  
*[Evidence: The CB designation allows for electronic signs as a conditional use. The current uses on the site are well established and are allowed by right. The applicant is seeking the use permit to change and upgrade an existing sign to include an electronic component for gas prices in compliance with County's zoning ordinance. By acquiring the CUP the applicant is creating consistency with the code.]*
4. The proposed Conditional Use Permit is necessary or desirable.  
*[Evidence: The General Plan's Visual Resources Goal VIS-1.5 - Outdoor Advertising: Outdoor advertising shall promote business in a manner that does not significantly degrade natural and community visual resources. The existing sign that is being replaced has been at this location for many years and has not caused issues to date. The only change will be that the gas prices will be lit up similar to the Shell gas station a few blocks south. It also helps to promote a local business that caters to visitors in the area; and therefore, is a desirable use.]*
5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.  
*[Evidence: The proposed conditional use permit is to allow a gas station sign to include an electronic price component. Changing the sign will not likely increase the current level of vehicles exiting and entering Highway 395; and therefore the project will have no impact on the transportation or service facilities in the vicinity.]*
6. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.  
*[Evidence: The proposed conditional use permit is to allow a gas station sign to include an electronic price component. The sign will not create impacts on the health or safety of persons living or working in the vicinity.]*
7. Operating requirements necessitate the Conditional Use Permit for the site.



*[Evidence: For the sign change to include the electronic price component a conditional use permit is required per the Inyo County Code. Therefore, the conditional use permit is necessary for the sign at the site.]*

**CONDITIONS OF APPROVAL**

1. Hold Harmless

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2022-01/Valero. The County reserves the right to prepare its own defense.

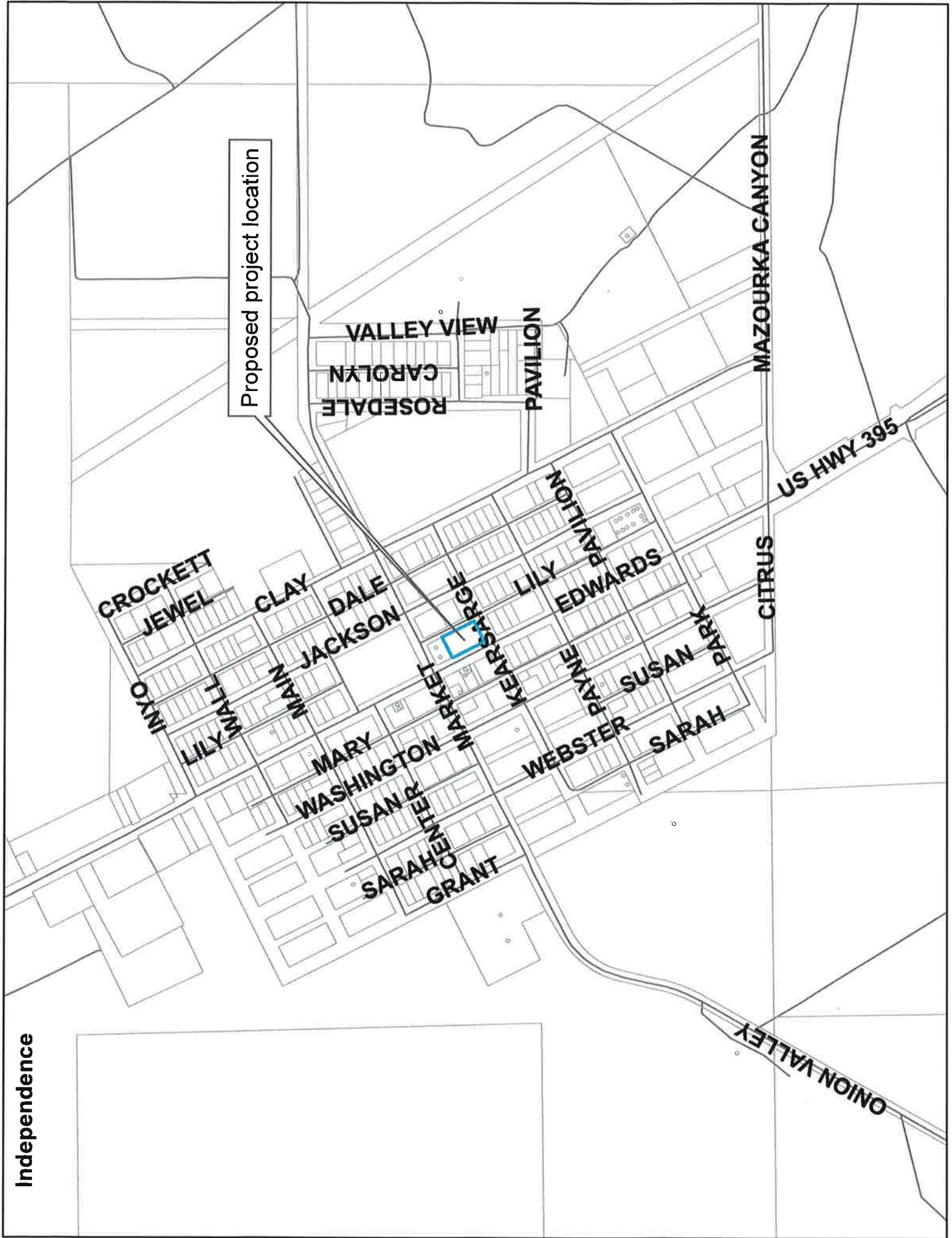
2. Compliance with County Code

The applicant/developer shall conform to all applicable provisions of Inyo County Code including the Building Code. Failure to meet this condition may result in the revocation of CUP 2022-01/Valero. If the use provided by this conditional use permit is not established within one year of the approval date it will become void.

3. The applicant shall complete VAR 2022-01/Valero prior to any changes to signage at the project location. Failure to do so may result in the revocation of CUP 2022-01/Valero.

Attachments:

- Vicinity Map
- Sign Plan



Proposed project location

VALLEY VIEW  
CAROLYN  
ROSEDALE

PAVILION

MAZOURKA CANYON

US HWY 395

CITRUS

CROCKETT  
JEWEL

CLAY

DALE

MARY

WASHINGTON

SUSAN

SARAH

GRANT

INYO

LILY

WALL

MAIN

JACKSON

MARKET

KEARSARGE

LILY

EDWARDS

KEARSARGE

PAYNE

SUSAN

PARK

WEBSTER

SARAH

PAVILION

ONION VALLEY

Independence



SIDE A

101 1/2"

LOGO TO LEFT, BOTH SIDES

67 1/2"



6" AMBER LED PRICE DIGIT

IMPORTANT: INSTALLER MUST REGISTER ALL LED SIGNS WITH ABLE. PLEASE CALL 614-388-8866 BEFORE 2:00PST TO REGISTER. MUST FORWARD CONFIRMATION NUMBER TO SDI AND WRITE REGISTRATION # INSIDE CABINET. FAILURE TO PROVIDE SDI WITH REGISTRATION # WILL DELAY PAYMENT.

PAINT EXISTING CABINETS, RETAINERS, AND BASE STRUCTURES VALERO LIGHT GRAY.

INSTALL NEW 25 AMP PHOTO CELL TO CONTROL ALL BACKLIGHTING.

1 RELAMP EXISTING CABINET AND TEST, REFACE EXISTING D/F PRICE/ID SIGN. 47.58 sq.ft.

SCALE: 1/2" = 1'-0"

SIDE B

101 1/2"

LOGO TO LEFT, BOTH SIDES

67 1/2"



EXISTING D/F PRICE/ID SIGN

REMOVE EXISTING BANNER FROM PRICE SIGN BASE

NOTE: THESE DRAWINGS MAY NOT BE THE FINAL COLOR SCHEME AND APPROVED LAYOUT



License #576277

Upland, CA 91786 (909) 920-5535

CUSTOMER APPROVAL

SIGN AND PRINT FULL NAME

DATE

NO. X6960

DATE: 01.11.22BA

REV: 01.13.22BA

PAGE: 2 OF 7

Valero 130 S. EDWARDS ST. INDEPENDENCE, CA 93562

PROPRIETARY INFORMATION. The information disclosed in this document, including all drawings, designs and related materials, is the valuable and proprietary information of Sign Development Inc. It is provided solely for the purpose of evaluation for purchase and, without the express written authorization of Sign Development Inc., may not be disclosed or duplicated, in whole or in part, for any reason. Sign Development Inc. expressly reserves all patent, copyright and other proprietary rights to this document, including all design, manufacturing, reproduction, use, and sales rights thereto. © 2011 SIGN DEVELOPMENT INC.