

Attachment 3
DRB & CEQA Findings
Revised Site Plan
Section 17.58.080 of the Goleta Municipal Code
Fuel Depot Revised Canopy; 370 Storke Road; APN 073-100-008
Case No. 24-0010-DRB/24-0005-LUP

The DRB recommends that the Zoning Administrator makes the following findings:

DESIGN REVIEW FINDINGS (GMC SECTION 17.58.080)

1. *The development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood.*

The project is replacing the three previously approved canopies into one larger structure. The larger canopy is to provide better shelter for customers at the fueling stations and to provide cleaner storm water runoff. The new canopy does not change or increase the use onsite, and is compatible with the uses onsite, the drive-through coffee shop, and the carwash as well as with the surrounding mix of uses in the neighborhood.

2. *Site layout, orientation, and location of structures, including any signage and circulation, are in an appropriate and harmonious relationship to one another and the property.*

The new canopy is appropriately sited as it will cover the fueling station area. This canopy is replacing the already approved canopies and is considered to be harmonious with the overall project's layout, orientation, and location of structures, including circulation.

3. *The development demonstrates a harmonious relationship with existing adjoining development, avoiding both excessive variety as well as monotonous repetition, but allowing similarity of style, if warranted.*

The immediate adjacent uses are commercial or industrial in nature. The proposed development continues to be consistent with the uses permitted under the City of Goleta General Plan and Zoning Ordinance. The site continues to be physically suitable for the type of development, given the size, shape, and lot orientation as demonstrated with the project observing all the required development standards. The proposed canopy is designed for the existing fuel station but is not repetitious. Therefore, the project demonstrates a harmonious relationship with the adjoining development.

4. *There is harmony of material, color, and composition on all sides of structures.*

The proposed development will continue to have similar colors and materials to the existing development on site. Therefore, the project has harmony of material, color, and composition.

5. *Any outdoor mechanical or electrical equipment is well integrated in the total design and is screened from public view to the maximum extent practicable.*

No outdoor mechanical or electrical equipment is proposed with the canopy with the exception of lighting under the canopy. The lighting will be shrouded and downward lit to reduce night trespass.

6. *The site grading is minimized, and the finished topography will be appropriate for the site.*

No additional grading is proposed as part of this project.

7. *Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and protected trees, and existing native vegetation.*

No additional landscaping is proposed as part of this project.

8. *The selection of plant materials is appropriate to the project and its environment, and adequate provisions have been made for long-term maintenance of the plant materials.*

No additional landscaping is proposed as part of this project.

9. *All exterior lighting, including for signage, is well designed, appropriate in size and location, and dark-sky compliant.*

The proposed canopy lighting is downward and inward facing and shielded to limit light spillage to the neighboring properties or to the sky. The lighting is well spaced around the property to adequately illustrate the site without being too much or too little light. Therefore, the exterior lighting is well designed, appropriate in size and location, and dark-sky compliant.

10. *The project architecture will respect the privacy of neighbors, is considerate of private views, and is protective of solar access off site.*

The canopy structure is designed at appropriate height of 18 feet and would not obstruct views of neighboring properties. Therefore, the project architecture will respect the privacy of neighbors, is considerate of private views, and is protective of solar access off site.

11. *The proposed development is consistent with any additional design standards as expressly adopted by the City Council. (Ord. 20-03 § 6).*

There are no additional design standards adopted for this zoning district. The proposed development is consistent with applicable policies of the City of Goleta General Plan and Zoning Ordinance.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING

1. *The development or project is within the project description of a proposed or adopted California Environmental Quality Act document (i.e., Environmental Impact Report, Mitigated Negative Declaration, or Negative Declaration) or is statutorily or categorically exempt from California Environmental Quality Act.*

Pursuant to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000 et seq.), the regulations promulgated thereunder (14 Cal. Code of Regulations §§ 15000 et seq.: State CEQA Guidelines), and the City's Environmental Review Guidelines, the project has been found to be exempt from CEQA under Section 15301(e)(2) of the CEQA Guidelines and a Notice of Exemption (NOE) is proposed.

The City of Goleta is acting as the Lead Agency for this project. The project has been found to be exempt from CEQA Guidelines per Section 15301(e)(2) because commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use qualify for this exemption, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive are Categorical Exempt.

Moreover, none of the exceptions to the categorical exemptions set forth in State CEQA Guidelines Section 15300.2 apply to the project. The exception set forth in State CEQA Guidelines Section 15300.2(a), Location. Class 11 are qualified by consideration of where the project is to be located and the project is not located in or have an impact on an environmental resource of critical concern that is designated, precisely mapped, or officially adopted pursuant to law by federal, state, or local agencies. The project involves constructing a single large canopy structure for a gas station instead of three smaller ones located over the fuel pumps which are currently under construction, on a commercial site with an existing coffee shop and a self-serve carwash is also under construction. The project at 370 S. Storke Road is not located in an environmentally sensitive area and has been developed with commercial uses for at least 60 years. Section 15300.2(b)'s exception, relating to cumulative impacts, does not apply as the canopy structure and other site improvements are consistent with approved development standards and, therefore, are accounted for in the City's Zoning Ordinance and General Plan.

There are no other successive projects of the same type in the same place that could result in significant cumulative impacts. Section 15300.2(c)'s exception does not apply because there are no "unusual circumstances" that apply to the project; construction of a canopy structure in a commercial district that is consistent with development standards is not unusual. Section 15300.2(d)'s exception does not apply because the project is not located near any scenic highways. Section 15300.2(e)'s exception does not apply because the project site improvement locations do not contain hazardous waste and are not on any list compiled pursuant to Section 65962.5 of the Government Code and no off-site improvements are proposed. Finally, Section 15300.2(f)'s exception does not apply because the project has no potential of causing a substantial adverse change in the significance of a historical resource. Additionally, the project site does not contain any identified significant cultural resources and only minimal grading is proposed (which has already been conducted) for the foundation of the canopy. Any surface scraping for landscaping or other paths or drive aisles will be conditioned to include all mandatory grading best practices.

For these reasons, the project has been found exempt from CEQA and the adoption of a NOE is appropriate as noted above.