

## 5.10 PUBLIC SERVICES AND UTILITIES

### 5.10.1 Setting

This section assesses the impacts of the proposed project on fire/life protection, police services, schools, water services, sanitary sewers, and solid waste services. This analysis is based on comparisons of project service needs to the existing or anticipated levels of service. The setting information for this section has been largely provided by the County of San Luis Obispo General Plan Safety Element, Public Facilities Financing Plan for Unincorporated Area Facilities, Nipomo Community Services District Sphere of Influence Update/Municipal Service Review EIR, and coordination with local agencies and districts.

#### 5.10.1.1 Fire/Life Protection

**Area-wide Fire Protection.** Fire protection and emergency services for the project area are provided by the California Department of Forestry and Fire Protection (CDF)/County Fire Department. The ~~CDF/County Fire~~[CAL FIRE Department](#) is responsible for the administration of the fire stations that serve the unincorporated areas of the County and special districts without fire protection. The ~~CDF/County Fire~~[CAL FIRE Department](#) also provides equipment and training for the volunteer stations. Two stations are primarily responsible for the fire protection and basic life support for the project area, including: 1) Nipomo Station (Station 20); and, 2) Mesa Station (Station 22). The stations are staffed to provide 24-hour-a-day, seven-day-a-week emergency response, and include volunteer programs to increase response capabilities.

Nipomo Station (Station 20) is the nearest ~~CDF/County Fire~~[CAL FIRE Department](#) station to the project area. Station 20 is located at 450 Pioneer Street, Nipomo, located north of the proposed project area. Current staff levels at Station 20 include one permanent person on a year-round basis and one seasonal permanent person.

Mesa Station (Station 22) is at the second nearest ~~CDF/County Fire~~[CAL FIRE Department](#) station to the project area. Station 22 is located at 2391 Willow Road, Arroyo Grande, west of the intersection of Highway 1 and Willow Road, located approximately 10 northwest of the project site. Response time for a call for service from Station 22 is approximately 10 minutes. Current staff levels at Station 22 include one permanent person on a year-round basis.

The response time for a call for service from both stations is estimated to be approximately 10 minutes, which is considered an acceptable response time in accordance with the San Luis Obispo County Fire Protection Plan and the County of San Luis Obispo General Plan Safety Element. In addition to staff levels mentioned above, both Stations 20 and 22 are supplemented with 15 CDF/SLO County Fire Department volunteer fire firefighters.

~~CDF/County Fire~~[CAL FIRE Department](#) also maintains mutual aid agreements with the City of Santa Maria and County of Santa Barbara for mutual aid of the Highway 166 Corridor.

**Funding.** On August 20, 1991, the San Luis Obispo County Board of Supervisors adopted Ordinance No. 2519 establishing Title 18 of the County Code entitled "Public Facilities Fees." The ordinance established fees on new development in the County to pay for public improvements, public services, and community amenities that are needed as a result of

development. The fees apply to construction permits issued for any development project and are intended to provide funding for fire protection, general government services, parks and recreation, Sheriff’s patrol, and fee administration. These fees were increased in 2004. By law, the revenue generated by these fees can only be used to fund capital facilities, such as the purchase of land, construction of buildings, or the purchase of major equipment. The revenue cannot be used to fund employee salaries. The amounts of the fees for fire protection improvements are presented in Table 5.10-1.

**Table 5.10-1. Public Facilities Fees for Fire Protection**

Facility	Residential (Per Dwelling Unit)		Nonresidential (Per 1,000 Building Sq. Ft.)		
	Single Family	Multi Family	Office	Retail	Industrial
Fire Protection	\$710	\$406	\$875	\$526	\$375

Source: San Luis Obispo County Public Facilities Financing Plan for Unincorporated Facilities, 2004

**5.10.1.2 Police Services**

**Current Facilities.** The Sheriff’s Department provides services to the unincorporated areas that are similar to those of a municipal police department. These services include routine patrol of unincorporated areas, response to emergency and non-emergency calls, and investigation of alleged crimes. Patrol services for the project area are provided though Oceano (South) Substation. Other services and facilities, including investigative services, are located in the County Operations Center on Kansas Avenue located approximately four miles north of San Luis Obispo.

Additional law enforcement support for the project area is provided by the California Highway Patrol (CHP). The primary responsibility of the CHP is to respond to traffic related calls along highways and streets in unincorporated areas of the County. Unlike the Sheriff’s Department, they will not investigate, take action, or respond to crimes in progress in residential, commercial or industrial areas. They may respond upon request as backup to the Sheriff, if available; however, the CHP does not typically provide police protection services.

**Current Service** The South Substation serves the communities of Oceano, Huasna, Nipomo, rural Arroyo Grande, New Cuyama, and Lopez Lake, totaling 950 square miles. Total staff at the South Substation is 22 patrol deputies, 2 sergeants, and 1 commander. A typical shift at this patrol station includes 2 to 5 deputies on patrol. The precise number of cars and officers on patrol varies from day-to-day depending on employee absences, jail check-ins, and other administrative duties. Emergency response times for the South Station are dependent on where the patrol vehicles are in relation to a call, as well as the nature of the call.

**Funding.** The County currently uses general fund revenues to pay for the leased space for the existing three substations. The County estimates that the average cost of substations is \$237 per square foot based on preliminary estimates. This cost includes all construction-related

costs, including design and engineering, furnishings and equipment, construction management, and all related permit approval and utility connection fees.

**Table 5.10-2. Public Facilities Fees for Sheriff Patrol**

Facility	Residential (Per Dwelling Unit)		Nonresidential (Per 1,000 Building Sq. Ft.)		
	Single Family	Multi Family	Office	Retail	Industrial
Sheriff Patrol	\$140	\$78	\$173	\$106	\$73

Source: San Luis Obispo County Public Facilities Financing Plan for Unincorporated Facilities, 2004

### 5.10.1.3 Schools

**Current Facilities.** The project area is served by the Lucia Mar Unified School District (LMUSD). LMUSD serves the south county area including the cities of Pismo Beach, Grover City, Arroyo Grande, and the unincorporated communities of Oceano, Nipomo and the surrounding rural areas. As of 2004, the LMUSD operates 15 schools; current enrollment for the District is 10,960 students (LMUSD, 2004). The schools within the LMUSD which serve the project area include Nipomo Elementary School, Dana Elementary School, Mesa Middle School, and Nipomo High School.

Enrollment trends for schools in the Nipomo area have leveled off in years since 1995, with no considerable increase in the total enrollment number. This is a demographic indicator that shows that the increase in the Nipomo area population is enrolling fewer persons in the public schools.

**Funding.** Passage of Proposition 1A in 1998 has fundamentally changed the way school construction is financed in California. Under the new rules, local school districts must cover 50 percent of the cost of new school facilities. The remaining 50 percent will be provided by the \$9.2 billion state school bond fund approved by the voters. To raise the 50% local share, cities and counties may levy school fees on new development at the current rate of \$2.14 per square foot of residential development and \$0.34 per square foot of commercial and industrial development. Local school boards could impose higher fees under certain conditions.

In the event that the state bond fund becomes depleted, districts that meet hardship conditions could assess developers 100% of the cost of new facilities. These new rules will not be in effect until 2006. During that period, cities and counties may not deny zone changes or General Plan amendments on the basis of inadequate school facilities, because of the presumption that facilities will be adequate under the new system.

The state has developed standards for school construction costs which determine the funding level for each school facility project. Allowable amounts per pupil - \$10,400 for elementary schools, \$11,000 for middle schools and \$14,000 for high schools – are based on statewide averages from projects built over the last several years. These figures do not include land costs, which are based on local market value. (Excerpted from an article by Timm Herdt in

the California Planning and Development Report, September, 1998; County of San Luis Obispo Annual Resource Summary Report 2003).

#### **5.10.1.4 Roads**

Please refer to Section 5.12 – Traffic/Circulation.

#### **5.10.1.5 Solid Wastes**

**Current Facilities.** Nipomo Garbage, a subsidiary of South County Sanitary Services, collects solid waste generated from the project area and disposes the collected solid waste at the Cold Canyon Landfill in the County of San Luis Obispo, which is located approximately 17 miles north of the project site. The Cold Canyon Landfill serves the cities of San Luis Obispo, Morro Bay, Grover Beach, Pismo Beach, and Arroyo Grande, and the unincorporated areas of the north coast and south county, in which the project area is located.

Recyclable materials are collected by San Luis Obispo County Recycles and hauled to their processing yard in San Luis Obispo. They may also haul and grind green waste for composting. Waste from the project area may also be disposed of at the Santa Maria Landfill, located approximately 20 miles southeast of the project site. However, due to the higher rates at the Santa Maria Landfill and the fact that solid waste is typically disposed of within the County in which it is generated, it is unlikely that refuse would be deposited at this location. Furthermore, a transfer station is also located at the intersection of Highway 166 and Highway 101, adjacent to the project area.

The San Luis Obispo County Integrated Waste Management Plan, Summary Plan, 1995, states that Cold Canyon Landfill is permitted to dispose of a maximum of 750 tons of solid waste per day, and 270,000 tons per year. Cold Canyon currently accepts less than 400 tons per day; two million tons of capacity remains. It is estimated in the Summary Plan that, as of January 1995, the remaining permitted disposal capacity in the landfill is 20 years. These projections are based on County of San Luis Obispo General Plan population growth rate estimates, as well as continued successful implementation of policies and goals of the County

#### **5.10.2 Thresholds of Significance**

According to the County of San Luis Obispo CEQA Guidelines, the implementation of the proposed project would have a significant impact if it would have a significant effect upon or result in the significant need for new or altered public services in any of the following areas:

1. Fire Protection;
2. Police protection (e.g., Sheriff, CHP);
3. Schools;
4. Roads;
5. Solid Wastes; and,
6. Other public facilities.

### 5.10.2.1 Asphalt Plant Impacts

Fire Protection. Fire protection has been evaluated on the basis of the ability of the ~~CDF/County Fire~~CAL FIRE Department to provide services to the area. Impacts would be considered significant if the demand created by the proposed asphalt plant would require additional facilities and personnel, and/or if ~~CDF/County Fire~~CAL FIRE Department was unable to adequately protect the proposed facility. Due to the potential fire hazards and hazardous material which are associated with the proposed project site, the following impacts have been identified:

**Impact PUB-1:** The proposed asphalt plant facility would increase the potential demand on fire protection services located within the asphalt plant area.

**Discussion:** The increased demand for fire protection and emergency medical services would expand the need for fire fighting staff and facilities that service the region of the project site. Fire protection services standards are based on service population densities, which include residents and employees. As such, the ~~CDF/County Fire~~CAL FIRE Department has determined that the fire facilities impact fee is \$234 per capita for Industrial/Low Density land use categories. In addition to governmental funding, it is anticipated that the current public facilities impact fee would reduce impacts to facilities improvement funding to less than significant levels. However, the fire facilities impact fee does not address increased fire protection personnel, which may be required for the project.

**Impact Category:** Significant but Mitigable (Fire Protection Facilities), Significant and Unavoidable (Fire Protection Personnel)

**Thresholds of Significance Criteria:** 1

**Mitigation Measure PUB-1:**

Prior to construction, the applicant shall pay the required fire facilities impact fee of \$375 per 1,000 sq-ft of structure area.

**Residual Impact:**

With the incorporation of mitigation, impacts to fire protection facilities would be less than significant; however, impacts to fire protection personnel would remain significant and avoidable.

**Impact PUB-2:** The proposed asphalt plant facility would increase the demand for water resources for adequate onsite water services for fire protection services.

**Discussion:** The proposed asphalt plant would include the construction of a 5,000 gallon water storage tank which would be primarily used for dust control, maintenance of landscaping, and restroom facilities. The applicant estimates that the proposed asphalt plant would use approximately 1,000 gallons per operating day, plus an average of 1,500 gallons per day for landscaping. The applicant also intends to utilize the water storage tank for the purpose of fire suppression.

**Impact Category:** Significant but Mitigable

**Thresholds of Significance Criteria:** 1

### Mitigation Measure PUB-2:

- A. Upon submittal of building permit application, applicant shall provide a letter from CAL FIRE on their review of the project design and the need for an automatic extinguishing system. If an automatic extinguishing system is recommended, it shall meet industry standards, as well as any additional CAL FIRE recommendations. All measures recommended by CAL FIRE, including a water tank that includes 5,000 gallons for fire water storage, shall be shown on all applicable construction plans. Prior to occupancy or final inspection, whichever occurs first, all CAL FIRE recommendations shall be installed.~~In accordance with the fire flow and water storage requirements of the County adopted California Fire Code (CFC), the applicant shall construct a firewater storage tank with a minimum storage capacity of 180,000 gallon.~~
- B. Prior to construction, the applicant shall submit for review and approval a Fire Safety Plan to the Department of Planning and Building and ~~CDF/County Fire Department~~CAL FIRE. The Fire Safety Plan shall:
- Emergency procedures to be used in case of fire,
  - Instructions on ways to prevent fires and methods to control fire hazards throughout the business;
  - Information about the appointment, organization and instruction of designated supervisory staff and other occupants, including their related fire safety duties and responsibilities;
  - The method and frequency of conducting fire drills;
  - Detailed maintenance procedures for fire protection systems and building features;
  - The identification of alternate fire safety measures in the event of a temporary shutdown of fire protection equipment or systems, so that occupant safety can be assured;
  - Instructions and schematic diagrams describing the type, location and operation of building fire emergency systems.

### Residual Impact:

With the incorporation of mitigation, impacts to fire protection services would be less than significant.

Police Protection: Police protection has been evaluated on the basis of the ability of the Sheriff's Department to provide services to the area. Impacts would be considered significant if the demand created by the proposed asphalt plant would require additional facilities and personnel, and/or if the Sheriff's Department was unable to adequately protect the proposed facility.

**Impact PUB-3:** The proposed asphalt plant facility could increase the potential demand on police protection services located within the asphalt plant area.

**Discussion:** Police protection services for the site would be provided by the County Sheriff's Department. Vandalism, theft of construction materials and equipment and burglary would be of potential concern during construction and long-term operation of the asphalt plant. Considering that nighttime lighting will be utilized during operation of the plant, along with extended hours of operation, impacts to police protection would be less than significant.

**Impact Category:** Insignificant

**Thresholds of Significance Criteria:** 2

**Mitigation Measure:** None required.

Schools. School services have been evaluated on the basis of the ability of LMUSD to provide services to the area. Impacts would be considered significant if the demand created by the proposed asphalt plant would require additional facilities and personnel, and/or if the LMUSD was unable to adequately service the proposed facility.

**Impact PUB-4:** The proposed asphalt plant facility could increase the potential demand on school services located within the asphalt plant area.

**Discussion:** Impacts to the LMUSD enrollment capacity are considered to be less than significant because the proposed project would result in only 12 full-time permanent positions. This is a relatively low number in comparison to the overall population of the area. Impacts associated with an increased population would be mitigated through the development impact fees, per Proposition 1A. Furthermore, due to the location of the proposed asphalt plant site, it is likely that some of the future employees and their families may reside within the boundaries of the County of Santa Barbara, outside of the LMUSD boundary.

The Santa Maria Bonita School District, the Santa Maria Joint Union High School District, and the Allan Hancock Joint Community College District operate 15 elementary schools, 4 junior high schools, 4 high schools, and 1 community college within the City limits. Roughly a dozen private and parochial schools also serve the City. Development impact fees are a common method of charging development for service provision. The elementary and high school districts collect the school impact fees before the City issues building permits. The districts also charge a fee for non-residential development on a square foot basis. As of January 2005, development fees for The Santa Maria Bonita School District (K-8) are \$2.95 per square-foot of residential development and \$.25 per square-foot of commercial or industrial development, and The Santa Maria Joint Union High School District development fees are \$1.51 per square-foot of residential and \$.11 per square-foot of commercial and industrial development. Alan Hancock Joint Community College District is not currently considered for development impact fees.

**Impact Category:** ~~Significant but Mitigable~~ Less than significant

**Thresholds of Significance Criteria:** 3

**Mitigation Measure PUB-34:** Prior to construction, the applicant will pay the appropriate school impact fees.

**Solid Wastes.** Solid waste services have been evaluated on the basis of the ability of Nipomo Garbage to provide services to the area. Impacts would be considered significant if the demand created by the proposed asphalt plant would require additional facilities and personnel, and/or if the local garbage collection provider was unable to adequately service the proposed facility.

**Impact PUB-5:** The proposed asphalt plant facility could increase the potential demand on solid waste services located within the asphalt plant area.

**Discussion:** Overall, the proposed asphalt plant would involve the generation of hazardous waste and non-hazardous waste. A discussion on hazardous waste is provided in Section 5.7. Non-hazardous waste from the proposed asphalt plant would be hauled by Nipomo Garbage and disposed of within the Cold Canyon Landfill. The amount of non-hazardous waste would not have a significant impact on the capacity of the landfill or the collection system provided by Nipomo Garbage. It is important to note that the proposed asphalt plant would also be utilizing recyclable items for the generation of Rubberized Asphaltic Concrete (RAC) and Recycled Asphalt Products (RAP). Recyclable items would include ground crumb rubber from recycled tires. The degree to which this would occur would be a direct function of market demand. The incorporation of these recyclable items significantly decreases the impacts on landfills.

**Impact Category:** Insignificant

**Thresholds of Significance Criteria:** 5

**Mitigation Measure:** None required.

### 5.10.2.2 LUO/LUE Amendment Impacts

The project will amend the Land Use Ordinance to change the land use designation of approximately 54 acres within the South County Planning Area to allow for industrial-related land uses. Existing land uses include Residential Suburban and Commercial Service.

**Impact PUB-6:** The LUO/LUE amendment would increase the potential demand on the fire protection services located within the LUO/LUE amendment area.

**Discussion:** Buildout under the proposed Industrial land use category could potentially result in the construction of a Chemical Products Manufacturing facility. Under this scenario, there could be a substantial amount of hazardous chemicals present within the project area. As such, this would increase the demand for fire protection, with an emphasis on the hazardous materials unit of the fire department. Currently, there is no community water system within the LUO/LUE amendment area, such that each future industrial development would have to construct and rely on its own wells, pumps and distribution system.

**Impact Category:** Significant but Mitigable

**Thresholds of Significance Criteria:** 1

**Mitigation Measure PUB-6:** Prior to issuance of a building permit, the applicant shall prepare a Water/Fire Suppression Master Plan, to the satisfaction of CAL FIRE, for the 55-acre area re-designated to the Industrial land use category. The scope of the Master Plan shall be prepared in collaboration with CAL FIRE, the New Cuyama Mutual Water

~~Company and the San Luis Obispo County Department of Planning and Building. Should a pro-rata reimbursement agreement be developed, the benefiting property owners, shall contribute their fair-share pursuant to a Reimbursement Agreement. All new development within the LUO/LUE amendment area shall meet the fire flow requirements of the County adopted California Fire Code (CFC). Minimum water storage and hydrant requirements are outlined in Appendix IIIA of the CFC. This requirement is usually met through the establishment of a community water system.~~

**Residual Impacts:**

With the incorporation of mitigation, impacts would be less than significant.

**Impact PUB-7:** The LUO/LUE amendment may cause a minor change in the potential demand on police protection services located within the LUO/LUE amendment area.

**Discussion:** The LUO/LUE amendment would reduce the amount of residential development that could occur within the LUO/LUE amendment area by 9.3 acres, which would reduce the demand on public services. However, additional industrial development may result in more employees moving into the area; therefore, the LUO/LUE may cause a minor increase in the potential demand on police protection services.

**Impact Category:** Insignificant

**Thresholds of Significance Criteria:** 2

**Mitigation Measure:** None required

**Impact PUB-8:** The LUO/LUE amendment may cause a minor change in the potential demand on school services located within the LUO/LUE amendment area.

**Discussion:** The LUO/LUE amendment would reduce the amount of residential development that could occur within the LUO/LUE amendment area by 9.3 acres, which would reduce the demand on school services. However, additional industrial development may result in more employees moving into the area with school age children. Therefore, the LUO/LUE may cause a minor increase in the potential demand on school services.

**Impact Category:** Insignificant

**Thresholds of Significance Criteria:** 2

**Mitigation Measure:** None required

**Impact PUB-9:** The LUO/LUE amendment may result in an increased need for solid waste services located within the LUO/LUE amendment area.

**Discussion:** The LUO/LUE amendment would reduce the amount of residential development that could occur within the LUO/LUE amendment area by 9.3 acres; therefore, there would be a reduction of persons living within the area upon buildout. Residential uses generate substantial amounts of solid waste. However, future industrial development, such as a Chemical Products or Metal Machinery Manufacturing facility, could be constructed within the LUO/LUE amendment area that may generate solid waste. Non-hazardous waste from such industrial development would be hauled by

Nipomo Garbage and disposed of within the Cold Canyon Landfill. The amount of non-hazardous waste would not have a significant impact on the capacity of the landfill or the collection system provided by Nipomo Garbage.

**Impact Category:** Insignificant

**Thresholds of Significance Criteria:** 3

**Mitigation Measure:** None required

### 5.10.2.3 Cumulative Impacts

As discussed in Section 8.2 of this EIR, cumulative projects include Caldwell Minor Use Permit, Loomis Minor Use Permit and Troesh Land Use Ordinance Amendment which would result in the development of two office buildings, a warehouse, and a commercial composting facility. This, in an addition to the proposed asphaltic concrete plant and future industrial development, would place additional demands on public services and utilities. This additional demand would not result in significant impacts to police protection services, school services, or solid waste services. However, significant impacts to fire protection services may occur. As such, as specified in mitigation measure PUB-6, ~~all new development within the LUO/LUE amendment area shall meet the fire flow requirements of the County adopted California Fire Code (CFC). Minimum water storage and hydrant requirements are outlined in Appendix IIIA of the CFC. This requirement is usually met through the establishment of a community water system. A~~ Water/Fire Suppression Master Plan for implementation as the area develops. Implementation of this measure would minimize potentially significant impacts to fire protection services.