



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING & BUILDING  
NEGATIVE DECLARATION & NOTICE OF DETERMINATION

PLN-2040  
06/13/2019

**ENVIRONMENTAL DETERMINATION NO.** ED20-085-PL

**DATE:** January 28, 2021

**PROJECT/ENTITLEMENT:** Flint Tract Map and Conditional Use Permit; Tract 3056 (SUB2019-00092)

**APPLICANT NAME:** Flint, a General Partnership

**Email:** cgeihs@slonet.org

**ADDRESS:** PO Box 15747

**CONTACT PERSON:** Matt Cebulla

**Telephone:** (805) 440-5016

**PROPOSED USES/INTENT:** Request by Flint, a General Partnership, for a Vesting Tentative Tract Map (Tract Map 3056) and Conditional Use Permit (SUB2019-00092). The Tract Map will subdivide two existing parcels totaling approximately two acres into thirteen parcels ranging in size from 2,591 square feet to 0.97 acres for the purpose of sale and/or development. The Conditional Use Permit will allow for the construction of 12 detached single-family units of 1,654 square feet each on the south side of Flint Place, and 24 one-bedroom apartment units of 651 square feet each on the north side of Flint Place. The project includes off-site road improvements to Flint Place. The project will result in the disturbance of the entire approximately two-acre site. The proposed project is within the Commercial Retail and Residential Multi-Family land use categories.

**LOCATION:** The project is located at 651 West Tefft Street in the community of Nipomo. The site is in the South County Sub-Area of the South County 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:** Regional Water Quality Control Board

**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. January 28, 2021**  
**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.

[sfuhs@co.slo.ca.us](mailto:sfuhs@co.slo.ca.us) Stephanie Fuhs

County of San Luis Obispo

**Signature Project Manager Name****Date****Public Agency**



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING & BUILDING  
Initial Study – Environmental Checklist

PLN-2039  
04/2019

**Project Title & No.** Flint Tract Map/Conditional Use Permit ED20-085-PL  
(SUB2019-00092/Tract 3056)

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forestry Resources	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology & Water Quality	<input checked="" type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input type="checkbox"/> Wildfire
<input type="checkbox"/> Geology & Soils	<input type="checkbox"/> Population & Housing	<input type="checkbox"/> Mandatory Findings of Significance

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

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

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

Stephanie Fuhs

Prepared by (Print)

Signature

1/22/21

Date

Steve McMasters

Reviewed by (Print)

Signature

Steve McMasters, Principal  
Environmental Specialist I

1/22/21

Date

## Initial Study – Environmental Checklist

### 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

Request by Flint, a General Partnership, for a Vesting Tentative Tract Map (Tract Map 3056) and Conditional Use Permit (SUB2019-00092). The project site consists of two existing legal parcels (APNs 092-575-001 and 092-576-005). The Tract Map will subdivide one existing parcel of approximately one acre (APN 092-575-001) into twelve parcels ranging in size from 2,591 to 2,858 square feet for the purpose of sale and/or development. The Conditional Use Permit will allow for the construction of twelve detached single-family units of 1,654 square feet each on the south side of Flint Place, and 24 one-bedroom apartment units of 651 square feet each on the north side of Flint Place. The project includes off-site road improvements to Flint Place. The project will result in the disturbance of the entire approximately two-acre site. The proposed project is within the Commercial Retail and Residential Multi-Family land use categories and is located at 651 West Tefft Street in the community of Nipomo. The site is in the South County Sub-Area of the South County planning area.

The project site is currently developed with two single family residences and is accessed from an existing driveway off of West Tefft Street. A portion of this driveway serves as a parking/driveway area for existing commercial development along West Tefft Street. When developed, the site will be accessed off Flint Place which will be extended from its current terminus off of Mary Avenue.

**ASSESSOR PARCEL NUMBER(S):** 092-575-001 and 092-576-005

**Latitude:** 35° 2' 2.76" N **Longitude:** 120° 29' 12.5514" W **SUPERVISORIAL DISTRICT #** 4

### B. Existing Setting

**Plan Area:** South County **Sub:** South County **Comm:** Nipomo  
**Land Use Category:** Commercial Retail, Residential Multi-Family  
**Combining Designation:** None  
**Parcel Size:** Approximately 2 acres

## Initial Study – Environmental Checklist

---

**Topography:** Mostly level to gradually sloping  
**Vegetation:** Grasses, shrubs, ornamentals, scattered oaks  
**Existing Uses:** Two existing residences

### Surrounding Land Use Categories and Uses:

<b>North:</b>	Commercial Retail; Commercial uses	<b>East:</b>	Commercial Retail; Commercial uses
<b>South:</b>	Commercial Retail/Residential Multi-Family; residences	<b>West:</b>	Commercial Retail/Residential Multi-Family; Residences, commercial uses

## C. Environmental Analysis

The Initial Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

## Initial Study – Environmental Checklist

## I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

The project will be visible from West Tefft Street, an arterial road, Mary Avenue and Hill Streets, collector roads, and Flint Place, a local road. The site is located in an area of Nipomo that contains a mix of commercial, single-family residential and multi-family residential uses. Surrounding development consists of one and two-story structures and the design and proposed colors of the structures will be similar to existing development patterns in the area. There are currently two existing one-story homes on the project site. Both will be demolished prior to construction of the proposed development. Adjacent parcels to the north and east are zoned Commercial Retail and are developed with commercial uses. Parcels to the south and west are zoned Commercial Retail and Residential Multi-family and are developed with commercial and residential uses. The site is approximately 1,000 feet west of Highway 101 but will not be visible from the freeway due to existing development between the freeway and the project site.

The proposed project consists of 12 single family detached units on the south side of Flint Place and 24 multi-family units within three buildings located on the north side of Flint Place. All of the structures will be

## Initial Study – Environmental Checklist

---

two stories with two-car garages provided for the single-family units and outdoor parking provided for the multi-family dwellings. There are two floor plans for the single-family units of 1,654 square feet each, containing 3 bedrooms and 2.5 bathrooms. The multi-family units are 651 square feet each and contain one bedroom and one bathroom. The structures are expected to be a mix of stucco with stone fascia.

### Discussion

(a) *Have a substantial adverse effect on a scenic vista?*

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project's potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

The project is not located within an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. The project site is not within the Highway Corridor Design Standards overlay designation but is subject to the residential and subdivision provisions of the West Tefft Corridor Design Plan. The Design Plan provides guidance for the site planning of residential development which is intended to minimize the appearance of a large, single, monotonous rectangular buildings and to cluster development.

The project would be visible from West Tefft Street, an arterial road, Mary Avenue and Hill Streets, collector roads, and Flint Place, a local road, however, the proposed development is similar to existing development in the area. Therefore, the project would not have a substantial adverse effect on a scenic vista and *no impacts would occur*.

(b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project site is not located along nor is visible from a designated state scenic highway or eligible state scenic highway. Therefore, the project would not result in substantial damage to scenic resources within a state scenic highway, and there would be *no impact*.

(c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The proposed project is located with the Nipomo Urban Reserve line and would not conflict applicable zoning or other regulations governing scenic quality because the project is located in an area of commercial and residential development that is similar to the current proposal. The project site is not located along nor is visible from a designated state scenic highway or eligible state scenic highway. Therefore, *no impacts* would occur to the quality of the visual character of the area with this project.

## Initial Study – Environmental Checklist

- (d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project does not propose the use or installation of highly reflective materials that would create a substantial source of glare. The project would generally be consistent with the level of existing development in the project vicinity and does not propose the installation or use of outdoor lighting that would differ substantially from other proximate development. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be less than significant.

### Conclusion

Standard County regulations require exterior lighting to be shielded to minimize glare. The project will be conditioned to provide an exterior lighting plan prior to building permit issuance to ensure the project will not create off-site glare. The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Potential impacts to aesthetic resources would be less than significant.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>				
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



## Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

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

**Land Use Category:** Commercial Retail and Residential Multi-Family

**Historic/Existing Commercial Crops:** None

**State Classification:** Farmland of Statewide Importance

**In Agricultural Preserve?** Yes, Nipomo Mesa Agricultural Preserve

**Under Williamson Act contract?** No

Based on the California Department of Conservation Farmland Mapping and Monitoring Program and the San Luis Obispo County Important Farmland Map (DOC 2019), the entire project site contains Farmland of Statewide Importance. The project site is located within the urban area of Nipomo on an approximately two-acre parcel surrounded by a mix commercial and residential development.

The soil type and characteristics of the project area include:

Oceano Sand, 0-9% slope. This nearly level to gently sloping sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

## Initial Study – Environmental Checklist

---

### Discussion

- (a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The proposed project will result in the permanent conversion of about two acres of land. The project site is within the Commercial Retail and Residential Multi-Family land use categories and within the Nipomo Mesa Agricultural Preserve Area. Many properties throughout the County are within agricultural preserves but are not under Williamson Act (land conservation contracts) to protect agricultural operations. The project site is within an urbanized area with the nearest agricultural operation located over 0.25 mile south of the project site.

Although development of the project will result in the permanent loss of important farmland, the soils are not considered prime when irrigated or non-irrigated and this impact is considered less than significant because:

- The project site is in the urban area of Nipomo surrounded by commercial and residential development, and
- There are no ongoing agricultural operations on the project site or in the immediate vicinity.

Therefore, *no significant impacts to agricultural resources would occur* and no mitigation measures are necessary.

- (b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The subject property is zoned for commercial retail and residential use and is located within the urban area of Nipomo. The project site does not include land within the Agriculture land use designation or land subject to a Williamson Act contract. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur*.

- (c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

The project site does not include land use designations or zoning for forest land or timberland; *no impacts would occur*.

- (d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; *no impacts would occur*.

- (e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

The project would result in the conversion of Farmland of Statewide Importance; however, the size and location of the project site is not be viable for agriculture. The project would not increase demand on agricultural water supplies or facilities and would not affect proximate agricultural support facilities. Therefore, the project would not result in changes in the existing environment that

## Initial Study – Environmental Checklist

could result in the conversion of Farmland to non-agricultural uses or forest land to non-forest uses.  
*Impacts are considered less than significant.*

### Conclusion

The project would result in the conversion of Farmland of Statewide Importance; however, the size and location of the project site is not be viable for agriculture and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. Potential impacts to agricultural resources would be less than significant and no mitigation measures are necessary.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

#### Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State

## Initial Study – Environmental Checklist

---

Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM10 and PM2.5), ozone (O3), nitrogen dioxide (NO2), sulfate, carbon monoxide (CO), sulfur dioxide (SO2), visibility reducing particles, lead (Pb), hydrogen sulfide (H2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO2, ozone, PM10 and PM2.5, and SO2.

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

### *SLOAPCD Thresholds*

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NOx), reactive organic gases (ROG), greenhouse gases (GHG) and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants.

As proposed, the project would result in the disturbance of the entire approximately two-acre parcel, which would include moving 6,00 cubic yards of cut and 2,000 cubic yards of fill material. This would result in the creation of construction dust, as well as short- and long-term vehicle emissions. According to the United States Department of Agriculture's Wind Erodibility Index, the wind erodibility of the soils which would be disturbed by the proposed project is "high".

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial and industrial development. Certain types of project can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (source emissions).

General screening criteria is used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1 in the APCD's CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within ten percent (10%) of exceeding the screening criteria.

## Initial Study – Environmental Checklist

---

### *San Luis Obispo County Clean Air Plan*

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM10. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

### *Naturally Occurring Asbestos*

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. The project site is not within an area the APCD has identified as having the potential for Naturally Occurring Asbestos (NOA).

### *Sensitive Receptors*

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences.

### *Discussion*

#### *(a) Conflict with or obstruct implementation of the applicable air quality plan?*

The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook 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).

As proposed, the project will result in the disturbance of approximately two acres. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will result in less than 10 lbs/day of pollutants, which is below thresholds warranting any mitigation. Additionally, the project is consistent with the general level of development anticipated and projected in the Clean Air Plan and would therefore not conflict with or obstruct the implementation of the applicable air quality plan. *Impacts to the County's air quality plan are considered less than significant.*

#### *(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

The County is currently designated as non-attainment for ozone and PM10 under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors

## Initial Study – Environmental Checklist

---

including reactive organic gasses (ROG) and nitrous oxides (NOX) and fugitive dust emissions (PM10). Based on the project description, the project will be moving less than 1,200 cubic yards/day of material and will not result in an area of disturbance of more than four acres for the construction of the proposed buildings, driveway, and other associated improvements. Therefore, construction related emissions will fall below the general thresholds. Therefore, construction related emissions will result in a *less than significant impact* to ambient air quality standards.

(c) *Expose sensitive receptors to substantial pollutant concentrations?*

As described above in response to (b), the project would not generate significant construction-related or operational emissions and would, therefore, not expose sensitive receptors to substantial pollutant concentrations. Operational emissions would not substantially increase and implementation of standard LUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations and *impacts would be less than significant*.

(d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. No long-term operational odors would be generated by the project. Therefore, potential odor-related *impacts would be less than significant*.

### Conclusion

While the project is below operational thresholds warranting mitigation, dust control measures are recommended during construction in order to reduce cumulative impacts associated with this project. These measures are discussed below.

The project will also be subject to construction phase requirements, residential wood combustion and developmental burning standards as recommended by the APCD. Incorporation of these measures will reduce impacts to less than significant levels.

### Mitigation

AQ-1. 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. 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:

- 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



## Initial Study – Environmental Checklist

---

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. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:

<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>

- c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved in the 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 shall be sown with 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 binders 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 speeds for all construction vehicles shall not exceed 15 mph on an 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 the top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114;
- j. "Tract out" is defined as soil or sand that adheres to or agglomerates on the exterior surface of motor vehicles or other equipment (including tires) that may then fall onto the highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent "track out", designate access point 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 in 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 road accumulates tracked out soils, the track out prevention device may need to be modified;
- k. Sweep streets at the end of the day if visible soil matter 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 of these fugitive dust mitigation measures shall be shown on subdivision improvement plans, 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

## Initial Study – Environmental Checklist

---

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 [(805) 781-5912].

AQ-2. The following idling requirements for diesel powered construction activity in close proximity to the sensitive receptor (adjacent residences) shall be included on the subdivision improvement plans and carried out during construction activities:

- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
- Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.
- Use of alternative fueled equipment is recommended.
- Signs that specify the no idling areas must be postponed and enforced at the site.

AQ-3. Construction Phase Requirements. If any portable equipment, 50 horsepower (hp) or greater, will be used during construction activities, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.

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.

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Internal combustion engines; and
- Tub grinders.

AQ-4. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures 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 NESHA).** 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 APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to [slocleanair.org/rules-regulations/asbestos.php](http://slocleanair.org/rules-regulations/asbestos.php) for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of [slocleanair.org/library/download-forms.php](http://slocleanair.org/library/download-forms.php).



## Initial Study – Environmental Checklist

---

- AQ-5. Demolition of structures coated with lead-based paint is a concern for the APCD. Improper demolition can result in the release of lead-containing particles from the site. Sandblasting or removal of paint by heating with a heat gun can result in significant emissions of lead. Therefore, proper abatement of lead before demolition of these structures must be performed to prevent the release of lead from the site. **Depending on removal method, an APCD permit may be required. Contact the APCD Engineering & Compliance Division at (805) 781-5912 for more information. For additional information regarding lead abatement, contact the San Luis Obispo County Environmental Health (805) 781-5544 or Cal-OSHA at (818) 901-5403. Additional information can also be found online at [www.epa.gov/lead](http://www.epa.gov/lead).**
- AQ-6. At the time of application for subdivision improvement plans and/or construction permits, the following shall be added to the construction plans: 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 Engineering & Compliance Division at (805) 781-5912.
- AQ-7. 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 wood heaters; and
  - Dedicated gas-fired fireplaces.

**At the time of application for construction permits,** plans shall show any proposed fireplaces in compliance with the above standards.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

## IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Initial Study – Environmental Checklist

---

### *Setting*

#### *Federal and State Endangered Species Acts*

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats.

#### *Migratory Bird Treaty Act*

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

#### *Conservation and Open Space Element*

The intent of the goals, policies, and implementation strategies in the COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems and migration patterns must be considered together in order to sustain biological resources. The COSE identifies Critical Habitat areas for sensitive species including California condor, California red legged frog, vernal pool fairy shrimp, La Graciosa thistle, Morro Bay kangaroo rat, Morro shoulderband snail, tiger salamander, and western snowy plover. The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines.

The project site does not contain any SRAs and is located in close proximity to any SRAs. The project site is currently developed with two single family residences accessed by a driveway from West Tefft Street. The closest blue-line creek (Nipomo Creek) is over 0.5 mile to the east across the Highway 101 freeway. On site vegetation consists of grasses, shrubs, scattered oaks and ornamentals. The site's tree coverage is less than 10 percent.

The California Natural Diversity Database (CNDDB) was queried for sensitive species within one mile of the proposed project. The following species/habitats were identified to have documented occurrences within the one-mile radius:

Plants: Sand Mesa manzanita (*Arctostaphylos rudis*) List 1B app. 0.6 miles northwest of the property, 0.7 miles west of the property, and 0.9 miles north of the property

Sand mesa manzanita (*Arctostaphylos rudis*) is a CNPS List 1B (rare, threatened, or endangered in California and elsewhere) evergreen shrub. This species occurs within chaparral and coastal scrub habitat types. The elevation range for this species is 25 to 230 meters, and the blooming period is November through February.

## Initial Study – Environmental Checklist

---

Wildlife: None

Habitats: Santa Barbara Vernal Pool Region

The project site occurs within the Santa Barbara Vernal Pool Region designated by the California Department of Fish and Game. Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

### *Discussion*

- (a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The project site is currently developed with two single family residences and has been heavily disturbed by the residential use. There are some grasses, shrubs, ornamentals and four coast live oak trees, but the site is primarily bare sandy soil. The site is within the urbanized area of the community of Nipomo and the surrounding properties are developed with commercial and residential uses.

A site visit of the project site was made in November by County Planning Staff to identify the potential for vernal pool habitat and/or listed plant and fairy shrimp species. At that time, no evidence of vernal pools or potential areas for ponded water was observed. The soil type (Oceano Sand) and topography on the project site are such that water would not pool in a manner consistent with the characteristics of vernal pools or seasonal wetlands. There was no indication of habitat suitable for supporting fairy shrimp or sensitive plant species associated with vernal pools.

No manzanita were observed on the property during the November site visit. Based on existing site conditions and lack of suitable habitat, the project site does not have the potential to support any candidate, sensitive, or special status species identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, the project does not have the potential to result in impacts to special-status species and *no impacts would occur*.

- (b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

There are no mapped blue line creeks and no riparian vegetation or other sensitive natural communities within or immediately adjacent to the proposed areas of disturbance. Therefore, the project would not result in impacts to riparian habitat or other sensitive natural communities and *no impacts would occur*.

- (c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The project site does not support state or federal wetlands or other jurisdictional areas. Therefore, the project would not result in an adverse effect on state or federally protected wetlands and *no impacts would occur*.

## Initial Study – Environmental Checklist

---

- (d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Development could potentially affect nesting birds that may be present seasonally in the oak trees which will be removed as part of the proposed project. Preconstruction surveys will be required to ensure if any active nest sites of protected bird species are onsite, appropriate buffers are enforced to avoid direct impacts to nests, eggs, and/or young. *Impacts will be less than significant with proposed mitigation.*

- (e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The project will result in the removal of mature coast live oak trees. In order to mitigate for the removal of these trees, mitigation measures have been included to replant coast live oak trees at a 4:1 ratio. *With proposed mitigation, the project will have a less than significant impact on biological resources.*

- (f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state habitat conservation plan adopted that includes the project site. Therefore, there will be *no impact*.

### Conclusion

Mitigation measures are proposed to address potential impacts to biological resources including tree replacement for the removal of coast live oak trees and nesting bird surveys prior to any site disturbance and/or development on the proposed parcels. Incorporation of these measures will reduce impacts to a level of insignificance.

### Mitigation

- BIO-1. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1<sup>st</sup> and September 1<sup>st</sup> 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 County for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.
- BIO-2. **At the time of application for subdivision improvement plans**, the applicant shall show all coast live oak trees to be removed as part of the project. All coast live oak trees that are 5 inches in diameter at four feet, six inches above the ground to be removed shall be replaced in kind at a 4:1 ratio.

## Initial Study – Environmental Checklist

The following planting and maintenance measures will be shown on the subdivision improvement plans and/or construction plans and implemented to improve successful establishment:

1. Providing and maintaining protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents, etc.);
2. Regular mulching and weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant; herbicides should be avoided;
3. Adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period;
4. Avoidance of planting between April and September unless irrigation system with timer is provided, where trees are watered 1-gallon every four weeks (may vary for certain species);
5. Applying standard planting procedures (e.g., planting nutrient tablets, initial deep watering, etc.).
6. When planting with, or near, other landscaping, all landscape vegetation within the eventual mature oak tree root zone (25-foot radius of planted oak) will need to have similar water requirements as the (oak) (including no summer watering once established).

Sources

See Exhibit A.

## V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

The project is located in an area historically occupied by the Northern Chumash. San Luis Obispo county possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, immigrant settlers, and military branches of the United States.

## Initial Study – Environmental Checklist

---

A Phase I (surface) survey was conducted (Singer, 2001). An updated records search of the area found several reports with findings, so an updated surface survey was requested. The updated Cultural Resources Assessment (Anastasio, Cultural Resource Services, August 2020) found no evidence of cultural materials on the property. The project is unlikely to affect paleontological resources because it is not expected to disturb bedrock.

### Discussion

(a) *Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

The project site does not contain, nor is it located near, any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of a historical resources and *no impacts would occur*.

(b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

No known archaeological resources are present on the project site. A Phase I (surface) survey was conducted (Singer, 2001). No evidence of cultural materials was noted on the property. An updated records search of the area found several reports with findings, so an updated surface survey was requested. The updated Cultural Resources Assessment (Anastasio, Cultural Resource Services, August 2020) found no evidence of cultural materials on the property. The project is unlikely to affect paleontological resources because it is not expected to disturb bedrock.

As noted above, the Cultural Resources Surveys identified no known archaeological sites. In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Based on the low known sensitivity of the project site, and with implementation of LUO Section 22.10.040, *impacts to archaeological resources would be less than significant*.

(c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

The nearest dedicated cemetery is the Arroyo Grande Cemetery, located approximately 6.5 miles to the northwest. The record and literature search of the project area did not identify any know burial sites within 0.25 miles of the project. Additionally, consultation with the Native American tribes did



## Initial Study – Environmental Checklist

not result in identification of known burials. (See Section XVIII. Tribal Cultural Resources.) Based on the low known sensitivity of the project site, and with implementation of LUO Section 22.10.040, *impacts to human remains are expected to be less than significant.*

### Conclusion

County land Use Ordinance Section 22.10.040 includes a provision that construction work cease in the event resources are unearthed with work allowed to continue once the issue is resolved. No significant archaeological or historical resource impacts are expected to occur.

### Mitigation

No mitigation measures above what are already required by ordinance are necessary.

### Sources

See Exhibit A.

## VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2017).

The County COSE establishes goals and policies that aim to reduce vehicle miles traveled, conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. The COSE provides the basis and direction for the development of the County's EnergyWise Plan (EWP), which outlines in greater detail the County's strategy to reduce government and community-wide greenhouse gas emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

In 2010, the EWP established a goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to "[a]ddress future energy needs through increased conservation and efficiency in all sectors" and "[i]ncrease



## Initial Study – Environmental Checklist

---

the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020.” In addition, the County has published an EnergyWise Plan 2016 Update to summarize progress toward implementing measures established in the EWP and outline overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the 2019 Building Energy Efficiency Standards. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

### Discussion

- (a) *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

According to the project application materials, the proposed residential activities are expected to consume approximately 240,624 kWh of electricity per year which the equivalent energy demand associated with 36 single family residences (6,684 kWh per year per dwelling). The project would utilize connections to existing nearby power sources. Energy use would be limited to powering the residences. The project is not expected to result in wasteful, inefficient or unnecessary consumption of energy resources because the residential design utilizes east and west facing windows to increase natural light and encourage energy efficiency. The project will also be constructed with fixtures and equipment that meets current Title 24 building codes for energy efficiency and conservation; therefore, the project's *impact on energy resources would be less than significant*.

- (b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

The project is not located in a renewable energy area combining designation. New construction on the parcels will have the option to provide for the use of renewable energy for some or all of the structure's power needs. The project's *impact on energy resources would be less than significant*.

### Conclusion

The project would not result in a significant energy demand during short-term construction or long-term operations and would not conflict with state or local renewable energy or energy efficiency plans. Therefore, potential impacts related to energy would be less than significant and no mitigation measures are necessary.

## Initial Study – Environmental Checklist

*Mitigation*

No mitigation measures are necessary.

*Sources*

See Exhibit A.

## VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the County and that are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. The nearest known potentially capable fault is located approximately 0.42 mile to the east of the project site.

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Seismic groundshaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code includes requirements that structures be designed to resist a certain minimum seismic force resulting from ground motion.

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude

## Initial Study – Environmental Checklist

---

and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures. The project site's liquefaction risk is considered "moderate."

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project site's landslide risk is considered "low."

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. Please see the Agricultural Resources section above for soil descriptions. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics.

As stated in Section II. Agriculture and Forestry Resources above, the soil underlying the project is:

Oceano Sand, 0-9% slope. This nearly level to gently sloping sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

### Discussion

(a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

(a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Based on the California Department of Conservation Earthquake Zone Map, the project site is not located within a mapped Alquist-Priolo earthquake hazard zone (CGS 2018). Based on the County Safety Element Fault Hazards Map, the project site is located within 1 mile of a potentially capable fault. So long as the future buildings on the site are built in accordance with the California building Code, *impacts are expected to be less than significant.*

(a-ii) *Strong seismic ground shaking?*

The project would be required to comply with the California Building Code (CBC) to ensure the effects of a potential seismic event would be minimized to the greatest extent feasible. Therefore, *impacts would be less than significant.*

## Initial Study – Environmental Checklist

---

(a-iii) *Seismic-related ground failure, including liquefaction?*

The parcel has relatively flat topography. Based on the County Safety Element Landslide Hazards Map is located in an area with low potential for landslide risk. Therefore, the project would not cause adverse effects involving liquefaction, a product of landslides, *and impacts would be less than significant.*

(a-iv) *Landslides?*

The project area has relatively flat topography. Based on the County Safety Element Landslide Hazards Map is located in an area with low potential for landslide risk. Therefore, the project would not cause adverse effects involving landslides and *impacts would be less than significant.*

(b) *Result in substantial soil erosion or the loss of topsoil?*

Construction of the proposed project will result in disturbance of topsoil. A sedimentation and erosion control plan is required for all construction and grading projects (LUO Section 22.52.120) to minimize potential impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation. Upon implementation of the above control measures, as recommended by the county, *impacts related to soil erosion and sedimentation would be reduced to less than significant.*

(c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located within an area with slopes susceptible to local failure, therefore *the impact would be considered less than significant.*

(d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

The project is located on soil with low expansive risk. Standard building code requirements will be required when residential building permits are applied for to address this issue and *impacts are expected to be less than significant.*

(e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The applicant provided an intent-to-serve letter from the Nipomo Community Service District confirming that the community service district is willing and able to provide sewer services. Therefore, the project will not involve the use of onsite waste disposal systems, and no impacts from the use of septic tanks or alternative wastewater disposal systems are expected. Therefore, there would be *no impact.*

(f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No known paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features. The project does not include substantial grading or

## Initial Study – Environmental Checklist

earthwork that would disturb the underlying geologic formation in which paleontological resources may occur. Therefore, potential *impacts on paleontological resources would be less than significant*.

### Conclusion

The project would be required to comply with CBC requirements which have been developed to properly safeguard against seismic and geologic hazards. The project would not result in significant impacts related to geology or soils and no mitigation is necessary.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

As noted in Section 3 Air Quality, the project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD has developed and updated a CEQA Air Quality Handbook (2012) and clarification memorandum (2017) 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 have been found to result in an increase in the earth's average surface temperature by exacerbating the naturally occurring "greenhouse effect" in the earth's atmosphere. The rise in global temperature is has been projected to lead to long-term changes in precipitation, sea level, temperatures, wind patterns, and other elements of the earth's climate system. This phenomenon is commonly referred to as global climate change. These changes are broadly attributed to GHG emissions, particularly those emissions that result from 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.

## Initial Study – Environmental Checklist

---

The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

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

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

For most projects, the Bright-Line Threshold of 1,150 metric tons of carbon dioxide per year (MT CO<sub>2</sub>e/year) 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 CARB (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.

### Discussion

- (a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Based on the nature of the proposed project and Table 1-1 of the SLOAPCD CEQA Air Quality Handbook, the project would generate less than the SLOAPCD Bright-Line Threshold of 1,150 metric tons of GHG emissions. The project's construction-related and operational GHG emissions and energy demands would be minimal. Therefore, the project's potential direct and cumulative GHG emissions would be less than significant and less than a cumulatively considerable contribution to regional GHG emissions.



## Initial Study – Environmental Checklist

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 ARB (or other regulatory agencies) and will be regulated by standards implemented by the ARB, the federal government, or other regulatory agencies. 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. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be less than significant.

- (b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The proposed project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emissions reduction goals identified in SB 32 and EO S-3-05. The project would not conflict with the control measures identified in the CAP, EWP, or other state and local regulations related to GHG emissions and renewable energy. The project would be generally consistent with the property's existing land use and would be designed to comply with the California Green Building Code standards. Therefore, the project would be consistent with applicable plans and programs designed to reduce GHG emissions and potential impacts would be less than significant.

### Conclusion

The project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. Therefore, potential impacts related to greenhouse gas emissions would be less than significant and no mitigation measures are necessary.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

The project is not located in an area of known hazardous material contamination and is not on a site listed on the "Cortese List" (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5) (SWRCB 2019; California Department of Toxic Substance Control [DTSC] 2019). The project is located within a high fire hazard severity zone within a State Responsibility Area and based on the County's response time map, it will take approximately 5 to 10 minutes to respond to a call regarding fire or life safety. The project is not located within an Airport Review Area and the closest active landing strip is over five miles away.

## Initial Study – Environmental Checklist

---

### Discussion

- (a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project does not propose the routine use, transportation, or disposal of hazardous materials. Therefore, the project is not likely to create a significant hazard to the public or environment through exposure to hazardous materials, and *impacts will be less than significant*.

- (b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Handling of these materials has the potential to result in an accidental release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws. Additionally, the construction contractor would be required to implement Best Management Practices for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, *impacts would be less than significant*.

- (c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *no impacts would occur*.

- (d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Based on a search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. Therefore, *no impacts would occur*.

- (e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The project site is not located within an airport land use plan or within two miles of a public airport or private airstrip; therefore, *no impacts would occur*.

- (f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Any construction-related detours would include proper signage and notification and would be short-term and limited in nature and duration. Therefore, potential *impacts would be less than significant*.

## Initial Study – Environmental Checklist

- (g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

The project is not located within or adjacent to a wildland area. Based on the County Safety Element, the project is located within a high fire hazard severity zone. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential *impacts would be less than significant*.

*Conclusion*

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located within proximity to any known contaminated sites and is not within close proximity to populations that could be substantially affected by upset or release of hazardous substances. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.

*Mitigation*

No mitigation measures are necessary.

*Sources*

See Exhibit A.

## X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Setting*

The project proposes to obtain its water needs from a community water system (Nipomo Community Service District). The proposed project would require 36 residential service connections. 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.

The topography of the project is mostly level to gently sloping. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and is considered well drained. The project parcel is within the Santa Maria groundwater basin, which is made up of three interconnected sub basins (Tri-Cities, Nipomo Mesa, and Santa Maria).

The Planning and Building Department has released a study (San Luis Obispo County Department of Planning, "Resource Capacity Study – Water Supply in the Nipomo Mesa Area", 2004) concluding the NMWCA portion of the Santa Maria Groundwater Basin is in a state of overdraft. The study recommended a Level of Severity 3 for the basin, and the Board of Supervisors certified the Level of Severity 3 in 2007, and subsequently approved water conservation ordinances for the area.

The NCSO declared a Stage IV water shortage (July 27, 2016) and ceased issuing new intent to serve letters for new development. The NCSO began reissuing intent to serve and will serve letters May 1, 2019 because

## Initial Study – Environmental Checklist

---

the supplemental water project will provide adequate water for properties within the NCSD service boundaries. The proposed project obtained an intent-to-serve letter dated July 11, 2019 for water, sewer and solid waste services.

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.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

### Discussion

- (a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

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

- Approximately two acres of site disturbance;
- Storm Water Pollution Prevention Plan (SWPPP) is required;
- The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- The project is on soils with low erodibility, and mostly level to gentle slopes;
- The project is not within a 100-year Flood Hazard designation;
- The project is over 1,000 feet from the nearest creek (Nipomo Creek);
- All hazardous materials and/or wastes will be properly stored onsite, which include secondary containment should spills or leaks occur; and
- Stockpiles will be properly managed during construction to avoid material loss due to erosion.

Implementation of Land Use Ordinance Section 22.52.110 and Section 22.52.120 will help ensure *less than significant impacts* to water quality standards and surface and ground water quality.

- (b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Water service for the proposed project will be provided by the NCSD. The supplemental water project which brings water from Santa Maria to the Nipomo Mesa provides adequate water to serve properties within the NCSD service boundaries. The proposed project will be required to comply with green-build ordinance standards and any additional water conservation measures included in

## Initial Study – Environmental Checklist

---

the NCSD's will serve letter. Adherence with the conditions contained in the preliminary intent-to-serve letter and final will serve letter from the NCSD will ensure a *less than significant impact* on groundwater supplies and groundwater recharge.

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
  - (c-i) *Result in substantial erosion or siltation on- or off-site?*
  - (c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
  - (c-iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
  - (c-iv) *Impede or redirect flood flows?*

The project has been conditioned to provide final grading, drainage, erosion and sedimentation control plans, and SWPPP for review and approval prior to building permit issuance as required by LUO Section 22.52.100, 110 and 120.

The amount of increased impervious surfaces is not expected to exceed the capacity of stormwater conveyances or increase downslope flooding. Therefore, *impacts would be less than significant*.

- (d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Based on the County Safety Element, the project site is not located within a 100-year flood zone or within an area that would be inundated if dam failure were to occur. Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami (DOC 2019). The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur*.

- (e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The project site is not located in an area with an adopted water quality control plan or sustainable groundwater management plan so *no impacts would occur*.

### Conclusion

Based on available water information and the intent-to-serve letter from the NCSD, there appears to be sufficient water to supply the project. Any new landscaping will need to comply with MWELO standards (drought tolerant, low water using plants).

Existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality. Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

### Mitigation

No mitigation measures beyond those required by ordinance and the NCSD are considered necessary.

## Initial Study – Environmental Checklist

## Sources

See Exhibit A.

## XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Setting

The proposed project would be located in an area designated Commercial Retail and Residential Multi-Family by the County of San Luis Obispo. Surrounding uses are identified on Page 2 of this Initial Study and the proposed project is considered compatible with these surrounding uses. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, South County Area Plan, Nipomo West Tefft Corridor Design Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies (e.g., Nipomo Community Service District, Environmental Health, Public Works, South County Advisory Council, and Native American Outreach (AB52).

## Discussion

(a) *Physically divide an established community?*

The proposed project is located on an existing parcel and would not involve any components that would physically divide the residential community. The proposed project is considered in-fill development and the project would utilize the existing circulation system and proposes to construct an onsite driveway for access and would not require the construction of offsite infrastructure. Therefore, there would be *no impact*.

(b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The project was found to be consistent with standards and policies set forth in the County General Plan, the South County Area Plan, the Nipomo West Tefft Corridor Design Plan, the SLOAPCD Clean Air Plan, and other land use policies for this area. The project would be conditioned to be consistent with standards set forth by County-Fire/CalFire and the Department of Public Works. Therefore, *impacts related to inconsistency with land use and policies adopted to address environmental effects would be less than significant*.



## Initial Study – Environmental Checklist

### Conclusion

No significant land use or planning impacts would occur.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (Public Resources Code Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey 2011a):

- MRZ-1: Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- MRZ-3: Areas containing known or inferred aggregate resources of undetermined significance.



## Initial Study – Environmental Checklist

---

The County LUO provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The EX combining designation is used to identify areas of the county where:

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. The state geologist has designated a mineral resource area of statewide or regional significance pursuant to PRC Sections 2710 et seq. (SMARA); and,
3. Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

### Discussion

- (a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The project is not located within a designated mineral resource zone or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, *no impacts would occur*.

- (b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

There are no known or mapped mineral resources in the project area and the likelihood of future mining of important resources within the project area is very low. Therefore, *no impacts would occur*.

### Conclusion

No impacts to mineral resources would occur and no mitigation measures are necessary.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

## XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Setting*

The proposed 36-unit residential project is considered a sensitive noise receptor. The existing ambient noise environment is characterized by traffic on the surrounding streets, Highway 101, Tefft Street, Mary Street, as well as typical residential activities in the surrounding homes and commercial activities in the commercial land use categories to the north, east and west. Noise sensitive land uses typically include residences, schools, nursing homes, and parks. The project site is surrounded by commercial operations to the north, east and west and multi-family residences to the south. The project is not located within an Airport Review Area and the closest active landing strip.

The proposed residential development is considered a sensitive noise receptor. Exterior noise exposure over 60 dB is required to be mitigated. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the eastern 250 feet of both parcels are within the 60 dBA Leq category. Due to existing commercial development between the project site and the freeway and the additional construction measures required by current building code and as specified in the Noise Element, both interior and exterior noise levels are expected to be at acceptable levels.

The County Land Use Ordinance Section 22.10.120 establishes maximum allowed noise levels for both daytime (7 a.m. to 10 p.m.) and nighttime (10 p.m. to 7 a.m.) hours. The maximum allowed exterior hourly noise level is 50 db for the daytime hours and 45 db for the nighttime hours. Staff reviewed the Noise Element and associated noise contour mapping for transportation and stationary noise sources, as well as the surrounding uses and their potential to generate noise.

## Initial Study – Environmental Checklist

---

### Discussion

- (a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The proposed project would result in ambient noise levels consistent with the surrounding area. Based on the Noise Element's projected future noise generation from known stationery and vehicle-generated noise sources, the project is within an acceptable threshold area.

Project construction activities would generate short-term (temporary) construction noise. Activities that generate noise in excess of 60 dB at the project site boundary shall be limited to the hours of 7 a.m. to 6 p.m. If possible, the use of pile drivers shall be minimized in construction. Alternative techniques that produce less noise, such as drilled or bored piles, shall be considered. Furthermore, compliance with County LUO Section 22.10.120 would require construction noise to be limited. *Noise impacts resulting from both construction and operation of the proposed facility are expected to be less than significant.*

- (b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Operation of the proposed project would not result in groundborne vibration. No construction equipment or methods are proposed that would generate substantial ground vibration. Therefore, *impacts related to temporary or permanent groundborne vibration would be less than significant.*

- (c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The project is not located within an Airport Review Area. The project site is not located within two miles of a public airport or public use airport, and is not located in an area subject to an airport land use plan, there would be *no impact* to people residing or working in the project area from excessive air traffic related noise levels.

### Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, potential impacts related to noise would be less than significant and no mitigation measures are necessary.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Setting

In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships Program (HOME) 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.

#### Discussion

- (a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed project will create new residences which will increase the supply of homes in the area leading to potential, small population growth. This is in line with County and Local plans to increase housing availability. The proposed project would not result in new jobs in the area that would require new housing. The project does not propose new roads or infrastructure to undeveloped or underdeveloped areas that would indirectly result in population growth. Therefore, *impacts to population growth would be less than significant.*

- (b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The proposed project does not involve the displacement, either directly or indirectly, of existing people or housing that would necessitate the construction of replacement housing elsewhere. The project proposes the creation of additional housing to increase home supply. Therefore, *no impacts would occur.*

#### Conclusion

No significant population and housing impacts would occur.

## Initial Study – Environmental Checklist

*Mitigation*

No mitigation measures are necessary.

*Sources*

See Exhibit A.

## XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

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

Fire: County Fire/CalFire Station 20 (Location: 450 Pioneer Circle, Nipomo, approximately 0.8 mile northeast of the project parcel). The project site does not have a Fire Hazard Severity rating. According to Cal Fire and County Fire, response times are estimated to be between 5-10 minutes.

Police: County Sheriff (Location: 1681 Front Street, Oceano, San Luis Obispo County Sheriff's Office, approximately 12 miles northwest of the project parcel)

School District(s): Lucia Mar Unified School District.

Parks: The project parcel is not within a trail corridor.

## Initial Study – Environmental Checklist

---

### Discussion

- (a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

#### *Fire protection?*

The proposed project was referred to County Fire/CalFire for consistency with the Uniform Fire Code and will be required to adhere to the requirements of Uniform Fire Code (County Fire/CalFire, November 13, 2019). A will-serve letter has not been issued and will be required prior to issuance of a building permit (Nipomo Community Services District, July 11, 2019).

The proposed project, along with other projects in the area, will result in a cumulative effect on fire protection services. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, *impacts would be less than significant.*

#### *Police protection?*

The proposed project, along with other projects in the area, would result in a cumulative effect on police protection services. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, *impacts would be less than significant.*

#### *Schools?*

The proposed project would result in the creation of new housing and may result in minor population growth. This population growth would result in a cumulative effect on existing school facilities. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property. Therefore, *impacts would be less than significant.*

#### *Parks?*

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. Therefore, potential *impacts would be less than significant.*

#### *Other public facilities?*

As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; therefore, *impacts related to other public facilities would be less than significant.*

### Conclusion

No significant impacts to public services would occur.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

## XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Setting*

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Recreation Element.

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

*Discussion*

- (a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project would not result in a substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant*.



## Initial Study – Environmental Checklist

- (b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *no impacts would occur.*

*Conclusion*

The project would not result in the significant increase in use, construction, or expansion of parks or recreational facilities. Therefore, potential impacts related to recreation would be less than significant and no mitigation measures are necessary.

*Mitigation*

No mitigation measures are necessary.

*Sources*

See Exhibit A.

## XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

The County has established the acceptable Level of Service on roads for this urban area as “D” or better. The existing road network in the area including the project’s access streets, West Tefft Street and Mary Avenue which are operating at an unacceptable level of service during peak hour times; and Flint Place which is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal

## Initial Study – Environmental Checklist

---

road curves), sight distance meets the minimum standard. The proposed project is estimated to generate about 344 trips per day, based on the Institute of Traffic Engineer's manual of 9.57 trips/unit.

Referrals were sent to County Public Works and CalTrans. No significant project specific traffic-related concerns were identified.

In 2013, Senate Bill 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of Senate Bill 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The project is subject to the Nipomo Road Fee Area 1, which addresses cumulative impacts to county roads in the area by funding areawide circulation impacts. This fee provides the means to collect "fair share" monies from new development to help fund certain regional road improvements that will be needed once the area reaches "buildout" and addresses cumulative impacts to County roads in the area. No significant traffic-related concerns were identified from the Public Works Department.

The project is located outside of the County's Airport Review combining designation (AR). The project is within the urban reserve line. The proposed project is not located within a quarter mile buffer of a railroad crossing. The closest bus station is located on North Thompson Road, approximately two miles to the northeast of the project site.

### Discussion

- (a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Short-term construction-related trips would be minimal, and area roadways are operating at acceptable levels and would be able to accommodate construction-related traffic. An increase in trips associated with completion of the project would be within expected levels.

The proposed project triggers Curb Gutter and Sidewalk requirements per 22.54.030. If found deficient, the existing concrete curb, gutter and sidewalk (CGSW) shall be upgraded in accordance with current standards. Improvement plans must be submitted to Public Works for review and approval.

The project does not conflict with adopted policies, plans and programs related to transportation, would not affect air traffic patterns or policies related to public transit, bicycle, or pedestrian facilities. As a result, the proposed project would have a *less than significant, long-term impact* on existing road service or traffic safety levels.

- (b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

In December 2018, OPR released a technical advisory titled Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR guidelines), which contains recommendations regarding the assessment of VMT and thresholds of significance. As noted in the OPR guidelines, lead agencies are

## Initial Study – Environmental Checklist

---

directed to choose metrics and thresholds that are appropriate for their jurisdiction to evaluate the potential impacts of a project. The County has not yet adopted VMT policies; therefore, the potential VMT impacts from implementation of the Project were evaluated based on guidance and screening criteria presented in the OPR guidelines, in addition to a newly created VMT Planning Sketch Tool developed for unincorporated San Luis Obispo County based on the specific location of the proposed project and proposed development quantities. The County's VMT Planning Sketch Tool determined that based on the location and proposed units of the proposed project, the development would remain below the VMT per Capita threshold for "South County Fee\_ Urban" area. Therefore the proposed project is consistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts are considered less than significant and no mitigation is required.

- (c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The project would extend Flint Place, the access road, to reach the new units on the property. The proposed road does not show any sharp curves and does not feature any new intersections, so the project would have *no impact* due to a geometric design feature or incompatible uses.

- (d) *Result in inadequate emergency access?*

The project meets fire code standards for emergency access, so no additional measures are needed for this project.

### Conclusion

The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project will be located on Flint Place, a local road that will be constructed to a level able to handle any additional traffic associated with the project. Project traffic impacts to West Tefft Street, an arterial road, and Mary Avenue, a collector road, will be addressed through payment of the Nipomo Area 1 Road Fee in effect at the time of issuance of construction permits.

### Mitigation

No mitigation measures beyond what is required by ordinance are necessary.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

## XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

Approved in 2014, Assembly Bill 52 (AB 52) added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

- 1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
  - b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.

## Initial Study – Environmental Checklist

---

- 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

AB 52 consultation letters were sent to four tribes on October 23, 2019: Northern Chumash Tribal Council, Salinan Tribe of San Luis Obispo and Monterey Counties, Xolon Salinan Tribe, and yak tityu tityu yak tiłhini. No requests for consultation were received.

### *Discussion*

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

The project site has two residences that appear to have been built within the past 50 years. There are no known historical resources within the project area; therefore, *impacts to historical resources and tribal historical resources would be less than significant.*

- (a-ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

As noted in Section V. Cultural Resources, the Cultural Resources Survey and Impact Assessment prepared by Clay Singer concluded that known prehistoric or historic cultural resources were not present within the proposed project area. The updated Cultural Resource Assessment also did not find any evidence of cultural resources on the project site. Further, per AB 52, no tribal cultural resources were identified by any of the four tribes that received notice.

In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

- A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

There are no known tribal cultural resources within the project area. Therefore, *impacts are expected to be less than significant.*

## Initial Study – Environmental Checklist

### Conclusion

No significant impacts on tribal cultural resources would occur. In the event of an unanticipated discovery of tribal resources during earth-moving activities, compliance with the LUO would ensure potential impacts would be reduced to less than significant.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Initial Study – Environmental Checklist

---

### Setting

The proposed project is a 12-lot Tract Map and Conditional Use Permit to construct 36 residential units. The project proposes to connect to Nipomo Community Services District's (NCSD) water and sewer system. The applicant has provided an intent-to-serve letter dated July 11, 2019 for the 36 residential units proposed. The Nipomo Community Service District system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

A fee program has been adopted to address impacts related to public facilities (County) and schools (State Government Code 65995 et seq.). Fees are assessed annually by the County based on the type of proposed development and proportional impact and collected at the time of building permit issuance. Fees are used for the construction as needed to finance the facilities required to serve the new development.

The project will be required to obtain a Will Serve letter from the Nipomo Community Services District prior to issuance of construction permits.

### Discussion

- (a) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The project would not result in a substantial increase in demand on water, wastewater, or stormwater collection, treatment, or disposal facilities and would not require the construction of new or expanded water, wastewater, or stormwater facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications; no new or expanded facilities would be required. Existing power poles on the property will be removed and utilities will be provided underground. *Impacts to existing facilities is considered less than significant.*

- (b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The project will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.238), which states that no grading or building permit shall be issued until the water purveyor provides a written statement that potable water service will be provided via the community systems.

The project is located in the Santa Maria Groundwater Basin and proposes to receive water from the area's designated water purveyor, the Nipomo Community Services District (NCSD). In order to retain a final Will Serve letter from the NCSD, the applicant must comply with conditions outlined in the Intent-to-Serve letter dated July 11, 2019. Fees for 36-water units will be required. Additional water units may need to be purchased based on the water use calculations for the irrigation of the required landscaping. The NCSD has adopted Water Conservation Standards and Regulations as well as a Water Shortage Contingency Plan in the event of dry and multiple dry years.

As proposed, the project's water use is within expected amounts for the area; therefore, the *impacts to water supply are less than significant.*



## Initial Study – Environmental Checklist

- (c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The proposed project will rely on a community sewage disposal system for sewage disposal. The applicant is required to provide a final will-serve letter from the NCSD prior to issuance of a construction permit. Therefore, *impacts will be less than significant.*

- (d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, *potential impacts would be less than significant.*

- (e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The project would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, *potential impacts would be less than significant.*

### Conclusion

The project would not result in significant increased demands on water, wastewater, or stormwater infrastructure and facilities. No substantial increase in solid waste generation would occur. Therefore, potential impacts to utilities and service systems would be less than significant and no mitigation measures are necessary.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Setting*

The proposed project site is not located within a Fire Hazard Severity Zone and the site is mostly level to gently sloping. The project is under the responsibility of County Fire-CalFire. The closest station is 450 Pioneer Circle, Nipomo, approximately 0.8 mile northeast of the project site. 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 County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

*Discussion**(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The proposed project would not impair any regional emergency response or evacuation plan as the existing access roads would be wide enough to accommodate emergency vehicles and project construction would be contained within the project site. Construction and operation of the project would not require road closure, and the project would not physically block the onsite residents from evacuating during an emergency.

## Initial Study – Environmental Checklist

---

- (b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

The proposed project is not within a Fire hazard Severity Zone, and it is an infill development which would pose less of a wildfire risk. The parcel is mostly level to gently sloping and contains limited vegetation. The project proponent would be required to adhere to the 2016 California Fire Code. With this in consideration, *impacts would be less than significant.*

- (c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Existing local roads (Flint Place) would be used for access, which will be extended from Mary Street to provide access to the residences. Flint Place will continue to be extended as properties to the west of the project site are further developed to provide a parallel road to West Tefft Street. All other utility infrastructure for the proposed project, such as for water, sewer, cable, and power, will be underground and will not exacerbate fire risks. As the fire risk for the parcel is low, and no prominent infrastructure additions that may exacerbate fire risk will be made, *impacts will be less than significant.*

- (d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The project is located on a site with mostly level to gently sloping topography and is not within a flood hazard area. A Storm Water Control Plan and stormwater management will be required. These measures are required through ordinance standards. Therefore, *impacts are expected to be less than significant.*

### Conclusion

With the implementation of the Fire Safety Plan, the project would result in less than significant impacts related to wildfire.

### Mitigation

No mitigation measures are necessary.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Discussion*

- (a) *Does the project have the potential to substantially 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The project has the potential to impact Air Quality and Biological Resources. *Mitigation measures have been placed within each of these sections to address potential impacts and their implementation would reduce impacts to less than significant levels.*

## Initial Study – Environmental Checklist

---

- (b) *Does the project 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)?*

The potential cumulative impacts of the proposed project have been analyzed within the discussion of each environmental resource area above. *Cumulative impacts associated with the proposed project would be less than significant.*

- (c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. *Environmental impacts that could cause substantial adverse effects of human beings would be less than significant.*

### Conclusion

The proposed project has the potential to have significant impacts to air quality, and , biological resources. However, with the inclusion of mitigation measures, impacts would be mitigated to less than significant.

### Mitigation

See mitigation measures AQ-1-AQ-7 which would reduce air quality impacts to less than significant.

See mitigation measures BIO-1 and BIO-2, which would reduce biological resource impacts to less than significant.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

## Exhibit A - Initial Study References and Agency Contacts

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

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

\*\* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

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

## Initial Study – Environmental Checklist

---

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

***Cultural Resources Survey and Impact Assessment, C.A. Singer & Associates, Inc., December 5, 2001***

***Cultural Resource Assessment, Rebecca Loveland Anastasio, Cultural Resource Services, August 2020***



## Initial Study – Environmental Checklist

---

### Exhibit B - Mitigation Summary

The applicant has agreed 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.

#### Air Quality

AQ-1. 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. 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:

- 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. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:

<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>

- c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved in the 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 shall be sown with 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 binders 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 speeds for all construction vehicles shall not exceed 15 mph on an unpaved surface at the construction site;

## Initial Study – Environmental Checklist

---

- 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 the top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114;
- j. “Track out” is defined as soil or sand that adheres to or agglomerates on the exterior surface of motor vehicles or other equipment (including tires) that may then fall onto the highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent “track out”, designate access point 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 in 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 road accumulates tracked out soils, the track out prevention device may need to be modified;
- k. Sweep streets at the end of the day if visible soil matter 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 of these fugitive dust mitigation measures shall be shown on subdivision improvement plans, 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 [(805) 781-5912].

AQ-2. The following idling requirements for diesel powered construction activity in close proximity to the sensitive receptor (adjacent residences) shall be included on the subdivision improvement plans and carried out during construction activities:

- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
- Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.
- Use of alternative fueled equipment is recommended.
- Signs that specify the no idling areas must be postponed and enforced at the site.

AQ-3. Construction Phase Requirements. If any portable equipment, 50 horsepower (hp) or greater, will be used during construction activities, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.

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.

- Portable generators and equipment with engines that are 50 hp or greater;

## Initial Study – Environmental Checklist

---

- Electrical generation plants or the use of standby generator;
- Internal combustion engines; and
- Tub grinders.

- AQ-4. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures 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 APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to [slocleanair.org/rules-regulations/asbestos.php](http://slocleanair.org/rules-regulations/asbestos.php) for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of [slocleanair.org/library/download-forms.php](http://slocleanair.org/library/download-forms.php).
- AQ-5. Demolition of structures coated with lead-based paint is a concern for the APCD. Improper demolition can result in the release of lead-containing particles from the site. Sandblasting or removal of paint by heating with a heat gun can result in significant emissions of lead. Therefore, proper abatement of lead before demolition of these structures must be performed to prevent the release of lead from the site. **Depending on removal method, an APCD permit may be required. Contact the APCD Engineering & Compliance Division at (805) 781-5912 for more information. For additional information regarding lead abatement, contact the San Luis Obispo County Environmental Health (805) 781-5544 or Cal-OSHA at (818) 901-5403. Additional information can also be found online at [www.epa.gov/lead](http://www.epa.gov/lead).**
- AQ-6. At the time of application for subdivision improvement plans and/or construction permits, the following shall be added to the construction plans: 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 Engineering & Compliance Division at (805) 781-5912.
- AQ-7. 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 wood heaters; and

## Initial Study – Environmental Checklist

---

- Dedicated gas-fired fireplaces.

**At the time of application for construction permits,** plans shall show any proposed fireplaces in compliance with the above standards.

### Biological Resources

BIO-1. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st 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 County for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.

BIO-2. **At the time of application for subdivision improvement plans,** the applicant shall show all coast live oak trees to be removed as part of the project. All coast live oak trees that are 5 inches in diameter at four feet, six inches above the ground to be removed shall be replaced in kind at a 4:1 ratio.

The following planting and maintenance measures will be shown on the subdivision improvement plans and/or construction plans and implemented to improve successful establishment:

1. Providing and maintaining protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents, etc.);
2. Regular mulching and weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant; herbicides should be avoided;
3. Adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period;
4. Avoidance of planting between April and September unless irrigation system with timer is provided, where trees are watered 1-gallon every four weeks (may vary for certain species);
5. Applying standard planting procedures (e.g., planting nutrient tablets, initial deep watering, etc.).
6. When planting with, or near, other landscaping, all landscape vegetation within the eventual mature oak tree root zone (25-foot radius of planted oak) will need to have similar water requirements as the (oak) (including no summer watering once established).

## Initial Study – Environmental Checklist

---

**DEVELOPER'S STATEMENT FOR  
Flint Tract Map/Conditional Use Permit  
SUB2019-00092/ Tract 3056 / ED20-085-PL**

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.

**Air Quality**

AQ-1. 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. **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:

- 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. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions: <http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>
- c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved

surface at the construction site;

- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
  - j. “Track out” is defined as soil or sand that adheres to or agglomerates on the exterior surface of motor vehicles or other equipment (including tires) that may then fall onto the highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent “track out”, designate access point 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 in 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 road accumulates 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 used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
  - l. All PM10 mitigation measures required should be shown on grading and building plans; and,
  - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints 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 [(805) 781-5912].
- AQ-2. The following idling requirements for diesel powered construction activity in close proximity to the sensitive receptor (adjacent residences) shall be included on the subdivision improvement plans and carried out during construction activities:
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
  - Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.
  - Use of alternative fueled equipment is recommended.
  - Signs that specify the no idling areas must be postponed and enforced at the site.
- AQ-3. Construction Phase Requirements. If any portable equipment, 50 horsepower (hp) or greater, will be used during construction activities, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
- 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.
- Portable generators and equipment with engines that are 50 hp or greater;
  - Electrical generation plants or the use of standby generator;
  - Internal combustion engines; and
  - Tub grinders.



- AQ-4. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures 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 APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to [slocleanair.org/rules-regulations/asbestos.php](http://slocleanair.org/rules-regulations/asbestos.php) for further information. To obtain a Notification of Demolition and Renovation form go to the “Other Forms” section of [slocleanair.org/library/download-forms.php](http://slocleanair.org/library/download-forms.php).
- AQ-5. Demolition of structures coated with lead-based paint is a concern for the APCD. Improper demolition can result in the release of lead-containing particles from the site. Sandblasting or removal of paint by heating with a heat gun can result in significant emissions of lead. Therefore, proper abatement of lead before demolition of these structures must be performed to prevent the release of lead from the site. **Depending on removal method, an APCD permit may be required. contact the APCD Engineering & Compliance Division at (805) 781-5912 for more information. For additional information regarding lead abatement, contact the San Luis Obispo County Environmental Health (805) 781-5544 or Cal-OSHA at (818) 901-5403. Additional information can also be found online at [www.epa.gov/lead](http://www.epa.gov/lead).**
- AQ-6. **At the time of application for subdivision improvement plans and/or construction permits,** the following shall be added to the construction plans: 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 Engineering & Compliance Division at (805) 781-5912.
- AQ-7. 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 wood heaters; and
  - Dedicated gas-fired fireplaces.
- At the time of application for construction permits,** plans shall show any proposed fireplaces in compliance with the above standards.

<b>Monitoring (AQ-1-AQ-7):</b> The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.
---

### **Biological Resources**

- BIO-1. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st 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 County for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.
- BIO-2. **At the time of application for subdivision improvement plans**, the applicant shall show all coast live oak trees to be removed as part of the project. All coast live oak trees that are 5 inches in diameter at four feet, six inches above the ground to be removed shall be replaced in kind at a 4:1 ratio.

The following planting and maintenance measures will be shown on the subdivision improvement plans and/or construction plans and implemented to improve successful establishment:

1. Providing and maintaining protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents, etc.);
2. Regular mulching and weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant; herbicides should be avoided;
3. Adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period;
4. Avoidance of planting between April and September unless irrigation system with timer is provided, where trees are watered 1-gallon every four weeks (may vary for certain species);
5. Applying standard planting procedures (e.g., planting nutrient tablets, initial deep watering, etc.).
6. When planting with, or near, other landscaping, all landscape vegetation within the eventual mature oak tree root zone (25-foot radius of planted oak) will need to have similar water requirements as the (oak) (including no summer watering once established).

<b>Monitoring (BIO-1-BIO-2):</b> The Planning and Building Department shall verify compliance.
--

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.



12-30-20

---

Signature of Owner(s)

Date

matt cebulla

---

Name (Print)



Date: January 21, 2021  
To: Stephanie Fuhs, Project Planner  
From: JR Beard, Development Services  
Peter R. Moreci, Development Services  
**Subject: SUB2019-00092 TR 3056, Flint, A General Partnership Tract Map, Flint Place, Nipomo, APN 092-575-001 & 005**

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. At the time the project referral was received by Public Works on October 23, 2019 the application acceptance date had not been established. The attached recommended conditions of approval are subject to change based on Ordinances and Policies in affect at the date of application acceptance.
- B. Ensure the Planning Department made the necessary findings in accordance with 21.03.020(c) & (d) for the adjustments listed on the original public works information hold.
- C. Recommended road improvements along Flint Place may impact or require removal of existing trees. The Planner should address this issue in the environmental determination.
- D. The project related traffic is anticipated to impact the intersection of Tefft Street at State Highway 101, an interchange identified by the County Board of Supervisors as having a LOS F. County Public Works is in the process of preparing a Project Study Report (PSR) which, when accepted by Caltrans, is anticipated allow operational improvements be constructed under an Encroachment Permit by proposed projects to improve intersection operations.
- E. The project is located near the edge of the Nipomo mesa and as such all grading and drainage shall be done in accordance with 22.98.070.B.
- F. Unless otherwise determined by Resolution 2007-344, the streets/roads within this tract shall not be accepted for County maintenance following completion and certification of the improvements.
- G. The project meets the applicability criteria outlined in the Land Use Ordinance, Section 22.10.155 for Storm Water Management; therefore, the project is subject to the NPDES General Permit Attachment 4 Design Standards.
- H. The proposed project is within the South County Area 1 Road Improvement Fee area. Payment of Road Improvement Fees is required prior to building permit issuance.
- I. This project is a regulated project as it meets the applicability criteria for Stormwater Management and is therefore required to submit a Stormwater Control Plan (SWCP) Application. The Stormwater Control Plan application, SWCP template, and LID Handbook guidance can be found at:

- J. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may require preparation of a project Stormwater Control Plan even though it is located outside a Stormwater Management Area.
- K. The site is within the Santa Maria Groundwater Basin and 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 Public Works Conditions of Approval**

#### Access and Improvements:

1. Road and/or streets to be constructed to the following standards, unless already constructed and acceptable or design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
  - a. Subdivision roadway improvements may be required to conform with the recommendations of the Nipomo Community Plan.
  - b. A new street identified as Flint Place on the tentative map shall be constructed to an A-2 urban street with an attached sidewalk within a minimum 60-foot dedicated right-of-way easement with additional easement width as necessary to contain all elements of the roadway prism. The access street shall terminate in a Cal Fire standard approved terminus.
  - c. Separate private access driveways serving Parcels 1-12 shall be constructed to Cal Fire Standards within a minimum 24-foot private access, utility, and drainage easement with additional easement width as necessary to contain all elements of the driveway prism.
  - d. All driveway approaches along Flint Place shall be constructed in accordance with County Public Improvement Standard B-2 urban driveway.
  - e. All roadway grading shall be done in accordance with Title 19 and the California Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
2. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
3. The applicant shall provide the county with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.
4. All public improvements shall be completed prior to occupancy of any new structure.

#### Offers, Easements and Restrictions:

5. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
  - a. New street identified as Flint Place on the tentative map, 30-foot wide road right-of-way with additional width as required containing all elements of the roadway prism.
  - b. By separate document and prior to approval of the improvement plans, an offsite 30-foot wide road right-of-way for new street identified as Flint Place on the tentative map, from the project site back to the nearest publicly-maintained road Flint Place.
  - c. A public utility easement along Flint Place to be described as 6-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map, and by separate document prior to approval of the improvement plans.
6. The applicant shall reserve the following private easements by certificate on the map or by separate document:
  - a. A minimum 24-foot wide shared private access, utility, and drainage easement in favor of Parcels 1-4, 5-8, and 9-12 with additional width as necessary to include all elements of the driveway prism.
  - b. A private drainage easement in favor of Parcels 1-12.
  - c. A 10-foot wide private pedestrian easement shall be provided over Parcels 5-8 for access to Tract 2732.
7. The applicant shall show the following restrictions by certificate on the map or record by separate document:
  - a. If drainage basins are required then the basin areas shall be indicated as a building restriction on the map.
8. Easements and offers of right-of-way dedication shown to be quitclaimed on the tentative map shall be done so prior to filing the final map.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns.

#### Improvement Maintenance:

10. Roads and/or streets shall be maintained as follows:
  - a. The following streets/roads: Flint Place shall not be accepted for County maintenance following completion and certification of the improvements. The developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building.
  - b. Prior to map recordation a Road Maintenance Agreement must be recorded with the San Luis Obispo County Clerk-Recorder. The agreement shall establish an organized and perpetual mechanism to ensure adequate maintenance of the onsite shared access road/s; and shall be binding upon the heirs and assigns.
11. Prior to map recordation the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure inspection, operation, and maintenance of the following improvements:
  - a. The shared private access road/s serving all parcels.

- b. The shared storm water treatment facilities for public or common area improvements (if required) as stipulated in the "Private Storm Water Conveyance Management and Maintenance System" exhibit (to be recorded as a Constructive Notice).
- c. The shared storm drainage basins, inlets, pipes, fences, landscaping and other related appurtenances (if required) for public or common area improvements.

#### Improvement Plans:

12. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plans are to include, as applicable:
  - a. Street plan and profile.
  - b. Preliminary street plan and profile for the future alignment of Flint Place connecting through to Blume Street to demonstrate limits of abandonment for Flint Place (31 MB 73).
  - c. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - d. Utility plan.
    1. Water plan to be approved jointly with County Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
    2. Sewer plan to be approved jointly with County Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
    3. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
    4. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel.
    5. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
  - e. Sedimentation and erosion control plan for subdivision related improvements.
  - f. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).
  - g. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
  - h. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
  - i. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
  - j. Trail plan, if required, to be approved jointly with County Parks.
  - k. All grading shall be done in accordance with the County Public Improvement Standards and the California Building Code. Lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
  - l. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the



applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:

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

#### Subdivision Grading:

13. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per Section 2.1.3 of the latest Public Improvement Standards.

#### Drainage & Flood Control:

14. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
15. The project is located near the edge of the Nipomo mesa, all site grading and drainage shall be designed and constructed in accordance with County Code, Section 22.98.070(B) – Edge of the Nipomo Mesa.

#### Stormwater Pollution Prevention Plan (SWPPP)

16. **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)

17. **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. A SWCP Application only is required for projects subject to Performance Requirement #1 only.
  - 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, SWP-1007)
    2. Stormwater System Contact Information (SWP-1003)

3. Stormwater System Plans and Manuals (SWP-1008)

- 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.

18. **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.

Additional Map Sheet:

19. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (access, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
  - b. Notification to prospective buyers that all subdivision roads and streets are to be privately maintained, indicating the proposed maintenance mechanism.
  - c. Notification that the owner(s) of all lots are responsible for on-going maintenance of drainage and flood control improvements including roadside infiltrators, basins, pipes, manholes, inlets, headwalls, sediment control devices, fencing, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism. The improved areas shall be indicated as a building restriction.
  - d. Notification that the owner(s) of all lots are responsible for on-going maintenance of stormwater quality improvements including roadside infiltrators, basins, water quality control devices, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism.
  - e. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
  - f. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 1 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.
  - g. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
  - h. Notification to prospective buyers that stormwater treatment facilities shall be maintained and inspected in perpetuity as stipulated in the approved Stormwater Operations and Maintenance Plan , as recorded with the County Clerk-Recorder's Office.

- i. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping and driveway sight distance in a viable condition and on a continuing basis into perpetuity.
- j. The additional map sheet shall contain the final conditions of approval for the Development Plan as they are shown in the Notice of Final Action.

Covenants, Conditions and Restrictions:

20. The developer shall submit proposed Covenants, Conditions, and Restrictions (CC&R) for the subdivision to the county Department of Planning and Building for review and approval, and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate inspection, operation, and maintenance (Maintenance) of the below project features in a form acceptable to the Department of Planning & Building, and in conformance with the requirements of the State Department of Real Estate:
- a. Maintenance of all subdivision streets or roads until accepted by a public agency.
  - b. Maintenance of all private access roads in perpetuity.
  - c. Maintenance of all drainage and flood control facilities including basins, inlets, pipes, fencing, landscaping, and related drainage appurtenances in a viable condition on a continuing basis into perpetuity.
  - d. Maintenance of all stormwater quality facilities for public or common area improvements as stipulated in the Stormwater Operations and Maintenance Plan recorded with the County Clerk-Recorder's Office.
  - e. Maintenance of all common areas within the subdivision in perpetuity.
  - f. Maintenance of public road frontage improvements, landscaping, and driveway sight distance in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.
  - g. Notification to prospective buyers that an additional map sheet was recorded with the final tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

Miscellaneous:

21. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
22. Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final tract map. The date and person who prepared the report are to be noted on the map.
23. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
24. All lots must be numbered in sequence.

25. Prior to sale or development of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the County.
26. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
27. All timeframes on approved tentative maps for filing of final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.
28. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

G:\Development\\_DEVSERV Referrals\Land Divisions\TM\TR 3056 SUB2019-00092 Flint\Public Works Referral Response TR 3056 SUB2019-00092 Flint.docx

### 21.02.046(a) Tentative Map Check List

Status	Item	Comments
✓	<u>Preliminary Title Report</u> . Preliminary title report concerning the property which is not more than six months old showing current property owners.	
✓	(1) <u>Record Data</u> . The boundary lines of the original parcel, with dimensions shown in feet, based on survey data or information of record, and area of the property shown in square feet or acres to the nearest tenth.	
✓	(2) <u>Property Description</u> . A description of the property as well as the assessor's parcel number(s) for the property.	
✓	(3) <u>Legend and Owner Information</u> . A north arrow and scale, the name and address of the record owner(s), and the name and address of the subdivider.	
✓	(4) <u>Vicinity Map</u> . A vicinity map on which shall be shown the general area including adjacent property, subdivisions and roads	
✓	(5) <u>Existing Structures</u> . All existing structures, wells, septic tanks, driveways and other improvements located on the original parcel shall be accurately located, identified and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures are to be located, and the height of each structure shall be shown. Such distances shall be established by a registered civil engineer's or licensed land surveyor's survey when deemed necessary by the planning department.	
✓	(6) <u>Contour Lines</u> . Contour lines of the property shall be shown at intervals set forth: >40 Ac, 40ft; 20-40 AC, 20 ft; 10-20 AC, 10 ft; <10 AC w/ 0-12% slope, 2 ft; >12% slope , 5 ft	
✓	(7) <u>Drainage</u> . The approximate location of all watercourses, drainage channels and existing drainage structures.	
✓	(8) <u>Landforms</u> . The approximate location of other topographic or manmade features, such as bluff tops and ponds.	
X	(9) <u>Lakes and Ocean</u> . Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean.	
X	(10) <u>Flood Hazard</u> . The location of all areas subject to inundation or stormwater overflow.	
✓	(11) <u>Proposed Parcel Lines</u> . The proposed division lines with dimensions in feet and the gross and net area of each parcel created by such division in square feet or acres to the nearest tenth. Also, each parcel created shall be designated on the tentative map by number.	
✓	(12) <u>Designated Building Sites</u> . Any designated building sites proposed by the applicant to minimize grading, tree removal, and other potential adverse impacts, or any areas proposed for exclusion from construction activities, shall be shown on the tentative map for proposed parcels greater than ten thousand square feet. Also, any details on proposed building setback lines and widths of side yards shall be shown on the tentative map.	

Status	Item	Comments
✓	(13) <u>Streets</u> . The locations, names, county road numbers and widths of all adjoining and contiguous highways, streets and ways.	
✓	(14) <u>Easements</u> . The locations, purpose and width of all existing and proposed easements, streets (with proposed names) and appurtenant utilities.	
✓	(15) <u>Coastal Zone</u> . For tentative maps for properties located within the coastal zone between the sea and the first public road paralleling the sea, show the location of the public access ways nearest to the subject site	

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

PRM 4/8/2020



February 24, 2020

Supervisor Lynn Compton, 4th District Supervisor  
County Government Center  
San Luis Obispo, CA 93408

Dear Supervisor Compton:

The SCAC took the following actions at its February 24, 2020 meeting:

**FLINT, A GENERAL PARTNERSHIP – SUB2019-00092** – A proposed tract map with a Conditional Use Permit for new construction of twelve (12) single family homes (2-story, 2-car garage) and twenty-four (24) 1-bedroom apartments in three (3) 2-story buildings with four (4) units on each level. The project is located at 561 West Tefft Street in Nipomo. APN(s): 092-575-001 & -005.

This project had been previously reviewed by the Council at its November 2019 meeting. At that time the Council did not make a specific recommendation but requested the applicant consider several changes including: modifying the modern exterior to a design that more appropriately fit the neighborhood, increasing the number of parking spaces for the apartments, increasing the play area for children and alleviating the potential traffic issues at Flint Street and Mary Ave. Additionally, there was a concern regarding the need to provide a second access for vehicles to an adjacent street.

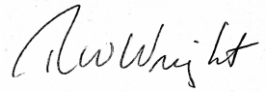
The applicant did send the Council some updated development plans but was not present at this meeting to present the changes and answer questions. The Council subsequently decided to table the project until further notice.

**DALE/COREY PROJECT – DRC2019-00045** – A proposed Minor Use Permit for an indoor 21,600 sq. ft. cannabis cultivation at 1045 Mesa Road in Nipomo. This grow is planned for an existing greenhouse on a 39-acre parcel. APN: 091-281-082. Following a PowerPoint presentation and discussion, the Council voted to recommend this project for approval with the requirement that the selected odor control system is a closed system.



2.

On behalf of the South County Advisory Council,

A handwritten signature in black ink, appearing to read "Richard Wright". The signature is written in a cursive, flowing style with a large initial "R".

Richard Wright,  
Correspondence Secretary



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING & BUILDING  
TREVOR KEITH, DIRECTOR

RECEIVED OCT 24 REC'D

RECEIVED

15 NOV 2019

THIS IS A NEW PROJECT REFERRAL / SUMMARY \* PLANNING & BUILDING

DATE: 10/23/2019

TO: 4<sup>th</sup> District Legislative Assistant, APCD, Building Division, CAL FIRE / County Fire, Environmental Health, HEAL SLO, Parks, Public Works, Road Naming, AT&T, Charter/Spectrum Communications, PG&E, SoCalGas, Nipomo CSD, Bicycle Advisory Committee, Cal Trans, South County Advisory Council, AB52 Contacts

FROM: Melina Smith (805-781-1006 or MMsmith@co.slo.ca.us)

PROJECT NUMBER & NAME: SUB2019-00092 TR 3056 FLINT, A GENERAL PARTNERSHIP

PROJECT DESCRIPTION\*: Proposed Tract Map with Conditional Use Permit for the new construction of twelve (12) single family homes (2-story, 2-car garage) and twenty-four (24) 1-bedroom apartments in three (3) 2-story buildings with four (4) units on each level. Location is ~~561~~ West Tefft Street in Nipomo.

APN(s): 092-575-001 & -005

651

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 I: 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 INDICATE (VIA E-MAIL OR PHONE).

SEE FIRE SAFETY PLAN

10-14-19

Date

DELL WELLS

Name

805-593-3427

Phone

\*All information and/or material provided in the following Referral Package is valid for 90 days after this correspondence. After that time please contact the Project Manager for the most updated information.



Scott M. Jalbert, Unit Chief

November 13, 2019

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

Melina Smith,

Subject: SUB2019-00092 TR 3056 Flint, A General Partnership

I have reviewed the parcel map plans for the proposed project located in the area of 651 West Tefft Street and Flint Place. Conditional Use Permit for new construction of 12 single family homes two story with garage. 24 one bedroom apartments in three story buildings with four units on each level. This project is located approximately **3** minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project **is** in a Local Responsibility Area. This project is required to comply with all fire safety rules and regulations including the California Fire Code and any standards referenced therein.

The following conditions shall apply to this project:

### **General Requirements**

All fire hydrants/ Residential Fire Connections and required access roads shall be installed prior to structural construction. C.F.C 501.4

### **Road Grades**

**This project will have paved roads throughout.**

The grade for all roads, streets, private lands and driveways shall not exceed 16 percent. Design criteria shall be in accordance with the County of San Luis Obispo Department of Public Works Public Improvement Standards. Roads 12% - 16% shall be a non-skid asphalt or concrete surface as specified in the County standards, specifications and drawings. All roads shall:

- Be able to support Fire Apparatus
- Provide a vertical clearance of 13 feet 6 inches
- Maintain a 10-foot fuel reduction zone on both sides

## **Community Water System for Fire Protection**

**This project water is provided by Nipomo Community Services District. A Will Serve Letter or County Fire Water Verification Form will be required by CAL FIRE/ County Fire.**

Project will meet C.F.C 507 for Fire Protection and Water Supplies.

Subdivisions will require community water systems that comply with CFC Appendix C. For additional information, relative to this requirement, contact the San Luis Obispo County Planning and Building Department. A Fire Protection Engineer will be consulted to verify water based fire protection needs.

One and two family dwellings on a community water system shall meet the California Fire Code Appendix B fire-flow requirements and Appendix C, "Fire hydrant locations and distribution". A signed will-serve letter from the water purveyor must be submitted with your fire safety plan application, and received prior to final inspection of the project.

Building construction type and square footage will determine fire flow requirements. Refer to Appendix B, table B105.1 of the California Fire Code for one and two family dwelling and group R3 and R4 buildings and townhouses.

## **Residential, Apartments**

For purposes of this section, residential refers to one and two family unit dwellings.

### **Fire Protection**

Fire sprinklers will be required for all new construction per California Fire Code Chapter 9. Single Family Dwelling will have NFPA 13-D fire sprinkler system. Two Family + units will require a NFPA 13-R fire sprinkler system.

Fire extinguisher will be required for multifamily buildings.

### **Addressing**

New and existing buildings shall have approved address numbers, building numbers or building identification placed in a position that is clearly legible and easily visible from the street or road fronting the property. Additional locations of identification may be required by the Fire Code official to facilitate emergency response. Street names and address numbers are assigned by the County of San Luis Obispo Planning and Building department.

1. Address numbers shall be Arabic numerals or alphabet letters, contrast with their background and be a minimum width of 0.5 inch and height per occupancy type as follows:
  - a. Residential 6 inches





COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING & BUILDING  
TREVOR KEITH, DIRECTOR

THIS IS A NEW PROJECT REFERRAL / SUMMARY \*

**DATE:** 10/23/2019  
**TO:** 4<sup>th</sup> District Legislative Assistant, APCD, Building Division, CAL FIRE / County Fire, Environmental Health, HEAL SLO, Parks, Public Works, Road Naming, AT&T, Charter/Spectrum Communications, PG&E, SoCalGas, Nipomo CSD, Bicycle Advisory Committee, Cal Trans, South County Advisory Council, AB52 Contacts  
**FROM:** Melina Smith (805-781-1006 or MMsmith@co.slo.ca.us)

**PROJECT NUMBER & NAME: SUB2019-00092 TR 3056 FLINT, A GENERAL PARTNERSHIP**

**PROJECT DESCRIPTION\*:** Proposed Tract Map with Conditional Use Permit for the new construction of twelve (12) single family homes (2-story, 2-car garage) and twenty-four (24) 1-bedroom apartments in three (3) 2-story buildings with four (4) units on each level. Location is 561 West Tefft Street in Nipomo.  
[APN\(s\): 092-575-001 & -005](mailto:APN(s): 092-575-001 & -005)

**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 I: 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 INDICATE (VIA E-MAIL OR PHONE).

Please see attached, stocks community water & sewer.

11/22/19  
Date

[Signature]  
Name

x.5553  
Phone

*\*All information and/or material provided in the following Referral Package is valid for 90 days after this correspondence. After that time please contact the Project Manager for the most updated information.*



**COUNTY OF SAN LUIS OBISPO HEALTH AGENCY**  
**PUBLIC HEALTH DEPARTMENT**

**Michael Hill** *Health Agency Director*

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

---

November 22, 2019

Flint A General Partnership  
P.O. Box 15747  
San Luis Obispo, CA 93406

**RE: TENTATIVE TRACT MAP 3056 (Flint Place)**  
**APNs 092-575-001 and 092-576-005**

**Water Supply and Wastewater Disposal**

This office is in receipt of **preliminary** evidence of water from the Nipomo Community Services District (in the form of an *Intent to Serve Letter* dated 07/11/2019), to provide water and sewer to the above referenced project.

Be advised that final will-to-serve documentation for both water and sewer services will be required prior to final map recordation. The improvements for water and sewer 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.

**Tract 3056** is approved for Environmental Health subdivision map processing.

A handwritten signature in blue ink, appearing to read "Leslie Terry", written over a horizontal line.

Leslie Terry, REHS  
Environmental Health Services

Cc:

---

**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](http://www.slopublichealth.org/ehs)

November 13, 2019

Melina Smith

County of San Luis Obispo Department of Planning and Building  
976 Osos St, San Luis Obispo 93408

RE: SUB2019-00092 TR 3056 FLINT, A GENERAL PARTNERSHIP

Dear Melina,

The Healthy Communities Work Group has reviewed the proposed tract map and conditional use permit for the development at 561 West Tefft Street in Nipomo. Our group strongly supports this project as it suits a critical need for housing, including housing that is accessible to an aging population.

In Quarter 1 of 2018, the *Housing Opportunity Index* published by the National Association of Homebuilders and Wells Fargo ranked San Luis Obispo County as the sixth least affordable housing market in the nation<sup>1</sup>. Lack of housing availability and affordability negatively impacts physical and mental health.

This is an ideal infill project given its proximity to services. The proposed development will be within a short walking distance of schools, grocery stores, childcare facilities, healthcare facilities, and regional transit stops (see map attached). Such infill development has been demonstrated to increase pedestrian and bicycling opportunities and reduce auto dependency<sup>2</sup>. Considering that less than 30% of adults in SLO County walk regularly<sup>3</sup>, it is important that future development supports active transportation.

The Healthy Communities Work Group recommends that all ground level, single bedroom apartments are built to support possible ADA accommodations. All curb ramps should support the safety of residents (please refer to page 12-13 of the City of Santa Barbara Hardscape Standards for best practice examples<sup>4</sup>). Additionally, we recommend the inclusion of shade structures and a tot-lot in the common area.

Thank you for this opportunity to provide comment.

Sincerely,



Stephanie Teaford  
Chair, Healthy Communities Work Group

---

<sup>1</sup> National Association of Homebuilders & Wells Fargo Housing Opportunity Index. 2018.

<sup>2</sup> *Built Environment Correlates of Walking: A Review*. Saelens & Handy, 2008.

<sup>3</sup> California Health Interview Survey, SLOHealthCounts.org. 2016.

<sup>4</sup> Hardscape Standards,  
<https://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=34131>







## Air Pollution Control District San Luis Obispo County

### **Via Email**

November 6, 2019

Melina Smith  
San Luis Obispo County Department of Planning and Building  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408  
mmsmith@co.slo.ca.us

SUBJECT: APCD Comments Regarding the Flint, A General Partnership - Tract Map  
with Conditional Use Permit (SUB2019-00092, Tract 3056)

Dear Melina Smith:

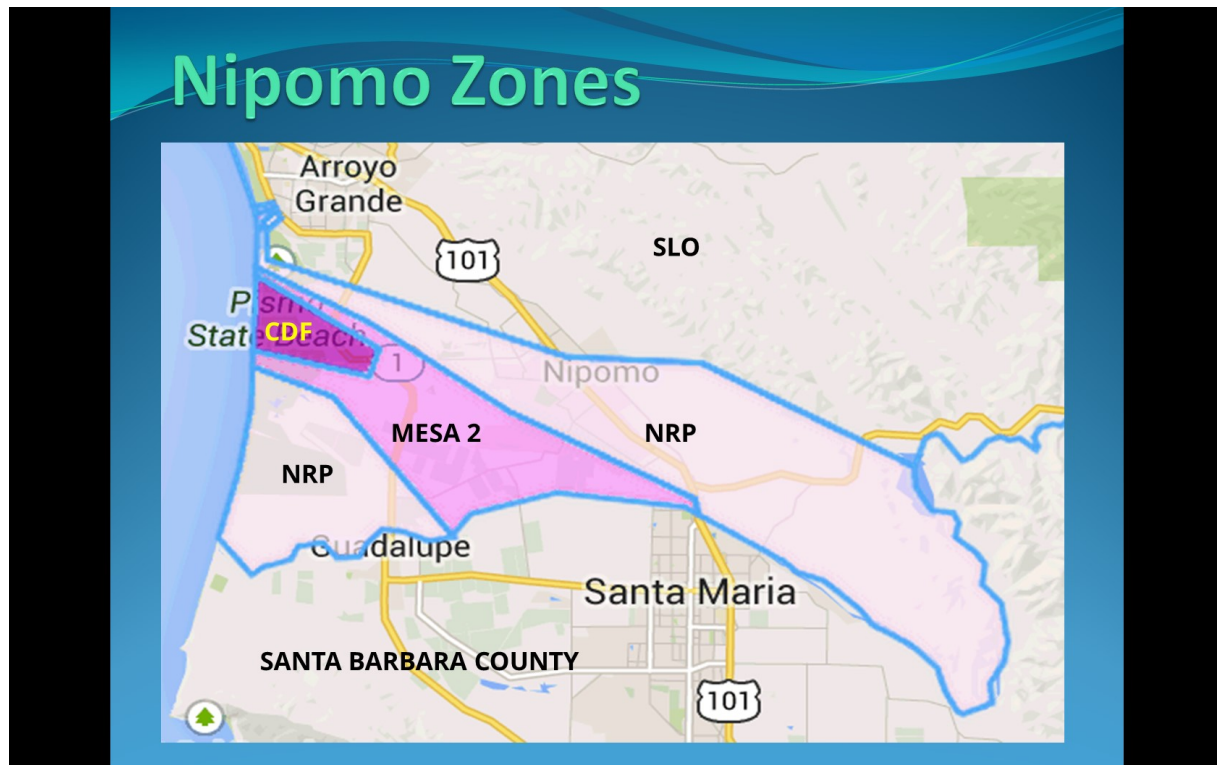
Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project which is a Proposed Tract Map with Conditional Use Permit for the new construction of twelve (12) single family homes (2-story, 2-car garage, 1,654 sf) and twenty-four (24) 1-bedroom apartments (651 sf) in three (3) 2-story buildings with four (4) units on each level. The location is 561 West Tefft Street in Nipomo (APN(s): 092-575-001 & -005).

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

### **ENVIRONMENTAL SETTING**

#### **South County Particulate Matter**

The proposed project is in an area that is impacted by periods of high particulate matter (PM) concentrations during blowing dust events. To keep the public informed of periods of deteriorating air quality, the APCD provides a daily air quality forecast for SLO County, which is partitioned into nine air quality forecast zones. Air quality forecast for a six-day period is provided for each zone. In the Nipomo Mesa area, there are four forecast zones as shown in the map on the following page. The zones are named for the monitoring stations that are located within each zone; CDF, MESA2, NRP and SLO.



The darker colors signify the typical location of the dust plume and the greater impacts during a typical blowing dust event. The public can experience adverse health impacts in areas with blowing dust. This proposed project is in the NRP zone. NRP currently receives roughly 0-20 exceedances of the state PM<sub>10</sub> standard annually. The CDF zone currently receives roughly 45-95 exceedances of the state PM<sub>10</sub> standard annually. The MESA2 zone currently receives roughly 30-60 exceedances of the state PM<sub>10</sub> standard annually and the SLO zone currently receives roughly 0-3 exceedances of the state PM<sub>10</sub> standard annually.

The blowing dust events are typically most frequent in the spring; however, dust events can occur at any time of the year. The greatest impacts occur when the strong winds blow from the northwest which direct the dust plume inland over the Nipomo Mesa (as shown in the map above) where it can impact residents. A typical event tends to start around noon and ends by the early evening, with peak impacts between 1 pm to 5 pm. The strongest events can result in blowing dust from 9 am to 7 pm, with peak impacts between noon and 6 pm. Residents can plan to avoid peak dust impacts by being aware of typical dust plume characteristics. Particulate concentrations typically return to background levels from late evening to morning, so late evening to morning are best (health wise, due to lower particulate matter concentrations) for outdoor activities and exercise.

Children and individuals with compromised cardiac and respiratory systems or related health problems are called sensitive receptors. Sensitive receptors can experience greater health impacts than the general population during blowing dust events. Sensitive receptor locations include schools, residential dwellings, parks, day care centers, nursing homes, and hospitals. Individuals can receive daily air quality forecasted conditions via email by registering on the EPA's EnviroFlash website; [enviroflash.info](http://enviroflash.info), and entering ZIP code 93444.

Efforts to reduce particulate matter on the Nipomo Mesa are underway through [Stipulated Abatement Order 17-01](#) entered between the APCD and California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division (State Parks). The Order was approved by the APCD Hearing Board on April 30, 2018. This stipulated abatement order calls for specific actions to ensure significant reductions in particulate matter are achieved on the Nipomo Mesa over a five-year period.

#### 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. 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).

**However, to manage fugitive dust emissions and minimize toxic air pollution impacts from idling diesel engines, the APCD is requiring the following mitigation measures for this project.**

##### Dust Control Measures

This project is within 1,000 feet of residences. 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 greater than 4-acres or 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).

#### Limits of Idling during Construction Phase

State law prohibits idling diesel engines for more than 5 minutes. **All projects with diesel-powered construction activity shall comply with Section 2485 of Title 13 of the California Code of Regulations and the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation to minimize toxic air pollution impacts from idling diesel engines.** The specific requirements and exceptions for the on-road and off-road regulations can be reviewed at the following web sites:

[arb.ca.gov/msprog/truck-idling/factsheet.pdf](http://arb.ca.gov/msprog/truck-idling/factsheet.pdf) and [arb.ca.gov/regact/2007/ordiesl07/frooal.pdf](http://arb.ca.gov/regact/2007/ordiesl07/frooal.pdf).

In addition, because this project is within 1,000 feet of sensitive receptors (residences), the project applicant shall comply with the following more restrictive requirements to minimize impacts to nearby sensitive receptors.

1. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
2. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
3. Use of alternative fueled equipment is recommended; and
4. Signs that specify no idling areas must be posted and enforced at the site.

#### 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 APCD's 2012 CEQA Handbook.

- 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
- Tub grinders.

**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.**

#### 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.

#### Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos-containing material (ACM). ACM could be encountered during the demolition or remodeling of existing structures 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 NESHA).**

These requirements include but are not limited to:

- 1) Written notification to the APCD, within at least 10 business days of activities commencing.
- 2) Asbestos survey conducted by a Certified Asbestos Consultant.
- 3) Applicable removal and disposal requirements of identified ACM.

Please contact the APCD Engineering & Compliance Division at 805-781-5912 or go to [slocleanair.org/rules-regulations/asbestos.php](http://slocleanair.org/rules-regulations/asbestos.php) for further information. To obtain a *Notification of*

*Demolition and Renovation Form* go to the "Asbestos Forms" section of [slocleanair.org/library/download-forms.php](http://slocleanair.org/library/download-forms.php).

#### Lead During Demolition

Structures coated with lead-based paint are a concern for the APCD. Demolition, remodeling, sandblasting, or removal with a heat gun can result in the release of lead-containing particles from the site. **Proper abatement of lead-based paint must be performed to prevent the release of lead particles from the site. Depending on removal method, an APCD permit may be required.** Contact the APCD Engineering & Compliance Division at 805-781-5912 for more information. For additional information regarding lead abatement, contact the San Luis Obispo County Environmental Health Department at 805-781-5544 or Cal-OSHA at 818-901-5403. Additional information can also be found online at [epa.gov/lead](http://epa.gov/lead).

### **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. **Therefore, with the exception of the requirements below, the APCD is not requiring other operational phase mitigation measures for this project.**

#### Residential Wood Combustion

Residential wood burning devices such as wood or pellet stoves or inserts that are installed before May 15, 2020 shall have particulate matter emission rates not exceeding 2.0 g/hr, that are certified to either U.S. Environmental Protection Agency (EPA) "Step 1" or "Step 2" New Source Performance Standards (NSPS). Both Step 1 and Step 2 stoves with certified particulate matter emission rates of no more than 2.0 g/hr are eligible. Devices installed after May 15, 2020 shall have particulate matter emission rates not exceeding 2.0 g/hr, that are certified to EPA "Step 2" NSPS. Lower emission heating alternatives that can be used in place of wood burning devices include electric, natural gas, or propane devices. The list of EPA certified wood heaters can be found at [epa.gov/compliance/list-epa-certified-wood-stoves](http://epa.gov/compliance/list-epa-certified-wood-stoves).

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: Flint, A General Partnership, Applicant  
Dora Drexler, APCD



**From:** Dale Sutliff <dalesutliff@me.com>  
**Sent:** Saturday, November 02, 2019 2:33 PM  
**To:** Melina M. Smith  
**Cc:** Dave Flynn  
**Subject:** [EXT]BAC comments on SUB2019-00092 FLINT, Project Summary / Referral\*, Tract Map with CUP, Nipomo APN(s): 092-575-001 & -005

**ATTENTION:** This email originated from outside the County's network. Use caution when opening attachments or links.

Nov. 1, 2019

Melina,

Here are the BAC (Bicycle Advisory Committee) comments for the subdivision proposal in Nipomo on the Flint Street extension.

Referral Response:

- Are there significant concerns, problems or impacts in your area of review?
  - No significant concerns.
  -
- If Yes, please describe the impacts along with any recommendations to reduce the impacts in your response.
- If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? If No, please describe.
  - This project has no effect of concern for the vision with the County Bikeways Plan.
  -
- What does the community like or dislike about the project or proposal?
  - The project space areas are fairly tight for both apartments and homes. No bike storage or bike racks are shown - which would be beneficial, especially for apartment dwellers. This could be done in the larger courtyard area of the apartments area if no other area will provide for this. Bike racks or lockers are encouraged. This project, like many others, will increase traffic in the school/shopping/living community. Providing incentives for bicycles will mitigate traffic and vehicular use.
- Is the project compatible with surrounding development, does it fit in well with its surroundings? If No, are there changes in the project that would make it fit in better?
  - The project is compatible.
- Does the community believe the road(s) that provide access to the site is(are) already overcrowded?
  - Tefft and Mary Streets are increasing in vehicle usage. The redevelopment of Tefft has been an improvement for cyclists.
- Does the community wish to have a trail in this location?
  - There is no bike trail proposed in the nearby area. Class II bike lanes are important on nearby streets.
  -

- If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?
  - N.A.
- Please feel free to include information or questions other than those listed above. You may also choose to respond that you have no comments regarding the proposal.

Thank you for the referral. Bike connections and access are important in the area.

Dale

Dale A. Sutliff, Chair  
Bicycle Advisory Committee  
San Luis Obispo County





COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING & BUILDING  
TREVOR KEITH, DIRECTOR

**THIS IS A NEW PROJECT REFERRAL / SUMMARY \***

**DATE:** 10/23/2019  
**TO:** 4<sup>th</sup> District Legislative Assistant, APCD, Building Division, CAL FIRE / County Fire, Environmental Health, HEAL SLO, Parks, Public Works, Road Naming, AT&T, Charter/Spectrum Communications, PG&E, SoCalGas, Nipomo CSD, Bicycle Advisory Committee, Cal Trans, South County Advisory Council, AB52 Contacts  
**FROM:** Melina Smith (805-781-1006 or MMsmith@co.slo.ca.us)

**PROJECT NUMBER & NAME: SUB2019-00092 TR 3056 FLINT, A GENERAL PARTNERSHIP**

**PROJECT DESCRIPTION\*:** Proposed Tract Map with Conditional Use Permit for the new construction of twelve (12) single family homes (2-story, 2-car garage) and twenty-four (24) 1-bedroom apartments in three (3) 2-story buildings with four (4) units on each level. Location is 561 West Tefft Street in Nipomo.

**APN(s):** 092-575-001 & -005

**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 I: 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 INDICATE (VIA E-MAIL OR PHONE).

*Require Zoning Fees*

*11/8/19*  
Date

*E. Kavanagh*  
Name

*781-4089*  
Phone

*\*All information and/or material provided in the following Referral Package is valid for 90 days after this correspondence. After that time please contact the Project Manager for the most updated information.*

**From:** Michael Stoker  
**Sent:** Thursday, October 24, 2019 2:15 PM  
**To:** Melina M. Smith  
**Cc:** Cheryl Journey; Don C. Moore  
**Subject:** Re: SUB2019-00092 FLINT, Project Summary / Referral\*, Tract Map with Conditional Use Permit, Nipomo

Melina,

Please find buildings recommendations for SUB2019-00092 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists the new construction of twelve (12) single family homes (2-story, 2-car garage) and twenty-four (24) 1-bedroom apartments in three (3) 2-story buildings with four (4) units on each level. A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (Current version of the California Building Standards Codes and Title 19 of the SLO County Codes at time of permit submittal).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

Apartments buildings may need to comply with the following;

1. A California licensed Architect or Engineer is required to submit the plans for this project per BPC 5536.1.
2. A pre application meeting will be needed prior to submitting for a building permit to answer any questions and / or discuss code related issues.
3. Separate building permits will be required for separate structures/buildings proposed.
4. Specify the applicable codes on the cover sheet of the plans.
5. Specify the occupancy classification and Type of Construction on the cover sheet of the plans to verify compliance with the current version of the CBC.
6. Provide an allowable area analysis on the plans to verify compliance with CBC Chapter 5, including Table 503 and sections 504, 506, and 508. Also, provide information stating is the building is using the separated, non-separated, or accessory occupancy method or combination of each per CBC Chapter 5.
7. Any fire resistive walls or ceilings due to occupancy separations will need to be detailed on the plans to comply with the requirements of with CBC, including Chapter 5, 6 and 7. The specific details for the wall construction on the plans will need to reference an approved UL listing or gypsum manual listing.
8. The fire and smoke protection features (i.e. exterior walls, projections, openings, rated wall assemblies, shaft enclosures, parapet, etc) shall be shown, calculated and detailed on the plans to comply with CBC, including Chapter 7.

9. The interior finishes (floors, ceiling, walls, insulation, etc) will need to be shown on the plans to comply with CBC, including Chapter 8.
10. Provide an occupant load and exiting analysis on the plans to verify compliance with CBC, including Chapter 10 for the commercial/manager building.
11. The accessibility elements throughout the community building will need to be shown, detailed, and / or noted on the plans to verify compliance with CBC Chapter 11B. (i.e. accessible parking, path of travel, restroom design, accessible amenities, rooms, doors, electrical outlets, play structure etc.).
12. Depending on the project funding (private or public) the project may need to comply with either CBC Chapter 11A adaptability or CBC Chapter 11B accessibility. The design professional will need to clearly demonstrate and clarify on the plans for compliance with the current version of the CBC California Building Code. Also, the building is provided with an elevator which will may make all units to be considered as a ground floor unit.
13. Provide plans which clearly show the structural design to verify compliance with the 2016 California Building Code and referenced standards. The plans and supporting calculations will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design.
14. The project will require a soils report and structural calculations for the design of the buildings. All structural elements to be detailed on the plans to comply with CBSC and adopted referenced codes.
15. A grading permit and SWPPP plan may be required for this project.
16. Provide isometric / single line drawings for the electrical, plumbing, and mechanical elements to verify compliance with the current versions of the California Electrical, Plumbing, and Mechanical Codes.
17. Provide a plumbing fixture analysis on the plans to verify the number of fixtures provided are sufficient for the proposed use and complies with CPC Chapter 4 and Table A and Table 422.
18. Provide an equipment schedule on the plans and any referenced standards or spec sheets that are applicable.
19. Energy Calculations will need to be provided to verify compliance with current California Energy Code.
20. Compliance with the current California Green Building Code and County of San Luis Obispo Green Building Ordinance will need to be show on the plans
21. The building(s) will need to be provided with fire sprinklers and an alarm system under a separate permit. At the time of the permit application provide plans and calculations showing the design of the system.

Single Family Dwelling will need to comply with the following:

1. Construction shall comply with the current version of the California Residential Code

2. The design of the openings, projections, wall rating based on fire separation distance will need to be shown on the plans to comply with CRC Section 302, including Table 302.1(2) for buildings with sprinklers.
3. Provide plans which clearly show the structural design to verify compliance with the prescriptive requirements of the current version of the California Residential Code or any structural element not complying with the prescriptive requirements will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design
4. Provide details on the plans for the design of the stairs, handrails, and guards to verify compliance with the California Residential Code.
5. Label all egress windows on the plans to verify compliance with size and height per the California Residential Code.
6. Provide electrical plans with notes to show the location of the main electrical panel, sub-panels, receptacles, lights, switches, and smoke detectors and Co alarms to verify compliance with the 2016 California Electrical Code.
7. Provide notes and information on the plans for the plumbing fixtures requirements, design of the waste lines, vents, and water lines will all need to comply with the current version of the California Plumbing Code.
8. Energy calculation will need to be submitted to verify compliance with the current version of the California Energy Code.
9. The plans will need show compliance with the current version of the California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.
10. Fire sprinklers will be required under a separate permit application. Provide plans showing the design and layout for the sprinkler system.
11. A soils report will be required for the project.

Thanks

**Michael Stoker, CASp**  
Building Division Supervisor  
County of San Luis Obispo  
Planning and Building Department  
(p) 805-781-1543  
(f) 805-781-1242  
[mstoker@co.slo.ca.us](mailto:mstoker@co.slo.ca.us)



**COUNTY OF SAN LUIS OBISPO**  
**DEPARTMENT OF PLANNING AND BUILDING**

*The information contained in this e-mail, including any attachments, may be privileged, confidential, and/or exempt under applicable law, and covered by the Electronic Communications Privacy Act, 18 U.S.C. sections 2510-*

2521. This email is intended only for the use of the individual(s) or entity to which it is addressed, and the privileges and exemptions are not waived by virtue of this having been sent by e-mail. If the person actually receiving this e-mail or any other reader of the e-mail is not a named recipient or the employee or agent responsible to deliver it to a named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error and/or are not the intended recipient, do not read, distribute or reproduce this transmission. Please contact the sender of this email at the above e-mail address and permanently delete the message and any attachments from your system.

---

**From:** Mail for PL\_Referrals Group <[plreferrals@co.slo.ca.us](mailto:plreferrals@co.slo.ca.us)>

**Sent:** Wednesday, October 23, 2019 5:00 PM

**To:** Melina M. Smith <[mmsmith@co.slo.ca.us](mailto:mmsmith@co.slo.ca.us)>

**Cc:** Stephanie Fuhs <[sfuhs@co.slo.ca.us](mailto:sfuhs@co.slo.ca.us)>

**Subject:** SUB2019-00092 FLINT, Project Summary / Referral\*, Tract Map with Conditional Use Permit, Nipomo

**\*\* The process for accessing referral information has changed; please review all of the following details carefully \*\***

**County of San Luis Obispo  
Department of Planning & Building**

An application was recently filed with the Planning Department. Because this application may be of interest or concern to your department, agency, or community group we are notifying you of the availability of a referral (project summary) for the proposed project application, and are requesting your review. Please click the direct hyperlink below titled "Project Summary / Referral":

**SUB2019-00092 FLINT, [Project Summary / Referral\\*](#), Tract Map with Conditional Use Permit, Nipomo  
APN(s): 092-575-001 & -005**

**\*\* For general referral questions, hyperlink or technical issues, or to update your agency/department's contact and e-mail information, please send an e-mail to Hilary Brown ([hbrown@co.slo.ca.us](mailto:hbrown@co.slo.ca.us)) or call 805-788-2009**

**VIEW [ADDITIONAL PROJECT INFO for this application](#) or search for other plans and permits on our [CSS Portal \(Citizen Self Service\)](#) -- users can search by plan #, permit #, address, or APN.**

Please comment on all issues associated with this project within 14 days of receiving this e-mail (Community Advisory Groups: please respond within 60 days)

**Direct comments on this application to the project manager(s):**

**Melina Smith (805-781-1006 or [MMsmith@co.slo.ca.us](mailto:MMsmith@co.slo.ca.us))**

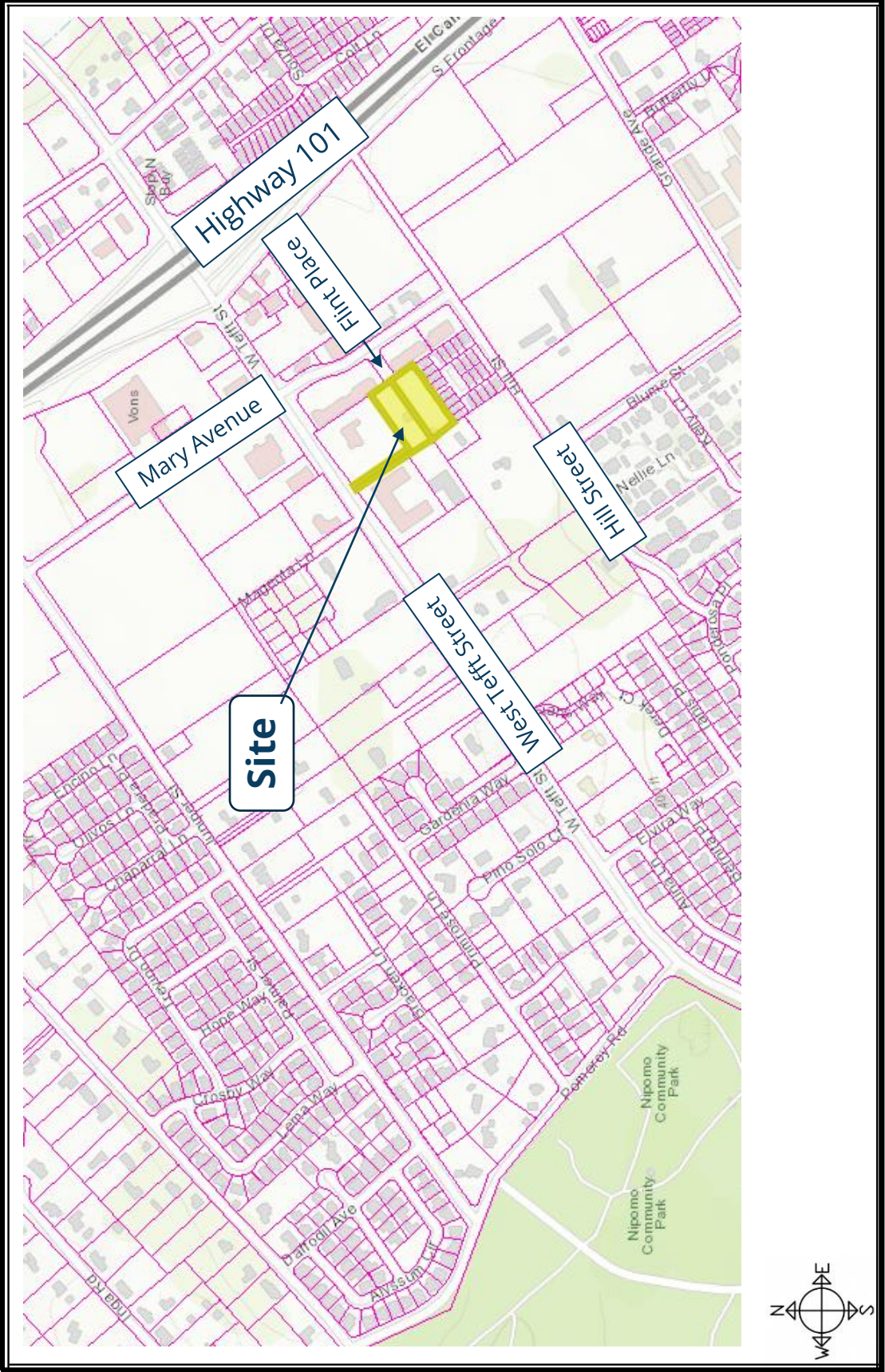
### Referral Response:

As part of your response to this referral, please consider the following questions:

- Are there significant concerns, problems or impacts in your area of review?
- If Yes, please describe the impacts along with any recommendations to reduce the impacts in your response.
- If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? If No, please describe.
- What does the community like or dislike about the project or proposal?
- Is the project compatible with surrounding development, does it fit in well with its surroundings? If No, are there changes in the project that would make it fit in better?
- Does the community believe the road(s) that provide access to the site is(are) already overcrowded?
- Does the community wish to have a trail in this location?
- If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?
- Please feel free to include information or questions other than those listed above. You may also choose to respond that you have no comments regarding the proposal.

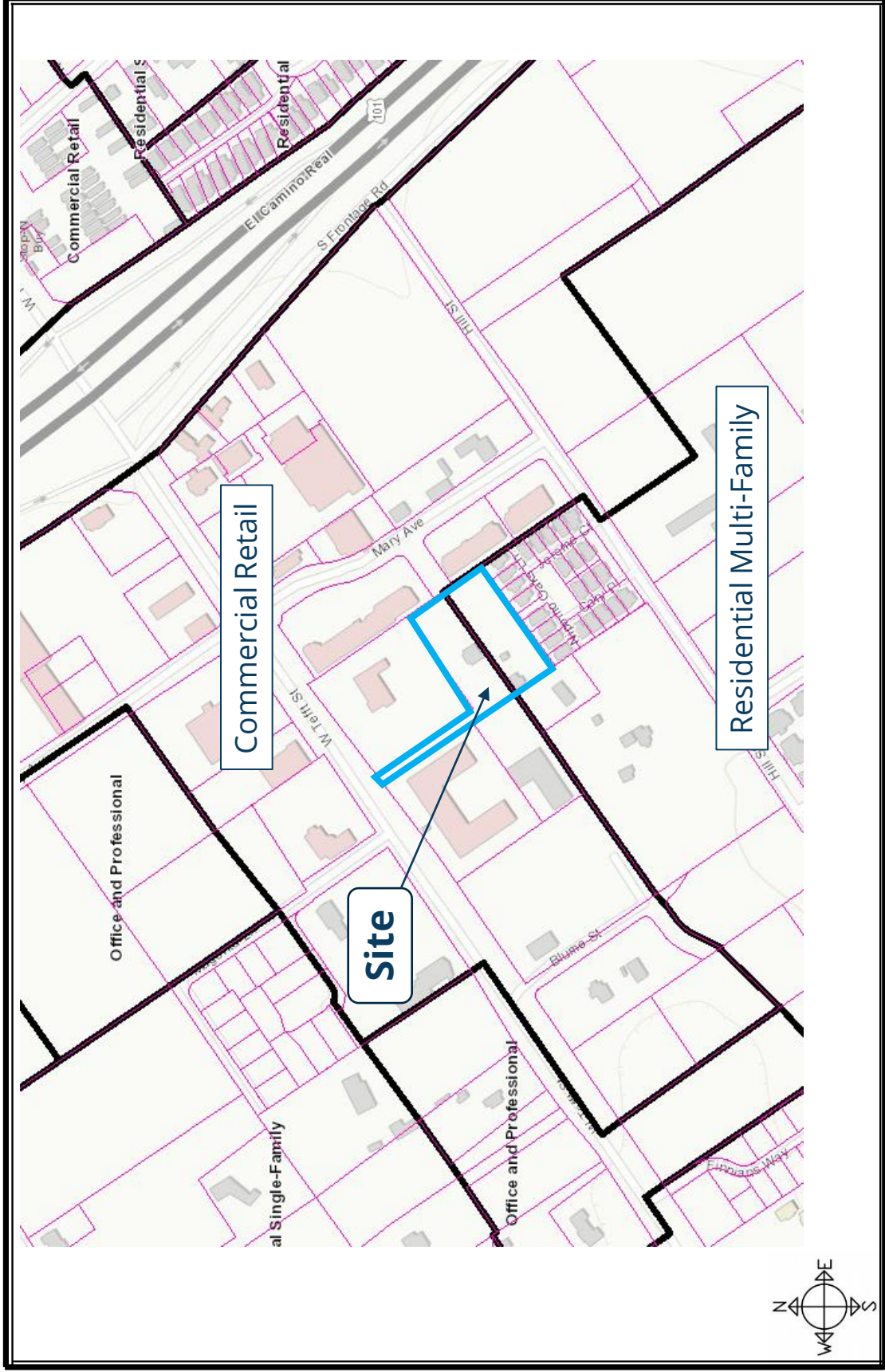
*\*All information and/or material provided in the linked Referral Package is valid for 90 days after this correspondence. If current or additional information is needed, please contact the Project Manager for the most updated information*





**Vicinity Map**  
**Tract 3056/SUB2019-00092**





COUNTY OF SAN LUIS OBISPO

Land Use Category Map  
Tract 3056/SUB2019-00092





COUNTY OF SAN LUIS OBISPO

**Aerial**  
**Tract 3056/SUB2019-00092**



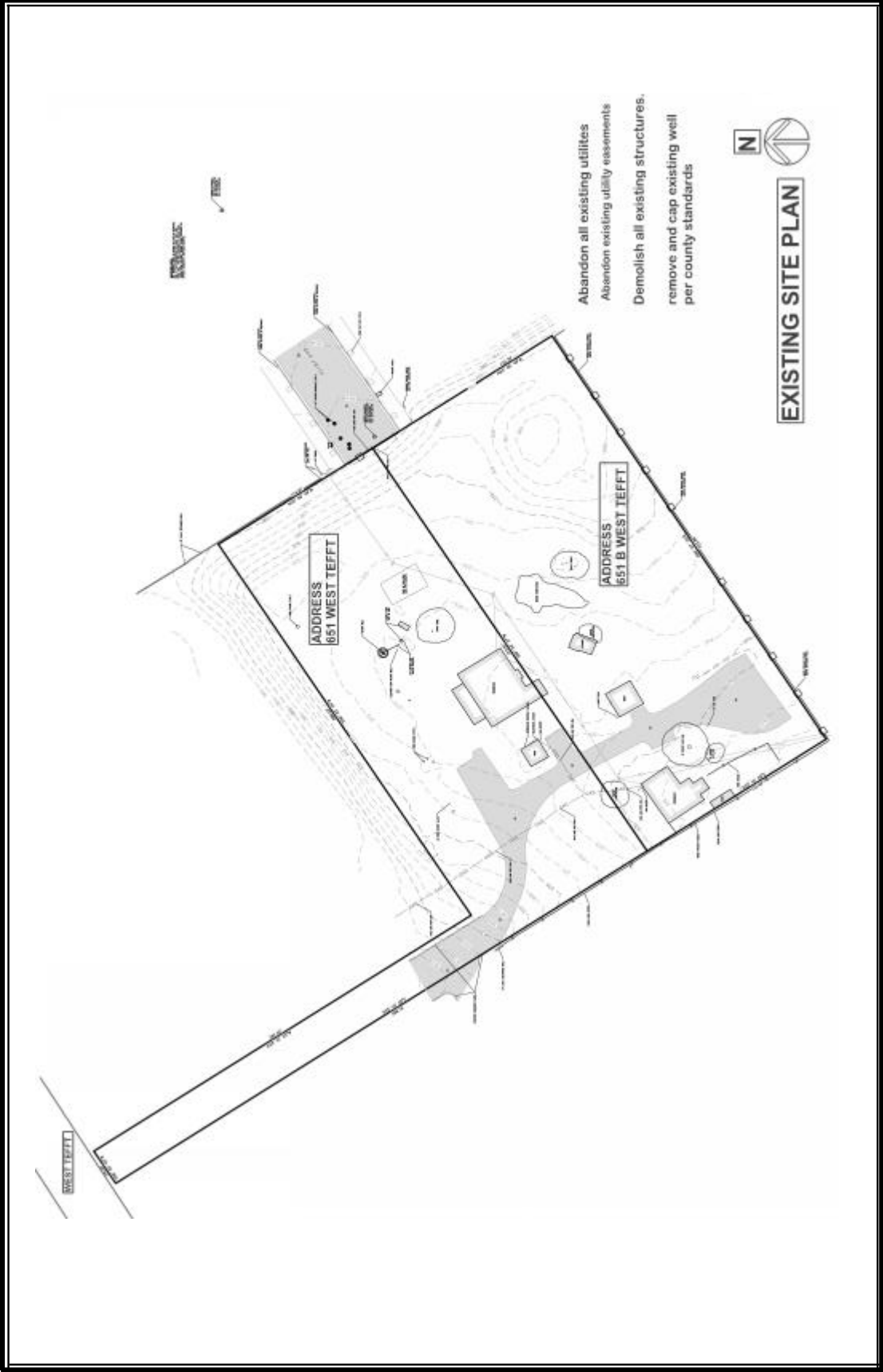


# Aerial

**Tract 3056/SUB2019-00092**

# COUNTY OF SAN LUIS OBISPO





COUNTY OF SAN LUIS OBISPO

Existing Site Plan  
Tract 3056/SUB2019-00092





**Tract 3056/SUB2019-00092**



THE FOLLOWING EVIDENCE HAS BEEN PLOTTED BASED ON THE RESULTS OF THE FILED-STATUS REPORT DATED 5-18-18. EVIDENCE NUMBERS MATCH THE EXCEPTION NUMBER IN S&D TITLE

11	12	13	N/A
11	POLE EVIDENCE PER PAGE BOOK 407 PAGE 279		
12	BOUNDARY DISCREPANCIES BOOK 34 PAGE 47 NOT PLOTTABLE		
13	BOUNDARY ENCROACHMENT BOOK 80 PAGE 7 NOT PLOTTABLE		
14	RETAILS BOOK 31 PAGE 72-77 NOT PLOTTABLE		
15	TRACT 2732 SELECTED OFFER OF DEROGATION		

1. PROJECT ADDRESS:	0 HINDS GAMES LAKE
2. CITY/STATE:	LAKE CHARLES, LA
3. JOB NO.:	MAP MULTI-PHASE/ORDINAL
4. ISSUED:	08/25/00
5. DRAWINGS PARCEL NO.:	082 575 001
6. WATER SUPPLY:	MC20
7. WASTE/DISPOSAL:	MC20
8. GAS:	THE GAS COMPANY
9. ELECTRICITY:	PACIFIC GAS & ELECTRIC
10. TELEPHONE:	PACIFIC BELL

**FLOODPLAIN:**

FROM MAP PANEL 06070130SG EFFECTIVE 11/16/2002

———— C  
 ———— N  
 ———— E  
 ———— S  
 ———— 100  
 ———— 100

EXISTING LOT LINE  
 PROPOSED LOT LINE  
 FENCE  
 EXISTING  
 AC  
 EXISTING GROUND CONTOUR

FLINT, A CALIFORNIA GENERAL PARTNERSHIP  
PO BOX 15747  
SAN LUIS OBISPO, CA 93408-5747  
CONTACT: CARY GEMS 805 773 4803

[illegible]

MAP PREPARED BY:

FOR  
TRACT MAP 3056  
SAN LUIS OBISPO COUNTY, CA  
BEING A SUBDIVISION OF LOT 17 OF TRACT 2332 AS RECORDED IN  
BOOK 21 OF MAPS AT PAGE 2477, COUNTY OF SAN LUIS OBISPO,  
STATE OF CALIFORNIA.

04/07/20

00 — CONNS SCHEMOT LS B438



SECOND FLOOR PLAN  
1/8" = 1'-0"



FIRST FLOOR PLAN  
1/8" = 1'-0"

FLOOR AREAS  
1st = 634  
2nd = 1020  
TOTAL = 1654 sq ft  
GARAGE = 465 SF  
PORCH = 55 SF  
2ND FLOOR DECK = 77 SF



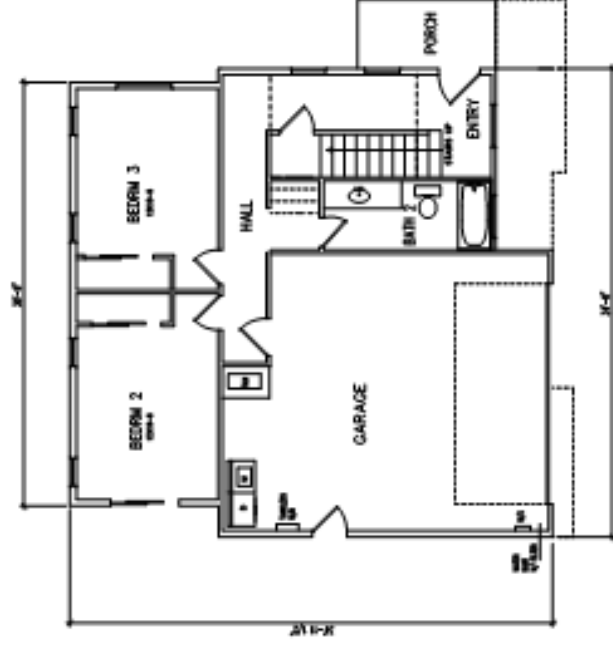
COUNTY OF SAN LUIS OBISPO

Floor Plans (SFR - Plan A)  
Tract 3056/SUB2019-00092





SECOND FLOOR PLAN  
1/4" = 1'-0"



FIRST FLOOR PLAN  
1/4" = 1'-0"

FLOOR AREAS

1st = 834

2nd = 1020

TOTAL = 1854 sq.ft.

GARAGE = 485 SF

PORCH = 55 SF

2ND FLOOR DECK = 77 SF



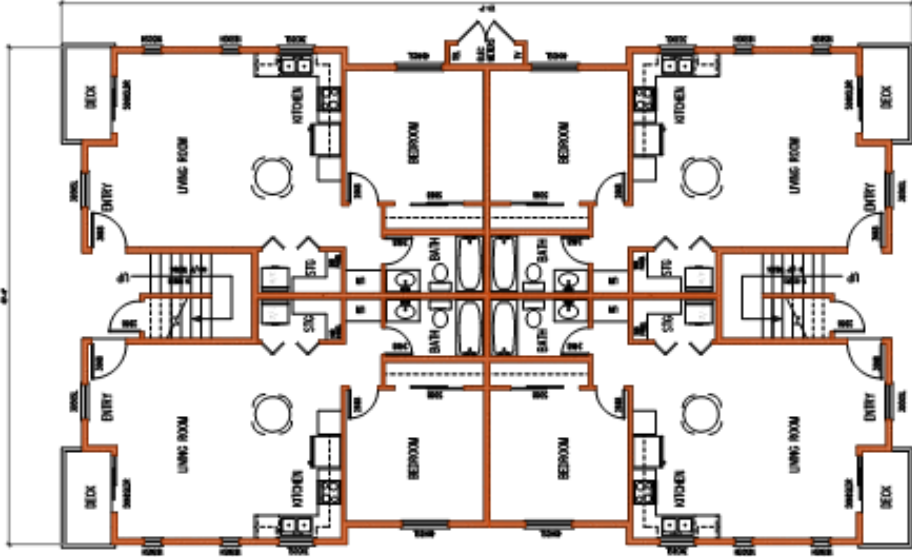
COUNTY OF SAN LUIS OBISPO

**Floor Plans (SFR – Plan B)**  
**Tract 3056/SUB2019-00092**

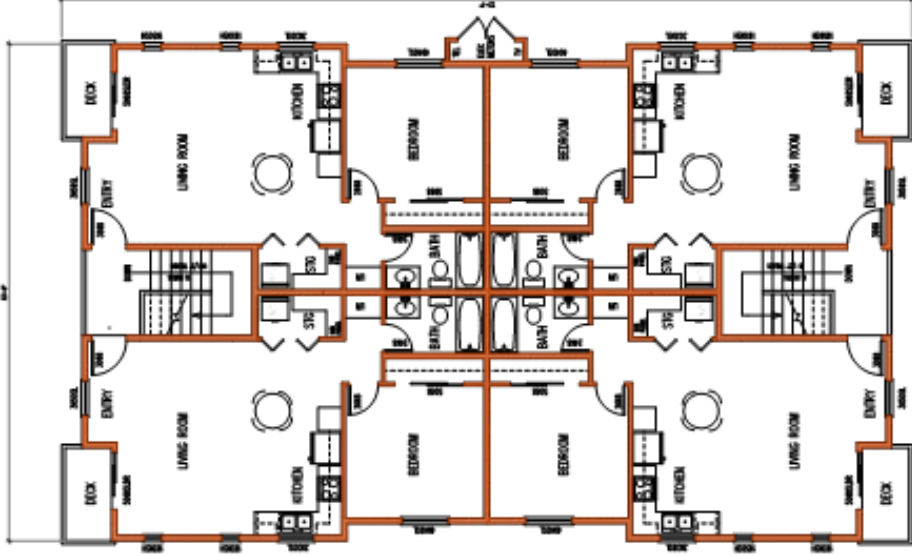


## COUNTY OF SAN LUIS OBISPO

# Floor Plans (Multi-Family) Tract 3056/SUB2019-00092



1ST. FLOOR PLAN



2ND FLOOR PLAN

24 UNIT APT.  
BUILDINGS 1,2,3

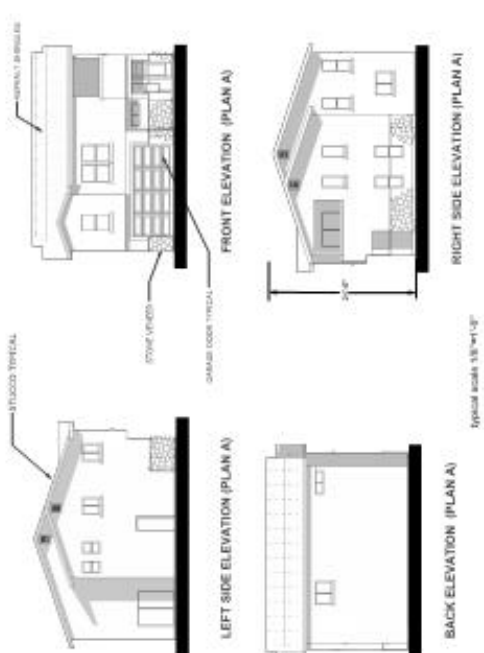
SCALE = 1/4" = 1'-0"



SIDE ELEVATION



FRONT ELEVATION

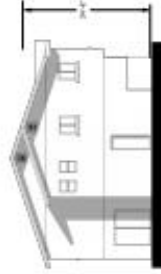


PLAN A  
ELEVATIONS

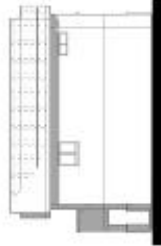
Typical scale 1/8"=1'-0"



FRONT ELEVATION , LOT 5,9



BACK ELEVATION (PLAN B)  
looking north 180° x 0°

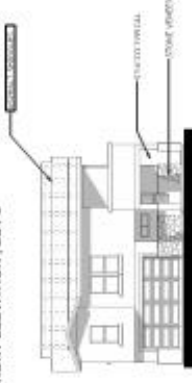


RIGHT SIDE ELEVATION (PLAN B)  
looking north 180° x 90°



FRONT ELEVATION (PLAN B)  
looking north 180° x 0°

FRONT ELEVATION , LOT 3



LEFT SIDE ELEVATION (PLAN B)  
looking north 180° x 90°

## ELEVATIONS PLAN B



STREET VIEW



FRONT ELEVATION

FRONT ELEVATION

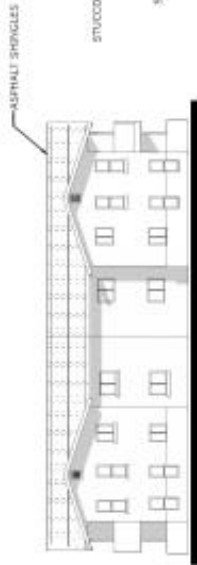
FRONT ELEVATION



FRONT RIGHT SIDE



COMMON OPEN SPACE



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



BACK ELEVATION



FRONT ELEVATION

TYPICAL SCALE 1/8"

24 UNIT

BUILDING 1 & 3



COUNTY OF SAN LUIS OBISPO

Elevations (Multi-Family)  
Tract 3056/SUB2019-00092



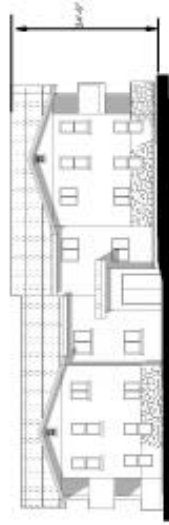
STREET ELEVATION



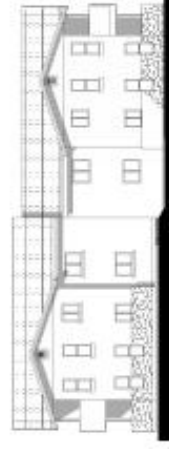
RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



BACK ELEVATION



FRONT ELEVATION

TYPICAL SCALE 1/8"

24 UNIT

BUILDING 2



COUNTY OF SAN LUIS OBISPO

Elevations (Multi-Family)  
Tract 3056/SUB2019-00092







**Preliminary Grading Plan**  
**Tract 3056/SUB2019-00092**

## COUNTY OF SAN LUIS OBISPO

