4.4 Land Use

This chapter describes existing land uses at the Project Site and in the surrounding vicinity, and identifies and assesses the adverse physical affects could result from an inconsistencies with San Luis Obispo (County) and the City of San Luis Obispo (City) land use plans, policies, and zoning. While a project may have a number of inconsistencies with applicable local plans, policies and zoning, not all of these inconsistencies result in adverse physical affects. Inconsistency with public plans creates significant impacts under CEQA only when an adverse physical effect would result from the inconsistency. This is consistent with the requirements of CEQA that state an EIR identify the potential, significant environmental effects of proposed activities (CEQA Guidelines Section 15002(a)(1)).

CEQA Guidelines, Section 15125(d), state, "the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." A preliminary consistency analysis is provided in Appendix E of the EIR.

In order to assess where a policy inconsistency may result in an adverse physical effect, the analysis must draw on conclusions reached for other pertinent issue areas addressed in this EIR, including agricultural resources, aesthetics, air quality, and noise.

The regulatory section in this chapter summarizes the key applicable Federal, state and local plans and policies. Additional details on the regulatory framework for this project can be found in each of the issue area sections. Appendix E also provides a more detailed list of applicable general plan, specific plan and regional plan polices.

The Project entails a complex land use landscape for a couple of reasons. First, although the Project Site is within the County, it is also located within the City's Urban Reserve Line (URL) and Urban Services Line (USL) and has been identified by the City for annexation. Second, the Project is broken into two larger phases: remediation and development. The County is responsible for the majority of the remediation phase, while the development phase would be implemented by either the County or City, depending on whether or not the Project Site is annexed into the City.

In addition, the project site is located within an area that is subject the Airport Land Use Plan (ALUP). This land use plan contains a number of land use policies. The analysis of impacts associated with the ALUP noise policies are discussed in Noise (Section 4.8). The impacts associated with the ALUP safety and airspace protection policies are discussed in Hazards and Hazardous Materials (Section 4.11). In addition a preliminary consistency analysis with the ALUP policies is provided in Appendix E.

4.4.1 Environmental Setting

4.4.1.1 On-Site Land Use

The Tank Farm property (Project Site), including 332 acres of land as shown in Figure 4.4-1, is a predominantly vacant site, with remnants of previous use as a petroleum storage and distribution facility. In the northwestern portion of the site, referred to as the Northwest Operations area (Northwest Area), three buildings, utility lines, a paved parking lot, fencing, and other ancillary facilities remain. The southern and northeastern portions of the site are essentially vacant; however, some remnants of former reservoirs that were located within these areas exist. Cattle grazing occurs on-site for the purposes of fire prevention and weed control.

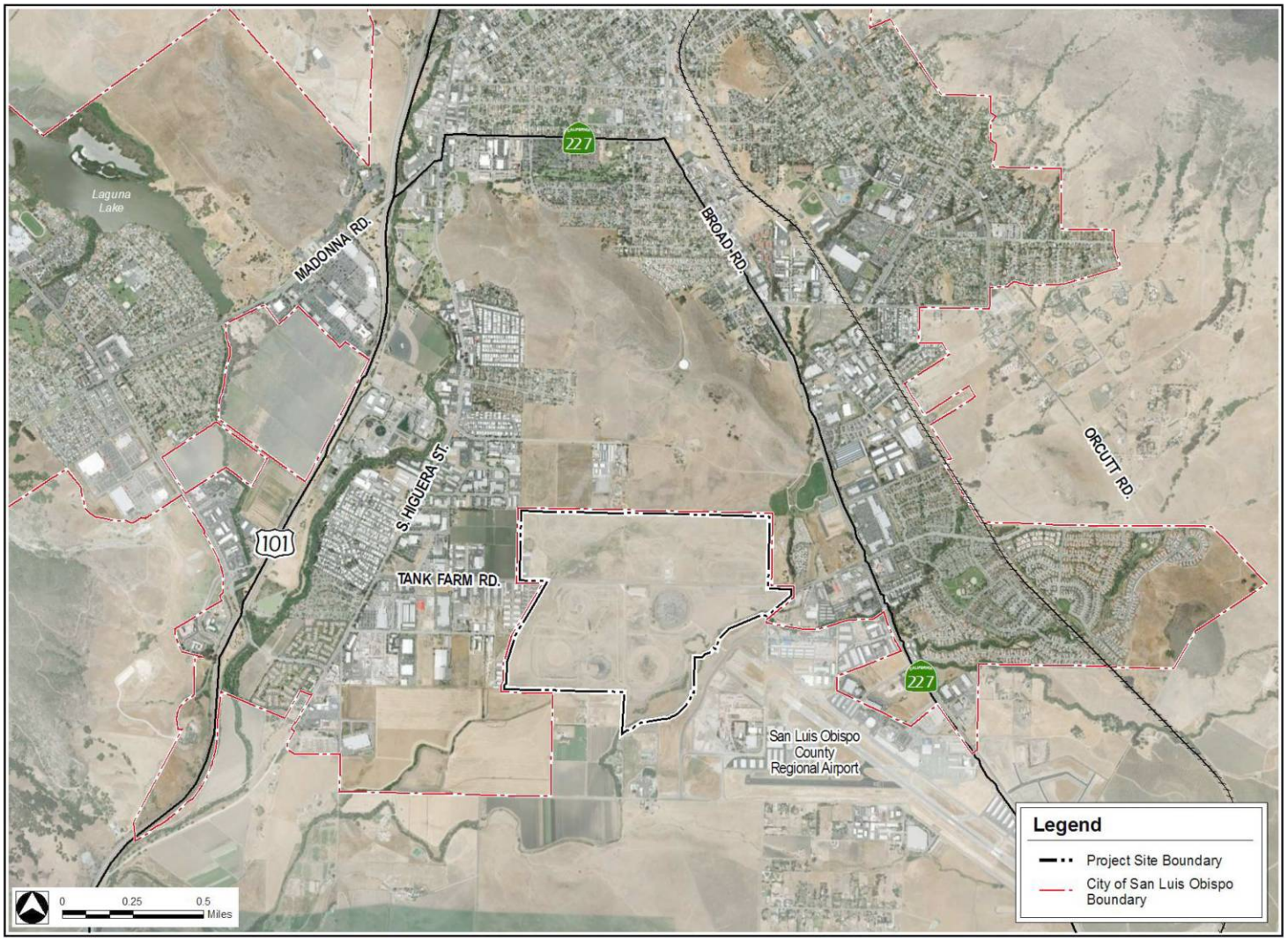
4.4.1.2 Surrounding Land Use

As shown in Figure 4.4-1, the Project Site is located within the upper reaches of the Los Osos Valley on a swath of land that remains as either open space or in agricultural use. This area is flanked to the west, east, and northeast by urban and suburban land uses within the City, including the areas along the highway and local road approaches from the southwest (U.S. Highway 101 and South Higuera Street) and the southeast (along Broad Street [Highway 227]). Areas immediately abutting the site still exhibit a semi-rural character, especially the lands lying to the north and south of the site.

As shown in Figure 4.4-2, a variety of land uses currently surround the Project Site. Agricultural uses abut all, or portions of, each of the Project Site's sides. The northern side of the Project Site is bounded by undeveloped land used for grazing. The northwestern side of the site abuts 32 acres of level, row crop terrain (north of Tank Farm Road). Active row crop terrain and hay-cropped land abuts the southern side of the site (near Esperanza Lane) and land used for livestock grazing also abuts the southern side of the site.

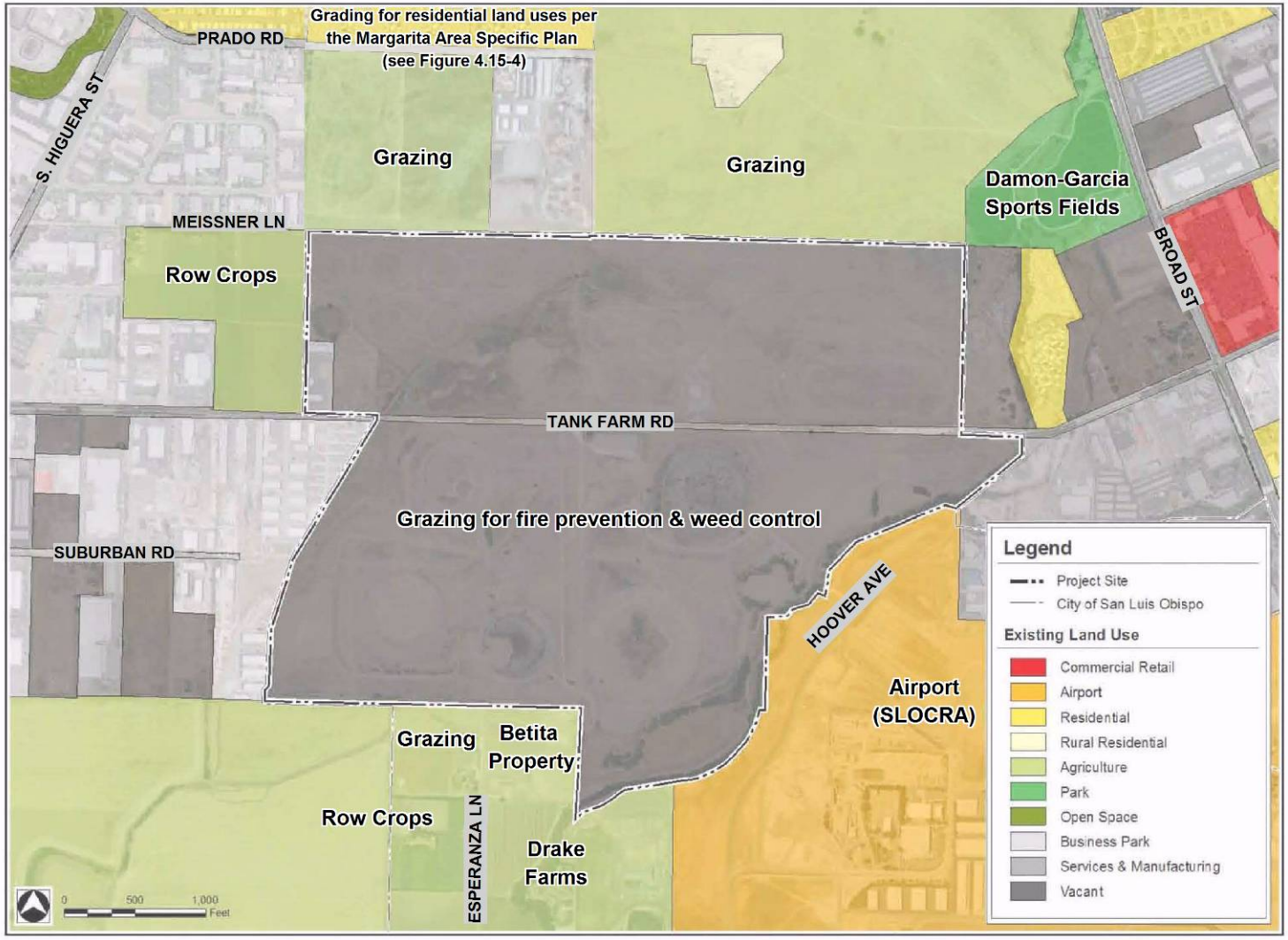
The San Luis Obispo County Regional Airport (SLOCRA) is located southeast of the site, with runways that are oriented in a northwest to southeast orientation. Areas containing developed industrial/business parks with light manufacturing, commercial office, and service uses lie to the northwest of the site (south of Meissner Lane), to the west of the site along Suburban Road (and south of Tank Farm Road), and to the southeast of the site. The Damon Garcia Sports Complex is located northeast of the site, and a mobile home park is situated east of the site (north of Tank Farm Road). The closest residential uses are the mobile home park referenced above and scattered residences within agricultural lands.

Figure 4.4-1 Project Site and Context Map



Source: Google Earth Aerial Photograph, June 2009.

Figure 4.4-2 Existing Land Use



Note: The figure shows existing uses of land, not formal land use designations per the City and County General Plans.
Source: Envicom Corporation, August 2009; MRS 2012

4.4.2 Regulatory Setting – Applicable Land Use Plans, Policy, and Zoning

The Project Site is currently within an unincorporated area of the County and as such is currently subject to applicable County planning documents. These include the County General Plan and the SLOCRA Airport Land Use Plan (ALUP). If the Project Site were annexed into the City, the City's Airport Area Specific Plan (AASP) would become the applicable plan. Each of these plans is described below; the San Luis Obispo Local Agency Formation Commission (LAFCO) Policies and Procedures are also described, as these would be used in consideration of a proposed annexation.

4.4.2.1 Federal

The Federal Aviation Administration (FAA) Airport Design Guide, Advisory Circular (AC) 150/5300-13A provides standards and recommendations for airport design, including guidance pertaining to land uses within the Runway Protection Zone. As part of FAA grant assurances, if an airport sponsor receives federal funds for an airport, it is required that use of land adjacent to or in the immediate vicinity of the airport be restricted to activities and purposes compatible with normal airport operations (FAA 2012a).

The FAA Airport Design Guide, AC 150/5200-33B, provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. It also discusses airport development projects (including airport construction, expansion, and renovation) affecting aircraft movement near hazardous wildlife attractants (FAA 2012b).

The FAA Title 14 Part 77 establishes standards and notification requirements for objects affecting navigable airspace (FAA 2012c). The ALUP was prepared and adopted in accordance with this rule.

4.4.2.2 State

California Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4 and 1353 address buyer notification requirements for lands around airports. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property (CC 2012).

The ALUP was prepared and adopted in accordance with the ALUP Handbook, December 1993, and the California Public Utilities Code Sections 21670 to 21679.5, which include the statutes establishing the Airport Land Use Commissions that regulate airport area land planning.

4.4.2.3 Local

County of San Luis Obispo General Plan

In accordance with California state law, the County of San Luis Obispo has adopted a General Plan to guide development within the County. The Plan expresses the County's development goals, embodies public policy relative to the distribution of future land uses, provides a basis for local government decision making, and informs citizens, developers, and decision-makers of the ground rules pertaining to new development.

The County's General Plan consists of the following elements:

- Land Use Element (LUE) including a Framework for Planning, 13 Area Plans, Local Coastal Program, and Coastal Plan Policies - The LUE provides designations and descriptions of types of land use and density of dwellings-per-acre that are allowed in mapped districts or land use categories. Areas subject to flooding are included in the LUE as part of the Local Coastal Program, which implements the Coastal Act within the Coastal Zone and is certified by the California Coastal Commission;
- Circulation - Maps and policies for transportation routes and modes such as vehicles and transit, correlated with the Land Use Element;
- Housing - A plan with analysis of existing and projected housing needs, and goals, policies and programs for the preservation, improvement and development of housing;
- Agriculture - Separated from the Open Space Element May 11, 2010, this document focuses on wisely managing and protecting agricultural resources in San Luis Obispo County;
- Conservation and Open Space - A plan that seeks to conserve and protect important natural resources while balancing the needs of the natural and built environments. Adopted May 11, 2010, this Element consolidates and revises five previous elements including The Conservation Element, Historic Element, Aesthetics Element, Energy Element, and Open Space Element. This element addresses planning issues regarding:
  - Air Quality;
  - Biological Resources;
  - Cultural Resources;
  - Energy;
  - Mineral Resources;
  - Open Space;
  - Soil Resources;
  - Visual Resources; and
  - Water Resources
- Noise - An analysis of existing noise problems and projected noise levels, with policies and implementation measures to minimize exposure to excessive noise;
- Safety - A plan for the protection of the community from unreasonable risks associated with earthquakes, geologic hazards, flooding and fires;
- Offshore Energy - A plan for the location and extent of on-shore resources and facilities that would be appropriate for addressing off-shore oil development and production;

- Economic - Policies to establish a context and priorities for economic development; and
- Parks and Recreation - Policy guidance regarding the provision of park and recreation services, documenting the County's existing park and recreation resources, and evaluating park and recreation needs.

Individual policies within each of these elements that are applicable to the proposed Project are identified in Appendix E of this EIR, Policy Consistency Analysis.

The General Plan identifies 13 land use categories and applies these categories to properties within the County. As shown on Figure 4.4-3, the Project Site currently includes designated areas for Recreation, Commercial Service, Industrial, and Agriculture land use categories. Most of the site (246.75 acres) is designated as Recreation; Industrial designations occur in the northwest corner of the site and on the east side of the site north of Tank Farm Road (43.19 acres); Commercial Service use is designated in the northeast corner of the site (16.24 acres); and the Agricultural land use category is applied to the southerly tip of the Project Site (14 acres).

The General Plan also identifies combining designations, which are special overlay land use designations applied to areas with potentially hazardous conditions or significant natural resources. These designations indicate the need for more detailed Project review to avoid or minimize adverse environmental impacts, or effects of hazardous conditions on proposed projects. The Project Site includes a combining designation of Airport Review (AR) as it is subject to the Airport Land Use Plan as described in Section 4.4.2.5. In addition, a Flood Hazard combining designation covers the western and northwestern portions of the Project Site, as well as the southerly tip of the site.

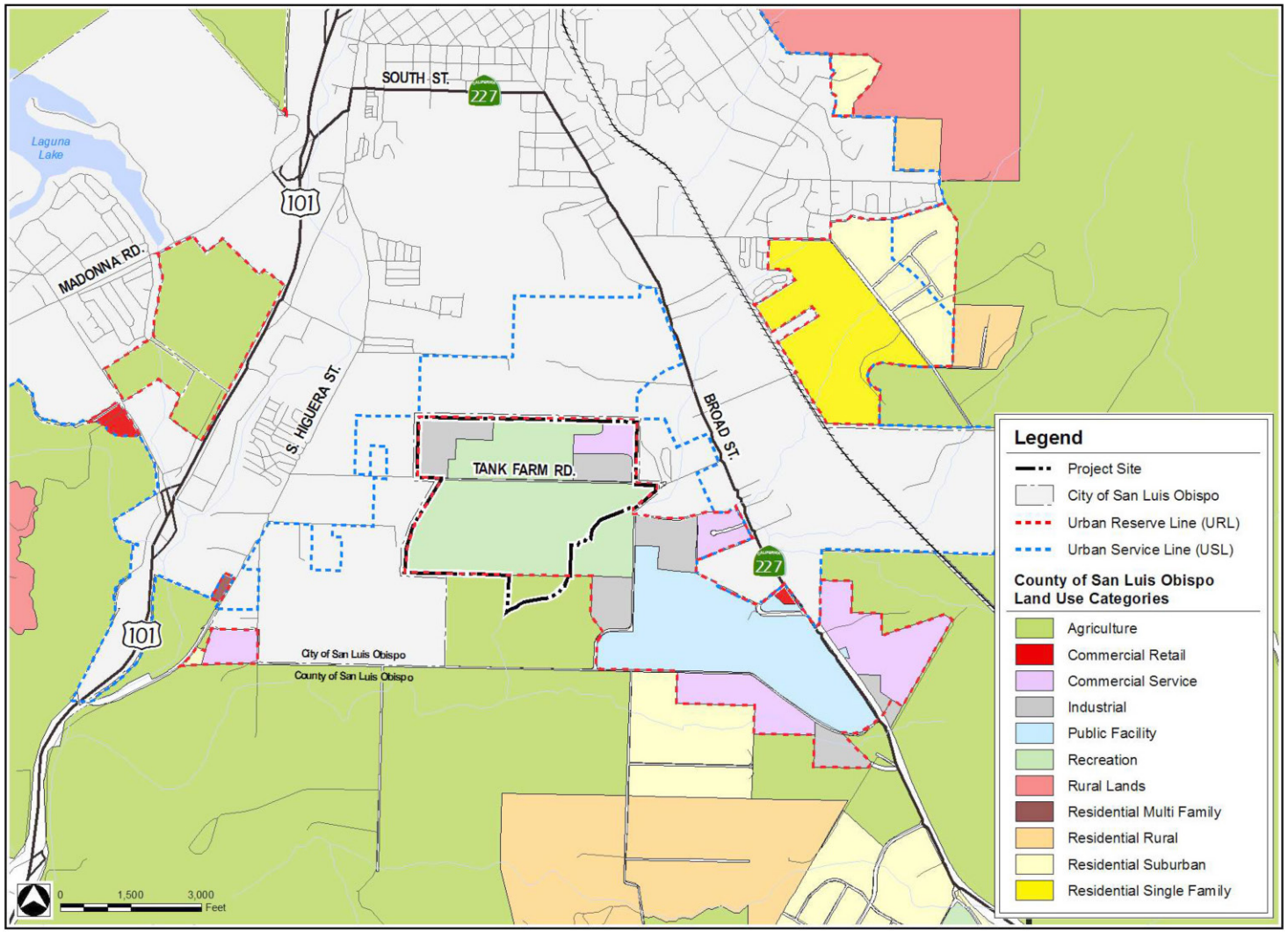
County of San Luis Obispo Land Use Element and Land Use Ordinance

The County's Land Use Element (LUE) provides zoning categories and descriptions. The Land Use Ordinance (LUO) implements the LUE, identifying allowable uses within each land use category and site planning and project design standards and review procedures. The policies of the LUE and the enforceable standards of the LUO work together to ensure the compatibility of uses.

The LUE includes 13 area plans that refine general policies of the Framework for Planning for each community. The Project Site is located within the County's San Luis Obispo Planning Area. The San Luis Obispo Inland Area Plan (Area Plan) identifies policies, programs, and standards that provide guidance for development specific to the planning area. The Area Plan makes the following statements with respect to the Commercial Service and Industrial categories on the Project Site:

Commercial service uses can range from light industry, manufacturing, trucking, wholesaling and storage to business parks, research and development parks, and some types of offices.

Figure 4.4-3 County of San Luis Obispo County Land Use Categories



Source: County of San Luis Obispo Planning Area Rural Land Use Category Map, April 20, 2009. San Luis Obispo Urban Reserve Line Land Use Category Map, April 20, 2009.

The area is designated Industrial to accommodate uses requiring outside storage of materials or equipment that cannot easily be screened from view, and therefore are not allowed elsewhere in the planning area. Developments in this area should use site designs and dense landscaping that minimizes their visual impacts. Similar to the Commercial Service areas, this pocket of Industrial land is expected to remain under County jurisdiction with limited uses and floor areas until annexation to the City.

The LUE identifies a URL and an Urban Services Line (USL), as shown in Figure 4.4-3. Lands within the URL are expected to develop with urban uses and city services. The USL indicates areas where urban services, particularly water and sewer, should be extended within a five- to ten-year period. The Project Site, with the exception of the southerly tip, falls within the URL. The entire site is within the USL.

The area between the city limits and the URL is referred to in the Area Plan as the San Luis Obispo Urban Area, which includes most of the Project Site. The Area Plan provides planning principles for the San Luis Obispo Urban Area. Each of the applicable principles is identified in Appendix E, Policy Consistency Analysis. The Area Plan identifies the Airport Area within the San Luis Obispo Urban Area, encompassing land between the City of San Luis Obispo and the SLOCRA, and including the Project Site with the exception of the southerly tip. Planning for this area is reflected in the Airport Area Specific Plan, described below.

San Luis Obispo County Regional Airport Land Use Plan

The San Luis Obispo Airport Land Use Commission (ALUC) is required to prepare and adopt an Airport Land Use Plan (ALUP) for each of the airports within its jurisdiction. The purposes of the ALUP are:

- To protect the long term economic viability of the SLOCRA by ensuring compatible land uses in the vicinity of the airport to the extent that lands in the airport area are not already devoted to incompatible uses;
- To promote the safety and well-being of the public by ensuring adoption of land use regulations which minimize exposure of persons to hazards associated with the operation of the Airport;
- To provide a set of policies and criteria to assist the ALUC in evaluating the compatibility of proposed local actions on the part of referring agencies with the Airport and in determining the consistency of the proposed local action with the ALUP; and
- To provide guidance to local agencies in presenting proposed local actions to the ALUC for review.

The entire Project Site is within the Airport Land Use Planning Area addressed in the ALUP. The ALUP identifies four airport safety zones. As shown in Figure 2-4 (See Chapter 2.0, Project Description of this EIR), the Project Site includes areas within a Runway Protection Zone (RPZ) for Runway 11-29, and associated Safety Areas S-1a, S-1b, and S-1c. The southern portion of the Project Site includes areas within Safety Areas S-1b and S-1c for Runway 7-25. RPZs, also referred to as “clear zones,” are defined in the ALUP as “[a]reas immediately adjacent to the ends of each active runway, within which the level of aviation safety risk is very high and in

which, consequently, structures are prohibited and human activities are restricted to those which require only very low levels of occupancy." Runway 11-29 was recently extended by approximately 500 feet towards the Project Site. This expanded the airport safety zones beyond those originally considered in the City of San Luis Obispo Airport Area Specific Plan, described below.

The ALUP provides land use policies related to noise, safety, airspace protection, and over-flight issues, and sets forth allowable land uses and density limitations for development within each of the designated Safety Areas. These development limitations may be altered with density adjustments based on the adopted Airport Compatible Open Space Plan described below. Section 4.11, Hazards and Hazardous Materials provides an detailed analysis of the density of the Development for both the City and County Plans as it relates to the requirements of the ALUP.

City of San Luis Obispo General Plan

As stated in the General Plan, policies in the Land Use Element and the General Plan Land Use Map are consistent with other General Plan elements. The Housing Element goals, policies, and programs reflect the land use policies as they relate to residential development. The Circulation Element recognizes implications of land use policy on traffic and establishes relevant goals, policies, standards, and implementation measures that address both existing and potential circulation deficiencies. The Safety Element identifies hazards that could affect both existing and future development and the Conservation and Open Space Element addresses protection of open space amenities and resources. The Land Use Element recognizes these potential constraints on land use policy.

Section 7 of the General Plan's Land Use Element identifies policies and programs related to the Airport Area, which the proposed Project falls within. Where the policies and programs outlined in this section are general in nature, the City's Airport Area Specific Plan takes precedence as the guiding document. However, certain General Plan policies are analyzed for consistency with the Project, including Land Use policy 1.7.5, Circulation policies 15.0.1 and 15.0.3, and COSE policies 8.6.1 and 9.2.1 (see Appendix E).

City of San Luis Obispo Airport Area Specific Plan

The AASP guides future growth and development within the AASP Area. The AASP Area includes approximately 1,500 acres of land south of the City of San Luis Obispo, within the unincorporated County but within the City's URL. The AASP is consistent with, and provides an extension of, the City's General Plan, providing more specific policies pertaining to the AASP Area. Projects proposed in the AASP are evaluated for consistency with the policies and conformance with development standards and design guidelines in the AASP, which, as previously stated, take precedence over more general policies and standards in the City's General Plan. As such, where applicable, the AASP is the operative City planning document for this analysis.

The Project Site is located within the central portion of the AASP Area and is situated within four ALUP Airport Safety Areas that restrict development of urban uses due to incompatible levels of noise and safety risks. As such, the AASP envisions that much of the Project Site could become a visual resource of open space land by allowing the City's "greenbelt" to extend into the urban area and provide a connection to the rural landscape, while also contributing to airport

safety. Those portions of the Project Site that are less restricted by Airport Safety Areas or environmentally sensitive habitat have been selectively zoned for new development of urban infrastructure and services to support more productive use of the land. In addition, as discussed above, Runway 11-29 of SLOCRA was extended by approximately 500 feet towards the Project after the AASP was last revised, which has expanded the Airport Safety Areas beyond those originally considered in the AASP. Current ALUP Safety Areas are shown in Figure 2-4.

The existing AASP designates land use areas within the Project Site that include 52.01 acres for Services and Manufacturing, 3 acres for Business Park, and 264.89 acres to remain Open Space, as shown in the map of City of San Luis Obispo Land Use Designations, Figure 4.4-4.

Areas designated as Business Park are primarily for facilities that would be used for research and development, light manufacturing, and business services that include processing, production and airport-related services. Areas designated Service and Manufacturing are generally for storage, transportation, and wholesaling type uses, as well as certain retail sales and business services that may be less appropriate in other commercial designations. Open Space designations are intended to protect undeveloped or minimally developed land for preservation of natural resources and public safety.

The AASP identifies goals and policies for future development; applicable policies are listed in Appendix E, Preliminary Policy Consistency Analysis.

City of San Luis Obispo Bicycle Transportation Plan

On May 15, 2007, the City adopted an update to the Bicycle Transportation Plan. The plan identifies existing and proposed bicycle paths, including an existing Class II Bikeway on Tank Farm Road within the Project Site that will be converted to a Class I Bikeway and a proposed Class II Bikeway on Santa Fe Road from Buckley Road to Prado Road. The following Bicycle Transportation Plan policies apply to the Project and are analyzed in Appendix E:

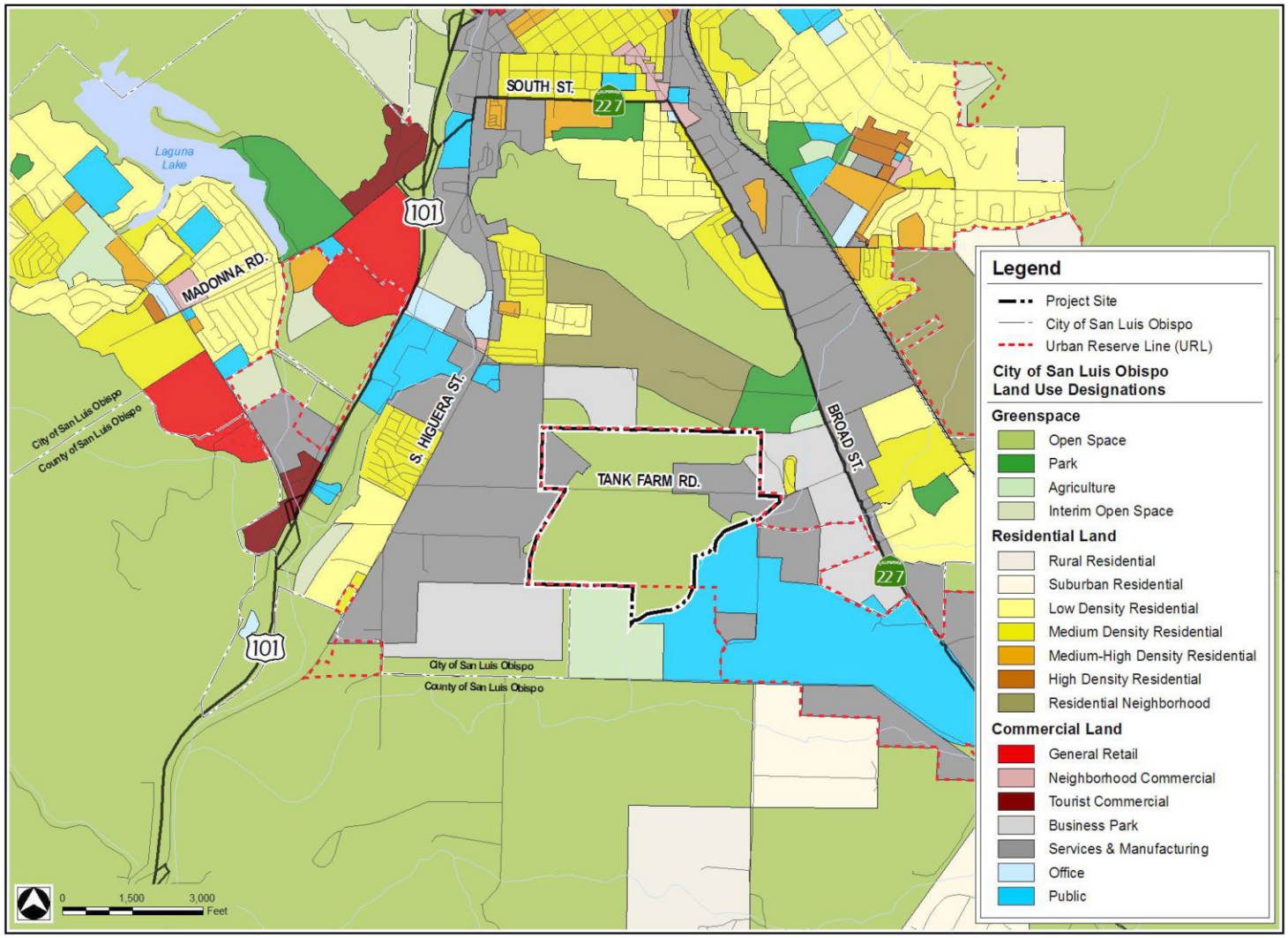
- Policy 1.5: All new developments/subdivisions shall be designed with bicycle use as an equal and viable option for transportation to, from, and within a development. Access shall include bicycle routes to schools serving the community, Class II bike lands (or Class I bike paths), and approved bicycle parking as referenced in the Plan's short-term bike parking standards.
- Policy 1.7: Class I Bikeways shall be located outside of creek setbacks except where otherwise allowed or as provided for in the Conservation & Open Space Element.
- Policy 1.17: In the long-term, all arterial streets and State Highways (except U.S. Highway 101) should include Class II Bikeways.

Section 4.3, Transportation and Circulation, also discusses Project-related bikeways.

Airport Compatible Open Space Plan

On July 21, 2004, the ALUC voted to amend the ALUP with an Airport Compatible Open Space Plan (ACOSP) to address concerns that previous amendments, adopted in 2002, were too restrictive to development, and were inconsistent with the City's General Plan goals for housing production and job creation.

Figure 4.4-4 City of San Luis Obispo Land Use Designations



Source: City of San Luis Obispo Land Use Designation Map, April 4, 2006. Airport Area Specific Plan, 2007.

The Airport Compatibility Open Space Plan (ACOS) establishes open spaces in the areas around the airport that can serve as reserve spaces (for aircraft emergency situations). By maintaining reserve spaces that keep certain land adjacent to the airport free and clear from obstruction or from buildings and uses where people congregate, the ACOS improves airport safety while allowing for more intense development of urban areas. The areas identified as reserve space in the ACOS include land that is close to the airport, in line with the main airport runway, or along an over-flight area where aircraft typically operate at lower altitudes. Identification of these areas in the ACOS plan adds airport safety to the list of reasons why these lands should not be developed.

The ACOS provides the ability to make density adjustments within the ALUP, as shown in Table 4.4-1, that allow for increased development potential within specific Aviation Safety Areas defined in the plan. Such adjustments are allowable if advanced levels of planning analysis are performed.

The ACOS identifies two reserve spaces within the Project Site (Airport Area 1 and Airport Area 2). Although the ACOS plan, as adopted in 2004, includes a portion of the area proposed for development within the Reserve Zone (northeast corner), the City is proposing to change the boundaries of the two reserves spaces to: (1) remove the current reserve space designation from areas proposed for development by replacing that area with additional open space acreage at a 1:1 ratio, (2) to designate all of the proposed open space as reserve space, and (3) to split the Margarita Area and Airport Area 1 reserve spaces.

Figure 2-25 of this EIR shows the proposed changes to the ACOS reserve space boundaries. The proposed ACOS Amendment would be processed by the City subsequent to or concurrent with Project approval. Based on discussions with City staff, with adoption of the proposed Reserve Zone changes, and by designating the area as a Cluster Development Zone (CDZ), the Project can be developed at the proposed densities, in accordance with the requirements and density adjustments listed on Table 7 of the ALUP, consistent with the ACOS.

San Luis Obispo Local Agency Formation Commission

The San Luis Obispo Local Agency Formation Commission (LAFCO) was created to help organize, manage, and regulate the provision of public services for development in San Luis Obispo County. LAFCO has approval authority on proposals concerning the formation of cities and special districts and other changes of jurisdiction or organization of local government agencies, including annexations. Its objectives are to encourage the orderly formation of local governmental agencies, preserve agricultural land resources, and discourage urban sprawl. In making decisions regarding proposals, LAFCO's follows its Policies and Procedures Guide. Applicable policies from this Guide are identified in Appendix E.

4.4.3 Significance Criteria

Based on the State CEQA Guidelines (Appendix G), the Project would result in a significant impact if it would:

- Physically divide an established community;

- Conflict with any applicable habitat conservation plan or natural community conservation plan;
- Be potentially incompatible with surrounding land uses; or
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.

By placing commercial development within a largely undeveloped area of the URL, the Project would not be physically dividing an established community; therefore, this threshold will not be addressed further in this analysis.

The Project is not within or adjacent to any habitat conservation plan or natural community conservation plan; therefore, this threshold will not be addressed further in this analysis.

Impacts associated with the last two thresholds are discussed in the remaining parts of this section. For these two thresholds only conflicts and inconsistencies that would result in adverse physical affects are discussed consistent with the requirements of CEQA (CEQA Guidelines Section 15002 (a)(1)).

4.4.4 Remediation Project Analysis

The Remediation Phase of the project would involve excavating and capping various areas of the Project Site along with the implementation of monitoring and institutional controls. This phase would also include restoration activities.

A number of potential inconsistencies with applicable land use plan, policy, or regulation have been identified that could result in an adverse physical effect. These potential adverse physical effects are discussed below.

Restoration and Preservation of Degraded Lands

The Remediation Project would be considered to have a beneficial impact with regard to policies related to restoration of degraded lands or habitat since it would provide for the restoration, preservation, or mitigation actions called for in these land use policies. Specifically, the Project would preserve 75 percent of the property as Open Space that would include uplands and restored wetland areas, and would create a continuous wildlife corridor across the site from north to south (only interrupted by Tank Farm Road). The Project would create additional wetlands at the Project Site that would support various listed species. Further, approximately 15 acres would be used for recreational purposes, such as ball fields.

Remediation activities will impact approximately 26 acres of waters of the United States, which includes wetland and Vernal Pool Fairy Shrimp (VPFS) habitat. The proposed restoration activities would impact an additional 11 acres of waters of the United States. To offset this impact and to improve flood control at the site, the Applicant is proposing to restore/create about 56 acres of wetlands. This would increase the amount of wetland at the Project Site by about 19 acres. All of this increase would occur within the runway safety zones for the San Luis Obispo County Regional Airport (SLOCRA). This increase in wetland area and quality would have the

potential to increase the local bird population associated with wetlands. This increase in local bird populations within the runway protection zones could significantly increase the bird strike hazards for aircraft taking off and landing at the SLOCRA, which could be inconsistent with a number of policies as discussed in Appendix E. This impact on adjacent land uses was found to be significant and unavoidable (Class I) in the Hazards and Hazardous Materials Section (see Impact HM.4 in Section 4.11. The project could potentially be inconsistent with several polices related to hazards and land use compatibility as discussed in Appendix E.

Air Quality

Activities associated with the remediation construction would generate emissions due to construction equipment engines, soil disturbance, fugitive dust, pipeline removal, worker vehicles, and delivery of materials and equipment. Some of these emissions would exceed the thresholds established by the San Luis Obispo County Air Pollution Control District (SLOAPCD). Mitigation measures that are discussed in the Air Quality Section (Section 4.1) would reduce the construction emissions to below the SLOAPCD thresholds. The impacts associated with construction emissions would be less than significant with mitigation (Class II). This impact is discussed further in Section 4.1, impact AQ.2. With the mitigation the project could potentially be consistent with several polices related to air quality as discussed in Appendix E.

The SLOAPCD Air Quality Management Plan (AQMP) includes implementing control measures and strategies to attain state and federal ambient air quality standards. The SLOAPCD then implements these control measures as regulations to control or reduce criteria pollutant emissions from stationary sources or equipment. A project is deemed inconsistent with the AQMP if it results in population or employment growth that exceeds growth estimates in that AQMP. Projects that do not involve growth-inducing impacts or exceed local or regional population or growth projections are generally considered consistent with the AQMP. The proposed Project is not expected to result in population growth and, therefore, would comply with the goals of the AQMP.

Noise and Vibration

Noise would be generated by construction equipment operating at different times during the remediation phase of the Project. The peak activities that could produce the peak off-site noise levels would be associated with remediation activities on the east end of the Project Site, such as activities at Reservoir 4 and the Flower Mound, both of which could be occurring simultaneously. A mobile home park is located immediately east of these areas, which would constitute residential receptors.

Activities at these locations would include grading, removal of soils from the Reservoir 4 and Flower Mound borrow area, crushing operations at the Flower Mound area to produce gravel to be used at other locations of the Project Site, and blasting activities at the Flower Mound area to break up rocks that would be used in the crushing plant to produce gravel.

For the short-term, mobile criteria, the noise levels generated by the remediation activities would be less than the threshold. However, the crushing activities would generate noise levels above the longer-term, stationary equipment thresholds.

Mitigation measures that are discussed in the Noise and Vibration Section (Section 4.8) would reduce the noise levels of the crushing activities to below the threshold, which would make this a less than significant impact with mitigation (Class II). This impact is discussed further in Section 4.8 (Impact N.1). With the mitigation, the Project could potentially be consistent with the applicable noise polices as discussed in Appendix E.

Construction activities could increase ground vibration and create annoyance for humans. The blasting activities at the Flower Mound could produce the highest vibration levels. Vibrations associated with setup, crushing, blasting, and removing equipment would vary over time. The actual peak vibration levels during these periods would only last for a few minutes, and these periods would be rare and relatively short-lived. Mitigation measures that are discussed in the Noise and Vibration Section (Section 4.8) would reduce the vibration levels of the blasting and crushing activities to less than significant, which would make this a less than significant impact with mitigation (Class II). This impact is discussed further in Section 4.8 (Impact N.1 and Impact N.2). With the mitigation, the Project could potentially be consistent with the applicable noise/vibration polices as discussed in Appendix E.

Truck vibrations from the proposed Project along area roadways would be substantially less than those anticipated from freeway traffic speeds and would therefore have less than significant impacts on residences and historical buildings.

4.4.5 City Development Plan Analysis

The City Development Plan component of the Project would develop the site, if annexed, over a 25-year span in five phases that would ultimately place 803,000 sq. ft. of floor space for Business Park and Service-Commercial uses. Additionally, this development would provide 15 acres to be developed for active recreation, and preserve approximately 250 acres as open space. As part of the City Development Plan, 6.06 acres of the site would be dedicated for widening Tank Farm Road.

A number of potential inconsistencies with applicable land use plan, policy, or regulation have been identified that could result in an adverse physical effect. These potential adverse physical effects are discussed below.

Aesthetics and Visual Resources

The City Development Plan would change the character of the site from a semi-rural setting to a semi-urban developed setting. Substantial design standards are contained in the City's AASP and the City's General Plan, including the preservation of open space, hills, and development design standards, would limit the impact on the existing visual character of the site and its surroundings. The impacts of the Project on visual quality are discussed further in Section 4.10, Impact AE.2. Implementation of AASP design standards and the proposed preservation of a large amount of open space (75% of the Project Site would remain as Open Space), the impacts to visual character on adjacent lands would be less than significant with mitigation (Class II). With this mitigation, the Project could potentially be consistent with the applicable visual quality polices as discussed in Appendix E.

The City Development Plan and associated urban uses would result in an increase in nighttime light and glare within the area. These increases would be the result of new lighting at service commercial, business park, and public facility uses. Development of these aspects of the Project would increase the amount of light and glare due to additional parking lots, building and ball field lights, and streetlights. Mitigation measures that are discussed in Section 4.10, Impact AE.3 would reduce the nighttime light and glare impacts to less than significant with mitigation (Class II). This impact is discussed further in Section 4.10 (Impact AE.3). With the mitigation, the Project could potentially be consistent with the applicable nighttime light and glare polices as discussed in Appendix E.

Noise

Noise would be generated by a number of different construction equipment operating at different times during the construction of the City Development Plan component of the Project. The peak activities that could produce the peak offsite noise levels would be associated with activities on the east end of the Project Site, such as activities during Phase 1 located immediately west of the Mobile Home park. Activities at these locations would include minor grading, building construction, and paving activities. None of the construction activities would generate noise levels above the significance threshold of 75 dBA during daytime hours. However, these noise thresholds could be exceeded if the construction equipment is not properly maintained or is operated during hours that are outside of the allowable hours in the Municipal Code.

Mitigation measures that are discussed in the Noise and Vibration Section (Section 4.8) would reduce construction noise levels to less than significant, which would make this a less than significant impact with mitigation (Class II). This impact is discussed further in Section 4.8 (Impact N.1 and Impact N.3). With the mitigation, the Project could potentially be consistent with the applicable noise polices as discussed in Appendix E.

The Airport Land Use Plan requires mitigation for projects that propose development within the noise contours associated with the airport operations. Some portions of the Project would be potentially placed within these noise contours, specifically development areas on the south-eastern area (Phase 5, within the 75 dBA contour), the eastern areas immediately north of Tank Farm Road (within the 65 DBA contour), and the western areas (within the 65 DBA contour). Development within these areas, including offices, hotels, and restaurants, may require additional attenuation built into the construction design in order to ensure that indoor noise levels are below the Airport Land Use Plan standards. Failure to address these issues would result in a significant impact. However, mitigation measure discussed for Impact N.5 in the Noise Section (Section 4.8) would make this impact less than significant with mitigation (Class II). With the mitigation, the Project could potentially be consistent with the applicable ALUP noise polices as discussed in Appendix E.

Air Quality

Diesel particulate and fugitive dust emissions mainly from vehicles associated with the operation of the development would exceed the air quality thresholds established by the SLOABCD. Mitigation measures that are discussed in the Air Quality Section (Section 4.1, Impact AQ.7) would reduce diesel particulate and fugitive dust emissions, but they would still remain above the thresholds, and as such, the impact would be significant and unavoidable (Class I). This

impact is discussed further in Section 4.1, impact AQ.7. The project could potentially be inconsistent with several polices related to air quality as discussed in Appendix E.

Traffic and Circulation

Some of the Class I bike path alignments shown in the Bicycle Transportation Plan would be modified. For example, the path shown crossing the Project Site from north to south in the Bike Plan is proposed to go around the northwestern perimeter of the Project Site. Similarly, the bike path along San Luis Creek follows the Project boundary west rather than following the creek as planned. This would be inconsistent with the City's Bicycle Transportation Plan. Implementation of mitigation measure T.3a the Project could be consistent with the City's Bicycle Transportation Plan.

4.4.6 County Development Plan Analysis

Impacts from the County Development Plan would be the same as the impacts from the City Development Plan as the phasing, construction requirements, and land use mix would be the same. The differences between the two projects would be that the business park and service commercial developments would be located on slightly smaller acreages (but with the same square footages), and there would be the construction and operation of a wastewater treatment plant (WWTP) as part of the County Development Plan.

The County Development Plan component of the Project would develop the site, if not annexed by the City, over a 25-year span in five phases that would ultimately place 803,000 sq. ft. of floor space designated for Commercial Service, and Industrial uses. Additionally, this development would provide approximately one acre for an on-site wastewater treatment plant, space for an active recreation facility, and preserve approximately 250 acres as open space. As part of the County Project, 6.06 acres of the site would be dedicated for widening Tank Farm Road.

A number of potential inconsistencies with applicable land use plan, policy, or regulation have been identified that could result in an adverse physical effect. These potential adverse physical effects are discussed below.

Noise

Pump noise associated with the WWTP could produce noise levels above the nighttime significance thresholds at nearby residential receptors. Depending on the pump type and configuration, pump noise could produce noise levels in excess of 50 dBA at the Mobile Home Park residential area. Mitigation measures that are discussed in the Noise and Vibration Section (Section 4.8) would reduce construction noise levels to less than significant, which would make this a less than significant impact with mitigation (Class II). This impact is discussed further in Section 4.8 (Impact N.6). With the mitigation, the Project could potentially be consistent with the applicable noise polices as discussed in Appendix E.

Odors

The WWTP has the potential to cause an odor nuisance to surrounding land uses. The screening threshold for this impact is one mile from the source. A distance of one mile from the proposed WWTP would encompass all of the areas associated with the proposed Development Project as well as numerous residential and business communities along Broad Street and Tank Farm Road

east of Broad Street. Mitigation measures that are discussed in the Air Quality Section (Section 4.1, Impact AQ.11) would reduce the odor impacts, to less than significant (Class II). This impact is discussed further in Section 4.1, impact AQ.11. With implementation of the mitigation measures the project could potentially be consistent with several polices related to odor as discussed in Appendix E.

4.4.7 Cumulative Analysis

Consistency of proposed City and County Development Plans with applicable plans and policies are assessed on a project-by-project basis. The Project would be consistent with the Project Site's land use designation and zoning as well as applicable policy. As such, the Project, in combination with other projects planned in the area, is not expected to result in significant cumulative impacts, with respect to consistency with land use plans and policy. Therefore, cumulative land use and planning impacts associated with policy consistency are considered *less than significant (Class III).*

4.4.8 Mitigation Monitoring Plan

A mitigation summary/monitoring plan is not included in this section because the mitigation measures that were used to address land use impacts are outlined in other issue areas. See the specific issue area sections for the applicable mitigation monitoring plans.

4.4.9 References

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