

4.12 EFFECTS FOUND NOT TO BE SIGNIFICANT

Based on the initial review process for the proposed Grading and Stormwater Management Ordinances, the County of San Luis Obispo determined that there was no substantial evidence that the ordinances would cause or otherwise result in significant environmental effects in the resource areas discussed below. As indicated in the State CEQA Guidelines, no further environmental review of these issues is necessary for the reasons summarized in the following discussion. The substantiation for determining that these issues would result in no impact or a less-than-significant impact is described in further detail in Appendix A, NOP, pursuant to § 15128 of the State CEQA Guidelines.

Air Quality

Would the project create objectionable odors affecting a substantial number of people?

The proposed project consists of modifications to requirements pertaining to grading permits and stormwater management. These revisions are proposed in order to implement the County's Stormwater Management Program (SWMP), which is required under Phase Two of the National Pollutant Discharge Elimination System (NPDES). The erosion and sedimentation control devices, stormwater management devices, and Low Impact Development (LID) practices required under these revisions are not anticipated to create objectionable odors.

Biological Resources

Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Future development in accordance with the proposed Grading and Stormwater Management Ordinances would not be expected to interfere with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. In addition, individual projects would be required to comply with applicable policies provisions in any such plans in place at the time of development. Less than significant impacts would result.

Hazards and Hazardous Materials

Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed Grading and Stormwater Management Ordinances would modify current development standards, requiring that certain projects incorporate additional erosion and sedimentation control and stormwater management devices. Development subject to the ordinance would not be expected to involve the storage or transport of substantial quantities of hazardous materials, or contain any hazardous design features. The use, transport, or storage of hazardous quantities of such materials would require compliance with several local, state, and federal laws and programs that would ensure public safety. Impacts would be less than



significant.

Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Because future development in accordance with the proposed Grading and Stormwater Management Ordinances would not be expected to involve the storage or transport of substantial quantities of hazardous materials, the ordinances would not create reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment. Resulting impacts would be less than significant.

Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?

Although future residential development in accordance with the proposed Grading and Stormwater Management Ordinances could occur within ¼ mile of a school, individual projects would not involve hazardous emissions or handling of hazardous materials. Impacts would be less than significant.

Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The proposed Grading and Stormwater Management Ordinances would modify current development standards, leading to intensified development in unincorporated urban areas that could traverse areas of soil, groundwater, or other contamination included on a list of hazardous materials sites. Future development in accordance with the proposed ordinances would be required to comply with applicable local, state and federal requirements regarding site assessment, soils and groundwater evaluation, and remediation in areas where soil or groundwater contamination is known or suspected to occur. Site assessments that result in the need for soil excavation would be required to include the following: 1) an assessment of air impacts and health impacts associated with excavation activities; 2) identification of any applicable local standards that may be exceeded by the excavation activities, including dust levels and noise; 3) transportation impacts from the removal or remedial activities; and 4) risk of upset practices should an accident occur at the site. Compliance with these existing requirements would ensure less than significant impacts.

For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Development subject to the proposed ordinance revisions could be located within two miles of Paso Robles, San Luis Obispo, or Oceano Airports. The County's Airport Land Use Commission (ALUC) has adopted Airport Land Use Plans (ALUPs) for each of these airports. The ALUPs regulate such things as height and density for projects occurring within their planning areas. All land subject to ALUP provisions have been designated under the County's



General Plan under the Airport Review (AR) combining designation. Projects in the AR designation are required to comply with all ALUP restrictions applicable to the project site. These restrictions are designed to avoid airport and air traffic related impacts. Therefore, less-than-significant impacts would result.

For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Some future projects which are subject to the Grading and Stormwater Management Ordinances could be located near a private airstrip. Due to the relatively rare occurrence of private airstrips and existing ordinance restrictions governing structural height, development under the revised ordinances would not be expected to result in a safety hazard. As a result, impacts would be less than significant.

Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Future development in accordance with the proposed Grading and Stormwater Management Ordinances would not be expected to interfere with any emergency response plan or evacuation plan. In addition, individual projects would be required to comply with applicable policies contained in the General Plan Safety Element. Less-than-significant impacts would result.

Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

All future development in accordance with the Grading and Stormwater Management Ordinances would be required to comply with applicable policies contained in the General Plan Safety Element and would be subject to individual environmental review and mitigation, as necessary. Additionally, most projects are subject to the preparation of a fire safety plan in collaboration with the local fire agencies. In areas where fire hazard is considered high or very high, in wildland/urban interface areas, and state responsibility areas, the fire safety plans will employ state-designated wildland urban interface requirements. Inspection of all required fire safety measures will take place before final occupancy is granted on any construction permit. Impacts would therefore be less than significant.

Land Use and Planning

Would the project physically divide an established community?

The proposed Grading and Stormwater Management Ordinances would not effect established circulation patterns or design standards. Cohesiveness of community development is established through the Circulation Element of the General Plan, which provides for an interconnected road system, and through individual community Design Plans and Specific Plans, which encourage interconnection between developed uses. The proposed revisions do not amend the County's Circulation Element. Additionally, the revised standards would not amend the Design Plan or Specific Plan for any individual community. Development subject to



the proposed ordinance revisions would still be subject to guidelines, policies, and standards provided in these plans. Therefore, impacts would be less than significant.

Mineral Resources

Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The County's General Plan places areas of known mineral resources within the Energy and Extractive Resource Area (EX) combining designation. Projects in the EX designation that are not related to energy development or resource extraction are required to get discretionary land use permit approval. In order for the land use permit to be approved, the review authority must first find that the proposed use and development would not adversely affect the potential for mineral extraction. The requirements under the EX combining designation will therefore ensure that no significant impacts to mineral resources would result.

Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

As discussed above, areas of known mineral resources have been designated in the County General Plan under the Energy and Extractive Resource Area (EX) combining designation. Projects will not be approved in this designation unless the review authority can find that the project will not adversely affect the resource. Therefore, no significant impacts would result.

Population and Housing

Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The proposed Grading and Stormwater Management Ordinances applies to new construction and grading projects. The standards under the proposed ordinance revisions would not, themselves, require demolition or removal of existing residences. Such demolition may otherwise occur, as necessary, to accommodate new proposed development and maintain compliance with Title 19 (Building and Construction Ordinance) and the California Building Code. Impacts would be less than significant.

Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

As discussed above, development in accordance subject to the proposed Grading and Stormwater Management Ordinances would not necessitate removal of housing. Impacts would be less than significant.

Public Services/Utilities

Could development resulting from the project have an effect upon or result in the need for new or altered public utilities?



The proposed Grading and Stormwater Management Ordinances will not alter standards relating to density and intensity of development, beyond what currently exists in the General Plan and the Land Use Ordinance and Coastal Zone Land Use Ordinance. Impacts upon public utilities, including electricity, natural gas, cable television, and telephone, are expected to be negligible.

Could development resulting from the project have an effect upon or result in the need for new or altered solid waste services or facilities?

Development facilitated by the Grading and Stormwater Management Ordinances would be consistent with the buildout potential anticipated under the County's General Plan. Therefore, the amount of additional solid waste generated is considered to be negligible. Regarding short-term waste generated from construction, County Ordinance 3033 (Sections 8.12.455 and 8.12.490 of the County Code) requires that construction projects recycle 50 percent (by weight) of the waste generated by construction or demolition activities. This applies to all projects that are greater than \$50,000 in value or if the total square footage is greater than 1,000 square feet.

Transportation/Traffic

Could the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The project will involve incorporation of additional requirements pertaining to erosion and sedimentation control and stormwater management. The ordinance revisions will not increase density or intensity beyond what is considered under the General Plan. Facilities to be built and changes in development characteristics resulting from the Grading and Stormwater Management Ordinances are not expected to result in any physical changes to air traffic patterns.

Could the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

The proposed Grading and Stormwater Management Ordinances would modify current development standards, potentially leading to physical changes in project design. Future development in accordance with these ordinances would not be expected to increase hazards due to a design feature or incompatible use. In addition, future development would be required to comply with Titles 13 (Roads and Bridges, Streets and Sidewalks) and 15 (Vehicles and Traffic) of the San Luis Obispo County Code. In addition, individual projects would require individual environmental review and mitigation, as necessary. Impacts are therefore less than significant.

Could the project result in inadequate emergency access?

The proposed Grading and Stormwater Management Ordinances would modify current development standards, leading to intensified development in unincorporated urban areas. Future development in accordance with these ordinances would not be expected to result in inadequate emergency access. In addition, future development would be required to comply



with access and fire safety requirements established in Titles 22 (Land Use) and 23 (Coastal Zone Land Use) of the County Code, as well as policies and programs in the General Plan Safety Element. In addition, individual projects would require individual environmental review and mitigation, as necessary. Impacts are therefore less than significant.

Could the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The proposed Grading and Stormwater would not be expected to conflict with any adopted policies, plans or programs supporting alternative transportation. No impacts would result.

