



**DESIGN REVIEW BOARD
Staff Report**

**Agenda Item B.1
Meeting Date: March 28, 2023**

TO: Goleta Design Review Board
FROM: Christina McGuire, Associate Planner; (805) 961-7566
SUBJECT: **370 Storke Road (APN: 073-100-008)
Fuel Depot Signage with California Environmental Quality Act
Notice of Exemption utilizing Section 15311
Case Nos. 23-0004-ZC; 23-0006-DRB**

DRB ACTIONS FOR CONSIDERATION:

1. Adopt DRB and CEQA Findings provided as Attachment A;
2. Adopt CEQA Categorical Exemption Section 15311(a) for On-premise signs provided as Attachment B; and
3. Conduct Conceptual/Preliminary/Final review and approve or approve with conditions if the findings of Attachment A can be made for the sign face change for Fuel Depot.

If the findings cannot be made to approve the request at this meeting, the DRB can either continue the item for additional information/redesign or deny the request specifically identifying the reasons for the denial.

PROJECT DESCRIPTION:

This is a request for a **Conceptual/Preliminary/Final** review to alter an existing nonconforming sign to reflect changing the use of part of the property from a coffee shop to a gas station. The existing pole sign is located at the front of the property bordering Storke Road. It will remain 21' in height and the area of the sign will remain unchanged. The size of the upper cabinet is 72 square feet, and it is proposed to be refaced, double-sided, and internally illuminated with electronically changeable copy (ECC) for the fuel prices. The "Fuel Depot" letters are proposed to be 12.7" in height, and the ECC numbers are proposed to be 10.4" inches in height. The lower cabinet sign which reads "Self-Serve Car Wash" is not proposed to be altered.

The project was filed by agent Dan Morris of Freedom Signs on behalf of John Price, the owner.

DISCUSSION:

The proposed sign refacing is proposed for the upper cabinet of an existing nonconforming pole sign. New pole signs are prohibited, but certain alterations to existing legally permitted signs are allowed if they meet the provisions of the sign ordinance and the nonconforming section of the ordinance 17.40.100 This pole sign has been previously permitted and used by different businesses through the years: most recently, Zizzo's Coffee sign was approved on February 26, 2009. Electronically changeable copy is allowed in any and all existing legally permitted nonconforming signs as long as no structural alterations are made to the existing sign. No alterations or enlargement of the pole sign structure are being proposed, and the sign meets all other provisions of the nonconforming sign ordinance.

ENVIRONMENTAL REVIEW (NOE):

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 15311 of the CEQA Guidelines and a Notice of Exemption 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 15311 because the project is refacing an existing sign. The proposed signage meets the criteria of Section 15311 as the signs will provide on premise signage as minor accessory structures to a proposed new fuel station.

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 sign will be installed on the site of an existing car wash and proposed new fuel station and there is nothing sensitive around the site. Section 15300.2(b)'s exception, relating to cumulative impacts, does not apply as, there are no other successive projects of the same type in the same place that could result in significant cumulative impacts. Fuel price signage is necessary in the context of the business so that customers will know the cost of

fuel. Adding signage to an existing development would not lead to a cumulative impact. Section 15300.2(c)'s exception does not apply because there are no "unusual circumstances" that apply to the project; construction of signs in a commercial district is not unusual and signage needs to be updated and or replaced to identify the current tenants. 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 and off-site improvement locations do not contain hazardous waste and are not on any list compiled pursuant to Section 65962.5 of the Government Code. 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's site does not contain any identified significant cultural resources and 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 recommended for consideration as noted above.

NEXT STEPS AND ASSOCIATED LAND USE ACTION:

If the DRB grants the applicant's request, the next steps include: (1) a 10-day (DRB) appeal period; (2) ministerial issuance of a Zoning Clearance (if no appeal if submitted); and (3) Building Permits as needed.

If the DRB action is appealed and the appeal is upheld, DRB's Final Review action will be rescinded and the DRB process will start over.

ATTACHMENTS:

- A – DRB and CEQA Findings for Approval
- B – Notice of Exemption
- C – Project Plans