Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED12-207 **DATE:** 10/24/2013

PROJECT/ENTITLEMENT: Buckley Pacific Parcel Map; SUB2012-00043

APPLICANT NAME: Buckley Pacific, LLC.
ADDRESS: 645 Clarion Court, San Luis Obispo, CA 93401
CONTACT PERSON: Oasis Associates, Inc. **Telephone:** 805-541-4509

PROPOSED USES/INTENT: Request by Buckley-Pacific, LLC for a Tentative Parcel Map (CO 13-0026) to subdivide an existing six acre parcel into four parcels of 1.3, 1.3, 1.6 and 1.9 acres each for the purpose of sale and/or development. The project will result in site disturbance as the parcels are developed. The proposed project is within the Commercial Service land use category.

LOCATION: The project is located at 795 Buckley Road, approximately 0.40 miles from the Buckley Road/Highway 227 intersection, approximately one mile south of the city limits of San Luis Obispo. The site is in the San Luis Obispo 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

STATE CLEARINGHOUSE REVIEW: YES ☐ **NO** ☒

OTHER POTENTIAL PERMITTING AGENCIES: Environmental Health

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.
COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. November 7, 2013

20-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_____ as ☐ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on _____, 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.

	Stephanie Fuhs		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

Initial Study Summary – Environmental Checklist

PLANNING & BUILDING DEPARTMENT • COUNTY OF SAN LUIS OBISPO
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(ver 5.1) Using Form

Project Title & No. **Buckley Pacific, LLC Parcel Map ED12-207 (SUB2012-00043)**

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.

☒ Aesthetics	☒ Geology and Soils	☐ Recreation
☒ Agricultural Resources	☒ Hazards/Hazardous Materials	☐ Transportation/Circulation
☒ Air Quality	☒ Noise	☐ Wastewater
☒ Biological Resources	☐ Population/Housing	☒ Water /Hydrology
☐ Cultural Resources	☒ Public Services/Utilities	☐ 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.

Stephanie Fuhs	Stephanie Fuhs	10/15/13
Prepared by (Print)	Signature	Date
Steve McMasters	Steve McMasters Ellen Carroll, Environmental Coordinator (for)	10/15/13
Reviewed by (Print)	Signature	Date

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: Request by Buckley-Pacific, LLC for a Tentative Parcel Map (CO 13-0026) to subdivide an existing six acre parcel into four parcels of 1.3, 1.3, 1.6 and 1.9 acres each for the purpose of sale and/or development. The project will result in site disturbance as the parcels are developed. The proposed project is within the Commercial Service land use category and is located at 795 Buckley Road, approximately 0.40 miles west of Highway 227, approximately one mile south of the city limits of San Luis Obispo. The site is in the San Luis Obispo planning area.

ASSESSOR PARCEL NUMBER(S): 076-063-003

Latitude: 35° 13' 58.4718" N Longitude: -120° 38' 13.3038" W **SUPERVISORIAL DISTRICT #** 3

B. EXISTING SETTING

PLANNING AREA: San Luis Obispo,

LAND USE CATEGORY: Commercial Service

COMBINING DESIGNATION(S): Airport Review

EXISTING USES: Agricultural uses

TOPOGRAPHY: Gently sloping

VEGETATION: Dryland grain production ; riparian

PARCEL SIZE: Approx. 6.1 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Public Facilities; San Luis Obispo County Regional Airport	*East:* Industrial; vacant
South: Agriculture; agricultural uses	*West:* Commercial Service; warehouses, offices

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.

1. AESTHETICS

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☒	☐	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☐

Setting. The project site is located within the commercial service land use category across Buckley Road from the San Luis Obispo County Regional Airport. Properties to the west of the site are zoned Commercial Service and are developed with warehouses and offices. The property to the east is zoned industrial and was purchased by the County of San Luis Obispo as a buffer from the airport. Property to the south is zoned agriculture and is currently planted with dry grain crops, as is the subject property. The site mostly level along Buckley Road to gently sloping to the south. There is a creek that is a tributary to San Luis Creek that runs along the southern portion of the property.

Impact. The current project is to subdivide the property without specific future development proposed at this time. Uses within the Commercial Service land use category are limited by the San Luis Obispo Area Plan and generally include light industrial projects. The site is visible from Buckley Road, however, development along this corridor includes warehouses and offices, so future development, given the land use category, will be compatible with the surrounding uses. Because the site is located in close proximity to the airport, lighting will have to be low intensity, shielded and directed downward onto the site to avoid creating a hazard for aircraft descending on the adjacent runway.

Mitigation/Conclusion. Mitigation measures for lighting have been included. No further measures are considered necessary.

2. AGRICULTURAL RESOURCES

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?	☐	☐	☒	☐

2. AGRICULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☐	☐
c) Impair agricultural use of other property or result in conversion to other uses?	☐	☒	☐	☐
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

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

Land Use Category: Commercial Service

State Classification: Farmland of Statewide Importance, Prime Farmland if irrigated

Historic/Existing Commercial Crops: Rotational Crops

In Agricultural Preserve? Yes; Edna Valley AG Preserve Area

Under Williamson Act contract? No

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

Concepcion loam (2 - 5 % slope). This gently sloping loamy claypan soil is considered very poorly drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Salinas silty clay loam (0 - 2 % slope). This nearly level fine loamy bottom soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class I when irrigated.

Tierra sandy loam (2 - 9 % slope). This gently sloping coarse loamy claypan soil is considered very poorly drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Impact. The project site and the adjacent property to the south are currently planted with dry grain crops. The property to the south is zoned Agriculture and has a history of dry grain farming. The subject property is zoned Commercial Service and was intended for more urbanized development. Introducing light industrial uses next to an agricultural operation could impair the historical agricultural uses because of dust, noise, and pesticide applications.

Mitigation/Conclusion. A referral was sent to the Agricultural Commissioner's office who recommended a 100-foot buffer from the adjacent agricultural parcel be placed on the property. This buffer would begin at the edge of the crops on the adjacent property and extend onto the subject site. The applicant has agreed to incorporate the recommended 100-foot buffer into the design for future development of the parcels. Right-to-farm disclosure is also included as an additional measure. No further mitigation measures are considered necessary.

3. AIR QUALITY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*	☐	☐	☒	☐
b) *Expose any sensitive receptor to substantial air pollutant concentrations?*	☐	☐	☒	☐
c) *Create or subject individuals to objectionable odors?*	☐	☐	☒	☐
d) *Be inconsistent with the District's Clean Air Plan?*	☐	☐	☒	☐
e) *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?*	☐	☐	☒	☐
GREENHOUSE GASES				
f) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*	☐	☐	☒	☐
g) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*	☐	☐	☒	☐
h) *Other:* cumulative	☐	☒	☐	☐

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).

The project proposes to disturb soils that have been given a wind erodibility rating of 3-7, which is considered "moderately low" to "high."

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 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 CO2/year (MT CO2e/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 CO2e/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 site disturbance as the parcels are developed. 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 4-lot commercial service subdivision with no specific uses proposed at this time. 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. Although the individual project falls below the thresholds for construction and operational phase emissions, cumulatively, the project warrants standard dust control and developmental burning measures. These have been included in the Exhibit B mitigation measures summary below.

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

*** Species – as defined in Section15380 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: Agriculture with some riparian habitat near blue line creek

Name and distance from blue line creek(s): An unnamed "blue line" tributary to the San Luis Obispo Creek courses through the subject property.

Habitat(s): Riparian along creek

Site's tree canopy coverage: Less than 5%.

A biological assessment was prepared for a project on the property adjacent to the project site, which included field surveys of the subject property (ATC Associates, Inc., July 2008). The report identified the following habitats and species exist within the proposed project site:

Habitats

Agricultural Land – Comprises the majority of the project site. The site has historically been planted in grain and safflower crops.

Non-Native Grassland – Covers a small portion of the site along Buckley Road (less than one acre).

Riparian – Runs in an east-west direction near the southern property boundary along the un-named tributary to San Luis Obispo Creek. The eastern portion contains a small stand of Arroyo Willow.

The assessment indicated that 54 sensitive plant species and 44 sensitive wildlife species have the potential to occur on or near the project site.

Impact. There are no specific development proposals on any of the parcels at this time, however, significant impacts to biological resources is not expected because the majority of the site has been used for farming for at least 50 years.

The primary area of concern on the site is the un-named tributary of San Luis Creek that is located toward the southern portion of the property. This area contains wetland vegetation, including arroyo willows, cattails, bulrush and rushes and meets the criteria for a wetland and would be under jurisdiction of the US Army Corps of Engineers. Potential wildlife species include Southwestern Pond Turtle and California Red-Legged Frog. Development in or near this tributary could result in removal or impacts to these plant and animal species. The field surveys found a population of pond turtles, and indicated that this area is probably used during favorable conditions. The report indicated that development of the parcels was not likely to impact migration of the species along the tributary with standard wetland mitigation and setbacks. No red-legged frogs were observed during the field survey and a habitat assessment indicated a low potential for their occurrence.

The riparian vegetation provides suitable habitat for nesting birds. Removal of trees during nesting season should be avoided to protect migratory bird species. Fish and Game Code 3503 protects birds, their eggs and nests from disturbance or destruction from construction activities.

Mitigation/Conclusion.

Because there are no development proposals or construction control lines indicated on the proposed parcel map, mitigation measures are recommended to provide a minimum 50-foot setback from the edge of the riparian vegetation to proposed structures, providing construction fencing along a 20-foot exclusion zone during any site disturbance, and avoiding removal of vegetation or any other ground disturbance between February 15 and September 15 to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks prior to construction or site disturbance activities. Results of the surveys shall be submitted to the Department of Fish and Wildlife (CDFW) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFW and the applicant shall adhere to these measures during all construction activities on the site.

5. CULTURAL RESOURCES *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Disturb archaeological resources?	☐	☐	☒	☐
b) Disturb historical resources?	☐	☐	☒	☐
c) Disturb paleontological resources?	☐	☐	☒	☐

5. CULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Other: _____	☐	☐	☐	☐

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. Unnamed blue line stream cross proposed parcel boundaries.

Impact. An archaeological inventory was conducted (CRMS, November 2008). The field survey found a mixture of cobbles, containing Monterey or Franciscan chert. These cobbles were closely examined to determine whether the fragments were the result of tool manufacturing or modification by natural forces or heavy equipment. It was determined that due to the long history of farming of the area, the fragments were from crop cultivation. Impacts to historical or paleontological resources are not expected.

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

6. GEOLOGY AND SOILS

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	☒	☐
b) Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones?*	☐	☐	☒	☐
c) 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?	☐	☒	☐	☐
d) Include structures located on expansive soils?	☐	☐	☒	☐
e) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?	☐	☐	☒	☐
f) Preclude the future extraction of valuable mineral resources?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☐

* Per Division of Mines and Geology Special Publication #42

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

Topography: Gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to high

Liquefaction Potential: Low to Moderate

Nearby potentially active faults?: Yes Distance? Proposed parcel is 0.28 miles east of unnamed capable fault, 0.54 miles northwest of an unnamed capable fault, 0.6 miles northwest of an unnamed capable fault, and 0.878 miles north of an unnamed capable fault.

Area known to contain serpentine or ultramafic rock or soils?: Yes, multiple serpentine outcroppings presesnt within a three mile radius of the proposed parcel.

Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? None

Impact. As proposed, the project will result in site disturbance as the parcels are developed. Project grading will create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Proposed development would be located upslope of the tributary.

In addition, stormwater runoff from the Commercial Service parcels may adversely impact adjacent agricultural crops, including soil erosion and sedimentation. Drainage and stormwater management measures are recommended to mitigate this impact.

The project has the potential to reduce the soil's ability to absorb rainfall by covering ground with impervious surfaces. Increased impervious areas have the potential to result in downstream flooding, higher peak flows, and carry polluted runoff.

Due to the underlying soils in on and in the vicinity of the project site, there is a potential for naturally occurring asbestos.

Mitigation/Conclusion. If future development would disturb more than one acre, the applicant is required to comply with the NPDES program. In addition, pursuant to the Land Use Ordinance (LUO), the applicant is required to prepare and implement a drainage plan, and erosion and sedimentation control plan. Based on compliance with existing LUO standards, and NPDES requirements, impacts resulting from drainage, erosion, and sedimentation would be less than significant. To mitigate impacts associated with increased impervious areas, the project will incorporate LID techniques including driveways and parking areas which use pervious paving materials with future development proposals. This measure will help to mimic the pre-development hydrology of the site and minimize downstream flooding impacts and peak flows to the on-site creek. Roof runoff should also be directed to landscape areas (rain gardens) and/or vegetated drainage swales. In addition, prior to grading or site disturbance, the applicant has agreed to retain a qualified individual to conduct a geologic investigation for naturally-occurring asbestos. If asbestos is present, the applicant would comply with Asbestos Air Toxin Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements include, but are not limited to implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program. There is no evidence that measures above what will already be required by ordinance or codes are needed.

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) *Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*	☐	☐	☒	☐
b) *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?*	☐	☐	☒	☐
c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?*	☐	☐	☐	☒
d) *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?*	☐	☐	☐	☐
e) *Impair implementation or physically interfere with an adopted emergency response or evacuation plan?*	☐	☐	☒	☐
f) *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?*	☐	☒	☐	☐
g) *Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?*	☐	☐	☒	☐
h) *Be within a 'very high' fire hazard severity zone?*	☐	☐	☐	☒
i) *Be within an area classified as a 'state responsibility' area as defined by CalFire?*	☐	☐	☒	☐
j) *Other:* _____	☐	☐	☐	☐

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a 'high' or 'very high' severity risk area for fire. The project is within the Airport Review area.

With regards to potential fire hazards, the subject project is within the moderate Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 0-5 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

The project is within the County's Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the San Luis Obispo County McChesney Field airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. Per the ALUP, the proposed use is considered "conditionally approvable". The project was reviewed and conditionally approved by the Airport Land Use Commission (ALUC) on September 18, 2013. The ALUC included the following recommendations for this development: limitations on allowable uses, 500-foot setback from the runway and maximum building coverage for the entire project. The project was referred to the County Airport Manager, who recommended a 500 foot setback from the runway centerline and that the project be reviewed by the FAA using the Form 7460 process. All projects within the AR designation are required to obtain an avigation easement to secure avigable airspace.

Impact. The project is located in the Airport Review area and development at this location could affect the safe and efficient use of the airport by aircraft. 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 beyond recordation of an avigation easement and compliance with the recommendations of the ALUC and Airport Manager which will be required as conditions of approval.

8. NOISE ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☒	☐
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐
d) Expose people to severe noise or vibration?	☐	☐	☒	☐

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) 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?	☐	☐☒	☒	☐
f) Other: _____	☐	☐	☐	☐

Setting. The project is not within close proximity of loud noise sources other than the San Luis Obispo Regional Airport on the north side of Buckley Road. The noise contours in the Noise Element show the 65decibel line approximately 60 feet from the northern property line along Buckley Road with the 60 decibel line over the remainder of the parcel. The project will not conflict with any sensitive noise receptors (e.g., residences) because the nearest residence to the proposed project is approximately 1,000 feet away to the southwest. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area for the types of uses allowable in the Commercial Service land use category.

The project is within the Airport Review designation and the area is subject to relatively low aircraft flyovers.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary because the project is within the Commercial Service land use category and allowable uses are not considered noise sensitive. Also, the project site is not in close proximity to sensitive noise receptors, so noise generated by future commercial service businesses are not anticipated to significantly impact surrounding land owners.

9. POPULATION/HOUSING

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?	☐	☐	☒	☐
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Create the need for substantial new housing in the area?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

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. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

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. The project will mitigate its cumulative impact to the shortage of affordable housing stock by providing affordable housing unit(s) either on-site and/or by payment of the in-lieu fee (residential projects), or housing impact fee (commercial projects). No mitigation measures are necessary. Prior to map recordation, the applicant will pay an affordable housing in-lieu fee consistent with the applicable fee ordinance.

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) Fire protection?	☐	☒	☐	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☒	☐	☐
c) Schools?	☐	☒	☐	☐
d) Roads?	☐	☐	☒	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☐

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

Police: County Sheriff Location: San Luis Obispo (Kansas Ave.) (Approximately 5 miles to the north west)

Fire: Cal Fire (formerly CDF) Hazard Severity: Moderate Response Time: 5-10 minutes

Location: Approximately 0.266 miles to the northeast of proposed project parcel

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, 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

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Increase the use or demand for parks or other recreation opportunities?*	☐	☐	☒	☐
b) *Affect the access to trails, parks or other recreation opportunities?*	☐	☐	☒	☐
c) *Other* _____	☐	☐	☐	☐

Setting. Based on the County Trails Map, the project is within reasonably close proximity (0.23 miles) to the Juan Batista De Anza National Historic Trail. After review by the County Parks Division, it was determined that the project will have no impact on this trail and no trail-related improvements are necessary.

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

Mitigation/Conclusion. Because the project is less than five parcels and will not be used for residential purposes, the project is exempt from paying "Quimby" fees (the parkland dedication in-lieu fee). No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/CIRCULATION

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Increase vehicle trips to local or areawide circulation system?*	☐	☐	☒	☐
b) *Reduce existing "Level of Service" on public roadway(s)?*	☐	☐	☒	☐
c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*	☐	☒	☐	☐
d) *Provide for adequate emergency access?*	☐	☐	☒	☐
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.)?*	☐	☐	☒	☐
f) *Conflict with an applicable congestion management program?*	☐	☐	☐	☒
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?*	☐	☐	☒	☐

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☒	☐
i) Other: _____	☐	☐	☐	☐

Setting. The County has established the acceptable Level of Service (LOS) on roads for this urban area as "D" or better. The existing road network in the area, including the project's access street, Buckley Road, is operating at an acceptable level of service. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Referrals were sent to County Public Works/Caltrans/SLOCOG. The project will be subject to the City of San Luis Obispo's Road Impact Fee, which addresses cumulative impacts to City roads in the area that will be impacted by development within the County. No significant project specific traffic-related concerns were identified.

The project is within the County's Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the SLO airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. Per the ALUP, the proposed use is considered conditionally approvable". The project was reviewed by the Airport Land Use Commission (ALUC) on September 18, 2013. The ALUC included the following recommendations for this development: limitations on allowable uses, 500-foot setback from the runway and maximum building coverage for the entire project. The project was referred to the County Airport Manager, who recommended a 500 foot setback from the runway centerline and that the project be reviewed by the FAA using the Form 7460 process. All projects within the AR designation are required to obtain an avigation easement to secure avigable airspace.

Impact. The proposed project is estimated to generate about 22.6 peak hour trips, based on the Institute of Traffic Engineer's manual code 130. The trip generation rate is 0.85 peak hour trips per 1000 sf of building area. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels, but will add to the cumulative impact along both Buckley Road and Highway 227. The project does not conflict with adopted policies, plans and programs on transportation.

Mitigation/Conclusion. No significant project specific traffic impacts were identified, however the project will contribute to areawide circulation impacts. Participation in the City of San Luis Obispo's Road Impact Fee program will adequately address the project's fair share contribution towards areawide improvements.

13. WASTEWATER *Will the project:*	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?	☐	☐	☒	☐

13. WASTEWATER *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	☐	☐	☒	☐
c) Adversely affect community wastewater service provider?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

Setting. Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the "Water Quality Control Plan, Central Coast Basin" (Regional Water Quality Control Board [RWQCB] hereafter referred to as the "Basin Plan"), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to County's Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums will range from one acre to 2.5 acres;
- ✓ The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- ✓ The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch);
- ✓ the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or
- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of this soil for wastewater effluent include:

--***slow percolation***, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch. The soil has been representatively-tested (Earth Systems Pacific, November 2012) for the following criteria: percolation rates, soil borings of adequate depth to determine the presence/ absence of groundwater, and adequate separation from bedrock or impermeable layer. Based on this information, (there is adequate evidence showing that on-site systems can be designed to meet the CPC/Basin Plan. Prior to map recordation, additional testing will be required by the Environmental Health Division/Building Division to verify acceptable conditions exist for on-site systems. Any proposed lot cannot be recorded until it has shown Basin Plan requirements can be met for that lot. Leach line locations will also be reviewed at this time to verify adequate setbacks are provided from any existing or proposed wells (100 feet for individual wells, 200 feet for community wells).

Impacts/Mitigation. Based on the following project conditions or design features, wastewater impacts are considered less than significant:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ The soil's percolation rate is between 30 to 120 minutes per inch;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

14. WATER & HYDROLOGY ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
QUALITY				
a) Violate any water quality standards?	☐	☐	☒	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☐	☒	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☒	☐	☐

14. WATER & HYDROLOGY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	☐	☐	☒	☐
e) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☒	☐	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☐	☒	☐
g) Involve activities within the 100-year flood zone?	☐	☐	☒	☐
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☐	☒	☐
i) Adversely affect community water service provider?	☐	☐	☒	☐
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?	☐	☐	☒	☐
k) Other: _____	☐	☐	☐	☐

Setting. The project proposes to obtain its water needs from a mutual water system. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Water testing was performed which found that both arsenic and selenium are >50% of the MCL which means that additional treatment will be required. Based on available information, the proposed water source is not known to have any significant availability problems.

The topography of the project is gently sloping. The closest creek from the proposed development is an unnamed blue line creek that crosses through the southern portion of the parcel. As described in the NRCS Soil Survey, the soil surface is considered to have moderate 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? Unnamed Blue Line Stream Distance? Crosses proposed parcel.

Soil drainage characteristics: Very poorly 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: Moderate

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. 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 – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply:

- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Parking area drainage inlets will be fitted with hydrocarbon filters;
- ✓ Bioswales will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur.

Water Quantity

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

Indoor:	0.25554 acre feet/year (AFY);
Outdoor:	0.15 AFY
Total Use:	0.40554 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).

Based on the latest Annual Resource Summary Report, the project's water source is adequate to provide for the project's water needs. Based on available water information, there are no known constraints to prevent the project from obtaining its water demands.

Mitigation/Conclusion. As specified above for water quality, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality.

Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

15. LAND USE *Will the project:*	**Inconsistent**	**Potentially Inconsistent**	**Consistent**	**Not Applicable**
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) Be potentially inconsistent with any habitat or community conservation plan?	☐	☐	☐	☒
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	☐	☐	☒	☐
d) Be potentially incompatible with surrounding land uses?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

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.). As discussed above in the Hazards section, per the Airport Land Use Plan, the proposed use is considered "conditionally approvable". The project was reviewed and conditionally approved by the Airport Land Use Commission (ALUC) on September 18, 2013. The ALUC included the following recommendations for this development: limitations on allowable uses, 500-foot setback from the runway and maximum building coverage for the entire project. 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) 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?	☐	☐	☒	☐
b) 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)	☐	☒	☐	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: 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:

Contacted	Agency	Response
☒	County Public Works Department	**Attached**
☒	County Environmental Health Division	**Attached**
☒	County Agricultural Commissioner's Office	**In File****
☒	County Airport Manager	**Attached**
☒	Airport Land Use Commission	**Attached**
☒	Air Pollution Control District	**None**
☐	County Sheriff's Department	**Not Applicable**
☒	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☒	CA Department of Forestry (Cal Fire)	**None**
☒	CA Department of Transportation	**None**
☐	Community Services District	**Not Applicable**
☒	City of San Luis Obispo	**Not Applicable**
☐	Other _____	_____ **Not Applicable**

*** "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.

☒ Project File for the Subject Application

County documents

- ☐ Coastal Plan Policies
- ☒ Framework for Planning (Coastal/Inland)
- ☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  - ☒ Agriculture Element
  - ☒ Conservation & Open Space Element
  - ☐ Economic Element
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element/Project List
  - ☒ Safety Element
- ☒ Land Use Ordinance (Inland/Coastal)
- ☐ Building and Construction Ordinance
- ☒ Public Facilities Fee Ordinance
- ☒ Real Property Division Ordinance
- ☒ Affordable Housing Fund
- ☒ San Luis Obispo Airport Land Use Plan
- ☐ Energy Wise Plan
- ☒ Area Plan and Update EIR
- ☐ Design Plan
- ☐ Specific Plan
- ☒ Annual Resource Summary Report
- ☐ Circulation Study

Other documents

- ☒ Clean Air Plan/APCD Handbook
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Special Biological Importance Map
- ☒ CA Natural Species Diversity Database
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other

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

Biological Assessment, ATC Associates, Inc., July 2008

Archaeological Inventory, CRMS, November 2008

Water Testing, Cleath-Harris Geologists, Inc., November 2012

Preliminary Soils Testing, Earth Systems Pacific, November 2012

Preliminary Septic System Plan, Wallace Group, April 2013

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.

Aesthetics

V-1. **At the time of application for construction permits,** the applicant shall provide a lighting plan for review and approval. The lighting plan shall show low intensity lighting, shielded lighting and lighting directed downward onto the project site to avoid creating a hazard for low-flying aircraft using the adjacent runway.

Agricultural Resources

AG-1. **Prior to recordation of final map**, the applicant shall show on an additional map sheet a buffer area of 100 feet on all parcels from the existing agricultural area to the south. No habitable part of the structure is allowed within the buffer area. All subsequent building permits shall show these buffers, as applicable. Any habitable area occurring within the buffer area will be in violation of the buffer policy.

AG-2. **Prior to issuance of construction permits,** the applicant shall show the buffer on all construction plans.

AG-3. **Prior to sale of each lot**, the applicant shall provide future landowners with a notification of adjacent agricultural activities and a copy of the County of San Luis Obispo Right-to-Farm Ordinance. Notification shall include typical and potential hours of operation, the types of crops grown, and the usual activities that may occur. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity. Notification shall also include language that identifies that the adjoining agricultural land is permanently protected for agricultural uses. Future agricultural uses might vary from current uses and might include greenhouses, processing facilities, nighttime operation, wind machines, odor, dust, noise, legal chemical applications, use and creation of compost, changes in irrigation patterns and water use, and the intensification of land that is not currently farmed. The establishment of new agricultural uses, if done according to usual and accustomed agricultural practices, will not be considered a nuisance from the time of establishment.

Air Quality

AQ-1. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

a. Reducing the amount of disturbed area when possible.
b. Using water trucks and sprinkler systems to prevent dust from leaving the site.
c. Dirt stockpiles sprayed daily and as needed.
d. Driveways and sidewalks paved as soon as possible.

AQ-2. Developmental burning of vegetative material within San Luis Obispo County is prohibited. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

AQ-3. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the county.

AQ-4. No developmental burning of vegetative material is allowed.

Biological Resources

BR-1. The applicant shall avoid removal of vegetation or any other ground disturbance between February and September 15 to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks prior to construction or site disturbance activities. Results of the surveys shall be submitted to the Department of Fish and Game (CDFG) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFG and the applicant shall adhere to these measures during all construction activities on the site.

BR-2. **Prior to recordation of the final parcel map,** the applicant shall show the location of the blue-line creek shown on the tentative map on an additional map sheet along with the 50-foot setback. No site disturbance shall occur within the 50-foot setback from the creek.

BR-3. **At the time of application for construction permits on all parcels,** the applicant shall show the 50-foot setback on construction plans.

BR-4. **Prior to any site disturbance,** the applicant shall provide a minimum 20-foot exclusion zone along the tributary. This area will be marked by orange construction fencing which shall be installed prior to any site disturbance and remain in place throughout the grading and construction phases.

BR-5. Should development occur on the southern portion of the site and crossing the wetland be necessary, the applicant shall retain a County-approved biologist to delineate the wetland and riparian habitat to demark areas suitable for construction. The delineation shall be conducted according to the Army Corps of Engineers Wetland Delineation methodology. The delineation shall be submitted to the County Environmental Coordinator's Office and the Ventura office of the Army Corps of Engineers who shall determine if a nationwide or individual Section 404 permit is required. The requirement for a Section 404 permit also necessitates a Water Quality Certification (Section 401) permit from the Regional Water Quality Control Board. If

permits are required, the applicant shall obtain all required permits prior to the start of any grading or construction activities or installation of any improvements.

BR-6. Should development occur on the southern portion of the site and crossing the wetland be necessary, the applicant shall provide evidence of the following:

a. A copy of any permits required by the CDFW, USACE and RWQCB, OR

b. Documentation from these regulatory agencies that they have determined that a permit is not required.

The applicant shall adhere to all conditions included within these permits, approvals, and authorizations.

Geology and Soils

GS-1. **At the time of application for grading and/or construction permits**, driveways that are less than 12% slope do not necessarily need to be constructed using permeable paving materials and be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration, but will be required to comply with Section 22.52.160 of the Land Use Ordinance. Future development on all four parcels may be required to comply with new stormwater standards going into effect March 6, 2014.

GS-2. **At the time of application for grading and/or construction permits**, roof runoff should be directed to landscape areas (rain gardens) and/or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants.

GS-3. **At the time of application for grading and/or construction permits**, vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner.

GS-4. **Prior to any site disturbance**, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.

Hazards/Hazardous Materials

H-1. **Prior to recordation of the final map,** the applicant shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.

H-2. **Prior to recordation of the final map,** the applicant shall show the location of the 500-foot setback from the runway centerline on an additional map sheet. **At the time of application for construction permits,** plans shall show the location of the required setback line.

H-3. **Prior to issuance of construction permits,** the applicant shall show compliance with the Airport Land Use Commission recommendations pertaining to allowable land uses and maximum building coverage.

H-4. **Prior to issuance of construction permits,** the applicant shall verify compliance with FAA standards by completing FAA Form 7460-1. Evidence of FAA review shall be provided prior to issuance of the permit.

Water

W-1. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.110 that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.

W-2. **Prior to issuance of construction permits**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.120) and incorporate the measures into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.

a. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.

b. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.

c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.

d. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

DEVELOPER'S STATEMENT FOR THE BUCKLEY PACIFIC, LLC PARCEL MAP (PARCEL MAP CO 13-0026); SUB2012-00043

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.

Aesthetics

V-1. **At the time of application for construction permits,** the applicant shall provide a lighting plan for review and approval. The lighting plan shall show low intensity lighting, shielded lighting and lighting directed downward onto the project site to avoid creating a hazard for low-flying aircraft using the adjacent runway.

Monitoring: The Planning and Building Department shall verify compliance.

Agricultural Resources

AG-1. **Prior to recordation of final map**, the applicant shall show on an additional map sheet a buffer area of 100 feet on all parcels from the existing agricultural area to the south. No habitable part of the structure is allowed within the buffer area. All subsequent building permits shall show these buffers, as applicable. Any habitable area occurring within the buffer area will be in violation of the buffer policy.

Monitoring: The Planning and Building Department shall verify compliance.

AG-2. **Prior to issuance of construction permits**, the applicant shall show the buffer on all construction plans.

Monitoring: The Planning and Building Department shall verify compliance.

AG-3. **Prior to sale of each lot**, the applicant shall provide future landowners with a notification of adjacent agricultural activities and a copy of the County of San Luis Obispo Right-to-Farm Ordinance. Notification shall include typical and potential hours of operation, the types of crops grown, and the usual activities that may occur. This would

include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity. Notification shall also include language that identifies that the adjoining agricultural land is permanently protected for agricultural uses. Future agricultural uses might vary from current uses and might include greenhouses, processing facilities, nighttime operation, wind machines, odor, dust, noise, legal chemical applications, use and creation of compost, changes in irrigation patterns and water use, and the intensification of land that is not currently farmed. The establishment of new agricultural uses, if done according to usual and accustomed agricultural practices, will not be considered a nuisance from the time of establishment.

Monitoring: The Planning and Building Department shall verify compliance.

Air Quality

AQ-1 **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

a. Reducing the amount of disturbed area when possible.
b. Using water trucks and sprinkler systems to prevent dust from leaving the site.
c. Dirt stockpiles sprayed daily and as needed.
d. Driveways and sidewalks paved as soon as possible.

Monitoring: The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

AQ-2. Developmental burning of vegetative material within San Luis Obispo County is prohibited. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

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> **Monitoring:** The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

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Monitoring: The Planning and Building Department, in consultation with the Public Works Department, shall verify required elements on the additional map sheet and implementation prior to construction.

GS-2 **At the time of application for grading and/or construction permits**, roof runoff should be directed to landscape areas (rain gardens) and/or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants.

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Monitoring:	The Planning and Building Department shall verify compliance.

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c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.

d. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

Monitoring: The Planning and Building Department, in consultation with the Public Works Department, shall verify required elements on the additional map sheet and implementation prior to construction.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s) 10.9.13 Date

Rudy C. Bachmann, Manager
Name (Print)

See attached Acknowledgment

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Luis Obispo

On 10/9/13 (Date) before me, Sheri A. Shamblin, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Rudy C. Bachmann (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SHERI A. SHAMBLIN
Commission # 2007747
Notary Public - California
San Luis Obispo County
My Comm. Expires Mar 15, 2017

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sheri A. Shamblin (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Developer's Statement for the Buckley Pacific, LLC Parcel Map (Parcel Map Co 13-0026); SUB2012-00043

Document Date: 10/9/13 Number of Pages: 7

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Rudy C. Bachmann
- ☐ Individual
- ☐ Corporate Officer — Title(s):
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☒ Other: Manager

Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name:
- ☐ Individual
- ☐ Corporate Officer — Title(s):
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other:

Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

CO 13-0026 Additional Information

Doug Rion to: Stephanie Fuhs 07/16/2013 08:09 AM
Cc: Frank Honeycutt

From: Doug Rion/PubWorks/COSLO
To: Stephanie Fuhs/Planning/COSLO@Wings
Cc: Frank Honeycutt/PubWorks/COSLO@Wings

History: This message has been replied to.

Stephanie,

Regarding the second submittal of information in response to the information hold:
Public Works comments have been satisfied on the revised tentative map and additional information provided.

Doug Rion
County Surveyor
San Luis Obispo County Public Works Dept.
805-781-5265
drion@co.slo.ca.us

5

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

MAY 23 2013

THIS IS A NEW PROJECT REFERRAL

DATE: 5/22/2013

TO: PW

FROM: Stephanie Fuhs, South County Team

PROJECT DESCRIPTION: SUB2012-00043 CO13-0026 BUCKLEY PACIFIC, LLC- Four lot subdivision with 4 parcels of 1.9, 1.6, 1.3, and 1.3 acres. Site located off Buckley Road in San Luis Obispo. APN: 076-063-003.

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.

See Comments Memo

Date	Name	Phone
6/19/13	Frank Honeycutt	x-1596

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.sloplanning.org

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

MEMORANDUM

Date: June 19, 2013

To: Stephanie Fuhs, Development Review

From: Doug Rion, Development Services

Via: Frank Honeycutt, Development Services Engineer

Subject: Public Works Project Referral for SUB2012-00043, CO 13-0026, Buckley Pacific 4 Lot parcel map, Buckley Rd, SLO APN 076-063-003

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 tentative map indicates a proposed abandonment of public road and utility easements per record documents. However, the application does not describe any requested abandonment. A quit claim from the adjoining property owners / beneficiaries will be required.

B. The tentative map shows proposed drainage easements over Lots 1-3, what is the intended purpose and need for those easements?

C. No proposed drainage easement is indicated across Lot 3 from the outlet pipe of the existing drainage inlet on Buckley Road, which conveys stormwater to the existing drainage swale.

D. No designated building sites are shown.

E. FAA site development restrictions are not shown.

F. County road number and width of Buckley Road are not shown on the Tentative map as required by 21.02.046(a)(13)

G. Title report was not received with the referral.

Recommended Public Works Conditions of Approval

Access and Improvements:

1. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:

    a. Construction of a new single driveway serving all four parcels. The driveway shall be constructed to accommodate the design vehicle turning movements.

    b. Buckley Road and the site access driveway shall be designed and constructed to provide standard left-turn channelization in accordance with Caltrans California Highway Design Manual, Chapter 400, and within necessary dedicated right-of-way easements.

    c. Street plan and profile for widening Buckley Road to complete an A-2d urban street section fronting the property.

2. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a deposit with the county for the cost of checking the improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

Offers, Easements and Restrictions:

3. The applicant shall show the following restrictions by certificate on the map or by separate document:
    a. If drainage basins or other structural drainage improvements are required then the improvements shall be indicated as a building restriction on the map.
    b. Access denial to Buckley Road except for the single driveway approach which shall be limited to 35 feet.

4. **Prior to issuance of construction permits**, the applicant may be required to offer for dedication to the public drainage easement(s) as necessary to contain both existing and proposed drainage features where those features accept public road storm flows. Offers are to be recorded by separate document with the County Clerk upon review and approval by Public Works.

Grading:

5. Grading plans shall be prepared by a Registered Civil Engineer and submitted to the Department of Planning and Building for approval. The plan is to include, as applicable:
    a. Road plan and profile for the required onsite shared access road improvements.
    b. Drainage ditches, culverts, and other structures (if drainage calculations require).
    c. Erosion and Sedimentation control plan for road related improvements.
    d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.

Improvement Plans:

6. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works for approval. The plan is to include, as applicable:
    a. Street plan and profile.
    b. Drainage ditches, culverts, and other structures (if drainage calculations require).
    c. Sedimentation and erosion control plan for subdivision related improvement locations.
    d. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.

7. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

8. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage and Stormwater Pollution Prevention

9. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to LUO Section 22.10.155 for Stormwater Management. Applicable projects shall submit a Stormwater Quality Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval. All drainage must be retained or detained on-site and the design of the basin shall be approved by the Department of Public Works.

Additional Map Sheet:

10. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel map. The additional map sheet shall include the following:
    a. If a drainage basin is required, that the owner(s) of Parcels 1 -4 are responsible for on-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity. The basin(s) area shall be indicated as a building restriction.
    b. All driveway approaches require an encroachment permit and shall be constructed in accordance with County Public Improvement Standards.
    c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
    d. Avigation easements and FAA building restrictions due to the proximity to the runway.
    e. Natural creeks and areas subject to flood inundation in a 100-year storm.

Miscellaneous:

11. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

12. All timeframes on approved tentative maps for filing of final parcel maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

13. The project is located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement approved by the Board on October 18, 2005. City impact fees applicable to this project include:
    a. *[Planner should coordinate applicable road and airport fees with the City of San Luis Obispo]*

V:_DEVSERV Referrals\Land Divisions\Parcel Maps\CO 2013-0026, Buckley Pacific LLC, Buckley Rd\CO 2013-0026, Buckley Pacific LLC, Buckley Rd.doc

SLO County Public Works Dept.

21.02.046(a) TENTATIVE MAP Check List

(Parcel Map or Tract Map) Map No. CO 13-0026

Status	Item
✓	(1) Record Data. The boundary lines of the original parcel, with dimensions shown in feet, based on survey data or information of record, and area of the property shown in square feet or acres to the nearest tenth.
✓	(2) Property Description. A description of the property as well as the assessor's parcel number(s) for the property.
✓	(3) Legend and Owner Information. A north arrow and scale, the name and address of the record owner(s), and the name and address of the subdivider.
✓	(4) Vicinity Map. A vicinity map on which shall be shown the general area including adjacent property, subdivisions and roads
✓	(5) Existing Structures. All existing structures, wells, septic tanks, driveways and other improvements located on the original parcel shall be accurately located, identified and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures are to be located, and the height of each structure shall be shown. Such distances shall be established by a registered civil engineer's or licensed land surveyor's survey when deemed necessary by the planning department.
✓	(6) Contour Lines. Contour lines of the property shall be shown at intervals set forth: >40 Ac, 40ft; 20-40 AC, 20 ft; 10-20 AC, 10 ft; <10 AC w/ 0-12% slope, 2 ft; >12% slope , 5 ft
✓	(7) Drainage. The approximate location of all watercourses, drainage channels and existing drainage structures.
✓	(8) Landforms. The approximate location of other topographic or manmade features, such as bluff tops and ponds.
N/A	(9) Lakes and Ocean. Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean.
✓	(10) Flood Hazard. The location of all areas subject to inundation or stormwater overflow. NO FEMA floodzone
✓	(11) Proposed Parcel Lines. The proposed division lines with dimensions in feet and the gross and net area of each parcel created by such division in square feet or acres to the nearest tenth. Also, each parcel created shall be designated on the tentative map by number.
O	(12) Designated Building Sites. Any designated building sites proposed by the applicant to minimize grading, tree removal, and other potential adverse impacts, or any areas proposed for exclusion from construction activities, shall be shown on the tentative map for proposed parcels greater than ten thousand square feet. Also, any details on proposed building setback lines and widths of side yards shall be shown on the tentative map.
O	(13) Streets. The locations, names, county road numbers and widths of all adjoining and contiguous highways, streets and ways.
O	(14) Easements. The locations, purpose and width of all existing and proposed easements, streets (with proposed names) and appurtenant utilities. SOME ESMNTS ON PTR NOT SHOWN OR LISTED ON MAP
N/A	(15) Coastal Zone. For tentative maps for properties located within the coastal zone between the sea and the first public road paralleling the sea, show the location of the public access ways nearest to the subject site
O	**21.02.048 (a)(2)** Preliminary Title Report. Preliminary title report concerning the property which is not more than six months old showing current property owners.

X = *Not Applicable* O = *Requires Compliance* ✓ = *Complied*

COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

Public Health Department

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

Public Health
Prevent. Promote. Protect

August 5, 2013

OASIS Associates, Inc
3427 Miguelito Court
San Luis Obispo, CA 93401

ATTN: EMILY EWER
RE: TENTATIVE PARCEL MAP CO 13-0026 (BUCKLEY PACIFIC, LLC)
APN # 076-063-003

Water Supply

This office is in receipt of a water testing coordinated by Cleath-Harris Geologists, Inc. dated November 16, 2012 for the above noted project. Said information is considered satisfactory **preliminary** evidence of water. Be advised that both Arsenic and Selenium were >50% of the MCL.

Applicant is proposing to create a new mutual water system to serve the proposed development. Reference the attached *Decision Tree for Classification of Water Systems* for clarification of public water systems. Contact this office at 781-5544 for specific water system requirements. Operable water facilities, from an approved water source, shall be assured prior to the filing of the final map. A "will serve" letter from the water system shall be obtained and submitted to this office for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions and related facilities (except wells) may be bonded subject to the approval of County Public Works and Environmental Health.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. This office is responsible for certifying that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems. Preliminary soil testing has been performed on the vacant parcels by Earth Systems Pacific in November 2012 (during a drought year). Onsite wastewater systems sizes must comply with criteria in both the Central Coast Basin Plan and the San Luis Obispo County Onsite Wastewater Treatment System Management Program. Be advised that the proposed onsite wastewater has been outlined in a *Preliminary Septic System Plan* dated 4/09/13, prepared by Wallace Group. Be advised that this plan does provide calculations, system details and population numbers for the future development which must be adhered to.

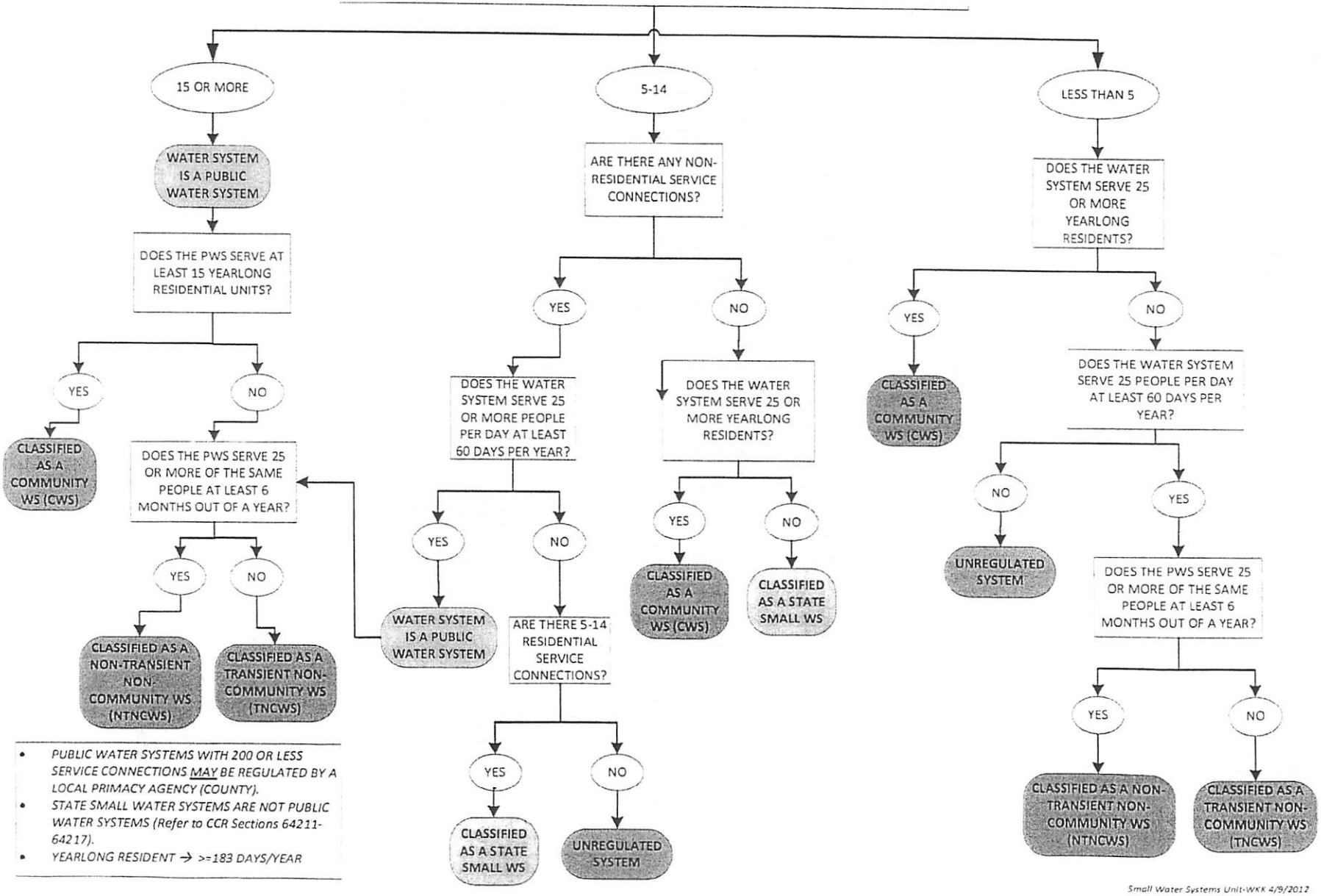
PARCEL MAP CO 13-0026 is approved for Health Agency subdivision map processing.

LESLIE TERRY, R.E.H.S.
Environmental Health Specialist
Land Use Section

c: Stephanie Fuhs, County Planning

encl.

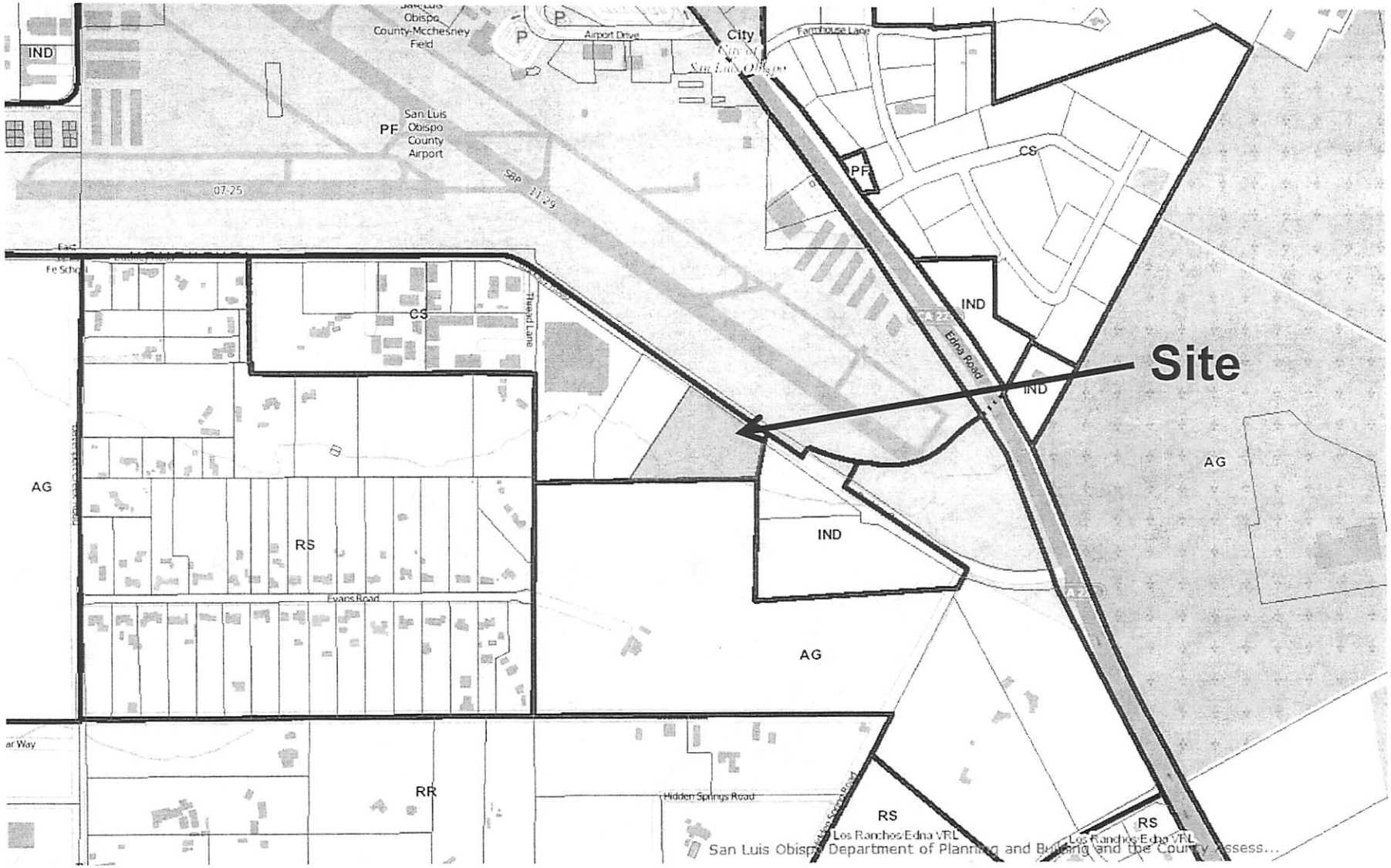
DECISION TREE FOR CLASSIFICATION OF WATER SYSTEMS



- *PUBLIC WATER SYSTEMS WITH 200 OR LESS SERVICE CONNECTIONS MAY BE REGULATED BY A LOCAL PRIMACY AGENCY (COUNTY).*
- *STATE SMALL WATER SYSTEMS ARE NOT PUBLIC WATER SYSTEMS (Refer to CCR Sections 64211-64217).*
- *YEARLONG RESIDENT → >=183 DAYS/YEAR*

Small Water Systems Unit-WKK 4/9/2012

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

Buckley Pacific LLC Parcel Map
SUB2012-00043/CO13-0026

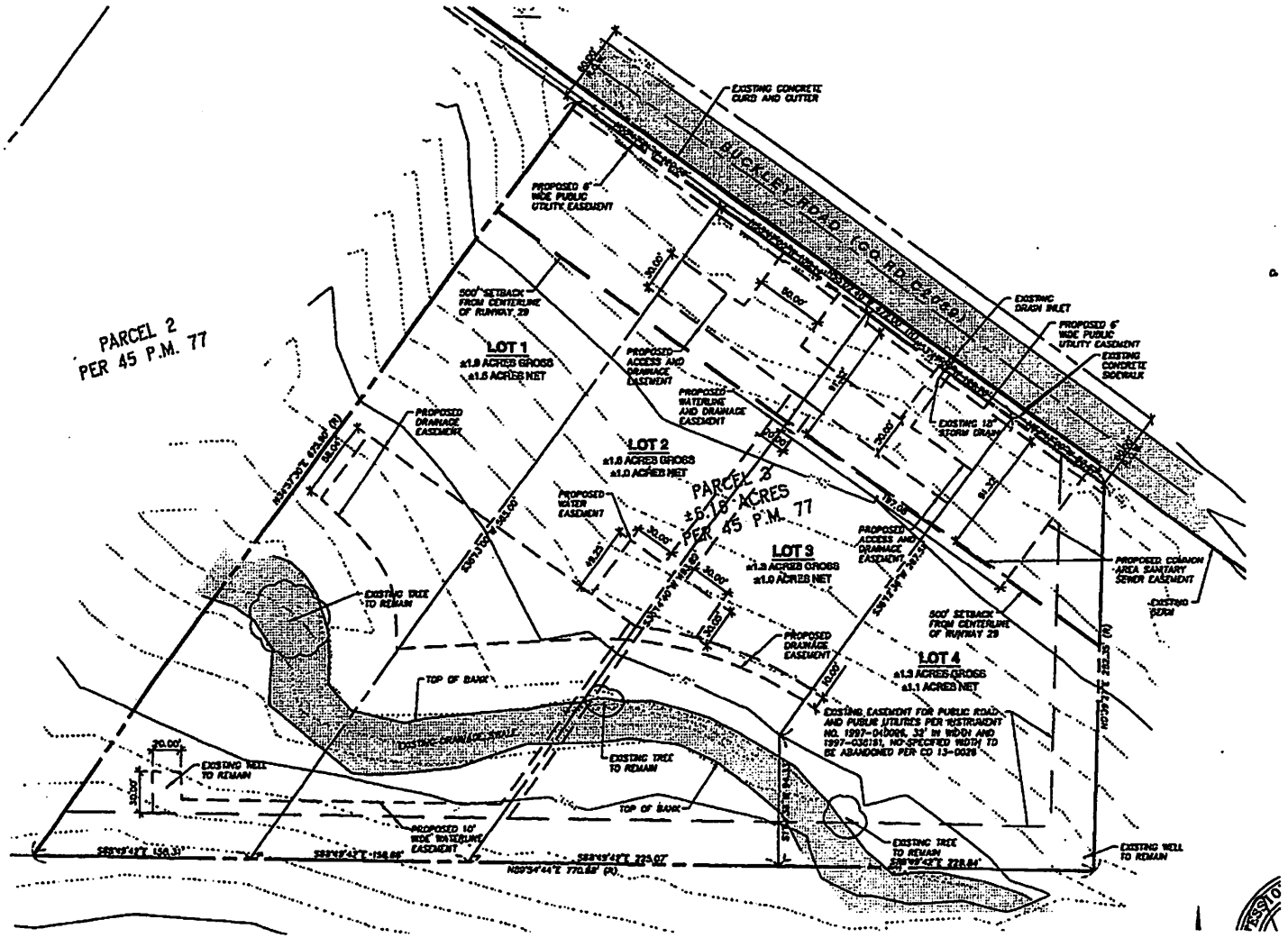
EXHIBIT

Vicinity Map

TENTATIVE PARCEL MAP
CO 13-0026

PARCEL 3 OF PARCEL MAP CO 87-194, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED APRIL 7, 1989 IN BOOK 43, PAGE 77 OF PARCEL MAPS

APRIL, 2013

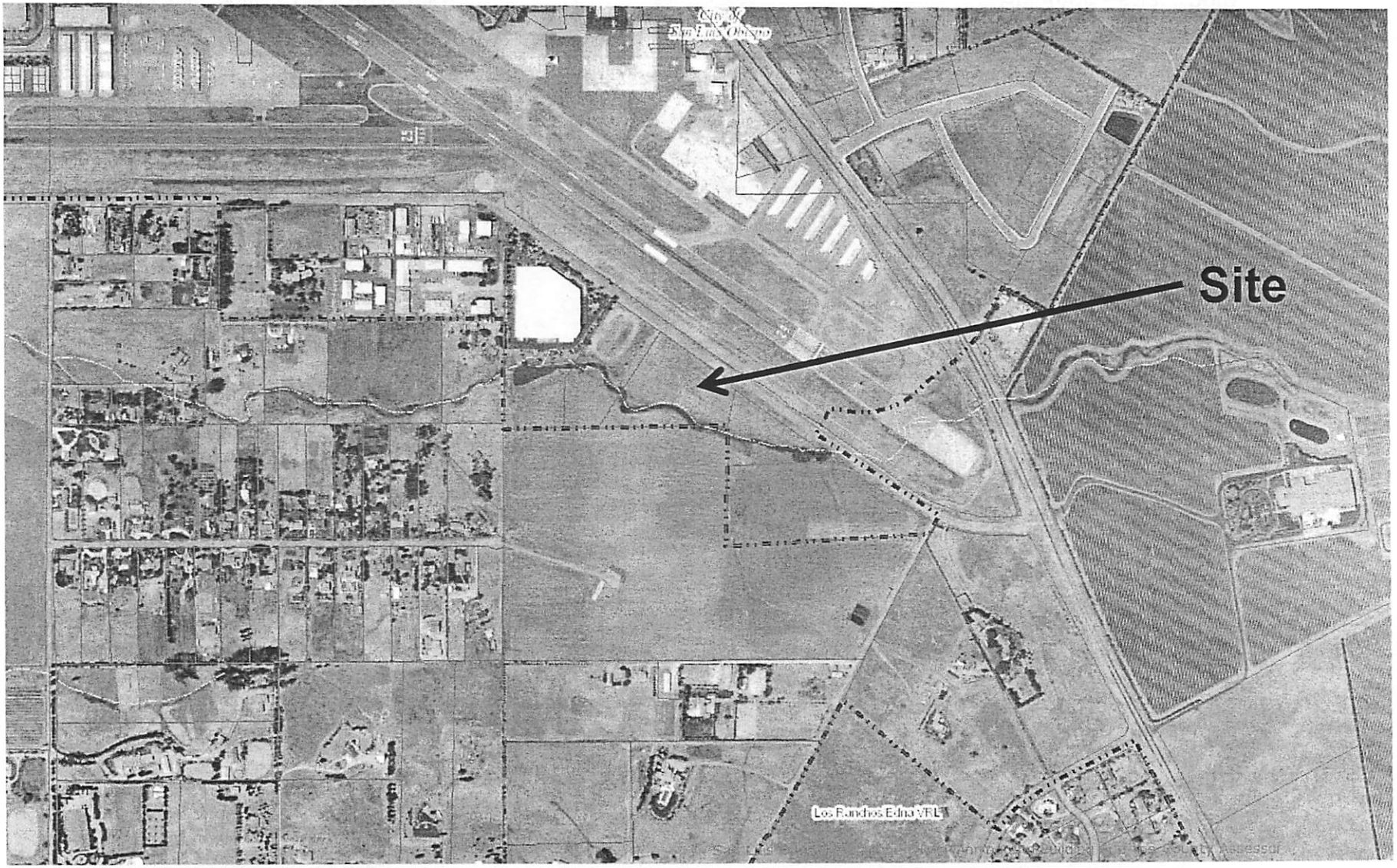


PROJECT

Buckley Pacific LLC Parcel Map
SUB2012-00043 CO 13-0026

EXHIBIT

Tentative Parcel Map

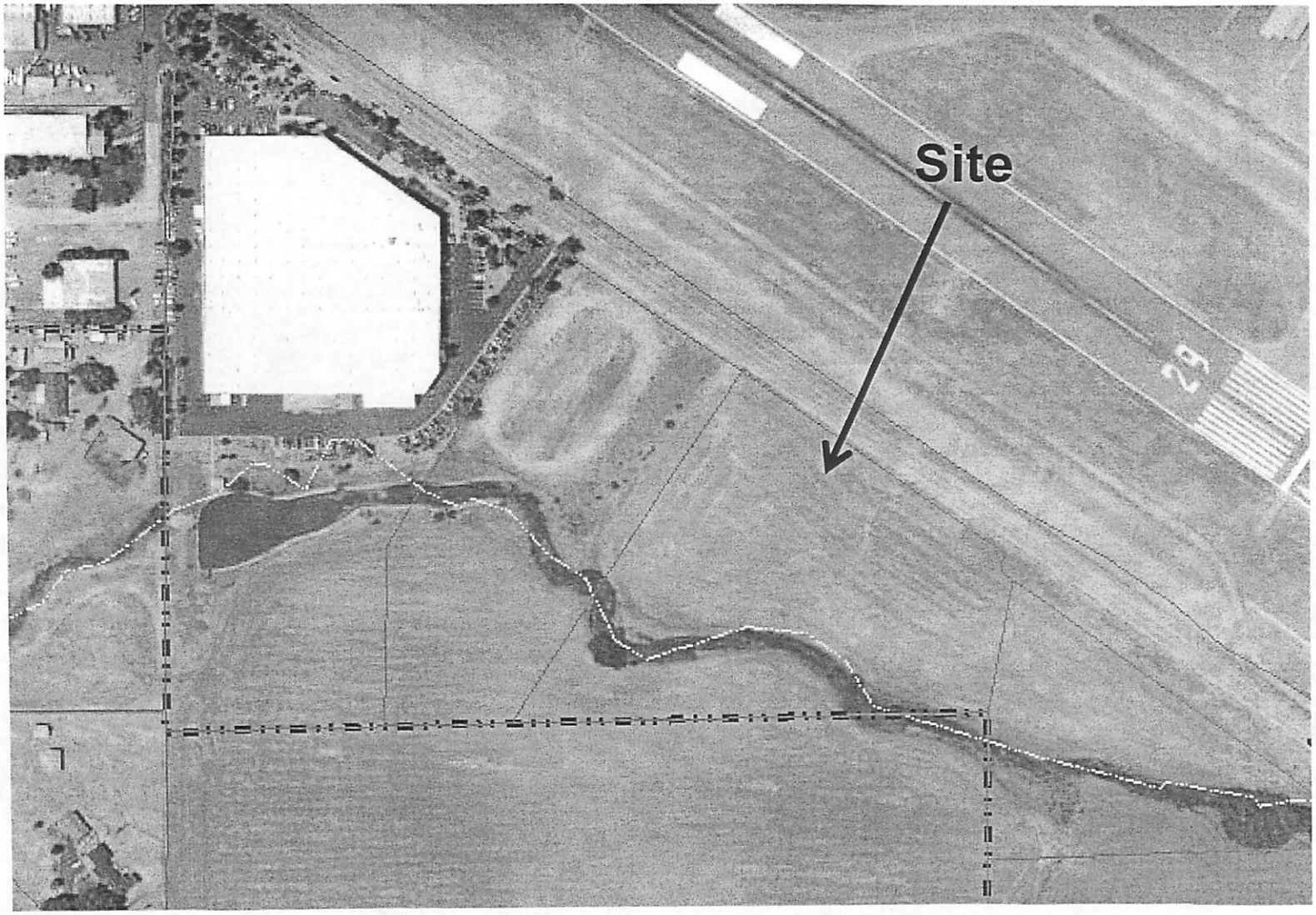


PROJECT

Buckley Pacific LLC Parcel Map
SUB2012-00043/CO 13-0026

EXHIBIT

Aerial Photo



PROJECT

Buckley Pacific LLC Parcel Map
SUB2012-00043 CO13-0026

EXHIBIT

Enlarged Aerial Photo