NEGATIVE DECLARATION & NOTICE OF DETERMINATION

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

Promoting the Wise Use of Land • Helping to Build Great Communities

ENVIRONMENTAL DETERMINATION NO. ED12-147 **DATE:** December 31, 2014

PROJECT/ENTITLEMENT: Christensen Vesting Tentative Parcel Map (SUB2011-00011/CO11-0098)

APPLICANT NAME: Christensen Family Trust
ADDRESS: 6255 Orcutt Road, San Luis Obispo, CA 93401
CONTACT PERSON: Jamie Kirk, Kirk Consulting **Telephone:** (805)461-5765

PROPOSED USES/INTENT: Request by Christensen Family Trust for a Vesting Tentative Parcel Map (CO 11-0098) to allow for the subdivision of an existing parcel of 156.18 acres (APN: 044-111-001) into four parcels, ranging in size from 38 acres to 40 acres for the purpose of sale/ and or development. In compliance with the Use Test standards a minimum of 90% of the acreage for each proposed parcel will be designated for plantable use. A 1.2 acre residential development envelope is proposed on Parcels 1, 3, and 4, and a residential development envelope totaling 2.5 acres is proposed on Parcel 2. In addition, an agriculture/agricultural accessory development envelope is proposed for Parcels 1 and 3. The agriculture/agriculture accessory development envelope on Parcel 1 will be 0.81 acres, and 1 acre on Parcel 3. One 18-foot wide and approximately 0.28 miles (1,500 feet) long on-site gravel road is proposed to serve of the proposed parcels. Future development could result in the disturbance of approximately 7.13 acres of the total site. The site has frontage on one County road; Orcutt Road. The proposed subdivision will require roadway frontage improvements. The proposed project is within the Agriculture land use category.

LOCATION: The project is located at 6255 Orcutt Road, approximately 2.5 miles southeast of the City of San Luis Obispo. The site is in the San Luis Obispo (south) sub area of the South County (Inland) planning area.

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

OTHER POTENTIAL PERMITTING AGENCIES: None

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

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

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

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

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County_____ as ☐ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

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

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

	Xzandrea Fowler		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

[illegible]

Initial Study Summary – Environmental Checklist

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

(ver 5.6)Using Form

Project Title & No. **Christensen Parcel Map / ED12-147(SUB2011-00011/CO11-0098)**

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Xzandrea Fowler	X. Fowler	December 17, 2014
Prepared by (Print)	Signature	Date
Steve McMasters	Ellen Carroll	Ellen Carroll, Environmental Coordinator 12·22·2014
Reviewed by (Print)	Signature	(for) Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: Request by Christensen Family Trust for a Vesting Tentative Parcel Map (CO 11-0098) to allow for the subdivision of an existing parcel of 156.18 acres (APN: 044-111-001) into four parcels, ranging in size from 38 acres to 40 acres for the purpose of sale/ and or development. In compliance with the Use Test standards a minimum of 90% of the acreage for each proposed parcel will be designated for plantable use. A 1.2 acre residential development envelope is proposed on Parcels 1, 3, and 4, and a residential development envelope totaling 2.5 acres is proposed on Parcel 2. In addition, an agriculture/agricultural accessory development envelope is proposed for Parcels 1 and 3. The agriculture/agriculture accessory development envelope on Parcel 1 will be 0.81 acres, and 1 acre on Parcel 3. One 18-foot wide and approximately 0.28 miles (1,500 feet) long on-site gravel road is proposed to serve of the proposed parcels. Future development could result in the disturbance of approximately 7.13 acres of the total site. The site has frontage on one County road; Orcutt Road. The proposed subdivision will require roadway frontage improvements. The proposed project is within the Agriculture land use category and is located at 6255 Orcutt Road, approximately 2.5 miles southeast of the City of San Luis Obispo. The project site is within the San Luis Obispo Subarea South of the San Luis Obispo (South) subarea of the South County Planning Area.

ASSESSOR PARCEL NUMBER(S): 044-111-001

Latitude: 35 degrees 12 ' 46 " N Longitude: 120 degrees 35' 50" W **SUPERVISORIAL DISTRICT #** 3

B. EXISTING SETTING

PLAN AREA: South County **SUB**: San Luis Obispo(South) **COMM:** Rural

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: Airport Review and Flood Hazard

PARCEL SIZE: 156.1 acres

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Agriculture, Ruderal, Riparian Scrub

EXISTING USES: Agricultural uses and single-family residence(s)

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; single-family residence(s) and agricultural uses	*East:* Agriculture; agricultural uses and multi-family residences
South: Agriculture; agricultural uses and single-family residence(s)	*West:* Agriculture; single-family residence(s)

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a 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) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☐	☒	☐
e) Impact unique geological or physical features?	☐	☐	☐	☒
f) Other: _____	☐	☐	☐	☒

Setting. The visual character of the site and the surrounding area is predominately vineyards and rural agriculture with scattered single family residences. The project site consists of one parcel totaling 156.1 acres. The parcel is currently developed with a Ranch Headquarters' (1 primary residence and 2 farm support) and agricultural related infrastructure including barns, roads, wells, irrigation water lines, and an irrigation storage reservoir. The existing development, with the exception of the irrigation storage reservoir, is located with the proposed building envelope for Parcel 2. The remainder of the site is under cultivation. The project site currently supports approximately 154 acres of irrigated specialty crops.

The project will be visible from Orcutt Road, a major public roadway. The project will not silhouette against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses.

Impact. The proposed project includes the creation of one building envelope on each proposed parcel. A 1.2 acre building envelope is proposed on Parcels 1, 3, and 4, and one building envelope totaling 2.5 acres is proposed on Parcel 2.

Future development would consist of residential development, consistent with existing development in the surrounding area, and would comply with the existing ordinance standards, which require shielding of exterior lighting (LUO Sec.22.10.060). The residences would be visible from Orcutt Road, an Arterial. Due to the presence of existing development in the surrounding area, the future

development of agricultural or residential structures would be consistent with the surrounding area and would not result in significant visual impacts. The applicant has agreed to cluster building envelopes (residential and agricultural development) in the center of the site to minimize visual impacts.

Mitigation/Conclusion. Based on the location of the proposed project, the applicants' commitment to clustering building envelopes, and compliance with existing regulations, the project would not result in significant visual impacts. No mitigation measures are necessary.

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

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

Land Use Category: Agriculture

State Classification: Prime Farmland if irrigated and drained

Historic/Existing Commercial Crops: Dry farming and irrigated specialty crops

In Agricultural Preserve? Yes, Edna Valley AG Preserve

Under Williamson Act contract? No

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

Salinas silty clay loam (0 - 2% slope). This nearly level soil is considered moderately drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class I when irrigated.

Project Description: The applicant is requesting to subdivide an existing parcel of 156.1 acres in size into four parcels ranging in size from 38 acres to 40 acres for the purpose of sale and/or development.

Section 22.22.040 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Agriculture land use category. The standards are based either on or the potential use of land for cropland and grazing. Minimum parcel size is based on the largest parcel size as calculated by test. The proposed parcels "qualify" based on the existing use which is irrigated specialty crops. The proposed parcels meet the minimum parcel size for new parcels. The minimum qualification is 40

acres of irrigated specialty crops. Parcels as small as 20 acres in size are allowed when the following specific criteria are met:

- *The proposed parcels must be Class I or II soils irrigated, or other soils listed as prime by NRCS;*
- *There must be at least 18 acres or 90 percent of the acreage of the total site, whichever is larger, planted in irrigated row crops, specialty crops, field crops, orchards or vineyards (as shown in the Table below);*
- *There must be a production water source currently installed;*
- *Prior to or concurrent with recordation of a final or parcel map, the applicant shall execute and record a declaration of restrictions in a form approved by County Counsel, wherein the owner(s) agrees on their behalf and all successors in interest to the parcel that , unless a Land Use Element amendment is first approved to change the classification of the site to a land use category other than Agriculture, approval or establishment of more than one residential use (other than farm support quarters) on the parcel will not be requested and cannot be approved. The declaration of restrictions shall not be amended or terminated without the prior approval of the Board; and*
- *The resulting parcels must enter into Williamson Act agricultural preserve contract in accordance with the County Rules of Procedure. Separate sale of parcels of record must be in compliance with Table 1 of the Agriculture Preserve Rules of Procedure.*

The site meets the above mentioned specific criteria because of the following:

- The site consists entirely of Class I irrigated soils;
- As shown in the table above, 90% of the total area of the resulting parcels will remain in irrigated row crops;
- At least one production well is located on each proposed parcel;
- The project CC&R's and Final Map Additional Notes sheet will include the required residential use restriction. Prior to recordation of the parcel map one of the existing dwellings on proposed Parcel 2 will be required to be converted to a non-residential use and one of the existing primary dwellings will be required to be converted to a farm-support unit; and
- The resulting parcels will be required to enter into a Williamson Act agricultural preserve contract in accordance with the County Rules of Procedure. Separate sale of parcels of record must be in compliance with Table 1 of the Agriculture Preserve Rules of Procedure.

Table 1: Land Use Ordinance Compliance

Proposed Parcel	Irr. Soil Classification	Gross Acreage	Plantable Acreage	Building Envelope	Acreage Planted in Crops Minus Building Envelopes	Ordinance Requirement (90%)	Usable Acreage in Excess of LUO Requirement
Parcel 1	Class 1	38.1	37.2	1.2	36	34.29	0.81
Parcel 2	Class 1	40	36	2.5	36	36	0
Parcel 3	Class 1	38	37.2	1.2	36	34.2	1
Parcel 4	Class 1	40	37.2	1.2	36	36	0
Totals =		**156.1**	**147.6**	**6.1**	**144**	**140.49**	**1.81**

Impact. Williamson Act. Based on the review of the proposed parcel map and the Agricultural Preserve / Land Conservation contract, the proposed project is consistent with the Williamson Act and County Rules of Procedure for Implementing the California Land Conversation Act of 1965. Resolution No. 2010-377 amended the existing Agricultural Preserve and Land Conservation contract to decrease the minimum parcel size from 40 acres to 20 acres. Each proposed lot will be restricted to one primary dwelling and will be required to maintain a minimum of 36 acres of irrigated specialty crops to ensure continued compliance with the Williamson Act Contract and the Agricultural Subdivision standards required by the Land Use Ordinance.

Density/Development. Per the Williamson Act Contract, each parcel would be limited to one primary dwelling. Future development on all four parcels would occur within designated building envelopes. A 1.2-acre building envelope is proposed on Parcels 1, 3, and 4. On Parcel 2, a 2.5-acre building envelope is proposed. The building envelopes shall be reserved for development associated with accessory uses that are allowed on agricultural lands, and residential associated development. Approximately 2-acres of the proposed 2.5-acre building envelope for Parcel 2 have been developed with agricultural accessories and residential uses.

Proposed Parcel 2 currently has three single-family residences, a barn and equipment sheds located within the proposed building envelope. Based on Section 22.30.480 of the Land Use Ordinance, primary dwellings in the Agriculture land use category that are under Williamson Act Contract are limited to one primary residence for each parcel. Farm support quarters are allowed at a ratio of one per 20 acres of irrigated specialty crops. Therefore, future residential development would be limited to the following:

Table 2: Potential Future Densities for Each Proposed Parcel

Proposed Parcel	Existing Irr. Specialty Crop Acreage	Maximum Allowable Density
Parcel 1	37.2	1 Primary; 1 Farm Support
Parcel 2	36	Existing 1 Primary and 1 Farm Support
Parcel 3	37.2	1 Primary; 1 Farm Support
Parcel 4	37.2	1 Primary; 1 Farm Support

Maximum Number of primary dwellings: 4

Maximum Number of farm support quarters: 4

Maximum Number of residential dwellings: 8

Water. The existing specialty crops consist of one parcel that totals approximately 156.1 acres. This crop is served by a common irrigation system (supply and delivery). The existing common irrigation system has effectively irrigated the crops since the establishment of the crops. Although, no residential development is proposed at this time, the project is proposing to utilize individual or shared well agreement for future domestic purposes. Each of the proposed parcels includes one or more irrigation wells and associated infrastructure.

Pump tests on the existing wells show that the existing water sources produce sufficient water to serve both residential and agricultural needs. The production rates of the Ag wells on site range

between 225 gpm and 385 gpm each; therefore there will be sufficient water to maintain the production agriculture on the individual parcels.

Agriculture Department Review/Referral Comments. The applicant's original proposed project divided the subject 156-acre site into four parcels of 25, 43.72, 43.73, and 43.73 acres each. Each proposed parcel had a 2-acre building envelope. Net acreage for continued irrigated crop production on each proposed parcel was estimated to be less than 40 acres based on un-plantable areas such as drainage areas, roads, and building envelopes. Upon review of the originally-proposed project, the County Agriculture Department determined that the project would result in potentially significant impacts to agricultural resources (Lynda Auchinachie: November 28, 2011 and March 2, 2012). County Agriculture Department identified the following concerns: long-term sustainable agriculture and the ability to support an independent agricultural operation on each proposed parcel due to inadequate underlying resources (less than 40 acres of suitable production area available for irrigated crops and dependence on shared water sources); land use compatibility conflicts as a result of locating residences in areas of intensive agricultural production; and precedent setting factors, such as the creation of non-sustainable agricultural parcels and the continuation of the trend toward the parcelization of large agricultural parcels that are inconsistent with the goals of the Agriculture Element.

The County Agriculture Department noted that the identified concerns/ potentially significant impacts could be mitigated by an alternative project, which would include the following: minimum parcel size of 40 acres of suitable production area and an operation well and associated infrastructure on each proposed parcel; adequate buffers between agricultural production and neighboring residences; and distribution of right to farm notifications to future owners so that they can anticipate and understand the intensive nature of agricultural operations. The applicant revised the project which resulted in a proposal of four parcels of 39 acres each with at least one operational well and associated infrastructure. The proposed parcels had 0.80, 2.5, 2.7, and 2.8 acre building envelopes and 35.6, 35.9, 37.8 and 37.9 acres of suitable production area for irrigated crops. Upon review of the revised project and a request from the Planning Department to provide recommendations that would further minimize impacts to agricultural resources, the County Agriculture Department meet with Planning Department staff and suggested the following modifications to the project proposal to further minimize impacts to agricultural resources: reduce building envelopes on proposed Parcels 1, 3, and 4 to a maximum of 10,000 square feet; restrict future development and associated components of development to the designated building enveloped, including agricultural uses other than crop production; allowable uses within the building envelopes shall be limited to a single family dwelling, farm support quarters, agricultural accessory structures, agricultural processing, roadside stands, and nursery specialties; elimination of the proposed 18-foot wide gravel road and associated easement; restrict additional development of water reservoirs outside of the building envelopes; preclude any future subdivision of the subject site through an enforceable restriction in perpetuity; preclude off-site transfers of water from the greater project site.

While recognizing the concerns raised by the County Agriculture Department regarding long term sustainability of agricultural operations, the Planning Department recognized that the project site is unique based on the combination of the site consisting entirely of Class 1 soils, the long history of crop production, and the availability of water resources due to creeks located along the north and south property boundaries and recommended the following project modifications to reduce impacts to agricultural resources: a minimum parcel size of 40 acres (gross) for proposed Parcels 2 and 4 (to off-set the land that would be lost due to the required Orcutt Road access improvements, future access roads and easements), and a reduced minimum parcel size of 38 acres for proposed Parcels 1 and 3; a minimum of 36 acres of suitable production area; proposed building envelopes that do not exceed the difference between the gross acreage of each individually proposed parcel and the minimum required suitable production area; restrict future development and associated components of development to the designated building envelopes, including agricultural uses other than crop production; allowable uses within the building envelopes shall be limited to a single family dwelling,

farm support quarters, agricultural accessory structures, agricultural processing, roadside stands, and nursery specialties; redesign the proposed cul-de-sac at the end of the 18-foot wide gravel access road with a hammer head; restrict additional development of water reservoirs outside of the building envelopes; preclude any future subdivision of the subject site through an enforceable restriction in perpetuity; preclude off-site transfers of water from the greater project site; and all parcels shall enter into a Williamson Act agricultural preserve contract.

The applicant revised the project resulting in the current proposal for four parcels of 38, 38.1, 40, and 40 acres with at least one operational well and associated infrastructure. The proposed parcels 1, 3 and 4 have 37.2 acres each of suitable production (farmable) area for irrigated crops, and Parcel 2 has 36 acres. The proposed building envelopes for proposed parcels 1, 3, and 4 are 1.2 acres each and parcel 2 has a 2.5 acres proposed building envelope to accommodate the existing residence and agricultural structures and uses. In addition, proposed parcels 1 and 3 would also have a second building envelope, of size 0.81 and 1 acre, for agricultural related structures and uses. The applicant agreed to all of the recommended restrictions with the exception of the one that would preclude off-site transfers of water from the greater project site, because the property has historically provided water for purposes of crop irrigation to a number of other nearby agricultural properties.

Farmland Conversion. The future residential development would be located on Salinas silty clay loam, 0-2 percent (Class 1, irrigated), which is considered Important Agricultural soils. Modifications to the building envelopes were recommended by the County Agricultural Department to minimize conversion of Important Agricultural soils. Subsequently the applicant modified the proposed subdivision by adjusting the size, and shape of the proposed building envelopes, which reduced the farmland conversion by 1.9 acres. During consultation between the County and the applicant, the applicant requested allowances for two building envelopes, a residential envelope and an envelope for ag related structures and uses (i.e. barns, ag processing, irrigation reservoirs) on Parcels 1 and 3, because the Land Use Ordinance requirement for plantable acreage on parcels 1 and 3 is 34.29 and 34.2 acres respectively, thus with the inclusion of the proposed 1.2 acre residential building envelope there remains a limited amount of additional acreage on each of these parcels that could be developed with other uses and the parcels would still comply with the Land Use Ordinance requirements.

Sustainable Agriculture. Although the proposed parcel sizes satisfy the minimum parcel size qualifications under the Land Use Ordinance, 20 acre minimum for identified irrigated row crops and/or Class I soil, and 40 acre minimum for Class II soil, The County Agriculture Department stated that there remains concern that parcel sizes of less than 40 acres in size, such as those proposed for Parcels 1 and 3, are not considered an adequate size to ensure the long term protection of agricultural resources consistent with Agriculture Element (1998) policies and Land Use Ordinance Section 22.22.040. During the development of the Agriculture Element policies, it was recognized that 20 acre parcels of any resource were not of an adequate size to ensure agricultural capability or the long term production of agricultural resources and that larger parcel sizes were necessary to be consistent with the goals of conserving and protecting agricultural resources. The Department of Agriculture conducted research and analysis identified that a minimum 40 acre parcel size was appropriate for certain resources, while recognizing that larger parcel sizes may be required during the discretionary review process. Therefore, their recommendation is that a parcel size with at least 40 acres of crop production area plus additional acreage to accommodate non-production areas is an adequate size to ensure agricultural capability and the long term protection of agricultural resources and to avoid potential significant adverse impacts to agricultural resources.

Land Use Compatibility. The proposed subdivision of the project site would result in four parcels, which according the County Agriculture Department continues the division of larger agricultural properties. Division of agricultural lands can lead to increased residential and other non-agricultural development. Locating residences in areas of intensive agricultural production can lead to conflicts between residential uses and ordinary agricultural practices. However, the proposed parcels are of an

adequate size to provide for separation between agricultural productions and neighboring residences, and the purchasers of properties of these sizes should be expected to anticipate intensive agricultural production on adjacent parcels. Therefore, their recommendation is that right to farm notification be provided to future owners, to educate them on the intensive nature of the agricultural operations that occur.

Mitigation/Conclusion. In accordance with LUO Section 22.22.040 "where a legal lot of record is developed with agricultural uses at the time of application for land division, the minimum size for a new parcel shall be the largest area determined" by the Use test and the Land capability test. Utilizing the "Use" test the proposed parcels qualify for the exception which allows for proposed parcels of less than 40 acres, but no smaller than 20 acres. In order to qualify the proposed parcels must met the following criteria:

1) Must be Class I or II soils irrigated, or other soils listed as prime by NRCS;
2) Must be at least 18 acres or 90 percent of the acreage of the total site, whichever is larger, planted in irrigated row crops, specialty crops, field crops, orchards or vineyards;
3) Must be a production water source currently installed;
4) Prior to or concurrent with recordation of a final or parcel map, the applicant shall execute and record a declaration of restrictions in a form approved by County Counsel, wherein the owners(s) agrees on their behalf and all successors in interest to the parcel that, unless a Land Use Element amendment is first approved to change the classification of the site to a land use category other than Agriculture, approval or establishment of more than one residential use (other than farm support quarters) on the parcel will not be requested and cannot be approved. The declaration of restrictions shall not be amended or terminated without the prior approval of the Board; and
5) Resulting parcels must enter into a Williamson Act agricultural preserve contract in accordance with the county Rules of Procedure. Separate sale of parcels of record must be in compliance with Table 1 of the Agriculture Preserve Rules of Procedure.

The proposed parcels are all Class I soils irrigated; at least 90 percent (36 acres planted minimum per parcel proposed) of the acreage of the total site is planted in irrigated row crops, specialty crops, field crops, orchards or vineyards; production water sources are installed on each parcel; the project will be condition to record a dedication of restrictions; and the resulting parcels will be conditioned to enter into a Williamson Act agricultural preserve contract. In addition, the project has been conditioned so that all future development on the newly created parcels, including agricultural uses other than crop production, shall be located within the designated building envelopes. All components of future development, including leach lines, landscape, parking, etc., shall be located within the designated building envelopes or outside of the required minimum planted acreage. Mitigation measures restricting allowable uses within building envelopes; restricting additional development of water reservoirs outside the building envelopes; precluding any future subdivision of the site; and precluding off-site transfers of water beyond the historical water transfers for the purpose of crop irrigation for adjacent agricultural properties, have all been included as mitigation measures to reduce the potential impacts to the sustainability of agricultural resources to a less than significant level. In addition, pursuant to the County Right to Farm Ordinance, all future property owners would be notified of the presence and issues related to production agriculture; supplementation information disclosure regarding the establishment of future agricultural operations. A note has also been included on the Tentative Parcel Map stating that future building envelopes shall be located close to existing roads and on the perimeter of the farm fields to minimize the conversion of agricultural lands. The incorporation of the above mentioned conditions of approval as mitigation measures are appropriate and effective measures to foster a sustainable agricultural parcel, based upon the existing underlying agricultural resources, and current environmental and economic conditions.

Based on the applicant's revised project(the project as outlined in the project description), and

implementation of mitigation measures recommended by the County Agricultural and Planning Departments, potential agricultural resource impacts would be less than significant.

3. AIR QUALITY

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

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

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

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

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

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

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO2/year (MT CO2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/yr was adopted for stationary source (industrial) projects.

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

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

Impact. As proposed, the project will impact approximately 7.13 acre (310,582 square feet) of the 156.1 acre parcel for the development of the proposed access road improvements and the future building envelopes. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The proposed access road improvements and the development of each individual building envelope will be moving less than 1,200 cy/day of material and will disturb less than 4 acres of area (all proposed building envelopes are less than or equal to 2.5 acres) and will be subject to discretionary review, grading permits and future environmental review, therefore it will be below the general thresholds triggering construction-related mitigations. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and will 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 an agricultural subdivision. 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. Since the anticipated project emissions fall under the threshold, no mitigation is required.

Mitigation/Conclusion. No significant air quality or GHG impacts are anticipated to occur, therefore no mitigation measures are necessary.

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

*** Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.**

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

On-site Vegetation: Irrigated crops, grasses, and ornamental landscaping

Name and distance from blue line creek(s): East Corral De Piedra Creek borders the property to the south and West Corral De Piedra Creek borders it to the north

Habitat(s): Ruderal and Central Coast Riparian Scrub

According to the Biological Resources Assessment (SWCA, May 2012) prepared for the project habitats within the parcel are limited to agricultural, ruderal (disturbed) and developed areas, and disturbed central coast riparian scrub.

The management of agricultural areas onsite includes seasonal tilling, planting, and herbicide/pesticide applications. Agricultural areas comprise the most land in the parcel. Due to constant disturbance, these areas provide minimal wildlife habitat and they do not support any vegetative communities. Types of crops planted in this area vary with the season. Wildlife species typically found in ruderal and riparian scrub habitats may frequent the agricultural areas for forage or mitigation.

Ruderal habitat is used to describe areas within the parcel that have been permanently altered by past land use practices, development, and/or ground disturbance including grading. Within the parcel, the immediate area surrounding the existing residence, agricultural support facilities, and various agricultural roads are regularly disturbed. These areas are dominated by ruderal plant species.

Ruderal plants observed in the parcel include Bermuda grass (Cynodon dactylon), milk thistle (Silybum marianum), ripgut brome (Bromus diandrus), shepherd's purse (Capsella bursa-pastoris), and many others.

The ruderal and developed areas within the parcel provide low habitat value for wildlife species. For example, cleared areas with minimal human traffic are used by reptiles as basking areas. Birds may also use cleared areas for dusting and for obtaining gravel needed in their digestion. Additionally, nearby debris or buildings may be used for roosting and nesting sites.

Central coast riparian scrub consists of scrubby streamside thickets, varying from open to dense, of several willow species. The understory commonly supports species such as California blackberry (Rubus ursinus) and stinging nettle (Urtica dioica). Central coast riparian scrub occurs on relatively fine-grained sand and gravel bars that are close to groundwater, at or near the mouths most perennial and many intermittent streams of the South Coast Ranges. Riparian scrub communities provide habitat for numerous common and rare bird species including fly-catchers, vireos, wrens, and raptors.

Both East Corral de Piedra and West Corral de Piedra Creeks support disturbed central coast riparian scrub vegetation. These creeks are ephemeral and were dry at the time of the survey, Due to the ephemeral nature of the creeks, SWCA determined that the creeks do not support adequate moisture requirements for Gambel's watercress (Nasturtium gambellii), California sawgrass (Cladium californicum), or other species requiring saturated soil conditions or flowing water for most of the growing season. The riparian vegetation on the banks of the creeks support suitable habitat for blackflowered figwort; however, this rare species was not observed during the appropriate survey season.

East Corral de Piedra Creek currently supports a greater diversity of riparian vegetation as compared to West Corral de Piedra Creek. East Corral de Piedra Creek supports several mature western sycamores (Plantanus racemosa) in the over story, and Arroyo willow (Salix lasiolepis) dominates the middle strata. The understory in East Corral de Piedra Creek is disturbed and supports California blackberry, stinging nettle, periwinkle (Vinca major), California figwort (Scrophularia californica), Italian thistle (Carduus pychnocephalus), smilo grass (Stipa miliaceae), and milk thistle.

The composition of West Corral de Piedra Creek is similar to East Corral de Piedra; however, the over story in West Corral de Piedra does not support western sycamore. Southern California black walnut (Juglans californica) replaces western sycamore in the over story of West Corral de Piedra. Few arroyo willows are located in West Corral de Piedra Creek and the understory is more disturbed. A dense stand of Arundo donax was noted in the banks of West Corral de Piedra Creek.

Both creeks support riparian vegetation, top-of-bank features, and ordinary high water marks (OHWMs). Considering that these features are present, it is likely that the creeks fall under CDFW and U.S. Army Corps of Engineers (USACE) jurisdiction. The mapped boundaries of the creeks designate the extent of riparian vegetation, which corresponds to the CDFW jurisdictional boundaries. The USACE jurisdictional boundaries are located within the CDFW boundaries. As proposed, the project would not impact the creeks; therefore the project is not anticipated to require permitting by CDFW or USACE.

The Natural Diversity Database and the Biological Resource Assessment, prepared for the project< identified the following species potentially existing within approximately one mile of the proposed project:

A total of 61 special-status plant species and 26 sensitive wildlife species have been documented within an approximate 10-mile radius of the parcel. A complete botanical inventory of plant species observed in the parcel is included in Appendix C (Biological Resources Assessment; SWCA May 2012).

Special-status Plant Species

Because the plant list of species are considered regional, SWCA evaluated the list to identify which special status plant species have the potential to occur within the parcel, and an analysis of the range and habitat preferences of those animal species to identify which sensitive species have the potential to occur within the parcel. Through the analysis, SWCA determined that the riparian habitat on the creek banks could support black-flowered figwort and the irrigation pond provides marginal habitat for marsh sandwort and California sawgrass. Although these species have potential to occur on the parcel, they were not observed during botanical surveys conducted in May 2012.

Special-status Animal Species

SWCA determined that the following special-status animal species have the greatest potential to occur within, or directly adjacent to the parcel:

Western mastiff bat (Eumpos perotis californicus)

Pallid bat (Antrozous pallidus)

Townsends big-eared bat (Corynorhinus townsendii)

Western red bat (Lasiurus blossevillii)

Yuma myotis (Myotis yumanensis)

Loggerhead shrike (Lanius ludovicianus)

California red-legged frog (Rana draytonii)

Coast range newt (Taricha torosa torosa)

Western pond turtle (Emys marmorata)

Tricolored blackbird (Agelaius tricolor)

Western yellow-billed cuckoo (Coccyzus americanus)

Purple martin (Progne subis)

Although the species listed above may have a potential to occur in the parcel based on presence of suitable foraging or nesting habitat, none of these species were identified during the field surveys conducted by SWCA in May 2012. However, due to the transitory nature of some of these species, the potential for them to occur within the parcel cannot be ruled out.

The existing irrigation pond on the parcel provides suitable habitat for California red-legged frog, coast range newt, western pond turtle, and tricolored blackbird. Due to the presence of smallmouth bass (Micropterus dolomieu), mosquitofish (Gambusia affinis), and bull frogs (Lithobates catesbeiana) in the irrigation pond, it is unlikely that California red-legged frog and coast range newt could survive in the pond. However, the potential for these species to occur in the pond exists. Tricolored blackbird nests in colonies within tall, emergent vegetation. This habitat occurs in the pond; however, tricolored

blackbird was not observed in the area. Considering the relatively deep water habitat and presence of basking sites in the pond, the pond is good habitat for western pond turtle.

The riparian habitat associated with the two creeks supports suitable conditions for the various bat species and western yellow-billed cuckoo. Western yellow-billed cuckoo is an uncommon species in California with only isolated seasonal occurrences in southern and northern California. Even though, the habitat at the creeks is suitable for this species; it is unlikely that western yellow-billed cuckoo would occupy the area for a significant duration of time.

The listed bat species could utilize the existing structures for roosting. Purple martin and loggerhead shrike could forage on any portion of the property. In addition to these species, there is a potential for a variety of other nesting migratory birds to occur within the parcel, due to the presence of suitable nesting and foraging habitat. Nesting birds are afforded protection under the Federal Migratory Bird Treaty Act (MBTA).

Impact. The project impact on Unique or Special-status Species and/or their habitats is discussed below:

Plants. The field surveys were conducted, by SWCA, within the appropriate blooming period for those plant species that were determined to have a potential to occur within the parcel. No special-status species were observed; therefore, no impacts would occur to special-status plant species.

Wildlife. As proposed, the project includes the potential development of four parcels and a centrally located access road. Development of Parcels 1, 3, and 4 and the access road could result in the conversion of approximately 7.13 acres of active agricultural land. The active agricultural land does not provide suitable sensitive or special status species are not expected on Parcels 1, 3, and 4.

Roosting Bat Species and Nesting Bird species: Parcel 2 includes several residences and agricultural support buildings that provide suitable roosting habitat for several bat species considered under CEQA and nesting habitat for various bird species protected under the Migratory Bird Treaty Act of 1918 (MBTA). The proposed project could result in the conversion of some of these structures to non-residential use. Gradual conversion of these structures would not be expected to impact roosting bat species or nesting bird species. However, the demolish of those structures with the use of heavy equipment, control burning, or other rapid methods, roosting bat species or nesting bird species could be impacted. If rapid demolition of any structures is conducted as part of any future development, pre-disturbance surveys for roosting bats and nesting birds would be necessary to ensure these species are not impacted. Avoidance and Mitigation Measure have been identified to ensure that project activities avoid impacts to nesting birds and roosting bats.

Bordering riparian habitats and the irrigation pond on proposed Parcel 4 provide suitable habitat for nesting bird species. As proposed, the project would avoid any impacts to these habitats; therefore impacts to nesting birds in the riparian areas and the irrigation pond are not expected. If any future development impacts these habitats, such activities would need to avoid impacts to nesting bird species and a pre-disturbance nesting bird survey would need to be conducted.

California red-legged frog, Coast Range Newt, Western Pond Turtle: The irrigation pond in proposed Parcel 4 provides suitable aquatic habitat for California red-legged frog, coast range newt and western pond turtle. As proposed, the project does not include any improvements or alterations to the irrigation pond; therefore, the proposed project would not have any effect on these aquatic species.

Unforeseen future development of the parcel require the removal or alteration of the irrigation pond, the applicant would need to conduct protocol surveys for California red-legged frog in order to confirm the absence/presence of the species. If California red-legged frog were detected during the surveys, the applicant would need to consult with U.S. Fish and Wildlife Services (USFWS) under Section 10 of the Federal Endangered Species Act of 1973 (FESA), to obtain incidental take authorization for the proposed activity. In addition, the applicant would need to retain a qualified biologist to survey for and

capture and relocate coast range newt and western pond turtle that may be occupying the irrigation pond.

The project is not anticipated to result in any impacts to native or other important vegetation; or have a direct or indirect effect on wetland or riparian habitat, or the movement of resident or migratory fish and wildlife species.

Mitigation/Conclusion. A Biological Resources Assessment was completed by SWCA (May 2012). The report did not identify any special status plant species on the site and did not identify any impacts to special status wildlife. The irrigation pond does provide potential habitat for special status aquatic species therefore, mitigation measures were identified in the event that the project includes alterations to the irrigation pond. The project does not propose improvements or alterations to the irrigation pond. The project does not propose improvements or alterations to the irrigation pond; therefore the report concluded that the project as proposed would not have an impact on special aquatic species. A note has been included on the Tentative Parcel Map stating that future building envelopes on Parcels 1, 3, and 4 shall be located a minimum of 100 feet from the perimeter riparian areas. These measures are described in detail in Exhibit B – Mitigation Summary Table. The implementation of these measures will reduce impacts to potential habitat for special status aquatic species to a less than significant level.

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

Setting. The project is located in Edna Valley, which is an area historically known for good soils and good water. In 1992, a survey report described seven cultural resources sites on the Edna Ranch, which is located approximately 2.5 miles east of the project site. Edna Valley is bounded on the south by part of the Iriah Hills and the Edna Fault, and on the north by part of the Santa Lucia Range and the Huasna Fault. Edna has an important place in the agricultural history of the county and an equally important position in the prehistorty of the region. The project is situated between two streams that flow through Price Canyon into the Pacific Ocean, West Corral de Piedras Creek and East Corral de Piedras Creek. Both creeks feed Pismo Creek, a blue line creek, which is located approximately 1-mile southwest of the parcel. Potential for the presence or regular activities of the Native Americans increases in close proximity to reliable water sources.

Impact. A Cultural resources survey and impact assessment was conducted (C.A. Singer/December 2012). No evidence of cultural resources have been noted on the property, and no evidence of the buried resources identified at nearby site CA-SLO-1797 was indicated. Impacts to historical or paleontological resources are not expected.

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

6. GEOLOGY AND SOILS

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

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

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

Topography: Nearly level to gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? None

[The project is within the Geologic Study area designation or within a high liquefaction area, and is subject to the preparation of a geological report per the County's Land Use Ordinance [LUO section 22.14.070 (c), or CZLUO section 23.07.084(c)] to evaluate the area's geological stability.] [A geological report was conducted for the project (CITE GEOLOGIST/DATE).]

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is

prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Impact. As proposed, the project will result in the disturbance of approximately 7.13 acres (310,582 square feet). The entire site is disturbed, as it is an operating farm with modern facilities and equipment and three existing single family residences clustered at the northeast corner of the parcel next to Orcutt Road.

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

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☒

Setting. The project is not located in an area of known hazardous material contamination. With regards to potential fire hazards, the subject project is not within a Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 0-5 minutes to respond to a call regarding fire or life safety. The project is within the Local Fire responsibility area. Refer to the Public Services section for further discussion on Fire Safety impacts.

The project is within the Airport Review area, specifically Aviation Safety Area S-2 and was reviewed by the County of San Luis Obispo Airport Land Use Commission staff for consistency with the existing Airport Land Use Plan (ALUP) for the County of San Luis Obispo Regional Airport, and was found to be consistent with the ALUP because the proposed subdivision and associated future development/ land uses satisfy all applicable ALUP requirements regarding land uses policies, specifically safety and airspace protection policies.

The project is within the Lopez "dam inundation" area. The boundary of the dam inundation area is intended to show the maximum water limit line should there be a catastrophic release/failure of the upstream dam.

Impact. The project does not propose the use of hazardous materials, nor result in the generation of hazardous wastes. The proposed project is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). The project does not present a significant fire safety risk. The project does not propose a risk to airport operations, and a condition will be incorporated which requires all owners, potential purchasers, occupants, and potential occupants receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. 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) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☒	☐
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Expose people to severe noise or vibration?	☐	☐	☒	☐
e) If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

Setting. The property is bordered to the east by Orcutt Road, and all of the existing residential structures are located adjacent to that roadway. The portion of Orcutt Road that is adjacent to the parcel is not considered a loud noise source. The property is approximately 2.2 miles from within the 50-, 55-, and 60-dB CNEL noise contours for the San Luis Obispo County Regional Airport, therefore the noise policies of the ALUP shall be applicable to the future development of the building envelopes to minimize the number of people exposed to frequent and/or high levels of airport noise or to frequent and/or high cumulative noise levels of which airport noise is one component, the project is not within close proximity to loud noise sources, and will not conflict with any sensitive noise receptors (e.g. residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

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

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

9. POPULATION/HOUSING

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

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG)

program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Impact. The project proposal includes allowances for development envelopes for residential and ag related structures and uses. Parcels will not result in a need for a significant amount of new housing, and will displace one existing housing unit (one existing residential structure shall be converted to a non-residential use to comply with the allowable densities).

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). Prior to map recordation, the applicant will pay an affordable housing in-lieu fee consistent with the applicable fee ordinance. 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?	☐	☒	☐	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☒	☐	☐
c) Schools?	☐	☒	☐	☐
d) Roads?	☐	☒	☐	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☒

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

Police: County Sheriff Location: San Luis Obispo (Kansas Ave.) Approximately 1.94 miles to the northwest

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

Location: Approximately 2.58 miles to the north

School District: San Luis Coastal Unified School District.

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

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

11. RECREATION

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

Setting. 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.

Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact. The proposed project will not create a project specific significant need for additional park, Natural Area, and/or recreational resources, but will contribute to an area-wide cumulative demand for these resources.

Mitigation/Conclusion. (SUBDIVISION ONLY – The "Quimby" fee will adequately mitigate the project's impact on recreational facilities.) No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/CIRCULATION

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

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☒	☐
i) Other: _____	☐	☐	☐	☒

Setting. The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area along Orcutt Road is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable. Referrals were sent to County Public Works and Cal Trans. No comments were received from Cal Trans. County Public Works identified traffic-related concerns.

Impact. The project site is known to direct storm water into the Orcutt Road right-of-way causing flooding and other safety issues. Roadway improvements are included in the project description to correct this existing situation.

Machinery associated with historic agricultural operations encroaches within the Orcutt Road right-of-way damaging the shoulder. Recommended conditions will require a fence or other approved barrier be installed to keep machinery from damaging the public right-of-way.

Proposed Parcel 2 appears to have five (5) points of access to Orcutt Road clustered about the existing "Ranch Headquarters". Recommended conditions will require replacement of these 5 driveways with a single shared access driveway to serve all existing and future support buildings. This will limit the project site to two (2) access points, one for Parcel 2 and one for Parcels 1, 3, and 4. Restricted access to Orcutt Road is being requested for the remaining project frontage.

The proposed shared road for Parcels 1, 3, and 4 is aligned to intersect Orcutt Road at Cross Creek Way.

Future residential development of Parcels 1, 3, and 4 is estimated to generate a total of forty-eight (48) trips per day, based on the Institute of Traffic Engineer's manual of 10/primary residence and 6/secondary residence. This relatively small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. It is anticipated that approximately two-thirds of these trips (36 trips) would head north to San Luis Obispo, and the other one-third (12 trips) would head southwest towards the Five-Cities area. The project does not conflict with adopted policies, plans and programs on transportation. However, with the addition the anticipated build-out of other subdivisions and developments in the area, this small addition of traffic trips associated with the proposed project may have a cumulative effect on the environment.

Mitigation/Conclusion. Implementation of the conditions and measures identified in the Public Works referral (December 2012) would mitigate potential impacts (including cumulative impacts) to less than significant, and no additional mitigation measures are required.

13. WASTEWATER

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	☐	☐	☒	☐
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	☐	☐	☒	☐
c) Adversely affect community wastewater service provider?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☒

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

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

- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

Impact/Mitigation. Future residential development would utilize an individual or shared well agreement for future domestic purposes. Future residential uses will be served by individual septic systems. The area does not have any known problems with percolation and the proposed lots which would be subject to future development are of an adequate size to accommodate a septic system.

Based on the following project conditions, wastewater impacts are considered less than significant:

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

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

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

Setting. Although, it should be noted that no residential development is proposed at this time, the project is proposing to utilize an individual or shared well agreement for future domestic purposes since there are eight (8) on-site wells available as a water sources. Pump tests on the existing wells

show that existing water sources produce sufficient water to serve both current agricultural and future residential needs. The production rates of agriculture wells on the project site range between 225 gpm and 385 gpm each; therefore there will be sufficient water to maintain the production agriculture on the proposed individual parcels. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level to gently sloping. The closest creeks are located immediately to the north and south west of the proposed development. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderateerodibility. The subject property is within the Arroyo Grande groundwater basin.

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.

The existing water uses on site:

Existing Water Uses on Site:

2– Primary Dwelling ; 1 – Farm Support Quarters	0.52 AFY
154 acres – Specialty crop (Broccoli)	308 AFY

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

Within the 100-year Flood Hazard designation? Yes

Closest creek? West Corral de Piedras Creek, East Corral de Piedras Creek, and Pismo Creek Distance? West Corral de Piedras Creek borders the parcel to the north, East Corral de Piedras Creek borders the parcel to the south, and Pismo Creek is located approximately 1-mile southwest of the parcel.

Soil drainage characteristics: Well drained to not well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) 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 project's soil erodibility is as follows:

Soil erodibility: Low to moderate

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) 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 7.13 acres (310,582 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 will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The proposed building envelopes would be located more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas for the purpose of residential development will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Bioswales, if necessary, will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion; and
- ✓ 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 on the County's water usage worksheet, the project's water usage is estimated as follows:

Indoor:	1.05 acre feet/year (AFY);
Outdoor:	0.90 AFY
Total Use:	1.95 AFY
Water Conservation:	0 AFY
Total Use w/ Conservation:	1.95 AFY

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

Total estimated water usage for the entire project site that includes a possible worst case scenario for residential build out and the existing crop production:

4– Primary Dwelling ; 4 – Farm Support Quarters	1.40 AFY
144 acres – Specialty crop (Broccoli)	288 AFY
Total	289.40 AFY

With regards to project impacts on water quantity the following conditions apply to non-agricultural land use water conservation measures:

- ✓ Installation of toilets limited to 1.6 gallons/flush;
- ✓ Installation of showerheads and faucets limited to 2.75 gallons/ minute;
- ✓ If applicable, installation of spas and hot tubs that utilize recirculating systems;
- ✓ Installation of water supply piping;

- ✓ Use of drought-tolerant landscaping;
- ✓ Installation of water conserving irrigation methods (i.e. fully-automatic controller, drip irrigation, flow sensors, and soil moisture sensor) that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

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

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

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

15. LAND USE

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

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

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study. Regarding onsite land use compatibility and the long term sustainability of agricultural operations, the County Agriculture Department review of the project identified measures to further reduce potential conflicts between the future development and on onsite agricultural production uses (refer to Section 2, Agricultural Resources).

Mitigation/Conclusion. The applicant has modified the project proposal and has agreed to implement mitigation measures to reduce the potential for onsite land use conflicts including construction measures to reduce the level of interior noise and limit deterioration of air quality within proposed residences, and additional notification language to ensure future owners are fully educated regarding the existing and ongoing agricultural operations (refer to Exhibit B).

16. MANDATORY FINDINGS OF SIGNIFICANCE *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☒	☐	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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

Exhibit A - Initial Study References and Agency Contacts

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

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

☒ Project File for the Subject Application

County documents

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

Other documents

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

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

SWCA Environmental Consultants. May 2012. *Biological Resources Assessment for the Christensen Family Trust Vesting Tentative Parcel Map, San Luis Obispo County, California.*

C.A. Singer & Associates, Inc. December 15, 2012. *Cultural Resources Survey and Impact Assessment for a 155 acre Agricultural property at 6255 Orcutt Road in the County of San Luis Obispo, California.*

County References

County Agriculture Element

Rules of Procedure to Implement the California Land Conservation Act of 1965

USDA Natural Resources Conservation Service – Soil Surveys of San Luis Obispo County

County Guidelines on Williamson Act

Clean Air Plan- San Luis Obispo County, and Appendices (2001)

Air Pollution Control District (APCD) 2012 CEQA Handbook

APCD 2007 Air Quality Report

County Conservation and Open Space Element (Appendices)

California Natural Diversity Data Base, California Department of Fish & Wildlife (2013)

California Native Plant Society's Inventory of Rare and Endangered Plants of California: Sixth Edition, 2001

County Land Use Ordinance – Inland (Title 22)

County Safety Element (1999)

San Luis Obispo Airport Land Use Plan & Maps for the San Luis Obispo Regional Airport, 2005

Real Property Ordinance (Title 21)

County Noise Element

San Luis Obispo County /CDF Fire Protection Master Plan

County Parks and Recreation Element

South Count Area Plan

County Traffic Counts

County Transportation Plan

County Traffic Circulation Studies: South County, 2008

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.

AGRICULTURE

AG-1 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet, that all components of future (residential and agriculture/agricultural accessory) development shall be contained within the development envelope acreage amounts identified for each parcel, as described in the project description and provided in the table below:

Parcel	Residential Development Envelope	Agriculture/ Agriculture Accessory Development Envelope
Parcel 1	1.2 acres	0.81 acres
Parcel 2	2.5 acres	0 acres
Parcel 3	1.2 acres	1 acre
Parcel 4	1.2 acres	0 acres

All future development, including leach lines, landscape, parking, etc., shall be confined to areas not to exceed the acreage amounts provided in the table below. Mitigation measures restricting allowable uses within future building envelopes; restricting additional development of water reservoirs outside the future development envelopes; precluding any future subdivision of the site; and precluding off-site transfers of water beyond the historical water transfers for the purpose of crop irrigation for adjacent agricultural properties or other properties under the same ownership, have all been included as Conditions of Approval to reduce the potential impacts to the sustainability of agricultural resources to a less than significant level.

The applicant may show the location of the specific future development envelopes on the Final Map or **at the time of application for construction permits**, the applicant shall demonstrate that they have complied with the above mentioned note.

AG-2 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet that future development envelopes shall be located close to existing roads and on the perimeter of the farm fields to minimize the conversion of agricultural lands.

The applicant may show the location of the specific future development envelopes on the Final Map or **at the time of application for construction permits**, the applicant shall demonstrate that they have complied with the above mentioned note.

AG-3 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet and execute and record a declaration of restrictions in a form approved by County Counsel, wherein the owners(s) agrees on their behalf and all successors in interest to the

parcel that, unless a Land Use Element amendment is first approved to change the classification of the site to a land use category other than Agriculture, approval or establishment of more than one residential use (other than farm support quarters) on the parcel will not be allowed. The declaration of restrictions shall not be amended or terminated without the prior approval of the Board of Supervisors.

AG-4 **Prior to recordation of final map,** the applicant shall show on an additional map sheet a note recognizing that resulting parcels are in Williamson Act agricultural preserve contract and separate sale of parcels of record must be in compliance with Table 1 of the Agriculture Preserve Rules of Procedure.

AG-5 **Structural Uses/Accessory Uses. Prior to recordation of final map**, the applicant shall show on an additional map sheet a note that all structural uses and improvements within the development envelope(s) are limited to only those uses that have been identified as allowable or conditionally allowable within the Agricultural Land Use Category.

AG-6 **Prior to recordation of final map**, the applicant shall include a note on the additional map sheet that all non-structural uses allowed outside of the proposed development envelope acreages shall be limited to only those uses that support the existing irrigated row crops.

AG-7 **Right-to-Farm Disclosure. Prior to transfer of parcel (s),** the applicant shall include a note on the additional map sheet and disclose to prospective buyers, of all parcels included in the proposed project, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the County's Right to Farm ordinance currently in effect at the time said deed(s) are recorded.

BIOLOGICAL

BIO-1 **At the time of subdivision improvement construction,** the applicant shall show on an additional map sheet a note that at the time of application for construction permits that provide the following:

If rapid demolition of any existing structure is to occur during the nesting bird season (February 15 to September 15), the applicant shall retain a qualified biologist to conduct a nesting bird survey. Rapid demolition would include the use of heavy equipment or control burning. If active bird nests are detected the following measures should be implemented:

a. The project should be modified or delayed as necessary to avoid direct take of bird species protected under the MBTA;

b. The County approved biologist should establish an appropriate buffer zone around active nest sites. Construction activities in the established buffer zone should be prohibited until the young have fledged the nest and achieved independence; and,

c. The County approved biologist should document all active nests and submit a letter-report to the County, USFWS, and CDFW, documenting project compliance with the MBTA and applicable project mitigation measures.

Prior to recordation of final map, the above mentioned note shall be shown on and additional map sheet.

BIO-2 **Prior to recordation of final map,** the applicant shall show on an additional map sheet a note that at the time of application for construction permits that provide the following:
If rapid demolition of any existing structures is to occur, a qualified biologist shall survey

structure(s) to determine the presence/absence of roosting bats within the existing structures. Should no roosting bats be present, exclusionary measures shall be implemented to preclude roosting prior to demolition. If active roosting is identified, the project should be delayed until the biologist can confirm that the roosting bats have evacuated the structures on their own accord.

At the time of subdivision improvement construction, the above mentioned note shall be shown on and additional map sheet.

BIO-3. **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet the following requirements apply to any future modifications to the irrigation reservoir for future development and improvements:

a. If future project alternatives include any improvements or alterations to the irrigation pond on proposed Parcel 4, the applicant shall retain a qualified biologist to conduct protocol level surveys for California red-legged frog. If California red-legged frog is detected in the pond, the applicant would need to consult with the USFWS under Section 10 of the FESA. Implementation of this mitigation measure is only necessary if future development of the parcel necessitates alteration to the existing irrigation pond.

b. If future project alternatives include any improvements or alterations to the irrigation pond on proposed Parcel 4, the applicant shall retain a qualified biologist to conduct capture and relocation efforts for western pond turtle and coast range newt. Implementation of this mitigation measure is only necessary if future development of the parcel necessitates alteration to the existing irrigation pond.

BIO-4. **Prior to recordation of final parcel map,** the applicant shall include a note on the additional map sheet that future building envelopes on Parcels 1, 3, and 4 shall be located a minimum of 100 feet from the edge of the riparian areas.

The applicant may show the location of the specific future development envelopes on the Final Map or **at the time of application for construction permits**, the applicant shall demonstrate that they have complied with the above mentioned note.

LAND USE

LU-1 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet that at the time of application of construction permit for habitable structures the following Standard Noise–Element Measures for Interior Noise on the project plans/drawings:

- All structures provide air conditioning or a mechanical ventilation system
- All windows and sliding glass doors shall be mounted in low air filtration rate frames
- All exterior doors are solid core with perimeter weather stripping and threshold seats
- All fresh air inlets or exhaust vents shall incorporate sound attenuation and noise baffling.
- All Exterior walls consisting of stucco, brick/stone veneer or wood siding shall have a 1/2'" minimum thickness fiberboard (i.e. soundboard) under layer.

Prior to final inspection/occupancy of individual lot construction permits, the applicant shall provide verification to the satisfaction of the County that the above measures have been adhered to.

WATER/HYDROLOGY

W-1 **At the time of submittal for subdivision improvements,** if site disturbance for the subdivision improvements exceeds 1 acre the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for the review and approval of the State Water Resources Control Board and County of San Luis Obispo. This Plan shall outline proposed Best Management Practices (BMPs) to control erosion and prevent sedimentation from entering the storm water and drainage systems, methods to prevent accidental spills, and a proposed clean-up plan.

W-2 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet that any applicable plans/drawings for future development include the following non-agricultural land use water conservation measures:

- Installation of toilets limited to 1.6 gallons/flush
- Installation of showerheads and faucets limited to 2.75 gallons/minute
- If applicable, installation of spas and hot tubs that utilize recirculating systems
- Installation of water supply piping
- Use of drought-tolerant landscaping
- Installation of water conserving irrigation methods (i.e. fully-automatic controller, drip irrigation, flow sensor, and soil moisture sensor) that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

Prior to final inspection/occupancy of individual lot construction permits, the applicant shall provide verification to the satisfaction of the County that the above measures have been adhered to.

October 1, 2014

DEVELOPER'S STATEMENT FOR THE CHRISTENSEN FAMILY TRUST AGRICULTURAL PARCEL MAP (VESTING TENTATIVE PARCEL MAP CO 11-0098); SUB2011-00001

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

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

Project Description: Request by Christensen Family Trust for a Vesting Tentative Parcel Map (CO 11-0098) to allow for the subdivision of an existing parcel of 156.18 acres (APN: 044-111-001) into four parcels, ranging in size from 38 acres to 40 acres for the purpose of sale/ and or development. In compliance with the Use Test standards a minimum of 90% of the acreage for each proposed parcel will be designated for plantable use. A 1.2 acre residential development envelope is proposed on Parcels 1, 3, and 4, and a residential development envelope totaling 2.5 acres is proposed on Parcel 2. In addition, an agriculture/agricultural accessory development envelope is proposed for Parcels 1 and 3. The agriculture/agriculture accessory development envelope on Parcel 1 will be 0.81 acres, and 1 acre on Parcel 3. One 18-foot wide and approximately 0.28 mile (1,500 feet) long on-site gravel road is proposed to serve of the proposed parcels. Future development could result in the disturbance of approximately 7.13 acres of the total site. The site has frontage on one County road; Orcutt Road. The proposed subdivision will require roadway frontage improvements. The proposed project is within the Agriculture land use category and is located at 6255 Orcutt Road, approximately 2.5 miles southeast of the City of San Luis Obispo. The project site is within the San Luis Obispo Subarea South of the San Luis Obispo (Rural) subarea of the South County Planning Area.

AGRICULTURAL RESOURCES

AG-1 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet, that all components of future (residential and agriculture/agricultural accessory) development shall be contained within the development envelope acreage amounts identified for each parcel, as described in the project description and provided in the table below:

Parcel	Residential Development Envelope	Agriculture/ Agriculture Accessory Development Envelope
Parcel 1	1.2 acres	0.81 acres
Parcel 2	2.5 acres	0 acres
Parcel 3	1.2 acres	1 acre
Parcel 4	1.2 acres	0 acres

All future development, including leach lines, landscape, parking, etc., shall be confined to areas not to exceed the acreage amounts provided in the table below. Mitigation measures restricting allowable uses within future building envelopes; restricting additional development of water reservoirs outside the future development envelopes; precluding any future subdivision of the site; and precluding off-site transfers of water beyond the historical water transfers for the purpose of crop irrigation for adjacent agricultural properties or other properties under the same ownership, have all been included as Conditions of Approval to reduce the potential impacts to the sustainability of agricultural resources to a less than significant level.

The applicant may show the location of the specific future development envelopes on the Final Map or **at the time of application for construction permits**, the applicant shall demonstrate that they have complied with the above mentioned note.

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

AG-2 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet that future development envelopes shall be located close to existing roads and on the perimeter of the farm fields to minimize the conversion of agricultural lands.

The applicant may show the location of the specific future development envelopes on the Final Map or **at the time of application for construction permits**, the applicant shall demonstrate that they have complied with the above mentioned note.

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

AG-3 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet and execute and record a declaration of restrictions in a form approved by County Counsel, wherein the owners(s) agrees on their behalf and all successors in interest to the parcel that, unless a Land Use Element amendment is first approved to change the classification of the site to a land use category other than Agriculture, approval or establishment of more than one residential use (other than farm support quarters) on the parcel will not be allowed. The declaration of restrictions shall not be amended or terminated without the prior approval of the Board of Supervisors.

Monitoring: The Planning and Building Department shall verify compliance.

AG-4 **Prior to recordation of final map,** the applicant shall show on an additional map sheet a note recognizing that resulting parcels are in Williamson Act agricultural preserve contract and separate sale of parcels of record must be in compliance with Table 1 of

the Agriculture Preserve Rules of Procedure.

Monitoring: The Planning and Building Department shall verify compliance.

AG-5 **Structural Uses/Accessory Uses. Prior to recordation of final map,** the applicant shall show on an additional map sheet a note that all structural uses and improvements within the development envelope(s) are limited to only those uses that have been identified as allowable or conditionally allowable within the Agricultural Land Use Category.

Monitoring: The Planning and Building Department shall verify compliance.

AG-6 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet that all non-structural uses allowed outside of the proposed development envelope acreages shall be limited to only those uses that support the existing irrigated row crops.

Monitoring: The Planning and Building Department shall verify compliance.

AG-7 **Right-to-Farm Disclosure. Prior to transfer of parcel (s),** the applicant shall include a note on the additional map sheet and disclose to prospective buyers, of all parcels included in the proposed project, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the County's Right to Farm ordinance currently in effect at the time said deed(s) are recorded.

Monitoring: The Planning and Building Department shall verify compliance.

BIOLOGICAL RESOURCES

BIO-1 **At the time of subdivision improvement construction,** the applicant shall show on an additional map sheet a note that at the time of application for construction permits that provide the following:

If rapid demolition of any existing structure is to occur during the nesting bird season (February 15 to September 15), the applicant shall retain a qualified biologist to conduct a nesting bird survey. Rapid demolition would include the use of heavy equipment or control burning. If active bird nests are detected the following measures should be implemented:

a. The project should be modified or delayed as necessary to avoid direct take of bird species protected under the MBTA;
b. The County approved biologist should establish an appropriate buffer zone around active nest sites. Construction activities in the established buffer zone

should be prohibited until the young have fledged the nest and achieved independence; and,

c. The County approved biologist should document all active nests and submit a letter-report to the County, USFWS, and CDFW, documenting project compliance with the MBTA and applicable project mitigation measures.

Prior to recordation of final map, the above mentioned note shall be shown on and additional map sheet.

Monitoring: The Planning and Building Department shall verify compliance.

BIO-2 **Prior to recordation of final map,** the applicant shall show on an additional map sheet a note that at the time of application for construction permits that provide the following:

If rapid demolition of any existing structures is to occur, a qualified biologist shall survey structure(s) to determine the presence/absence of roosting bats within the existing structures. Should no roosting bats be present, exclusionary measures shall be implemented to preclude roosting prior to demolition. If active roosting is identified, the project should be delayed until the biologist can confirm that the roosting bats have evacuated the structures on their own accord.

At the time of subdivision improvement construction, the above mentioned note shall be shown on and additional map sheet.

Monitoring: The Planning and Building Department shall verify compliance.

BIO-3. **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet the following requirements apply to any future modifications to the irrigation reservoir for future development and improvements:

a. If future project alternatives include any improvements or alterations to the irrigation pond on proposed Parcel 4, the applicant shall retain a qualified biologist to conduct protocol level surveys for California red-legged frog. If California red-legged frog is detected in the pond, the applicant would need to consult with the USFWS under Section 10 of the FESA. Implementation of this mitigation measure is only necessary if future development of the parcel necessitates alteration to the existing irrigation pond.

b. If future project alternatives include any improvements or alterations to the irrigation pond on proposed Parcel 4, the applicant shall retain a qualified biologist to conduct capture and relocation efforts for western pond turtle and coast range newt. Implementation of this mitigation measure is only necessary if future development of the parcel necessitates alteration to the existing irrigation pond.

Monitoring: The Planning and Building Department shall verify compliance.

BIO-4 **Prior to recordation of final parcel map,** the applicant shall include a note on the additional map sheet that future building envelopes on Parcels 1, 3, and 4 shall be located a minimum of 100 feet from the edge of the riparian areas.

The applicant may show the location of the specific future development envelopes on the Final Map or **at the time of application for construction permits,** the applicant shall demonstrate that they have complied with the above mentioned note.

Monitoring: The Planning and Building Department shall verify compliance.

LAND USE

LU-1 **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet that at the time of application of construction permit for habitable structures the following Standard Noise–Element Measures for Interior Noise on the project plans/drawings:

- All structures provide air conditioning or a mechanical ventilation system
- All windows and sliding glass doors shall be mounted in low air filtration rate frames
- All exterior doors are solid core with perimeter weather stripping and threshold seats
- All fresh air inlets or exhaust vents shall incorporate sound attenuation and noise baffling.
- All Exterior walls consisting of stucco, brick/stone veneer or wood siding shall have a 1/2" minimum thickness fiberboard (i.e. soundboard) under layer.

Prior to final inspection/occupancy of individual lot construction permits, the applicant shall provide verification to the satisfaction of the County that the above measures have been adhered to.

Monitoring: The Planning and Building Department shall verify compliance.

WATER RESOURCES

W-1 **At the time of submittal for subdivision improvements,** if site disturbance for the subdivision improvements exceeds 1 acre the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for the review and approval of the State Water Resources Control Board and County of San Luis Obispo. This Plan shall outline proposed Best Management Practices (BMPs) to control erosion and prevent sedimentation from entering the storm water and drainage systems, methods to prevent accidental spills, and a proposed clean-up plan.

sedimentation from entering the storm water and drainage systems, methods to prevent accidental spills, and a proposed clean-up plan.

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

W-2. **Prior to recordation of final map,** the applicant shall include a note on the additional map sheet that any applicable plans/drawings for future development include the following non-agricultural land use water conservation measures:

- Installation of toilets limited to 1.6 gallons/flush
- Installation of showerheads and faucets limited to 2.75 gallons/minute
- If applicable, installation of spas and hot tubs that utilize recirculating systems
- Installation of water supply piping
- Use of drought-tolerant landscaping
- Installation of water conserving irrigation methods (i.e. fully-automatic controller, drip irrigation, flow sensor, and soil moisture sensor) that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

Prior to final inspection/occupancy of individual lot construction permits, the applicant shall provide verification to the satisfaction of the County that the above measures have been adhered to.

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

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

Susan Wisberg
Signature of Owner(s)

August 2, 2014
Date

Susan Wisberg
Name (Print)

August 1, 2014

Signature of Owner(s) — Date: 10/8/2014

Charles John Darway
Name (Print)

Signature of Owner(s) — Date: Sept 29 2014

Chris Allen Darway
Name (Print)

Signature of Owner(s) — Date

Earl James Darway
Name (Print)

August 1, 2014

Signature of Owner(s) Date

Charles John Darway
Name (Print)

Signature of Owner(s) Date

Chris Allen Darway
Name (Print)

Signature of Owner(s) Date

Earl James Darway
Name (Print)

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Date: **March 2, 2012**

To: **Brian Pedrotti, Project Manager**

From: **Lynda L. Auchinachie, Agriculture Department** LA

Re: **Christensen Parcel Map SUB2011-00011 (1610)**

This memo is in response to your request for additional information regarding our department's November 28, 2011, recommendation for parcel sizes that are larger than what the applicant has proposed. The recommended larger parcel size is to ensure agricultural capability and the long term protection of agricultural resources consistent with the goals and policies of the Agriculture Element.

Although our primary concern centers on the end result of the proposed parcel subdivision, it should be noted that the applicant's application overstated the amount of acreage currently in crop production and proposed Parcel 2 does not meet the minimum qualifying criteria identified in Land Use Ordinance Section 22.22.040B1b for parcels less than 40 acres in size that allows for this proposal. Redesigning the parcel to meet minimum qualifications would still result in potential significant adverse impacts to agricultural resources as the proposed parcels would not be considered of adequate size to ensure agricultural capability and the long term protection of agricultural resources.

How is the long term protection of agricultural resources ensured through subdivision consistent with the goals of the Agriculture Element?

Subdivision of agricultural property into parcels which are not sustainable because they are too small for continued long term agriculture has been well known in California as a significant step in conversion of agricultural land. Prior to the adoption of the Agriculture Element in 1998, the Title 22 Land Use Ordinance (LUO) minimum parcel size for identified irrigated row crops and/or Class 1 soil was 20 acres and the minimum parcel size for Class 2 soil was 40 acres. During the development of Agriculture Element policies, it was recognized that 20 acre parcels of any resource were not of an adequate size to ensure agricultural capability or the long term protection of agricultural resources and that larger parcel sizes were necessary to be consistent with the goals of conserving and protecting agricultural resources. Considerable multi-agency research and analysis was conducted to identify what an appropriate minimum parcel size could be based on a combination of existing agricultural resources, land use, farming practices, regulatory considerations etc. The research indicated that a minimum 40 acre parcel

size for certain resources may be appropriate, while at the same time recognizing that larger parcel sizes may be required during the discretionary review process. The 40 acre criteria and requirement for potentially larger parcels sizes were adopted by the BOS based on the county staff's supporting documentation (Figure 2.2 in the Agriculture Element).

During the hearing process, the "flexibility" to **propose** parcels as small as 20 acres if certain criteria were met was also adopted along with the previously referenced requirement for larger parcels. It should be noted that specific environmental review for a parcel size less than 40 acres was not conducted and there was no supporting documentation that indicated a smaller parcel size could ensure agricultural capability or long term protection of agricultural resources. At no time was it determined that simply meeting the 20 acre criteria meant that a parcel was designed to ensure the long term protection of agricultural resources. This is reflected in the adopted language of the LUO that indicates that such parcels can be **proposed,** but not automatically approvable. A parcel less than 40 acres in size has not been approved since the adoption of the Agriculture Element and the LUO standards. To ensure the long term protection of agricultural resources through subdivision, our office has consistently determined that parcel sizes should be 40 acres or larger.

What has changed since the adoption of the 40 acre minimum parcel size fourteen years ago that may lead to a recommendation for an increase or decrease in minimum parcel size?

A minimum parcel size of at least 40 acres was established based on a combination of several factors including agricultural resources, land use, farming practices, and regulatory considerations. While a detailed update of this information is not feasible for each proposed subdivision project, general trends are tracked and an analysis of how conditions have changed is conducted by the Agriculture Department, in consultation with the University of California Cooperative Extension Farm Advisors, to determine the recommendation for parcel size consistent with the Agriculture Element. The following is a general discussion of how things have changed in a way that could influence parcel size recommendations:

Agricultural resources. A parcel size of at least 40 acres was recommended based on characteristics associated with Natural Resources Conservation Service (NRCS) soil unit designations when the soil is irrigated. The NRCS classifications for the project site have not changed since 1998 and therefore an increase or decrease in a recommended parcel size is not justified based on soils.

Over the past 14 years water availability has become more of a challenge throughout the county due to increased competition for groundwater resources as a result of increased demand by both agricultural and urban uses. The Edna Valley is no exception with several areas experiencing a decrease in water availability and the increased need for crop production areas to be displaced by water reservoirs to meet irrigation needs. Such a change could contribute to an increased parcel size recommendation to accommodate necessary reservoirs and associated infrastructure.

Land use. A primary consideration in determining increasing the minimum parcel size from 20 acres to at least 40 acres was the ability to maintain adequate crop diversity on a single parcel. The benefits of

crop diversity are the same today as they were in 1998. These benefits include reduced risk of crop failures, maintenance of soil fertility, greater flexibility in crop choice and growth cycles, enhanced crop growth, minimized spread of disease, weed control, inhibited pest and insect growth, and improved food and economic security as well as the ability to meet current market needs through staggered planting and harvest times.

Additional land use considerations included existing land use patterns, continued fragmentation of agricultural land, and the increase in rural residents into agricultural areas since 1998. The county continues to have a significant amount of substandard agricultural parcels that were not approved through the current subdivision process but instead a result of antiquated subdivisions, deeds, certificates of compliance, and lot line adjustments. While lot line adjustment projects are now limited to no more than four parcels, smaller residential parcels in agricultural areas continue to be created through this process although on a more limited basis. These smaller parcels continue to be popular for residential uses that are incompatible with neighboring agricultural operations.

Another important factor is that a precedent would be set by the creation of agricultural parcels that are less than 40 acres in size based simply on meeting the LUO criteria. Such a precedent could lead to other qualifying lands subdividing to a parcel size that is not large enough to ensure agricultural capability or the long term protection of agricultural resources. An example is the project site itself which, if evaluated solely by the criteria described in Section 22.22.040B1b of the LUO, could potentially qualify for up to seven parcels of approximately 20 acres each. Each of these parcels could be sold separately, allowing for additional residences and leading to obvious conflicts with long-term sustainability.

Multiple, adjacent, and separately owned agricultural operations may have compatibility problems as well. One operation may harbor pests that infest other operations in the area or pest management approaches may conflict. Furthermore, a criterion to qualify for a parcel less than 40 acres in size is the site must be Class 1 or 2 irrigated soils also classified as Prime Farmland. Prime Farmland remains a limited resource in San Luis Obispo County and adequate measures to protect them from conversion out of agricultural use are as critical today as in 1998. Based on land use considerations, there is no justification to reduce the minimum parcel size from 40 acres.

Farming practices. At the time the minimum 40 acre parcel size was adopted, technologically based farming practices designed to improve crop yield and/or use resources and inputs more efficiently were already being implemented. Established practices for vegetable production included using transplants, plastic mulches, and drip irrigation to increase yields, and allow more efficient use of fertilizers and irrigation water while at the same time reducing weeding and soil erosion. Today these practices, although not universal, are commonly utilized. Additional farming practices or techniques to improve yields or reduce costs for vegetable production have been limited since the adoption of the 40 acre minimum parcel size. In some instances, vegetable yields have been increased by expanding the number of vegetable rows in a single bed. However, this can only be achieved in lighter soils than what is available on the project site and for limited crops. Such changes do not support a reduction in the minimum parcel size below 40 acres.

Regulatory considerations. Since the adoption of the Agriculture Element in 1998, several changes have occurred in the regulatory environment that could influence minimum parcel size. These changes include potential loss of crop or area available for production due to food safety issues, buffering or removing land from production for water quality purposes and protection of endangered species, as well as labor safety requirements and immigration restrictions. All of these changes result in either land removed from production, increased expenses to ensure compliance or both. Such changes do not support a reduction in the minimum parcel size below 40 acres, if anything; recent regulatory trends indicate that a larger parcel size may be required for long term protection of agricultural resources.

Other considerations. An additional consideration that affects agriculture throughout the entire nation includes the cost of inputs derived from crude oil based products. While the situation is not unique to San Luis Obispo, the following discussion highlights the changes over the past 14 years.

A parcel size of at least 40 acres and capable of supporting identified irrigated crops, such as vegetables, was determined to have a strong likelihood of remaining in long-term sustainable production in 1998. To sustain production, adequate land and water, machinery, labor as well as production inputs such as fertilizers, herbicides, insecticides and fungicides are necessary. These inputs are typically petroleum based. To sustain profit for the long-term, the price that the farmer receives for a crop needs to exceed expenses to produce that crop.

Expenses associated with land and water, machinery, labor, and particularly production inputs have all increased since 1998. A common example of the accelerated rate of expenses associated with conventional vegetable production compared to the value of crops is demonstrated by comparing the value of crops to the value of a barrel of crude oil over time. The reason for this comparison is that petroleum based products, such as production inputs and machinery fuel, are a necessary expense for vegetable production. The following chart demonstrates that the average inflation adjusted value of a barrel of crude oil from 1998 to 2011 has increased 201 percent whereas the average inflation adjusted value of some representative vegetable crops have increased only 25 percent or have not kept up with inflation at all. In fact, bell peppers and squash have a real value that is less today than at the time the 40 acre minimum parcels size was adopted.

Barrel of Oil[1]	Average Value of Oil 1996-1998	Average Inflation Adjusted Value[3] of Oil 1996-1998	Average Inflation Adjusted Value of Oil 2009-2011
Oil	$17.00	$24.05	$72.39
Crop[2]	Average Value of Crop 1996-1998	Average Inflation Adjusted Value of Crop 1996-1998	Average Inflation Adjusted Value of Crop 2008-2010*
Bell Peppers	$6.36	$8.65	$7.21
Squash	$5.13	$7.00	$6.38
Cauliflower	$5.69	$7.74	$8.92
Celery	$5.40	$7.36	$9.03

[1] http://inflationdata.com/inflation/inflation_rate/historical_oil_prices_table.asp
[2] San Luis Obispo County Department of Agriculture Annual Reports 1996, 1997, 1998, 2008, 2009, and 2010
[3] http://www.usinflationcalculatory.com/

*Latest available information

The cost of land, labor, and compliance with regulatory requirements has generally increased over the past 14 years. Anecdotal information indicates that at a minimum these costs are equal to or greater than the rate of inflation and therefore would also be considered an increased expense. While not a direct factor in determining parcel size for this project, it is important to note that most expenses have increased at a rate greater than crop values since 1998.

Why did the Agriculture Department recommend that each proposed parcel include at least 40 acres of crop production area? Has this always been the recommendation?

As previously stated, the Agriculture Department tracks general trends that may affect parcel size recommendations for proposed subdivisions. Each project site is unique and is evaluated on a case by case basis so comparisons are difficult. However, increased resource and regulatory constraints that require land to be taken out of production have resulted in the Department recommending that qualifying irrigated crops have at least 40 acres of crop production area available for long term production. This has resulted in a parcel size larger than 40 acres to accommodate non production areas such as riparian habitat or other natural resource areas, areas taken out of production for food safety purposes and resource protection, development envelopes, infrastructure and steep slopes.

The project site is bound by riparian habitat to the north and south and these areas are most likely to be subject to restrictions associated with food safety, water quality, endangered species, and other environmental restrictions that would affect production areas. Additional acreage may need to be converted to water storage. For these reasons, a parcel size with at least 40 acres of crop production area plus additional acreage to accommodate non production areas is identified as an adequate size to ensure agricultural capability and the long term protection of agricultural resources and avoid potential significant adverse impacts to agricultural resources.

If you have additional questions, please do not hesitate to contact me.

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DATE: **November 28, 2011**

TO: **Brian Pedrotti, Project Manager**

FROM: **Lynda L. Auchinachie, Agriculture Department**

SUBJECT: Christensen Parcel Map SUB2011-00011 (1610)

Thank you for the opportunity to comment on the proposed Christensen parcel map. The following comments are based on policies in the San Luis Obispo County Agriculture Element, Conservation and Open Space Element, the Land Use Ordinance (LUO), the California Environmental Quality Act (CEQA), and on current departmental policy to protect agriculture resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

Project Description and Agricultural Setting

The proposed project is to divide an approximately 156 acre site into four parcels of 25, 43.72, 43.73 and 43.73 acres each based on the existing use test. Each proposed parcel has a 2-acre building envelope. Net acreage for continued irrigated crop production on each proposed parcel is estimated to be less than 40 acres because of unplantable areas such as drainage areas, roads, and building envelopes. The project site is located at 6255 Orcutt Road, in Edna Valley.

The project site and surrounding parcels are within the Agriculture land use category. The site consists of the Important Agricultural Soil Salinas silty clay loam, 0-2 percent (Class I, irrigated). The property has a demonstrated history of diverse irrigated vegetable production and is currently supporting such crops as Napa cabbage, bell peppers and Brussel sprouts. The project site has seven operational irrigation wells producing from 225 gpm to 385 gpm. Each of the proposed parcels includes one or more irrigation wells and associated infrastructure. The project site is also developed with a residence and agricultural accessory structures that occupy approximately 2-acres of the 25 acre proposed Parcel 2. Properties in the area are generally planted with wine grape vineyards, vegetables, lemon orchards, and hay or grain crops

Project Evaluation

Agriculture Policy 20 of the Agriculture Element states that the Agriculture Department should carefully review any proposed division of agricultural land: "The primary concern should be that the resulting parcels will maintain the land resources, so they will have a strong likelihood of remaining in long-term sustainable agriculture." Further, the County Land Use Ordinance (LUO)

subdivision design standards for Agriculture designated lands reiterates that proposed parcels should be of adequate size and design to ensure the long term protection of agricultural resources and that a parcel size larger than the minimum identified by the qualifying tests may be required (22.22.040.A). The LUO use test indicates that for irrigated vegetables a minimum qualifying parcel size is 40 acres; except parcels may be as small as 20 acres if certain resource and design requirements are met. Meeting minimum parcel size qualifications does not equate to a sustainable parcel that would ensure the long-term protection of agricultural resources.

The request is to create four parcels of 25, 43.72, 43.73 and 43.73 acres each based upon the use test found in LUO Section 22.22.040.B.1(a)(b). While all the proposed parcels meet the LUO minimum criteria for qualification, none of the proposed parcels are considered an adequate size to ensure the long term protection of agricultural resources consistent with Agriculture Element policies and LUO requirements as described below. As previously stated, meeting LUO minimum parcel size qualifications does not equate to a sustainable parcel that would ensure the long-term protection of agricultural resources as required by Section 22.22.040.A.

Sustainable Agricultural Resources

In order to be considered a sustainable agriculture parcel, land division should be based upon the underlying agricultural resources and the ability to support an independent agricultural operation on each proposed parcel. In addition to adequate acreage of/for cultivated ground at this project site, each proposed parcel should have an operational well and associated infrastructure capable of irrigating at least 40 acres of a qualifying crop that can be successfully grown in the area, have adequate resources to qualify for an independent Williamson Act contract, and include logical parcel boundaries. A parcel would be considered an adequate size and design to ensure agricultural capability and the long term protection of the agricultural resources if all of the above criteria are met.

As proposed, the parcels do not have adequate underlying resources as each proposed parcel would have less than 40 acres of suitable production area available for irrigated vegetables or other qualifying crops because of unplantable acreage associated with drainage areas, roads, reservoir, and building envelopes.

Additionally, agricultural parcels are most sustainable when they have their own water source and are not reliant on jointly managing wells. The proposed map indicates that owners will enter into a water agreement which will give each parcel equal rights to water pumped from the entire subdivision. Such water agreements increase the likelihood of conflict between future owners relative to water use, scheduling, and ongoing repair and maintenance of such a shared water system as well as creating potential limitations to future plantings. As is the history and custom within the county, each newly created parcel should have its own independent irrigation well and system adequate to irrigate at least 40 acres of vegetables or other qualifying crop acreage. For the reasons stated above, the proposed parcels would not be considered of adequate size to ensure agricultural capability and the long term protection of agricultural resources and the creation of such parcels would result in potential significant adverse impacts to agricultural resources.

Land Use Compatibility

The subdivision of the project site into four parcels continues the division of larger agricultural properties. Division of agricultural lands typically leads to increased residential and other development. Locating residences in areas of intensive agricultural production can lead to

conflicts between residential uses and ordinary agricultural practices. However, the proposed parcels are of an adequate size to provide for separation between agricultural production and neighboring residences, and the purchasers of properties of these sizes should be expected to anticipate intensive agricultural production on adjacent parcels. Right to farm notification will help to ensure that future owners more clearly understand the intensive nature of agricultural operations.

Precedent Setting Factors

The goals of the Agriculture Element include maintaining the agricultural land base of the county and establishing land use policies that support the needs of agriculture without impeding its long-term viability. The creation of four parcels without adequate acreage in which to cultivate at least 40 acres of irrigated vegetables or other qualifying crop would set the precedent for the creation of non-sustainable parcels. Furthermore, the proposed subdivision continues a trend toward the parcelization of large agricultural parcels. Large parcels provide the best protection of the county's agricultural resources.

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

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MEMORANDUM

Date: December 18, 2012

To: Brian Pedrotti, South County Team Planner

From: Glenn Marshall, Development Services Engineer

Subject: Public Works Comments and Recommended Conditions of Approval for SUB2011-00011, Parcel Map CO 11-0098, a Subdivision of 156 acres of Agricultural Zoned Land into 4 parcels. Orcutt Road, San Luis Obispo Fringe, APN 044-111-001

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

Public Works Comments:

1. We have reviewed the resubmittal package from Kirk Consulting dated December 2012 and have revised our comments and recommended conditions when in agreement with their concerns.

2. In accordance with the Grading and Drainage, Section 22.52.070 (B) (9) [Res. 3188 4/13/2010] onsite pad and access road grading is not exempt from a Grading Permit and therefore this work must be processed through the Planning and Building Department. Public Works recommends the access road work be completed prior to final map recordation [21.03.010 (d) (2)]

3. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for):

   "In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."

4. The project is located within an Agricultural Zone and is not a Cluster Subdivision. In accordance with Resolution 2008-0152 (supersedes Resolution 91-367) no frontage improvements along Orcutt Road are being recommended.

5. The project is under the Williamson Act, Document No. 2010064944.

6. The project site is known to direct storm water into the Orcutt Road right-of-way causing flooding and other safety issues. A condition is being recommended to correct this existing situation.

7. Machinery associated with historic agricultural operations encroaches within the Orcutt Road right-of-way damaging the shoulder. Recommended conditions will require a fence or other approved barrier be installed to keep machinery from damaging the public right-of-way.

8. Public Works is requesting a 10-foot offer of dedication for a roadway easement and a 5-foot PUE for relocation of utilities to accommodate future widening and bike lane improvements to Orcutt Road along the entire project frontage.

9. Proposed Parcel 2 appears to have five (5) points of access to Orcutt Road clustered about the existing "Ranch Headquarters". Public Works is recommending replacement of these 5 driveways with a single shared access driveway to serve all existing and future support buildings. This will limit the project site to two (2) access points, one for Parcel 2 and one for Parcels 1, 3 and 4. Restricted access to Orcutt Road is being requested for the remaining project frontage.

10. Public Works recommends that the shared access road for Parcels 1, 3 and 4 be realigned to intersect Orcutt Road at Cross Creek Way.

Recommended Public Works Conditions of Approval

Access and Improvements:
Road and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:

a. The proposed private access road serving Parcels 1, 3 and 4, as shown on the tentative map, shall be realigned to intersect Orcutt Road at Cross Creek Way and be designed and constructed in accordance with California Highway Design Manual Figure 405.7 and County sight distance standards.

b. All existing driveways fronting proposed Parcel 2 shall be combined to a single shared access driveway and constructed in accordance with County standard B-1e (high speed driveway approach) and sight distance standards. All remaining driveways shall be demolished, scarified, revegetated and the Orcutt Road shoulder restored in accordance with county standards.

c. A private access road serving Parcels 1, 3 and 4 shall be constructed to Cal Fire Standards within a minimum 30-foot private access and utility easement with additional width as necessary to contain all elements of the roadway prism. The access road shall terminate in a Cal Fire standard cul-de-sac or other Cal Fire approved terminus.

d. To ensure agricultural operations do not encroach into the Orcutt Road right-of-way a fence or other County approved barrier shall be installed 30-feet from the described centerline of Orcutt Road fronting proposed Parcels 2 and 4 except at the two County approved access road locations.

Offers, Easements and Restrictions
The applicant shall offer for dedication the following right-of-way easements by certificate on the map or by separate document:

a. For future road improvements 10-feet along Orcutt Road to be described as 30-feet from the recorded centerline along the entire project frontage.

b. For future public utility realignment a 5-foot Public Utility Easement (PUE) fronting proposed Parcels 2 and 4.

c. Except for locations approved by the Department of Public Works, access shall be denied to proposed Parcels 2 and 4 from Orcutt Road and this shall be by certificate and designation on the map.

The applicant shall reserve the following easements by certificate on the map or by separate document:

a. A minimum 30-foot shared private access and utility for Parcels 1, 3 and 4 with additional width as required to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.

Private Grading Plans:
Grading plans shall be prepared by a Registered Civil Engineer and submitted to the Department of Planning and Building for approval. The plan is to include, as applicable:

a. Road plan and profile for the required onsite shared access road improvements.
b. Drainage ditches, culverts, and other structures (if drainage calculations require).
c. Erosion and Sedimentation control plan for road related improvements.

Public Improvement Plans:
Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:

a. Road plan and profile for the required intersection and driveway improvements to Orcutt Road
b. Drainage ditches, culverts, and other structures (if drainage calculations require).
c. Water plan (County Environmental Health).
d. Sewer plan (County Environmental Health).
e. Sedimentation and erosion control plan for encroachment related improvements.
f. Public utility plan, showing all existing utilities and installation of new utilities to serve each lot.

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

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

A final soils report by a Registered Civil Engineer shall be submitted for review prior to the final inspection of the improvements.

Drainage:
Storm flows associated with existing operations create flooding problems within the Orcutt Road right-of-way. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage from the project site must be redirected or detained onsite. The plan is to be approved by the Department of Public Works, in accordance with county standards.

If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:

a. Submit a copy of all such permits to the Department of Public Works OR
b. Document that the regulatory agencies have determined that said permit is not required.

The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Utilities:
Electric, telephone and cable television distribution (service) shall be provided to each new parcel by either conduit installed underground or easements providing overhead service.

New gas distribution mains shall be installed along the project frontage(s) and gas service laterals shall be stubbed to each new parcel if gas service is reasonably available.

Additional Map Sheet:
The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
b. Notification to prospective buyers that the private access road serving Parcels 1, 3 and 4 within the subdivision is to be privately maintained, indicating the proposed maintenance mechanism.
c. Notification to prospective buyers of access restriction to the Orcutt Road from Parcels 2 and 4.
d. Notification to the prospective property owners of Parcels 1 and 2 they are to preserve and maintain the fence or other County approved barrier which prevents agricultural operations from encroaching within the Orcutt Road right-of-way.
e. Notification to prospective buyers that future building permits will require drainage or flood hazard review prior to issuance.

f. The limits of inundation from a 100 year storm over Parcels 1 and 2 from Villa Creek shall be shown on the additional map sheet and note the required building restriction on the sheet. All building permit submittals shall show compliance with County Code 22.14.060, Flood Hazard.

Miscellaneous:
This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

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

The applicant shall apply to the Department of Planning and Building for approval of a new street name prior to the filing of the final parcel or tract map. The approved street name shall be shown on the final parcel or tract map.

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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: October 11, 2011

To: Brian Pedrotti, South County Team Planner

From: Glenn Marshall, Development Services Engineer

Subject: Public Works Comments and Recommended Conditions of Approval for SUB2011-00011, Parcel Map CO 11-0098, a Subdivision of 156 acres of Agricultural Zoned Land into 4 parcels. Orcutt Road, San Luis Obispo Fringe, APN 044-111-001

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

Public Works Comments:

1. At the time the project referral was received by Public Works on September 30, 2011, the application acceptance date had not been established. The attached recommended conditions of approval are subject to change based on Ordinances and Policies in affect at the date of application acceptance.

2. In accordance with the Grading and Drainage, Section 22.52.070 (B) (9) [Res. 3188 4/13/2010] onsite pad and access road grading is not exempt from a Grading Permit and therefore this work must be processed through the Planning and Building Department. Public Works recommends the access road work be completed prior to final map recordation [21.03.010 (d) (2)]

3. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for):

   "In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."

4. The project is located within an Agricultural Zone and is not a Cluster Subdivision. In accordance with Resolution 2008-0152 (supersedes Resolution 91-367) no frontage improvements along Orcutt Road are being recommended.

5. The project is under the Williamson Act, Document No. 2010064944.

6. The project site is known to direct storm water into the Orcutt Road right-of-way causing flooding and other safety issues. A condition is being recommended to correct this existing situation.

7. Machinery associated with historic agricultural operations encroaches within the Orcutt Road right-of-way damaging the shoulder. Recommended conditions will require a fence or other approved barrier be installed to keep machinery from damaging the public right-of-way.

8. Public Works is requesting a 10-foot offer of dedication for a roadway easement and a 5-foot PUE for relocation of utilities to accommodate future widening and bike lane improvements to Orcutt Road along the entire project frontage.

9. Proposed Parcel 2 appears to have five (5) points of access to Orcutt Road clustered about the existing "Ranch Headquarters". Public Works is recommending replacement of these 5 driveways with a single shared access driveway to serve all existing and future support buildings. This will limit the project site to two (2) access points, one for Parcel 2 and one for Parcels 1, 3 and 4. Restricted access to Orcutt Road is being requested for the remaining project frontage.

10. Public Works recommends that the shared access road for Parcels 1, 3 and 4 be realigned to intersect Orcutt Road at Cross Creek Way.

Recommended Public Works Conditions of Approval

Access and Improvements:
Road and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:

a. The proposed private access road serving Parcels 1, 3 and 4, as shown on the tentative map, shall be realigned to intersect Orcutt Road at Cross Creek Way and be designed and constructed in accordance with California Highway Design Manual Figure 405.7 and County sight distance standards.

b. All existing driveways fronting proposed Parcel 2 shall be combined to a single shared access driveway and constructed in accordance with County standard B-1e (high speed driveway approach) and sight distance standards. All remaining driveways shall be demolished, scarified, revegetated and the Orcutt Road shoulder restored in accordance with county standards.

c. A private access road serving Parcels 1, 3 and 4 shall be constructed to Cal Fire Standards within a minimum 30-foot private access and utility easement with additional width as necessary to contain all elements of the roadway prism. The access road shall terminate in a Cal Fire standard cul-de-sac or other Cal Fire approved terminus.

d. To ensure agricultural operations do not encroach within the Orcutt Road right-of-way a fence or other County approved barrier shall be installed 30-feet from the described centerline of Orcutt Road fronting proposed Parcels 2 and 4 except at the two County approved access road locations.

Offers, Easements and Restrictions

The applicant shall offer for dedication the following right-of-way easements by certificate on the map or by separate document:

a. For future road improvements 10-feet along Orcutt Road to be described as 30-feet from the recorded centerline.

b. For future public utility realignment a 5-foot Public Utility Easement (PUE) fronting proposed Parcels 2 and 4.

c. Except for locations approved by the Department of Public Works, access shall be denied to proposed Parcels 2 and 4 from Orcutt Road and this shall be by certificate and designation on the map.

The applicant shall reserve the following easements by certificate on the map or by separate document:

a. A minimum 30-foot shared private access and utility for Parcels 1, 3 and 4 with additional width as required to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.

Private Grading Plans:

Grading plans shall be prepared by a Registered Civil Engineer and submitted to the Department of Planning and Building for approval. The plan is to include, as applicable:

a. Road plan and profile for the required onsite shared access road improvements.
b. Drainage ditches, culverts, and other structures (if drainage calculations require).
c. Erosion and Sedimentation control plan for road related improvements.

Public Improvement Plans:

Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:

a. Road plan and profile for the required intersection and driveway improvements to Orcutt Road
b. Drainage ditches, culverts, and other structures (if drainage calculations require).
c. Water plan (County Environmental Health).
d. Sewer plan (County Environmental Health).
e. Sedimentation and erosion control plan for encroachment related improvements.
f. Public utility plan, showing all existing utilities and installation of new utilities to serve each lot.

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

The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of

approval, including any relateu land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

A final soils report by a Registered Civil Engineer shall be submitted for review prior to the final inspection of the improvements.

Drainage:
Storm flows associated with existing operations create flooding problems within the Orcutt Road right-of-way. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage from the project site must be redirected or detained onsite. The plan is to be approved by the Department of Public Works, in accordance with county standards.

If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:

a. Submit a copy of all such permits to the Department of Public Works OR
b. Document that the regulatory agencies have determined that said permit is not required.

The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Utilities:
Electric, telephone and cable television distribution (service) conduits shall be installed underground (in accordance with 22.10.160) and stubbed to each new parcel.

New gas distribution mains shall be installed along the project frontage(s) and gas service laterals shall be stubbed to each new parcel if gas service is reasonably available.

Additional Map Sheet:
The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

a. The limits of inundation from a 100 year storm over Parcels 1 and 2 from Villa Creek shall be shown on the additional map sheet and note the required building restriction on the sheet. All building permit submittals shall show compliance with County Code 22.14.060, Flood Hazard.
b. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
c. Notification to prospective buyers that the private access road serving Parcels 1, 3 and 4 within the subdivision is to be privately maintained, indicating the proposed maintenance mechanism.
d. Notification to prospective buyers of access restriction to the Orcutt Road right-of-way from Parcels 2 and 4.
e. Notification to prospective buyers that future building permits may require drainage or flood hazard review prior to issuance.

f. Notification to the prospective property owners that all existing and future gates shall be set back a minimum of 75-feet from the nearest edge of pavement along Orcutt Road.

Covenants, Conditions and Restrictions:
The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval, and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building. The CC&Rs shall provide at a minimum the following provisions:

a. Maintenance of the shared access road serving Parcels 1, 3 and 4 within the subdivision and in perpetuity.
b. Notification to the prospective property owners that all existing and future gates shall be set back a minimum of 75-feet from the nearest edge of pavement along Orcutt Road.
c. Notification to the prospective property owners of Parcels 1 and 2 they are to preserve and maintain the fence or other County approved barrier which prevents agricultural operations from encroaching within the Orcutt Road right-of-way.
d. Notification to prospective buyers of access restriction to the Orcutt Road right-of-way from Parcels 2 and 4.
e. The limits of inundation from a 100 year storm over Parcels 1 and 2 from Villa Creek shall be shown on an exhibit attached to the CC&Rs and note the required building restriction in the CC&Rs.
f. Notification to prospective buyers that an additional map sheet was recorded with the final parcel map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.
g. The developer shall form a property owners' association for the area within the subdivision, so as to administer the CC&Rs as noted above, and it shall conform to the requirements of the State Department of Real Estate.

Miscellaneous:
This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

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

The applicant shall apply to the Department of Planning and Building for approval of a new street name prior to the filing of the final parcel or tract map. The approved street name shall be shown on the final parcel or tract map.

V:_DEVSERV Referrals\Land Divisions\Parcel Maps\CO 11-0098 Christensen, Orcutt Rd, SLO.doc

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

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # **SUB2011-00011, CO11-0098 CHRISTENSEN**

Dear Brian Pedrotti, South County Team,

I have reviewed the referral for the proposed 4-lot agriculture parcel map project, subdividing 156 acres located at 6255 Orcutt Road in San Luis Obispo, California on APN # 044-111-001. This project is located approximately 10 minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project **is** located in State Responsibility Area for wildland fires. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions shall apply to this project:

Access Road
An access road must be constructed to CAL FIRE/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
    - **Parcels 20 acres or larger** **5280 feet**
- The road must be 20 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20-ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

According to the submitted vesting tentative parcel map dated September 2011 the dead-end road length as measured from **Orcutt Road to the end is approximately 1,500 feet**.

Driveway
A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.
Driveway standards required:

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.
- The driveway must be an all weather surface.
- If the driveway exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All access driveways must be able to support a 20 ton fire engine.
- Vertical clearance of 13'6" is required.

Water Supply
The checked water supply is required:

☐This project will require a community water system which meets the minimum requirements of Appendix B & C of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Building Set Back
All parcels over 1 acre in size requires a 30 foot set back.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 feet firebreak. An additional 70 feet of fuel reduction is required. This will provide a total of 100 feet of defensible space. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

☐ The project application reviewed **does not** meet the above conditions. The applicant must modify the application plan and resubmit to CAL FIRE/San Luis Obispo County Fire Department for another review.

☒ The project application as prepared **appears to meet** the conditions above. Any changes to the project should be resubmitted for review. Additional conditions may be added to the project in the future.

Final Inspection
This project shall require a final inspection by CAL FIRE/San Luis Obispo County Fire Department to ensure conditions are met. When the conditions have been met contact fire prevention at **543-4244 ext. 3429** and ask for a final inspection.

Respectfully,

Tina Rose
Fire Inspector

C: Christensen Family Trust
Jamie Kirk, Kirk Consulting

3

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 9/28/2011

TO: Parks (Elizabeth Kavanaugh)

FROM: Brian Pedrotti, South County Team

PROJECT DESCRIPTION: SUB2011-00011, CO 11-0098 CHRISTENSEN- Parcel map subdividing 156 acres into a 4 lot agriculture parcel map. Site located off Orcutt Road in San Luis Obispo. APN: 044-111-001.

GENERAL SERVICES
2011 SEP 30 PM 12 39

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

Pay Quimby fees

10/31/11 — Date

EKavanaugh — Name

781-4089 — Phone

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 9/28/2011

From ~~TO:~~ Cody Schell

To ~~FROM:~~ Brian Pedrotti, South County Team

PROJECT DESCRIPTION: SUB2011-00011, CO 11-0098 CHRISTENSEN- Parcel map subdividing 156 acres into a 4 lot agriculture parcel map. Site located off Orcutt Road in San Luis Obispo. APN: 044-111-001.

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

Applicant is required to apply for a new Road Name. The road name must be approved and recorded on final map.

Date	Name	Phone
9/30/11	Cody Schell	#5757

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600
EMAIL: planning @co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.sloplanning.org

BDP

SAN LUIS OBISPO COUNTY HEALTH AGENCY

Public Health Department
2191 Johnson Avenue
San Luis Obispo, California 93401
805-781-5500 • FAX 805-781-5543

Jeff Hamm
Health Agency Director

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

September 16, 2011

Kirk Consulting
8830 Morro Road
Atascadero, CA 93422

ATTN: SARAH STATON
RE: TENTATIVE PARCEL MAP CO 11-0098, CHRISTENSEN FAMILY TRUST
APN 044-110-001

Water Supply

This office is in receipt of satisfactory **preliminary** evidence of water. Please be advised that additional water well documentation will be required for **each** lot prior to approving the map for recordation. Adequate documentation will include, the well completion report, current well capacity (pump test) and current water quality testing ("current" is information not more than 5 years old). Please contact this office for details regarding required testing before initiating work. Any proposal to share a domestic water well would require consultation with Division staff prior to hearing.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. This office is responsible for certifying that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems. Soil testing, to include three percolation tests and one deep soil boring, shall be performed within the building envelopes and the proposed undeveloped parcels prior to recordation of the final map. Be advised that all septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from any domestic water wells or watercourse, 200 feet away from reservoir, shall be located in areas free from bedrock, and shall not be placed on natural slopes that exceed 30%. Should a wastewater disposal system be installed in an area with greater than 20% slope it must be designed and the installation certified by a registered civil engineer. The exhibit provided for preliminary approval reveals that proposed parcel 2 has existing development. Please provide information on any septic system(s) located on this parcel and documentation of any maintenance or problems that have occurred prior to hearing.

CO 11-0098 is approved for Environmental Health subdivision map processing.

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

c: South County Team, County Planning

Fw: SUB2011-00011 CO 11-0098 CHRISTENSEN, South County E-Referral, (PARCEL MAP/ SLO)

Craig Piper to: Brian Pedrotti
Cc: Richard Howell

09/29/2011 08:18 AM

Brian,

After reviewing the attached project referral I have just a couple comments.

For this particular project we don't see any issues as it pertains to the airport. However, based on the map contained in the referral there may potential issues needing to be addressed in the future.

The project identifies three 2 acre envelopes more or less centered in the original parcel. Although not exact, this location falls almost directly under the extended center line of the runway and is approximately 12, 800 feet from the end of the runway. The issues that may come up, should one or all three of these locations be developed with structures or residential use, include review by the FAA via the FAA Form 7460-1 and potentially an avigation easement. Also, because the locations fall extremely close to the extended center line there will be frequent overflight of aircraft approaching the airport.

In the past there was discussion of the County requiring disclosure statements and acknowledgements included in the sale and/or purchase of a property within the airport review area. Due to the location of these parcels, if the County does not have this type of disclosure/acknowledgement requirement, in this case it would be prudent to require one be included.

Thank you for sending the referral for our comment.

Craig Piper
Assistant General Manager
Airport Services
County of San Luis Obispo
805-781-4376

----- Forwarded by Craig Piper/GenSrvcs/COSLO on 09/29/2011 08:05 AM -----

From:	Richard Howell/GenSrvcs/COSLO
To:	Craig Piper/GenSrvcs/COSLO@Wings
Date:	09/29/2011 07:26 AM
Subject:	Fw: SUB2011-00011 CO 11-0098 CHRISTENSEN, South County E-Referral, (PARCEL MAP/ SLO)

----- Forwarded by Richard Howell/GenSrvcs/COSLO on 09/29/2011 07:25 AM -----

From:	Mail for PL_Referrals Group
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