



# NEGATIVE DECLARATION & NOTICE OF DETERMINATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
976 OSOS STREET ♦ ROOM 200 ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600

*Promoting the Wise Use of Land ♦ Helping to Build Great Communities*

**ENVIRONMENTAL DETERMINATION NO.** ED12-166

**DATE:** July 11, 2013

**PROJECT/ENTITLEMENT:** J. TenBroeck, Inc. Minor Use Permit and Coastal Development Permit;  
DRC2012-00049

**APPLICANT NAME:** John Day

**ADDRESS:** 4568 Spanish Oaks, San Luis Obispo, CA 93401

**CONTACT PERSON:** John MacDonald

**Telephone:** 805-995-1398

**PROPOSED USES/INTENT:** A request by J. TenBroeck Inc. for a Minor Use Permit / Coastal Development Permit to construct a new two story single family residence with subterranean parking. The residence is proposed to be approximately 2,676 square feet in living area with approximately 828 square feet of garage area and approximately 456 square feet of decking and a height of 29 feet from average grade. The project will result in the disturbance of the entire 6000 square foot parcel. The proposed project is within the Recreation land use category.

**LOCATION:** The project is located at 2955 Avila Beach Drive (with access off of Colony Lane), in the community of Avila Beach. The site is in the San Luis Bay Coastal planning area.

**LEAD AGENCY:** County of San Luis Obispo  
Dept of Planning & Building  
976 Osos Street, Rm. 200  
San Luis Obispo, CA 93408-2040

**Website:** <http://www.sloplanning.org>

**OTHER POTENTIAL PERMITTING AGENCIES:** California Coastal Commission

**STATE CLEARINGHOUSE REVIEW:** YES  NO

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental Determination may be obtained by contacting the above Lead Agency address of (805)781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. (2 wks from above DATE)**

**30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

## Notice of Determination

**State Clearinghouse No.** \_\_\_\_\_

This is to advise that the San Luis Obispo County Planning Department Hearing Officer \_\_\_\_\_ as  *Lead Agency*

*Responsible Agency* approved/denied the above described project on August 16, 2013, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Cody Scheel

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**



# Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600  
*Promoting the Wise Use of Land • Helping to Build Great Communities*

(ver 5.0) Using Form

**Project Title & No.** J. TenBroeck, Inc. Minor Use Permit (DRC2012-00049) ED12- 166

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water /Hydrology
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Cody Scheel  
Prepared by (Print) \_\_\_\_\_ Signature *Cody Scheel* Date 7/3/13

*Steven McMasters* \_\_\_\_\_ Signature *Steven McMasters* (for) Ellen Carroll, Environmental Coordinator Date 7/3/13

**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Current Planning Division, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** A request by J. TenBroeck Inc. for a Minor Use Permit / Coastal Development Permit to construct a new two story single family residence with subterranean parking. The residence is proposed to be approximately 2,676 square feet in living area with approximately 828 square feet of garage area and approximately 456 square feet of decking and a height of 29 feet from average grade. The project will result in the disturbance of the entire 6000 square foot parcel. The proposed project is within the Recreation land use category and is located at 2955 Avila Beach Drive (with access off of Colony Lane), in the community of Avila Beach. The site is in the San Luis Bay Coastal planning area.

**ASSESSOR PARCEL NUMBER(S):** 076-196-008

Latitude: 35 degrees 10' 50.5" N Longitude: -120 degrees 44' 5.8" W **SUPERVISORIAL DISTRICT # 3**

**B. EXISTING SETTING**

**PLANNING AREA:** San Luis Bay(Coastal), Avila Beach **TOPOGRAPHY:** Nearly level to moderately sloping

**LAND USE CATEGORY:** Recreation **VEGETATION:** Urban-built up

**COMBINING DESIGNATION(S):** Visitor Serving **PARCEL SIZE:** 6000 square feet  
Area Local Coastal Plan/Program  
Coastal Special Community

**EXISTING USES:** Vacant

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Recreation; Avila Beach Drive San Luis Creek	<i>East:</i> Recreation; residential
<i>South:</i> Public Facilities; public parking lot	<i>West:</i> Recreation;

## **C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.



# COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

## 1. AESTHETICS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is visible along Avila Beach Drive traveling into downtown Avila Beach. These are local roads and are the main entrances into the community of Avila Beach. This area is a gateway into the community therefore the design of the proposed project is important to the visual character of the community. The property is a small lot surrounded by other developable lots within the urban reserve line of Avila Beach. There are no alternative locations to construct a project on this property that will not be visible from Avila Beach Drive. However, due to a man-made slope through the property (slopes down or away from Avila Beach Drive), the majority of the building can be placed below this slope thus creating a less massive view from Avila Beach Drive.

**Impact.** The property slopes approximately ten feet down from Avila Beach Drive midway through the property. The proposed structure steps down through this slope which creates the view of a two story residence looking perpendicular to the site from Avila Beach Drive and the view of a three story structure from the back (along the private vehicular access easement "Beach Colony Drive"). The garage areas are entirely below this slope and can't be seen from Avila Beach Drive. There is no vehicular access off of Avila Beach Drive, and a private drive currently exists along the southern portion of the property with access off of First Street.

There is no view of the Pacific Ocean from Avila Beach Drive (south-west) from this location. This view is blocked by existing development in town along Front Street. The proposed project is oriented on an angle and does not extend all the way to Avila Beach Drive as it has a 25 foot setback from Avila Beach Drive to the edge of the development. Because of this design which is set back from the street, the parking is not visible from Avila Beach Drive.

**Mitigation/Conclusion.** While the site is visible from the primary access road into Avila Beach, it is surrounded by small developed and developable lots. A large portion of the structure is also not visible from Avila Beach Drive as it is buried down slope approximately 10 feet lower than the Avila Beach Drive elevation. Because of the special design considerations within the proposed project description, there are no significant aesthetic impacts. Therefore, no mitigation measures are necessary.

## 2. AGRICULTURAL RESOURCES

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Conflict with existing zoning for agricultural use, or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Recreation

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland

In Agricultural Preserve? Yes the Irish Hills Ag Preserve Area

Under Williamson Act contract? No

The soil type(s) and characteristics on the subject property include:

Xererts-Xerolls-Urban land complex (0 - 15% slope). This nearly level to moderately sloping soils is poorly drained. The soil has unrated erodibility and unrated shrink-swell characteristics, as well as having unrated septic system constraints. The soil is considered Class is not rated without irrigation and Class is not rated when irrigated.

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

## 3. AIR QUALITY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 3. AIR QUALITY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>GREENHOUSE GASES</b>				
f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Greenhouse Gas (GHG) Emissions** are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide

thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO<sub>2</sub>/year (MT CO<sub>2</sub>e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO<sub>2</sub>e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

**Impact.** As proposed, the project will result in the disturbance of approximately 6,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

This project is a single family residence. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate

change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

**Mitigation/Conclusion.** No mitigation measures are necessary.

<b>4. BIOLOGICAL RESOURCES</b> <i>Will the project:</i>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish &amp; Wildlife or U.S. Fish &amp; Wildlife Service?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Species – as defined in Section 15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

**Setting.** The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Urban built up with scattered shrubs.

Name and distance from blue line creek(s): San Luis Obispo Creek is approximately 0.10 miles to the north.

Habitat(s): None

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

**Vegetation**

**San Luis Obispo owl's-clover (*Castilleja densiflora ssp. obispoensis*)** see Obispo Indian paintbrush.

**Obispo indian paintbrush (*Castilleja densiflora ssp. obispoensis*) List 1B**

Obispo Indian paintbrush (*Castilleja densiflora ssp. obispoensis*) has been found about 0.8 mile to the north east. This annual herb is found in valley and foothill grasslands at elevations between 10 to 400 meters (30 to 1,315 feet). The blooming period is April. Obispo Indian paintbrush is considered rare by CNPS (List 1B, RED 2-2-3).

**Santa Margarita manzanita (*Arctostaphylos pilosula* ssp. *pilosula*) List 1B**

Santa Margarita manzanita (*Arctostaphylos pilosula* ssp. *pilosula*) has been found about 0.9 mile to the east. This evergreen shrub is found on shale soils in closed-cone coniferous forest, chaparral; and cismontane woodland areas between the 170 and 1,100-meter elevations (555 to 3,600 feet). The typical blooming period is December-March. Santa Margarita manzanita is considered rare by CNPS (List 1B, RED 3-2-3).

**Wildlife**

**California red-legged frog (*Rana aurora draytonii*) FT**

California red-legged frog habitat (*Rana aurora draytonii*) has been on proposed project parcel. California red-legged frog is considered federally threatened. This species typically inhabits shorelines with extensive vegetation. The frog requires 11 to 20 weeks of permanent water for larval development.

**Tidewater goby (*Eucyclogobius newberryi*) FE, CSC**

Tidewater goby (*Eucyclogobius newberryi*) has been found about 0.08 mile to the north. They are considered federally endangered and a California Species of Special Concern. This species is found in brackish water habitats along the California coast. Microhabitats include shallow lagoons and lower stream reaches. The goby needs fairly still but not stagnant water with high oxygen levels. Suitable habitat within these streams range from the mouths to approximately 1.5 to 2.0 miles upstream. Tidewater goby is threatened by various factors including water quality degradation and low instream flows caused by water diversions and periodic drought.

**Impact.** The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species. The property is a small lot that has entirely been disturbed by grading for the improvements that resulted from recordation of the lot line adjustment that created the subject property. These lots have historically been disturbed and fill has been brought in as a result of the Avila Clean Up project and abandonment of the old railroad right-of-way. The riparian and wetland species listed above that are near the property are across Avila Beach Drive near the existing golf course where the estuary is located at the mouth of San Luis Obispo Creek. This proposed project will have no impact on any of the wetland or riparian species listed above. The site also does not contain any oak woodland habitat. Generally the oak woodland habitat in this area is located on the steep hillsides around Avila Beach and adjacent to the creek areas which are not located adjacent to the subject property.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur, and no mitigation measures are necessary.

**5. CULTURAL RESOURCES**

***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. No

historic structures are present and no paleontological resources are known to exist in the area.

Several archaeological investigations have been conducted for this property including the other properties located within the "old railroad right-of-way" (i.e. Avila Colony). These investigations came out of the Unocal soil contamination clean-up project for this area in 1999 to 2000 (Gibson's Archaeological Consulting). As a result of the surveys, both surface and sub-surface archeological resources were identified on the subject property, which were found to be brought to these properties within imported fill which originated from nearby cultural sites. This fill was brought to the current location during construction of the 1883 railroad embankment for the Pacific Coast Railroad and subsequent grading and construction of Avila Beach Drive. While the majority of this material is determined to be disturbed fill, significant finds include shell fragments, Franciscan and Monterey chert flakes, burnt rock, and a sandstone bowl ,recovered during remediation activities. Human bones were also recovered in this area during field monitoring during the Unocal remediation excavation (Gibson, December 8, 2005). These were determined not to be intact burial sites, but were a result of being imported in as fill material from nearby sites for the railroad embankment.

**Impact.** The project will include excavations for the proposed single family residence which include lower level parking to be constructed into the embankment, and disturbance of the entire property for building construction and associated landscaping. The project applicant anticipates removing approximately 350 to 400 cubic yards of material from the site.

After the Unocal remediation project Robert Gibson of Gibson Archaeological Consulting was asked to review and assess impacts related to development potential along Avila Beach Drive between First Street and San Miguel Street. Gibson's review of the proposed development included specific mitigation measures for any impacts to historic and/or pre-historic materials on the site. This review by Mr. Gibson included a discussion on the potential historic nature of the 1883 railroad right-of-way bed which was constructed in a unique way by Chinese immigrants. Mr. Gibson states, " Proposed construction along Avila Beach Drive should be designed to prevent impacts to the 1883 Pacific Coast Railroad (PCR) embankment as this historical engineering feature is constructed in part with the use of disturbed prehistoric cultural soil (midden) containing human remains and associated artifactual materials. The proposed project does contain grading which will potentially impact the railroad right-of-way bed therefore monitoring and specific mitigation measures are included to mitigate any significant impacts.

**Mitigation/Conclusion.** Because of potential historic and pre-historic impacts to the railroad bed which contains pre-historic deposits, mitigation measures are included to reduce impacts to historic and/or pre-historic resources. Mr. Gibson states in his report dated July 12, 2000, "If any grading or cutting into the slope is proposed, it would require a review by a project archaeologist to determine what level of effort for data recovery may be required and what the treatment of the excavated soils should be. The excavated soil containing displaced cultural materials should not be exported to areas where it would be subject to relic collectors or other physical damage or replacement. It should remain on site if possible. It is also possible the excavated soil could be exported to a secure location where it would not be disturbed in the future." The project applicant has submitted a monitoring plan which was prepared by Mr. Thor Conway of Heritage Discoveries Inc. dated February 2013 which outlines monitoring procedures for the proposed project. Mr. Conway has reviewed previous reports by Mr. Gibson, and has also reviewed plans for this proposed project. Based on Mr. Conway's review, a monitoring plan has been completed with specific procedures that will take place in the event historic and/or prehistoric cultural material from SLO-56 is encountered. Mr. Conway explains that if prehistoric cultural deposits or historical features are discovered during monitoring, a Phase 3 Data Recovery mitigation plan will be implemented. Data recovery involves the detailed sampling of a portion of the site or cultural materials as a representative sample of the resources that will be disturbed as a result of the project. Compliance with the submitted monitoring plan and requirements for additional Phase 3 mitigation are included as mitigation measures which will reduce cultural resource impacts to a less than significant level.

Mr. Robert Gibson also included measures for reburial of artifacts and/or remains in a secure location that will remain undisturbed in the future (Gibson July 15, 2006). "It is also possible the excavated soil could be exported to a secure location where it would not be disturbed in the future" (Gibson July 12, 2000). A specific location has been reviewed and approved for this purpose, and a preliminary grading plan has been submitted for the deposit of materials at the approved site. This approved location has been reviewed by Mr. Gibson, a Chumash representative and the project applicant/landowner. Mitigation measures are included to ensure this deposit site remains undisturbed in perpetuity, and that the re-burial is conducted under the supervision of the Chumash representative and project archaeologist.

**6. GEOLOGY AND SOILS**

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Per Division of Mines and Geology Special Publication #42

**Setting.** The following relates to the project's geologic aspects or conditions:

Topography: Gently sloping to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

Nearby potentially active faults?: Yes Distance? 0.14 miles

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None

The project is within the Geologic Study area designation or within a high liquefaction area, and is subject to the preparation of a geological report per the County’s Coastal Zone Land Use Ordinance section 23.07.084(c) to evaluate the area’s geological stability. A geological report was conducted for the project (GeoSolutions, Inc. / March 18, 2013).

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (San Luis Obispo Creek) from the proposed development is approximately 0.08 mile to the northwest. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered poorly drained. For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types and descriptions are listed in the previous Agriculture section under “Setting”. As described in the NRCS Soil Survey, the soil surface is considered to have unrated erodibility and unrated shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

**Impact.** As proposed, the project will result in the disturbance of approximately 6,000 square feet. An Engineering Geology Investigation and Soils Engineering Report has been prepared and reviewed by the County Geologist. The reports present a comprehensive outline, accurately modeling the susceptibility and potential for liquefaction at the site. The conclusion of the Soils Engineering Report and Engineering Geology Investigation prepared by GeoSolutions, Inc. dated March 18, 2013 indicate the susceptibility for liquefaction at the site is high. The reports contain specific site preparation, grading, and foundation design recommendations. Implementation of these recommendations would reduce potential impacts related to liquefaction to a level of insignificance.

**Mitigation/Conclusion.** The project is conditioned to comply with all recommendations of the Engineering Geology Investigation and Soils Engineering Report prepared by GeoSolutions, Inc. dated March 18, 2013. Implementation of these recommendations would reduce potential impacts related to liquefaction to a level of insignificance. In addition, the project will comply with standard measures required by ordinance or codes. Incorporation of these measures will reduce potential geology, geotechnical, drainage, and sedimentation and erosion impacts to a level of insignificance.

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

**Potentially Significant**

**Impact can & will be mitigated**

**Insignificant Impact**

**Not Applicable**

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site was remediated as a result of the Unocal clean-up project for Avila Beach. Based on the conclusions of the Environmental Closure report for remediation of this property, the project is no longer located in an area of known hazardous material contamination (Unocal Project Avila Beach October 2000). The project is not within a high severity risk area for fire (5-10 minute response time). The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are

anticipated, and no mitigation measures are necessary.

## 8. NOISE

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The proposed project is within close proximity (approximately 25 feet) to the following heavily-travelled roadways: Avila Beach Drive, and within an area that is projected to exceed the county's 60 decibel threshold.

**Impact.** The proposed residence may be exposed to unacceptable levels from nearby road-related noise, which is considered a potentially significant effect. Indoor and outdoor activity areas for the proposed residence could exceed the standards of the Noise Element.

Based on the expected noise levels, the additional construction measures, as specified in the Noise Element, would reduce interior noise levels to acceptable levels.

**Mitigation/Conclusion.** Based on the noise impacts to residents from Avila Beach Drive, the project will be required to incorporate the following measures to reduce potential noise impacts to less than significant levels:

The project, being within the [60-65] future decibel boundary, as identified in the County's Noise Element, will be subject to additional building construction measures to ensure acceptable interior noise levels can be achieved.

The applicant will demonstrate that the homes are designed to minimize interior noise exposure including, but not limited to the following features:

- a. Air conditioning or a mechanical ventilation system
- b. Solid core exterior doors with perimeter weather stripping and threshold seals
- c. Exterior finish stucco or brick veneer (or wood siding with plywood under layer)
- d. Roof or attic vents baffled.

## 9. POPULATION/HOUSING

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. Because the project includes a single family residence, impacts to housing are not anticipated.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

## 10. PUBLIC SERVICES/UTILITIES

*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the following public services/facilities:

Police: County Sheriff

Location: Station 62 Avila Valley.

Fire: Cal Fire (formerly CDF)

Hazard Severity: Moderate

Response Time: 0-5 minutes

Location: Approximately 2 miles to the east

School District: San Luis Coastal Unified School District.

**Impact.** No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police/sheriff and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

### 11. RECREATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

**Impact.** The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

### 12. TRANSPORTATION/CIRCULATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 12. TRANSPORTATION/CIRCULATION

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Provide for adequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with an applicable congestion management program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in a change in air traffic patterns that may result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto the following public road(s): Private access drive, Avila Colony Lane which will intersect both First St. and San Miguel Street which are both county maintained roads. No access will be taken directly from Avila Beach Drive. The identified roadways are operating at acceptable levels. Referrals were sent to Public Works. The project is subject to the Avila Fee Area, which addresses cumulative impacts to county roads in the area. No project specific significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of one unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels, but it will contribute to areawide cumulative impacts.

**Mitigation/Conclusion.** No project specific significant traffic impacts were identified, and no mitigation measures are necessary beyond payment of the traffic fee to address cumulative areawide impacts.

## 13. WASTEWATER

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 13. WASTEWATER

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will be served by Avila Beach CSD for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

**Impact.** The project proposes to use a community system as its means to dispose of wastewater. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

**Mitigation/Conclusion.** Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

### 14. WATER & HYDROLOGY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUALITY</b>				
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 14. WATER & HYDROLOGY

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUANTITY</b>				
<i>h) Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>i) Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>k) Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to obtain its water needs from Avila Beach Community Services District. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is irregular. The closest creek from the proposed development is approximately 0.08 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

**DRAINAGE** – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? No

Closest creek? San Luis Obispo Creek Distance? Approximately 400 feet

Soil drainage characteristics: Not well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the the project's soil erodibility is as follows:

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

**Impact.** Based on the project description, as calculated on the County's water usage worksheet, the project's water usage is estimated as follows:

Indoor: 0.14 acre feet/year (AFY);  
 Outdoor: 0.13 AFY  
 Total Use: 0.27 AFY

Sources used for this estimate include one or more of the following references: County's Land Use Ordinance, 2000 Census data, Pacific Institute studies (2003), City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide' (1989).

The nearest creek (San Luis Obispo Creek) is approximately 400 feet from the proposed project. The topography of the site is nearly level to steeply sloping due to the on-site embankment from Avila Beach Drive. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality. No additional measures are considered necessary and potential water quality impacts are either insignificant or will be reduced to less than significant levels through existing ordinance requirements.

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

<b>15. LAND USE</b>	<b>Inconsistent</b>	<b>Potentially Inconsistent</b>	<b>Consistent</b>	<b>Not Applicable</b>
<i>Will the project:</i>				
<b>a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b) Be potentially inconsistent with any habitat or community conservation plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d) Be potentially incompatible with surrounding land uses?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>e) Other: _____</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to

Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

**16. MANDATORY FINDINGS OF SIGNIFICANCE**

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
----------------------------	--------------------------------------	-------------------------	-------------------

*Will the project:*

- |    |   |                          |                                     |                                     |                          |
|----|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) | <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "[www.sloplanning.org](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines](http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines) for information about the California Environmental Quality Act.

## **Exhibit A - Initial Study References and Agency Contacts**

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ) and when a response was made, it is either attached or in the application file:

<b><u>Contacted</u></b>	<b><u>Agency</u></b>	<b><u>Response</u></b>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input type="checkbox"/>	County Environmental Health Division	<b>Not Applicable</b>
<input type="checkbox"/>	County Agricultural Commissioner's Office	<b>Not Applicable</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Air Pollution Control District	<b>None</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	<b>None</b>
<input checked="" type="checkbox"/>	CA Coastal Commission	<b>None</b>
<input type="checkbox"/>	CA Department of Fish and Wildlife	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Avila Beach Community Service District	<b>Attached</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<b><u>County documents</u></b>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<b><u>Other documents</u></b>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service
<input checked="" type="checkbox"/> Affordable Housing Fund	Soil Survey for SLO County
<input type="checkbox"/> Airport Land Use Plan	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Energy Wise Plan	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Area Plan and Update EIR	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Engineering Geology Investigation for the Colony, Lots 3 and 4, Avila Beach Drive, Avila Beach, San Luis Obispo County, California, GeoSolutions, March 18, 2013.

Soils Engineering Report for the Colony, Lots 3 and 4, Avila Beach Drive, Avila Beach, San Luis Obispo County, California, GeoSolutions, March 18, 2013.

Archaeological Monitoring Plan for the Colony, Lot 3, Avila Beach Drive, Avila Beach, San Luis Obispo County, California, Heritage Discoverys Inc., February 18, 2013.

Cultural Resources Monitoring Plan for The Colony at Avila Beach, San Luis Obispo County, California, Barry A Price of Applied Earthworks, May 2008 and revised December 2008

Archaeological Review of Cultural Resources in the Pacific Coast Railway right-of-way, adjacent to Avila Beach Dr. Avila Beach, CA , Gibsons Archaeological Consulting, July 12, 2000

Suggested Reburial Area for Displaced Cultural Deposits from SLO-56 in Connection with the Cultural Resource Treatment Plan for the Colony at Avila beach Project, Avila Beach, San Luis Obispo County CA, Gibsons Archaeological Consulting, July 15, 2006

Review of Cultural Resource Treatment Plan for the Colony at Avila Beach Project, Avila Beach, San Luis Obispo County, CA, Gibsons Archaeological Consulting, December 8, 2005

Unocal Project Avila Beach Environmental Closure Report for Remediation of Former Lyon/Tognazzini Properties, Unocal, October 2000



## **Exhibit B - Mitigation Summary Table**

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

### **Cultural Resources**

- CR-1 Any soil from the embankment that is excavated shall be transported to the approved location as shown on the "Colony Retrieval Site" map dated November 19, 2008 from Above Grade Engineering. Reburial of cultural materials at this location shall be conducted under the authority of the local Chumash representative and the project archaeologist which shall also be on site during depositing of materials and/or re-burial activities.
- CR-2 **Prior to final inspection**, an easement shall be recorded over the approved location as shown on the "Colony Retrieval Site" map dated November 19, 2008 from Above Grade Engineering as to prohibit any future disturbance of the buried cultural materials. Easement language shall be reviewed and approved by the Department of Planning and Building.
- CR-3 The applicant shall comply with all requirements of the Cultural Resources Monitoring Plan submitted by Heritage Discovery Inc. dated February 18, 2013.
- CR-4 **Prior to final inspection** the applicant shall submit the final Phase III monitoring/mitigation report (completed by Heritage Discoveries Inc.) detailing all field and laboratory work completed, materials recovered, and conclusions reached during all monitoring activities for review and approval. This report shall show how the project complied with all the required mitigation measures outlined in the submitted monitoring report by Heritage Discovery Inc. (February 2013).

### **Noise**

- N-1 The applicant will demonstrate that the homes are designed to minimize interior noise exposure including, but not limited to the following features:
  - a. Air conditioning or a mechanical ventilation system
  - b. Solid core exterior doors with perimeter weather stripping and threshold seals
  - c. Exterior finish stucco or brick veneer (or wood siding with plywood under layer)
  - d. Roof or attic vents baffled.

### **Geology and Soils**

- GS-1 The applicant shall comply with the recommendations listed in the submitted Soils Engineering Report and Engineering Geology Investigation for The Colony, Lots 3 and 4, Avila Beach Drive, Avila Beach, San Luis Obispo County, California, GeoSolutions, Inc., March 18, 2013.

**DEVELOPER'S STATEMENT FOR:  
TENBROECK INC. MINOR USE PERMIT / COASTAL DEVELOPMENT PERMIT  
DRC2012-00049 / ED12-166**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

**Project Description:** A request by J. TenBroeck Inc. for a Minor Use Permit / Coastal Development Permit to construct a new two story single family residence with subterranean parking. The residence is proposed to be approximately 2,676 square feet in living area with approximately 828 square feet of garage area and approximately 456 square feet of decking and a height of 29 feet from average grade. The project will result in the disturbance of the entire 6000 square foot parcel. The proposed project is within the Recreation land use category and is located at 2955 Avila Beach Drive (with access off of Colony Lane), in the community of Avila Beach. The site is in the San Luis Bay Coastal planning area.

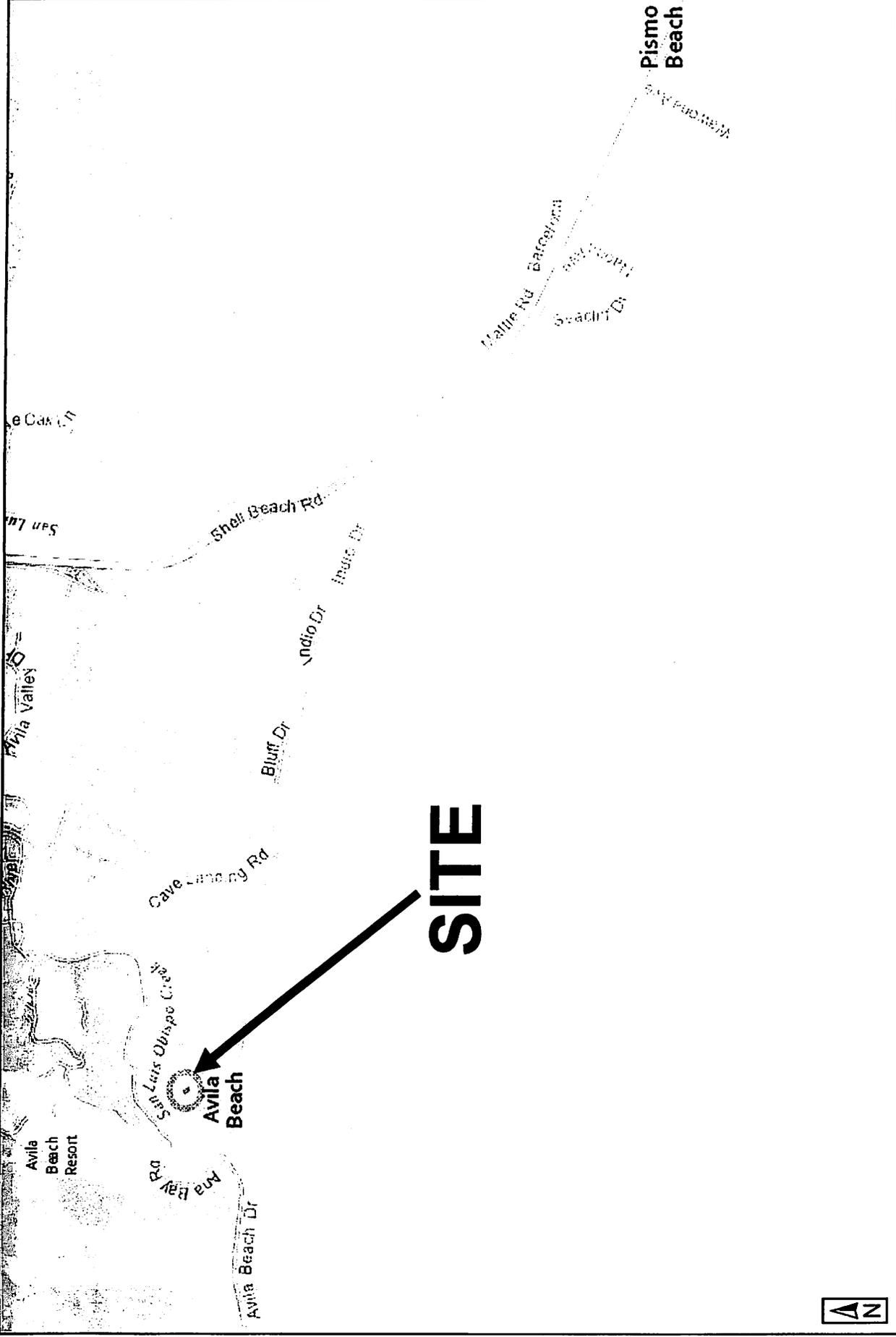
**Cultural Resources**

- CR-1 Any soil from the embankment that is excavated shall be transported to the approved location as shown on the "Colony Retrieval Site" map dated November 19, 2008 from Above Grade Engineering. Reburial of cultural materials at this location shall be conducted under the authority of the local Chumash representative and the project archaeologist which shall also be on site during depositing of materials and/or re-burial activities.
- CR-2 **Prior to final inspection**, an easement shall be recorded over the approved location as shown on the "Colony Retrieval Site" map dated November 19, 2008 from Above Grade Engineering as to prohibit any future disturbance of the buried cultural materials. Easement language shall be reviewed and approved by the Department of Planning and Building.
- CR-3 The applicant shall comply with all requirements of the Cultural Resources Monitoring Plan submitted by Thor Conway of Heritage Discoveries Inc. dated February 18, 2013.
- CR-4 **Prior to final inspection** the applicant shall submit the final Phase III monitoring/mitigation report (completed by Applied Earthworks) detailing all field and laboratory work completed, materials recovered, and conclusions reached during all monitoring activities for review and approval. This report shall show how the project complied with all the required mitigation measures outlined in the submitted monitoring report by Applied Earthworks (December 2008).

**Monitoring:** Compliance will be verified by the project archaeologist's report which shall be submitted for review and approval by the Department of Planning and Building prior to final inspection. An easement shall also be recorded for the "Colony Retrieval Site" to ensure protection of cultural materials re-buried at this location in perpetuity.



**SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING**



**SITE**

**PROJECT**

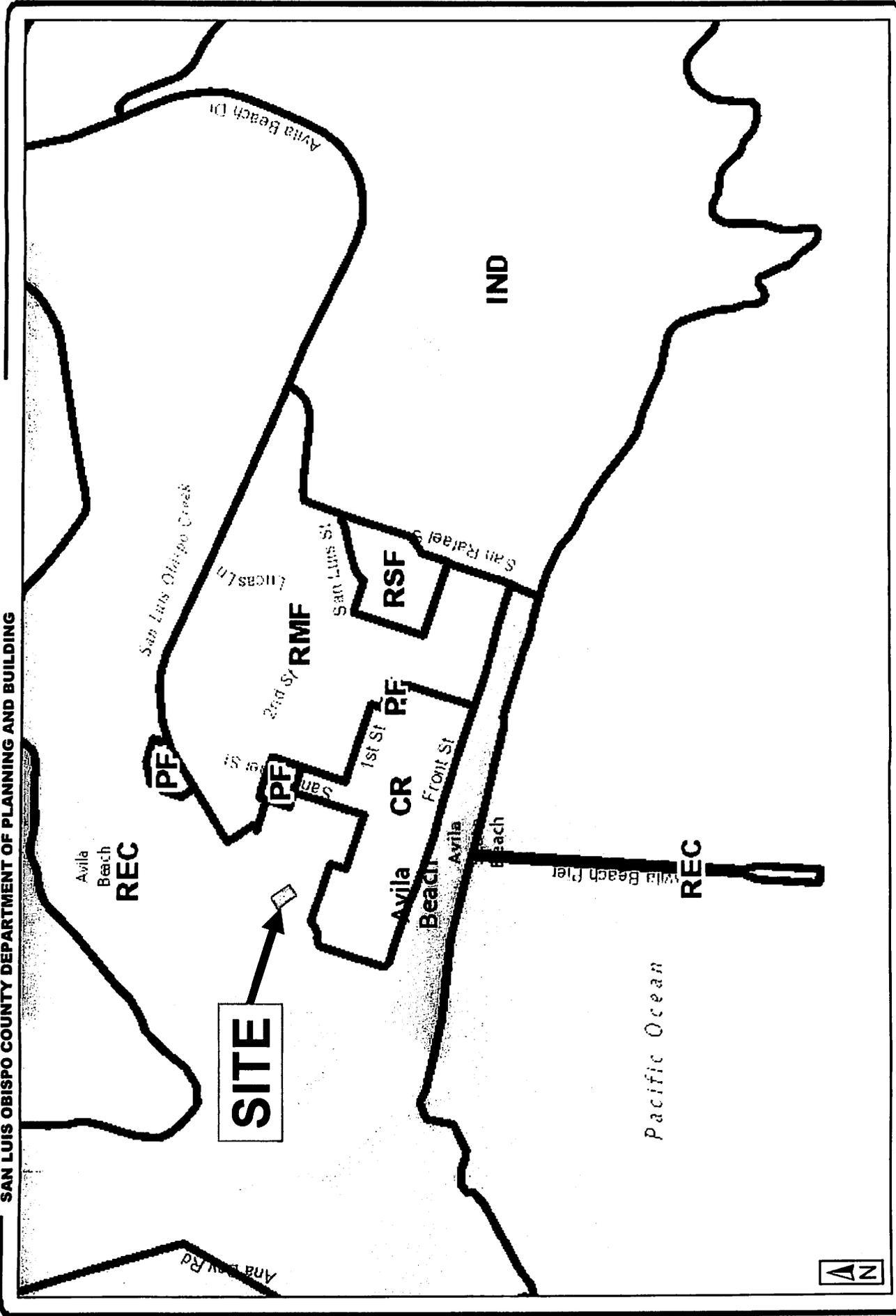
TenBrock Inc. Minor Use Permit / Coastal Development Permit

DRC2012-00049

**EXHIBIT**

**Vicinity Map**





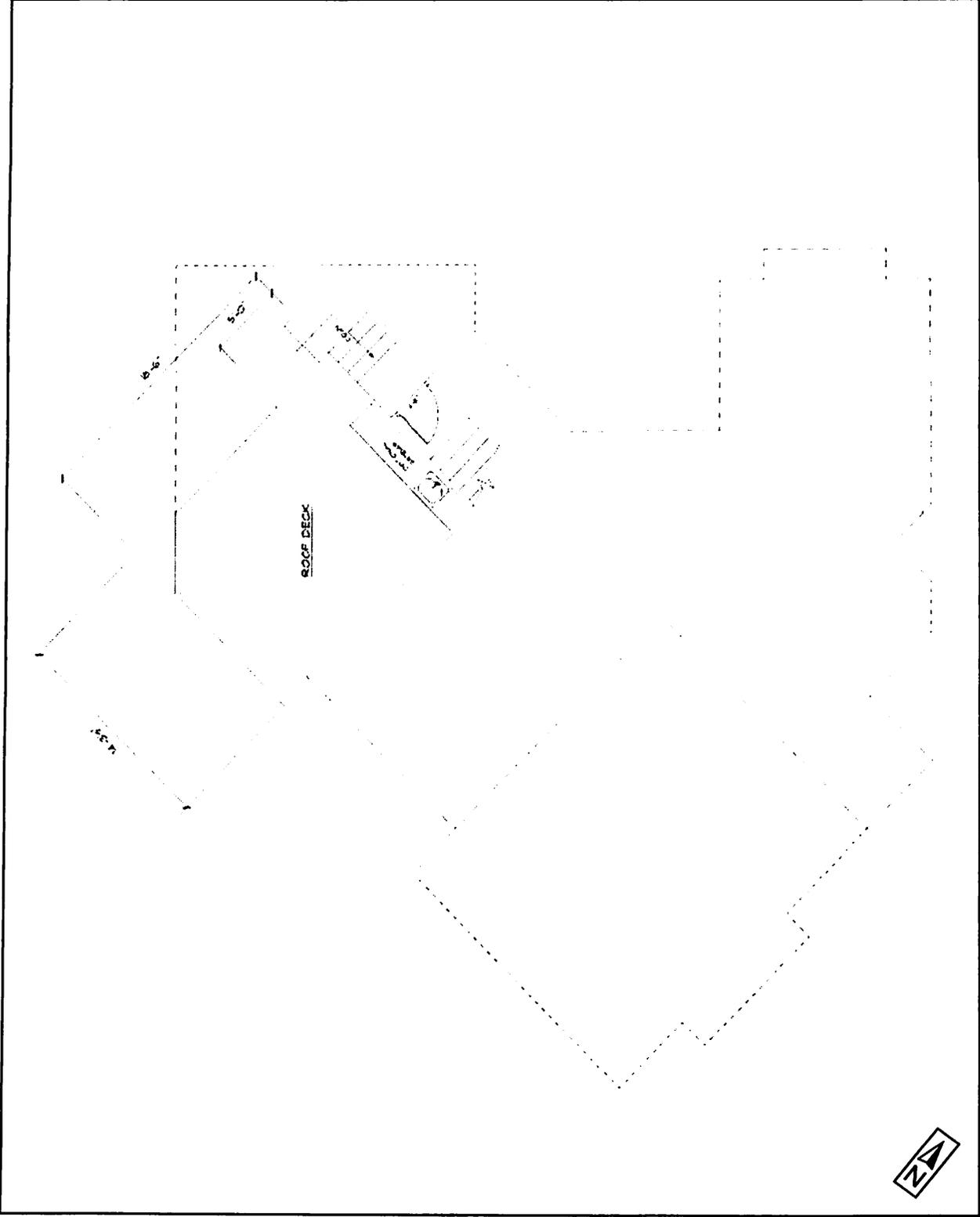
**EXHIBIT**  
Land Use Category Map



**PROJECT**  
TenBroeck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049







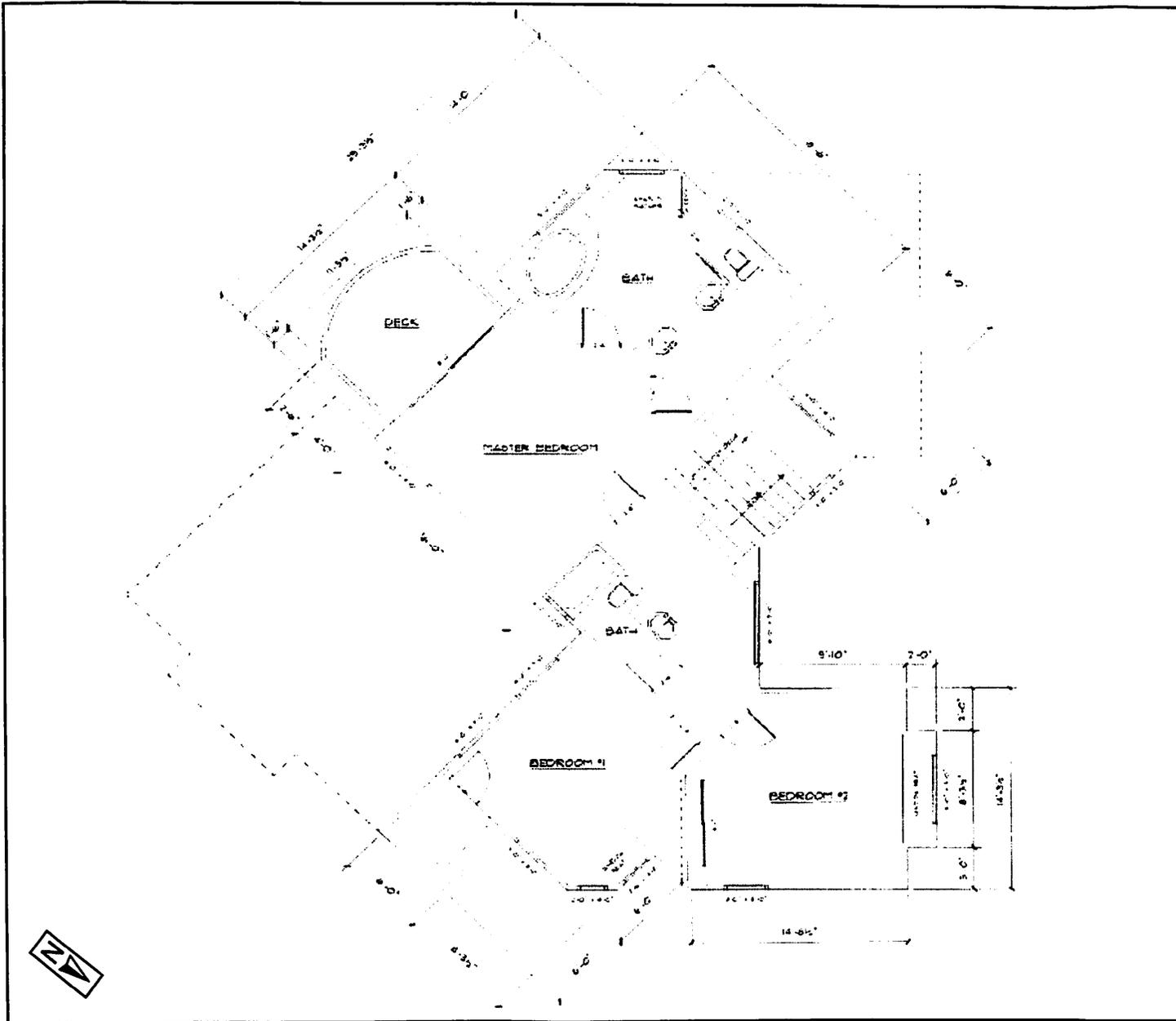
PROJECT

TenBrock Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049

EXHIBIT

Proposed Roof Deck Plan





**PROJECT**  
TenBroeck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049



**EXHIBIT**  
Proposed Upper Floor Plan

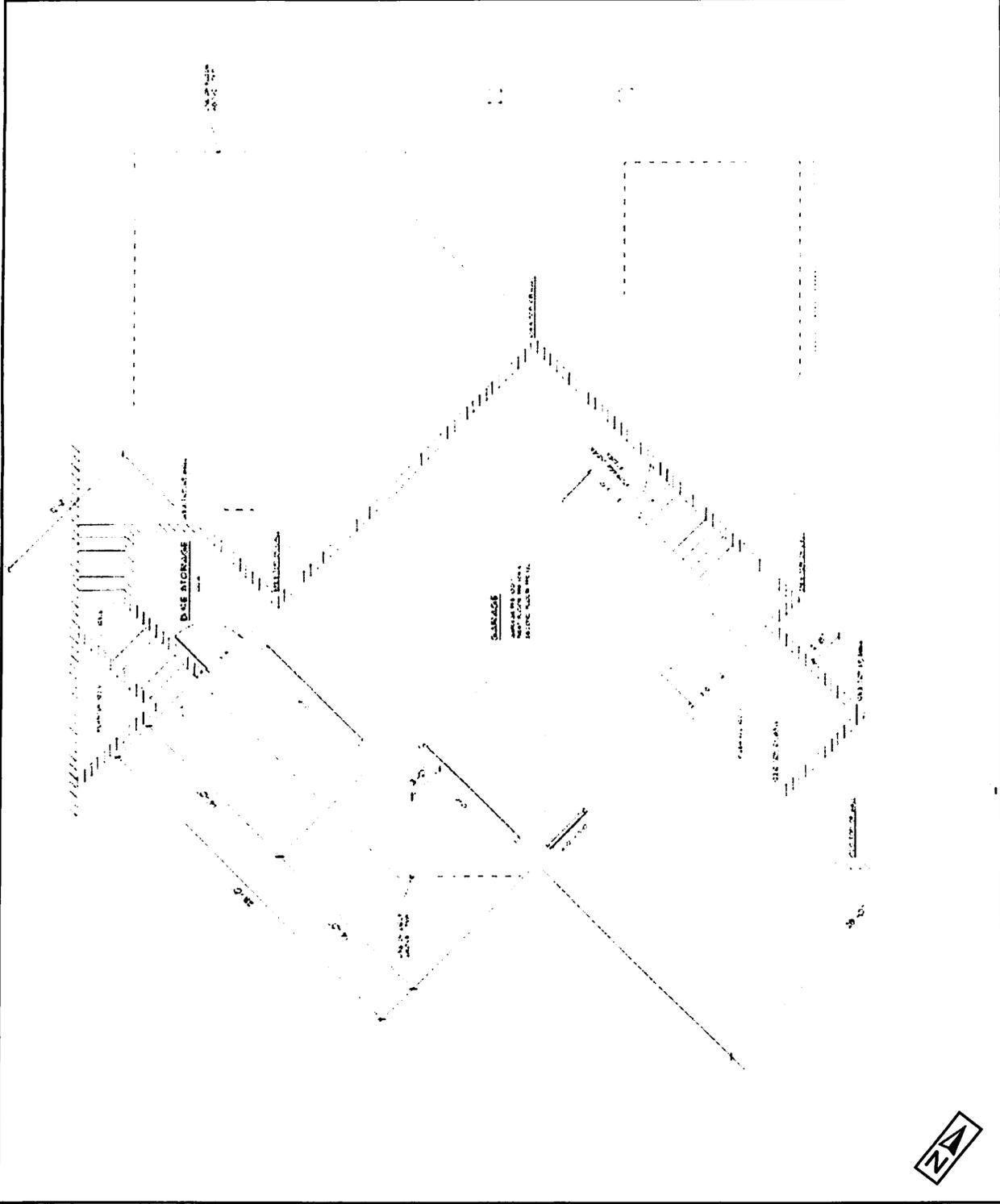
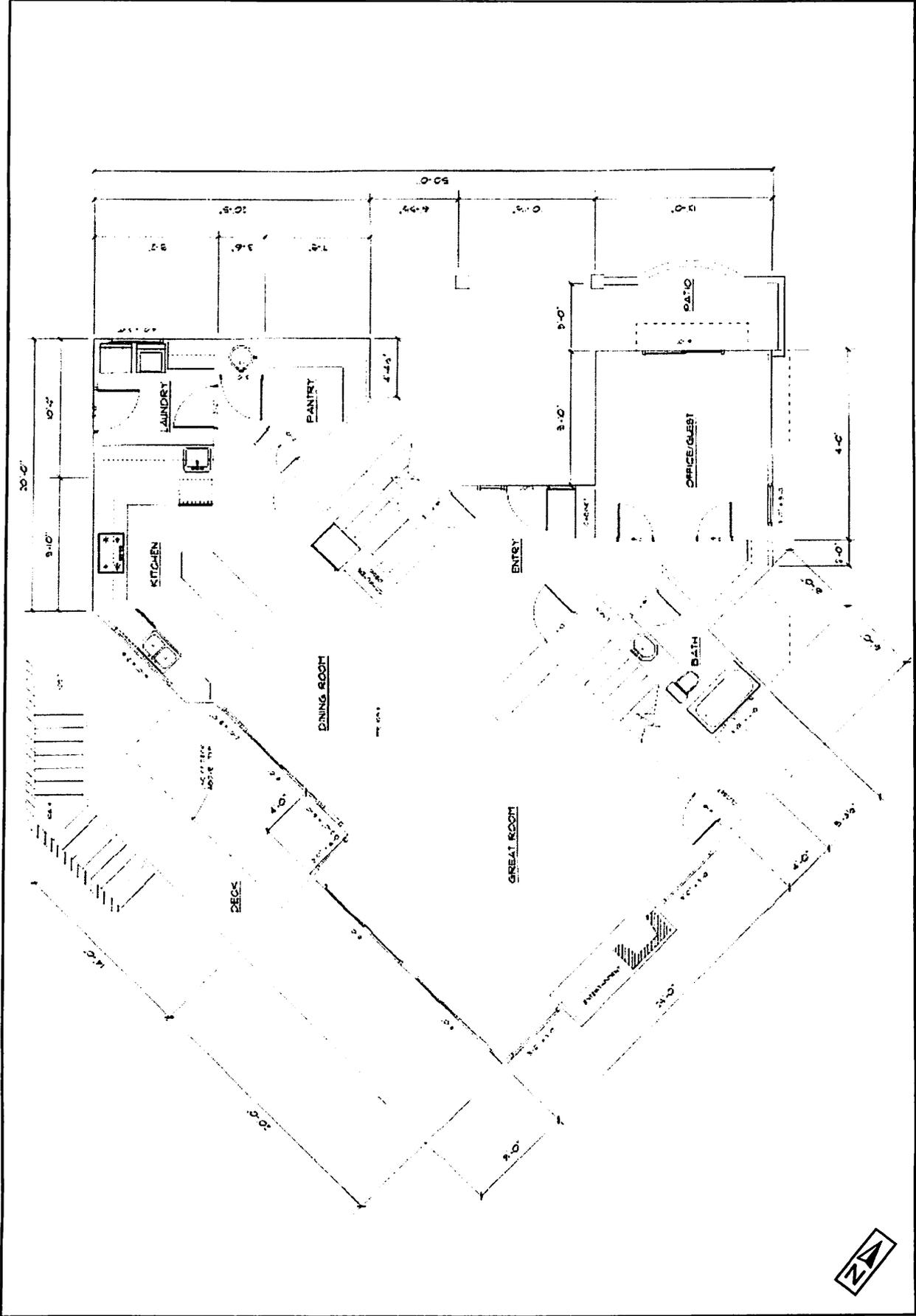


EXHIBIT  
Basement Floor Plan



PROJECT  
TenBroeck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049



PROJECT

TenBroeck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049



EXHIBIT

Proposed Lower Floor Plan

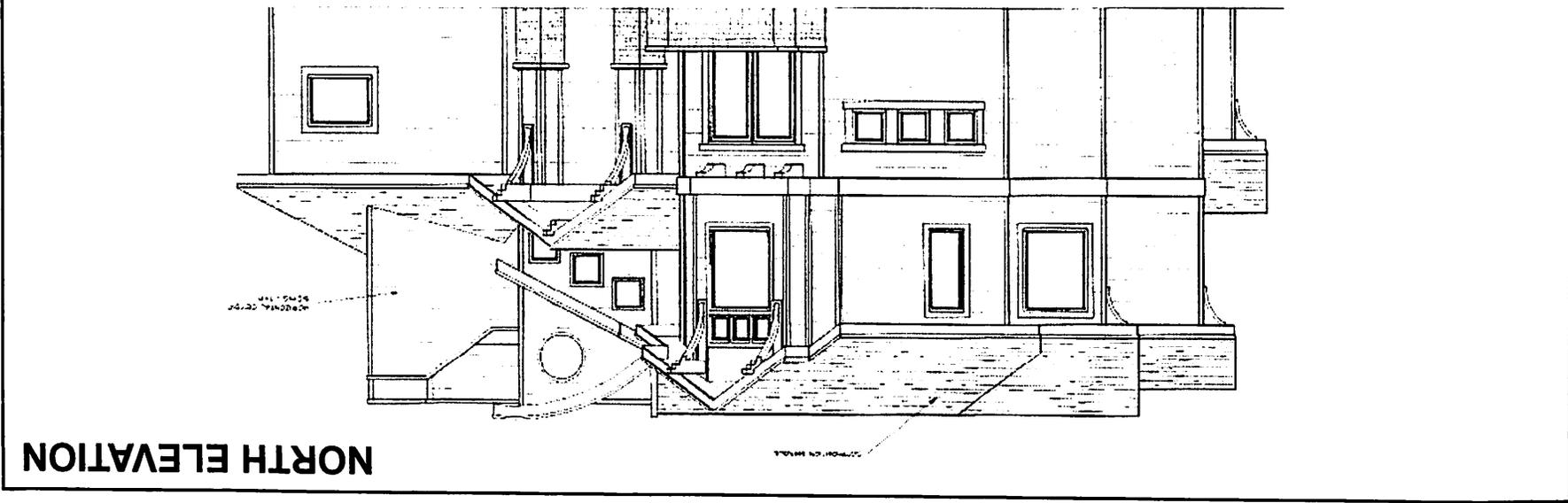
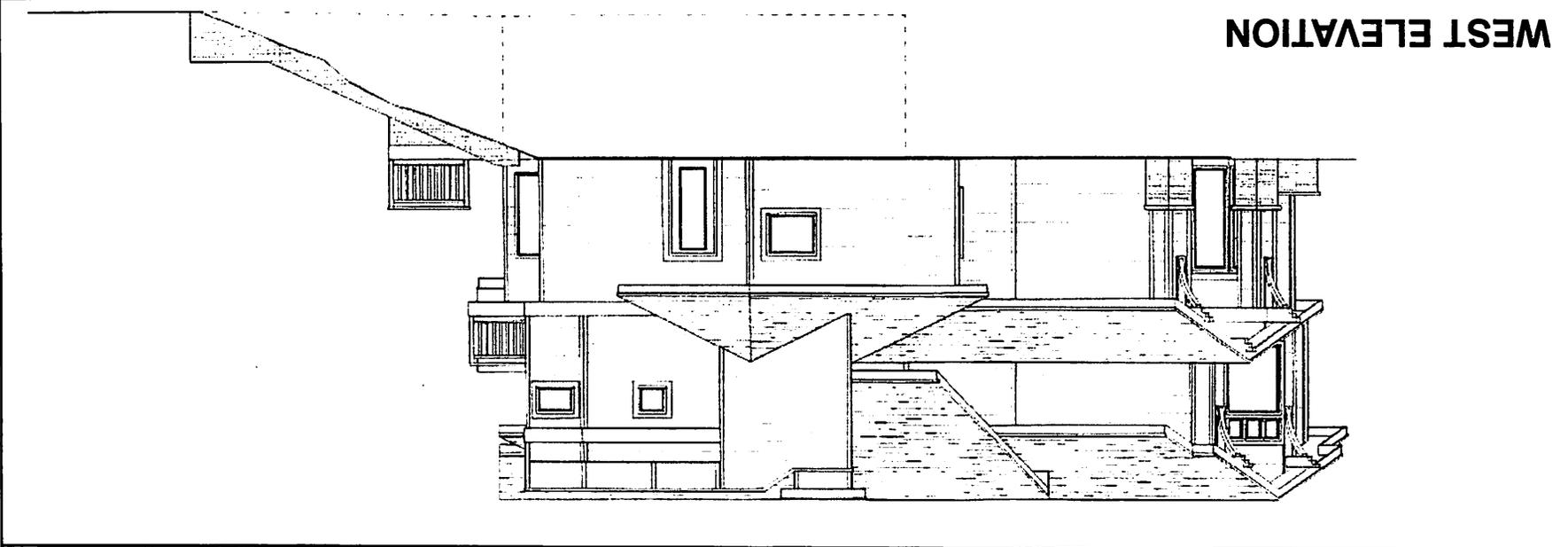
North & West Exterior Elevations



Tenbreck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049

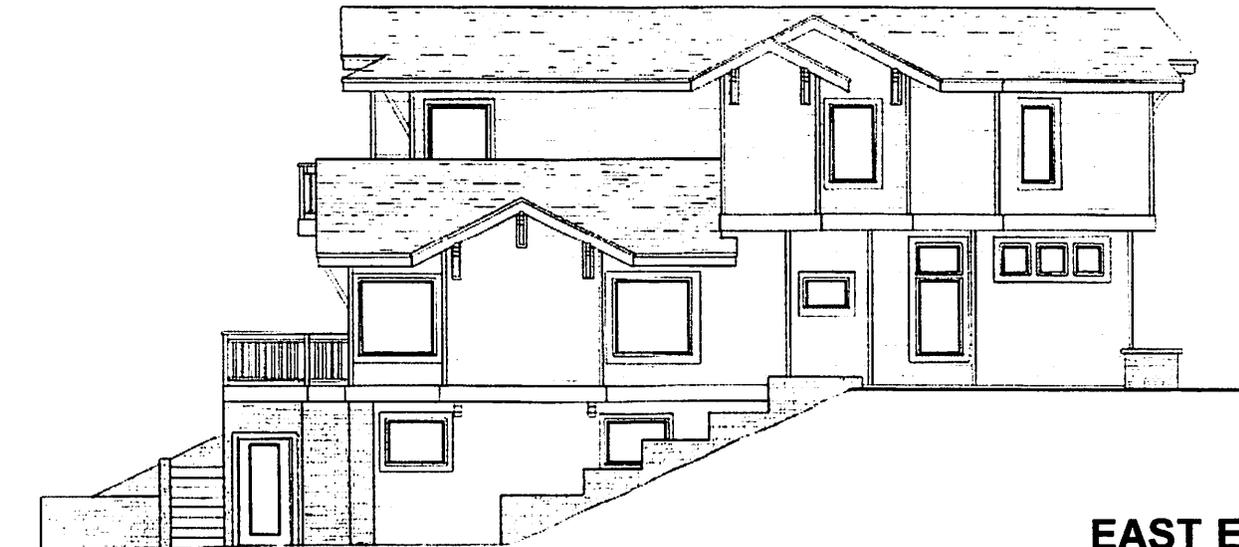
EXHIBIT

PROJECT





**SOUTH ELEVATION**



**EAST ELEVATION**

**PROJECT**

TenBroeck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049



**EXHIBIT**

South & East Exterior Elevations



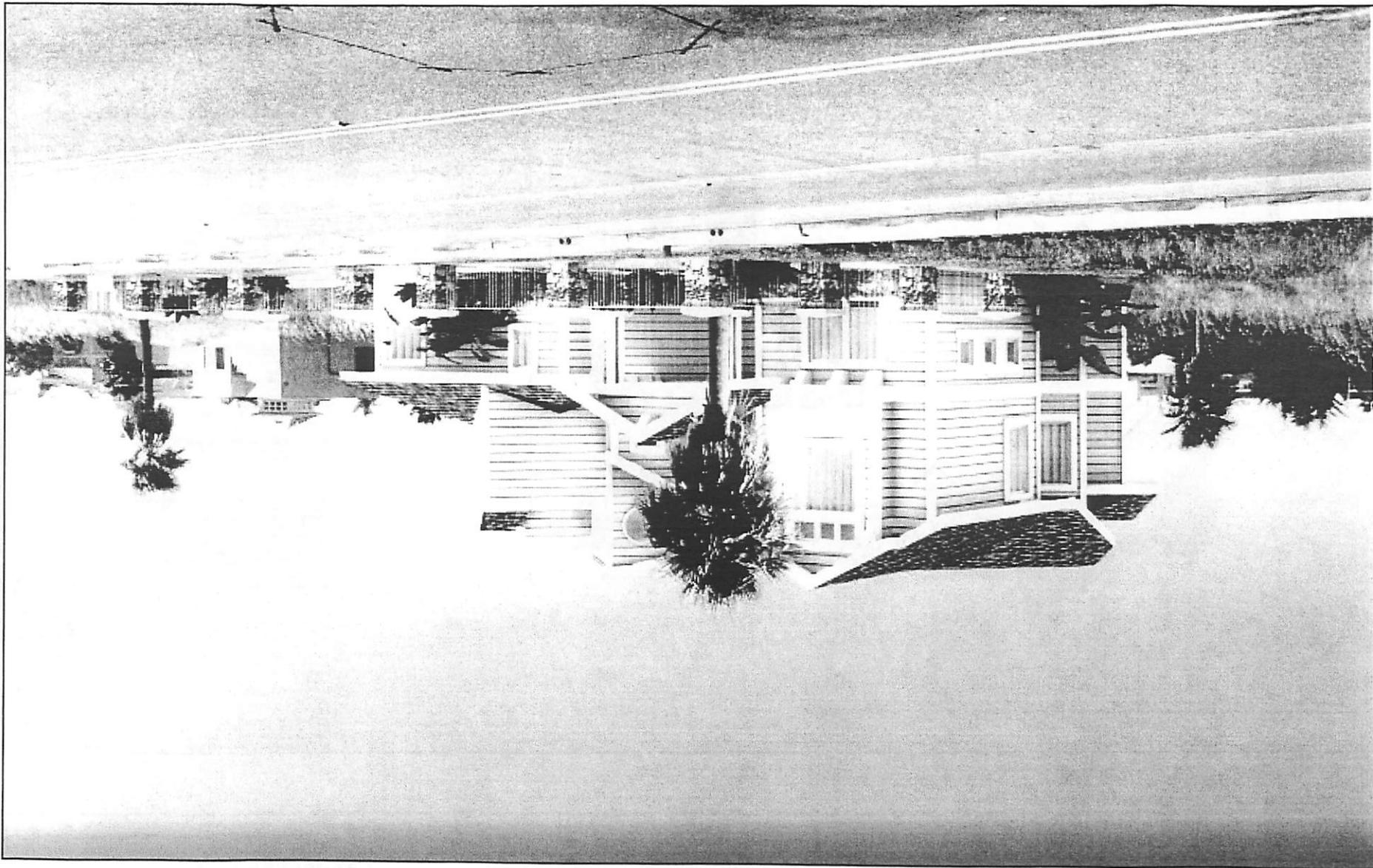


TenBroeck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049

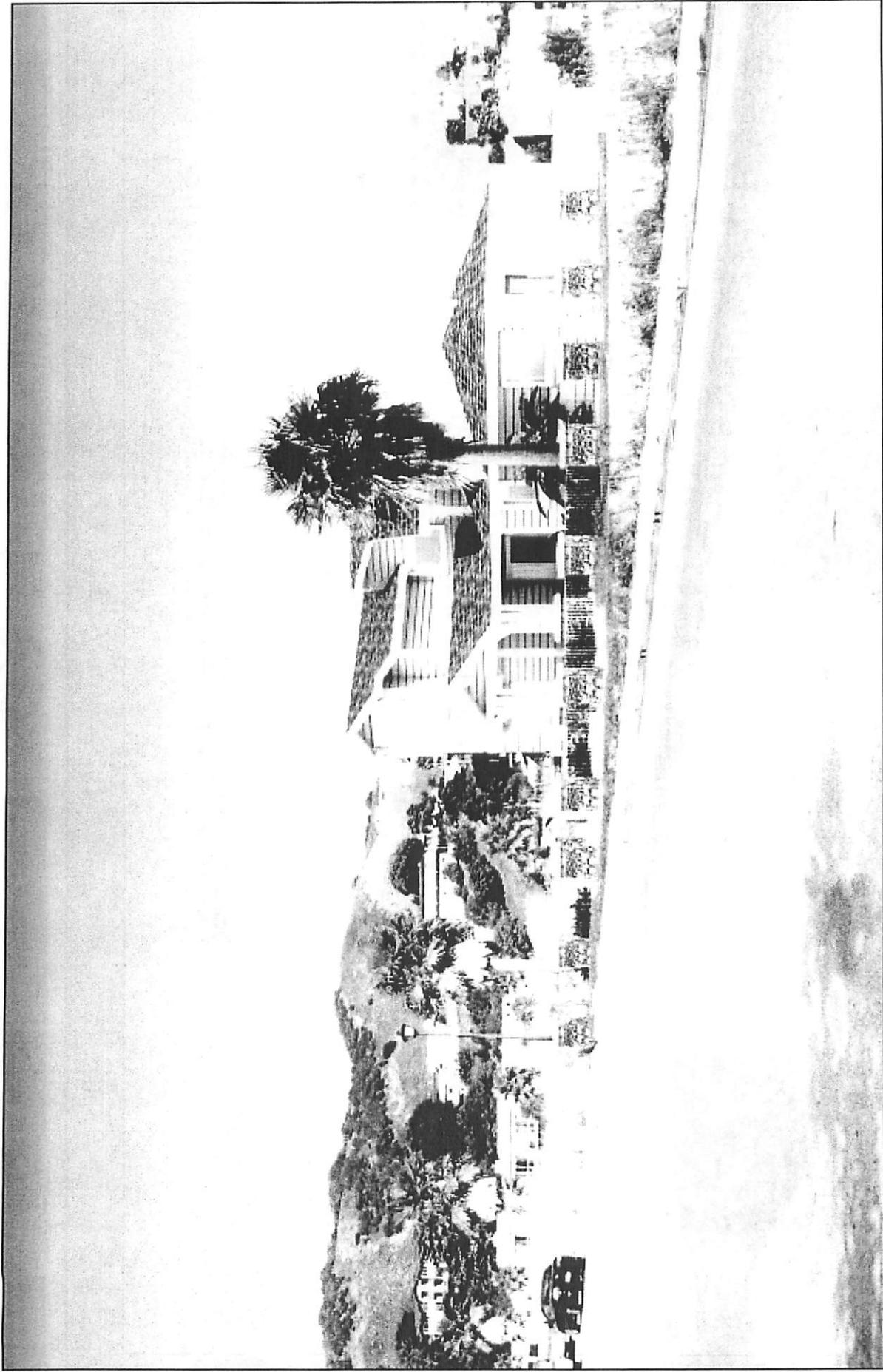
PROJECT

Photo Simulation (North Elevation)

EXHIBIT



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND PLANNING



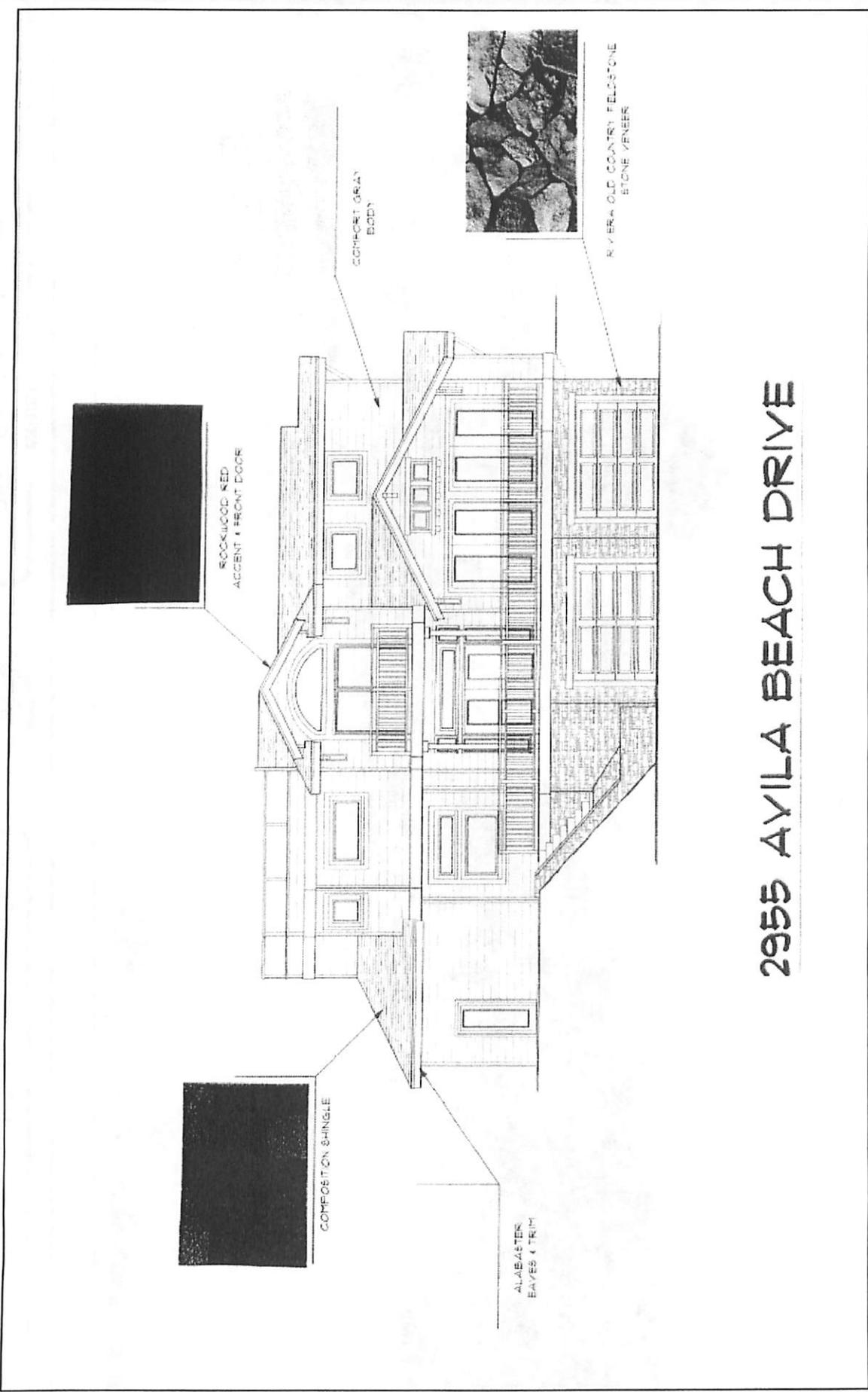
**PROJECT**

TenBrock Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049

**EXHIBIT**

Photo Simulation (Northwest Elevation)





# 2955 AVILA BEACH DRIVE

**PROJECT**

TenBroeck Inc. Minor Use Permit / Coastal Development Permit  
DRC2012-00049

**EXHIBIT**

Proposed Colorboard





SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

THIS IS A NEW PROJECT REFERRAL

DATE: 12/19/2012

DEC 21 2012

TO: PW

COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PUBLIC WORKS

FROM: Cody Scheel, Development Review

PROJECT DESCRIPTION: DRC2012-00049 TENBROECK- Minor use permit for a new 2,480 sf SFR located off Avila Beach Drive in Avila. APN: 076-196-008.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less than significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

See comments & recommended conditions attached

Date 12.26.12

Name TMT

Phone 5271



# SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

---

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252  
Fax (805) 781-1229 email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

---

## MEMORANDUM

Date: December 26, 2012  
To: Cody Scheel, Project Planner  
From: Tim Tomlinson, Development Services  
Subject: **Public Works Comments on DRC2012-00049, Tenbroeck MUP, Avila Beach Drive, Avila Beach, APN 076-196-008**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

---

### Public Works Comments:

- A. The proposed project is within the Avila Beach Road Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.
- B. A drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 23.05.040 of the Land Use Ordinance prior to future submittal of development permits. I should include LID design features.

### Recommended Project Conditions of Approval:

#### Drainage

1. **At the time of application for construction permits**, the applicant shall submit complete drainage, erosion and sedimentation control plans for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance.
2. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 12/19/2012

TO: Avila Beach CSD

FROM: Cody Scheel, Development Review

PROJECT DESCRIPTION: DRC2012-00049 TENBROECK- Minor use permit for a new 2,480 sf SFR located off Avila Beach Drive in Avila. APN: 076-196-008.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

the applicant will need to meet all conditions of will serve for water and sewer and pay all applicable fees

Date 12/26/12

Name John Walker Gen Mgr.

Phone 805 595-2664



ESTABLISHED  
FEB. 1997

## AVILA BEACH COMMUNITY SERVICES DISTRICT

Post Office Box 309, Avila Beach, CA 93424  
Office and Meeting Room - 191 San Miguel Street, Avila Beach  
Telephone (805) 595-2664 FAX (805) 595-7623

December 12, 2012

J TenBroeck, Inc  
4568 Spanish Oaks Dr  
San Luis Obispo, CA 93401

Subject: Preliminary Intent to Serve; Single Family Dwelling 2955 Avila Beach Drive

Dear Mr. Day,

The District is in receipt of your check #1428 in the amount of \$1,000 for processing of an "Intent to Serve" request.

This letter is to confirm that the Avila Beach CSD has the necessary capacity for service to the proposed project (one, three bedroom residential unit) and intends to serve the project provided that applicable fees are paid, the improvements required by the District are constructed and all other conditions of approval, including any dedication of easements, are made.

Please be advised improvement plans for all connections to the District's water and sewer system will need to be reviewed and approved by the District prior to the start of construction and be constructed in accordance with District ordinances and standards (including backwater valves) and will be inspected by District staff. Our staff will need to be contacted prior to starting work for coordination of inspections.

A Final "Intent to Serve" Letter may be issued for your project upon the District's review and approval of the final plans as submitted to San Luis Obispo County Planning and Building Department for issuance of a building permit. One half of any fees for connections, hook ups or system improvements that are due to the District will be payable prior to the issuance of a County Building permit with the balance due prior to occupancy of any portion of the development.

If you should have any questions please do not hesitate to call me or Kathy Richardson at 595-2664.

Sincerely,

John L. Wallace  
General Manager



**Re: DRC2012-00049 TENBROECK, Coastal E-Referral, (MUP, Avila Beach)**

**Charles Riha** to: **Cody Scheel**  
Cc: **Cheryl Journey, Stephen Hicks**

01/18/2013 01:55 PM

From: **Charles Riha/Planning/COSLO**  
To: **Cody Scheel/Planning/COSLO@Wings**  
Cc: **Cheryl Journey/Planning/COSLO@Wings, Stephen Hicks/Planning/COSLO@Wings**

**Cody,**

**These are the Building Division Comments to be incorporated into the Conditions. Please call me if you have any questions.**

**Comments from Building Division:**

- 1. All plans and engineering shall be prepared by a California Licensed Architect of Record unless exempted by the Business and Professions Code.**
- 2. The project is subject to a construction permit.**
- 3. The project will require a full soils report for the design of all building foundations at the time of construction permit application submittal.**
- 4. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.**
- 5. A fire sprinkler system will be required. The sprinkler plans shall be submitted with a separate application for a separate fire sprinkler permit with the application for the structure.**

**Charles Riha, Plans Examiner III**