

Avila Valley Advisory Council

San Luis Obispo County, California

P.O. Box 65

Avila Beach, CA 93424 www.avac-avila.org

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Squire Canyon

Kirt Collins

Margaret Greenough

Open (alt)

March 10, 2020

Re: **WELDON, SUB2015-00070; CO16-0156**

To: Young Choi, Planner, SLO County Planning Department

Mr. Choi,

At the March 9th AVAC meeting the council approved the comments presented by the Land Use Committee in regards to the above referenced project. Comments are included below, pages 1 and 2.

Sincerely,

Jim Hartig

Jim Hartig, AVAC Chairperson

CC: Adam Hill, 3rd District Supervisor, Nicole Nix, 3rd District Legislative Assistant, , Airlin Singewald, Planning, Kimmie Nguyen, Planning, AVAC Members

AVAC Observations

1. **Concerning is that the project would create an additional parcel and thereby double the amount of potential development involving steep terrain and high fire hazard.**
2. **Steep terrain and high fire hazard could be avoided: The acre building area adjacent to Ontario Road could become two building areas and a third building area adjacent to Ontario Road could be added.**

The Land Use Committee met on March 2 to review this project. Following are LU Committee comments & a question:

- Plans need to denote Parcel 1 and Parcel 2.
- We would appreciate **being provided** the visual studies. (Utility installations to serve proposed building areas should be shown unless undergrounding is proposed.)
- What is the status of CSA 12 agreeing to provide water and status of wells?

Project Information

Location

The project fronts west side of Ontario Road, between San Luis Bay Drive and Higuera, just north of Bassi Drive

Proposal

Land division of 177 acres to create two parcels of 80 and 97 acres

Building Areas

2 primary residential building areas are proposed on one parcel and 1 on the other.

Zoning

The Rural Lands zoning allows two primary residences per parcel. In addition, caretaker residences could be approved over-the-counter.

Topography

The site terrain is very steep. Only 35 acres have slopes under 20% and 122 acres have slopes over 30%. A proposed building area of .97 acres is located adjacent to Ontario Road on relatively level terrain. The other two involve slopes around 25%.

Fire Hazard

The site is designated as a "high fire hazard."

Circulation

The primary road would generally follow already graded roads. Fire protection requires 20' width for new and widened roads.

Water

The proposed building area located along Ontario Road is within County Service Area 12 which supplies Lopez water. Onsite wells are proposed to serve the other proposed building areas.

Oak Trees:

13 oaks would be removed and 8 impacted.

Aesthetics

The site is highly visible from Highway 101 and Ontario Road.



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT

Michael Hill *Health Agency Director*

Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

March 26, 2020

Art Weldon
P.O. Box 369
Arroyo Grande, CA 93421

RE: TENTATIVE PARCEL MAP CO 16-0156
APNs: 076-241-016 and 076-114-052

Water Supply

This office is in receipt of **preliminary** evidence of water from the County Service Area No. 12 in the form of a *Conditional Intent to Provide Water Service Letter* dated 03/21/2020. Be advised that final will-to-serve documentation for water services will be required prior to final map recordation. The improvements for water in favor of each parcel shall be built, accepted and immediately serving or bonded for prior to recordation. The bond must be reviewed and approved by County Public Works **prior** to recordation of the map.

Wastewater Disposal

Individual wastewater disposal systems, designed and constructed to meet County and State regulations, should adequately serve the parcels. Be advised that all septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from all water wells and shall not be placed on natural slopes that exceed 30%.

CO 16-0156 is approved for Health Agency subdivision map processing.

A handwritten signature in blue ink, appearing to read "Leslie Terry", with a long horizontal line extending to the right.

Leslie Terry, R.E.H.S.
Environmental Health Services

c Young Choi and Emi Sugiyama, County Planning & Building
Perry McBeth, PE Garing, Taylor & Associates

Environmental Health Services

2156 Sierra Way, Suite B | San Luis Obispo, CA 93401 | (P) 805-781-5544 | (F) 805-781-4211
www.slopublichealth.org/ehs



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director

County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us



January 27, 2017

Art Weldon
P.O. Box 369
Arroyo Grande, CA 93421

Subject: County Service Area No. 12; Conditional Intent to Provide Water Service to APN 076-114-052 (Legal Description: PM 8-89 PTN PAR 2 & RHO SAN MIG PTN LT 39) and APN 076-241-016 (Legal Description RHO SAN MIG PM 8/89 PTN PAR 2) for a Proposed Subdivision

Dear Mr. Weldon:

This Conditional Intent to Provide a Water Service Letter to support the subdivision of that certain single legal parcel identified by Assessor Parcel Numbers 076-114-052 and 076-241-016 (PM 8-89 PTN PAR 2 & RHO SAN MIG PTN LT 39 and RHO SAN MIG PM 8/89 PTN PAR 2) is a conditional commitment to extend the existing water service assigned to APN 076-241-016 to the larger overall parcel described above. County Service Area 12 (CSA 12) is ready and willing to provide water service to the above described project site provided the following conditions are met:

1. All work performed by the County Department of Public Works Utilities Division staff for the subject project shall be billed to and reimbursed by the Applicant through and in accordance with the attached executed Engineering Reimbursement Agreement (ERA) dated November 1, 2015 (Attachment No. 1) for this project.
2. The Applicant shall formally request, from the San Luis Obispo County Board of Supervisors, and gain approval from the Local Agency Formation Commission, annexation of the entire project site into CSA 12.
3. If annexation to CSA 12 is authorized by the Board of Supervisors and approved by the Local Agency Formation Commission, the Applicant shall formally request, from the San Luis Obispo County Flood Control and Water Conservation District Board of Supervisors, either:
1. a modification to the boundaries of Flood Control Zone 3 to include the project site, or
alternately 2. consent to serve water outside the boundaries of Zone 3.
4. The Applicant shall gain approval of the transfer of the January 23, 2007 *Water Delivery Contract between the County of San Luis Obispo acting on Behalf of County Service Area No. 12 and the Graulich Family Trust, Joan Winslow Trustee, of Rights to Water Supply and for Assumption of Obligations*, to Applicant. This Conditional Intent to Provide a Water Service Letter does not contemplate increasing the water service amount, six (6) acre-feet, identified in the Graulich Water Delivery Contract.

5. The Applicant is aware that the Water Delivery Contract is for a specific, annual, amount of water. Delivery of such water may be subject to curtailment due to system maintenance needs, shortages, or regulatory actions as described in the August 2000 *Contract Between the San Luis Obispo County Flood Control and Water Conservation District and San Luis Obispo County Service Area #12 for a Water Supply*.
6. Per the terms of the ERA, the Applicant shall be responsible for designing, constructing, and installing water line service lateral(s) necessary to provide water service (including all necessary system improvements) to the proposed project. Said water service laterals shall include, at a minimum, service lines for domestic water use and service lines for fire protection which shall include double detector check backflow preventer assemblies and all necessary related appurtenances as determined by the Public Works Utilities Division Manager (UDM). The number of necessary domestic and fire protection lines shall be as determined by Applicant's Fire Sprinkler Contractor and as approved by the UDM at such time as the Applicant submits plans and specifications for the Project.
7. The Applicant shall employ a Registered Civil Engineer (RCE) to design the water service lines and associated appurtenances, and provide inspection during the course of construction to certify to the County Public Works Department that the improvements were installed in accordance with the improvement plans, and to submit as-built plans to the Department. If the Engineer of Work is other than the designing engineer, or is replaced during the course of construction, the UDM shall be notified in writing; and each such Engineer of Work shall certify as to their respective involvement. The UDM, or his designated representative, may make such additional inspection as is deemed necessary (and shall be available to review field conditions and/or proposed changes with the Engineer of Work).
8. The proposed project will require connection to the existing CSA 12 water system. Construction of the water services connections for the proposed project will be at the Applicant's responsibility and expense. Construction of all facilities shall be in accordance with the San Luis Obispo County Public Improvement Standards and Specifications. The Applicant shall employ a licensed contractor, and must submit evidence that the contractor is licensed prior to issuance of a final Will Serve Letter.
9. All work within the public right-of-way will require an Encroachment Permit from the Department, as described in the attached "General Conditions for Additions to CSA 12 Facilities".
10. The Applicant shall comply with all other conditions attached hereto and described as: 1.) Engineering Reimbursement Agreement and 2.) "General Conditions for Additions to CSA 12 Facilities".
11. Prior to issuance of a final water Will Serve Letter, and prior to provision of water service to the project described above, Applicant shall pay to CSA 12 all remaining applicable CSA 12 connection fees, meter charges, other new service related fees and/or related expenses established by ordinance and/or as described in the attached ERA.

The above CSA 12 conditions shall be effective until December 31, 2019, or until some unforeseen event might occur making this presently, intended service unusually difficult, or impossible, to provide.

If you have any questions regarding this letter, please feel free to contact me at (805) 781-1046.

Sincerely,



ANDREA M. MONTES, MPA
Utilities Division Program Manager

Attachments: Executed Engineering Reimbursement Agreement
 *Water Delivery Contract between the County of San Luis Obispo acting on Behalf of
 County Service Area No. 12 and the Graulich Family Trust*
 *Contract Between the San Luis Obispo County Flood Control and Water
 Conservation District and San Luis Obispo County Service Area #12 for a
 Water Supply*
 General Conditions for Additions to CSA 12 Facilities

c: Dean Benedix, Utilities Division Manager
 Jill Ogren, Utilities Senior Engineer
 Tim Tomlinson, Development Services Division
 Kate Shea, County Planning and Building Department
 Jon C. Williams, County Environmental Health Department

File: CF 320.490.01

L:\Utilities\2017\January\2017.01.27 FINAL Weldon conditional intent to serve ltr-mh_db_amm.docx AM.jc



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

THIS IS A NEW PROJECT REFERRAL

DATE: 5/9/2016

TO: PARKS

FROM: James Caruso (805-781-5702 or jcaruso@co.slo.ca.us)
Kate Shea (805-781-4163 or kshea@co.slo.ca.us)
South County Team / Development Review

AND/OR PLAN & BUDGET

PROJECT DESCRIPTION: SUB2015-00070 TR3043 WELDON - 2 lot parcel map with 3 designated building sites. Project location is Ontario Road ¾ mile north of San Luis Bay Drive, San Luis Obispo. APN(s): 076-114-052, 076-241-016.

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

Pay Quimby - Fees

6-23-16
Date

E. KAVANAUGH
Name

781-4089
Phone



SRA, VERO
ST/62 Area
B. 11/11

RECEIVED JUL 13 2016

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

THIS IS A NEW PROJECT REFERRAL

DATE: 5/9/2016

TO: _____

FROM: James Caruso (805-781-5702 or jcaruso@co.slo.ca.us) AND/OR
Kate Shea (805-781-4163 or kshea@co.slo.ca.us)
South County Team / Development Review

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

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

PLEASE SEE ATTACHED FIRE SAFETY PLAN LETTER.

Date

7/18/2016

Name

TRAVIS CRAIG

Phone

805-593-3427



CAL FIRE
San Luis Obispo
County Fire Department

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



Scott M. Jalbert, Fire Chief

July 18, 2016

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

Subject: Parcel Map Project # 2015-00070 (WELDON)

Mr. Caruso,

I have reviewed the referral for the parcel map plans for the proposed two lot parcel map project location is Ontario Road ¾ mile north of San Luis Bay Drive, San Luis Obispo California. This project is located approximately 5 minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project is located in State Responsibility Area in a **Very High** Fire Hazard Severity Zone. This project is required to comply with all fire safety rules and regulations of the California Fire Code and Public Resource Code.

The following conditions shall apply to this project:

Concerns

- The cumulative effects of intensified commercial and residential operations within the San Luis Obispo County area, continues to place significant challenges upon the ability of CAL FIRE/County Fire to provide efficient and effective emergency services within rural areas.
- The nearest CAL FIRE/County Fire Station (#62- Avila Valley) is located at 1551 Sparrow Street. 5 miles from this site. This station is staffed at all times by a minimum of 2 fulltime/permanent employees.

Dead-End Road

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative length, regardless of the number of parcels served:
Parcels 20 acres or larger 5,280 feet.
- A turnaround must be provided if the dead end road exceeds 150 feet.

Access Road

- This project will meet San Luis Obispo County Department of Public Works for roadway width and parking standards.
- The access road must be a minimum of 20 feet in width for two way traffic and shall be constructed to

Water Supply

- All water supply and hydrants must be approved by a registered Fire Protection Engineer.
- Fire Sprinklers will be required in all residential structures.

Set Backs

- 30-foot setback from property line for all building on 1 acre or larger parcels.

Future Building

- Future building will require a Fire Safety Plan from CAL FIRE/ SLO County Fire of any residential structures and will meet California Fire Code. A Fire Protection Engineer may be required to submit a technical report on both commercial and residential structures.
- The proposed Access, Fire Lanes and Fire Hydrant placement must be approved by CAL FIRE/ SLO County Fire.

Vegetation Management

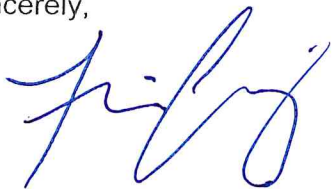
- 100 foot vegetation management around all structures is required.

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

Final Inspection

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

Sincerely,



Fire Captain



Air Pollution Control District
San Luis Obispo County

May 19, 2016

James Caruso
SLO County Department of Planning & Building
Coastal Team/Development Review
County Government Center
San Luis Obispo, CA 93401

SUBJECT: APCD Comments Regarding DRC2015-00070 TR3043 WELDON Parcel Map

Dear Mr. Caruso:

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 a two-lot parcel map with three designated building sites. The project location is on Ontario Road, three quarters of a mile north of San Luis Bay Drive, south of San Luis Obispo.

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

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, with special attention to items that are highlighted by bold and underlined text.

Inconsistent with the Clean Air Plan

The APCD is very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies, recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. **The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture, and very low-density residential development; therefore, the APCD does not support this project or this type of development.**

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

Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see NOA map on the APCD's website slocleanair.org). This map indicates this property may have a portion of its area in the NOA zone. If the project site is located in a candidate area for NOA, the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (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/business/asbestos.php.

Construction Permit Requirements

Based on the information provided, we do know 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 APCD's 2012 CEQA Handbook.

- 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 generator;
- Internal combustion engines;
- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and,
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

To minimize potential delays, prior to the start of the project, please contact the SLOAPCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Demolition of Asbestos Containing Materials

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during any construction phase demolition or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be**

subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).

These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM.

Please contact the SLOCAPCD Enforcement Division at (805) 781-5912 and also go to slocleanair.org/business/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of: slocleanair.org/business/onlineforms.php.

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** If you have any questions regarding these requirements, contact the APCD Enforcement Division at 781-5912.

Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. **APCD staff recommends the following measures be incorporated into the construction phase of project to control dust:**

Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District'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 since 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 stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
- e. All of these fugitive dust mitigation measures shall be shown on grading and building plans;
- f. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity. Their duties shall include holidays and weekend periods when work may not be in progress.

Residential Wood Combustion

Under APCD Rule 504, **only APCD approved wood burning devices can be installed in new dwelling units.** These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.
-

If you have any questions about approved wood burning devices, please contact the APCD Enforcement Division at 781-5912.

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

Sincerely,



Gary Arcemont
Air Quality Specialist

GJA/IHS

cc: Tim Fuhs, Enforcement Division, APCD
Kate Shea, SLO County Department of Planning & Building
Jeffrey Emrick, Agent