

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. ED13-075

DATE: 12/26/2013

PROJECT/ENTITLEMENT: MWF Properties, LLC. Minor Use Permit; DRC2012-00099

APPLICANT NAME: McDonald's USA, LLC

ADDRESS: 3800 Kilroy Airport Way #200 Long Beach, CA 90806

CONTACT PERSON: Mel Cruz
9302

Telephone: 562-508-

PROPOSED USES/INTENT: Request by MWF Properties LLC / McDonalds for a Minor Use Permit to allow a change of use from an office (former Bank of America) to a restaurant; in an existing building of 3,978 square feet (3,078 square foot to restaurant and 900 square foot remaining office space). The proposed restaurant will utilize the existing drive-thru. The project will result in a disturbance of 500 square feet (for modifications to the drive thru) of the 21,408 square foot parcel (to make minor modifications to the drive thru configuration).

LOCATION: The project is located on the north side of Los Osos Valley Road, approximately 280 feet (east) of 10th Street at 1076 Los Osos Valley Road, in the community of Los Osos, in the Estero 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:

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. (2 wks from above DATE)

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

Notice of Determination

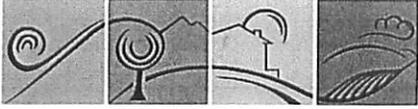
State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ 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.

Signature	Kerry Brown	Date	County of San Luis Obispo
	Project Manager Name		Public Agency



Initial Study Summary – Environmental Checklist

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

(ver 5.1) Using Form

Project Title & No. MWF Properties, LLC. Minor Use Permit **DRC2012-00099 ED13-075**

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Kerry Brown
Prepared by (Print) Kerry Brown Signature 12/19/13 Date

Steven McMasters Reviewed by (Print) Ellen Carroll Signature (for) 12/19/13 Date
Environmental Coordinator

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 MWF Properties LLC / McDonalds for a Minor Use Permit to allow a change of use from an office (former Bank of America) to a restaurant; in an existing building of 3,978 square feet (3,078 square foot to restaurant and 900 square foot remaining office space). The proposed restaurant will utilize the existing drive-thru. The project will result in a disturbance of 500 square feet (for modifications to the drive thru) of the 21,408 square foot parcel (to make minor modifications to the drive thru configuration). The project is located on the north side of Los Osos Valley Road, approximately 280 feet (east) of 10th Street at 1076 Los Osos Valley Road, in the community of Los Osos, in the Estero planning area.

ASSESSOR PARCEL NUMBER(S): 074-301-018

Latitude: 35 degrees 18' 41 " N Longitude: -120 degrees 49' 52 " W

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, Los Osos

TOPOGRAPHY: Nearly level

LAND USE CATEGORY: Commercial Retail

VEGETATION: Ornamental landscaping

COMBINING DESIGNATION(S):
Archaeologically Sensitive

PARCEL SIZE: 21408 square feet

EXISTING USES: Retail commercial

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Commercial Retail; retail commercial	<i>East:</i> Commercial Retail; retail commercial
<i>South:</i> Commercial Retail; retail commercial	<i>West:</i> Commercial Retail; retail commercial

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with

the proposed uses can be minimized to less than significant levels.



COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS

Will the project:

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

Setting. The project is located within an existing office building in an existing shopping center, in the central business district of Los Osos. The proposed project is to allow a restaurant in an existing office building (previous use was a bank with a drive thru). The project will be visible from Los Osos Valley Road, a major public roadway. The project will not silhouette against any ridgelines as viewed from public roadways. The project will include architectural changes to the façade of the building and new signage for the restaurant, these changes will be compatible with the surrounding uses.

The project is considered compatible with the surrounding uses.

Impact. No significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

Will the project:

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

2. AGRICULTURAL RESOURCES
Will the project:

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

e) *Other:* _____

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

Land Use Category: Commercial Retail

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland

In Agricultural Preserve? No

Under Williamson Act contract? No

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

Baywood fine sand (2 – 9% slope). This gently rolling sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering. The soil is considered Class VII (non-irrigated) and Class is not rated (irrigated).

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

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY
Will the project:

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

a) *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?*

3. AIR QUALITY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
GREENHOUSE GASES				
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

The project proposes to disturb soils that have been given a wind erodibility rating of 1, which is considered low.

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.

The proposed project was referred to the County of San Luis Obispo Air Pollution Control District (APCD) for review and determination of any air quality impacts potentially resulting during both the construction and operational phases of the proposed project. The project falls below the APCD’s emissions significance thresholds and is unlikely to trigger a finding of significance for air quality impacts requiring mitigation. However, the APCD is concerned with the cumulative effects resulting from the development of businesses that promote and encourage a dependency on private vehicle use as the only viable means of access to essential services and other destinations. The APCD recommended mitigation measures for demolition, dust control, and idling, these measures were not included in the Initial Study due to the limited scope of the construction activities occurring as a result of the change of use and existing ordinance requirements that adequately address these issues.

Impact. As proposed, the project will result in the disturbance of approximately 500 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

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

This project is a change of use (office use to restaurant use). Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project’s potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not ‘cumulatively considerable’, no mitigation is required. Because this project’s emissions fall under the threshold, no mitigation is required.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES

Will the project:

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

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

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

On-site Vegetation: Urban Built Up

Name and distance from blue line creek(s): 1.07 miles to Los Osos Creek.

Habitat(s): Ornamental landscaping

Site's tree canopy coverage: Approximately <10%.

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

Vegetation

Arroyo de la Cruz manzanita (*Arctostaphylos cruzensis*) List 1B

California seablite (*Suaeda californica*) FE, List 1B

Coastal Goosefoot (*Chemopodium littoreum*) List 1B.2

Indian Knob mountainbalm (*Eriodictyon altissimum*) FE, SE, List 1B

Jones's layia (*Layia jonesii*) FSC, List 1B

Marsh (swamp) sandwort (*Arenaria paludicola*) FE, SE, List 1B

Morro manzanita (*Arctostaphylos morroensis*) FT, List 1B

Salt marsh bird's-beak (*Cordylanthus maritimus* ssp. *maritimus*) FE, SE, List 1B

Wildlife

California black rail (*Laterallus jamaicensis coturniculus*) ST

California black rail (*Laterallus jamaicensis coturniculus*)

Coast horned lizard (*Phrynosoma coronatum* {frontale population})

Coast horned lizard 0.57 miles to the Southeast.

Cooper's Hawk

Monarch butterfly (*Danaus plexippus*)

Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*) FE, SE

Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*)

Morro shoulderband snail (*Helminthoglypta walkeriana*) FE

Silvery legless lizard (*Anniella pulchra pulchra*) CSC, FSC

Tidewater goby (*Eucyclogobius newberryi*) FE, CSC

The subject site is in the range of the Morro shoulderband snail, a federally listed species. The site of the proposed project is within a fully developed shopping center (with shops and pavement covering the site, except for small areas of landscaping). The proposed project is to convert most of an existing bank office building and drive thru into a restaurant with drive thru. Due to the disturbed nature of the site, no Morro shoulderband snail surveys or biological surveys were required.

Impact. Due to the disturbed nature of the site, in an existing shopping center in the central business district of Los Osos; no impacts to biological resources are anticipated.

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

5. CULTURAL RESOURCES

Will the project:

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

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

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

Impact. The project is located in an existing shopping center, on a disturbed site. Minimal ground disturbance is expected with this project. An archaeological survey was not required, due to the developed nature of the site and minimal surface disturbance. 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) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Per Division of Mines and Geology Special Publication #42

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

Topography: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

Nearby potentially active faults?: Yes Distance? 0.10 miles away to the SouthEast

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

The project is not within the Geologic Study area designation or within a high liquefaction area.

Impact. The project involves the conversion of use of an existing developed site and building. As proposed, the project will result in the disturbance of approximately 500 square feet. No impact related to geology or soils has been identified.

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

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
i) <i>Be within an area classified as a 'state responsibility' area as defined by CalFire?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Due to local jurisdiction, fire hazard severity zone data not available, however the project site is within an existing developed shopping center in the business core of the community.. 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 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 not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The project site is within 100 feet to two closed underground tank storage clean-up sites. These sites are now clean and closed. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE

Will the project:

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

Setting.

The project is within close proximity to a transportation noise source Los Osos Valley Road and development within the following distances from the noise source will exceed the County's acceptable exterior noise threshold of 60 dBs for sensitive uses as follows:

- ✓ areas within the 60 dB to 65 dB range - 231 feet from road centerline, and closer;
- ✓ areas within the 65 dB to 70 dB range - 107 feet from road centerline, and closer;

The project is within close proximity of a loud noise source, Los Osos Valley Road; however the use is a proposed restaurant. A restaurant or eating and drinking place is not considered a noise-sensitive land use and therefore is not required mitigate noise source.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses. The project is within close proximity to Los Osos Valley Road, a traffic noise source.

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

9. POPULATION/HOUSING

Will the project:

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

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. 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.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Police: County Sheriff

Location: Los Osos approximately 1170 feet north

Fire: Cal Fire (formerly CDF)

Hazard Severity:

Response Time: 0-5 minutes

Location: Los Osos approximately 1200 feet southwest

School District: San Luis Coastal Unified School District. and San Luis Obispo Community College District

For additional information regarding fire hazard impacts, go to the 'Hazards and Hazardous Materials' section

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

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

11. RECREATION

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

12. TRANSPORTATION/CIRCULATION

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>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.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County has established the acceptable Level of Service (LOS) on roads for this [urban area as "D" or better] [rural area as "C" or better]. The existing road network in the area, including the project's access streets (Los Osos Valley Road and 10th Street) are operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable. The proposed project is a change of use from a bank office to a restaurant in an existing shopping center.

A referral was sent to County Public Works. Public Works did not identify any significant transportation related impacts with the proposed project, but did note that the project is subject to the County Road Fee for South Bay/ Los Osos which addresses cumulative impacts to County roads in the area.

Circulation Study Area. The project is within the South Bay (Los Osos) Circulation Fee area. This fee

provides the means to collect "fair share" monies from new development to help fund certain regional road improvements that will be needed once the area reaches "buildout". The project will be subject to this fee.

Impact. The proposed project is estimated to generate about 496 trips per day, based on the Institute of Traffic Engineer's manual. This additional traffic will not result in a significant change to the existing road service or traffic safety levels for Los Osos Valley Road and 10th Street. The project does not conflict with adopted policies, plans and programs on transportation. The applicant submitted a Traffic and Drive thru Queuing Analysis (prepared by Trames Solutions dated June 25, 2013). The report evaluated the traffic and drive-thru configuration and found that the proposed drive-thru will accommodate the drive-thru needs of the restaurant and is not anticipated to impede the flow of the adjacent drive aisles. Additionally, as designed the project is not anticipated to have a traffic impact on the driveways.

Mitigation/Conclusion. No project specific significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

13. WASTEWATER

Will the project:

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

Setting. The project site is located in the community of Los Osos. In 1988, the California Regional Water Quality Control Board imposed a moratorium on new sources of sewage discharge in most of the community of Los Osos. The Regional Water Quality Control Board (RWQCB) reviewed the proposed change of use and found that the existing septic system (that serves the shopping center) has sufficient capacity to serve the project. The RWQCB concurred that the project is acceptable and can occur under the moratorium.

The Los Osos Communitywide Wastewater project was approved on June 10, 2010 by the California Coastal Commission. Construction on the collection system started in late 2012 and is approximately 60% complete. Construction on the treatment plant is expected to start in 2014. The project is scheduled to be complete in 2016. This project will be required to hook up to the communitywide wastewater system once it is available.

Impact. The project proposes to use the existing shopping center on-site system as its means to dispose of wastewater. No impact as a result of the project was identified

Mitigation/Conclusion. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan.

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
QUANTITY				
h) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use Golden State Water as its water source. The water source is the Los Osos groundwater basin. The Board of Supervisors has certified a Level of Severity III for the Basin on March 27, 2007. On April 22, 2008, the Board of Supervisors approved two plumbing retrofit ordinances for the Los Osos area. The ordinances address sea water intrusion into the lower aquifer zone of the Los Osos Groundwater Basin. To manage this serious problem, the ordinances require both new and existing development to help address this problem by retrofitting older, non-conserving

toilets and showerheads with those that are water efficient. The ordinances went into effect May 22, 2008.

Groundwater production from the basin overall increased steadily from 1978 to 1988 when the Regional Water Quality Control Board imposed a prohibition on new septic system discharges. Since 1988, growth of new residential units in Los Osos has been only about a quarter of a percent per year. Water production has remained stable since then, varying from year to year primarily in response to weather conditions rather than to urban growth.

A draft Basin Plan for the Los Osos Groundwater Basin was released in July 2013. The basin is made up of several aquifer layers, underlying the Los Osos community and surrounding area. The Upper and Lower aquifers are the main sources of municipal and domestic water supplies. Due to water quality degradation of the Upper aquifer from septic systems (nitrates), the water purveyors have been pumping from the lower aquifer. Groundwater extractions have exceeded the sustainable yield of the basin the lower aquifer in the western area; this has resulted in seawater intrusion. The Basin Plan calls for a discontinuation of pumping in the Lower aquifer, decrease overall water demand, and increase water supplies in the Upper aquifer and Lower aquifer (in the central and eastern portions). In order, to access these new water supplies, the water purveyors (with financial backing of the water consumers) will need to construct new infrastructure, including new groundwater production wells, distribution pipelines, and a community nitrate removal facility.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 1.07 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? Los Osos Creek Distance? Approximately 5651 feet

Soil drainage characteristics: Well drained

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

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

Soil erodibility: Low

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

- ✓ Approximately 500 square feet of site disturbance is proposed;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ 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;

Water Quantity

Based on the project description, as calculated by water bills from the McDonalds restaurant in Morro Bay, the project's water usage is estimated as follows:

Existing water usage: 33,129 gallons per month

(the building is vacant, this is landscaping only)

Proposed water demand: 1250 gpd or 37,500 gallons per month

(based on Morro Bay McDonalds, average daily consumption)

Additional demand: $37,500 - 33,129 = 4,371$ gallons per month or 146 gallons per day

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.

The proposed project will result in an increase in water demand for the site. The project is required to retrofit (outside of the prohibition zone) enough homes, businesses, etc. to offset their water demand by 1:1, or a total of 146 gallons per day. The applicant may provide an alternative offset as approved by the Planning Director.

Incorporation of this measure will reduce impacts to water resources to insignificant.

15. LAND USE

Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>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?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

The project is within a Habitat Conservation Plan area; however the project is a change in use with minimal ground disturbance and will not impact the federally listed Morro shoulderband snail (for which the County is currently undertaking a Habitat Conservation Plan). 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

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
☒	County Public Works Department	Attached
☒	County Environmental Health Division	None
☐	County Agricultural Commissioner's Office	Not Applicable
☐	County Airport Manager	Not Applicable
☐	Airport Land Use Commission	Not Applicable
☒	Air Pollution Control District	Attached
☐	County Sheriff's Department	Not Applicable
☒	Regional Water Quality Control Board	Attached
☐	CA Coastal Commission	Not Applicable
☐	CA Department of Fish and Wildlife	Not Applicable
☐	CA Department of Forestry (Cal Fire)	Not Applicable
☐	CA Department of Transportation	Not Applicable
☒	Los Osos Community Services District	None
☒	Other <u>Los Osos Community Advisory Council</u>	Attached
☐	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.

- | | |
|---|---|
| <ul style="list-style-type: none"> ☒ Project File for the Subject Application <u>County documents</u> ☒ Coastal Plan Policies ☒ Framework for Planning (Coastal/Inland) ☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements: <ul style="list-style-type: none"> ☒ 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 ☐ Airport Land Use Plan ☐ Energy Wise Plan ☒ Estero Area Plan and Update EIR | <ul style="list-style-type: none"> ☐ Design Plan ☐ Specific Plan ☒ Annual Resource Summary Report ☒ Los Osos Circulation Study <u>Other documents</u> ☒ 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:

Letter from the Regional Water Quality Control Board to Mel Cruz with McDonalds dated March 20, 2013

Trames Solutions: Los Osos McDonaldsTraffic and Drive thru Queuing Analysis dated June 25, 2013

Ensitu Engineering Inc: McDonalds Propsed Design Flow, Grease Interceptor and Septic Tank Capacity Requirements dated August 22, 2012

McDonalds Water Bills – from the City of Morro Bay 2010-2013

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.

W-1: Prior to issuance of building permits, the applicant shall retrofit (outside of the prohibition zone) enough homes, businesses, etc. plumbing fixtures to offset their water demand by 1:1, or a total of 146 gallons per day. The applicant may provide an alternative offset as approved by the Planning Director.

December 13, 2013

**DEVELOPER'S STATEMENT FOR THE
MWF / MCDONALDS MINOR USE PERMIT ED13-017 (DRC2012-00099)**

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.

Water Resources

W-1: Prior to issuance of building permits, the applicant shall retrofit (outside of the prohibition zone) enough homes, businesses, etc. plumbing fixtures to offset their water demand by 1:1, or a total of 146 gallons per day. The applicant may provide an alternative offset as approved by the Planning Director.

Monitoring: Department of Planning and Building shall verify compliance in consultation with the Environmental Coordinator.

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.

William D. McJannet, agent
Signature of Owner(s)

12.18.13
Date

MWF Properties, LLC

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

MWF Properties / McDonalds
DRC2012-00099



EXHIBIT

Vicinity Map

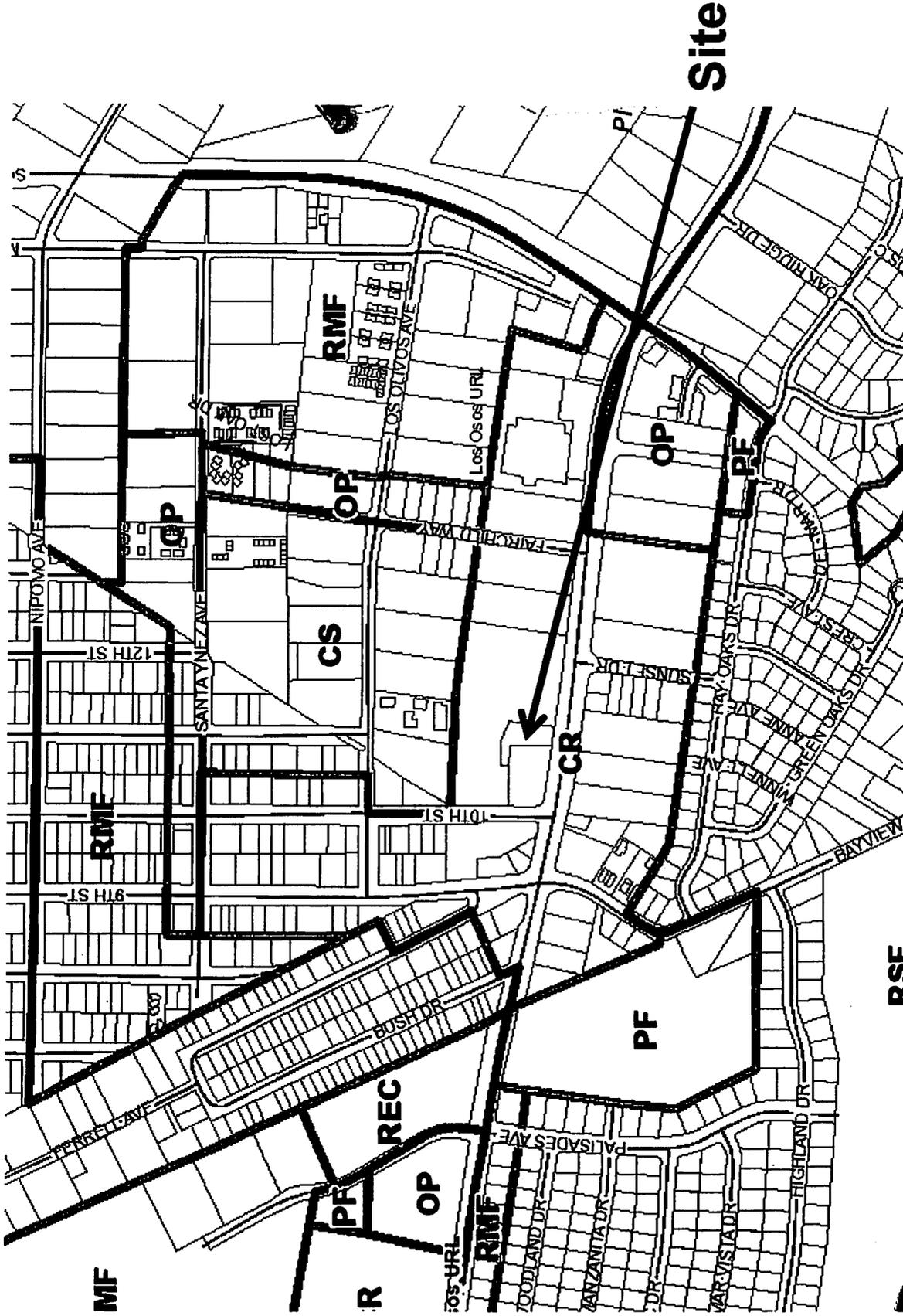


EXHIBIT
Land Use Category Map



PROJECT
MWF Properties / McDonalds
DRC2012-00099



Site

PROJECT

MWF Properties / McDonalds
DRC2012-00099



EXHIBIT

Aerial Map



PROJECT

MWF Properties / McDonalds
DRC2012-00099



EXHIBIT

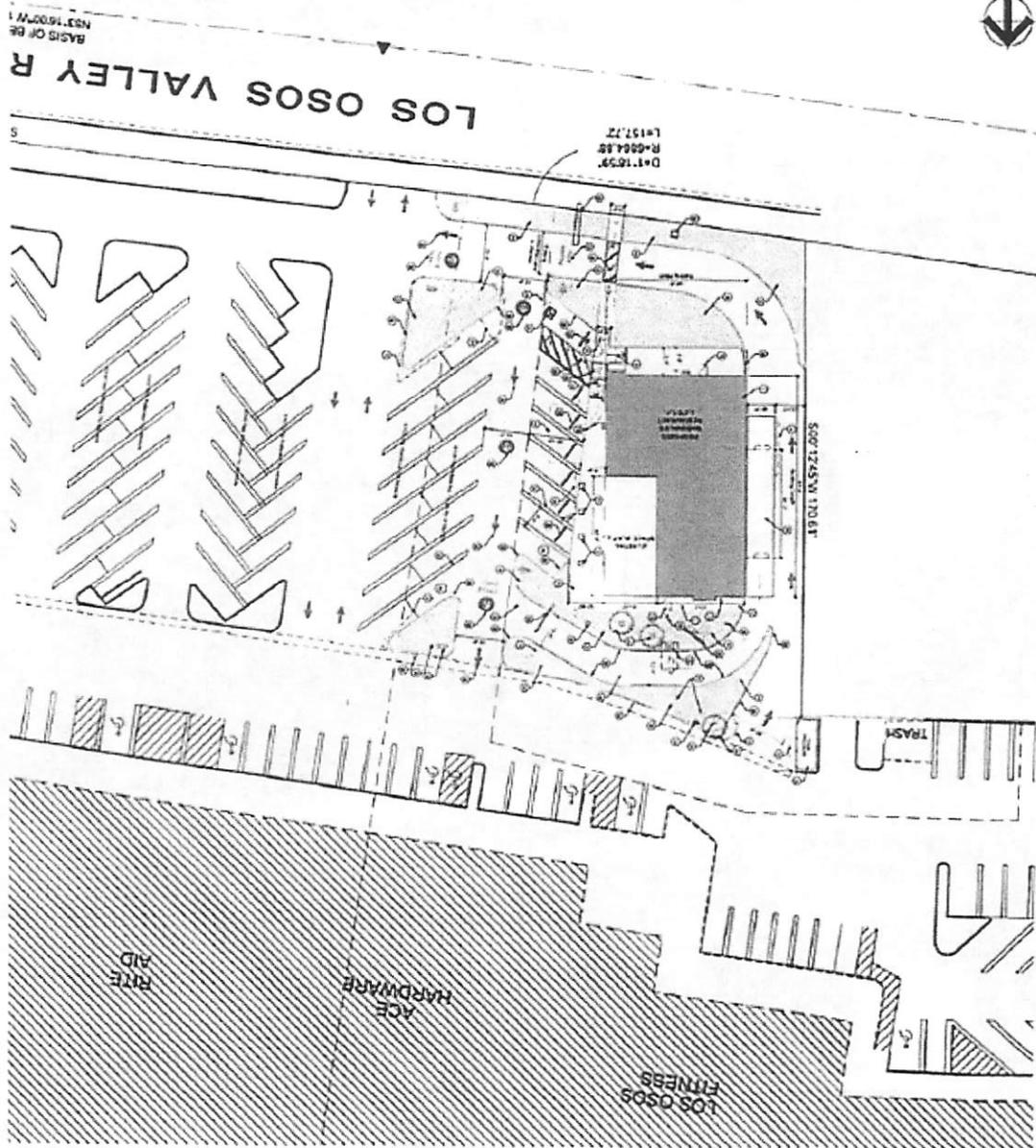
Aerial Map - Close Up



PROJECT
MWF Properties / McDonalds
DRC2012-00099

Site Plan

EXHIBIT

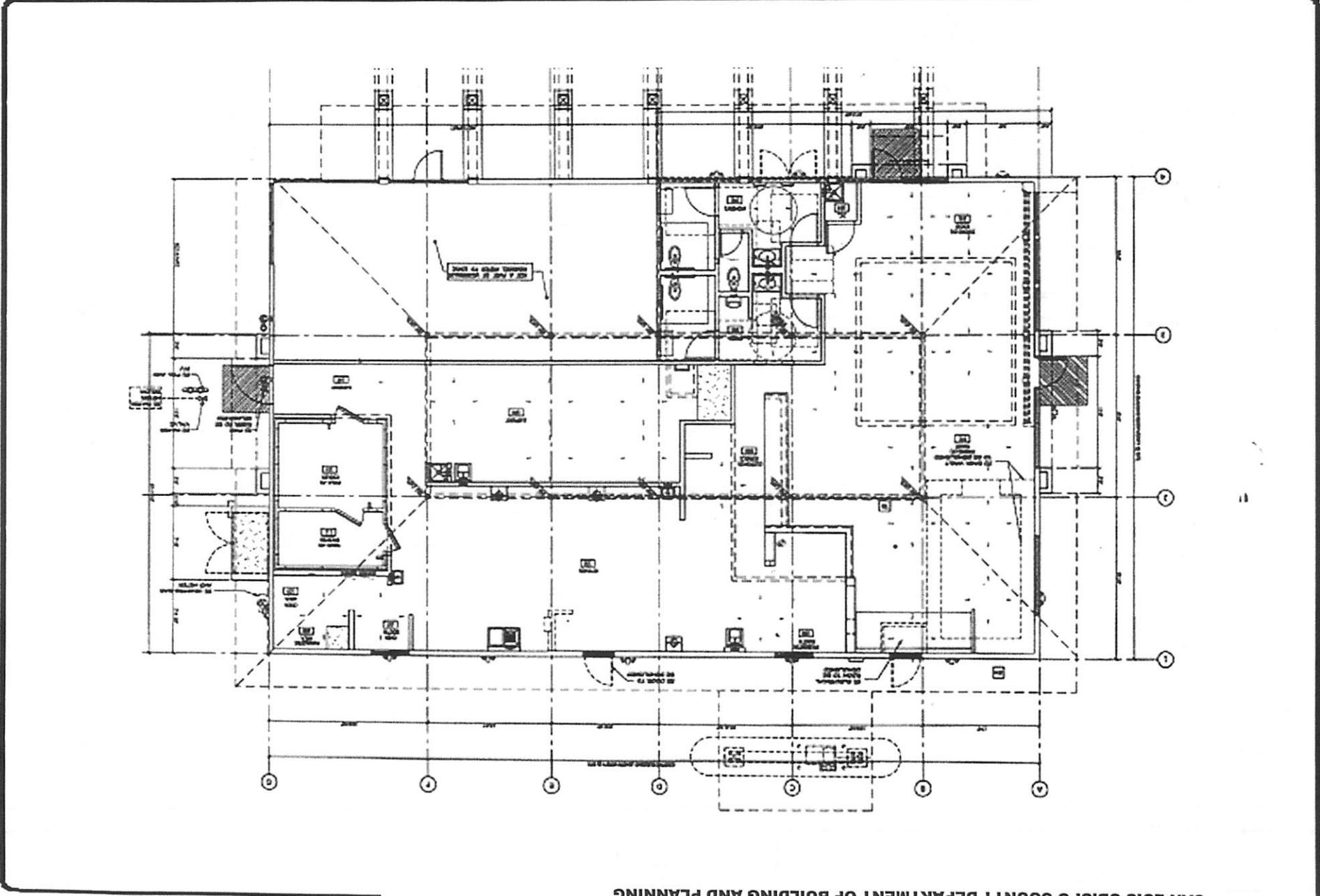


SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT
MWF Properties / McDonalds
DRC2012-00099

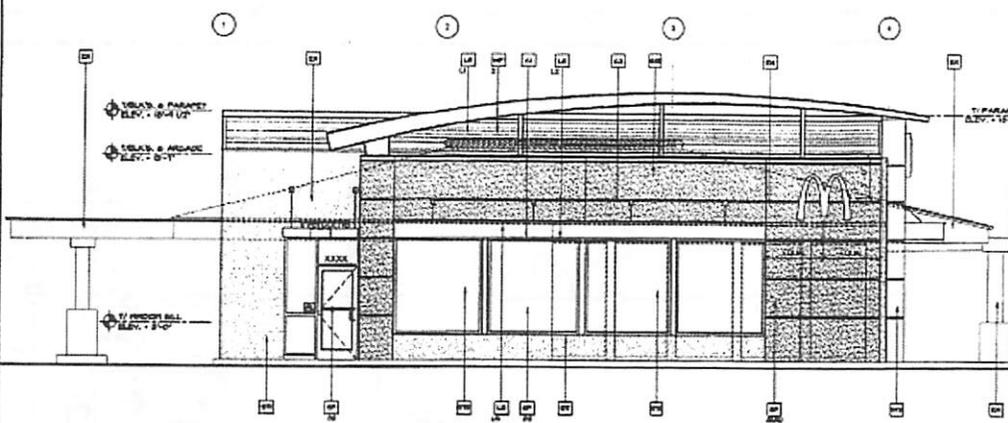
EXHIBIT
Floor Plan



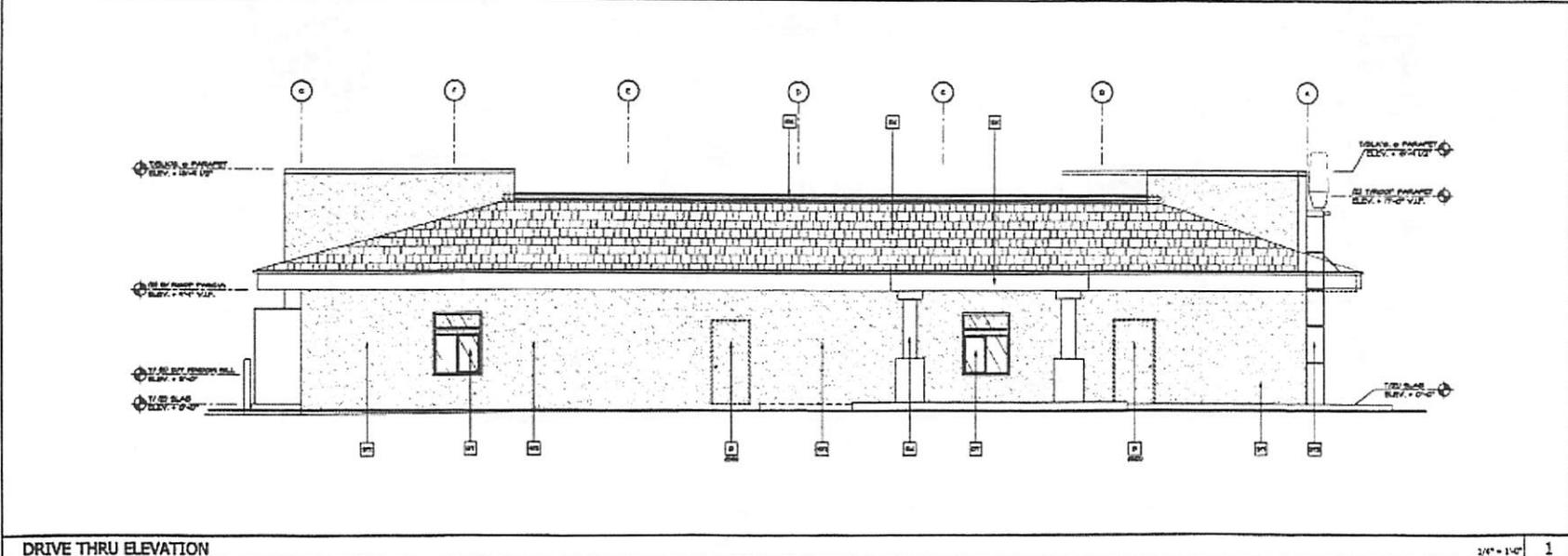
FINISH LEGENDS			
NO.	DESCRIPTION	REF.	NOTES
101	BRASS METAL BY OTHER	101	MANUFACTURED BY OTHER
102	METAL PANELS - GALVALUM TO MATCH EXISTING METAL PANELS. REFER TO METAL USED BY METAL SUPPLIER.	102	MANUFACTURED BY OTHER. REFER TO METAL USED BY METAL SUPPLIER.
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REFERENCE NOTES			
101	EXPANDED JOINT, SEE DETAIL 101A	102	SEE SEE AND HIDDEN JOINTS BY FINISHES PLANS.
102	SEE FILL, SEE BORN SCHEDULE FOR FINISH	103	SEE FILL, SEE BORN SCHEDULE FOR FINISH
103	OPTIONAL, SEE FILL, SEE BORN SCHEDULE FOR FINISH - SEE DETAIL 103A	104	OPTIONAL, SEE FILL, SEE BORN SCHEDULE FOR FINISH - SEE DETAIL 103A
104	OPTIONAL, SEE FILL, SEE BORN SCHEDULE FOR FINISH - SEE DETAIL 103A	105	OPTIONAL, SEE FILL, SEE BORN SCHEDULE FOR FINISH - SEE DETAIL 103A
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119	OPTIONAL, SEE FILL, SEE BORN SCHEDULE FOR FINISH - SEE DETAIL 103A	120	OPTIONAL, SEE FILL, SEE BORN SCHEDULE FOR FINISH - SEE DETAIL 103A

SCHEDULE OF FINISHES RTS 3



FRONT ELEVATION 1/4" = 1'-0" 2



DRIVE THRU ELEVATION 1/4" = 1'-0" 1

PROJECT NO. 2012-00099
 DATE 08/15/12
 DRAWN BY [Name]
 CHECKED BY [Name]
 APPROVED BY [Name]
 PROJECT: PROPOSED MICHAEL'S RESTAURANT 2012 MAJOR REMODEL PROJECT
 SHEET NO. A2.0
 PLANING

PROJECT
MWF Properties / McDonalds
DRC2012-00099



EXHIBIT
Elevation Plan – South and West

FINISH LEGENDS	
SYMBOL	DESCRIPTION
(Symbol)	INTERIOR WALLS - SEE FINISH SCHEDULE
(Symbol)	INTERIOR CEILING - SEE FINISH SCHEDULE
(Symbol)	INTERIOR FLOOR - SEE FINISH SCHEDULE
(Symbol)	INTERIOR DOORS - SEE FINISH SCHEDULE
(Symbol)	INTERIOR WINDOWS - SEE FINISH SCHEDULE
(Symbol)	EXTERIOR WALLS - SEE FINISH SCHEDULE
(Symbol)	EXTERIOR CEILING - SEE FINISH SCHEDULE
(Symbol)	EXTERIOR FLOOR - SEE FINISH SCHEDULE
(Symbol)	EXTERIOR DOORS - SEE FINISH SCHEDULE
(Symbol)	EXTERIOR WINDOWS - SEE FINISH SCHEDULE
(Symbol)	MECHANICAL EQUIPMENT - SEE FINISH SCHEDULE
(Symbol)	ELECTRICAL EQUIPMENT - SEE FINISH SCHEDULE
(Symbol)	PLUMBING EQUIPMENT - SEE FINISH SCHEDULE
(Symbol)	MECHANICAL EQUIPMENT - SEE FINISH SCHEDULE
(Symbol)	ELECTRICAL EQUIPMENT - SEE FINISH SCHEDULE
(Symbol)	PLUMBING EQUIPMENT - SEE FINISH SCHEDULE

REFERENCE NOTES

1. SEE FINISH SCHEDULE FOR FINISHES TO INTERIOR WALLS, CEILING, FLOOR, DOORS, AND WINDOWS.

2. SEE FINISH SCHEDULE FOR FINISHES TO EXTERIOR WALLS, CEILING, FLOOR, DOORS, AND WINDOWS.

3. SEE FINISH SCHEDULE FOR FINISHES TO MECHANICAL AND ELECTRICAL EQUIPMENT.

4. SEE FINISH SCHEDULE FOR FINISHES TO PLUMBING EQUIPMENT.

5. SEE FINISH SCHEDULE FOR FINISHES TO MECHANICAL EQUIPMENT.

6. SEE FINISH SCHEDULE FOR FINISHES TO ELECTRICAL EQUIPMENT.

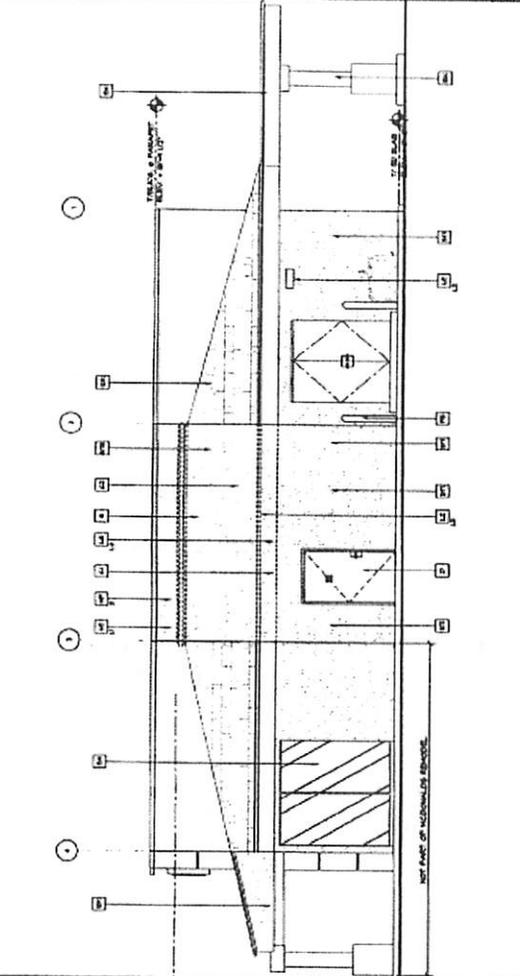
7. SEE FINISH SCHEDULE FOR FINISHES TO PLUMBING EQUIPMENT.

8. SEE FINISH SCHEDULE FOR FINISHES TO MECHANICAL EQUIPMENT.

9. SEE FINISH SCHEDULE FOR FINISHES TO ELECTRICAL EQUIPMENT.

10. SEE FINISH SCHEDULE FOR FINISHES TO PLUMBING EQUIPMENT.

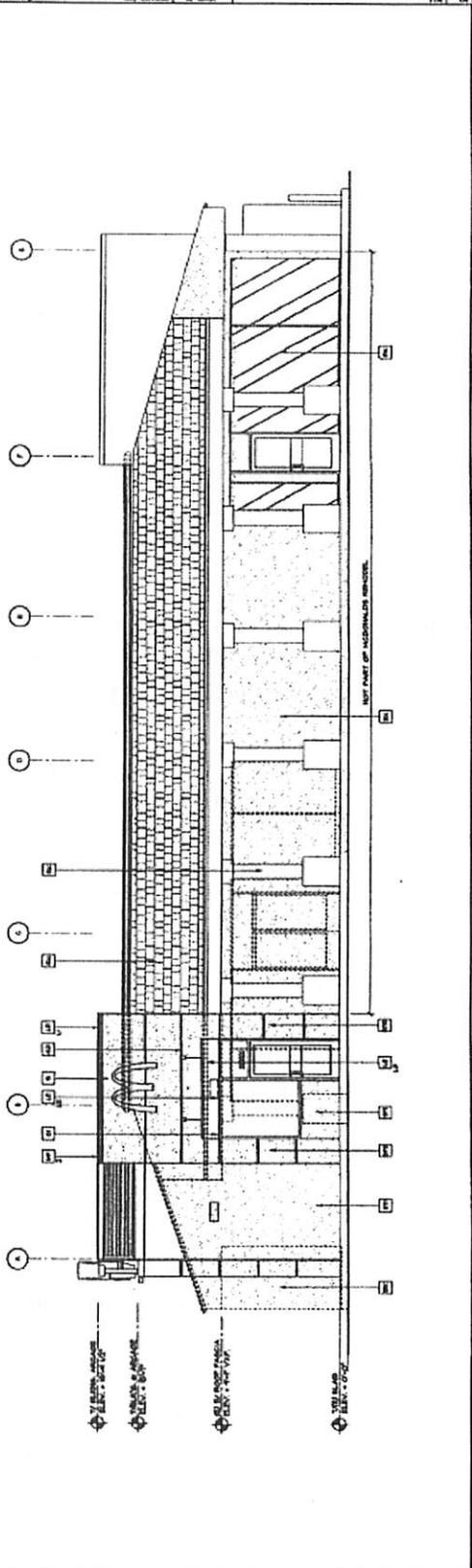
SCHEDULE OF FINISHES



REAR ELEVATION

DATE: 10/12/12
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: 1111 MAJON McDONALD'S RESTAURANT

McDonald's USA, LLC
 1111 MAJON McDONALD'S RESTAURANT
 1111 MAJON McDONALD'S RESTAURANT
 1111 MAJON McDONALD'S RESTAURANT



NON DRIVE THRU ELEVATION

DATE: 10/12/12
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: 1111 MAJON McDONALD'S RESTAURANT

PROJECT
 MWF Properties / McDonalds
 DRC2012-00099



EXHIBIT
 Elevation Plan - North and East



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 5, 2013
To: Kerry Brown, Project Planner
From: Tim Tomlinson, Development Services
Subject: **Public Works Comments on DRC2012-00099, MFW Properties MUP Los Osos Valley Road, Los Osos, APN 074-301-018**

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 REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:

1. Please have the applicant provide a Traffic Engineers Report addressing, the project's impact on existing parking lot circulation and access into the existing parking lot.

Public Works Comments:

- A. The proposed project is within the Los Osos Road Improvement Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.
- B. The applicant should provide a Traffic Engineers Report addressing the project's impact on existing parking lot circulation and access into the existing parking lot.

Recommended Project Conditions of Approval:

1. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the Department of Public Works any Los Osos Area Road Improvement Fee deemed necessary with the future building permit, in the amount prevailing at the time of payment.



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Coast Regional Water Quality Control Board

March 20, 2013

Mr. Mel Cruz
McDonald's USA, LLC
mel.cruz@us.mcd.com

Dear Mr. Cruz:

LETTER OF CONCURRENCE FOR CONVERSION OF AN EXISTING COMMERCIAL BUILDING TO A PROPOSED MCDONALDS FAST FOOD RESTAURANT AT 1110 LOS OSOS VALLEY ROAD, LOS OSOS, SAN LUIS OBISPO COUNTY

Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff has reviewed your August 22, 2012 request to redevelop an existing commercial building located at 1110 Los Osos Valley Road in Los Osos to a McDonald's fast food style restaurant. McDonald's proposes to construct a 50-seat restaurant and will maintain 12 employees during operation hours. The restaurant will operate from 5 A.M. to 1 A.M. with a 24-hour drive-thru, seven days per week. The restaurant will have two restrooms available for employees and customers.

McDonald's proposes to construct a 5,000 gallon grease interceptor which will discharge to a newly constructed 5,000 septic tank (primary settling tank). The primary settling tank will connect to the existing Von's Shopping Center septic system.

According to the 1989 Earth Systems design (baseline) criteria, the existing septic system has a design flow of 9,362 gallons per day (gpd), based on estimated sewage flows at the time of construction and estimated percolation rates. More recently, the July 17, 2010 Hodge Company Sewage Flow Calculation Study calculated existing wastewater flow rates of 5,033 gpd. Based on the baseline design flow rate of 9,362, nitrogen loading is estimated at 1,949 grams of nitrogen per day. Nitrogen loading calculated for the existing flow rate of 5,033 is estimated at 1062 grams of nitrogen per day per (refer to Attachment 1). McDonald's calculates an estimated nitrogen loading of 477 grams per day from the proposed restaurant.

Water Board staff understands that the proposed restaurant is anticipated to generate an average daily flow of 1,250 gpd with a maximum design flow of approximately 1,800 gpd. The design flow combined with the existing flow rate of 5033 gpd totals a combined flow of 6,833 gpd. Total nitrogen loading for the combined flows (1,062 grams of nitrogen per day [existing] and 477 grams of nitrogen per day from the proposed restaurant) will yield approximately 1,539 grams of nitrogen per day. Water Board staff calculated the proposed daily flows and nitrogen loading based on your August 22, 2012 letter.

JEFFREY S. YOUNG, CHAIR | KENNETH A. HARRIS JR., INTERIM EXECUTIVE OFFICER

895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401 | www.waterboards.ca.gov/centralcoast

Based on Water Board staff calculations and your projected wastewater flows, the existing Von's Shopping Center septic system can accommodate the added wastewater flows and nitrogen loading rates generated by the proposed McDonald's restaurant. The Central Coast Water Board does not object to your proposed project, provided that the following conditions are satisfied.

1. You are required to pump your septic tank if: 1) the combined thickness of sludge and scum exceed one-third of the tank depth of the first compartment; or 2) the scum layer is within three inches of the outlet device; or 3) the sludge layer is within eight inches of the outlet device.
2. You are required to connect to the community sewer system when it becomes available.

Wastewater discharges to the existing Von's Shopping Center septic system, present and future, are not consistent with the discharge prohibition in the Central Coast Water Board Basin Plan (Resolution No. 83-13). This authorization allows you to continue existing wastewater discharges to the existing septic system, but does not grant or confer to you any other rights specific to Central Coast Water Board authority.

If you have further questions please call **David LaCaro** at (805) 549-3892 or email at dlacaro@waterboards.ca.gov.

Sincerely,



Digitally signed by Chris Adair
DN: cn=Chris Adair, o=Central
Coast Water Board, ou,
email=cadair@waterboards.ca.
gov, c=US
Date: 2013.03.19 15:55:34
-07'00'

for

Kenneth A. Harris, Jr.
Interim Executive Officer

Attachment: Attachment 1 - Water Board Staff Calculations, March 18, 2013

cc:

Judy Reyes
McDonald's USA Real Estate Manager
Judy.I.Reyes@us.mcd.com

John Yaroslaski
Ensitu Engineers
JYaroslaski@ensitu.com

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Attachment 1

WATER BOARD STAFF CALCULATIONS FOR THE 1011 LOS OSOS VALLEY ROAD MCDONALD'S FAST FOOD RESTAURANT PROJECT

1. Existing flows:

According to the 1989 Earth Systems design (baseline) criteria; the existing septic system identifies a design flow of **9,362 gallons per day (gpd)**¹. More recently, the July 17, 2010 Hodge Company Sewage Flow Calculation Study calculated existing wastewater flow rates of **5,033 gpd**².

2. Calculated Existing Nitrogen Loading:

According to Table 3-15 of the *Wastewater Engineering Treatment, Disposal, and Reuse*, Metcalf and Eddy, 4th Edition, typical total nitrogen for untreated domestic wastewater at medium strength is **40 milligrams per liter (mg/L)** and **70 mg/L** for high strength.

- a. Baseline Nitrogen Loading (9,362 gpd) – Records for the original tenants of the Von's Shopping Center were not available as San Luis Obispo County was unable to provide such information. That being the case, staff used 55 mg/L of nitrogen per day by average of the medium strength (40 mg/L) and high strength (70 mg/L).

$$= \underline{\underline{1,948.9 (1,949) \text{ grams of nitrogen per day}^3}}$$

- b. Existing Nitrogen Loading (5,033 gpd) – According to the July 17, 2010 Sewage Flow Calculation Study there were 16 tenants, which included stores, a gym, and two restaurants.

Tenant	Calculated Flow Rate (gpd)	Wastewater Strength (mg/L of Nitrogen)	Nitrogen Loading (g/day of Nitrogen)
Stores and Gym	2,390	40	361.8
Restaurant 1	2,265	70	600.1
Restaurant 2	378	70	100.1
Total			1,061.9 (1,062)³

¹ The Design flow rate was based on a weighted average of the water use history for Los Osos Shopping Center tenants provided by Cal Cities Water [Golden State Water Company] and a design percolation rate of 5 minutes per inch.

² The estimated flow rate in July 2010 was based on 16 businesses their specific number of employees and customers per store or restaurant, daily flow per employee and customer ranging from 5 to 20 gallons per day per person.

³ (Gpd x 3.785 liters per gallon x [wastewater strength] x 1 gram)/1,000 milligrams

1. Proposed Flows (based on applicant's August 22, 2012 letter):

Proposed flows were calculated based on the conversion of an existing commercial building to a McDonald's fast food restaurant. According to the applicants August 22, 2012 letter, estimated wastewater flow rates for the proposed 50-seat restaurant was calculated by examining actual water consumption records for an existing 56-seat McDonald's restaurant located in Morro Bay, California. Water consumption records for the Morro Bay McDonald's restaurant resulted in 1,347 gpd (average daily water consumption), 1,013 gpd (minimum daily consumption), and 1,882 gpd (maximum daily water consumption). Based on these real-time values, the average daily consumption of 1,347 gpd for a 56-seat restaurant will generate approximately 24 gpd per seat (daily customers and employees).

Using the same logic/business model we can assume that the 50-seat restaurant will generate an average daily flow of approximately 1,200 gpd (daily customers and employees). As indicated in the August 22, 2012 letter, you included a 50% peaking factor to the average daily flow, which would increase the design flows to 1,800 gpd. In addition, the conversion will also include water conservation devices pursuant to the San Luis Obispo County Retrofit Ordinance, which may reduce daily water consumption (and wastewater flows) by an additional 30 percent.

Water Board Staff totaled the existing flow rates from the current tenants (5,033 gpd), and adding the proposed flow rates from the McDonald's restaurant (1,800 gpd) totals a flow rate of **6,833 gpd**.

2. Calculated Proposed Nitrogen Loading ():

According to Table 3-15 of the *Wastewater Engineering Treatment, Disposal, and Reuse*, Metcalf and Eddy, 4th Edition, typical total nitrogen for untreated domestic wastewater at medium strength is **40 milligrams per liter (mg/L)** and **70 mg/L** for high strength. Staff calculated the proposed nitrogen loading rates using the high strength concentration of 70 mg/L.

Tenant	Calculated Flow Rate (gpd)	Wastewater Strength (mg/L of Nitrogen)	Nitrogen Loading (g/day of Nitrogen)
Stores and Gym	2,390	40	361.8
Restaurant 1	2,265	70	600.1
Restaurant 2	378	70	100.1
McDonalds	1800	70	476.9
Total			1,538.9 (1,539)³



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805-543-4244 • Fax: 805-543-4248
www.calfireslo.org



Robert Lewin, Fire Chief

COMMERCIAL FIRE PLAN REVIEW

June 7, 2013

Subject: DRC2012-00099 Mc Donalds, MFW Properties LLC

Dear Kerry Brown Coastal Team:

I have reviewed the minor use permit you submitted for the conversion of 3,078 square foot existing building into a McDonald's restaurant. The project is located at 1076 Los Osos Valley Road in Los Osos, California. The project is in Local Responsibility Area with a 5 minute response time from the nearest CAL FIRE/Los Osos Baywood Fire Station # 15. The project and applicant shall comply with the 2010 California Fire Code (CFC), the 2010 California Building Code (CBC), the Public Resources Code (PRC) and any other applicable fire laws.

Fire Protection Systems:

A Fire Alarm System is required as outlined in CBC Section 907 & County Code 19.20.019(b) for this project. The alarm system shall comply with NFPA 72. The alarm system shall terminate at a 24-hour monitoring point (CFC Section 907). Three sets of plans shall be submitted to the County Fire Department for approval.

This project will require a commercial fire sprinkler system. The type of sprinklers required will depend on the occupancy type and must comply with NFPA 13, 20, 22. The applicant will have to identify what Hazard Class the project is for review by the fire department (exp. Ordinary Hazard Class II), for each of the buildings in the project. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC 903. A licensed alarm company shall monitor the fire sprinkler and alarm system. The fire department connection (FDC) supporting the sprinkler systems shall be located within 20 feet of a County standard hydrant and visible on fire engine approach to the building. A letter from the monitoring company shall be submitted to the County Fire Department verifying service.

This project will require a Type-1 commercial kitchen hood fire extinguishing system. The system shall meet all California State Fire Marshal "UL 300" requirements.

Technical Report:

A Fire Protection Engineer shall review the Fire Protection Systems for this project. A list of Fire Protection Engineers is available on our website at <http://www.calfireslo.org>. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 14.1 (2002). The Fire Protection Engineer will be required to send an original letter of their project review when completed, including all changes needed.

Portable Fire Extinguishers:

Portable fire extinguishers shall be installed in all the occupancies in compliance with the CFC 906 and Title 19. The contractor shall be licensed by the State Fire Marshal.

Exiting:

All egress and exiting requirements shall comply with the California Building Code to provide egress from the building to the public way.

Addressing:

Address numbers must be legible from the roadway and on all buildings. They shall be on a contrasting background and a minimum of 8 inches high with a 1/2" stroke.

Emergency Access:

All commercial buildings shall install a Knox key box for fire department emergency access. The box shall be installed prior to final inspection of the building. An order form is available from the Prevention Bureau, call for more information at (805) 543-4244.

Building Signage: All interior & exterior doors providing access to fire protection or building systems shall be labeled. Examples: electrical, fire alarm control panel, fire riser, standpipes, test valves, roof access etc. The signs shall be a minimum size of 12" x 12" with characters at least 1-inch high in block lettering with a minimum of 1/4" stroke. The lettering shall be of a contrasting color to the sign background.

If I can provide additional information or assistance on this mater, please don't hesitate to contact me at (805) 543-4244.

Respectfully,



Tina Rose
Fire Inspector

C: MWF Properties, LLC
McDonald's USA, LLC
Mel Cruz



Air Pollution Control District
San Luis Obispo County

December 10, 2013

Kerry Brown
SLO County Planning & Building Department
SLO Government Center
San Luis Obispo, CA 93401

SUBJECT: APCD Comments Regarding the Proposed MUP for Los Osos Drive Thru
Restaurant

Dear Ms. Brown,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at on Los Osos Valley Road in Los Osos. The proposed project would convert 3,078 square feet of an existing building, which currently already has a drive thru into a restaurant with drive thru. The proposed restaurant would be a McDonald's that will utilize the existing drive thru, with remaining space to be used for future retail. *The following are APCD comments that are pertinent to this project.*

Inconsistent with the Clean Air Plan

This project falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significance for air quality impacts requiring mitigation. However, we are concerned with the cumulative effects resulting from the development of businesses that promote and encourage a dependency on private vehicle use as the only viable means of access to essential services and other destinations. Drive thru facilities attract more vehicle trips and reduce the pedestrian oriented character of a community. This type of development is inconsistent with the Land Use Planning strategies included in the Clean Air Plan (CAP), which promote programs to reduce dependence on the automobile and enhance the viability of transit, ridesharing, biking and walking. **The CAP recommends the design and construction of projects in a manner that supports alternative travel modes and decreases reliance on single occupant motor vehicles; therefore, the APCD does not support this type of development.**

Should this project continue to move forward, the following APCD comments will be appropriate. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

Demolition Activities

This MUP did not mention if there were any demolition activities that would occur with the conversion of the building. Demolition activities can have potentially negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If building(s) are removed or renovated; or utility pipelines are scheduled for removal or relocation, this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) notification requirements to the APCD, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 for further information.

Dust Control Measures

The Minor Use Permit, as described, will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. **However, construction projects with grading areas that are within 1,000 feet of any sensitive receptor (residences on several surrounding streets) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):**

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should

maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water should be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Construction and Operational Phase Idling Limitations

This project is in close proximity to nearby sensitive receptors (several residences on surrounding streets). Projects that will have diesel powered construction activity in close proximity to any sensitive receptor shall implement the following mitigation measures to ensure that public health benefits are realized by reducing toxic risk from diesel emissions:

To help reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project, the applicant shall implement the following idling control techniques:

- 1. California Diesel Idling Regulations
 - a. **On-road diesel vehicles** shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - 1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
 - b. **Off-road diesel equipment** shall comply with the 5 minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use off-Road Diesel regulation.
 - c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5 minute idling limit.

- d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.
2. Diesel Idling Restrictions Near Sensitive Receptors (several residences on surrounding streets)
- In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
 - c. Use of alternative fueled equipment is recommended; and
 - d. Signs that specify the no idling areas must be posted and enforced at the site.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,



Meghan Field
Air Quality Specialist
MDF/arr

cc:

Tim Fuhs, Enforcement Division, APCD
Karen Brooks, Enforcement Division, APCD

Attachments: 1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

3433 Roberto Court, San Luis Obispo, CA 93401
805-781-5912 – FAX: 805-781-1002

**Naturally Occurring Asbestos
Construction & Grading Project Exemption Request Form**

Applicant Information/ Property Owner		Project Name	
Address		Project Address	
City, State, Zip		City, State, Zip	
Email Address		Project Site Latitude, Longitude	Assessors Parcel Number
Phone Number	Date Submitted	Agent	Phone Number

The District may provide an exemption from Section 93105 of the California Code of Regulations - Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations for any property that has any portion of the area to be disturbed located in a geographic ultramafic rock unit; if a registered geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed. Before an exemption can be granted, the owner/operator must provide a copy of a report detailing the geologic evaluation to the District for consideration. The District will approve or deny the exemption within 90 days. An outline of the required geological evaluation is provided in the District handout "ASBESTOS AIRBORNE TOXIC CONTROL MEASURES FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS – Geological Evaluation Requirements." See the APCD Website map: <http://www.slcleanair.org/business/asbestos.php>

NOTE: A basic exemption evaluation fee of \$172.00 will be charged.

APPLICANT MUST SIGN BELOW:

I request the San Luis Obispo County Air Pollution Control District grant this project exemption from the requirements of the ATCM based on the attached geological evaluation.

Legal Declaration/Authorized Signature

Date:

OFFICE USE ONLY - APCD Required Element – Geological Evaluation

Date Received:	Date Reviewed:	OIS Site #:	OIS Project #:
	APCD Staff:	Approved	Not Approved

Comments:



LOCAC

Los Osos Community Advisory Council

October 28, 2013

Kerry Brown
Department of Planning and Building

**COUNCIL
MEMBERS
2013-2014**

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Secretary
Alan Fraser
Vicki Milledge,
Chairperson

Re: Proposed McDonald's in Los Osos

Dear Ms. Brown:

On September 30, 2013 the Los Osos Community Advisory Council met in a special meeting to consider and vote on the McDonald's project. Previously the project had been reviewed by the LOCAC Land Use Committee and the full Council without producing a determination. We felt that the application was not complete and that more information was necessary for us to make a recommendation on this project.

The Council voted 5-3-0 to recommend that the project be approved. That being said, we have serious concerns regarding its potential impact on our community. They are as follows.

Water Use:

- We request that there be water use offsets to the greatest extent required.
- We request clarification of the projected water use if the Cad's location is used again. If this happened, we are concerned about the effect on the water use calculations. We request that County staff address this potential over-use of our water.
- Even though the applicant is not responsible for the current water usage, we remain concerned about the apparently excessive water use in the complex at this time. We request that all the water use calculations be verified by County staff.

Traffic:

- We request that County staff verify that there will not be material negative traffic impacts.

Yours truly,

Vicki Milledge, LOCAC Chairperson

cc: LOCAC, Supervisor Gibson, Cherie Aispur