NOTICE OF EXEMPTION

To: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego CA 92101
MS: A-33

From: **CITY OF CARLSBAD**
Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008
(442) 339-2600

Subject: Filing of this Notice of Exemption is in compliance with Section 21152b of the Public Resources Code (California Environmental Quality Act).

Project Number and Title: AMEND 2022-0020 / AMEND 2022-0021 – COSTCO FUEL EXPANSION PROJECT

Project Location - Specific: 950 Palomar Airport Road

Project Location - City: Carlsbad **Project Location - County:** San Diego

Description of Project: To approve existing fueling facility for the addition of 4 fuel pumps, one underground storage tank, the relocation of a retaining wall, and the expansion of canopy area.

Name of Public Agency Approving Project: City of Carlsbad

Name of Person or Agency Carrying Out Project: Mike Strong, Asst. Director of Community Development

Name of Applicant: City of Carlsbad - Community Development Department - Planning Division

Applicant's Address: 1635 Faraday Ave. Carlsbad, CA 92008

Applicant's Telephone Number: 442-339-2721

Name of Applicant/Identity of person undertaking the project (if different from the applicant above): N/A

Exempt Status: Article 5 Section 15301(e)(2)

Reasons why project is exempt: The site is developed with a Costco warehouse and an existing commercial fuel dispensing station use, with twenty-two (22) vehicle fueling positions located on the east side of the property. There is a retail building that includes fast-food and small retail shops located just north of the Costco before reaching Palomar Airport Road. The on-site expansion would maintain the existing fuel station location and expand the facility to a total of thirty (30) vehicle fueling positions to better serve peak period demand and reduce peak period queuing, wait times, and idling.

The proposed project would also include the removal and replacement of asphalt pavement, concrete curbs, and landscaping to accommodate the fuel dispensing station. The existing canopy area is 5,874 square feet and would increase to 9,550 with the expansion. The city has determined that the project is categorically exempt from further review per Section 15301(e)(2), Class 1, Existing Facilities. Where public services are already available for the maximum development allowable and where the area is not

historically significant, or subject to landslide hazard, the 10,000-square-foot addition will normally apply in Carlsbad. In an area where services are not available for maximum permitted development, the 50 percent or 2,500-square-foot limitation will apply. Note that the latter is "whichever is less" and that 50 percent means 1/2 of the existing structure's floor area -- the building may not be doubled in size.

The city has determined that the project qualifies for Class 1 categorical exemption because the addition to the existing dispensing station structure will not result in an increase of more than 10,000 square feet, the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive. Furthermore, the facility expansion and the internal reconfiguration of queuing lanes, and removal and replacement of trees constitute a minor alteration of existing private facilities involving negligible or no expansion of existing use. The operational intersection analysis shows that the market area of the Carlsbad Costco is already defined through existing membership and operations. As such, the change in fuel station trip generation would not increase directly in proportion to the increased number of fueling positions. Rather, the additional fueling positions will serve to process the current peak demand at the fuel station more efficiently and effectively, thus reducing wait times, vehicle queuing, and vehicle idling. Additionally, given the established market in Carlsbad, the fuel station expansion does not anticipate any new Costco member enrollment or additional warehouse trips to result from the expansion. Consequently, the city finds that no additional environmental analysis is necessary to meet the requirements of the CEQA.

Exceptions to Exemptions

CEQA Section 15300.2 – Exceptions

Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed project (in accordance with CEQA Guidelines Section 15300.2) and determined that none of these exceptions apply as explained below:

a. **Location**. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

   Response – The project location is not considered to be a particularly sensitive environment due to the following reasons:

   The site is not located within an Existing or Proposed Hardline Conservation Area or Standards Area of the Habitat Management Plan and the project site is currently developed. Therefore, the project will not have an impact on an environmental resource of hazardous or critical concern.

b. **Cumulative Impact** - "All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant."

   Response – There is no evidence of successive similar projects in the area that would result in cumulative environmental impacts. The project consists of a Costco warehouse and an existing commercial fuel dispensing station use. The on-site expansion would maintain the existing fuel station

location and expand the facility to a total of thirty (30) vehicle fueling positions to better serve peak period demand and reduce peak period queuing, wait times, and idling. The Project will not contribute to cumulative impacts related to air quality, noise, transportation, or other environmental concerns. Therefore, this exception does not apply.

c. **Significant Effect** - "A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Examples include projects, which may affect scenic or historical resources."

   Response – There are no unusual circumstances that would have a significant impact on the environment due to the project. The Project does not involve any unusual circumstances.

d. **Scenic Highway** - "A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR."

   Response – Palomar Airport Road is not considered a historical and scenic corridor throughout Carlsbad, is not a highway officially designated as a State Scenic Highway, nor is it easily visible from a Carlsbad historical or scenic corridor or State Scenic Highway. The project site is also surrounded by existing residential structures. Therefore, implementation of the Project will result in similar visual conditions compared with a no-project scenario.

e. **Hazardous Waste Site** - "A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code."

   Response – A review of available records did not identify any sites which are included on any list compiled pursuant to Section 65962.4 of the Government Code.

f. **Historical Resources** - "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."

   Response – There is no evidence that the project site contains or is associated with any historical resources. Therefore, this exception does not apply.

Carlsbad Municipal Code Section 19.04.070(C) - Exceptions

Exceptions. Even though a project may otherwise be eligible for an exemption, no exemption shall apply in the following circumstances:

1. Grading and clearing activities affecting sensitive plant or animal habitats, which disturb, fragment or remove such areas as defined by either the California Endangered Species Act (Fish and Game Code Sections 2050 et seq.), or the Federal Endangered Species Act (16 U.S.C. Section 15131 et seq.); sensitive, rare, candidate species of special concern; endangered or threatened biological species or their habitat (specifically including sage scrub habitat for the California Gnatcatcher); or archaeological or cultural resources from either historic or prehistoric periods;

   Or

2. Parcel maps, plot plans and all discretionary development projects otherwise exempt but which affect sensitive, threatened, or endangered biological species or their habitat (as defined above), archaeological or cultural resources from either historic or prehistoric periods, wetlands, stream courses designated on U.S. Geological Survey maps, hazardous materials, unstable soils, or other factors requiring special review, on all or a portion of the site. (Ord. NS-593, 2001)

   Response – The Project site is located in a developed part of the city, surrounded by commercial land uses and activities. The site is developed with a Costco warehouse and an existing commercial fuel dispensing station use, with twenty-two (22) vehicle fueling positions located on the east side of the property. There is a retail building that includes fast-food and small retail shops located just north of the Costco before reaching Palomar Airport Road. The expansion of the facility to a total of thirty (30) vehicle fueling positions is occurring in a disturbed area of the property. There is no value as habitat for endangered, rare, or threatened species. Furthermore, the site is not within mapped areas of potential critical habitat as depicted in the City's General Plan[1].

   Given the lack of proposed grading or ground disturbance, the likelihood of encountering intact archaeological or cultural resources on the project site is low. The site has been previously disturbed, which further reduces the potential for the discovery of such resources.

Lead Agency Contact Person: Mike Strong **Telephone:** 442-339-2721

MMS FOR MIKE STRONG DIRECTOR OF COMM. DEV. 12-31-25

Eric Lardy, City Planner Date

1 City of Carlsbad. 2015 City of Carlsbad General Plan – Open Space, Conservation, and Recreation Element. Adopted September 2015. https://www.carlsbadca.gov/home/showpublisheddocument/3424/637434861099030000