



## 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

**ENVIRONMENTAL DETERMINATION NO.** ED19-095

**DATE:** October 21, 2019

**PROJECT/ENTITLEMENT:** Quaglino Properties Mitigated Negative Declaration; DRC2018-00239

**APPLICANT NAME:** Matt Quaglino

**Email:** mq@quaglino.com

**ADDRESS:** 815 Fiero Lane,  
San Luis Obispo, CA 93401

**CONTACT PERSON:** Kip Morais

**Telephone:** (805) 781-5136

**PROPOSED USES/INTENT:** Request by Quaglino Properties for a Minor Use Permit to allow a two-story office and manufacturing building totaling 38,929 square feet. The project will result in the disturbance of approximately 103,803 square feet on an approximately 2.3-acre parcel.

**LOCATION:** The proposed project is within the Commercial Service land use category and is located at 760 Fiero Lane approximately 610 feet west of Broad Street, adjacent to and south of the City of San Luis Obispo. The site is in the San Luis Obispo North sub area of the San Luis Obispo planning area.

**LEAD AGENCY:** County of San Luis Obispo  
Dept of Planning & Building  
976 Osos Street, Rm. 200  
San Luis Obispo, CA 93408-2040  
Website: <http://www.sloplanning.org>

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

**OTHER POTENTIAL PERMITTING AGENCIES:**

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

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

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

### Notice of Determination

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

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

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

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

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**





# Initial Study Summary – Environmental Checklist

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

(ver 5.10) Using Form

**Project Title & No.** Quaglino Properties Minor Use Permit **ED19-095(DRC2018-00239)**

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

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

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

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

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

Kip Morais (kmorais@co.slo.ca.us)

Prepared by (Print)  
Date

Signature

*Kip Morais*

10/7/19

Karen Nall,  
Supervising Planner

*Karen Nall*

10/7/2019







# 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 5.10) [Using Form](#)

**Project Title & No.** Quagline Properties Minor Use Permit **ED19-095(DRC2018-00239)**

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

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

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

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

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

Kip Morais (kmorais@co.slo.ca.us)

Prepared by (Print)  
Date

Signature

Karen Nall,  
Supervising Planner





Reviewed by (Print)  
Date

Signature

(for)

**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 Quaglino Properties for a Minor Use Permit to allow a two-story office and manufacturing building totaling 38,929 square feet. The project will result in the disturbance of approximately 103,803 square feet on an approximately 2.3-acre parcel. The proposed project is within the Commercial Service land use category and is located at 760 Fiero Lane approximately 610 feet west of Broad Street, adjacent to and south of the City of San Luis Obispo. The site is in the San Luis Obispo North sub area of the San Luis Obispo planning area.

**ASSESSOR PARCEL NUMBER(S):** 076-412-003

Latitude: 35 degrees 14' 40.88008" N Longitude: 120 degrees 38' 847388" W

**SUPERVISORIAL DISTRICT # 3**

**B. EXISTING SETTING**

**PLAN AREA:** San Luis Obispo

**SUB:** San Luis Obispo(North)

**COMM:** San Luis Obispo

**LAND USE CATEGORY:** Commercial Service

**COMB. DESIGNATION:** Airport Review

**PARCEL SIZE:** 2.3 acres

**TOPOGRAPHY:** Nearly level

**VEGETATION:** Urban-built up

**EXISTING USES:** Vacant, mostly undeveloped

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Office and Professional;	<i>East:</i> Commercial Service;
<i>South:</i> Commercial Service;	<i>West:</i> Commercial Service;



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

#### Aesthetics

**Setting.** The project site is located on a vacant parcel within the Commercial Service land use category on the north side of Fiero Lane. Surrounding properties to the south, east, and west are zoned Commercial Service. The properties immediately to the north are within the City limits of the City of San Luis Obispo. The Commercial Service properties are developed with manufacturing and office uses. The site is relatively flat. A portion of the East Fork of the San Luis Obispo Creek runs along the northern portion of the property.

**Impact.** Although the site is visible from Fiero Lane, development along this corridor includes warehouses and offices. Therefore, future development, given the land use category, will be compatible with surrounding uses. The proposed plans show buildings with gray plaster and slate gray metal siding with white and terra cotta accent with landscaping along the Fiero Lane frontage. Lighting will have to be low intensity, shielded and directed downward onto the site to avoid creating a hazard for aircraft, because the site is located in close proximity to the airport.

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





## 2. AGRICULTURAL RESOURCES

*Will the project:*

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

### Agricultural Resources

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

Land Use Category: Commercial Service

Historic/Existing Commercial Crops: None

State Classification: Prime Farmland if irrigated

In Agricultural Preserve? Yes, Edna Valley Ag Preserve Area

Under Williamson Act contract? No

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

Cropley clay (0 - 2% slope). This nearly level soil is considered very poorly drained. The soil has moderate erodibility and high 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 II when irrigated.

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

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. The subject area is zoned Commercial Service and is intended for more urbanized development. No significant impacts to agricultural resources are anticipated.

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



### 3. AIR QUALITY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### GREENHOUSE GASES

f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Air Quality

##### Setting.

The project proposes to disturb soils that have been given a wind erodibility rating of 6, which is considered "moderately high."

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

**Greenhouse Gas (GHG) Emissions** are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is





associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

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

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

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

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

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

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

**Impact.** As proposed, the project will result in the disturbance of approximately 103,803 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The APCD evaluated the construction impacts of this project using the most recent CalEEMod computer model for estimating construction emissions related to the development of land uses (see attached APCD letter dated May 14, 2019). The modeling results indicate that the construction phase impacts will likely be less than the APCD's significance threshold values identified in Table 2-1 of the CEQA Air Quality Handbook (April 2012). As identified by the APCD, air quality impacts during construction include: fugitive dust, hydrocarbon contaminated soil, potential release of naturally occurring asbestos during grading, and unpermitted developmental burning. These items are summarized as follows:



Fugitive Dust (PM10). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents and businesses in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact.

Hydrocarbon Contaminated Soil. Because of the previous storage of vehicles and heavy equipment on the project site, construction could result in the disturbance of hydrocarbon contaminated soil, potentially affecting people and the creek in close proximity to the project site. The unmitigated disturbance of hydrocarbon contaminated soil could result in a potentially significant air quality impact.

Naturally Occurring Asbestos. According to the APCD, the project site is located in an area containing potentially naturally occurring asbestos, serpentine or ultramafic rock. The State Air Resources Board considers asbestos a toxic air contaminant. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning under restrictions may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Based on the most recent CalEEMod computer model, the operational phase would likely be less than the APCD's significance threshold values identified in Table 3-2 of the CEQA Air Quality Handbook (April 2012).

Clean Air Plan Consistency. The proposed project would be located within an existing urban area, and proposes typical uses expected to be within this land use category and is therefore considered consistent with the Clean Air Plan.

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

**Mitigation/Conclusion.** Based on the project's previously identified air quality impacts, the applicant has agreed to implement the following measures to reduce air quality impacts to less than significant levels:

Fugitive Dust (PM10). To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including reducing the amount of disturbed area where possible, the use of water trucks or sprinkler systems to water down airborne dust, daily spraying of dirt stock-pile areas, paving of applicable surfaces as soon as possible after grading, laying of building pads as soon as possible.

Hydrocarbon Contaminated Soil. To minimize impacts from hydrocarbon contaminated soils, the applicant is required to notify the APCD as soon as possible after affected material is discovered to determine if an APCD permit will be required. Should contaminated soils be discovered, the applicant is also to maintain covers on storage piles of soil not actively involved in addition or removal and segregate clean soil from contaminated soil. Contaminated soil is to be covered with a TPH-non-permeable barrier, and covered piles are to be designed in a way to eliminate erosion due to wind or water. In the event of hydrocarbon contaminated soil discovery, the air quality impacts from the excavation and haul trips associated with removing the contaminated soil would need to be evaluated



and mitigated if total emissions exceed the APCD's construction phase thresholds.

**Naturally Occurring Asbestos.** Prior to grading or site disturbance, the applicant has agreed to retain a qualified individual to conduct a geologic investigation for naturally occurring asbestos. If asbestos is present, the applicant would comply with Asbestos Air Toxin Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements include, but are not limited to, implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program.

**Developmental Burning.** To minimize the effects of vegetative burning on regional air quality, the applicant is required by regulation to avoid burning, or if no alternative is available, obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified air quality impacts to less than significant levels.

#### 4. BIOLOGICAL RESOURCES

*Will the project:*

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

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

#### Biological Resources

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

On-site Vegetation: graded outdoor storage area, eucalyptus

Name and distance from blue line creek(s): A section of the East Fork of the San Luis Obispo Creek is approximately 45 feet north of the parcel.

Habitat(s): Riparian – A section of the East Fork of San Luis Obispo Creek runs approximately 45 feet north of the property. The site is mostly denuded of vegetation due to its informal use as an outdoor storage facility. Vegetation on site is dominated by ruderal species common to



disturbed areas. The majority of the area has been graded and the vegetation removed with the exception of the northeast corner of the property.

**Impact.** The primary area of concern on the site is the East Fork of San Luis Creek that is located just north of the property boundary. This area contains riparian vegetation including a large sycamore tree on the parcel to the north. Development in or near the riparian habitat could result in impacts to plant or animal species. The riparian vegetation provides suitable habitat for nesting birds, so removal of trees during nesting season should be avoided to protect migratory bird species. Fish and Game Code 3503 protects birds, their eggs and nests from disturbance or destruction from construction activities. In addition, a smaller 14" Sycamore lies just within the northern property line and overhangs the proposed parking area. The applicant is requesting to be able to work within the dripline of this tree, possibly impacting the root system.

**Mitigation/Conclusion.** Mitigation measures are recommended to address grading within the dripline of any riparian vegetation, providing construction fencing at the edge of the riparian vegetation during any site disturbance, and avoiding removal of vegetation or any other ground disturbance between February 15 and September 15 to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks prior to construction or site disturbance activities. Results of the surveys shall be submitted to County Planning for review and approval. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed and reviewed and approved by the County in consultation with the CDFW and the applicant shall adhere to these measures during all construction activities on the site.

## 5. CULTURAL RESOURCES

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Cause a substantial adverse change to a Tribal Cultural Resource?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Cultural Resources

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area. The project is within 300 feet of a blue line creek. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

In order to meet AB52 requirements, outreach to four Native American tribes groups had been conducted (Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). Comments were received from one of the tribal groups (Salinan) on May 2, 2019 requesting a subsurface test be conducted to insure that buried resources would not be impacted by the project.

**Impact.** An extended (subsurface) phase I survey was conducted on July 23, 2019 by Albion. The





subsurface investigation involved five mechanically excavated trenches that were placed in the project footprint. Albion's subsurface investigation did not produce any cultural materials and failed to produce any anthropogenic soils or archaeological deposits. The study revealed a history of disturbance in the project area extending to depths as much as 4.5 feet, and no artifacts were observed on the surface or recovered in the five mechanically excavated trenches.

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

## 6. GEOLOGY AND SOILS

*Will the project:*

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

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

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

Topography: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Low





Nearby potentially active faults?: Yes Distance? 0.76 miles  
 Area known to contain serpentine or ultramafic rock or soils?: Unlikely  
 Shrink/Swell potential of soil: Low to high  
 Other notable geologic features? None

## Geology and Soils

**Impact.** As proposed, the project will result in the disturbance of approximately 103,805 square feet. The site has a low risk of liquefaction and a low to high shrink/swell potential based on the soils report provided with the application.

Expansive soils. Expansive soils tend to swell with seasonal increases in soil moisture and shrink during the dry season as soil moisture decreases. The volume changes that the soils undergo in this cyclical pattern can stress and damage structures if precautionary measures are not incorporated into design and construction. Based on the soils report, the “shrink-swell” potential of the project’s soil(s) are considered 2 and 143 indicating very low expansion potential of the clayey sand fill and very high expansion potential of the native fat clay alluvium.

In addition, stormwater runoff from the development may adversely impact the creek to the north, including soil erosion and sedimentation. Drainage and stormwater management measures are recommended to mitigate this impact.

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

**Mitigation/Conclusion.** The applicant is required to comply with the NPDES program. In addition, pursuant to the Land Use Ordinance (LUO) and California building code, the applicant is required to prepare and implement a Stormwater Pollution Prevention Plan, a drainage plan, and erosion and sedimentation control plan. Based on compliance with existing LUO standards, building code and NPDES requirements, impacts resulting from expansive soils and drainage, erosion, and sedimentation would be less than significant. There is no evidence that measures above what will already be required by ordinance or codes are needed

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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

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

### Hazards and Hazardous Materials

**Setting.** The project is not located in an area of known hazardous material contamination. Due to location, fire hazard severity data is unavailable. Based on the County's fire response time map, it will take approximately 0-5 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

The project is within the County's Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the San Luis Obispo County Regional Airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. Per the ALUP, the proposed use is considered "conditionally



approvable”.

**Impact.** The project was reviewed and conditionally approved by the Airport Land Use Commission (ALUC) on May 15, 2019. The ALUC included the following recommendations for this development: the project will incorporate sufficient requirements to ensure noise will be mitigated, manufacturing uses including those involving hazardous, corrosive, or flammable chemicals will be prohibited, non-residential density will be limited to 242 people, building coverage will be limited to 38%, and the maximum height of structures on site will be limited to 35 feet. In addition, no structure shall constitute an obstruction or hazard to air navigation, and any use that could interfere with takeoff or landing shall be prohibited. All projects within the AR designation are required to obtain an aviation easement to secure avigable airspace. All owners, potential purchasers and occupants shall receive full disclosure regarding noise, safety, and overflight impacts associated with Airport operations.

The project is located in the Airport Review area and development at this location could affect the safe and efficient use of the airport by aircraft. The project is a shell building and does not identify what commercial tenants will lease the property. There is a possibility that some of these commercial uses may involve the use of hazardous materials. The use or storage of any hazardous materials at a future date is subject to State and local regulations including a Fire Safety Plan and possible Hazardous Materials Business Plan. The project itself does not propose the use of hazardous materials, or the generation of hazardous wastes. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated. The recommendations of the Airport Land Use Commission have been incorporated as conditions of approval.

## 8. NOISE

*Will the project:*

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



## 8. NOISE

*Will the project:*

f) Other: \_\_\_\_\_

Potentially  
Significant

☐

Impact can  
& will be  
mitigated

☐

Insignificant  
Impact

☐

Not  
Applicable

☐

### Noise

**Setting.** The project is within close proximity of the San Luis Obispo County Regional Airport. The noise contours in the Airport Land Use Plan show the project site is located within the projected 60 dB airport noise contour. The Noise Element dictates that exterior noise exposure levels over 60 dB are conditionally acceptable with mitigation required. The project is expected to house manufacturing uses which possibly could generate additional noise.

**Impact.** The manufacturing tenant spaces are not sensitive noise receptors; however, the office spaces require some level of mitigation to ensure that employees will not be exposed to unacceptable levels from the San Luis Regional Airport. An acceptable noise level of 45 dB needs to be attained.

**Mitigation/Conclusion.** Compliance with current construction standards for the office will be required by the Uniform Building Code to achieve the 45dB interior noise level. No additional mitigation measures are considered necessary.

## 9. POPULATION/HOUSING

*Will the project:*

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: \_\_\_\_\_

☐
☐
☐
☐

### Population/Housing

**Setting** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

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

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated. The project will mitigate its cumulative impact to the shortage of affordable housing stock by payment of the housing





impact fee. No mitigation measures are necessary.

## 10. PUBLIC SERVICES/UTILITIES

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

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

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

<u>Police:</u> County Sheriff	<u>Location:</u> SLO County Sheriff Civil (Approximately 2.9 miles to the north)
<u>Fire:</u> Cal Fire (formerly CDF)	<u>Hazard:</u> Unavailable
	<u>Severity:</u> Data
	<u>Response Time:</u> 0-5 minutes
	<u>Location:</u> (Approximately 0.6 miles to the southeast)
<u>School District:</u> San Luis Coastal Unified School District.	

## Public Services

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

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

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





## 11. RECREATION

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

### Recreation

**Setting.** Based on the County Trails Map, the project is within reasonably close proximity to the Juan Bautista de Anza National Historic Trail. The project will have no impact on this trail and no trail-related improvements are necessary.

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

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

## 12. TRANSPORTATION/CIRCULATION

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



## 12. TRANSPORTATION/CIRCULATION

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>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?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>h) Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>i) Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Transportation

**Setting.** The County has established the acceptable Level of Service (LOS) on roads for this urban area as “D” or better. The existing road network in the area (including the project’s access street Fiero Lane) 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. The project is subject to the County Road Fee for the State Route 227 Corridor Traffic Mitigation Program, which addresses cumulative impacts to County roads in the area. No significant traffic-related concerns were identified.

The project is located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement (MOA). A referral response was received from the City on April 26, 2019 stating the project is subject to traffic impact fees, and noting that these fees should be paid prior to building permit issuance.

**Airport Review Combining Designation.** The project is within the County’s Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around San Luis Obispo Regional Airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. Per the ALUP, the proposed use is considered conditionally approvable.

**Impact.** The project was reviewed by the Airport Land Use Commission (ALUC) on May 15, 2019. The ALUC included the following recommendations for this development: prohibiting manufacturing uses identified in Table 5.3 of the ALUP, limiting the density to 242 people, limiting maximum building coverage to 38%, limiting the maximum height to 35 feet or less, prohibiting obstructions and hazards to air navigation, prohibiting uses that could interfere with the takeoff, landing, or maneuvering of aircraft, recording aviation easements, and requiring disclosure to all owners and occupants regarding airport noise, safety, or overflight impacts.

According to the Central Coast Transportation Consulting Trip Generation Memo dated January 9, 2019, the proposed project is estimated to generate about 193 trips per day, with 46 AM trips and 22 PM trips based on the ITE Trip Generation Manual (2017). While the project does not generate a significant number of new trips; cumulatively, the additional traffic generated further impacts the Highway 227 corridor and Broad Street within the City of San Luis Obispo.



**Mitigation/Conclusion.** A referral response from the County Public Works Department requires the applicant to enter into a State Route 227 Corridor Traffic Mitigation Fee agreement with the Department of Public Works per Board Resolution 2017-266 to mitigate for impacts to Highway 227. Upon referral of the project to the City of San Luis Obispo, the City requested the project pay into the City of San Luis Obispo's transportation impact fee program to address cumulative impacts to City transportation facilities.

### 13. WASTEWATER

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

#### Wastewater

**Setting.** The project is currently served by the City of San Luis Obispo under the terms of an existing Memorandum of Agreement that was extended by the City Council on 3/19/19, pending completion of annexation.

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

**Mitigation/Conclusion.** Given that the system is currently operating at acceptable levels and that it has been designed to handle the proposed effluent, no mitigation measures are necessary.

### 14. WATER & HYDROLOGY

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUALITY</b>				
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## 14. WATER & HYDROLOGY

*Will the project:*

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

### Water

#### Setting.

The proposed project is within the San Luis Obispo/Avila water planning area. The project has obtained a will-serve letter from Fiero Lane Water Company. On March 26, 2019 Fiero Lane Water Company provided a statement that they currently source their water from the City of San Luis Obispo per the existing Memorandum of Agreement. The project lies within a larger area that is set to be annexed into the City of San Luis Obispo. The proposed manufacturing and office uses are infill development as the rest of Fiero Lane has been developed. The City of San Luis Obispo transitioned from using groundwater for potable purposes in April 2015.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 45 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

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





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

Within the 100-year Flood Hazard designation? No

Closest creek? East Fork of San Luis Creek      Distance? Approximately 45 feet

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) 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, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

### **Impact – Water Quality/Hydrology**

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

- ✓ Approximately 103,805 square feet of site disturbance is proposed and the movement of approximately 2,908 cubic yards of material;
- ✓ 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 project is not within a 100-year Flood Hazard designation;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Parking area drainage inlets will be fitted with hydrocarbon filters;
- ✓ Bioswales will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

### **Water Quantity**





Based on a will-serve letter and letter of support from Fiero Lane Mutual Water Company, domestic and landscape water demands are expected to be in the range of 0.5 to 1.0 acre-ft per year. The source of water supply for Fiero Lane Mutual Water Company is the City of San Luis Obispo under the terms of an existing Memorandum of Agreement and no additional groundwater will be pumped to service the subject property.

**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 used 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) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Land Use

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

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

The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. LUO Section 22.96.060 A4 Airport Area
2. LUO Section 22.96.060 C4 Commercial Service-Business parks
3. LUO Section 22.96.040 San Luis Obispo Sub Area Standards
4. LUO Section 22.96.060 San Luis Obispo Urban Area Standards
5. LUO Section 22.96.020 A Airport Review Area





6. LUO Section 22.96

The Airport Land Use Commission determined that as conditioned, the project was consistent with the Airport Land Use Plan.

**Mitigation/Conclusion.**

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

**16. MANDATORY FINDINGS OF SIGNIFICANCE**

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

*Will the project:*

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or 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](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: <http://resources.ca.gov/ceqa/> for information about the California Environmental Quality Act.



## Exhibit A - Initial Study References and Agency Contacts

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

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

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



## Exhibit B - Mitigation Summary Table

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

### Aesthetics

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

### Air Quality

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

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that when water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
- c. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;



- j. To prevent 'track out', install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The 'track-out prevention device' can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM<sub>10</sub> mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division **prior to the start of any grading, earthwork or demolition.**

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

AQ-3. **Prior to any site disturbance**, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.

AQ-4 To minimize impacts from hydrocarbon contaminated soils, the applicant is required to notify the APCD as soon as possible after affected material is discovered to determine if an APCD permit will be required. Should contaminated soils be discovered, the applicant is also to maintain covers on storage piles of soil not actively involved in addition or removal and segregate clean soil from contaminated soil. Contaminated soil is to be covered with a TPH-non-permeable barrier, and covered piles are to be designed in a way to eliminate erosion due to wind or water. In the event of hydrocarbon contaminated soil discovery, the air quality impacts from the excavation and haul trips associated with removing the contaminated soil would need to be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds.

## **Biological Resources**

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



measures shall be developed in consultation with the CDFW and the applicant shall adhere to these measures **during all construction activities on the site.**

- BR-2. **At the time of application for construction permits on all parcels,** the applicant shall show the use of a planter or other pervious material within the dripline of the 14" Sycamore as well as remedial plantings at a 2:1 ratio of California Sycamore or other native species of trees. All trenching or grading within the dripline of riparian vegetation will be with hand tools and under the supervision of an International Society of Arboriculture (ISA) certified arborist.
- BR-3. **Prior to any site disturbance,** the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site. This area will be marked by orange construction fencing which shall be installed **prior to any site disturbance** and remain in place throughout the grading and construction phases.

### **Transportation and Circulation**

- TR-1. **Prior to building permit issuance,** the applicant shall pay road improvements fees for State Route 227 Corridor Mitigation. The Trip Generation Report dated January 9, 2019 determined a net PHT of 7 with an estimated SR 227 mitigation fee of \$23,912.00.
- TR-2. **Prior to building permit issuance,** the applicant shall pay traffic/transportation impact fees as calculated by the City of San Luis Obispo. Preliminary calculations based on the City's current fee schedule are calculated at: 193 daily trips x \$605.20 per trip = \$116,803.60.



Date: October 2, 2019

**DEVELOPER'S STATEMENT FOR**  
**Quaglinos Minor Use Permit**  
**DRC2018-00239 / ED19-095**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development 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.

The following mitigation measures address impacts that may occur as a result of the development of the project.

**Aesthetics / Visual Resources**

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

**Monitoring AE-1:** Compliance will be verified by the Department of Planning and Building prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

**Air Quality**

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

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that when



water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;

- c. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. To prevent 'track out', install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The 'track-out prevention device' can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM<sub>10</sub> mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to





the APCD Compliance Division **prior to the start of any grading, earthwork or demolition.**

**Monitoring AQ-1:** Compliance will be verified by the Department of Planning and Building prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

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

**Monitoring AQ-2:** Compliance will be verified by the Department of Planning and Building in consultation with the APCD prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

- AQ-3. **Prior to any site disturbance**, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.

**Monitoring AQ-3:** Compliance will be verified by the Department of Planning and Building in consultation with the APCD prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

- AQ-4 To minimize impacts from hydrocarbon contaminated soils, the applicant is required to notify the APCD as soon as possible after affected material is discovered to determine if an APCD permit will be required. Should contaminated soils be discovered, the applicant is also to maintain covers on storage piles of soil not actively involved in addition or removal and segregate clean soil from contaminated soil. Contaminated soil is to be covered with a TPH-non-permeable barrier, and covered piles are to be designed in a way to eliminate erosion due to wind or water. In the event of hydrocarbon contaminated soil discovery, the air quality impacts from the excavation and haul trips associated with removing the contaminated soil would need to be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds.

**Monitoring AQ-4:** Compliance will be verified by the Department of Planning and Building in consultation with the APCD prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.





### **Biological Resources**

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

**Monitoring BR-1:** Compliance will be verified by the Department of Planning and Building prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

BR-2. **At the time of application for construction permits on all parcels**, the applicant shall show the use of a planter or other pervious material within the dripline of the 14" Sycamore as well as remedial plantings at a 2:1 ratio of California Sycamore or other native species of trees. All trenching or grading within the dripline of riparian vegetation will be with hand tools and under the supervision of an International Society of Arboriculture (ISA) certified arborist.

**Monitoring BR-2:** Compliance will be verified by the Department of Planning and Building prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

BR-3. **Prior to any site disturbance**, the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site. This area will be marked by orange construction fencing which shall be installed **prior to any site disturbance** and remain in place throughout the grading and construction phases.

**Monitoring BR-3:** Compliance will be verified by the Department of Planning and Building prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

### **Transportation and Circulation**

TR-1. **Prior to building permit issuance**, the applicant shall pay road improvements fees for State Route 227 Corridor Mitigation. The Trip Generation Report dated January 9, 2019 determined a net PHT of 7 with an estimated SR 227 mitigation fee of \$23,912.00.



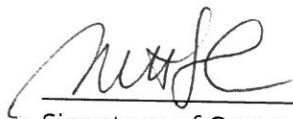


**Monitoring TR-1:** Compliance will be verified by the Department of Public Works prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

TR-2. **Prior to building permit issuance**, the applicant shall pay traffic/transportation impact fees as calculated by the City of San Luis Obispo. Preliminary calculations based on the City's current fee schedule are calculated at: 193 daily trips x \$605.20 per trip = \$116,803.60.

**Monitoring TR-2:** Compliance will be verified by the Department of Planning and Building in consultation with the City of San Luis Obispo, prior to issuance of grading/ construction permits. Permits will not be issued until this measure is satisfied.

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



Signature of Owner(s)

10/2/19

Date

Matthew Puglino  
Name (Print) member manager



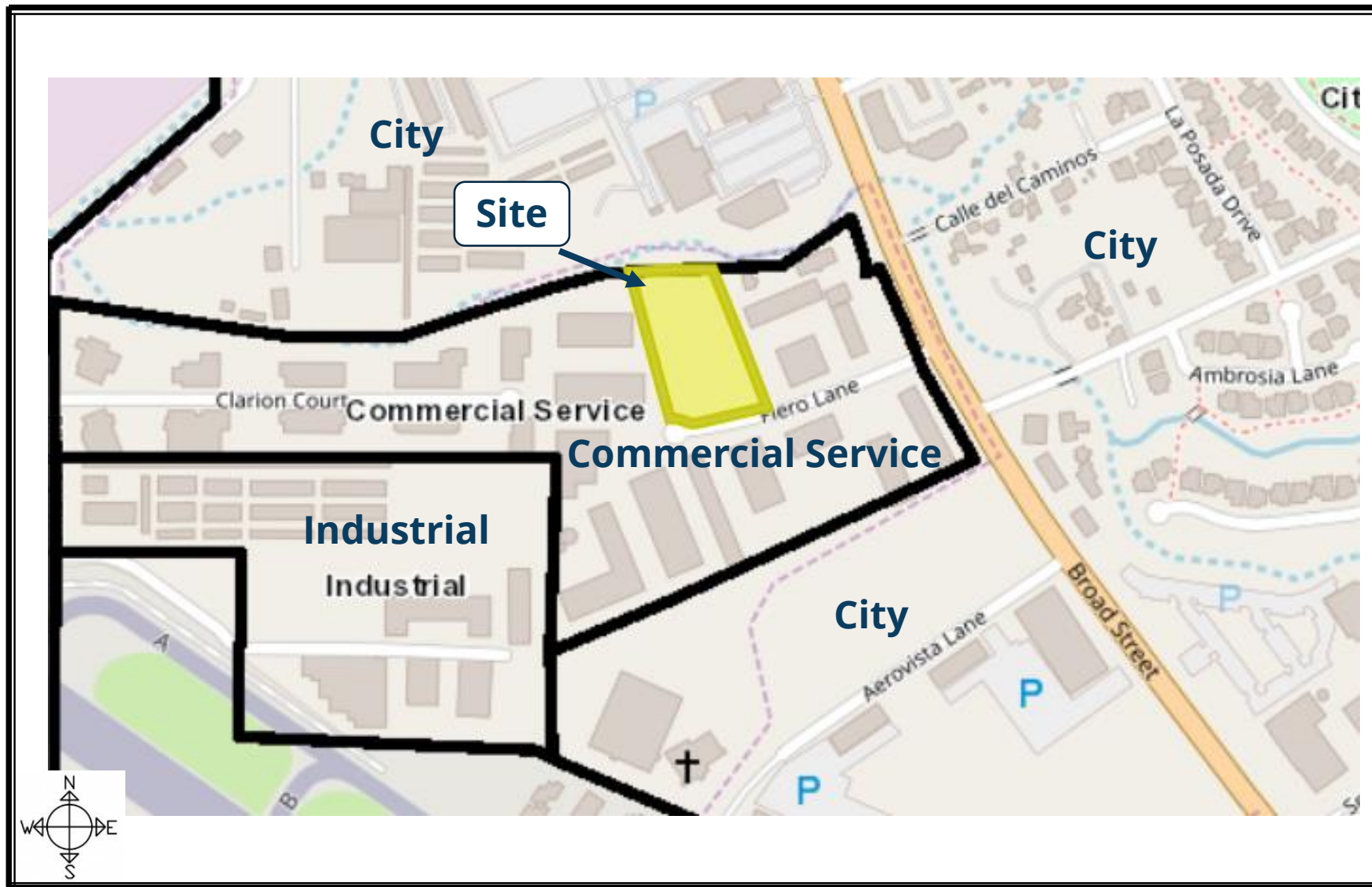




COUNTY OF SAN LUIS OBISPO

Vicinity Map  
DRC2018-00239





COUNTY OF SAN LUIS OBISPO

Land Use Category Map  
DRC2018-00239

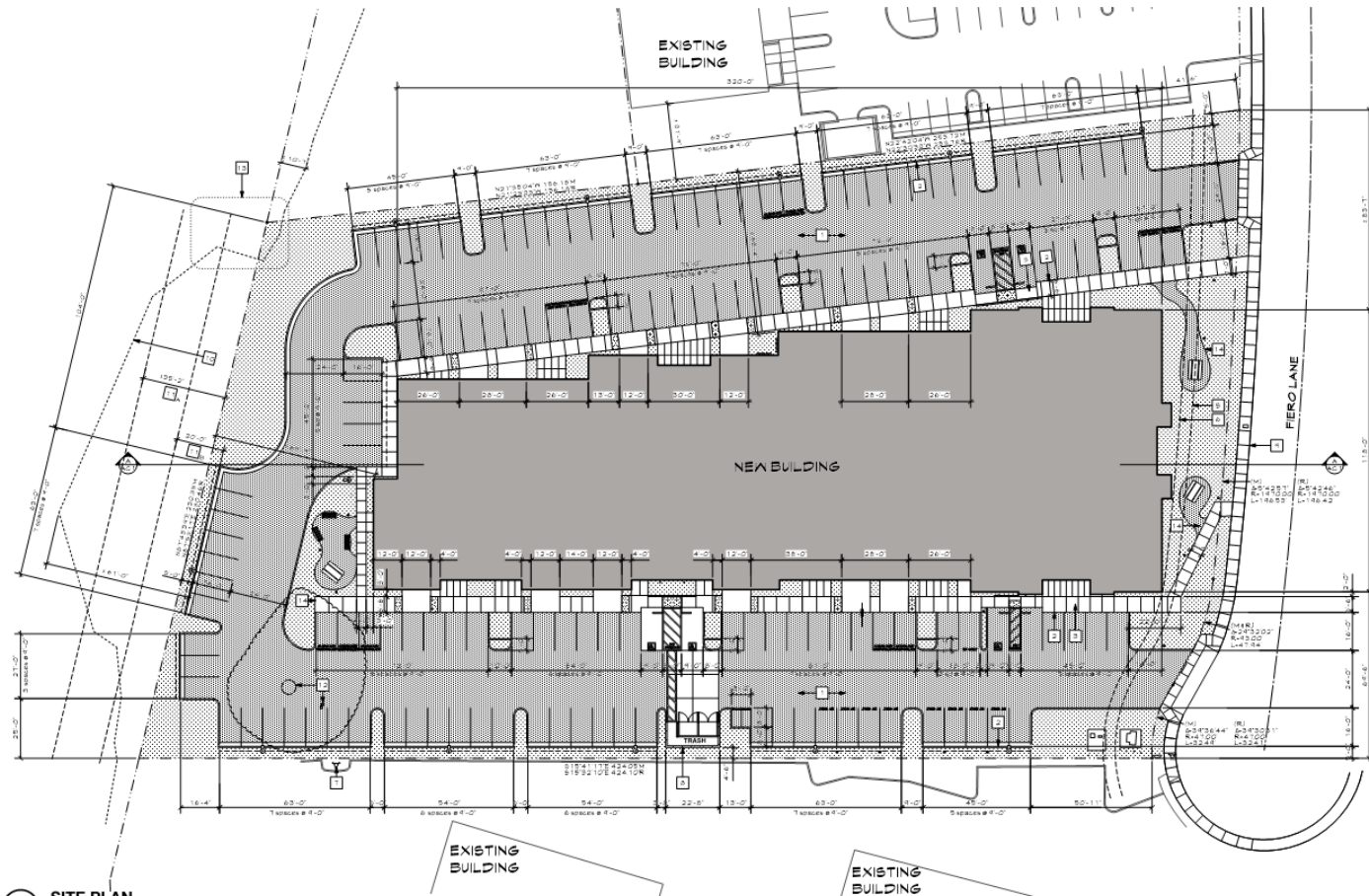




COUNTY OF SAN LUIS OBISPO

Aerial  
DRC2018-00239





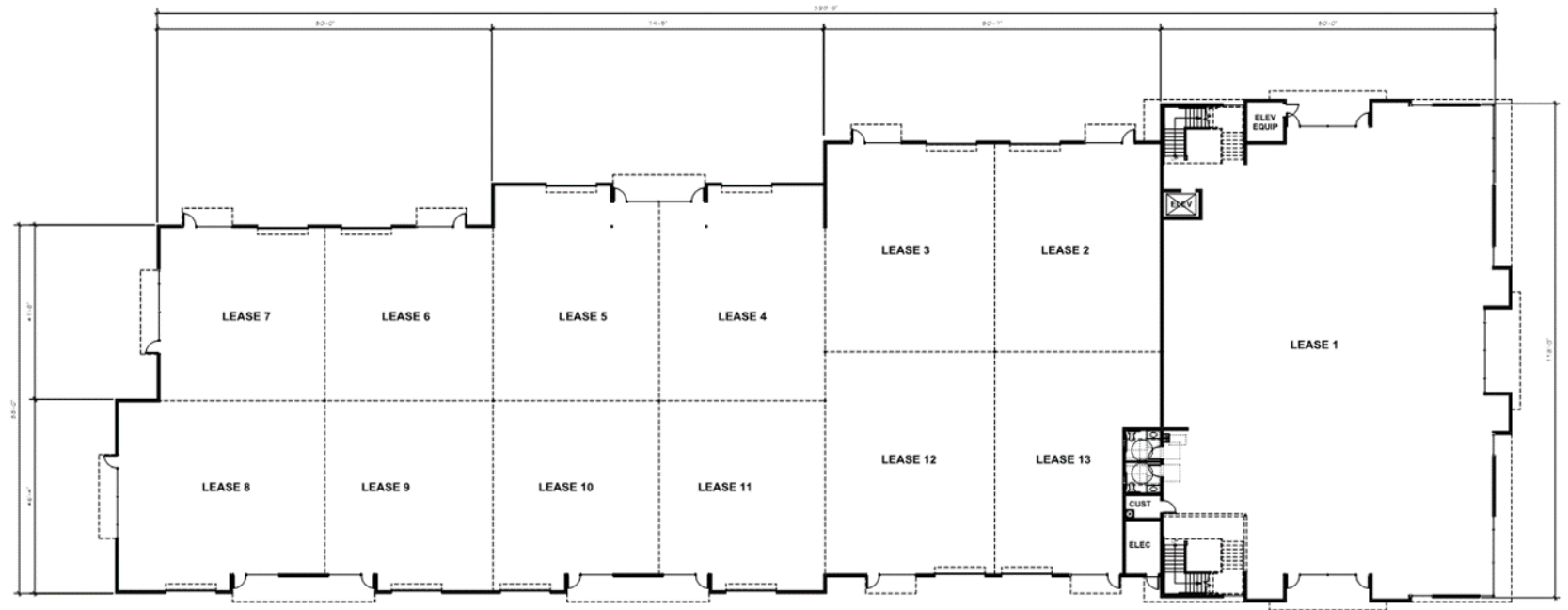
**SITE PLAN**  
1" = 20'-0"



**COUNTY OF SAN LUIS OBISPO**

**Site Map**  
**DRC2018-00239**

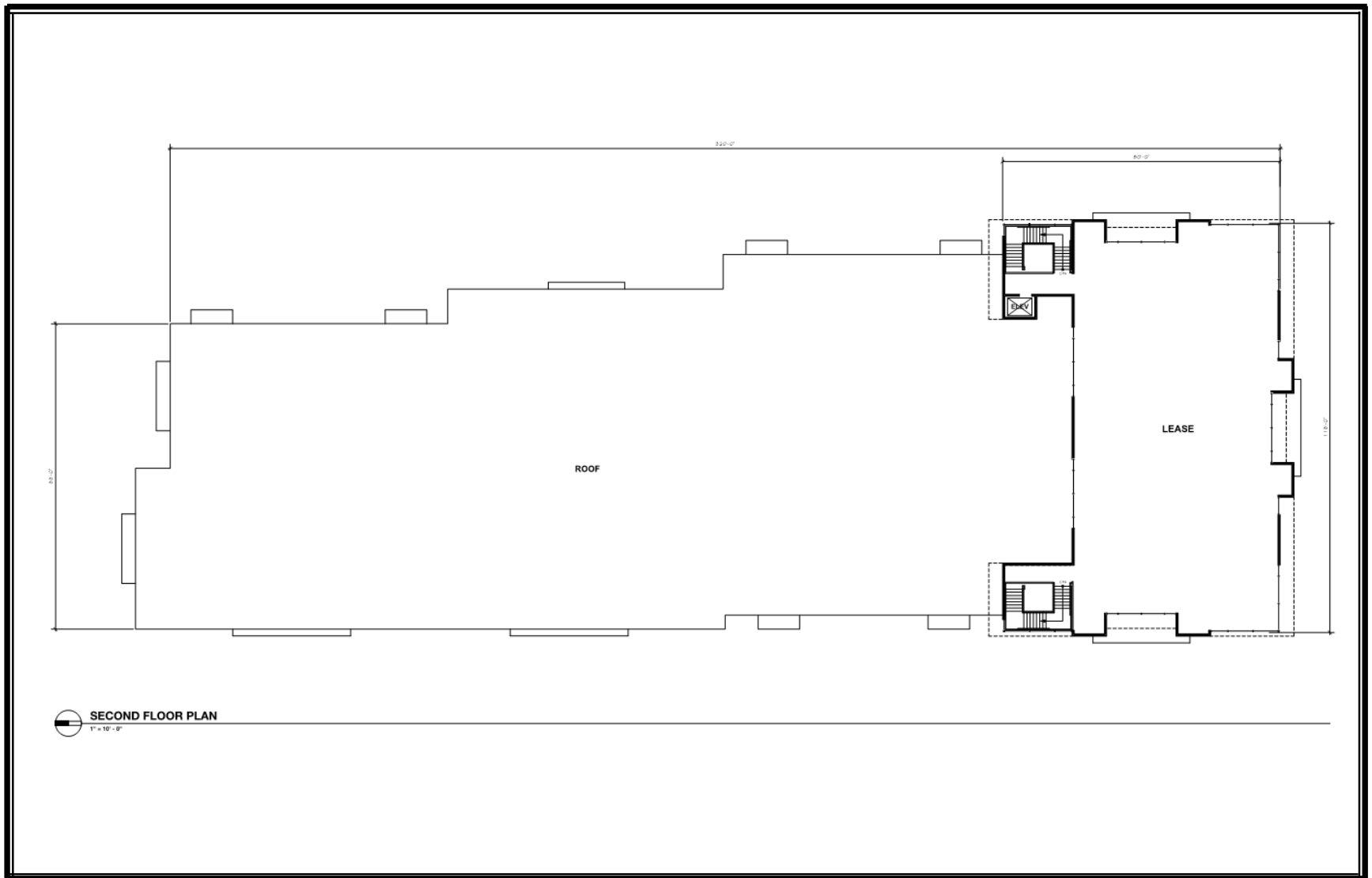




COUNTY OF SAN LUIS OBISPO

Floor Plans: First Floor  
DRC2018-00239

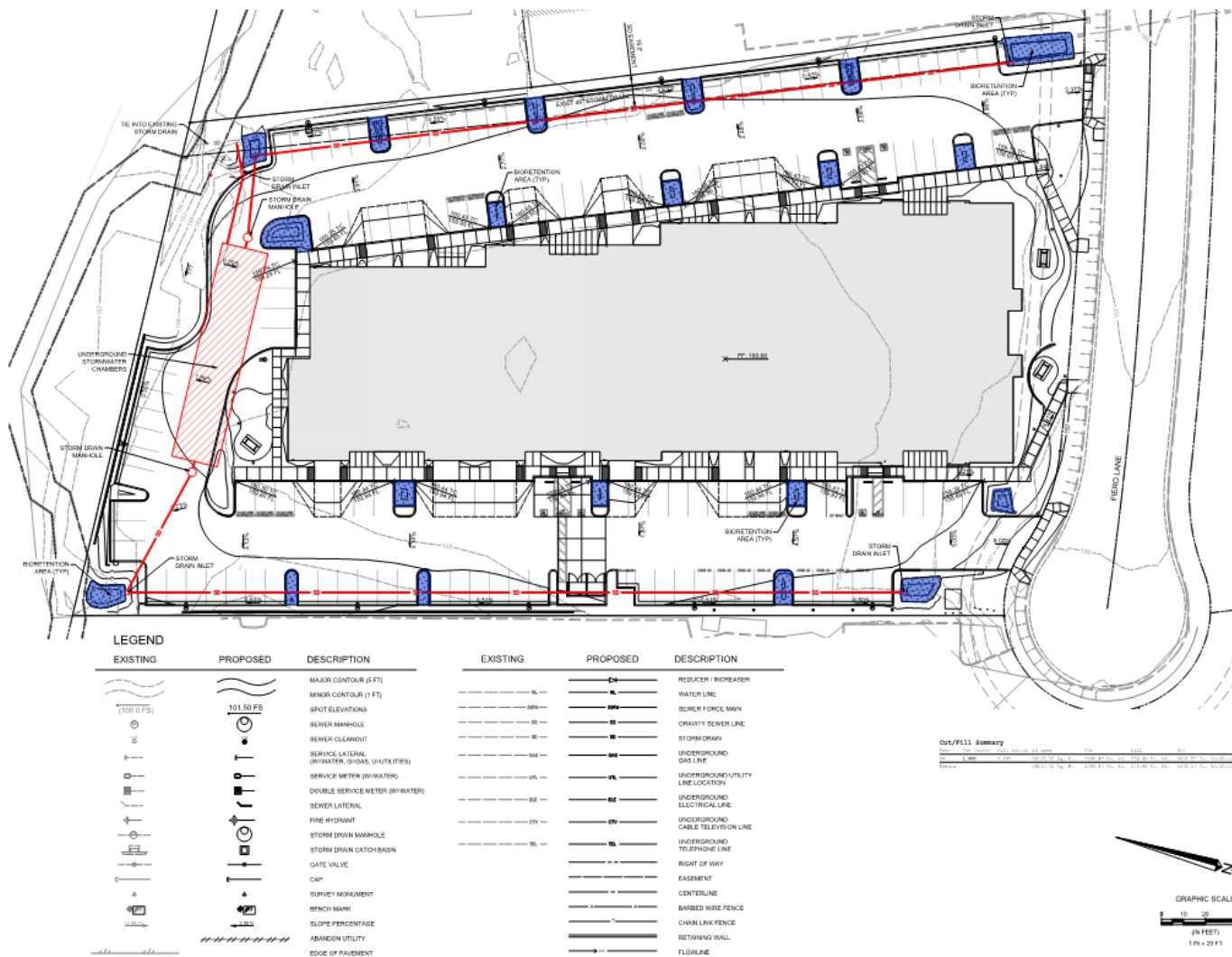




COUNTY OF SAN LUIS OBISPO

Floor Plans: Second Floor  
DRC2018-00239









COUNTY OF SAN LUIS OBISPO

Elevations: North  
DRC2018-00239



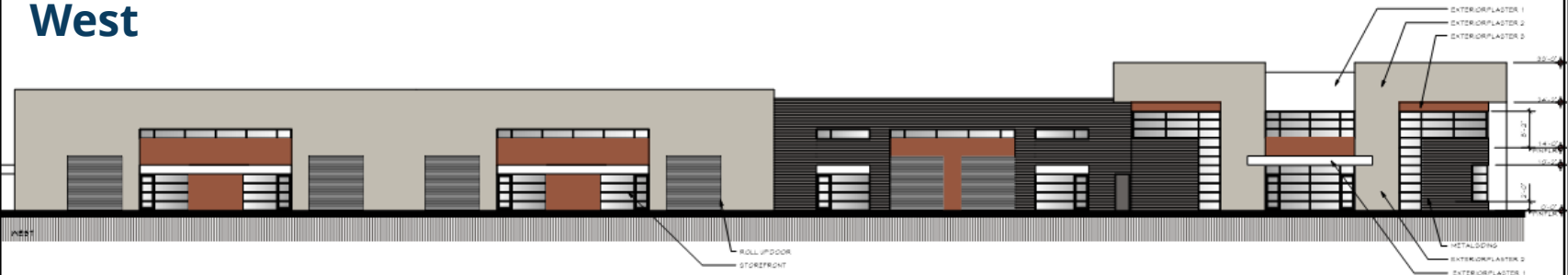


COUNTY OF SAN LUIS OBISPO

Elevations: South  
DRC2018-00239



West



East



COUNTY OF SAN LUIS OBISPO

Elevations: West & East  
DRC2018-00239



## ATTACHMENT 1

### FINDINGS 760 Fiero Lane

#### CONSISTENCY WITH STRICT APPLICATION OF ALUP POLICIES

For the reasons described in the Staff Report and subject to the Conditions of Consistency set forth below, the Project is consistent with the Specific Policies for Noise, Airspace Protection and Overflight.

#### CONSISTENCY WITH THE ALUP UNDER ALUP SECTION 2.7

##### Applicability of ALUP Section 2.7

- a) The Project represents “unique circumstances” as described in Section 2.7 of the ALUP because the Project includes unique characteristics as described under the heading “Justification for Deviation from Strict Application of Specific Policies for Safety under Authority of Section 2.7 of the ALUP” below and because:
  - 1. Much of the existing development located in the vicinity of the Project is inconsistent with the maximum building coverage limitations in Table 7; and
  - 2. The applicant is currently pursuing annexation into the City, and if that is approved, the Project would not exceed the non-residential density or the maximum building coverage provisions of the City’s Airport Area Specific Plan of 120 persons/acre and no limit, respectively.
- b) The Project represents a “small-scale individual project” as described in Section 2.7 of the ALUP because:
  - 1. The total acreage of the project site is 2.38 acres.
  - 2. The referral is for a specific project (minor use permit).

#### Justification for Deviation from Strict Application of Specific Policies for Safety under Authority of Section 2.7

- c) Safety – Non-Residential Density and Building Coverage. Notwithstanding that the Project would permit non-residential development and maximum building coverage within the S-1c Safety Area that exceeds the maximum non-residential density and maximum building coverage allowed by the current ALUP, as set forth in Table 7 in contravention of the strict application of Safety Policies S-2 and S-3, the Project is consistent with the objectives of the safety policies of the ALUP as described in Section 4.4.1 of the ALUP, because the Project is consistent with the underlying policy of “limiting the number of persons on the ground who are exposed to aviation safety hazards by restricting the allowable density in [areas of aviation safety risk]” (the objective that Policies S-2 and S-3 are intended to address). More specifically, the proposed non-residential density and building coverage are similar to that of other existing adjacent development and are consistent with the City’s current limitations (that the ALUC previously found to be consistent with the ALUP, including the ALUP Safety Policies) that will or would apply if and when the Project site is annexed into the City.



**CONDITIONS OF CONSISTENCY**  
**760 Fiero Lane**

1. The County shall prepare conditions of approval to ensure that all applicable ALUP policies and aviation related development restrictions are enforced (Conditions of Approval), including but not limited to (1) those in Section 2.7 of the ALUP that require that no development other than **the Project** as specifically described to the ALUC, in the written materials provided by the Applicant to the ALUC and included in the agenda packet for the ALUC's May 15, 2019 meeting and in the oral testimony by the Applicant during said meetings, may be established without subsequent prior referral to the ALUC and (2) those in Section 4.3.3 requiring that the Project incorporate sufficient requirements to ensure noise will be mitigated consistent with Table 4.
2. None of the prohibited manufacturing uses identified in Table 5.3 (i.e. hazardous, corrosive or flammable chemicals; electrical generating plants; petroleum refining or bulk storage) shall be established on the Project site.
3. The non-residential density of the Project site shall be limited to 242 people, and the County shall incorporate a requirement to this effect in its approval
4. The maximum building coverage on the Project site shall be limited to 38%, and the County shall incorporate a requirement to this effect in its approval.
5. The maximum height limit of structures on the site shall be consistent with County height requirements and shall not exceed 35 feet.
6. No structure, landscaping, apparatus, or other feature, whether temporary or permanent in nature shall constitute an obstruction to air navigation or a hazard to air navigation, as defined by the ALUP.
7. Any use is prohibited that may entail characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport, including:
  - creation of electrical interference with navigation signals or radio communication between the aircraft and Airport;
  - lighting which is difficult to distinguish from Airport lighting;
  - glare in the eyes of pilots using the Airport;
  - uses which attract birds and create bird strike hazards;
  - uses which produce visually significant quantities of smoke; and
  - uses which entail a risk of physical injury to operators or passengers of aircraft (e.g., exterior laser light demonstrations or shows).
8. Aviation easements shall be recorded for each property developed within the Project site prior to the issuance of any building permit or conditional use permit.
9. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall 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.





## Air Pollution Control District San Luis Obispo County

### **Via Email**

May 14, 2019

Kip Morais  
SLO County Department of Planning and Building  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408  
kmorais@co.slo.ca.us

SUBJECT: APCD Comments Regarding the Quaglino Properties Minor Use Permit  
(DRC2018-00239)

Dear Mr. Morais:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project on a vacant, historic storage yard for the company located at 760 Fiero Lane (APN 076-412-003) in San Luis Obispo. The project proposes to construct a two-story building totaling 38,929 ft<sup>2</sup>. Plans indicate that the building would have the following uses: 1,505 ft<sup>2</sup> of office space and 30,498 ft<sup>2</sup> of manufacturing on the 1<sup>st</sup> floor and 6,926 ft<sup>2</sup> of office space on the 2<sup>nd</sup> floor.

*The following are APCD comments that are pertinent to this project.*

### **GENERAL COMMENTS**

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

### **CONSTRUCTION PHASE**

#### **Construction Phase Impacts - Below Threshold**

The APCD evaluated the construction impacts of this project using the most recent CalEEMod computer model for estimating construction emissions related to the development of land uses. The modeling results indicate that the construction phase impacts will likely be less than the APCD's significance threshold values identified in Table 2-1 of the [CEQA Air Quality Handbook](#) (April 2012). **Therefore, with the exception of the**



requirements below, the APCD is not requiring other construction phase mitigation measures for this project.

#### Hydrocarbon Contaminated Soil

**Should hydrocarbon contaminated soil be encountered during construction activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:**

- Covers on storage piles shall be maintained, in place at all times, in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH -non-permeable barriers, such as plastic tarp. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and
- Clean soil must be segregated from contaminated soil.

**The notification and permitting determination requirements shall be directed to the APCD Engineering & Compliance Division at 805-781-5912.**

#### Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the California Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain NOA. The APCD has identified areas throughout the county where NOA may be present ([NOA Map](#)). If the project site is located in a candidate area for NOA, the following requirements apply. Under the CARB Asbestos Air Toxics Control Measure (Asbestos ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105), **prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if the area disturbed is exempt from the regulation. An exemption request must be filed with the APCD.** If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. More information on NOA can be found at [slocleanair.org/rules-regulations/asbestos/noa](http://slocleanair.org/rules-regulations/asbestos/noa).

#### Developmental Burning

**APCD Rule 501 prohibits developmental burning of vegetative material within San Luis Obispo County.** If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at 805-781-5912.



### Dust Control Measures

This project is within 1,000 feet of residences (sensitive receptors). Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. **Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402).**

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. **When drought conditions exist and water use is a concern, the contractor or builder should consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: [Products Available for Controlling Dust](#);
- c. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114;
- j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved



roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;

- l. All PM<sub>10</sub> mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition (Contact Tim Fuhs at 805-781-5912).

#### Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the [CEQA Air Quality Handbook](#) (April 2012).

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators;
- Internal combustion engines; and
- Unconfined abrasive blasting operations.

**To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at 805-781-5912 for specific information regarding permitting requirements.**

### **OPERATIONAL PHASE**

#### Operational Phase Impacts - Below Threshold

Based on the APCD operational phase emission estimates using the most recent CalEEMod computer model, the operational phase would likely be less than the APCD's significance threshold values identified in Table 3-2 of the [CEQA Air Quality Handbook](#) (April 2012). **Therefore, with the exception of the requirements below, the APCD is not requiring other operational phase mitigation measures for this project.**

#### Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as



exclusive. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the CEQA Air Quality Handbook (April 2012).

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators;
- Food and beverage preparation (primarily coffee roasters);
- Furniture and fixture products;
- Dry cleaning;
- Boilers; and
- Internal combustion engines.

Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, should be prioritized or screened for facility wide health risk impacts. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do an additional health risk assessment. **To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at 805-781-5912 for specific information regarding permitting requirements.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,



GARY ARCEMONT  
Air Quality Specialist

GJA/jjh

cc: Matt Quaglino, Applicant  
Dora Drexler, APCD  
Tim Fuhs, APCD





Date: January 18, 2019  
To: Steven Orozco, Project Planner  
From: Mark Davis, Development Services  
**Subject: Public Works Project Referral for DRC2018-00239, QUAGLINO PROPERTIES, 760 Fiero Lane, San Luis Obispo, APN 076-412-003**

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

**Public Works Comments:**

- A. The proposed project is within the State Route 227 Corridor Traffic Mitigation Program. Payment of Road Improvement Fees is required prior to building permit issuance. The Trip Generation Report dated January 9, 2019 determined a net PHT of 7 with an estimated SR 227 mitigation fee of \$23,912.00. Recommend report be resubmitted signed and stamped.
- B. Project site may be located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement (MOA). The applicant is encouraged to meet with the City to determine what road improvement fees would be applicable to this project.
- C. This project is a regulated project as it is located in a Stormwater Management Area and is therefore required to submit a Stormwater Control Plan (SWCP) Application and SWCP at time of building permit issuance.
- D. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit.
- E. The site is partially within the San Luis Obispo Groundwater Basin and therefore may be subject to the Sustainable Groundwater Management Act (SGMA). However, the Groundwater Sustainability Agency responsible for overseeing SGMA compliance has not completed the planning efforts that will define the need for any groundwater mitigation requirements. In the interim, consideration of the project's impacts on the groundwater basin should be included in the project's CEQA analysis.

**Recommended Project Conditions of Approval:**

**Access**

- 1. **On-going condition of approval (valid for the life of the project)**, to minimize project related traffic impacts in accordance with the project description and Traffic Report by Central Coast Transportation Consulting dated January 9, 2019, the project permit is restricted as follows:
  - a. No use contributing to greater than 22 overall peak hour trips with no more than 7 turning vehicles traveling south through the unincorporated area of the County.
  - b. Uses other than general office must satisfy industrial park characterized by a mix of manufacturing, service and warehouse facilities with a wide variation in the proportion of each type of use from one location to another.



2. **At the time of application for construction permits**, the applicant shall submit to the Department of Public Works an encroachment permit application, plans, fees, and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plans are to include, as applicable:
  - a. The existing curb, gutter, sidewalk and driveway improvements fronting the project site shall be reconstructed to repair deteriorated improvements and/or upgraded as required to conform to current Public Improvement Standards per A-3 urban street and ADA standards.
  - b. Pedestrian easements as necessary to contain all sidewalk, driveway and curb ramp improvements that extend beyond the existing right-of-way. Offers are to be recorded by separate document with the County Clerk upon review and approval by Public Works.
  - c. Removal of all existing non-permitted obstructions from within the public right-of-way of the project frontage (if applicable).
  - d. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - e. Utility plan, showing all existing utilities and installation of all new utilities to serve the site.
  - f. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
3. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc. without a valid encroachment permit issued by the Department of Public Works.
4. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage sidewalks, landscaping, maintaining County driveway sight distance standards, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity.
5. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a deposit with the county for the cost of checking the plans and the cost of inspection of any such improvements by the County or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
6. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.
7. **Prior to occupancy or final inspection**, all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.

## Fees

8. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the State Route 227 Corridor Traffic Mitigation Program Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits.



9. **Prior to commencing Land Use Permit activities**, the project is located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement approved by the Board on October 18, 2005. The applicant shall submit evidence to the County that all City impact fees applicable to this project have been paid, or that none are required.
10. **Within 30-days of Land Use Permit approval**, the applicant shall:
- a. Enter into a State Route 227 Corridor Traffic Mitigation Fee agreement with the Department of Public Works per Board Resolution 2017-266, in a form acceptable to County Counsel, for payment of their fair share participation in the costs for planning, design, and/or construction of five intersection improvements (SR227 at Farmhouse Lane; at Kendall Drive; at Buckley Road; at Crestmont Drive; and at Los Ranchos Road) as identified in the SLOCOG adopted State Route 227 Corridor Study (2016). The actual fee shall be paid prior to issuance of building permits and based on the afternoon peak hour trip (pht) generated by the project as determined by the applicant's civil or traffic engineer; or
  - b. The applicant must enter into a similar circulation or mitigation fee program adopted by the Board of Supervisors, the City of San Luis Obispo, Caltrans or SLOCOG (or any joint program) that is substantially equivalent to the State Route 227 Corridor Traffic Mitigation Fee agreement as approved by the County; or
  - c. The applicant must construct operational improvements consistent with the State Route 227 Corridor Traffic Mitigation Fee agreement to an extent preapproved by the County and Caltrans. If the cost of improvements is anticipated to exceed the applicant's fair-share fee contribution they may request, prior to construction, a reimbursement agreement with the County as allowed under the applicable County Code 13.01.040 or 13.20 for reimbursement in excess of the applicant's fair share participation, and
  - d. Prior to issuance of building permits, the applicant shall pay to the Department of Public Works the State Route 227 Corridor Traffic Mitigation Fee, estimated in the agreement onfile with the Department of Public Works. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. The fee may be subject to annual adjustment and the applicant shall be responsible for paying the fee in effect at the time of issuance of building permits.

#### Drainage & Flood Hazard

- e. **At the time of application for construction permits**, the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance and drainage standards of the latest Public Improvement Standards.
11. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Stormwater Control Plan.
12. **On-going condition of approval (valid for the life of the project)**: In accordance with 8.68.130 (Article III), non-stormwater discharges into the county storm drain system shall require an encroachment permit as described in Chapter 13.08 of the County Code. Permits shall only be issued when applicant successfully demonstrates compliance with all requirements of Article III.

#### Stormwater Pollution Prevention Plan (SWPPP)

13. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's



Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

#### Stormwater Control Plan (SWCP):

14. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
- a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.
  - b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
    1. Structural Control Measure Description (Exhibit B)
    2. Stormwater System Contact Information
    3. Stormwater System Plans and Manuals
  - c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
15. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

#### Recycling

16. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users at all events in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

#### Other Agency Requirements

17. **Prior to issuance of construction permits**, all work which encroaches into State Highway 227 (if applicable) shall require an encroachment permit issued by Caltrans.





## Community Development

919 Palm Street, San Luis Obispo, CA 93401-3249  
805.781.7170  
[slocity.org](http://slocity.org)

April 26, 2019

Kip Morais  
Department of Planning and Building  
County of San Luis Obispo  
976 Osos St., Rm. 300  
San Luis Obispo, CA 93408

**SUBJECT: Proposed Minor Use Permit for a two-story office use with one-story service/commercial use; 760 Fiero Lane, San Luis Obispo (DRC 2018-00239 MATT QUAGLINO)**

The 2016 City/County Memorandum of Understanding states that the County and City should work cooperatively to plan for future uses and public services and facilities to improve and maintain area circulation, connections, and to preserve agricultural land and open space, and we appreciate this opportunity to provide input. The project is located within the City of San Luis Obispo's Airport Area Specific Plan (AASP) and is designated for annexation.

Per the 2016 MOA, please consider the City's comments and recommended condition of approval.

### **Airport Area Specific Plan**

The project site is located within the Airport Area Specific Plan (AASP) and is designated for annexation to the City of San Luis Obispo. Project approvals in this area should be coordinated with planned development and infrastructure improvements in the AASP. The AASP provides a framework to guide development decisions in the planning area and conditions of approval to accommodate planned infrastructure should be applied accordingly (please see Public Works comments and conditions below).

For the complete Airport Area Specific Plan, please see the following link:  
<http://www.slocity.org/government/departments/community-development/planning-zoning/specific-area-plans/airport-area>

### **Public Works Department Comments**

The project site is located within the City's Sphere of Influence and is subject to City traffic impact fees applicable to the project per the 2016 MOA between the City and County. These fees are to be paid to the City prior to issuance of building permits.



City of San Luis Obispo referral response  
MUP – 760 Fiero Lane (DRC2018-00239)

Preliminary calculations based on the City's current fee schedule are calculated at: 193 daily trips x \$605.20 per trip = \$116,803.60

### **Water and Sewer Impact Fees**

Pursuant to the Memorandum of Agreement (MOA) (Regarding the Proposed Annexation and Property Along Fiero Lane and Clarion Court and the Provision of Interim Water and Sewer Service; Resolution No. 10678) and First Amendment to this MOA (Resolution No. 10994), which allow for the provision of interim water and sewer service provided by the City to the subject area, including the project site at 760 Fiero Lane, water and sewer impact fees are applicable to the project. These fees are to be paid to the City prior to issuance of building permits. Preliminary calculations based on the City's current fee schedule are:

Consolidated Water Impact Fee = \$64,109  
Consolidated Wastewater Impact Fees = \$57,893  
Administrative Impact Fee = \$5,506.40

### **Public Safety Fees in Anticipation of Annexation**

In addition, the City requests that the County require the applicant pay public safety fees in anticipation of this property's pending annexation into the City, and the provision of police and fire services to the property. Preliminary calculations based on the City's current fee schedule are:

Police Fee = \$11,547.34  
Fire Fee = \$9,847.33

**The City requests to continue to be notified/consulted on further project review such as any significant project modifications, environmental review, and upcoming hearings.**

Please feel free to contact me if you have any questions or would like to arrange a meeting. I can be contacted by phone at 805-781-7166, or by e-mail: [bleveille@slocity.org](mailto:bleveille@slocity.org)

Thank you for considering City Community Development Department comments on the proposed project.

Sincerely,



Brian Leveille, AICP

Senior Planner

Long Range Planning

City of San Luis Obispo, Community Development Department



City of San Luis Obispo referral response  
MUP – 760 Fiero Lane (DRC2018-00239)

CC: San Luis Obispo City Council  
Michael Codron, Community Development Director  
Xzandrea Fowler, Deputy Director of Community Development  
Tyler Corey, Principal Planner  
Jake Hudson, Interim Deputy Director of Public Works  
Hal Hannula, Supervising Civil Engineer  
Luke Schwartz, Interim Traffic Operations Manager