Palm Nipomo Parking Structure Project

Final Environmental Impact Report

SCH# 2017051011

prepared by
City of San Luis Obispo
Public Works Department
919 Palm Street
San Luis Obispo, California 93401
Contact: Scott Lee, Parking Manager

prepared with the assistance of
Rincon Consultants, Inc.
1530 Monterey Street, Suite D
San Luis Obispo, California 93401

July 2018

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Environmental Scientists Planners Engineers
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Executive Summary

This section summarizes the characteristics of the proposed Palm Nipomo Parking Structure Project, alternatives to the project, and the environmental impacts, mitigation measures, and residual impacts associated with the project. City staff prepared an Initial Study and circulated a Notice of Preparation (NOP) for the project on May 1, 2017. The Initial Study identified potentially significant impacts with respect to aesthetics, cultural resources, noise, and transportation and traffic, and this document is an environmental impact report (EIR) that further analyzes those impacts. All other CEQA issue areas were addressed in the Initial Study (Appendix A) and are summarized in Section 5.0, *Issues Addressed in the Initial Study*.

Project Synopsis

Project Applicant

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Project Description

This EIR has been prepared to examine the potential environmental effects of the Palm Nipomo Parking Structure Project. The following is a summary of the full project description, which is located in Section 2.0, *Project Description*.

The project would involve the removal of an existing 77-space surface parking lot and five residential structures (including detached garage) and construction of an above-ground, five-level parking structure, non-profit theater, and commercial space on a 1.38-acre site located in the city of San Luis Obispo. The parking structure would provide up to 445 parking spaces.[1] Main vehicular access to the structure would be provided from Palm Street, with secondary access from Nipomo Street. The theater would entail a three-story structure with a gross floor area of 23,841 square feet

[1] The parking structure is undergoing design refinement with respect to the ultimate number of parking spaces. Based on the current design, the structure would provide 410 parking spaces; however, the analysis conservatively assumes a maximum of up to 445 parking spaces would be provided.

and up to ~~255~~290 theater seats fronting Monterey Street. The project would also include 5,000 square feet of commercial space on two levels fronting Nipomo Street. The project would require a General Plan Amendment, Zone Change, Planning Commission Use Permit, and Architectural Review. Table 1 summarizes the characteristics of the proposed project.

Table 1 Project Characteristics

Address	609, 610, 614, 630, 633 Palm Street and 970, 972 Nipomo Street
APN	002-412-001, 002-412-002, 002-412-003, 002-412-004, 002-412-011, and 002-412-012
Maximum Building Height	
Parking Structure	50 feet structure + 14 feet for elevator tower
Commercial	41 feet
Theater	43 feet
Lot Area	Approx. 60,329 square feet (sf) (1.38 acres)
Building Footprint[1]	Approx. 44,487 sf
Building Gross Floor Area[2]	**191,591 sf**
Parking Structure Gross Floor Area	162,750 sf
Ground Floor	32,500 sf
Parking Level 2	32,750 sf
Parking Level 3	32,750 sf
Parking Level 4	32,750 sf
Parking Level 5	32,000 sf
Commercial Gross Floor Area	5,000 sf
1st Floor	2,500 sf
2nd Floor	2,500 sf
Theater Gross Floor Area	23,841 sf
1st Floor (Basement)	6,357 sf
2nd Floor (Main)	9,487 sf
3rd Floor	5,744 sf
Roof Balcony & Exit Stairs	2,253 sf
Total Parking Spaces[3]	445
Net New Parking Spaces	368

[1] Building footprint is sum of ground or main levels of each use.

[2] The gross floor area is the sum of all floors or levels for all uses.

[3] The parking structure is undergoing design refinement with respect to the ultimate number of parking spaces. Based on the current design, the structure would provide 410 parking spaces; however, the analysis conservatively assumes a maximum of up to 445 parking spaces would be provided.

sf = square feet

Project Objectives

Objectives for this project include the following:

- Provide a minimum of 400 parking spaces
- Accommodate cultural uses on Monterey Street in front of the structure
- Include a pedestrian-level public use plaza area at the corner of Nipomo and Monterey Streets
- Provide a direct pedestrian connection from the structure to Monterey Street
- Preserve the large oak tree on site
- Consider contextual sensitivity of surrounding properties (e.g., Lattimer-Hayes adobe)

Project Alternatives

As required by Section 15126(d) of the *State CEQA Guidelines*, this EIR examines a range of reasonable alternatives to the project that could feasibly achieve similar objectives. This includes the following five alternatives:

- **Alternative 1. No Project /No Development** assumes the project is not approved, that none of the proposed entitlements are implemented, and that no further development would occur on the project site.
- **Alternative 2. Project Plus Live/Work Units** would be the same as the proposed project described above, except the 5,000 square feet of commercial space would be reduced to 2,500 square feet of commercial space and four residential units would be included.
- **Alternative 3. Parking Structure, Commercial, and Residential** would be the same as the preferred project described above, except the theater would be replaced with 22 two-bedroom residential units.
- **Alternative 4. Historic Resource Preservation** would include the parking structure and 5,000 square feet of commercial space, but retain the two houses at 610 and 614 Monterey Street. The theater would not be included as part of this alternative.

Alternative 4. The Historic Resource Preservation Alternative would be the environmentally superior alternative, as it would avoid direct impacts to historical resources because the two contributing structures to the Downtown Historic District and the linkage between properties in the district they provide would remain in place. However, aesthetic and noise impacts would remain significant and unavoidable.

Alternative 1. No Project/No Development could also be considered environmentally superior to the proposed project because the site would remain as is and it would not result in any significant environmental impacts; however, it would not meet the project objectives.

Alternative 2. Project Plus Live/Work Units would result in a similar magnitude of environmental impacts as the proposed project, as buildout would be almost identical. This alternative would not reduce any of the significant and unavoidable impacts.

Alternative 3. Parking Structure, Commercial, and Residential would result in a similar magnitude of environmental impacts as the proposed project. The addition of 22 residential units in place of the theater would not result in inferior or superior environmental conditions relative to the proposed project and would not eliminate the significant impacts to historical resources, visual

character, or from construction noise. Most of the issues addressed in the Initial Study would be the same as the proposed project, with an incremental increase in public services demanded and water/wastewater generated.

The complete alternatives analysis is included in Section 7.0, *Alternatives*.

Areas of Concern

Pursuant to State CEQA Guidelines § 15123(b)(2), this EIR acknowledges the areas of controversy and issues to be resolved which are known to the City of San Luis Obispo or were raised during the scoping process. An Initial Study and Notice of Preparation (NOP) of an EIR was prepared and circulated for a 30-day agency- and public-review period beginning on May 1, 2017. Several comment letters from members of the public were received in response to the NOP. In addition, an EIR Scoping Meeting was also held at the Planning Commission Meeting on May 10, 2017, and comments on the scope of the EIR were received from members of the public and the City Planning Commissioners. The NOP and Initial Study, and NOP comment letters are included in Appendix A of this EIR. Key issues of concern that were identified in the NOP responses and voiced at the EIR scoping meeting included the following:

Comment/Area of Concern	EIR Section Where Addressed
Impacts on views of Cerro San Luis Obispo	4.1 Aesthetics
Size and scale of the project and its aesthetic compatibility with the historical character or surrounding development	4.1 Aesthetics
Impacts to historical resources, including adobe on the project site	4.2 Cultural and Tribal Cultural Resources
Impacts to tribal cultural resources	4.2 Cultural and Tribal Cultural Resources
Increase in operational noise and its impact on sensitive receptors	4.3 Noise
Vehicle trips generated by project	4.4 Transportation
Pedestrian-vehicle conflicts; pedestrian safety crossing Nipomo Street	4.4 Transportation
Induced travel	4.4 Transportation
Calculation methodology for greenhouse gas emissions	5.0 Issues Addressed in Initial Study
Alternatives to the project	7.0 Alternatives

Revisions to the Draft EIR

Under the provisions CEQA Section 15088, a 45-day public review period of the Draft EIR is required. The Draft EIR was circulated from December 14, 2017 until March 1, 2018. Each written and verbal comment that the City received is included in Section 9.0, *Responses to Comments*. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft EIR addresses pertinent environmental issues. The Draft EIR and responses to comments collectively comprise the Final EIR for the project.

The responses to comments summarize the comment and direct the commenter to the section of the Draft EIR that addresses their comment. In some cases, revisions have been made to the Draft EIR to clarify information, data, or intent, or to make minor typographical corrections or minor working changes. Any changes made to the text of the Draft EIR are noted in the Final EIR as changes from the Draft EIR. Where a comment results in a change to the Draft EIR text, a notation is made in the response indicating that the text is revised. Changes in the Draft EIR text are signified by strikeouts where text is removed and by underline font where text is added. If text is added where

the font is already bold or underlined, additions are noted using underlined bold font. Revisions were made to the proposed number of theater seats. These changes are shown on page 2 of the Executive Summary and Section 2.5, *Project Characteristics.* Although the total number of seats increased from 155 to 191, this did not change any of the impacts as project effects were calculated based on building square footage and/or number of employees, which did not change. In addition, a revision was made to the theater footprint shown on Figure 5, *Site Plan*, based on refinements to the project design. As previously noted, the building square footage did not change and this revision did not change any of the impacts.

Summary of Impacts and Mitigation Measures

Table 2 through Table 4 provide a summary of the potential environmental impacts of the project. The mitigation measures associated with each impact, which are to be implemented in order to reduce the environmental impacts to the maximum extent feasible, are also summarized therein. In accordance with the *State CEQA Guidelines*, the tables identify the following types of potential impacts associated with the project:

- **Class I, Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a 'Statement of Overriding Considerations' to be issued if the project is approved per §15093 of the State CEQA Guidelines.
- **Class II, Significant but Mitigable.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires 'Findings' to be made under §15091 of the State CEQA Guidelines.
- **Class III, Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **Class IV, Beneficial.** An effect that would reduce existing environmental problems or hazards.

Significant and Unavoidable Impacts

The project would result in five significant and unavoidable (Class I) impacts. Issue areas with Class I impacts include aesthetics (visual character and cumulative visual character), cultural resources (historic resources and cumulative historic resources), and noise (construction noise) as summarized in Table 2.

Table 2 Class I, Significant and Unavoidable Environmental Impacts

Impact	Mitigation Measures	Residual Impact
Aesthetics		
Impact AES-2. The project would permanently alter the existing visual character of the site because it would introduce new structures that are substantially different in terms of size, scale, and massing. This impact is Class I, significant and unavoidable.	As discussed in the impact analysis and described in the project description, the project includes various features that are intended to mitigate visual impacts. No additional mitigation measures are feasible.	The project design features would reduce visual impacts to the extent feasible; however, due to the size, scale, and massing of the project, impacts related to a change in visual character would remain significant and unavoidable.
Cumulative Aesthetics Impact. The project would result in a significant and unavoidable impact associated with change in visual character due to the increase in size, scale, and massing of the project. This combined with other cumulative development in the area would increase the intensity of development in the area and permanently alter the visual character. Therefore, the project would result in a Class I, significant and unavoidable, cumulative impact.	As discussed in the impact analysis and described in the project description, the project includes various features that are intended to mitigate visual impacts. No additional mitigation measures are feasible to address cumulative impacts.	The project features would reduce the project's visual impacts to the extent feasible; however, impacts to change in visual character would be cumulatively considerable.
Cultural and Tribal Cultural Resources		
Impact CR-1. Construction of the project would result in demolition of two structures on the project site that are historic resources, and adversely affect the Downtown Historic District. This would cause a substantial adverse change in the significance of historic resources as defined in CEQA Guidelines §15064.5. This impact is Class I, significant and unavoidable.	**CR-1 Historical Building Documentation Packages.** Impacts to historical resources shall be minimized through the preparation of archival historic building documentation packages for both 610 and 614 Monterey Street. Prior to issuance of demolition permits, the City of San Luis Obispo shall ensure that documentation of both properties is completed in the form of a Historic American Building Survey (HABS)-Like documentation that shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation (NPS 1990). The documentation shall generally follow the HABS Level III requirements and include high-quality digital photographic recordation of the buildings and their overall setting, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History (NPS 1983). Individual archival documentation packages shall be completed both properties and offered as donated material to the San Luis Obispo Library and the History Center of San Luis Obispo County, where it would be available to local researchers. Completion of this mitigation measure shall be monitored and enforced by the lead agency.	Implementation of Mitigation Measure CR-1 would reduce impacts to historical resources to the greatest extent possible; however, this measure would not eliminate the permanent impacts to the identified historic resources, and no other feasible mitigation measures are available. Therefore, the project would result in a significant and unavoidable impact to historic resources.

Impact	Mitigation Measures	Residual Impact
Cumulative Cultural Resources Impact. The project would result in a significant and unavoidable impact associated with the removal of historic structures that contribute to the Downtown Historic District. As such, the project would contribute to the cumulative loss of historic resources in the City. This would be a Class I, significant and unavoidable, cumulative impact to historical resources.	No additional mitigation is available to address cumulative cultural resources impacts.	Implementation of Mitigation Measure CR-1 would reduce this impact to the greatest extent possible; however, cumulative cultural resources impacts would remain significant and unavoidable.
Noise		
Impact N-1. Short-term construction activity would temporarily generate noise that would exceed City noise thresholds. Mitigation is available to reduce temporary construction noise, but would not be sufficient to reduce impacts to less than the applicable thresholds. This impact is Class I, significant and unavoidable.	**N-1(a) Construction Vehicle Travel Route.** Construction vehicles and haul trucks shall utilize roadways which avoid residential neighborhoods and sensitive receptors where possible. The applicant shall submit a proposed construction vehicle and hauling route for City review and approval prior to grading/building permit issuance. The approved construction vehicle and hauling route shall be used for all construction vehicles and hauling trips during the duration of construction. **N-1(b) Construction Activity Timing.** Except for emergency repair of public service utilities or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur daily between the hours of 7:00 PM and 7:00 AM, or anytime on Sundays, holidays, or after sunset, where that operation creates a noise disturbance that exceeds 75 dBA for single family residential, 80 dBA for multi-family residential, and 85 dBA for mixed residential/commercial land uses across a residential or commercial property line for a maximum of 10 days. For construction activities lasting more than 10 days, noise from construction equipment shall not exceed 60 dBA for single family residential, 65 dBA for multi-family residential, and 70 dBA for mixed residential/commercial land uses across a residential or commercial property line. **N-1(c) Construction Equipment Best Management Practices (BMPs).** For all construction activity at the project site, noise attenuation techniques shall be employed to reduce noise levels to extent feasible in accordance with the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include: ▪ Sound blankets on noise-generating equipment ▪ Stationary construction equipment that generates noise levels above 60 dBA at the project boundaries shall be shielded with barriers that meet a sound transmission class (a rating of how well noise barriers attenuate sound) of 25	Mitigation Measures N-1(a) through N-1(d) would require implementation of noise reduction devices and techniques during construction, and would reduce noise associated with on- and offsite construction activity to the maximum extent feasible. However, temporary noise impacts associated with onsite and offsite construction activity would be significant and unavoidable.

Impact	Mitigation Measures	Residual Impact
	▪ All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers ▪ For stationary equipment, the applicant shall designate equipment areas with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities ▪ Electrical power shall be used to power air compressors and similar power tools ▪ The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday and no movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day) ▪ Temporary sound barriers shall be constructed between construction sites and affected uses **N-1(d) Neighborhood Property Owner Notification and Construction Noise Complaints.** The contractor shall inform residents and business operators at properties within 300 feet of the project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Proof of mailing the notices shall be provided to the Community Development Department before the City issues a zoning clearance. Signs shall be in place before beginning of and throughout grading and construction activities. Noise-related complaints shall be directed to the City's Community Development Department.	

Table 3 Class II, Significant but Mitigable Environmental Impacts

Impact	Mitigation Measures	Residual Impact
Aesthetics		
Impact AES-3. Implementation of the project would result in an increase in nighttime lighting and daytime glare at the project street; however, with mitigation, this increase would not adversely affect day or nighttime views in the area. This impact would be Class II, significant but mitigable.	**AES-3(a) Lighting Plan.** Prior to issuance of building permits, the applicant shall prepare and submit a comprehensive lighting plan for Architectural Review Committee review and approval. The lighting plan shall be consistent with the Municipal Code Night Sky Ordinance, and prepared using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, driveways, paths, plazas, safety, and signage. The lighting plan must include identification of all types, sizes, and intensities of wall mounted building lights and landscape accent lighting, and a photometric map must be provided. The lighting plan shall include the following: a. The point source of all exterior lighting shall be shielded from offsite views b. Light trespass from exterior lights shall be minimized by directing light downward and utilizing cut-off fixtures or shields c. Lumination from exterior lights shall be the lowest level allowed by public safety standards d. Exterior lighting shall be designed to not focus illumination onto exterior walls e. Any signage visible from offsite shall not be internally laminated **AES-3(b) Glare Reduction.** To minimize impacts on residential development in proximity to the project site, roof and building materials shall be non-reflective, and shall be muted in hues consistent with standards in the Community Design Guidelines, Section 6.1-C.	Implementation of Mitigation Measures AES-3(a) and AES-3(b) would reduce impacts associated with light and glare to a less than significant level.
Cultural and Tribal Cultural Resources		
Impact CR-2. Construction of the project would result in ground disturbance that could cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines 15064. This impact would be Class II, significant but mitigable.	**CR-2(a) Retain a Qualified Principal Investigator**. A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology (hereafter qualified archaeologist), shall be retained to carry out all mitigation measures related to archaeological resources. **CR-2(b) City of San Luis Obispo Consolidated Approach for Archaeological Investigations.** Mitigation of archaeological resources within the project area shall follow the Consolidated Approach as outlined in the City of San Luis Obispo Archaeological Resource Preservation Program Guidelines. The Consolidated Approach shall include (1) the preparation of a Research Design and Mitigation Plan prepared by the qualified archaeologist and submitted for written approval to the City's Community Development Director (Director), which shall include but not be limited to the research design, laboratory and field methods, public interpretation, and location of curation; (2) monitoring of demolition and	Implementation of Mitigation Measures CR-2(a) through CR-2(d) would reduce impacts to archaeological resources to a less than significant level.

Impact	Mitigation Measures	Residual Impact
	clearing of pavement within the project area; (3) fieldwork after the removal of pavement consisting of a Phase I inventory, Phase 2 Testing and Evaluation, and Phase 3 Data Recovery aimed at locating archaeological remains, evaluating their significance and integrity, and mitigating impacts through data recovery excavation; (4) the completion of special studies, such as faunal analysis, if appropriate, and the curation of recovered artifacts; and (5) the completion of a technical report documenting the results of the consolidated approach prepared in accordance with current professional standards and submitted to the Director. **CR-2(c) Archaeological Monitoring.** An archaeological monitor shall be present for all project-related ground-disturbing construction activities. The monitor(s) shall be onsite on a full-time basis during earthmoving activities, including grading, trenching, vegetation removal, or other excavation activities. Under consultation between the qualified archaeologist and the City, monitoring may be reduced or eliminated based on observed conditions. **CR-2(d) Unanticipated Discovery of Archaeological Resources.** In the event that cultural resources are encountered during the implementation of mitigation measures CR-2b or CR-2c, all work shall be halted in the vicinity of the discovery until a qualified archaeologist can assess the significance of the resource. If the resources are found to be significant, they must be avoided or mitigated pursuant to the qualified archaeologist's direction and the testing plan outlined under MM CR-2b. Mitigation may involve preservation in place or documentation and excavation of the resource. A report by the archaeologist evaluating the find and identifying mitigation actions taken shall be submitted to the City.	
Impact CR-3. Construction of the project would result in ground disturbance that could indirectly or directly destroy a unique paleontological resource. This impact would be Class II, significant but mitigable.	**CR-3(a) Qualified Project Paleontologist.** A qualified project paleontologist, defined as a paleontologist who meets the standards of the SVP (2010), shall be retained to carry out all mitigation measures related to paleontological resources. **CR-3(b) Worker Environmental Awareness Program (WEAP).** Prior to the start of construction, the project paleontologist or his or her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The WEAP shall be fulfilled at the time of a preconstruction meeting at which a qualified paleontologist shall attend. **CR-3(c) Paleontological Monitoring.** Ground-disturbing construction activities (including grading, trenching, foundation work, and other excavations) in previously undisturbed sediments that exceed 10 feet in depth shall be monitored on a full-time basis during initial ground disturbance. Monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum	Implementation of Mitigation Measures CR-3(a) through CR-3(d) would reduce impacts to paleontological resources to a less than significant level.

Impact	Mitigation Measures	Residual Impact
	standards of the SVP (2010). The duration and timing of the monitoring will be determined by the project paleontologist and the location and extent of proposed ground disturbance. If the project paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the project paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring is not necessary in artificial fill or for activities that do not reach 10 feet in depth. **CR-3(d) Fossil Discoveries.** In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The project paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the project paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources: 1) Salvage of Fossils. The project paleontologist (or paleontological monitor) shall recover significant fossils following standard field procedures for collecting paleontological resources, as described by the SVP (2010). Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. 2) Preparation and Curation of Recovered Fossils. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.	
Impact CR-5. Ground-disturbing activities associated with construction of the project have the potential to disturb unidentified human remains. This impact would be Class II, significant but mitigable.	Compliance with existing regulations and Mitigation Measure CR-2(d) would ensure that impacts to human remains and burial grounds would remain less than significant.	Implementation of Mitigation Measure CR-2(d) would reduce this impact to a less than significant level.
Cumulative Noise Impact. Construction of the proposed project could overlap with the construction of other projects in the vicinity (Monterey Place and the Vesper Hotel at the	**N-4 Coordination of Construction Timing**. Prior to the issuance of grading permits, the City of San Luis Obispo shall review and coordinate the construction schedules of any other projects within 300 feet of the project to ensure that construction schedules do not overlap.	Implementation of Mitigation Measure N-4 would avoid additional cumulative construction noise impacts and reduce

Impact	Mitigation Measures	Residual Impact
Creamery) which would result in a significant cumulative impact. The project's incremental contribution would be cumulatively considerable.		cumulative impacts to a less than significant level.
Transportation		
Impact T-3. Implementation of the project would result in pedestrian access impacts due to the difficulty of crossing Nipomo Street at an uncontrolled location. This impact would be Class II, significant but mitigable.	**T-3 Pedestrian Access.** Subject to approval of the Public Works Director, the City shall incorporate improvements to the intersections of Dana Street/Nipomo Street and Monterey Street/Nipomo Street to enhance pedestrian safety and accessibility. The improvements shall be consistent with the City's Circulation Element and Downtown Physical Concept Plan (2017) and shall balance the needs of each mode of use. At a minimum the project should consider: ▪ High visibility crosswalk, or other intersection enhancements, with directional curb ramps across Nipomo Street from the northwest corner of Dana Street/Nipomo Street to the southwest corner of the parking structure. ▪ High visibility crosswalk, or other intersection enhancements, with directional curb ramps from the southeast corner of Monterey Street/Nipomo Street across Nipomo Street. ▪ Standard crosswalks, or other intersection enhancements, with directional curb ramps across Monterey Street and Dana Street where they intersect with Nipomo Street. ▪ Reduce the curb radii on the southwest corner of Dana Street/Nipomo Street and the northeast corner of Monterey Street/Nipomo Street.	Implementation of Mitigation Measure T-3 would reduce this impact to a less than significant level.
Cumulative Traffic Impact. Under Cumulative plus Project conditions, one study intersection (the project driveway at Nipomo Street) would operate at an unacceptable level of service for pedestrians during the evening peak hour. This impact would be Class II, significant but mitigable.	Mitigation Measure T-3 would be required.	Implementation of Mitigation Measure T-3 would reduce impacts to a less than significant level.
Air Quality (from Initial Study)		
Construction of the project would generate temporary increases in localized air pollutant emissions (fugitive dust, ozone precursors, and diesel particulate matter emissions) within 1,000 of sensitive receptors. In addition the South Coast Air Basin is in non-attainment for SCCAB is in non-attainment for $PM_{10.}$ This impact would be Class II, significant but mitigable.	**AQ-1 Fugitive Dust Control Measures**. Construction projects shall implement the following dust control measures so as to reduce PM_{10} emissions in accordance with San Luis Obispo Air Pollution Control District (SLOAPCD) requirements. ▪ Reduce the amount of the disturbed area where possible ▪ Water trucks or sprinkler systems shall be used during construction in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall	Implementation of Mitigation Measures AQ-1 and AQ-2(a) through AQ-2(c) would reduce impacts to a less than significant level.

Impact	Mitigation Measures	Residual Impact
	be used whenever possible ▪ All dirt stock pile areas shall be sprayed daily as needed ▪ Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities ▪ Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established ▪ All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD ▪ All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible after grading unless seeding or soil binders are used ▪ Vehicle speed for all construction vehicles shall not exceed 15 miles per hour (mph) on any unpaved surface at the construction site ▪ All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114 ▪ Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site ▪ Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible ▪ All of these fugitive dust mitigation measures shall be shown on grading and building plans ▪ The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust offsite. 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 SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. **AQ-2(a) Standard Control Measures for Construction Equipment**. The following standard air quality mitigation measures shall be implemented during construction activities at the project site: ▪ Maintain all construction equipment in proper tune according to manufacturer's specifications ▪ Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel	

Impact	Mitigation Measures	Residual Impact
	(non-taxed version suitable for sue off-road) ▪ Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation ▪ Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation ▪ Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or NOX exempt area fleets) may be eligible by proving alternative compliance ▪ All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit ▪ Diesel idling within 1,000 feet of sensitive receptors is not permitted ▪ Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors ▪ Electrify equipment when feasible ▪ Substitute gasoline-powered in place of diesel-powered equipment, where feasible ▪ Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas, liquefied natural gas, propane or biodiesel **AQ-2(b) Best Available Control Technology (BACT) for Construction Equipment**. The following BACT for diesel-fueled construction equipment shall be implemented during construction activities at the project site, where feasible: ▪ Further reduce emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines where feasible ▪ Repower equipment with the cleanest engines available ▪ Install California Verified Diesel Emission Control Strategies, such as level 2 diesel particulate filters (these strategies are listed at: www.arb.ca.gov/diesel/verdev/vt/cvt.htm) **AQ-2(c) Architectural Coating**. To reduce ROG and NOX levels during the architectural coating phase, low or no VOC-emission paint shall be used with levels of 50 g/L or less.	
Biological Resources (from Initial Study)		
Construction of the project would involve general construction activity and tree removal that may affect protected nesting birds. Impacts to migratory bird species would be potentially significant unless mitigation is	**BIO-1 Nesting Bird Protection.** To avoid disturbance of nesting and special-status birds, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (typically February through August in the project region). If construction must begin within the breeding season, then	Implementation of Mitigation Measure BIO-1 would reduce impacts to a less than significant level.

Impact	Mitigation Measures	Residual Impact
incorporated.	a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted within the Project Boundary, including a 300-foot buffer (500-foot for raptors), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the area. If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.	
Geology and Soils (from Initial Study)		
Implementation of the project would occur on soils that have moderate to high expansion potential. This impact would be potentially significant unless mitigation is incorporated.	**GEO-1 Minimization of Expansive Soil Hazards.** Once the final maximum loads of the project have been determined, a design-level geotechnical report shall be prepared that identifies the most appropriate geotechnical improvements to onsite soils, the foundation, and parking structure to minimize expansive soil hazards. Recommendations could include, but are not limited to the following: ▪ Use imported non-expansive materials combined with pre-moistening of the soils to provide protection for slabs and flatwork ▪ Provide a layer of non-expansive material 18 to 24 inches thick ▪ Use post-tensioned slabs-on-grade ▪ Implement shoring methods, such as shotcrete-faced soil nail walls, tangent drilled caissons, whaler-braced retaining walls, and steel I-beam and lagging walls ▪ Use over-excavation and recompaction ▪ Utilize a deep foundation system, such as caissons or rammed aggregate piers A certified soils engineer shall be retained for monitoring during construction of the project. The certified soils engineer shall also provide any necessary soil testing during construction, to ensure compliance with the design-level geotechnical report, and to provide site-specific guidance as subsurface materials are encountered.	Implementation of Mitigation Measure GEO-1 would reduce impacts to a less than significant level.

Impact	Mitigation Measures	Residual Impact
Hazardous Materials (from Initial Study)		
Construction of the project would require excavation and removal of existing fill, which has the potential to be contaminated. Therefore, construction activities could expose workers to contaminated soil onsite. This impact would be potentially significant unless mitigation is incorporated.	**HAZ-1 Hazardous Materials Soil Sampling and Remediation.** Prior to issuance of grading permits, additional soil samples testing for total petroleum hydrocarbons shall be performed. A work plan shall be completed to address the sampling protocols to be followed, as well as the number of samples to be taken and the chemical analysis required. Upon City of San Luis Obispo approval, the work plan shall be implemented and the results of the soil sampling shall be forwarded to the City of San Luis Obispo. The City shall review the data to determine if any additional investigation or remedial activities are deemed necessary. No work shall resume in that area until the lead local regulatory agency has provided written authorization that the area does not warrant any additional action. If concentrations of contaminants warrant remediation, contaminated materials shall be remediated either prior to or concurrent with construction. Remediation shall generally include a management plan which establishes design and implementation of remediation. Cleanup may include excavation, disposal, bio-remediation, or any other treatment of conditions subject to regulatory action. All necessary reports, regulations and permits shall be followed to achieve cleanup of the site. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by the San Luis Obispo Fire Department. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.	Implementation of Mitigation Measure HAZ-1 would reduce impacts to a less than significant level
Transportation (from Initial Study)		
Construction of the project would result in short term construction traffic, construction parking, and modifications to existing pedestrian, bicycle, and transit circulation during the construction period. This impact would be potentially significant unless mitigation is incorporated.	**T-1 Construction Management Plan**. Prior to the issuance of each building permit, the construction contractor shall meet with the Public Works department to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project. The construction contractor will develop a construction management plan for review and approval by the Public Works department. The plan shall include at least the following items and requirements: ▪ A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic and pedestrian hours, detour signs if required, lane closure procedures, sidewalk closure procedures, signs, cones for drivers, and designated construction access routes. ▪ Notification procedures for adjacent property owners and public safety personnel regarding when major	Implementation of Mitigation Measure T-1 would reduce impacts to a less than significant level.

Impact	Mitigation Measures	Residual Impact
	deliveries, detours, and lane closures will occur. ▪ Location of construction staging areas for materials, equipment, and vehicles (must be located on the project site). ▪ Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant. ▪ Temporary construction fences to contain debris and material and to secure the site. ▪ Provisions for removal of trash generated by project construction activity. ▪ A process for responding to and tracking complaints pertaining to construction activity. ▪ Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected. ▪ It is anticipated that this Construction Traffic Management Plan would be developed in the context of a larger Construction Management Plan, which would address other issues such as hours of construction onsite, limitations on noise and dust emissions, and other applicable items.	

Table 4 Class III, Less than Significant Environmental Impacts

Impact	Mitigation Measures	Residual Impact
Aesthetics		
Impact AES-1. The project would not have a substantial adverse impact on a scenic vista because it is not located in a city-designated scenic vista. This impact would be Class III, less than significant.	No mitigation measures are required.	Less than Significant
Cultural and Tribal Cultural Resources		
Impact CR-4. No Tribal Cultural Resources were identified within the project site, but area is generally considered sensitive for cultural resources. This impact would be Class III, less than significant.	No mitigation measures are required.	Less than Significant
Noise		
Impact N-2. Short term construction activities would generate intermittent levels of groundborne vibration that would be perceptible, but would not exceed applicable thresholds. This impact would be Class III, less than significant.	No mitigation measures are required.	Less than Significant
Impact N-3. The project would generate operational noise from project-generated traffic and new commercial and parking uses. Noise from the project would not exceed acceptable noise levels at existing off -site sensitive receptors. This impact would be Class III, less than significant.	No mitigation measures are required.	Less than Significant
Cumulative Noise Impact. Under Cumulative Plus Project Conditions, noise levels would not exceed thresholds. Impacts would not be significant or cumulatively considerable.	No mitigation measures are required.	Less than Significant
Transportation		
Impact T-1. Under Existing Plus Project conditions, all intersections and segments would operate at acceptable levels of service for vehicles, pedestrians, bicycles, and transit. These impacts would be Class III, less than significant.	No mitigation measures are required.	Less than Significant
Impact T-2. The project would not add roadway capacity that would induce travel and would not generate new travel demand as a land use. In addition, the City actively manages parking demand and encourages non-auto modes of travel. Therefore, the project would have a negligible impact on vehicle miles traveled (VMT). This impact would be Class III, less than significant.	No mitigation measures are required.	Less than Significant
Cumulative Traffic Impact. Under Cumulative plus Project conditions, all study intersections and segments would operate at acceptable levels of service for vehicles, and all segments would operate at acceptable levels of service for bicycles and transit. These impacts would be Class III, less than significant.	No mitigation measures are required.	Less than Significant

1 Introduction

This document is an Environmental Impact Report (EIR) that examines the potential effects of constructing the Palm-Nipomo Project on a 1.38-acre site in the City of San Luis Obispo, California. The project is described in detail in Section 2.0, *Project Description*. This chapter describes: (1) the background of the EIR; (2) the purpose of and legal authority for the EIR; (3) the scope and content of the EIR; (4) lead, responsible and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA).

1.1 Environmental Impact Report Background

The City of San Luis Obispo prepared an Initial Study and circulated a Notice of Preparation (NOP) of this EIR for a 30-day agency and public review period starting on May 1, 2017. The Initial Study serves as the scoping document for this EIR. The Initial Study determined that the proposed project required the preparation of an EIR to further evaluate potential impacts related to the following environmental issue areas: aesthetics, cultural resources, noise, and transportation. The City received two letters in response to the NOP. The Initial Study, NOP, and NOP comment letters are presented in Appendix A to this EIR. An EIR scoping meeting was also held on May 10, 2017, in the City Council Chamber, and comments on the scope of the EIR were received from private citizens and the Planning Commissioners.

Key issues of concern that were noted in the NOP responses and voiced at the EIR scoping meeting included the following:

- Impacts on views of Cerro San Luis Obispo
- Size and scale of the project and its aesthetic compatibility with the historical character or surrounding development
- Impacts to historical resources, including the adobe on the project site
- Impacts to tribal cultural resources
- Increase in operational noise and its impact on sensitive receptors
- Vehicle trips generated by project
- Pedestrian-vehicle conflicts; pedestrian safety crossing Nipomo Street
- Induced travel
- Sources of greenhouse gas emissions
- Alternatives to the project

1.2 Purpose and Legal Authority

This EIR has been prepared in accordance with CEQA and the CEQA Guidelines. In accordance with Section 15121(a) of the CEQA Guidelines, the purpose of this EIR is to serve as an informational document that:

> "will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project"

This report serves as an informational document for the public and the City of San Luis Obispo decision-makers. The proposed project requires discretionary approval from the City and, therefore, is subject to CEQA's environmental review requirements. The process will culminate with Planning Commission and City Council hearings to consider certification of a Final EIR and make a decision whether to approve the proposed project, possibly with conditions of approval, or with modifications to the project.

1.3 Scope and Content

This EIR addresses the issues determined to be potentially significant in the Initial Study, and based on responses to the NOP and scoping discussions among the public, consulting staff, and the City. The environmental issues addressed in impact sections in this EIR include:

- Aesthetics
- Cultural Resources
- Noise
- Transportation

All other impacts were addressed in the Initial Study and the associated technical studies prepared as part of the project application and are summarized in Section 5.0, *Issues Addressed in the Initial Study*.

The impact analysis contained in Section 4.0 includes a description of the physical and regulatory setting, followed by an analysis of the proposed project's impacts in that area. Each potential impact is numbered separately, followed by an explanation of how the level of impact was determined. When appropriate, the EIR identifies feasible mitigation measures. Following the mitigation measures are a discussion of any residual impacts or secondary impacts.

The alternatives section of the EIR (Section 7.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines* that requires an EIR to examine a reasonable range of alternatives capable of avoiding or minimizing a project's significant effects while achieving most of the basic project objectives. The alternatives discussion evaluates the CEQA-required "no project" alternative and three alternative development scenarios for the site. It also identifies the environmentally superior alternative among the alternatives assessed.

In preparing the EIR, use was made of pertinent City policies and guidelines, existing EIRs and background documents prepared by the City, and documents that guide land use in the city. A full reference list is contained in Section 8.0, *References*, of this EIR.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *State CEQA Guidelines* provide the standard of adequacy on which this document is based. The Guidelines state:

> "An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR

should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure (Section 15151)."

1.4 Lead, Responsible, and Trustee Agencies

The *State CEQA Guidelines* define "lead," "responsible" and "trustee" agencies. The City of San Luis Obispo is the lead agency for the project because it has the principal responsibility for approving the project.

A "responsible agency" refers to a public agency other than the lead agency that has discretionary approval over the project. The Regional Water Quality Control Board is a Responsible Agency because the proposed project would require a National Pollutant Discharge Elimination System Permit.

A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies with jurisdiction on the site.

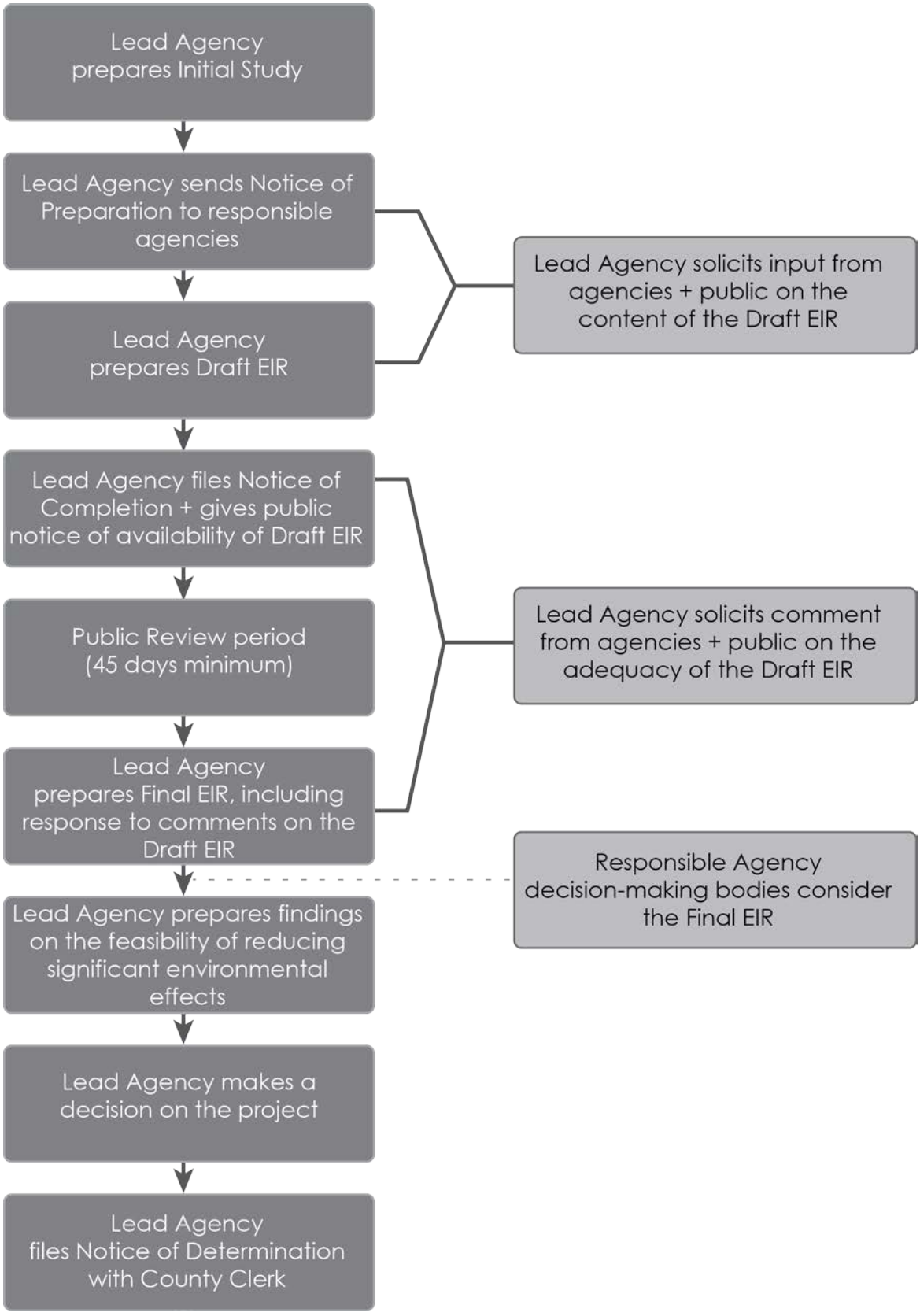
1.5 Environmental Review Process

The environmental review process required under CEQA is summarized below and shown in Figure 1. The steps appear in sequential order.

1. **Notice of Preparation (NOP) Distributed.** Immediately after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more state agencies is a responsible or trustee agency; and to parties previously requesting notice in writing. The NOP must be posted in the County Clerk's office for 30 days. A scoping meeting to solicit public input on the issues to be assessed in the EIR is not required, but may be conducted by the lead agency.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.
3. **Public Notice and Review.** A lead agency must prepare a Public Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092) and sent to anyone requesting it. Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties. The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days, unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091). Distribution of the Draft EIR may be required through the State Clearinghouse.
4. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse as soon as it completes a Draft EIR.

5. **Final EIR.** A Final EIR must include a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
6. **Certification of Final EIR.** The lead agency shall certify: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project.
7. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted.
8. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible. If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic or other reasons supporting the agency's decision.
9. **Mitigation Monitoring/Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
10. **Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared. A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges.

Figure 1 Environmental Review Process



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2 Project Description

This section describes the proposed project, including the project applicant, the project site and surrounding land uses, major project characteristics, project objectives, and discretionary actions needed for approval.

2.1 Project Applicant

City of San Luis Obispo
919 Palm Street
San Luis Obispo, California 93401
(805) 781-7203

2.2 Lead Agency Contact Person

City of San Luis Obispo
Public Works Department
919 Palm Street
San Luis Obispo, California 93401
(805) 781-7203
Contact: Scott Lee, Parking Manager

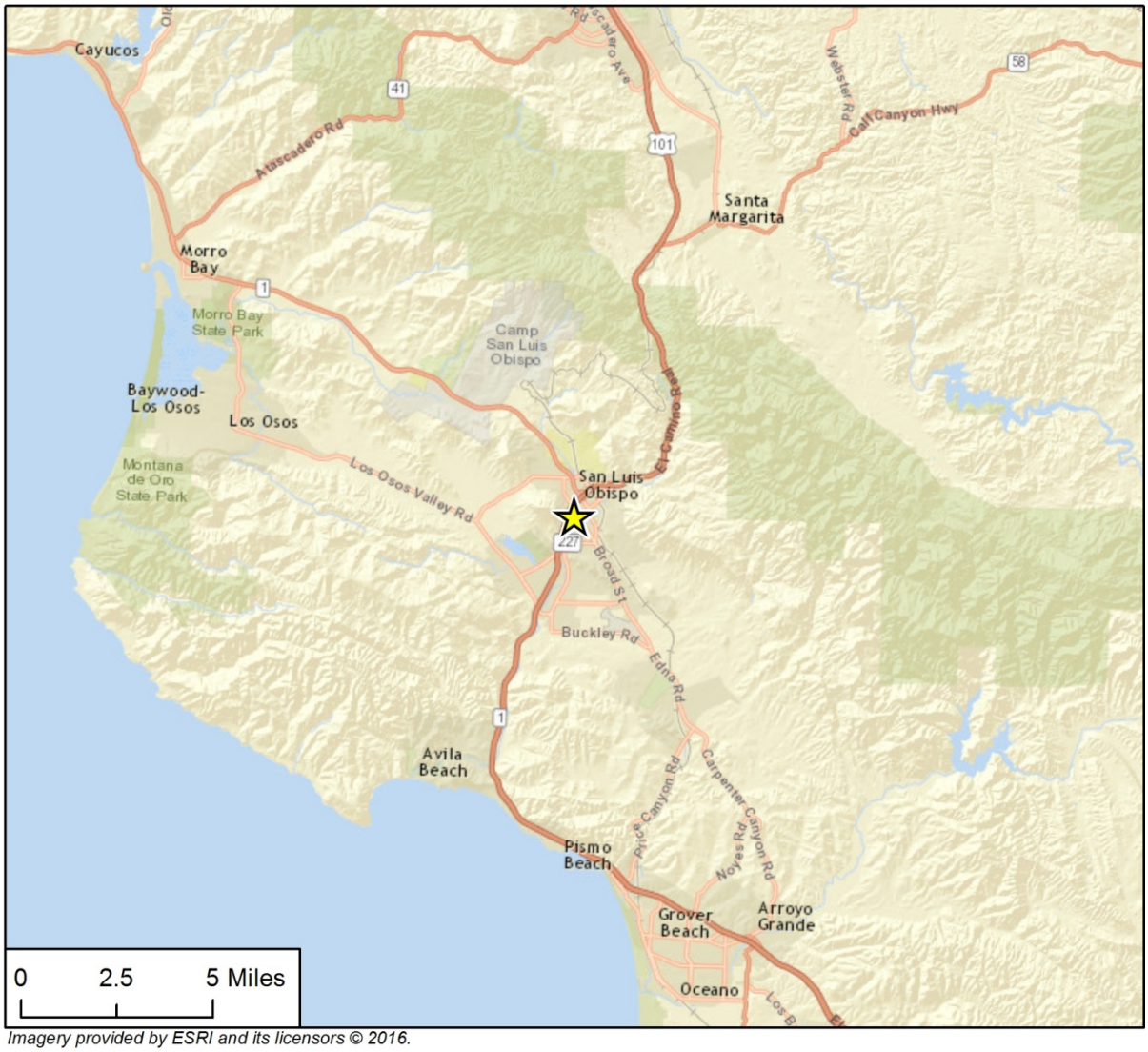
2.3 Project Location

The project site is a 1.38-acre property located in San Luis Obispo, California. Figure 2 shows the regional location of the project. The site lies in the City's Downtown Planning Area, adjacent to the Downtown Core. The majority of the site (except for APN 002-412-003) is also located in the City's Downtown Historic District. Figure 3 shows the location of the project in the context of these planning areas. The project site located at the intersections of Palm and Nipomo streets and Nipomo and Monterey streets (609, 610, 614, 630, 633 Palm Street and 970, 972 Nipomo Street). The property consists of six parcels, including Assessor's Parcel Numbers (APN) 002-412-001, 002-412-002, 002-412-003, 002-412-004, 002-412-011, and 002-412-012 (Figure 4).

2.4 Existing Site Characteristics

This section describes the current characteristics of the project site. Additional details of the current setting at the site and surrounding locations can be found in Section 3.0, *Environmental Setting*, as well as in the individual issue area discussions in Section 4.0, *Environmental Impact Analysis*.

Figure 2 Regional Location



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Project Location

N

Fig 1 Regional Location

Figure 3 Project Planning Area

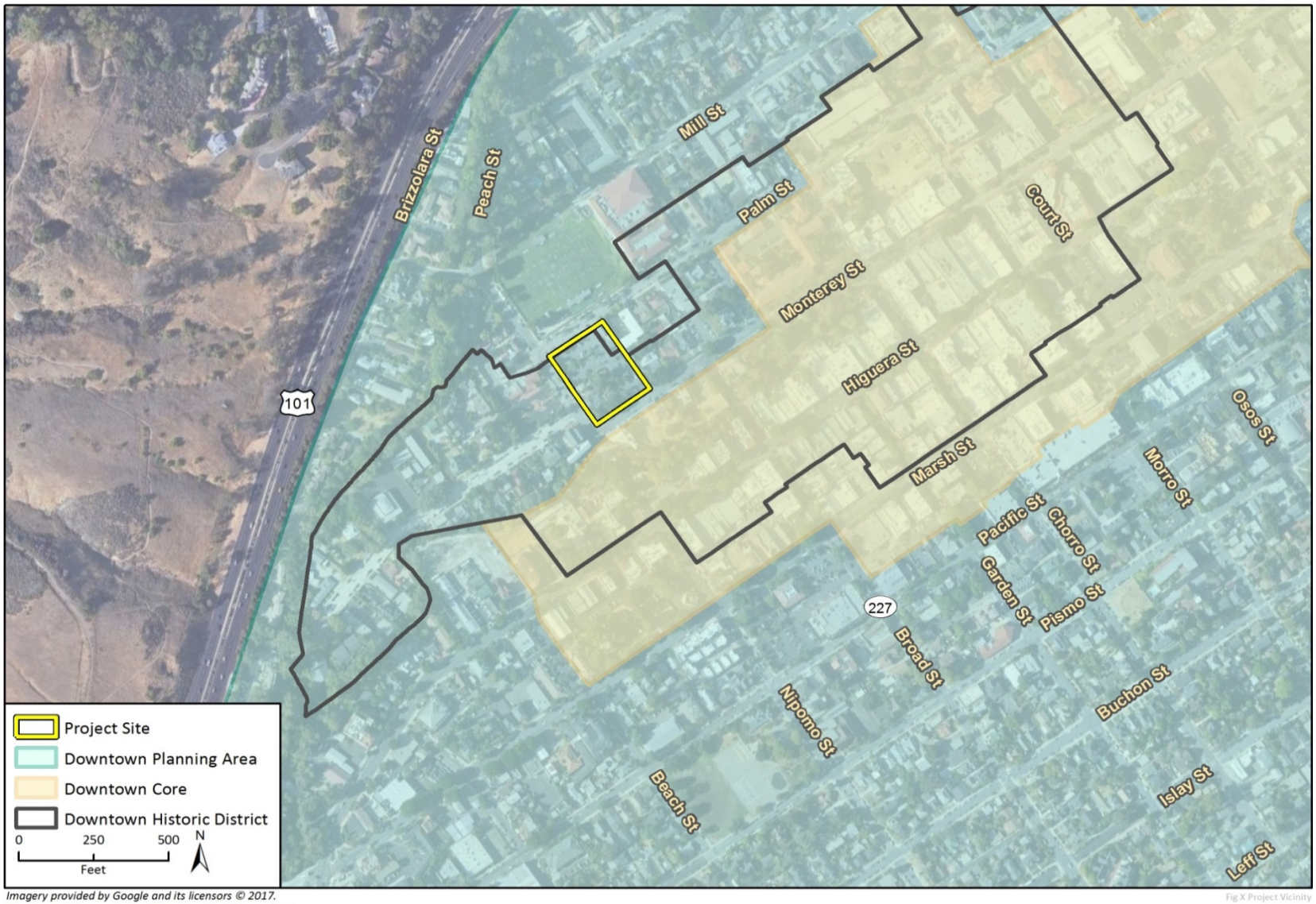


Figure 4 Project Site Location and Surrounding Uses

2.4.1 Setting

As shown in Figure 3, the project site is located within the City's Downtown Planning Area, adjacent to the City's Downtown Core. The majority of the site (except for APN 002-412-003) is also located in the City's Downtown Historic District. As such, the existing setting is urban and characterized by a wide variety of uses. The project site has been previously graded and developed and is surrounded by roads and urban structures. A 77-space surface parking lot, one detached garage, and four residential structures with five residences (three single-family residences and one secondary unit adjacent to Palm Street with two apartments) currently occupy the site. Two of the residential units, 610 and 614 Monterey Street, are on the City's List of Contributing Historic Resources, which identifies structures that contribute to the significance of designated historic districts. The existing parking lot provides public parking in metered stalls owned and operated by the City of San Luis Obispo. Ingress and egress to the lot is available from an at-grade driveway on Palm Street.

Elevations onsite range from 190 and 206 feet above mean sea level, and slopes are generally toward the northwest. Mature trees are scattered throughout the site and located on surrounding public sidewalks on Nipomo and Palm Streets. One of the trees on the site is a large oak tree along Monterey Street, which has the potential to be recognized as a "significant tree" by the City Council Tree Committee. The project site also includes several landscaped planting medians and areas. Partial views of Cerro San Luis are available from the central portion of the site.

2.4.2 Current Land Use Designation and Zoning

The project site is composed of six parcels. Five of the parcels are currently zoned Office with a Historic Overlay (O-H), as defined by the City's Zoning Ordinance, and have Office General Plan land use designations (APN 002-412-001, 002-412-002, 002-412-004, 002-412-011, and 002-412-012). These five parcels are located in the City's Downtown Historic District. One parcel is zoned Medium-High Density Residential (R-3) and has a Medium-High Density Residential General Plan land use designation (APN 002-412-003).

2.4.3 Surrounding Land Uses

The area surrounding the site is urbanized. The existing uses surrounding the site are shown in Figure 4, and include the following:

- **West**. Existing development across Nipomo Street includes the Reis Family Mortuary & Crematory with surface parking lot and a residential complex comprised of multiple buildings. The area comprising the mortuary has a land use designation of Office and is zoned Office with a Historic Overlay (O-H), while the residential complex has a land use designation of Medium-High Density Residential and is zoned Medium-High Density Residential (R-3).
- **South**. South of the site is the San Luis Obispo Children's Museum and two residences designated as City contributing historic resources along Monterey Street. The parcel that houses the museum has a land use designation of Public and is zoned Public Facility with a Historic Overlay (PF-H), while the parcels containing the residential units have land use designation of General Retail and are zoned Downtown Commercial with a Special Consideration and Historic Overlay (C-D-S-H). Along Nipomo to the southwest is the Soda Works mixed commercial and residential complex with a land use designation of General Retail and zoned Downtown Commercial with a Planned Development and Historic Overlay (C-D-H-PD).

- **East**. Adjacent to the project site is a two-story multi-family residential complex with surface parking fronting Palm Street and a single-family residence with detached garage, identified as the Hays-Lattimer Adobe historic resource, fronting Monterey Street. The multi-family residential building has a land use designation of Medium-High Density Residential and is zoned Medium-High Density Residential (R-3), while the single family residence has a land use designation of Office and is zoned Office with Historic Overlay (O-H).
- **North**. The Mission College Preparatory School athletic field is located north of the project site across Palm Street. The school is located just west of the athletic field along Palm Street. The area has a land use designation of Medium-High Density Residential. The athletic field is zoned Medium-High Density Residential (R-3), while the school is zoned Medium-High Density Residential with a Historic Overlay (R-3-H).

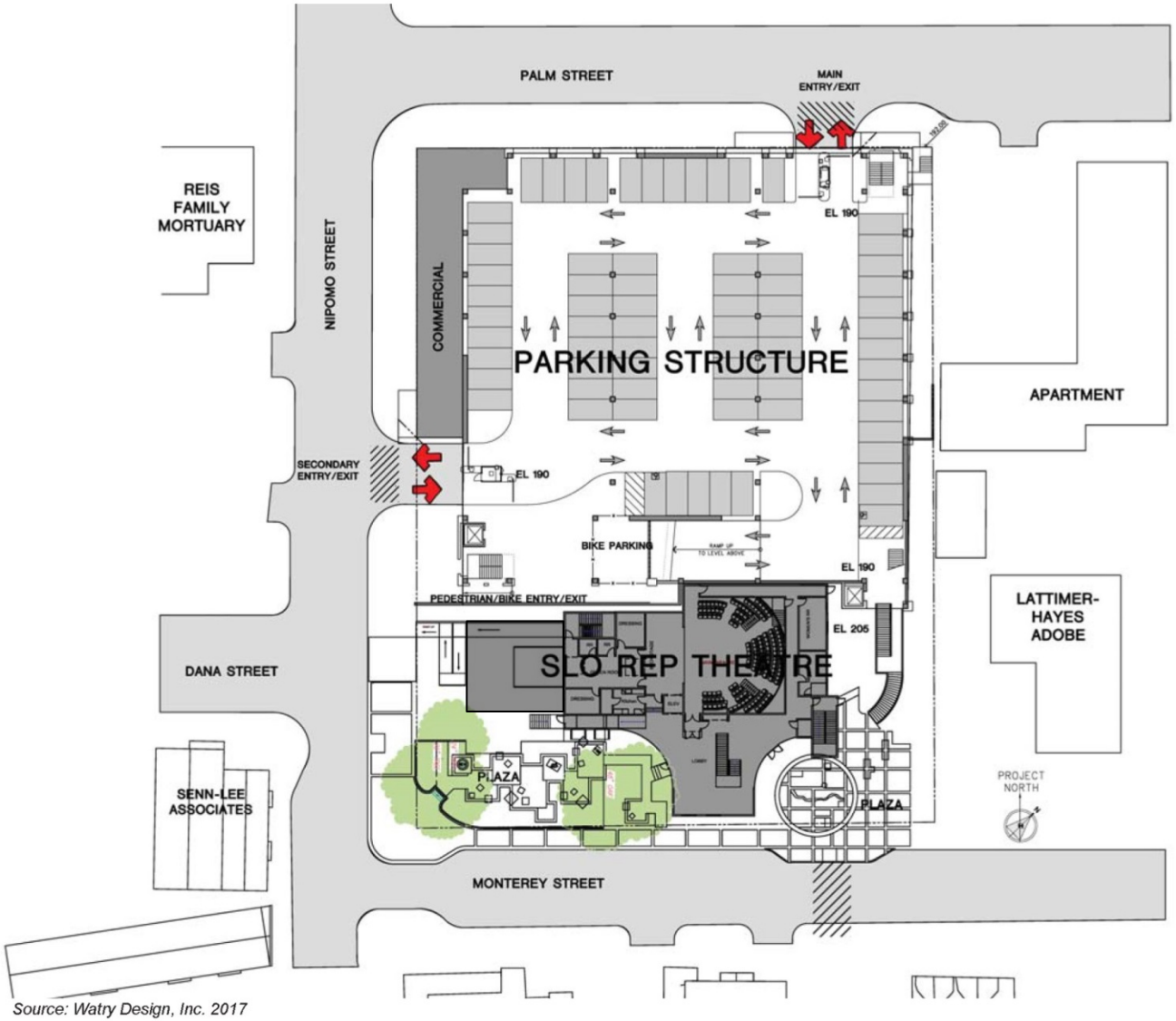
2.5 Project Characteristics

The project would involve the removal of an existing 77-space surface parking lot and five residential structures (including detached garage) and construction of an above-ground five-level parking structure, non-profit theater, and commercial space. Figure 5 shows the proposed site plan. The parking structure would provide up to 445 parking spaces.[2] Main vehicular access to the structure would be from Palm Street, with secondary access from Nipomo Street. Vehicle access would not be provided from Monterey Street; however, a direct pedestrian connection would be provided from the structure to Monterey Street. Pedestrian access would also be provided to public sidewalks from each corner of the structure and bicycle access would be provided from Nipomo Street. The parking structure's maximum height, excluding elevator towers, would be 50 feet (Figure 6). The maximum height of the elevator towers would be 64 feet above grade. The top deck of the parking structure would include a public use space in the northwest corner nearest to Palm and Nipomo Streets.

The project would also include 5,000 square feet of commercial space on two levels fronting Nipomo Street. The maximum height of the commercial space would be 41 feet above existing grade. In addition, the project would include a new structure for the San Luis Obispo Little Theatre (now the San Luis Obispo Repertory Theatre or SLO REP) that would front Monterey Street. The theater would be a three-story structure with a gross floor area of roughly 23,841 square feet. The base level would house a rehearsal area, workshop, storage and other amenities. The main level would be comprised of a main theater with ~~155~~191 seats, and a smaller theatre with ~~100~~99 reconfigurable seats, generating a total of ~~255~~290 seats. The third floor would include offices and a conference room. Entry to the theater would be provided at the street level through a public plaza along Monterey Street. The street level plaza would include a public seating area and incorporate public art. The maximum height of the theater would be approximately 43 feet above existing grade.

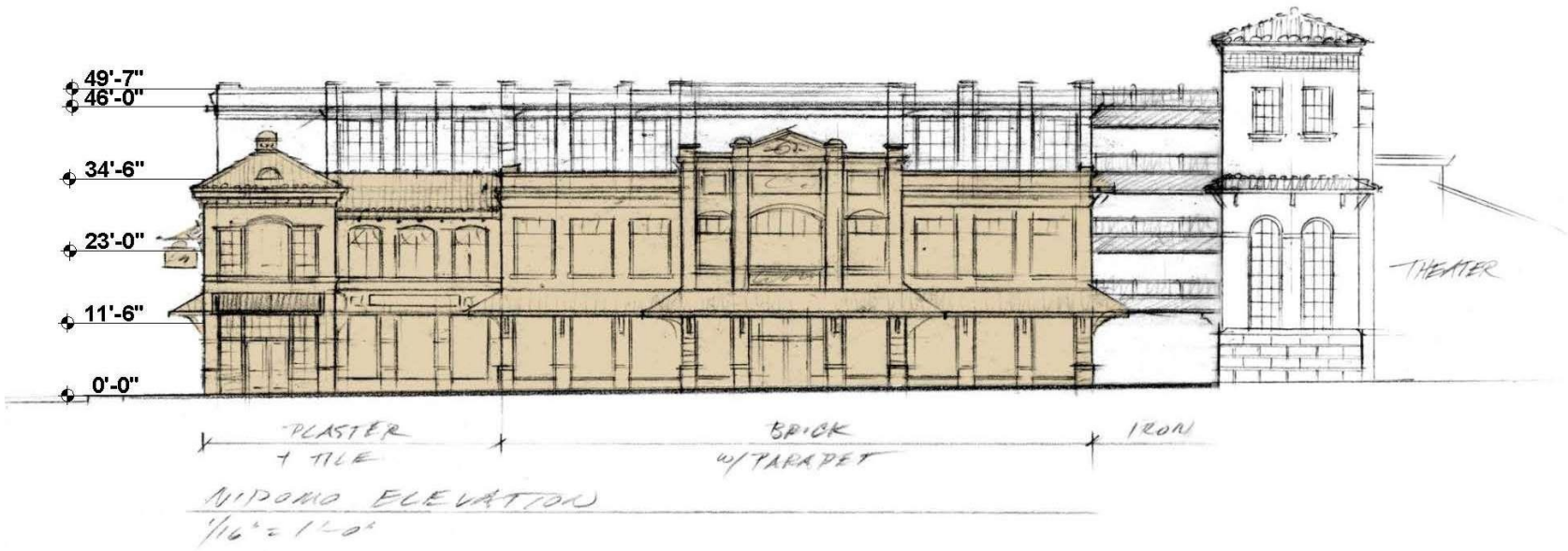
[2] The parking structure is undergoing design refinement with respect to the ultimate number of parking spaces. Based on the current design, the structure would provide 410 parking spaces; however, the analysis conservatively assumes a maximum of up to 445 parking spaces would be provided. Motorcycle parking would be provided in accordance with the ratios required in the City's Zoning Regulations (§17.16.060).

Figure 5 Site Plan



Source: Watry Design, Inc. 2017

Figure 6 Nipomo Street Elevation



Construction and Demolition

Project construction would last approximately 12 months and is anticipated to start in 2019. Project construction would include site preparation, demolition, grading, building construction, architectural coating, and paving. The project would involve the removal of almost all existing public and private improvements and existing trees and vegetation on the site, with the exception of the large oak tree along Monterey Street and the two trees at the corner of Nipomo and Monterey Streets. Demolition activities would involve removal of the existing surface parking lot, four residential structures[3], and detached garage.

The project would excavate to a depth of approximately 14 feet at the highest point of the site, along the southern and eastern boundaries of the parking structure. In total, earthwork for buildout of the project is estimated to require 6,400 cubic yards of cut, and 700 cubic yards of fill, resulting in a need for approximately 5,700 cubic yards of soil export.

The parking structure would be constructed using drilled caissons or rammed aggregate piers to support the structure. The project would not utilize the method of driven piles.

Site Access and Circulation

Vehicle

As mentioned above, vehicle access into and out of the parking structure would be provided via driveways on Palm Street and Nipomo Street, with one lane for ingress and one lane for egress at each driveway. Each driveway entrance would have storage to accommodate two inbound vehicles. The parking structure exits would be designed so that exiting vehicles would have at least 10 feet of a clear sight triangle to the sidewalk on both sides of the exit, unobstructed by building corners, columns, or any other visual impediments. This distance is measured from eight feet behind the stop bar and two feet to the right of the centerline where a driver would be located in a stopped vehicle. Motorcycle parking would be provided in accordance with the ratios required in the City's Zoning Regulations.

Pedestrian

Sidewalks on Nipomo Street would be widened to approximately 12 to 18.5 feet. The sidewalks on Palm Street and Monterey Street would be reconstructed, but remain at their current widths. As shown on Figure 5, a pedestrian crosswalk would be installed across Monterey Street, as well as a "bump out" of the sidewalk that extends into the street to increase pedestrian visibility at the crosswalk.

Bicycle

Bicycle parking would be provided near the parking structure's Nipomo Street entrance. Access would be shared with the pedestrian entrance, but the width would be 10 feet wide to accommodate both. Short- and long-term bicycle parking would be provided in accordance with the ratios required in the City's Zoning Regulations.

[3] As noted in Section 2.4.1 Setting, there are four residential structures containing five residences (three single-family residences and one secondary unit containing two separate apartments).

Conceptual Design

The following characteristics are proposed design features of the project.

- The parking structure would be set back ten feet from the eastern boundary. The theater would be set back from Monterey Street with a public plaza area in front.
- The façade of parking structure and commercial space would be designed to resemble a neighborhood building instead of a typical parking structure and with an architectural style similar to the surrounding Spanish Colonial architecture. Architectural design elements would include arches, stucco, tile roof, rusticated base, and multi-paned mullion pattern (Figure 7~~6~~).
- The openings on the parking structure would be articulated with mullions and sized to reflect traditional window openings in a building. Openings on the east side would have solid rails approximately 3.5 feet high.
- The Nipomo Street facade reflects and would complement the downtown architecture and steps down the building form to a two-story structure along Nipomo Street (Figure 8~~7~~).
- The theater would have a contemporary design with the primary exterior finish materials being a multi-colored terra cotta, rain-screen panel system eliciting a color scheme complimenting that of the nearby historic Mission San Luis Obispo de Tolosa-namely white, dun, and varying shades of terra cotta clay. Accent and secondary materials would be smooth troweled stucco in a dun tone, and split face and split fluted concrete masonry unit blocks in a terra cotta tone. In addition, there would be two prominent, curved glass curtain walls with brushed aluminum muntins that face Monterey Street.

Conceptual Lighting

Outdoor lighting would be fully shielded or recessed and downcast, consistent with the City's Municipal Code. Proposed exterior lighting would consist of dimmable white light-emitting diodes (LED) mounted to the buildings. Lighting inside the parking structure would consist of LED downlights with shielding elements. When viewed from outside of the parking structure, these shielding elements would eliminate any direct views of the light source.

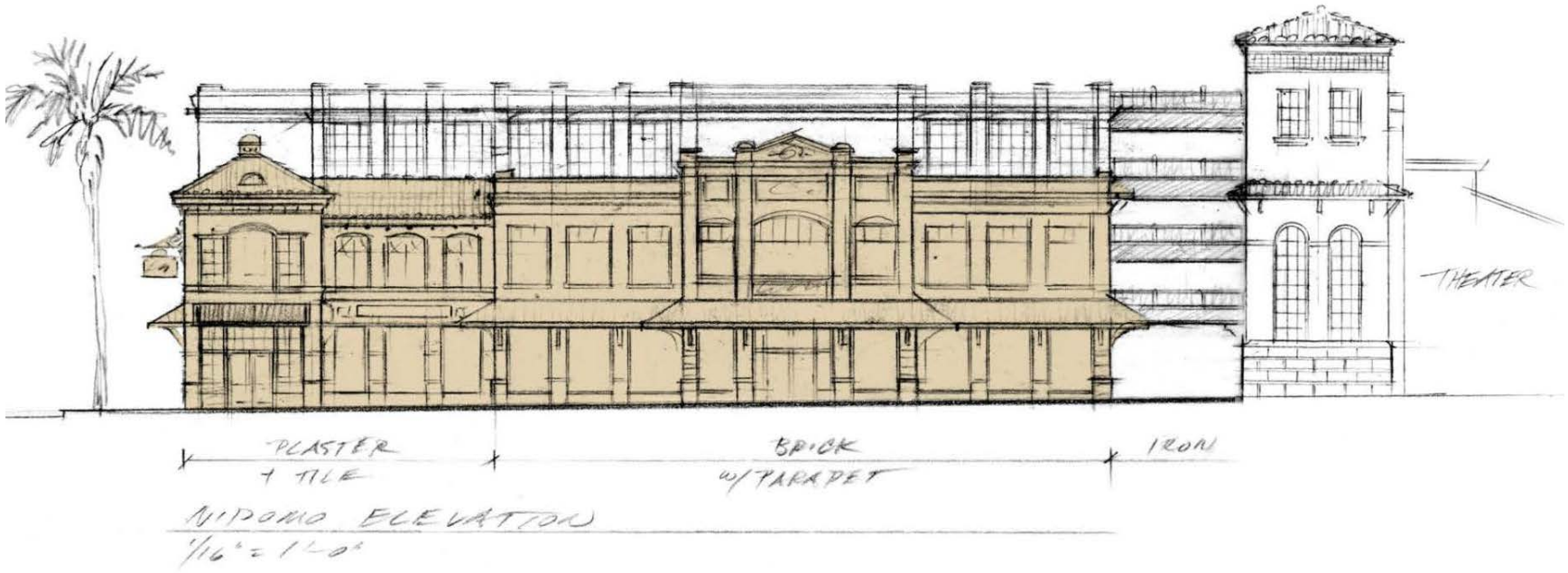
Lighting on the rooftop parking level would be provided by pole-mounted LED luminaires compliant with the City of San Luis Obispo Municipal Code, which requires rooftop lights to minimize spill and include full-cutoffs that reduce light pollution at night. To comply with the Title 24 energy codes, the parking structure would be controlled with photocells to conserve energy during daytime operational hours. The parking structure would also utilize occupancy sensors which would turn the lights off when no activity is detected in the structure.

The lighting concept for the plaza area is to provide low-level pedestrian lights (recessed wall lights and/or bollard lights) that give a safe light level for night use. Additionally, there would be accent lighting in the planters to illuminate the courtyard trees. Non-emergency lighting would be on automatic shut-off timers and lighting would be on motion-activated sensors where appropriate. Streetlights would be installed per City Engineering Standards, and the approved conceptual Downtown Lighting Plan (for streetlights along Monterey Street).

Figure 76 Conceptual Project Renderings (View of Parking Structure and Commercial Space from Corner of Palm and Nipomo Streets)

Source: RRM Design Group, 2016

Figure 8~~7~~ Conceptual Project Renderings (View of Commercial Space and Parking Structure from Nipomo Streets)



Source: RRM Design Group, 2016

Landscaping and Trees

Landscaping would consist of new street trees in accordance with the City of San Luis Obispo's street tree list (e.g., Brisbane Box, Carrotwood, Ficus, Queen Palms) along Palm, Nipomo, and Monterey streets, ranging from 8 to 12 feet high. After five years, the trees would be expected to achieve heights in the range of 16 to 30 feet tall. Existing trees, including the fern pine and oak on the corner of Monterey and Nipomo streets and the large oak tree on Monterey Street would remain. In addition, landscaping would include drought-tolerant shrub planters along the pedestrian plaza/walkways. Landscape irrigation would be designed to minimize the use of water and meet all water conservation practices required by the City's Municipal Code.

Utilities

Water, firewater, and wastewater service for the project would be provided by the City via adjacent main lines that surround the project site. No utility extensions would be required.

2.5.1 Project Objectives

Objectives for this project include the following:

- Provide a minimum of 400 parking spaces
- Accommodate cultural uses on Monterey Street in front of the structure
- Include a pedestrian-level public use plaza area at the corner of Nipomo and Monterey Streets
- Provide a direct pedestrian connection from the structure to Monterey Street
- Preserve the large oak tree on site
- Consider contextual sensitivity of surrounding properties (e.g., Lattimer-Hayes adobe)

2.5.2 Required Approvals

The following approvals would be required for the project:

- **General Plan Amendment.** Amend General Plan Land Use Map from Office and Medium-High Density Residential to Public
- **Zone Change.** Amend Zoning Map from Office with Historic Overlay (O-H) and Medium-High Density Residential to Public Facility with a Historic Overlay (PF-H)
- **Planning Commission Use Permit.** To allow the multi-level parking structure and non-profit theater with deviations to the setback requirements and building height limits[4], and ~~to~~ request a variance~~s~~ ~~for~~to the floor ~~to~~ area ratio to exceed 1.0 and to the maximum lot coverage to exceed ~~the~~ 60 percent ~~maximum lot coverage~~4
- **Architectural Review.** Including both Cultural Heritage Committee and Architectural Review Commission review

In addition, the following approval would be required:

- Regional Water Quality Control Board – National Pollutant Discharge Elimination System Permit

[4] **Zoning Regulations Table 9: Subsection 6. Parking as a principal use.** Use Permit approval may include deviations to otherwise applicable setback requirements and building height limits. A multi-level parking facility shall require the approval of a Use Permit by the Planning Commission.

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3 Environmental Setting

This section describes the general environmental setting near the project site. Specific description of the setting in each of environmental issue areas studied in this EIR can be found in the relevant chapters of Section 4.0, *Environmental Impact Analysis.*

3.1 Regional Setting

San Luis Obispo County is bounded by the Pacific Ocean to the west, Monterey County to the north, Kern County to the east, and Santa Barbara County to the south. As a region, San Luis Obispo County is moderately urbanized, but remains as a generally low-density, rural, agricultural area of California that has grown as a major tourist destination. The region includes seven incorporated cities: Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo. The seven incorporated urban areas include approximately 57 percent of the County's total population (2017 Census). All of the urban areas in San Luis Obispo County are linked to either State Route 1 or U.S. Highway 101 (U.S. 101), which are the primary transportation corridors serving the region.

San Luis Obispo is located between the San Lucia Mountains and the coastal mountains that frame the Los Osos Valley, including the Irish Hills and volcanic Morros. The City of San Luis Obispo is the business and government hub of San Luis Obispo County, and is the largest incorporated city between Santa Maria and Salinas. Cuesta Ridge lies to the north and east of the City, the Edna Valley is to the southeast and the ridges of the Davenport and Irish Hills are to the southwest. Agricultural valleys and open space surround most of the City, including vineyards and field crops, scrub oak, and grassland communities.

The City's topography and its proximity to the Pacific Ocean serve not only as major contributors to the scenic nature of the area, but also define the local climate. San Luis Obispo enjoys a Mediterranean climate, with mild winters, warm summers, and moderate rainfall. Weather systems are dominated by the Pacific High, a pressure zone centered off the coast of California that diverts storm tracks northward during the summer. The warmest month is generally September with an average maximum of about 77 degrees Fahrenheit (°F) and the coolest month is generally January with an average minimum of about 41°F, though highs in the 90s and lows in the 30s are not uncommon. Precipitation primarily falls between November and April, with an average annual rainfall of about 22 inches. San Luis Obispo is located in a seismically active region subject to sporadic seismic events of varying intensity.

3.2 Project Site Setting

The Palm Nipomo Parking Structure Project site is located south of Palm Street, east of Nipomo Street and north of Monterey Street in the City's Downtown Planning Area (City of San Luis Obispo 2014). The majority of the project site is also located in the City's Downtown Historic District. As such, the existing setting is urban and characterized by a wide variety of uses. These uses include, residential units, commercial and mixed-use development, the Mission College Preparatory school athletic field, and the San Luis Obispo Children's Museum.

The project site has been previously graded and developed and is surrounded by roads and urban structures. A 77-space surface parking lot, one detached garage, and four residential structures with five residences (three single-family residences and one secondary unit adjacent to Palm Street with two apartments) occupy the site. The existing parking lot provides public parking in metered stalls owned and operated by the City of San Luis Obispo. Ingress and egress to the lot is available from an at-grade driveway on Palm Street. Two of the residential units, 610 and 614 Monterey Street, are on the City's List of Contributing Historic Resources, which identifies structures that contribute to the significance of designated historic districts.

Elevations onsite range from 190 and 206 feet above mean sea level, and slopes are generally toward the northwest. Mature trees are scattered throughout the site and located on surrounding public sidewalks on Nipomo and Palm Streets. One of the trees on the site is a large oak tree along Monterey Street, which has the potential to be recognized as a "significant tree" by the City Council Tree Committee. The project site also includes several landscaped planting medians and areas. Partial views of Cerro San Luis are available from the central portion of the site.

Additional setting information is included in Section 2.4, *Existing Site Characteristics*, and each environmental topic subsection in Section 4.0, *Environmental Impact Analysis.*

3.3 Cumulative Development

Cumulative impacts are defined as two or more individual events that, when evaluated together, are significant or would compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be inconsequential when analyzed separately, but could have a substantial impact when analyzed together.

Section 15130 of the CEQA Guidelines requires a discussion of cumulative impacts. The CEQA Guidelines indicate that discussion of reasonably foreseeable cumulative projects may be drawn from either a "list of past, present, and probable future projects producing related or cumulative impacts" or a "summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact."

This EIR examines cumulative impacts based on a "summary of projections" of long-range general plan buildout of the City of San Luis Obispo. This includes buildout of existing vacant and underutilized parcels in the City through a buildout horizon of the year 2035, in accordance with existing General Plan land use designations established in the 2014 City of San Luis Obispo General Plan Land Use Element, as amended. The 2035 buildout cumulative land use reflects all major developments envisioned in the City's 2014 General Plan. Planned/programmed infrastructure improvements with an identified funding source identified within adopted City planning documents were also included as part of the cumulative scenario.

Cumulative impacts are discussed in each of the specific impact analysis discussions in Section 4.0, *Environmental Impact Analysis*.

4 Environmental Impact Analysis

This section discusses the possible environmental effects of the Palm Nipomo Parking Structure Project for the specific issue areas that were identified through the scoping process as having the potential to experience significant effects. "Significant effect" is defined by the CEQA Guidelines §15382 as:

> "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the City and other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under §15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a listing of mitigation measures (if recommended or required) and the residual effects or level of significance remaining after the implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the project in conjunction with other future development in the area.

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4.1 Aesthetics

In an urban context, the visual resources of a community consist in part of unique or architecturally recognized buildings, historic structures, and well-designed and harmonious buildings that contribute to community continuity and identity. They also consist of important street trees, plazas, parks, key vegetation, view corridors, and natural features that impart an overall visual impression on the community's landscape. This section addresses the potential for the project to create visual impacts as defined by the CEQA analysis and by the applicable City of San Luis Obispo visual policies, guidelines, and architectural compatibility standards with adjacent downtown structures.

4.1.1 Setting

a. Environmental Setting

Visual Character

The visual character of the area surrounding the city is generally defined by several low hills and ridges formed by the more resistant volcanic rocks of the area such as Bishop Peak and Cerro San Luis Obispo. These peaks are also known as Morros and provide a scenic focal point for much of the city. Along with the Morros, the Santa Lucia Mountains and Irish Hills visually frame San Luis Obispo and are considered the scenic backdrop for much of the city. The surrounding hills have created a hard urban edge for the City where development has remained in the lower elevations.

San Luis Obispo's downtown has been recognized for its distinctive main street environment, in part due to a planning focus on maintaining a visual quality of defined by a combination of features broadly characterized as pedestrian-orientated and historic (City of San Luis Obispo 2014). This characterization is created with continuous building storefronts, mid-block pedestrian connections, and trees and features in the public realm that are designed for and oriented to pedestrians. It is also created by the traditional development pattern that is prevalent within the Downtown Historic District. This traditional development pattern is associated with the numerous historic buildings in the Downtown Core and their components, such as traditional building materials, decorated parapets and cornices, and a combination of land use activities, including residential apartments or offices above retail storefronts (City of San Luis Obispo 2014).

The project site is located in the northwestern portion of the City's designated Downtown Planning Area, adjacent to the Downtown Core. The visual setting surrounding the site is that of an urbanized area with a mix of retail, office, tourist-serving, and residential land uses. These uses include residential, commercial, and mixed-use development; the Mission College Preparatory school and athletic field; and the San Luis Obispo Children's Museum. There are also two five-level parking structures and one three-story parking structure located within 0.25 mile of the project site in the downtown area. The majority of the project site and adjacent parcels to the east, south, and west are located within the City's Downtown Historic District, which affects its visual context along Monterey and Nipomo Streets. Figure 3 in Section 2.0, *Project Description*, shows the location of the project site in the context of the Downtown Planning Area, Downtown Core, and Downtown Historic District. The project site is located adjacent to the historic Hays-Lattimer Adobe and across Nipomo Street from the historic Harmony Creamery. Several properties along Nipomo and Monterey Streets in the immediate project vicinity, including two of the residences on the project site (further described below), are also designated contributors to the Downtown Historic District.

The downtown and project area contain a mix of historical buildings and newer developments. Buildings in the greater downtown area generally range between one and five stories in height and consist of a mix of architectural styles and building materials. Existing structures immediately near the project generally range from one to three stories. Architectural styles in the project area range from Spanish Colonial, Spanish Eclectic, Main Street or Traditional American Commercial, Post-World War II, and Modernistic. Figure 9~~8~~, Photos 1 through 4, show views of surrounding structures from the project site.

Visual Character of the Project Site

The project site currently contains urban development, including a 77-space surface parking lot, four residential structures containing five residences (three single-family residences and one secondary unit adjacent to Palm Street that has two apartments), and one detached garage. These buildings range from one to two stories and vary in architectural style and building materials. The residences at 633 and 633-1/2 Palm Street are one- and two-story buildings respectively with clad walls, and wide beveled wood boards on most of the north facade and plaster on all remaining facades. The single-family residences located at 610 and 614 Monterey Street are designated by the City as contributors to the Downtown Historic District, providing continuity to the historic streetscape (Section 4.2, *Cultural and Tribal Cultural Resources*). The 610 Monterey Street residence is a single-story vernacular residence with a detached garage. The walls are clad with plaster and the structures do not exhibit distinctive architectural characteristics or high artistic values (Applied EarthWorks 2011). The 614 Monterey Street residence is single-story, mission-influenced vernacular residence constructed of adobe. A large oak tree in the front yard is an important landscape feature on this property. Figure 9~~8~~, Photo 5 shows these two residences and oak tree from Monterey Street and Figure 9~~8~~, Photo 6 shows the 610 Monterey Street residence and detached garage from Nipomo Street. Mature landscaping and trees are interspersed between the parking spaces in the parking lot and between the existing residences. Mature street trees also line the property edge along Palm Street and a portion of Nipomo Street (Figure 9~~8~~, Photo 7). The utility poles and wires that surround and cross over the site are another dominant visual feature of the project site. Elevations onsite range from 190 and 206 feet above mean sea level, and slopes are generally toward the northwest.

Views of the Project Site

Because of the project site's location in a developed urban area, views of the project site are generally limited to short-range views (views adjacent to the site), while long-range views (views that are more than a quarter mile from the site) are blocked by existing development or vegetation. Short-range views of the project site are generally available to private properties that immediately border the site and travelers along the Nipomo, Monterey, and Palm Streets. These views are partially screened by the existing mature vegetation and generally blend with surrounding development.

Scenic Vistas

The City's General Plan Conservation and Open Space Element (2006) identifies scenic vistas and roadways in the city. The project site is not located in a City-designated scenic vista or in the viewshed of a scenic roadway. While not receiving special view protection status in the General Plan, limited views of Cerro San Luis Obispo are available from public sidewalks surrounding the site and from the open parking area on the site. Figure 9~~8~~, Photo 3, shows the view from the project site at the corner of Monterey and Nipomo streets; Figure 9~~8~~, Photo 5, shows the view along Monterey Street; and Figure 9~~8~~, Photo 8, shows the view from the parking area on the project site.

Figure 98 Site Photographs

Photograph 1. View of 667 Monterey Street from project site looking south

Photograph 2. View of mixed-use Soda Works building from project site looking west

Photograph 3. View of historic Harmony Creamery (Reis Family Mortuary) from project site at the corner of Monterey and Nipomo streets looking northwest

Photograph 4. View of San Luis Obispo Children's Museum from project site looking southwest

Photograph 5. View of project site (existing residences at 610 and 614 Monterey Street) from Monterey Street, looking north

Photograph 6. View of project site (existing residence at 610 Monterey Street and detached garage) from Nipomo Street, looking east

Photograph 7. View of project site at intersection of Nipomo and Palm Street, looking southeast

Photograph 8. View of Cerro San Luis Obispo from project site, looking northwest

Light and Glare

Nighttime lighting conditions vary throughout the city, from heavily lit areas of commercial development to more rural areas with little night lighting. There is existing street lighting within the project vicinity at the corners of Nipomo and Palm Streets and Monterey and Nipomo Streets, as well as along Nipomo and Monterey Streets. The Mission High School athletic field emits a large quantity of nighttime lighting during evening athletic sporting events. The majority of light and glare in the project vicinity is generated by commercial development in the form of security lighting on buildings and parking lots. Lighting and glare levels in the project vicinity (i.e., surrounding the site) are typical of urban areas. Vehicle headlights, street lighting at intersections and along the streets, and building lighting, contribute to the existing light setting to the north, south, and east of the project site. Existing sources of lighting on the project site include outdoor lighting from the residential units and one overhead parking lot light with two lamps.

Visual Character of the Project

The project would include the construction of a five-level parking structure, non-profit theater, and commercial space on a 1.38-acre (approximately 60,329 square foot) lot. The parking structure would have a maximum height of 50 feet, excluding elevator towers. The maximum height with elevator towers would be 64 feet above grade. The theater would be a three-story structure with a maximum height of 43 feet. The project would also include 5,000 square feet of commercial space on two levels (approximately 41 feet) fronting Nipomo Street. The parking structure would be set back 10 feet from the eastern boundary. The project's building footprint would be approximately 44,487 square feet. The gross floor area of all buildings would be 191,591 square feet (Table 1).

Main vehicular access to the structure would be from Palm Street, with secondary access from Nipomo Street. Vehicle access would not be provided from Monterey Street, but a direct pedestrian connection would be provided from the structure to Monterey Street. Pedestrian access would also be provided to public sidewalks from each corner of the structure, and a mid-block pedestrian crosswalk would be installed across Monterey Street. Sidewalks on Nipomo Street would be widened to approximately 12 to 18.5 feet.

The parking structure and commercial space would be Spanish Colonial Revival in style. Architectural design elements of the parking structure and commercial building would include arches, stucco, tile roof, rusticated base, and multi-paned mullion pattern. The openings on the parking structure would be articulated with mullions and sized to reflect traditional window openings in a building. Figure 7~~6~~ shows a conceptual rendering of the parking structure and commercial space from the corner of Palm and Nipomo streets. Figure 8~~7~~ shows a conceptual rendering of the commercial space and parking structure from Nipomo Street.

The theater structure would be a modern structure. Architectural design elements of the theater would include a multi-colored terra cotta rain screen panel system, smooth troweled stucco, concrete masonry unit blocks, and two curved glass curtain walls with brushed aluminum muntins.

A public plaza would be provided at the street level along Monterey Street and would provide public seating area and incorporate public art. The top deck of the parking structure would also provide a public use area in the northwest corner nearest to Palm and Nipomo Streets. Landscape features would include the three existing trees that would be retained, new street trees, and a variety of potted palms and shrubs.

b. Regulatory Setting

The City of San Luis Obispo regulates aesthetics of buildings and public spaces through implementation of adopted policies and programs presented in the City's General Plan Land Use Element and Conservation and Open Space Element, and Downtown Concept Plan, as well as the implementing statutes of the Municipal Code/Zoning Regulations, Community Design Guidelines.

City of San Luis Obispo General Plan Land Use Element (2014)

The Land Use Element includes a number of aesthetic and design policies that would apply to the proposed project:

- **Policy 4.5 Walking Environment.** The City shall plan and manage Downtown to include safe, interesting places for walking and pleasant places for sitting. To this end:
  A. Mid-block walkways, courtyards, and interior malls should be well lit and integrated with new and remodeled buildings, while preserving continuous building faces on most blocks.
  B. Downtown streets should provide adequate space for pedestrians.
  C. There should be a nearly continuous tree canopy along sidewalks, and planters should provide additional foliage and flowers near public gathering areas.
  D. Public art should be placed along pedestrian paths.
  E. Traffic calming and pedestrian safety should be enhanced, where appropriate, through such features as road tables, pavement changes, bulb outs, and scramble intersection signals.
  F. Landscaping should mitigate harsh microclimates.
- **Policy 4.6 Commercial Activity in Civic Buildings.** Civic buildings shall incorporate commercial activity at the street level where appropriate.
- **Policy 4.14 Parking.** The City shall ensure there is a diversity of parking opportunities in the Downtown. Any major increments in parking supply should take the form of structures, located at the edges of the commercial core, so people can walk rather than drive between points within the core. Retail uses outside the core, and professional office developments, may have onsite parking for customers and clients.
- **Policy 4.16 Building Conservation and Compatibility**. The City shall ensure that architecturally and historically significant buildings are preserved and restored and that new buildings are compatible with architecturally and historically significant buildings, but not necessarily the same style.
- **Policy 4.17 New Buildings and Views.** Downtown development nearby publicly owned gathering places shall respect views of the hills. In other locations Downtown, views will be provided parallel to the street right-of-way, at intersections where building separation naturally makes more views available, and at upper-level viewing decks.

City of San Luis Obispo General Plan Conservation and Open Space Element (2006)

The following Conservation and Open Space Element policies pertain to visual resources and would apply to the project:

- **Policy 9.1.2 Urban Development.** Urban development should reflect its architectural context. This does not necessarily prescribe a specific style, but requires deliberate design choices that acknowledge human scale, natural site features, and neighboring urban development, and that

are compatible with historical and architectural resources. Plans for sub-areas of the City may require certain architectural styles.

- **Policy 9.1.5 View Protection in New Development.** The City will include in all environmental review and carefully consider effects of new development, streets, and road construction on views and visual quality by applying the Community Design Guidelines, height restrictions, hillside standards, Historical Preservation Program Guidelines, and CEQA and the CEQA Guidelines.
- **Policy 9.1.6 Night-sky Preservation.** City will adopt a "night sky" ordinance to preserve nighttime views, prevent light pollution, and to protect public safety by establishing street and public area lighting standards.
- **Policy 9.2.3 Outdoor Lighting.** Outdoor lighting shall avoid: operating at unnecessary locations, levels, and times; spillage to areas not needing or wanting illumination; glare (intense line-of-site contrast); and frequencies (colors) that interfere with astronomical viewing.

City of San Luis Obispo Zoning Regulations

The Zoning Regulations consist of the zoning map, lists of uses allowed in certain zones, property-development standards such as maximum building height and minimum parking, and procedures intended to give the interests of development applicants and other citizen's fair consideration. The following standards from the Zoning Regulations would apply to the project:

- **Chapter 17.18.030, Illumination.** No lighting or illuminated device shall be operated so as to create glare which creates a hazard or nuisance on other property.
- **Chapter 17.23, Night Sky Preservation.** Establishes lighting regulations that encourage lighting practices and systems that will:
  A. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambience of night;
  B. Curtail and reverse any degradation of the nighttime visual environment and the night sky;
  C. Minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
  D. Help protect the natural environment from the damaging effects of night lighting; and
  E. Meet the minimum requirements of the California Code of Regulations for Outdoor Lighting and Signs (Title 24, Chapter 6).

City of San Luis Obispo Community Design Guidelines

The Community Design Guidelines are used by the City and its advisory bodies in the review of proposed development projects to help ensure that such projects meet the City's expectation for the quality and character of new development. Design review considers building design, site planning, landscaping, parking layout, signs, and other features that affect project appearance and function. In examining these project features, the design review process looks at the way a project relates to the site, the surrounding neighborhood, and the community as a whole. The City's Community Design Guidelines (2010) identify the following principles and guidelines related to aesthetics and visual resources:

- **Chapter 2 – General Design Principles.** The main concern in this chapter is for a smooth transition between existing elements, new design, and basic design principles.

- **Chapter 4 – Downtown Design Guidelines.** This chapter notes that design is most important in the downtown area and offers guidelines related to architectural lines, forms, and materials.
- **Chapter 6 – Site Planning and Other Design Details.** This chapter provides guidelines for specific details of site and building design, such as lighting, fences and walls, public art, landscaping, and other items that apply to all development. Section 6.3 provides specific language for the development of parking facilities within the downtown with objectives including encouraging structured parking, parking areas designed to serve pedestrian needs and vehicle needs, parking lots placed behind buildings, minimizing number of driveways, and providing planters along driveways.

Architectural Review Commission

The City's Architectural Review Commission (ARC) reviews and approves the design for proposed buildings within the City. Architectural review is a process whereby the City's ARC examines a proposed project's layout, building design, its relationship to the neighborhood in which it would be located, landscaping, parking, signage, lighting, and other features affecting the project's appearance and function. This process would be applied to the proposed project, and may result in conditions or design modifications that expand on mitigation measures that may be included in this EIR. The ARC uses the City's Community Design Guidelines as a basis for evaluating the suitability and appropriateness of individual project design to help achieve attractive and environmentally sensitive development. Refer to Section 4.2, *Cultural and Tribal Cultural Resources*, for the regulatory oversight and requirements associated with the designation and management of contributing historic resources.

Historic Preservation Guidelines

The staff, City Council, Planning Commission, Cultural Heritage Committee, and other advisory bodies use the Historic Preservation Guidelines to review projects in a historic district or on property with a listed historic resource to ensure protection of historic resources. With regard to aesthetics, the guidelines state "new structures in historic districts shall be designed to architecturally compatible with the district's prevailing historic character as measured by their consistency with the scale, massing, rhythm, signature architectural elements, exterior materials, siting, and street yard setbacks of the districts historic structures" (City of San Luis Obispo 2010:7).

San Luis Obispo Downtown Concept Plan (2017)

This plan presents community's vision for how downtown San Luis Obispo should be developed over the next 25 years. It expresses this vision through a series of design principles, project goals, an illustrative physical plan, mobility diagrams, and an action list of public projects. The plan specifically identifies the proposed project a part of the overall vision. With regards to parking, the plan states, "The intention is to direct drivers to parking structures first, so they will not need to drive through the downtown core." It also states, "Parking structures will have limited street frontage, located behind other uses that are more compatible with a vibrant downtown street. Roofs on some parking structures or adjacent buildings are envisioned with other public benefits, such as parks, plazas, outdoor dining, photovoltaic shade structures, and access to views." In addition, the following goals would apply to the proposed project:

- **2.3.** Provide opportunities for a variety of new public spaces downtown, including pocket parks, plazas, wide sidewalks with seating, an expanded Creek Walk, parklets, and creative uses of rooftops.

- **5.1.** Locate parking structures strategically on the periphery of downtown within easy walking distance to major activity areas.
- **7.1.** Support compatible building heights that fit within the context and scale of current development patterns. Generally, new buildings should not exceed 50 feet in height and should be set back above the second or third story.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds

The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. The existing visual character of the site and its surroundings is determined by the attributes of specific features and patterns within the urban environment. Evaluation of potential project impacts on the existing visual character of the site and surroundings requires analysis of the elements of the project that would be introduced and how those changes (separately or collectively) would affect the character of the site and views of it from public offsite locations. The analysis is based on field survey and photo documentation of the project site and a review of project plans, renderings, and Google Earth massing files.

The following criteria are based on Appendix G of the State CEQA Guidelines, but have been modified to reflect local policies pertaining to aesthetics and visual resources. An impact is considered significant if the project would result in one or more of the following conditions:

1. Have a substantial adverse effect on a scenic vista. (For publicly owned gathering places, such as Mission Plaza, projects are to respect views of the hills, framing rather than obscuring them. For other downtown projects more removed from publicly-owned gathering places, such as the proposed project site, the direction is that "views will be provided parallel to the street right-of-way, at intersections where building separation naturally makes more views available, and at upper-level viewing decks")
2. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway
3. Substantially degrade the existing visual character or quality of the site and its surroundings (This may include loss of visual landmarks or historic structures with visual significance, loss of major onsite landscape features, or degradation by change of character when placed in the context of the existing surroundings)
4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area

The Initial Study for the project found that the project would not have a substantial effect on a scenic vista (criterion 1) or substantially damage scenic resources within a state scenic highway (criterion 2) because the project is not located in a designated scenic vista or in the viewshed of a state scenic highway. However, in response to the Notice of Preparation circulated on May 1, 2017 for this EIR, concern was expressed regarding views of Cerro San Luis Obispo. To address this concern, potential impacts on a scenic vista are further analyzed in this section. Criterion 2 is discussed in Section 5.0, *Issues Addressed in the Initial Study.*

b. Project Impacts

Impact ~~N~~AES-1 THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE IMPACT ON A SCENIC VISTA BECAUSE IT IS NOT LOCATED IN A CITY-DESIGNATED SCENIC VISTA. IMPACTS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The project site is currently developed with a surface parking lot, five residences, and a detached garage. It is not considered a publicly owned gathering place and is not located in the vicinity of a City-designated scenic vista or within the viewshed of a scenic roadway (City of San Luis Obispo 2006). Therefore, the project would not have a substantial adverse impact on a designated scenic vista.

While not receiving special view protection status in the General Plan, limited views of Cerro San Luis Obispo are available from public sidewalks surrounding the site and from the open parking area on the site (Figure 9~~8~~, Photos 3, 5, and 8). The project would involve the removal of the existing surface parking lot, detached garage, and residence and construction of an above-ground five-level parking structure, non-profit theater, and commercial space. The introduction of these new structures would not alter existing views along Nipomo or Palm streets, but would block street-level views from Monterey Street; however, as shown in Figure 9~~8~~, Photo 5, these views are currently limited due to existing structures and trees on the project site and they are not City-designated scenic views.

The project would include a public use area on the top deck of the parking structure, in the corner nearest to Cerro San Luis Obispo, which would provide for enhanced public views of Cerro San Luis Obispo, which would be a beneficial effect. This is consistent with General Plan Land Use Element Policy 4.17. Therefore, the project would not have a substantial adverse impact on a scenic vista or view and this impact would be less than significant.

Mitigation Measures

No mitigation measures are required.

Significance After Mitigation

No mitigation measures are required, impacts are less than significant.

Impact ~~N~~AES-2 THE PROJECT WOULD PERMANENTLY ALTER THE EXISTING VISUAL CHARACTER OF THE SITE BECAUSE IT WOULD INTRODUCE NEW STRUCTURES THAT ARE SUBSTANTIALLY DIFFERENT IN TERMS OF SIZE, SCALE, AND MASSING. THIS IMPACT WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

Construction

Project construction would last approximately 12 months and is anticipated to start in 2019. Project construction activities would include site preparation, demolition, grading, building construction, architectural coating, and paving. Site preparation and demolition would involve the removal of the existing surface parking lot, four residential structures, and detached garage, and much of the existing vegetation on the site, with the exception of the large oak tree along Monterey Street and the two trees at the corner of Nipomo and Monterey Streets. Project construction activities, as well as truck traffic and temporary storage of construction materials and equipment would be visible at various times from a limited number of residences and businesses, as well as from motorists and pedestrians on Palm, Nipomo, and Monterey Street. These activities, along with the use of heavy

construction equipment, would temporarily change the visual character of the site, such that it would be incompatible with existing adjacent buildings. Construction, however, would be temporary and short-term, and any impacts with construction activity on visual character would be less than significant.

Operation

The project would involve the removal of the existing surface parking lot and one- and two-story residential structures (including detached garage) and the construction of an above-ground five-level parking structure, non-profit theater, and commercial space. The project would require a General Plan amendment/Zone Change to Public/Public Facility with a Historic Overlay (PF-H). It would also require the approval of a Use Permit by the Planning Commission to allow the multi-level parking structure and non-profit theater, as well as deviation to otherwise applicable setback requirements and building height limits. The commercial use would be allowed as accessory use of the parking and theater facilities. In addition, the project would require variances for the floor to area ratio to exceed 1.0 and maximum coverage to exceed 60 percent.

The existing visual character of the site and surrounding area is characterized by one- to three-story buildings that are approximately 50 to 75 feet wide. Although the commercial space and non-profit theater would be 41 to 43 feet high, the maximum height of the parking structure would be 50 feet. The project would also have an approximately 200 x 200 square foot floor area, with a 10 foot setback from the eastern project boundary. This is substantially taller and wider than the other surrounding development, and would alter the surrounding visual setting.

Although the project would generally be consistent with the height and setbacks of other higher-density development in the downtown, including other parking structures, these structures are not close enough to the project to generate a visually similar consistent use from most viewpoints. Therefore, the project would substantially alter the existing visual character of the site and surroundings by inserting a new visual feature that is inconsistent with the height, scale, and massing of surrounding development, and would represent a significant change in visual character from existing conditions.

The parking and commercial structures would include design features intended to minimize visual impacts. The façade of the parking structure would be designed to resemble a neighborhood building instead of a typical parking structure and incorporates design elements, including arches, stucco, tile roof, and rusticated base. The openings on the parking structure would be articulated with mullions and sized to reflect traditional window openings in a building. Figure 7~~6~~ and Figure 8~~7~~ show conceptual renderings of the parking structure and commercial components of the project.

In addition, the single, large oak tree along Monterey Street would be retained to maintain the important landscape feature of the project site. Street trees would be replaced, and in some locations, added along Palm, Nipomo, and Monterey Streets with new trees in accordance with the City's street tree list (e.g., Brisbane Box, Carrotwood, Ficus, Queen Palms). Landscaping, including shrub planters, would also be provided along the pedestrian plazas/walkways. The project would also provide street level features, including a public plaza, seating, and public art. Although the project would include these mitigating features, the size, scale, and massing of the project would nonetheless represent a significant change in visual character. This impact would be significant and unavoidable.

Mitigation Measures

As discussed in the impact analysis and described in the project description, the project includes various features that are intended to mitigate visual impacts. No additional mitigation measures are feasible.

Significance After Mitigation

The project features would reduce visual impacts to the extent feasible, however, due to the size, scale, and massing of the project, impacts related to a change in visual character would remain significant and unavoidable.

Impact ~~N~~AES-3 IMPLEMENTATION OF THE PROJECT WOULD RESULT IN AN INCREASE IN NIGHTTIME LIGHTING AND DAYTIME GLARE AT THE PROJECT STREET; HOWEVER, WITH MITIGATION, THIS INCREASE WOULD NOT ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA. IMPACTS WOULD BE CLASS II, SIGNIFICANT BUT MITIGATABLE.

The project would introduce new lighting from car headlights and for parking and pedestrian ways and lighting for the commercial space and theater. Such lighting could create new sources of light or glare. While the project site is located in an urban area where substantial nighttime lighting currently exists, the increased height of the proposed structure and the proximity to residential uses could result in light spillover and additional glare. To address potential impacts from car headlights, the parking structure has been designed to minimize openings on the east side to the extent feasible, while still complying with health and safety code. In addition, the parking structure would have solid rails approximately 3.5 feet high, which would block headlights from directly shining on the adjacent residential properties.

No specific lighting plan is included as part of the project plans at this time. However, the goals of the exterior lighting plan are to provide light in areas such as paths and walkways, entrances and exits, parking and emergency areas, and places and buildings of interest. In addition, exterior lights would be shielded and down-lit to reduce light spillover. Exterior lighting would be controlled by sensors and timers. Furthermore, the project would be subject to the City's Night Sky Ordinance Number 1527 (Chapter 17.23 of the Municipal Code) and the Community Design Guidelines, Section 6.1-C. However, design decisions relating to the City's Night Sky Ordinance do not ensure that the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Therefore, this impact would be potentially significant.

Mitigation Measures

Mitigation Measure AES-3(a) and AES-3(b) would be required to minimize potential light and glare impacts.

AES-3(a) Lighting Plan

Prior to issuance of building permits, the applicant shall prepare and submit a comprehensive lighting plan for Architectural Review Committee review and approval. The lighting plan shall be consistent with the Municipal Code Night Sky Ordinance, and prepared using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, driveways, paths, plazas, safety, and signage. The lighting plan must include identification of all types, sizes, and

intensities of wall mounted building lights and landscape accent lighting, and a photometric map must be provided. The lighting plan shall include the following:

A. The point source of all exterior lighting shall be shielded from offsite views
B. Light trespass from exterior lights shall be minimized by directing light downward and utilizing cut-off fixtures or shields
C. Lumination from exterior lights shall be the lowest level allowed by public safety standards
D. Exterior lighting shall be designed to not focus illumination onto exterior walls
E. Any signage visible offsite shall not be internally laminated

AES-3(b) Glare Reduction

To minimize impacts on residential development in proximity to the project site, roof and building materials shall be non-reflective, and shall be muted in hues consistent with standards in the Community Design Guidelines, Section 6.1-C.

Significance After Mitigation

Adherence to the mitigation measures, in conjunction with the requirement for the Architectural Review Commission to review the development and its proposed lighting and potential glare, would reduce potential lighting and glare impacts to a less than significant level. Application of existing policies and Municipal Code Night Sky Ordinance would further ensure that light and glare impacts would be less than significant.

c. Cumulative Impacts

The project, in combination with approved, pending, and proposed development in San Luis Obispo, would contribute to increasing urbanization of the downtown area. The proposed project, in combination with other cumulative development allowed under the General Plan would increase the intensity of development (size, scale, and massing) in the area, altering the fundamental character from predominantly older one- to two-story structures to a mix of such older buildings interspersed with new taller structures of four- to six-stories. As discussed under Impact AES-2, the project would result in a significant and unavoidable impact associated with the change in visual character due to the increase in size, scale, and massing of the proposed structures. In combination with other development, its contribution to this impact would be cumulatively considerable.

Cumulative development would be subject to similar existing City regulations pertaining to light and glare as discussed under impact AES-3. New sources of light and glare within the urban boundaries of the city would be evaluated on a case-by-case basis to ensure compatibility with surrounding uses. While the proposed project would introduce new sources of light and glare in the project area, implementation of mitigation measures AES-3(a) and AES-3(b) would ensure lighting and glare would be compatible with surrounding uses and compliance with existing policies and design review procedures would reduce impacts on a project-by-project basis. Therefore, the proposed project's impacts to light and glare would not be cumulatively considerable.

Mitigation Measures

No additional mitigation is available to address cumulative impacts to visual character.

Significance After Mitigation

Cumulative visual character impacts would remain significant and unavoidable.

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4.2 Cultural and Tribal Cultural Resources

This section analyzes potential impacts to cultural and tribal resources as a result of the proposed project. The analysis is based on the 2011 Cultural Resources Study prepared by Applied Earthworks (Appendix C).

4.2.1 Setting

a. Environmental Setting

Prehistoric Setting

The project site is located in what is described generally as the Central Coast archaeological region, one of eight organizational divisions of California (Jones and Klar 2007, Moratto 1984). The Central Coast archaeological region extends from Monterey Bay to Morro Bay, and includes the County of San Luis Obispo. The prehistoric cultural chronology for the Central Coast is generally divided into six periods: Paleoindian (ca. 10,000–6,000 B.C.), Millingstone (6,000–3,000 B.C.), Early and Early-Middle Transition (3,000–600 B.C.), Middle (600 B.C. - A.D. 1000), Middle-Late Transition (A.D. 1000–A.D. 1250), and Late (A.D. 1250–historic contact [ca. A.D. 1769]) (Jones and Klar 2007).

Several chronological sequences have been devised to understand cultural changes along the Central Coast from the Millingstone Period to contact. Jones (1993) and Jones and Waugh (1995) presented a Central Coast sequence that integrates data from archaeological studies conducted since the 1980s. Three periods, including the Early, Middle, and Late periods, are presented in their prehistoric sequence subsequent to the Millingstone Period. More recently, Jones and Ferneau (2002) updated the sequence following the Millingstone Period as follows: Early, Early-Middle Transition, Middle, Middle-Late Transition, and Late periods. The archaeology of the Central Coast subsequent to the Millingstone Period is distinct from that of the Bay Area to the north and Central Valley to the east. The region has more in common with the Santa Barbara Channel area during the Middle and Middle-Late Transition periods, but few similarities during the Late period (Jones and Ferneau 2002).

Historic Setting

Post-European contact history for California is divided generally into three periods: the Spanish Period (1769–1822), the Mexican Period (1822–1848), and the American Period (1848–present). The Spanish Period brought the establishment of the California mission system, while the Mexican Period is largely known for the division of the land of California into private land holdings. Following the Mexican-American war, the United States purchased California from Mexico; population of the state subsequently increased, particularly during the Gold Rush.

Following the arrival of the first Europeans, Padre Junipero Serra founded Mission San Luis Obispo de Tolosa in 1772. The population of native people at the mission declined rapidly. In 1803, there was a peak of 919 Native Americans residing at the mission, but by 1838 the population had declined to 170. In 1822, California became a Mexican Territory, and the mission lands gradually became private ranchos through Mexican land grants. In 1846, the Bear Flag Rebellion resulted in California's independence from Mexico, and control of the territory soon fell into the hands of the United States.

The City of San Luis Obispo was incorporated in 1876 (Angel 1883). The city's early development is closely associated with Mission San Luis Obispo de Tolosa, the Coast Line Stage which carried U.S. mail for Wells Fargo and Company through San Luis Obispo to points north and south of the City, and the pacific railway which made San Luis Obispo the commercial center of the region and provided access for passenger steamer service (Kocher 1972; Tognazzini 1993; Cooper 1875; Angel 1883). The completion of the mainline Southern Pacific rail line allowed travel and shipment of goods with greater opportunities for selling and buying commodities. The establishment of California Polytechnic State University in 1903 as a vocational school on 281 acres was also a significant draw for the city. Later development was driven by the completion of U.S. Highway 101 as San Luis Obispo was a prime location for travelers to rest on the long trip from San Francisco to Los Angeles and the establishment of the nearby military base at Camp San Luis Obispo (City of San Luis Obispo 1983; Krieger 1988; Palmer et al. 2001).

Beginning in 1945, following the end of World War II, San Luis Obispo experienced a period of modernization in the second half of the twentieth century, mainly due to returning soldiers. The influx of new commerce required new development, with older buildings demolished to make way for more modern structures and parking lots. Many of the older buildings demolished were residential homes. City landmarks and many remaining adobes were lost during this period. Growth required an influx of parking to accommodate downtown customers. Many city surface parking lots were established in the downtown, including the one on the current project.

Project Site Historic Context

Properties lining Monterey and Higuera streets between Nipomo and Santa Rosa streets were rapidly developed in the 1860s for both commercial and residential purposes. The Harris and Ward Map established Block 9, bounded by Palm, Broad, Monterey, and Nipomo streets, divided into six lots. The project site encompasses Lots 1 and 2 whose owners were identified as: Lot 1, illegible and Lot 2, Roberto Villa. Roberto Villa presented a Petition for Grant for Lot 2 in 1870. He had settled on the land in 1855 and his property and a solitary structure appear on an 1859 petition for land that also depicts a fence on Lot 1 (at the corner of Palm and Nipomo Streets). By 1874, the project site had been divided into three lots (Applied EarthWorks 2011).

During the last quarter of the nineteenth century, the project area experienced little change while Monterey Street, to the east, continued to develop with commercial and residential infill. Within the project area, dwellings at 610, 614, and 630 Monterey Street exhibited small additions to the rears of the buildings. The 1886, 1888, and 1891 Sanborn Maps show three residences within the project area, including an outhouse at the rear of the adobe on Lot 3. James Moore operated a dyeing and cleaning business in a shed at 614 Monterey Street. Three small ancillary buildings and one a shed were present at 610 Monterey Street. All of the buildings are no longer present on the project site.

Shortly after the turn of the twentieth century, the city began improving streets by grading roads and filling in low places with gravel, and new development followed these improvements. Within the project area, a house was constructed in Lot 1 along with an outhouse or shed. During this same time, James Moore moved his dyeing and cleaning business from 614 Monterey Street to 610 Monterey Street. By the 1930s, the structures at 610 and 614 Monterey Street were demolished and new residences were constructed in their place in 1937 and 1933, respectively. By 1957, the house on Lot 1 was moved to the south of the lot and a welding shop was constructed in its place.

New surface parking lots established in the 1960s and 1970s frequently replaced older buildings and historic uses of the properties. Within the project site, two dwellings and the welding shop were demolished to make room for the parking lot that exists today.

Documented Cultural Resources

This section is based on the results of the 2011 Cultural Resources Study (Appendix C) and 2017 updated records search, of which the methods are further described in section 4.2.2(a) below.

Archaeological Resources

The results of the records searches identify the presence of one archaeological site within the project site (CA-SLO-2341H) and two archaeological sites adjacent to the project site (CA-SLO-1890/H and CA-SLO-2206H). Resource CA-SLO-2341H was identified in 2003 during a citywide water line installation project and consists of a series of historic archaeological features. The nearest component of CA-SLO-2341H to the current project site was a black powder flask (1790-1860) located at the intersection of Palm and Nipomo streets adjacent to the current project site. Resources CA-SLO-1890/H and CA-SLO-2206H both consist of historic refuse deposits. Resource CA-SLO-1890/H also includes a historic house and the remnants of an adobe structure. The site record also suggests that the archaeological site contains a prehistoric component, but no discussion is given for such remains and the site is described as containing "virtually no pre-1880 refuse."

The results of the records search further identified studies conducted by Bertrando and Bertrando within the project area that consisted of archaeological testing within the project area in 1997 and in 1999. The testing conducted in 1997 identified historical material in the upper 12 inches of soil. The testing conducted in 1999 identified the remains of the rock foundation of a house constructed circa 1905 and additional historic artifacts including glass, ceramics, nails, shell, and ceramic roof tiles all thought to be associated with the house and with a welding shop (1926–1996) that was located on the property.

As part of the 2011 Cultural Resources Study, Applied Earthworks staff also conducted a pedestrian survey of the project site for archaeological and architectural resources. The project area has very little exposed ground surface, though narrow strips of exposed soil are present along the Monterey Street boundary of the project site which contained historic-period debris, including glass, ceramic fragments, ferrous metal items, and shell. The study concluded that it is likely that subsurface cultural remains are intact.

Built Environment Resources

The project site is partially located within the Downtown Historic District, which was locally designated in 1987, and is therefore considered a historical resource under CEQA. Figure 3 shows the boundaries of the Downtown Historic District relative to the project site. The Downtown Historic District extends east from U.S. Highway 101 and Dana Street to just beyond Osos Street, and runs north from Marsh Street to Palm Street. It contains many of the city's most important historic buildings, and while they are primarily commercial, there is also a small subsection of residential properties largely concentrated west of Broad Street, in the project area. The buildings on the north side of Monterey Street create a historic streetscape that connects the area west of Mission Plaza to the westernmost section of the Downtown Historic District on Dana Street. In this area, the historic district transitions from commercial to residential, which is a physical characteristic of the district that helps conveys the reasons for its significance.

The City maintains a Master List of Historic Resources, which identifies buildings that are considered historically significant on their own merits, and a List of Contributing Historic Resources, which identifies structures that contribute to the significance of designated historic districts, although they

may not be individually significant. In general, buildings within the district display a variety of architectural styles but are primarily one to two stories in height and 50 to 75 feet in width.

Two Master List properties and two contributing properties lie within or adjacent to the current project area (Table 5). The single-story vernacular residence with a detached garage at 610 Monterey Street, located on the project site, is a contributing property built in 1937 by Klien Williams. Although the 2011 Cultural Resources Study recommended it as ineligible for the CRHR and local listing, it is currently listed as a contributor to the Downtown Historic District and is thus considered a historical resource for the purposes of CEQA.

The single-story, mission-influenced vernacular residence at 614 Monterey Street, located on the project site, was built by Louis R. Heyd in 1935 and is also is a contributing property to the Downtown Historic District. The 2011 Cultural Resources Study identified this property as being eligible for local listing on the City's Master List because of its rarity and its representation of the vernacular renewal of adobe architecture prior to World War II. The property is therefore considered a historical resource for the purposes of CEQA.

The Hays-Lattimer adobe is a Master List property located immediately adjacent to the east of the project site at 638-642 Monterey Street. Constructed in 1860, the property contains a weather-boarded single-story adobe residence. The two-story Harmony Creamery at 991 Nipomo Street, also located adjacent to the project site, is another Master List property. Built in 1930 by the Harmony Valley Creamer Association, it is Spanish Colonial Revival in style.

The residential buildings on the project site located at 633 and 633 ½ Palm Street are located just outside the City's Downtown Historic District. They were each recommended ineligible for listing on the CRHR and local listing, and were not found to qualify as contributing resources to the Downtown Historic District; neither is considered a historical resource under CEQA as a result.

Table 5 Designated Historic Buildings Within and Adjacent to the Project Site

Address	Local Designation	Location Relative to Project Site
610 Monterey Street	Contributing property to Downtown Historic District	Within
614 Monterey Street	Contributing property to Downtown Historic District	Within
638-342 Monterey Street (Hays-Lattimer Adobe)	On Master List of Historic Resources, Downtown Historic District	Adjacent
991 Nipomo Street (Harmony Creamery)	On Master List of Historic Resources, Downtown Historic District	Adjacent

Paleontological Setting

The project site lies between the San Lucia Mountains and the San Luis Mountains in the Coast Ranges geomorphic province. The Coast Ranges are northwest-trending mountain ranges and valleys that run along the Pacific coast from Santa Barbara to the Oregon border (Norris and Webb, 1990). The Coast Ranges record a thick sequence of sedimentary strata dating back to the Mesozoic Franciscan Melange (~251 million years ago), with granitic and metamorphic rocks of the Salinian block present in the southern Coast Ranges, where the project is located (Norris and Webb 1990).

The Franciscan Melange records deposition of volcanic and clastic sediments into a subduction zone during the Mesozoic era, followed by subsequent metamorphism (Wakabayashi 1992). The Franciscan Melange is known to contain a wide range of fossils, including radiolarians, mollusks, diatoms, foraminifers, and marine vertebrates (Schlocker 1974; Elder 2015; Hilton 2003). A search of the University of California Museum of Paleontology (UCMP) online collection records shows that fossils of all of these organisms have been recovered from Franciscan rocks in and around San Luis Obispo County (UCMP 2017). The most impressive of these fossils is a large marine reptile, Plesiosaur hesternus, recovered from Oakley Ranch (Hilton 2003).

More recently, the Pleistocene history of the region (2.6 million–10,000 years ago) is marked by glacially controlled sea level fluctuations and tectonic uplift during which the shoreline advanced and retreated as much as 30 miles across the continental shelf (Hall 2007). Sea level advance cut a system of marine terraces, 12 of which are exposed in the Point San Luis area eight to nine miles southwest of the city. These terraces range in age from 83,000 to 49,000 years, and reach elevations of 79 feet above modern sea level. The formations that compose these terraces are the most paleontologically productive in the region (City of San Luis Obispo 2014).

Jefferson et al. (1992) reported three vertebrate localities along the coast within nine miles of San Luis Obispo. These localities occur in Pleistocene fluvial deposits overlying marine terraces, and include assemblages of the Rancholabrean mammals Equus sp. and E. occidentalis (horse); Camelops sp. and C. hesternus (camel); Bison antiquus and B. latifrons (bison), and Mammut americanum (mammoth). Other localities in San Luis Obispo County are noted as well (UCMP 2017).

b. Regulatory Setting

The primary applicable federal and state laws and regulations protecting cultural resources are the National Historic Preservation Act, as amended, CEQA, and California Public Resources Code (Cal. Public Res. Code) §§5024.1 and 21084.1. These and other federal, state, and local laws and regulations and ordinances that pertain to cultural resources are described below.

Federal

The project does not involve federal funding or permitting, and as a result, does not have a federal nexus. Therefore, compliance with reference to the National Historic Preservation Act (NHPA) of 1966 and other federal laws is provided here for informational purposes only.

National Historic Preservation Act [16 United States Code (U.S.C.) Section 470 et seq.]

The NHPA establishes the federal government policy on historic preservation and the programs, including the National Register of Historic Places (NRHP), through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as “historic properties,” include any prehistoric or historic district, site, building, structure, or object included in, or determined eligible for inclusion in, the NRHP. Historic properties also include resources determined to be National Historic Landmarks. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting United States heritage. A property is considered historically significant if it meets one of the NRHP criteria and retains sufficient historic integrity to convey its significance. This act also established the Advisory Council on Historic Preservation, an independent federal agency that administers Section 106 of the NHPA by developing procedures to protect cultural resources

included in, or eligible for inclusion in, the NRHP. Regulations are published in 36 Code of Federal Regulations (C.F.R.) Parts 60, 63, and 800.

Archaeological Resources Protection Act (ARPA) [16 U.S.C. 470]

This statute was enacted to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands. It was also enacted to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals (Sec. 2(4)(b)).

State

California Environmental Quality Act, Public Resources Code §21083.2 and California Code of Regulations (CCR), Title 14, §15064.5

CEQA requires a lead agency to consider the effects of a project on historical resources (Cal. Public Res. Code §21084.1). The CEQA Guidelines §15064.5(b) provides specific guidance for determining the significance of impacts on historical resources and unique archaeological resources (CEQA Guidelines §15064.5(b) and Cal. Public Res. Code §21083.2). Under CEQA, these resources are called "historical resources" whether they are of historic or prehistoric age. Public Resources Code §21084.1 defines historical resources as those listed, or eligible for listing, in the California Register of Historical Resources (CRHR), or those listed in the historical register of a local jurisdiction (county or city) unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. NRHP-listed "historic properties" located in California are considered historical resources for the purposes of CEQA and are also listed in the CRHR. The CRHR criteria for listing such resources are based on, and are very similar to, the NRHP criteria. Cal. Public Res. Code §21083.2 and CEQA Guidelines §15064.5(c) provide further definitions and guidance for archaeological sites and their treatment.

Different legal rules apply to the two different categories of cultural resources, though the two categories sometimes overlap where a "unique archaeological resource" also qualifies as a "historical resource." In such an instance, the more stringent rules for the protection of archaeological resources that are historical resources apply.

CEQA Guidelines §15064.5 also prescribes a process and procedures for addressing the existence of, or probable likelihood, of Native American human remains, as well as the unexpected discovery of any human remains during implementation of a project. This includes consultations with appropriate Native American tribes.

The CEQA Guidelines define procedures, types of activities, persons, and public agencies required to comply with CEQA. CEQA Guidelines §15064.5(b) prescribes that project effects that would "cause a substantial adverse change in the significance of an historical resource" are significant effects on the environment. Substantial adverse changes include physical changes to both the historical resource and its immediate surroundings.

Section 15126.4(a)(1) states that an EIR shall describe feasible measures which could minimize significant adverse impacts. Section 15126.5(b) describes mitigation measures related to impacts on historical resources.

CEQA also requires that public agencies and private interests identify the potential environmental consequences of their proposed projects on any object or site considered to be a historical resource

of California, including paleontological resources (Cal. Public Res. Code §21084.1, CCR Title 14, §15064.5).

California Register of Historical Resources (Cal. Public Res. Code §5024.1 and 14 CCR §4850)

Cal. Public Res. Code §5024.1 establishes the CRHR, which lists all California properties considered to be significant historical resources. The CRHR also includes all properties listed or determined eligible for listing in the NRHP, including properties evaluated and determined eligible under §106. The criteria for listing on the CRHR, criteria 1–4, are similar to those of the NRHP:

1. [Resources that are] associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
2. [Resources that are] associated with the lives of persons important in our past
3. [Resources that] embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value
4. [Resources that have] yielded, or may be likely to yield, information important in prehistory or history

The CRHR regulations govern the nomination of resources to the CRHR (14 CCR §4850). The regulations set forth the criteria for eligibility as well as guidelines for assessing historical integrity and resources that have special considerations.

California Public Resources Code

Cal. Public Res. Code also protects paleontological resources in specific contexts. In particular, Cal. Public Res. Code §5097.5 prohibits "knowing and willful" excavation, removal, destruction, injury, and defacement of any paleontological feature on public lands without express authorization from the agency with jurisdiction. Violation of this prohibition is a misdemeanor and is subject to fine and/or imprisonment (Cal. Public Res. Code § 5097.5(c)), and persons convicted of such a violation may also be required to provide restitution (Cal. Public Res. Code § 5097.5(d)(1)). Additionally, Cal. Public Res. Code §30244 requires "reasonable mitigation measures" to address impacts on paleontological resources identified by the State Historic Preservation Officer.

Section 5097.5 of the Cal. Public Res. Code states:

> "No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor."

As used in this Cal. Public Res. Code section, "public lands" means lands owned by, or under the jurisdiction of, the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, local agencies are required to comply with Cal. Public Res. Code §5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

Codes Governing Human Remains

Section 15064.5 of the CEQA Guidelines also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. The disposition of human remains is governed by Health and Safety Code §7050.5 and Cal. Public Res. Code §§5097.94 and 5097.98, and falls within the jurisdiction of the NAHC. If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to Cal. Public Res. Code §5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

California Tribal Cultural Resources and Consultation (Assembly Bill 52, Chapter 532)

Assembly Bill (AB) 52 became law on January 1, 2015. It establishes a formal consultation process for California Indian tribes as part of CEQA and equates significant impacts on tribal cultural resources with significant environmental impacts. Several new Public Resources Codes have been written to codify the law's requirements. Cal. Public Res. Code §21074 defines a California Native American Tribe as a tribe located in California that is on the contact list maintained by the Native American Heritage Commission. It also defines what types of resources are to be considered tribal cultural resources. Cal. Public Res. Code §21080.3.1 describes formal tribal consultation requirements; Cal. Public Res. Code §21080.3.2 provides that if the California tribe requests consultation to include project alternatives and mitigation measures, such consultation would be required; Cal. Public Res. Code §21082.3 provides that any mitigation measures agreed upon during consultation shall be recommended for inclusion in the environmental document and affirms the lead agency's obligation to keep confidential any information obtained from a Native American tribe during the consultation process; and Cal. Public Res. Code §21083.4 provides examples of mitigation for impacts to Tribal Cultural Resources.

Senate Bill 18 (Chapter 905, Statutes of 2004)

Senate Bill (SB) 18 requires cities and counties to consult with Native American tribes to help protect traditional tribal cultural places through the land use planning process for general plan adoption or amendments and to specific plan adoption or amendments.

Local

San Luis Obispo Zoning Regulations, Chapter 17.54

Establishes the Historical Preservation Overlay Zone (H) and describes its purposes and application, allowed uses and property development standards.

Historic Preservation Ordinance, San Luis Obispo Municipal Code 14.1

The City Municipal Code contains specific requirements for the demolition and relocation of structures listed in the inventory of historic resources. These requirements are stated in Municipal Code §§14.01.100 and 14.01.110.

The City Municipal Code states that the Cultural Heritage Committee (CHC) shall review and make recommendations to the City Council regarding demolition applications for structures listed in the inventory of historic resources. An application for demolition of a listed historic resource shall be approved only if the proposed demolition is found consistent with the general plan, and 1) the historic resource is a hazard to public health of safety, and repair or stabilization is not structurally feasible; or 2) denial of the application will constitute an economic hardship as described in §14.01.100(J)(1-3) of the municipal code. Additional procedures regarding the timing of the demolition, documentation and acknowledgment of the historic resource are also delineated.

Likewise, the relocation of a structure listed on the inventory of historical resources is subject to review by the CHC and Architectural Review Commission (ARC). Relocation shall be permitted only when relocation is consistent with the goals and policies of the general plan, any applicable area or specific plans, and the Historic Preservation Program Guidelines, as well as additional criteria defined in Municipal Code §14.01.110(B)(1-6). The timing, plan, procedures, and documentation are also delineated.

City of San Luis Obispo Municipal Code Demolition and Moving of Buildings

Appendix Chapter 2, Chapter 201, of the San Luis Obispo Municipal Code, establishes procedures and requirements for the relocation or demolition of historic buildings.

City of San Luis Obispo Historic Preservation Program Guidelines

The guidelines establish procedures for the treatment of historic resources, including construction in historic districts and on properties with historic resources. They also include a discussion of the city's existing historic districts and provide a summary of their significance and character-defining features.

City of San Luis Obispo Archaeological Resource Preservation Program Guidelines

The guidelines establish procedures to be used for the identification, evaluation, and preservation of archaeological and other cultural resources. Cultural resources refer to the artifacts, human remains, and sites containing evidence of past human activities, including prehistoric Native American archaeological sites, historic archaeological sites, sites or natural landscapes associated with important human events, and Native American sacred places and cultural landscapes.

City of San Luis Obispo Community Design Guidelines

The guidelines establish site and architectural design standards for development projects, including projects involving historic resources and historic districts, and demolitions.

City of San Luis Obispo General Plan Conservation and Open Space Element. The Conservation and Open Space Element of the General Plan establishes citywide policies and programs regarding identification and treatment of cultural resources. The following policies apply to this project:

- **Policy 3.3.1 Historic Preservation.** Significant historic and architectural resources should be identified, preserved, and rehabilitated.
- **Policy 3.3.2 Demolitions.** Historically or architecturally significant buildings shall not be demolished or substantially changed in outward appearance, unless doing so is necessary to

remove a threat to health and safety and other means to eliminate or reduce the threat to acceptable levels are infeasible.

- **Policy 3.3.3 Historical Documentation**. Buildings and other cultural features that are not historically significant but which have historical or architectural value should be preserved or relocated where feasible. Where preservation or relocation is not feasible, the resources shall be documented and the information retained in a secure but publicly accessible location. An acknowledgement of the resources should be incorporated within the site through historic signage and the reuse or display of historic material and artifacts.
- **Policy 3.5.1. Archaeological Resource Protection**. The City shall provide for the protection of both known and potential archaeological resources. To avoid significant damage to important archaeological sites, all available measures, including purchase of the property in fee or easement, shall be explored at the time of a development proposal. Where such measures are not feasible and development would adversely affect identified archaeological or paleontological resources, mitigation shall be required pursuant to the Archaeological Resource Preservation Program Guidelines.
- **Policy 3.5.2. Native American Sites**. All Native American cultural and archaeological sites shall be protected as open space wherever possible.
- **Policy 3.5.4 Archaeological Sensitive Areas.** Development within an archaeologically sensitive area shall require a preliminary site survey by a qualified archaeologist knowledgeable in Native American cultures, prior to a determination of the potential environmental impacts of the project.
- **Policy 3.5.5 Archaeological Resources Present**. Where a preliminary site survey finds substantial archaeological resources, before permitting construction, the City shall require a mitigation plan to protect the resources. Possible mitigation measures include: presence of a qualified professional during initial grading or trenching; project redesign; covering with a layer of fill; excavation removal and curation in an appropriate facility under the direction of a qualified professional.
- **Policy 3.5.6 Qualified Archaeologist Present**. Where substantial archaeological resources are discovered during construction or grading activities, all such activities in the immediate area of the find shall cease until a qualified archaeologist knowledgeable in Native American cultures can determine the significance of the resource and recommend alternative mitigation measures.
- **Policy 3.5.7 Native American Participation**. Native American participation shall be included in the City's Guidelines for resource assessment and impact mitigation. Native American representatives should be present during archaeological excavation and during construction in an area likely to contain cultural resources. The Native American community shall be consulted as knowledge of cultural resources expands and as the City considered updates or significant changes to its General Plan.
- **Policy 3.6.3 Construction within Historic Districts**. The Cultural Heritage Committee and Architectural Review Commission will provide specific guidance on the construction of new buildings within historic districts.

4.2.2 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

Cultural Resources Methodology

Direct impacts are assessed by identifying known cultural resources in the project study area, determining if any archaeological sites or historic structures are located within the project area, assessing the significance of the resources that may be affected, and determining the appropriate mitigation. Removal, demolition, or alteration of historical resources can permanently impact the historic fabric of an archaeological site, structure, or historic district.

As previously mentioned, in 2011 Applied Earthworks prepared a Cultural Resources Study of the project site and vicinity (Appendix C). The study involved a records search at the Central Coast Information Center of the California Historical Resources Information System at the University of California Santa Barbara, archival and historical research, field survey of the property, predictive modeling of archaeological resources, evaluation of any potentially significant historic structures on the property, and assessment of potential impacts to the surrounding Downtown Historic District.

The records search was conducted to identify previous cultural resources evaluations and previously recorded cultural resources on the project site as well as within a 200-foot radius of the project site. The archival research focused on the review of primary and secondary source materials related to the history and development of the project site and vicinity. Sources examined during the records and archival search included maps pinpointing cultural resources locations, survey coverage maps, site record and report files, city directories, Great Registers, historical maps, and newspapers. The State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Points of Historic Interest, California Office of Historic Preservation Archaeological Determinations of Eligibility, and the California Department of Transportation State and Local Bridge Surveys were also analyzed. The results of the records search further identified studies conducted by Bertrando and Bertrando within the project site that consisted of archaeological testing in 1997 and 1999. In 2017, Rincon Consultants conducted an updated records search to expand the radius to 0.25-mile and to identify any cultural resources recorded since 2011.

Archaeological sites and historic structures located within the project area are described in Section 4.2.1, *Setting*.

Native American Consultation

The City conducted Native American consultation consistent with Senate Bill 18 and Assembly Bill 52 for the project to identify potential concerns or issues associated with Native American cultural resources near the project. Rincon contacted the NAHC to determine if any sites recorded in the NAHC's Sacred Lands File occur in or near the project site. The NAHC responded on May 1, 2017 that the search of the sacred land files for the USGS quadrangle in which the project is located "provided negative results" (citation). The NAHC did provide a list of Native American tribes with traditional lands or cultural places in the project area that may have knowledge of cultural resources at the project site. The Native American scoping did not identify any specific resources important to the consulted groups in or near the project site. However, Patti Dunton of the Salinan Tribe of Monterey

and San Luis Obispo Counties noted that the project site is sensitive for cultural resources and requested an archaeological survey of the project area before and after the asphalt is removed. She asked that if resources are identified that all further ground-disturbing areas be monitored by a cultural resources specialist from the Salinan Tribe. Native American correspondence can be found in Appendix C.

Paleontological Resources Methodology

Rincon Consultants paleontologists evaluated the paleontological sensitivity of the geologic units present on the project site based on a review of existing information in the primary literature on known fossils within those geologic units, review of previous geotechnical studies of the project site, and consultation of the online database maintained by the University of California Museum of Paleontology (UCMP) for fossil localities in San Luis Obispo County recorded from geologic units present in the project site.

Rincon Consultants' paleontologists assigned paleontological sensitivity to each geologic unit within the project site. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units. Paleontological sensitivity is defined by the Society of Vertebrate Paleontology (SVP).

The SVP broadly defines significant paleontological resources as follows (SVP 2010:11):

> "Fossils and fossiliferous deposits consisting of identifiable vertebrate fossils, large or small, uncommon invertebrate, plant, and trace fossils, and other data that provide taphonomic, taxonomic, phylogenetic, paleoecologic, stratigraphic, and/or biochronologic information. Paleontological resources are considered to be older than recorded human history and/or older than middle Holocene (i.e., older than about 5,000 radiocarbon years)."

Significant paleontological resources are determined to be fossils or assemblages of fossils that are unique, unusual, rare, diagnostically important, or are common but have the potential to provide valuable scientific information for evaluating evolutionary patterns and processes, or which could improve our understanding of paleochronology, paleoecology, paleophylogeography, or depositional histories. New or unique specimens can provide new insights into evolutionary history; however, additional specimens of even well represented lineages can be equally important for studying evolutionary pattern and process, evolutionary rates, and paleophylogeography. Even unidentifiable material can provide useful data for dating geologic units if radiocarbon dating is possible. As such, common fossils (especially vertebrates) may be scientifically important, and therefore considered highly significant.

The SVP (2010) describes sedimentary rock units as having high, low, undetermined, or no potential for containing significant nonrenewable paleontological resources. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. While these standards were specifically written to protect vertebrate paleontological resources, all fields of paleontology have adopted these guidelines:

I. HIGH POTENTIAL (SENSITIVITY)

Rock units from which significant vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered are considered to have a high potential for containing significant non-renewable fossiliferous resources. These units include but are not limited to, sedimentary formations and some volcanic formations which contain significant nonrenewable paleontological

resources anywhere within their geographical extent, and sedimentary rock units temporally or lithologically suitable for the preservation of fossils. Sensitivity comprises both (a) the potential for yielding abundant or significant vertebrate fossils or for yielding a few significant fossils, large or small, vertebrate, invertebrate, or botanical and (b) the importance of recovered evidence for new and significant taxonomic, phylogenetic, ecologic, or stratigraphic data. Areas which contain potentially datable organic remains older than Recent, including deposits associated with nests or middens, and areas which may contain new vertebrate deposits, traces, or trackways are also classified as significant.

II. Low Potential (sensitivity)

Sedimentary rock units that are potentially fossiliferous, but have not yielded fossils in the past or contain common and/or widespread invertebrate fossils of well documented and understood taphonomic, phylogenetic species and habitat ecology. Reports in the paleontological literature or field surveys by a qualified vertebrate paleontologist may allow determination that some areas or units have low potentials for yielding significant fossils prior to the start of construction. Generally, these units will be poorly represented by specimens in institutional collections and will not require protection or salvage operations. However, as excavation for construction gets underway it is possible that significant and unanticipated paleontological resources might be encountered and require a change of classification from Low to High Potential and, thus, require monitoring and mitigation if the resources are found to be significant.

III. Undetermined Potential (sensitivity)

Specific areas underlain by sedimentary rock units for which little information is available are considered to have undetermined fossiliferous potentials. Field surveys by a qualified vertebrate paleontologist to specifically determine the potentials of the rock units are required before programs of impact mitigation for such areas may be developed.

IV. No Potential

Rock units of metamorphic or igneous origin are commonly classified as having no potential for containing significant paleontological resources.

The loss of significant paleontological resources that meet the criteria outlined above would be considered a significant impact under CEQA, and the CEQA lead agency is responsible for ensuring that paleontological resources are protected in compliance with CEQA and other applicable statutes.

Significance Thresholds

If a project may cause a substantial adverse change in the characteristics of a resource that convey its significance or justify its eligibility for inclusion in the CRHR or a local register, either through demolition, destruction, relocation, alteration, or other means, then the project is judged to have a significant effect on the environment (CEQA Guidelines, §15064.5[b]). The following thresholds are based on Appendix G of the CEQA Guidelines. Impacts would be significant if the project would:

1. Cause a substantial adverse change in the significance of a historical resource
2. Cause a substantial adverse change in the significance of an archaeological resource
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature
4. Disturb any human remains, including those interred outside of formal cemeteries

5. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §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. 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 §5020.1(k)
   B. 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 §5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe

b. Project Impacts

Impact CR-1~~N~~-4 CONSTRUCTION OF THE PROJECT WOULD RESULT IN THE DEMOLITION OF TWO STRUCTURES ON THE PROJECT SITE THAT ARE HISTORIC RESOURCES, AND ADVERSELY AFFECT THE DOWNTOWN HISTORIC DISTRICT. THIS WOULD CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF HISTORICAL RESOURCES AS DEFINED IN CEQA GUIDELINES §15064.5. THIS IMPACT WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

The CEQA guidelines define direct impacts as direct or primary effects caused by a project at the same place, and indirect impacts as affects caused by a project but occur at a different place. The project proposes a number of actions, each of which will result in impacts to historical resources. Table 6 summarizes each of the proposed project actions and the resulting type and level of impact that would result to historical resources.

Table 6 Impacts to Historical Resources

Project Action	Type of Impact	Level of Impact
Demolition of 633 and 633½ Palm Street[1]	Direct	Less than significant
Demolition of 610 Monterey Street	Direct	Significant
Demolition of 614 Monterey Street	Direct	Significant
New Construction	Indirect/Direct	Significant/Less than significant

[1] As discussed above, based on the 2011 Cultural Resources Study, these structures were found to not meet the definition of historical resources under CEQA.

Demolition of 633 and 633 ½ Palm Street

The project would result in the demolition of the buildings at 633 and 633 ½ Palm Street. Although demolition of these buildings would be a direct impact, as discussed above, neither is considered a historical resource as defined by CEQA. Both buildings were evaluated in 2011 and found to not meet the definition of historical resources under CEQA and they are located outside the boundaries of the Downtown Historic District. Thus, their demolition would not diminish the integrity of the Downtown Historic District and would not constitute a significant impact on historical resources.

Demolition of 610 Monterey Street

The project would result in the demolition of the structure at 610 Monterey Street. As a contributing resource to the Downtown Historic District, this property is a historical resource as defined by CEQA. Demolition of this property is potentially inconsistent with Policies 3.3.1 and 3.3.2

of the City's Conservation and Open Space Element of the General Plan, and would be considered a significant adverse impact under CEQA.

Demolition of 614 Monterey Street

The project would result in the demolition of the structure at 614 Monterey Street. As both a contributing resource to the Downtown Historic District and a property that was found individually eligible for local designation in 2011, this property is a historical resource as defined by CEQA. Demolition of this property is potentially inconsistent with Policies 3.3.1 and 3.3.2 of the City's Conservation and Open Space Element of the General Plan, and would be considered a significant adverse impact under CEQA.

New Construction

The project has the potential to result in direct and indirect impacts to historical resources, specifically the Downtown Historic District, the adjacent locally-designated Hays-Lattimer Adobe located at 638-642 Monterey Street, and the locally-designated Harmony Creamery at 991 Nipomo Street.

In consideration of these potential impacts this analysis follows the guidance of the City of San Luis Obispo's Historic Preservation Program Guidelines, which states "construction in historic districts and on properties that contain listed historic resources shall conform with the goals and policies of the General Plan, the Historic Preservation Ordinance, these Guidelines, the Community Design Guidelines, any applicable specific or area plan, and the Secretary of the Interior's Standards for the Treatment of Historic Properties (City of San Luis Obispo 2010:6). The City of San Luis Obispo's Historic Preservation Program Guidelines state "new structures in historic districts shall be designed to be architecturally compatible with the district's prevailing historic character as measured by their consistency with the scale, massing, rhythm, signature architectural elements, exterior materials, siting, and street yard setbacks of the districts historic structures" (City of San Luis Obispo 2010:7). Further guidance is provided in the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, which is recognized by CEQA as mitigating potential adverse impacts caused by a project to below the level of significance. According to the *Secretary of the Interior's Standards*, new construction in or near historic properties, including districts, should be differentiated but compatible; attention should be devoted to ensuring that the new construction is complementary to the historic property but does not create a false sense of history by imitating or replicating a historic building or property. The *Secretary of the Interior's Standards* include setting, in terms of the character of the surrounding environment, as a character-defining feature that weighs in the analysis of a resource's retention of historic integrity.

The proposed project would adversely affect the Downtown Historic District by inserting a new visual feature that is inconsistent with the height, scale, and massing of the resources that characterize the historic district. As described in the setting above, these resources within the district are primarily one to two stories in height and 50 to 75 feet in width. Although the commercial space and non-profit theater would be 41 to 43 feet high, the maximum height of the project would be 50 feet. The project would also have an approximately 200 x 200 square foot floor area. This is substantially taller and wider than the other adjacent historic resources, and would interrupt the rhythm and overall setting of the district. The parking structure and commercial space would be designed in a Spanish Colonial architectural style that is compatible with the surrounding historic properties; however, the theater would be Modernistic in style. The project would be visible from the contributing properties along Dana Street, adjacent Hays-Lattimer adobe, and Harmony

Creamery, and the visual impacts of the project may reach as far as the Dr. George B. Nichols House at 664 Monterey Street, the Carnegie Library at 696 Monterey Street, and the San Luis Obispo de Tolosa Mission, all Master List Properties.

Since the designation of the Downtown Historic District in 1987, Nipomo Street between Higuera and Palm streets has sustained several other changes to historic character. Three buildings were removed (one relocated outside of the district) for the creation of the existing parking area at Palm and Nipomo street in 1997. The new Children's Museum at the corner of Nipomo and Monterey streets is modern in appearance and inconsistent with the architecture of the surrounding properties. The new Soda Water Works building was also constructed with a modern appearance. Both of these properties are inside the Downtown Historic District boundaries but are no longer contributing resources.

The project would further result in direct impacts to the Downtown Historic District by removing two contributing structures and introducing new, nonconforming structures. This would physically and visually disconnect the contributing historic resources on Dana Street[5] from the remainder of the district to the east, resulting in a loss of integrity of the historic district. The proposed project would also interrupt the transition from commercial to residential that occurs in this area of the historic district, which is a physical characteristic of the district that helps conveys the reasons for its significance. As a result, the proposed project would result in a significant adverse impact to the Downtown Historic District.

As described above, the Hays-Lattimer adobe is located immediately adjacent to the east of the project site and is a historical resource for the purposes of CEQA. Project construction activities would generate groundborne vibration that has the potential to result in damage to the historic adobe building. The Federal Transit Administration (FTA) thresholds for damage to fragile historic buildings, state that vibration impacts would be significant if vibration exceeds 88 VdB. As discussed in Section 4.3, *Noise*, the project would not generate vibration levels higher than 87 VdB at a distance of 25 feet. The adobe structure is approximately 60 feet from where construction of the nearest structure would occur. Direct impacts to the Hays-Lattimer adobe from groundborne vibration would therefore be less than significant.

As noted above, the *Secretary of the Interior's Standards* include setting, in terms of the character of the surrounding environment, as a character-defining feature that weighs in the analysis of a resource's retention of historic integrity. The setting of the Hays-Lattimer and Harmony Creamery is consistent with the larger Downtown Historic District and is characterized by one to two-story buildings that are approximately 50 to 75 feet wide. Although the commercial building along Nipomo Street and the theater along Monterey Street would be lower (approximately 41 to 43 feet tall) than the parking structure, the proposed project as a whole is substantially larger in its scale, massing, and height and would alter the surrounding setting of both historical resources. Although this change would negatively affect their historic integrity, both would continue to convey the reasons for their significance. Indirect impacts to the Hays-Lattimer adobe and Harmony Creamery would therefore be less than significant.

Mitigation Measures

The following mitigation measure is required.

[5] The Dana Street group is a small subsection of residential properties within the otherwise commercial Downtown Historic District, which is representative of the early residential settlement of downtown San Luis Obispo and contributes to the significance of the district.

CR-1 Historic Building Documentation Packages

Impacts to historical resources shall be minimized through the preparation of archival historic building documentation packages for both 610 and 614 Monterey Street. Prior to issuance of demolition permits, the City of San Luis Obispo shall ensure that documentation of both properties is completed in the form of a Historic American Building Survey (HABS)-Like documentation that shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation (NPS 1990). The documentation shall generally follow the HABS Level III requirements and include high-quality digital photographic recordation of the buildings and their overall setting, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History (NPS 1983). Individual archival documentation packages shall be completed for both properties and offered as donated material to the San Luis Obispo Library and the History Center of San Luis Obispo County, where it would be available to local researchers.

PLAN REQUIREMENTS AND TIMING

The City shall complete archival documentation of the 610 and 614 Monterey Street properties to the issuance of project grading permits.

MONITORING

The Community Development Director shall confirm completion of and approve the archival documentation. The City shall confirm submittal of the documentation to the History Center of San Luis Obispo County and the San Luis Obispo County Library.

Significance After Mitigation

Mitigation Measure CR-1 would reduce impacts to historical resources to the greatest extent possible; however, this measure would not eliminate the permanent impacts to the identified historic resources, and no other feasible mitigation measures are available. Therefore, the project would result in a significant and unavoidable impact to historic resources.

Impact CR-2~~N-5~~ CONSTRUCTION OF THE PROJECT WOULD RESULT IN GROUND DISTURBANCE THAT COULD CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE AS DEFINED IN CEQA GUIDELINES 15064. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGATABLE.

The project site is currently developed with an asphalt parking lot and residential structures. During archaeological testing conducted in 1996 and 1999, subsurface historical archaeological materials were identified in the 0.5-acre surface parking lot at the corner of Palm and Nipomo streets within the project site. During the survey conducted for the project in 2011, historic-period debris was observed in the small amount of exposed native soils along Monterey Street. Additionally, similar work in the project vicinity has shown that subsurface archaeological deposits exist throughout the city. Approximately 0.125 mile (660 feet) from the project site, trenches uncovered a mission-era midden containing a significant Native American deposit and it is unclear whether that deposit extends to the project site. Based on the results of work within the project site and the vicinity, it is likely that additional remains related to the mission and post-mission occupation of the area are present. Additional intact subsurface deposits may be present. Therefore, construction of the project could damage or destroy archeological resources. Impacts to such resources would be

potentially significant and mitigation would be required to ensure that any discovered archaeological resources would be protected and curated if encountered during project construction activities.

Mitigation Measures

The following mitigation measures would reduce potential impacts to archaeological resources to a less than significant level.

CR-2(a) Retain a Qualified Principal Investigator

A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology (hereafter qualified archaeologist), shall be retained to carry out all mitigation measures related to archaeological resources.

CR-2(b) City of San Luis Obispo Consolidated Approach for Archaeological Investigations

Mitigation of archaeological resources within the project area shall follow the Consolidated Approach as outlined in the City of San Luis Obispo Archaeological Resource Preservation Program Guidelines. The Consolidated Approach shall include (1) the preparation of a Research Design and Mitigation Plan prepared by the qualified archaeologist and submitted for written approval to the City's Community Development Director (Director), which shall include but not be limited to the research design, laboratory and field methods, public interpretation, and location of curation; (2) monitoring of demolition and clearing of pavement within the project area; (3) fieldwork after the removal of pavement consisting of a Phase I inventory, Phase 2 Testing and Evaluation, and Phase 3 Data Recovery aimed at locating archaeological remains, evaluating their significance and integrity, and mitigating impacts through data recovery excavation; (4) the completion of special studies, such as faunal analysis, if appropriate, and the curation of recovered artifacts; and (5) the completion of a technical report documenting the results of the consolidated approach prepared in accordance with current professional standards and submitted to the Director.

CR-2(c) Archaeological Monitoring

An archaeological monitor shall be present for all project-related ground-disturbing construction activities. The monitor(s) shall be onsite on a full-time basis during earthmoving activities within native soils, including grading, trenching, vegetation removal, or other excavation activities. Under consultation between the qualified archaeologist and the City, monitoring may be reduced or eliminated based on observed conditions.

CR-2(d) Unanticipated Discovery of Archaeological Resources

In the event that cultural resources are encountered during the implementation of Mitigation Measures CR-2(b) or CR-2(c), all work shall be halted in the vicinity of the discovery until a qualified archaeologist can assess the significance of the resource. If the resources are found to be significant, they must be avoided or mitigated pursuant to the qualified archaeologist's direction and the testing plan outlined under Mitigation Measure CR-2(b). Mitigation may involve preservation in place or documentation and excavation of the resource. A report by the archaeologist evaluating the find and identifying mitigation actions taken shall be submitted to the City.

PLAN REQUIREMENTS AND TIMING

The City shall retain a qualified archaeologist prior to the issuance of demolition and grading permits. The qualified archaeologist shall prepare and submit the Research Design and Testing and Mitigation Plan prior to the issuance of demolition and grading permits. All fieldwork conducted under the consolidated approach must be completed prior to the issuance of grading permits. The requirement that ground disturbance be observed by an archaeological monitor and that construction work be stopped in the event of discovery of archaeological resources shall be included on construction plans prior to the issuance of grading permits.

MONITORING

The City shall review construction plans and periodically inspect project construction to ensure compliance with this measure.

Significance After Mitigation

Impacts to archaeological resources would be less than significant with incorporation of mitigation measures CR-2(a) through CR-2(d).

Impact CR-3~~N-6~~ CONSTRUCTION OF THE PROJECT WOULD RESULT IN GROUND DISTURBANCE THAT COULD INDIRECTLY OR DIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

According to mapping by Dibblee and Minch (2004), the project site consists of younger Quaternary alluvium that dates to the Holocene. These sediments consist of gravel and sand deposited over the last 10,000 years by local rivers (Dibblee and Minch, 2004). Geotechnical studies have supported this mapping, and further detailed depths of 25-44 feet to bedrock, the Mesozoic Franciscan Melange, throughout the project site (Earth Systems Pacific 2011). Furthermore, Earth Systems Pacific (2011) documented some parts of the project site where artificial fill was present in the subsurface to depths of 3 and 5 feet. It should be noted that fill was only documented in two of the eight boreholes across the site, and was not present in the others (Earth Systems Pacific 2011). Using these data, as well as the paleontological literature review presented above, Rincon Consultants' paleontologists assigned SVP paleontological sensitivities to geologic units likely to be impacted by construction in the project site. It should be noted that while the Franciscan Melange has high sensitivity, it is deep enough (20 to 44 feet) that it should not be impacted by the anticipated depths of ground disturbance (14 feet).

Artificial Fill

As a product of manmade activities, artificial fill has no paleontological sensitivity.

Quaternary Alluvium

As discussed above, Pleistocene-aged alluvial sediments have preserved fossil resources throughout California, including San Luis Obispo County. While the Quaternary alluvium mapped in the project area is too young to preserve fossils in the upper layers, it increases with age in depth. Therefore, deeper levels may be of an appropriate age to preserve fossil resources. Quaternary alluvium is thus assigned a low-to-high paleontological sensitivity, increasing with depth. While the exact depth at which this transition occurs has not been established for the project area, 10 feet is a reasonable estimate.

Because project construction has the potential to disturb sensitive geologic units, impacts would be potentially significant.

Mitigation Measures

The following mitigation measures would reduce potential impacts to paleontological resources to a less than significant level.

CR-3(a) Retain a Qualified Project Paleontologist

A qualified project paleontologist, defined as a paleontologist who meets the standards of the SVP (2010), shall be retained to carry out all mitigation measures related to paleontological resources.

CR-3(b) Paleontological Worker Environmental Awareness Program (WEAP)

Prior to the start of construction, the project paleontologist or his or her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The WEAP shall be fulfilled at the time of a preconstruction meeting at which a qualified paleontologist shall attend.

CR-3(c) Paleontological Monitoring

Ground-disturbing construction activities (including grading, trenching, foundation work, and other excavations) in previously undisturbed sediments that exceed 10 feet in depth shall be monitored on a full-time basis during initial ground disturbance. Monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010). The duration and timing of the monitoring will be determined by the project paleontologist and the location and extent of proposed ground disturbance. If the project paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the project paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring is not necessary in artificial fill or for activities that do not reach 10 feet in depth.

CR-3(d) Fossil Discoveries

In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The project paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the project paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:

1) **Salvage of Fossils.** The project paleontologist (or paleontological monitor) should recover significant fossils following standard field procedures for collecting paleontological resources, as described by the SVP (2010). Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert, or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

2) **Preparation and Curation of Recovered Fossils.** Once salvaged, significant fossils should be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.

Significance After Mitigation

Mitigation Measures CR-3(a) through CR-3(d) would reduce the potential impacts to paleontological resources to a less than significant level.

Impact CR-4~~N-7~~ NO TRIBAL CULTURAL RESOURCES WERE IDENTIFIED WITHIN THE PROJECT SITE, BUT AREA IS GENERALLY CONSIDERED SENSITIVE FOR CULTURAL RESOURCES. THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Native American consultation efforts completed by the City pursuant to the requirements AB 52 and SB 18. The efforts under SB 18 and AB 52 did not identify specific tribal cultural resources within the project area; however, it did identify the project site as sensitive, consistent with the results of the Cultural Resources Study. As a result of the general cultural resources sensitivity of the area, Patti Dunton of the Salinan Tribe of Monterey and San Luis Obispo Counties requested that fieldwork be conducted at the project area after the removal of pavement and that project-related ground disturbance be observed by a Salinan tribal monitor. As no tribal cultural resources were identified or known to exist in the project area, the project would result in a less than significant impact on tribal cultural resources.

Mitigation Measures

No mitigation measures are required.

Significance After Mitigation

No mitigation measures are required. Impacts are less than significant.

Impact CR-5~~N-8~~ GROUND-DISTURBING ACTIVITIES ASSOCIATED WITH CONSTRUCTION OF THE PROJECT HAS THE POTENTIAL TO DISTURB UNIDENTIFIED HUMAN REMAINS. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

Unanticipated discovery of human remains during project excavation would require compliance with Health and Safety Code §7050.5 and Cal. Public Res. Code Sections 5097.94 and 5097.98. Cal. Public Res. Code §5097.98 also addresses the disposition of Native American burials, protects such remains, and established the Native American Heritage Commission to resolve any related disputes. Compliance with Health and Safety Code §7050.5 and Cal. Public Res. Code §§ 5097.94 and 5097.98 would ensure that unanticipated discovery of human remains during project excavation, including those interred outside of formal cemeteries, would be addressed appropriately by the County Coroner and NAHC (if required).

Mitigation Measures

Compliance with existing regulations and mitigation measure CR-2(d) would ensure that potential impacts to human remains and burial grounds would be less than significant.

Significance After Mitigation

Impacts to human burial grounds would be less than significant with implementation of mitigation measure CR-2(d).

c. Cumulative Impacts

Planned buildout of the City of San Luis Obispo under the General Plan would cumulatively increase the potential for adverse effects on cultural and tribal cultural resources in the city. The project would incrementally contribute to this cumulative effect. Impacts to cultural and tribal cultural resources are generally site-specific. Accordingly, as required under applicable laws and regulations, potential impacts associated with cumulative developments would be addressed on a case-by-case basis.

The proposed project, as well as other cumulative projects in the city, would be required to comply with existing state and local regulations described in Section 4.2.1(b), *Regulatory Setting*, which address the protection of cultural and tribal cultural resources in the city. As described under Impacts CR-2, CR-3, and CR-5, with implementation of required mitigation, the project would reduce potential impacts to archaeological and/or paleontological resources to less than significant levels. In addition, as described in Impact CR-4, the project would result in a less than significant impact on tribal cultural resources. Therefore, the project would not contribute substantially to the cumulative loss of archaeological, paleontological, or tribal cultural resources in the city.

However, as described in Impact CR-1, the project would result in a significant and unavoidable impact associated with the removal of two historic structures that are part of the Downtown Historic District. The project would also result in a significant and unavoidable impact on the Downtown Historic District. Mitigation measure CR-1 would reduce the project's impacts to historical resources to the greatest extent possible; however, this measure would not eliminate the permanent cumulative or individual impacts to the identified historic resources, and no other feasible mitigation measures are available. As such, the project would contribute to the cumulative loss of historic resources in the city. This would be a Class I, significant and unavoidable, cumulative impact to historical resources.

4.3 Noise

This section evaluates potential noise impacts from construction and operation of the project.

4.3.1 Setting

a. Environmental Setting

Overview of Sound Measurement

Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a liquid or gaseous medium (e.g., air) to a hearing organ, such as a human ear. Sound is technically described in terms of the loudness (amplitude) and frequency (pitch) of the sound. Noise is typically defined as unwanted sound that interferes with normal activities or otherwise diminishes the quality of the environment.

In the science of acoustics, the fundamental model consists of a sound (or noise) source, a receiver, and the propagation path between the two. The loudness of the noise source and obstructions or atmospheric factors affecting the propagation path to the receiver determines the sound level and characteristics of the noise perceived by the receiver. The field of acoustics deals primarily with the propagation and control of sound.

Prolonged exposure to high levels of noise is known to have several adverse effects on people, including hearing loss, communication interference, sleep interference, and annoyance. The noise environment typically includes background noise generated from both near and distant noise sources as well as the sound from individual local sources. These can vary from an occasional aircraft or train passing by to continuous noise from sources such as traffic on a major road.

The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). In addition to the instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound pressure level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period. Typically, Leq is summed over a one-hour period.

The sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Decibels are summed on a logarithmic basis. Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB and a sound that is 10 dB less than the ambient sound level would result in a negligible increase (less than 0.5 dB) in total ambient sound levels. In terms of human response to noise, studies have indicated that a noise level increase of 3 dBA is barely perceptible to most people, a 5 dBA increase is readily noticeable, and a difference of 10 dBA would be perceived as a doubling of loudness. Quiet suburban areas typically have noise levels in the range of 40 to 50 dBA, while those along arterial streets are in the 50 to 60+ dBA range.

Normal conversational levels are in the 60 to 65 dBA range and ambient noise levels greater than that can interrupt conversations.

Noise levels from stationary or point sources (such as construction equipment and industrial machinery) typically attenuate (lessen) at a rate of 6 dB per doubling of distance over acoustically hard locations. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dB per doubling of distance, while noise from heavily traveled roads typically attenuates at about 3 dB per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment* (2006) indicates that the manner in which newer buildings in California are constructed generally provides a reduction of exterior-to interior noise levels of about 25 dBA with closed windows. Standard construction materials and techniques used for residential developments in California (conventional wood frame construction consistent with current California energy conservation requirements) normally result in a minimum exterior-to-interior noise attenuation of 15 dBA with windows open and 20 dBA with windows closed.

The period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the daytime. To evaluate community noise on a 24-hour basis, the day-night average sound level was developed (Ldn). Ldn is the average of all A-weighted levels for a 24-hour period with a 10 dB upward adjustment added to those noise levels occurring between 10:00 PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is identical to the Ldn with one exception. The CNEL adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). Thus, both the Ldn and CNEL noise measures represent a 24-hour average of A-weighted noise levels with Ldn providing a nighttime adjustment and CNEL providing both an evening and nighttime adjustment.

Groundborne Vibration

Vibration is sound radiated through the ground. Groundborne noise is the rumbling sound caused by the vibration of room surfaces. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB) (FTA 2006).

The typical background vibration velocity level in residential areas is approximately 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels (FTA 2006).

Most perceptible indoor vibration is caused by sources inside buildings, such as mechanical equipment operation, people moving, or slamming doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest for groundborne vibration is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings (FTA 2006). Construction activities can generate ground vibrations, which can pose a risk to nearby structures. Constant or transient vibrations can weaken structures, crack facades, and disturb occupants (FTA 2006). Construction vibrations can be transient, continuous, or random. Single, isolated vibration events are responsible for transient construction vibrations, such as blasting or the use of wrecking balls. Continuous/frequent intermittent vibrations result from equipment or activities such as excavation equipment, static compaction equipment, tracked vehicles, vibratory pile drivers, and vibratory compaction equipment.

Existing Noise Environment

The project site is located east of U.S. 101 and bounded by Palm Street to the north, Nipomo Street to the west, Monterey Street to the south, and residential development to the east. The project site currently contains a public surface parking lot, five residential units (one single-family residence and one duplex on Palm Street, and two single-family residences on Monterey Street), and a detached garage. Surrounding uses include residential and commercial development to the east, west, and south, and the Mission College Preparatory School and athletic field to the north. The primary noise sources in the project area are from U.S. 101, light vehicle traffic along Palm Street, Nipomo Street, and Monterey Street, and occasional noise from the Mission College Preparatory school athletic field.

Rincon Consultants took three 15-minute noise level measurements at three locations around the project site to obtain existing ambient noise levels during the evening peak hours (4:00 PM to 6:00 PM). Figure 10~~9~~ shows the locations of the noise measurements and Table 7 presents the results. As shown in the table, the noise measurements ranged from 56 dBA Leq to 64 dBA Leq.

Table 7 Noise Measurement Results

Station	Location[1]	Primary Noise Source[2]	Measured Sound Level (dBA) 15 Minute Leq[3]
1	Reis Family Mortuary (along Nipomo Street)	Traffic on Nipomo Street	64
2	Entrance to the Palm View Apartments (across from Mission Prep, north of the project site, along Palm Street)	Traffic on Palm Street	60
3	Hays-Lattimer Adobe residence (east of the project site, along Monterey Street)	Traffic on Monterey Street	56

All measurements were conducted for 15 minutes during the PM peak hours (4:00 PM to 6:00 PM) using an ANSI Type II sound level meter.

[1] Locations shown in Figure 10~~9~~.

[2] Approximately 15 feet from roadway centerline

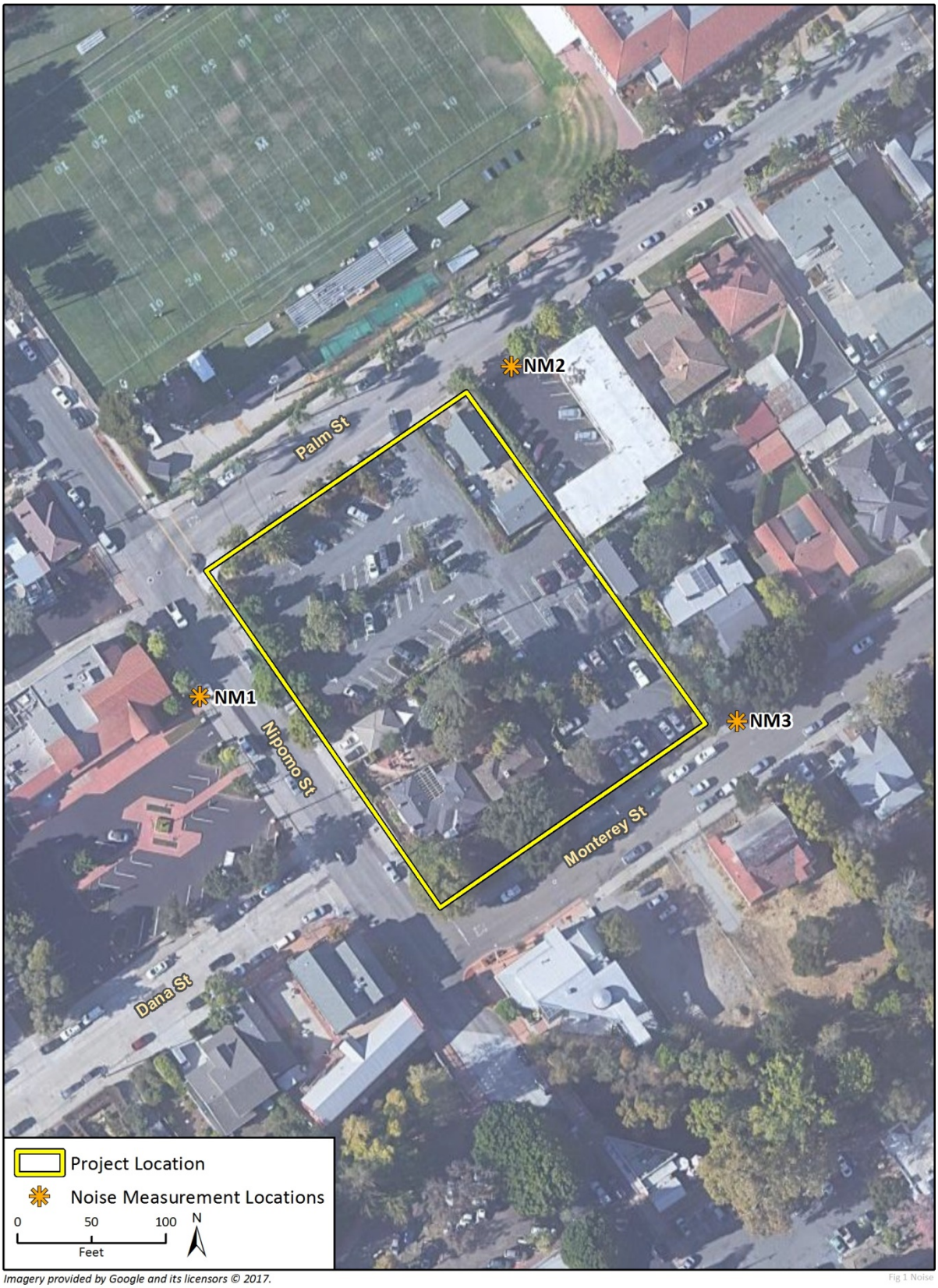
[3] Leq is the average sound level over the measurement period.

Source: Rincon Consultants 2017

Sensitive Noise Receptors

Sensitive noise receptors include locations where noise exposure could result in health-related risks to individuals, and places where quiet is an essential element of the intended purpose of that place. Noise-sensitive receptors closest to the project site include the following: single- and multi-family residential units adjacent to the northeast project boundary; the San Luis Obispo Children's Museum located across Monterey Street, approximately 50 feet from the southeast project boundary; the Reis Family Mortuary across Nipomo Street, approximately 50 feet from the western project boundary; residential suites on the second story of the mixed-use development on the south corner of the intersection of Dana Street and Nipomo Street, approximately 60 feet from the southern project boundary; single-family residences located across Nipomo Street, approximately 90 feet from the western project boundary; and the Mission College Preparatory school athletic field across Palm Street, approximately 75 feet from the northwest project boundary.

Figure 10~~9~~ Noise Measurement Locations



Surrounding Land Uses

Adjacent parcels to the northeast are zoned Medium-High Density Residential (R-3) and have existing residences developed onsite. Across Palm Street to the northwest is the Mission College Preparatory school athletic field, which is zoned Medium-High Density Residential (R-3). Across Nipomo Street to the west is the Reis Family Mortuary & Crematory, which is zoned Office with a Historic district overlay (O-H); residences zoned Medium-High Density Residential (R-3); and mixed commercial and residential suites zoned Downtown Commercial with a Historic District and Planned Development overlay (C-D-H-PD). Across Monterey Street to the south, the San Luis Obispo Children's Museum is zoned as a Public Facility with a Historic District overlay (PF-H), and residential units are zoned Downtown Commercial with a Historic district and Special Considerations overlay (C-D-S-H).

b. Regulatory Setting

City of San Luis Obispo General Plan Noise Element and Noise Guidebook (1996)

The City's Noise Element provides a policy framework for addressing noise. The following policies define the local regulatory setting related to noise as applicable to this project:

- **Policy 1.2 Land Use and Transportation Noise Sources.** According to the General Plan's Noise Element, Ldn or CNEL levels for the theater portion of the proposed project would be acceptable up to 60 dB and conditionally acceptable up to 70 dB. Conditionally acceptable development may be permitted if designed to meet noise exposure standards.
- **Policy 1.3 New Development Design and Transportation Noise Source.** New noise sensitive development shall be located and designed to meet the maximum outdoor and indoor noise exposure levels shown in [Table 8].

Table 8 Maximum Noise Exposure for Noise-Sensitive Uses Due To Transportation Noise Sources

Land Use	Outdoor Activity Areas [1] Ldn [2] or CNEL in dB	Interior Spaces Ldn [2] or CNEL in dB	Interior Spaces Leq in dB [3]
Residences, hotels, motels, hospitals, nursing homes	60	45	–
Theaters, auditoriums, music halls	–	–	35
Churches, meeting halls, office building, mortuaries	60	–	45
Schools, libraries, museums	–	–	45
Neighborhood parks	65	–	–
Playgrounds	70	–	–

[1] If the location of outdoor activity areas is not shown, the outdoor noise standard shall apply at the property line of the receiving land use.

[2] Ldn (day-night average sound level) is the energy-averaged sound level measured over a 24-hour period, with a 10 dB penalty assigned to noise events occurring between 10:00 PM and 7:00 AM and a 5 dB penalty assigned to noise events occurring between 7:00 PM and 10 PM.

[3] As determined for a typical worst-case hour during periods of use.

Source: City of San Luis Obispo General Plan, Noise Element 1996.

City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control)

The City's Noise Control ordinance is found in Chapter 9.12 of the City's Municipal Code. Applicable sections of the existing noise ordinance are described below.

Section 9.12.050 of the Municipal Code stipulates that construction or demolition activities that create a noise disturbance across a residential or commercial property line are prohibited between the hours of 7:00 PM and 7:00 AM, Monday through Saturday, and any time on Sundays or holidays. The ordinance further states that, where technically and economically feasible, construction activities shall not exceed the standards identified in Table 9 and Table 10.

Table 9 Maximum Noise Levels for Nonscheduled, Intermittent, Short-Term Operation (Less than 10 Days) of Mobile Equipment

Zoning Category	Time Period	Noise Level (dBA)
Single-Family Residential	Daily 7:00 AM to 7:00 PM, except Sundays and legal holidays	75 dBA
Multi-Family Residential		80 dBA
Mixed Residential/Commercial		85 dBA
Single-Family Residential	7:00 PM to 7:00 AM, all day Sunday and legal holidays	50 dBA
Multi-Family Residential		55 dBA
Mixed Residential/Commercial		60 dBA

Source: City of San Luis Obispo Municipal Code

Table 10 Maximum Noise Levels for Repetitively Scheduled, Relatively Long-Term Operation (10 Days or More) of Stationary Equipment

Zoning Category	Time Period	Noise Level (dBA)
Single-Family Residential	Daily 7:00 AM to 7:00 PM, except Sundays and legal holidays	60 dBA
Multi-Family Residential		65 dBA
Mixed Residential/Commercial		70 dBA
Single-Family Residential	7:00 PM to 7:00 AM, all day Sunday and legal holidays	50 dBA
Multi-Family Residential		55 dBA
Mixed Residential/Commercial		60 dBA

Source: City of San Luis Obispo Municipal Code

Section 9.12.060 of the ordinance identifies exterior noise limits for noise generated by existing residential and nonresidential properties as summarized in Table 11. These noise level standards are not to be exceeded more than 30 minutes in any hour. In addition, the levels in Table 12 are not to be exceeded for the specified period. If the measured ambient level differs from that permissible in any of the first four noise limit categories of this section, the allowable noise exposure standard shall be adjusted in 5dB increments in each category as appropriate to encompass or reflect the

ambient noise level. The noise levels in Table 11 do not apply to equipment used for construction activities, as those are addressed above in Table 9 and Table 10.

Table 11 Exterior Noise Limits (Not to be Exceeded More than 30 Minutes in Any Hour)

Zoning Designation	Time Period	Maximum Acceptable Noise Level (dBA)
Low- and Medium-Density Residential (R-1 and R-2); Conservation/Open Space (C/OS)	10:00 PM – 7:00 AM	50
	7:00 AM – 10:00 PM	55
Medium- and High-Density Residential (R-3 and R-4)	10:00 PM – 7:00 AM	50
	7:00 AM – 10:00 PM	55
Office and Public Facility (O and PF)	10:00 PM – 7:00 AM	55
	7:00 AM – 10:00 PM	60
Neighborhood, Retail, Community, Downtown and Tourist Commercial (C-N, C-R, C-C, C-D, C T)	10:00 PM – 7:00 AM	60
	7:00 AM – 10:00 PM	65

Source: City of San Luis Obispo Municipal Code Section 9.12.060

Table 12 Maximum Periods for Increased Noise Levels

Noise Standard for Existing Land Use	Maximum Time Period Allowed
+0 dBA	30 minutes/hour
+5 dBA	15 minutes/hour
+10 dBA	5 minutes/hour
+15 dBA	1 minute/hour
+20 dBA	Any time

Source: City of San Luis Obispo Municipal Code Section 9.12.060

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

Construction Noise

Short-term construction-related noise were estimated using projected construction vehicle and equipment requirements, distance between sensitive receptors and construction activities, and daytime ambient noise levels. Project-generated construction source noise levels were determined based on methodologies, reference noise levels, and usage factors from the Federal Highway Administration (FHWA) *Construction Noise Handbook* (2013). Reference levels are the well-documented noise emissions for specific equipment or activity types, where their use is commonly assessed in the field of acoustics.

This analysis assumes construction activities would begin in 2019 and last approximately 12 months during the weekday hours of 7:00 AM to 7:00 PM. Construction activities were broken down into six construction phases: site preparation, demolition, grading, building construction, paving, and architectural coating. Construction-related noise was estimated for each of these phases using the Federal Highway Administration's Roadway Construction Noise Model (RCNM) Version 1.1. The

model utilizes an "acoustical usage factor" to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation phrase. Construction noise was modeled using the ambient noise levels as shown in Table 7 which correspond to the locations of the sensitive receptors.

The analysis assumes that construction would occur at a distance of 25 feet from the residences located adjacent to the northeast project boundary and 50 feet from the Reis Family Mortuary and museum. However, these distances represent a worst-case scenario as construction is not stationary and would move throughout the project site.

Construction noise levels would diminish with distance from the construction site, at a rate of approximately 6 dBA per doubling of distance as equipment is generally stationary or confined to specific areas during construction. It should be noted that construction noise estimates do not account for the presence of intervening structures or topography that would reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative estimate of actual construction noise and vibration levels.

Construction from the proposed project would generate vehicle trips needed to bring and haul equipment, trash, demolition materials, and cut/fill to and from the project site. The noise analysis for construction truck trips is based on the assumption that noise from trucks can reach up to 88 dBA at 50 feet from the source (DOT 2013).

VIBRATION LEVELS ASSOCIATED WITH CONSTRUCTION EQUIPMENT

Groundborne vibration levels associated with construction activities were estimated based on methods in the 2013 California Department of Transportation's (Caltrans) *Transportation and Construction Vibration Guidance Manual*. Potential vibration levels were identified for onsite and offsite locations that are sensitive to vibration, including adjacent residences. Vibration is estimated based on the equipment used and the attenuated distance from the source.

OPERATIONAL AND TRAFFIC NOISE

Operational noise associated with the project includes noise generated from commercial operational activities, project-generated traffic, and parking structure noise (e.g., tire squeal, doors slamming, car alarms and horns, and engine start-ups), and other general activities associated. Noise generated from stationary equipment on the project site was estimated based on the typical dBA levels generated from urban uses, such as heating, ventilation, and air conditioning (HVAC) equipment, delivery trucks, parking lot noise, and other common uses.

To assess potential long-term (operation-related) noise impacts due to project-generated increases in traffic, modeling was conducted for study area roadways (Section 4.4, *Transportation*) using the U.S. Department of Housing and Urban Development Day/Night Noise Level Calculator (HUD DNL) and data from the Transportation Impact Study prepared for this project (Appendix D). Noise modeling data sheets are included in Appendix C.

Operational noise associated with the parking structure was estimated based on noise level data collected from previous parking structure studies and assumes that a typical peak hour would result in 15 percent of the vehicles entering or exiting the site (City of Davis 2017). Based on these methods and assumptions, a typical Sound Exposure Level (SEL) due to automobile arrivals/departures, including car doors slamming, tire "squealing," and people conversing, is approximately 71 dBA at a distance of 50 feet. This SEL was then inputted as a constant into the equation below.

According to the Transportation Impact Study prepared for this project (Appendix D), 265 vehicles would enter or depart the parking structure during the peak hour (CCTC 2017). The parking structure noise levels were determined using the following formula:

Peak Hour Leq = 71 + 10log (N) – 35.6

In the formula, 71 is the mean SEL for an automobile operation; N is the number of parking lot operations in a peak hour, and 35.6 is a constant in the formula, calculated as 10 times the logarithm of the number of seconds in an hour. To calculate noise at the nearest sensitive receptor, the noise level produced from the equation was attenuated to the nearest sensitive receptor. Due to the circular, vehicle circulation routes in the parking structure, vehicles would not continuously traverse in drive lanes adjacent to offsite receptors. Therefore, noise from vehicles operating in the parking structure was evaluated at a distance from the center of the parking structure to a receptor, as a representative average distance for vehicle operation. The distance to the nearest offsite sensitive receptor from the center of the structure is approximately 100 feet. Therefore, the noise from operation of the structure was attenuated to a distance of 100 feet. The distances from the center of the structure to other nearby receptors are located at distances 150 feet or greater and were evaluated as well.

The amount of vehicles entering or exiting the structure during the nighttime (10:00 PM to 7:00 AM) would be lower than the vehicles accessing the structure during the day. Nighttime noise levels from the parking structure were estimated based on an estimate of hourly vehicle trips between 10:00 PM and 7:00 AM. Hourly nighttime vehicle trips entering the structure were based on the peak hour vehicle trips entering and exiting the parking structure (265 trips). The PM peak hour trips were multiplied by 10, to determine average daily trips for the day (a standard assumption that peak hour traffic levels are typically approximately 10 percent of ADT). Assuming peak hour is 10 percent of ADT, the average number of trips in and out of the structure is 2,650. Once ADT for the structure was determined for the average daily trips entering and exiting the parking structure, HUD DNL methodology was applied, which approximates that 15 percent of ADT occur during the nighttime. With a fraction of 15 percent of daily trips occurring at night, the project would generate 398 trips during the hours of 10:00 PM to 7:00 AM. The nighttime ADT were then divided into the number of hours that the structure would operate during the night, to determine an hourly rate of vehicle flow. During this nine-hour window of 398 trips, the average trips per hour would be 44 trips. The formula above was applied to the hourly rate of vehicles to generate noise levels during nighttime conditions.

Overall onsite noise levels were calculated by standard logarithmic decibel addition. Based on logarithmic addition, a doubling of sound energy equates to an approximately 3 dBA increase in noise (e.g., an increase from 65 dBA to 68 dBA represents a doubling of sound energy).

Significance Thresholds

The following criteria are based on Appendix G of the State CEQA Guidelines. Impacts would be significant if the project would result in any of the following:

1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels

3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project
5. 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, exposure of people residing or working in the project area to excessive noise levels
6. For a project near a private airstrip, would the project expose people residing or working the project area to excessive noise levels

The Initial Study determined that the project would not result in exposure of persons to excessive noise levels due public or private airport operations because the project site is not located within the San Luis Obispo County Regional Airport Land Use Plan or in the vicinity of a private airstrip. Therefore, Thresholds 5 and 6 are not discussed further in this section. Refer to Section 5.0, *Issues Addressed in the Initial Study*, for a discussion of these impacts.

Construction-related Noise Thresholds

Construction-related noise would be considered significant if noise from those activities would exceed the maximum noise levels for construction equipment, as stated in the City of San Luis Obispo Municipal Code (Section 9.12.050) and listed above in Table 9 and Table 10.

Construction-related Groundborne Vibration Thresholds

Caltrans' *Transportation-and Construction-Induced Vibration Manual* (Caltrans 2004) provides general guidance on vibration issues associated with construction and operation of projects in relation to human perception and structural damage. Table 13 indicates vibration levels at which humans would be affected by vibration levels.

Table 13 California Department of Transportation Vibration Annoyance Potential Criteria

Human Response Condition	Maximum Vibration Level (in/sec) for Transient Sources[1]	Maximum Vibration Level (in/sec) for Continuous/Frequent Intermittent Sources[2]
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.90	0.10
Severe	2.00	0.40

[1] Transient construction vibrations are generated by a single isolated vibration event, such as blasting or wrecking balls.

[2] Continuous/frequent intermittent vibrations result from equipment or activities such as excavation equipment, static compaction equipment, tracked vehicles, vibratory pile drivers, and vibratory compaction equipment.

Source: California Department of Transportation 2013

In addition, the FTA's Transit Noise and Vibration Impact Assessment (2006) was used to determine whether or not groundborne vibration resulting from project-related construction would cause damage to nearby structures. Damage criteria vary depending on the type of building adjacent to the vibration source. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines state that a continuous vibration level of up to 102 velocity decibels (VdB) (an equivalent to 0.5 inches/second [in/sec] peak particle velocity [PPV]) (FTA 2006) would not result in any construction vibration damage. For older residential structures, the construction

vibration damage criterion is 98 VdB (0.3 in/sec PPV). For non-engineered timber and masonry ("fragile") buildings, the construction vibration damage criterion is 88 VdB (0.1 in/sec PPV). For the purpose of this analysis, an impact would be significant if construction vibration from continuous/ frequent intermittent sources exceeds 88 VdB (0.1 in/sec PPV).

Operational Noise Thresholds

For traffic-related operational noise, impacts are considered significant if project-generated traffic exceeds the maximum noise exposure levels for sensitive receptors as identified in Table 8. The Transportation Impact Analysis, discussed in Section 4.4, *Transportation,* provided existing traffic volumes for the four roadway segments surrounding the project. In addition to existing conditions, traffic volumes on the segments were provided for Existing Plus Project, Cumulative, and Cumulative Plus Project conditions. The ADT on each roadway segment, were derived from the Transportation Impact Study located in Appendix D.

ADT was used to model the change in noise levels resulting from increased traffic on each of these four roadway segments. The analysis included the four conditions – Existing, Existing Plus Project, Cumulative (baseline), and Cumulative Plus Project. The US Department of Housing and Urban Development Day/Night Noise Level Calculator (HUD DNL) was used to analyze roadway noise impacts. Within the HUD DNL calculator, a distance of 25 feet was used for the distance from the sensitive receptor the roadway centerline. Based on the ADT generated by the project, the observed 2 dBA difference between the existing noise measurements and modeled traffic noise levels is within the acceptable margin-of-error of noise monitoring equipment and modeling programs (measured results are shown in Table 7, and modeled traffic noise is shown in the existing column of Table 17). To determine impacts from project added vehicle trips in the cumulative conditions, the cumulative baseline DNL was used as the established "existing" noise levels.

On roadway segments where existing traffic noise levels exceed adopted thresholds, noise impacts are based on increases in ambient noise levels. Impacts to existing development are considered significant if project-generated traffic results in unacceptable noise levels. Recommendations contained in the May 2006 Transit Noise and Vibration Impact Assessment created by the FTA were used to determine whether or not increases in roadway noise would be significant. The allowable noise exposure increase changes with increasing noise exposure, such that lower ambient noise levels have a higher allowable noise exposure increase. Table 14 shows the significance thresholds for increases in traffic related noise levels caused either by the project alone or by cumulative development.

Table 14 Significance of Changes in Operational Roadway Noise Exposures

Existing Noise Exposure (dBA Ldn or Leq)	Allowable Noise Exposure Increase (dBA Ldn or Leq)
45-50	7
50-55	5
55-60	3
60-65	2
65-74	1
75+	0

Source: Federal Transit Administration 2006

Impacts would also be significant if noise from project operations is projected to exceed the maximum exterior noise limits of the surrounding land uses identified in Table 11 and Table 12. As shown in Table 11, the maximum acceptable exterior noise level for the adjacent low and medium-high density residential land uses between 7:00 AM – 10:00 PM is 55 dBA and between 10:00 PM – 7:00 AM is 50 dBA. As these residential limits are the lowest and most conservative acceptable exterior noise levels, the projects operational noise were evaluated against these thresholds, and then related to the other acceptable zoning thresholds (office and downtown commercial).

b. Project Impacts

Impact N-~~9~~1 SHORT-TERM CONSTRUCTION ACTIVITY WOULD TEMPORARILY GENERATE NOISE THAT WOULD EXCEED CITY NOISE THRESHOLDS. MITIGATION IS AVAILABLE TO REDUCE TEMPORARY CONSTRUCTION NOISE, BUT WOULD NOT BE SUFFICIENT TO REDUCE IMPACTS TO LESS THAN THE APPLICABLE THRESHOLDS. IMPACTS WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

Project construction would require noise-generating equipment and vehicles that would temporarily increase noise levels in the project area. Noise-sensitive receptors located nearest to the project site are the single- and multi-family residences located adjacent to the northeastern project boundary, the San Luis Obispo Children's Museum, and Reis Family Mortuary. Construction activities would occur approximately 25 feet from the adjacent residences to the east and 50 feet from the mortuary and museum. Project construction and associated noise impacts have been broken down into six construction phases assumed to occur over 12 months: site preparation, demolition, grading, building construction, paving, and architectural coating.

Table 15 shows modeled noise levels by project phase at distances of 25 feet, 50 feet, and 100 feet from the noise source.

Table 15 Construction Noise Levels by Phase

Construction Phase	Equipment	Estimated Noise at 25 feet (dBA Leq)	Estimated Noise at 50 feet (dBA Leq)	Estimated Noise at 100 feet (dBA Leq)
Site Preparation	Grader, Dozer, Tractor, Front End Loader, Backhoe	91	85	79
Demolition	Concrete Saw, Dozer, Tractor, Front End Loader, Backhoe	92	86	80
Grading	Concrete Mixer Truck, Paver, Scarifier, Front End Loader, Backhoe, Tractor, Auger Drill Rig[1]	93	87	81
Building Construction	Crane, Generator, Tractor, Front End Loader, Backhoe, Welder	90	84	78
Architectural Coating	Air Compressor	80	74	68
Paving	Mixer, Pavers, Rollers, Tractor, Front End Loader, Backhoe	90	84	78

[1]An Auger Drill Rig was used to assess noise impacts as it is the closest equipment type available in the RCNM to the drilled caissons that would be used for the parking structure foundations.

Source: See Appendix C for equipment noise impact data sheets and assumptions.

As shown in Table 15, the grading phase of project construction would create the highest construction noise levels because of the heavy equipment required. Construction noise levels associated with the use of heavy construction equipment would range from approximately 80 dBA Leq to 93 dBA Leq at 25 feet from the source, depending on the phase. Construction noise levels at 50 feet away from the source would range from 74 dBA Leq to 87 dBA Leq depending on the phase, and 100 feet would range from 68 dBA Leq to 81 dBA Leq depending on the phase. Based on the results in Table 15, the single-family residences would temporarily experience noise levels above the City's 60 dBA stationary equipment threshold for single-family residences. At a distance of 25 feet, the multi-family complex would temporarily experience noise levels above the City's 65 dBA stationary equipment threshold for multi-family residences. The mortuary and museum, at distances of 50 feet, would also temporary experience noise levels exceeding the City's 70 dBA stationary equipment threshold for commercial use.

The estimated noise levels during all construction phases would exceed the single family threshold of 60 dBA, the multi-family threshold of 65 dBA, and the commercial threshold of 70 dBA for relatively long-term construction activity (10 days or more) shown in Table 10. This would result in a potentially significant impact.

In addition, the project would generate construction-related traffic that would occur over the construction period and would vary depending on the stage of construction. Vehicles containing construction materials and equipment would access the site throughout all construction phases. The project would include the demolition or relocation of the four residential buildings and detached garage, which would generate hauling trips to and from the project site. The project would also involve approximately 6,400 cubic yards (CY) of cut and 700 CY of fill during project site grading and excavation, resulting in a need for approximately 5,700 CY of soil export, which would also generate hauling trips. The temporary noise generated by vehicles has the potential to disturb receptors nearby to the project, and along the routes to and from the project site. Noise from trucks can reach up to 88 dBA at 50 feet from the source (DOT 2013). If hauling trucks traveled through residential neighborhoods or by sensitive receptors, noise levels may exceed the 75 dBA threshold for intermittent noise shown in Table 9 and impacts would be potentially significant.

Mitigation Measures

The following mitigation measures are required.

N-1(a) Construction Vehicle Travel Route

Construction vehicles and haul trucks shall use roadways that avoid residential neighborhoods and sensitive receptors where possible. The applicant shall submit a proposed construction vehicle and hauling route for City review and approval prior to grading/building permit issuance. The approved construction vehicle and hauling route shall be used for all construction vehicles and hauling trips during the duration of construction.

N-1(b) Construction Activity Timing

Except for emergency repair of public service utilities or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur daily between the hours of 7:00 PM and 7:00 AM, or anytime on Sundays, holidays, or after sunset, where that operation creates a noise disturbance that exceeds 75 dBA for single family residential, 80 dBA for multi-family residential, and 85 dBA for mixed residential/commercial land uses across a residential or commercial property

line for a maximum of 10 days. For construction activities lasting more than 10 days, noise from construction equipment shall not exceed 60 dBA for single family residential, 65 dBA for multi-family residential, and 70 dBA for mixed residential/commercial land uses across a residential or commercial property line.

N-1(c) Construction Equipment Best Management Practices (BMPs)

For all construction activity at the project site, noise attenuation techniques shall be employed to reduce noise levels to extent feasible in accordance with the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include:

- Sound blankets on noise-generating equipment
- Stationary construction equipment that generates noise levels above 60 dBA at the project boundaries shall be shielded with barriers that meet a sound transmission class (a rating of how well noise barriers attenuate sound) of 25
- All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers
- For stationary equipment, the applicant shall designate equipment areas with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities
- Electrical power shall be used to power air compressors and similar power tools
- The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day)
- Temporary sound barriers shall be constructed between construction sites and affected uses

N-1(d) Neighboring Property Owner Notification and Construction Noise Complaints

The contractor shall inform residents and business operators at properties within 300 feet of the project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Proof of mailing the notices shall be provided to the Community Development Department before the City issues a zoning clearance. Signs shall be in place before beginning of and throughout grading and construction activities. Noise-related complaints shall be directed to the City's Community Development Department.

PLAN REQUIREMENTS AND TIMING

Construction plans shall note construction hours, truck routes, and construction BMPs and shall be submitted to the City for approval prior to grading and building permit issuance for each project phase. BMPs shall be identified and described for submittal to the City for review and approval prior to building or grading permit issuance. BMPs shall be adhered to for the duration of the project. The applicant shall provide and post signs stating these restrictions at construction site entries. Signs shall be posted prior to commencement of construction and maintained throughout construction. Schedule and neighboring property owner notification mailing list shall be submitted 10 days prior to initiation of any earth movement. The Community Development Department shall confirm that construction noise reduction measures are incorporated in plans prior to approval of grading/building permit issuance.

All construction workers shall be briefed at a pre-construction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented. A workday schedule will be adhered to for the duration of construction for all phases.

MONITORING

City staff shall ensure compliance throughout all construction phases. Building inspectors and permit compliance staff shall periodically inspect the site for compliance with activity schedules and respond to complaints.

Significance After Mitigation

Project construction would represent a temporary source of noise to sensitive receptors adjacent to the project site and along the route used by haul trucks. Mitigation Measures N-1(a) through N-1(d) require implementation of noise reduction devices and techniques during construction, and would reduce noise associated with on- and offsite construction activity to the maximum extent feasible. Noise from trucks can reach up to 88 dBA at 50 feet from the source. Although Mitigation Measure N-1(a) would reduce impacts from haul trucks by requiring the haul route to avoid residential areas and noise sensitive uses where possible, haul truck noise would continue to exceed the 75 dBA threshold for intermittent noise shown in Table 9. Therefore, noise impacts from haul trucks would be minimized, but not eliminated. As a result, temporary noise impacts associated with offsite construction activity would be significant and unavoidable.

As shown in Table 15, adjacent residences would be exposed to temporary noise levels of up to 93 dBA during grading activities, which would occur 25 feet from the nearest residence. The available mitigation for this, and other construction activities would not reduce the noise associated with these activities below the applicable City standards for relatively long term construction activity shown in Table 10. Therefore temporary noise impacts associated with onsite construction activity would be significant and unavoidable.

Impact N-~~10~~2 SHORT TERM CONSTRUCTION ACTIVITIES WOULD GENERATE INTERMITTENT LEVELS OF GROUNDBORNE VIBRATION THAT WOULD BE PERCEPTIBLE, BUT WOULD NOT EXCEED APPLICABLE THRESHOLDS. THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Construction activities on the project site would temporarily generate groundborne vibration. Table 16 shows the anticipated vibration levels from construction equipment based on distance from the closest sensitive receptors (adjacent residences northeast of the project site) for the types of construction equipment that would be used on the project site. As noted in the project description, pile drivers would not be used in project construction.

Table 16 Vibration Source Levels for Construction Equipment

Construction Equipment	Vibration Level at 25 feet (in/sec, VdB) [1]
Large Bulldozer	0.089, 87
Loaded Trucks	0.076, 86
Jackhammer	0.035,79
Small Bulldozer	0.003, 58
Caisson Drilling	0.089, 87

[1] Calculated using equation from FTA Transit Noise and Vibration Impact Assessment (2006): PPVequip = PPVref * (25/D)^1.5
Source: California Department of Transportation 2013.

As shown in Table 16, periodic vibration levels could reach up to 0.089 in/sec or 87 VdB at 25 feet from construction activity. As discussed in Impact N-1, the nearest residential use (the adjacent multi-family residential structure) is 25 feet from the project site boundary, however, a majority of construction activity would occur near the center of the site. A distance of 25 feet was applied conservatively to the Hays-Lattimer Adobe building as well; however, this is based on the distance from the project structure to the Hays-Lattimer Adobe property line. The distance from the nearest project structure to the adobe building is 60 feet. Based on California Department of Transportation vibration criteria in Table 13, this level of vibration would be strongly perceptible by nearby residents. However, vibration would be temporary and intermittent due to the nature of construction, and would only occur during daytime hours.

With regard to potential impacts to nearby fragile structures, the closest and most fragile structure is the historic Hays-Lattimer Adobe (for this analysis assumed 25 feet from construction activities). As shown in Table 16, project construction could result in vibration levels up to 87 VdB at 25 feet, which is below the 88 VdB threshold. Furthermore, as noted above, the distance from the proposed parking structure construction to the historic adobe would be closer to 60 feet. Therefore, this is a conservative estimate. Based on the threshold of 88 VdB for damage to fragile structures and conservative distance applied, project construction activities would not result in vibration levels that would cause structural damage to fragile historic structures or older residential structures. Impacts associated with vibration would therefore be less than significant.

Mitigation Measures

No mitigation measures are required.

Significance After Mitigation

No mitigation measures are required. Impacts are less than significant.

IMPACT N-~~11~~3 THE PROJECT WOULD GENERATE OPERATIONAL NOISE FROM PROJECT-GENERATED TRAFFIC AND NEW COMMERCIAL AND PARKING USES. NOISE FROM THE PROJECT WOULD NOT EXCEED ACCEPTABLE NOISE LEVELS AT EXISTING OFFSITE SENSITIVE RECEPTORS AND IMPACTS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Long-term, Onsite Operational Noise

The proposed project would introduce new commercial and parking uses on the project site. Existing sensitive uses near the project site and proposed new uses onsite may periodically be subject to noise associated with operation of the proposed project, including stationary equipment, such as heating, ventilation, and air conditioning (HVAC) systems, delivery trucks, parking structure noise, and other general activities associated with the proposed uses.

HVAC Equipment

Noise levels from commercial ventilation and air conditioning equipment can reach 100 dBA at a distance of three feet (USEPA 1971). These units usually have noise shielding cabinets, placed on the roof or mechanical equipment rooms and are not usually significant sources of noise impacts. Typically, the shielding and location of these units reduces noise levels to no greater than 55 dBA at 50 feet from the source. Based on the project plans, the proposed commercial uses would be located approximately 100 feet from the nearest residences located to the east and south of the project site. Based on an attenuation rate of 6 dB per doubling of distance, this would result in an external noise level at the nearest residential receptor (100 feet) of 49 dBA, which would not exceed City standards shown in Table 11 at nearby residences; therefore, noise exposure from HVAC systems would result in a less than significant impact.

Delivery Trucks

Onsite activities would include the use of delivery trucks and trash hauling. Delivery trucks and trash hauling trucks would access the site using driveways located on Palm Street and Nipomo Street. Proposed parking areas and loading zones would be located a minimum of 50 feet from the nearest residential receptor. The California Motor Vehicle Code establishes maximum sound levels for trucks operating at speeds less than 35 miles per hour (Section 23130). The maximum sound level established by the code is 86 dBA Leq at 50 feet. However, average noise levels for single idling trucks generally range from 66 to 71 dB Leq at a distance of 50 feet, and maximum noise levels associated with heavy truck passages range from 76 to 81 dB Lmax at a distance of 50 feet. Maximum noise levels generated by passages of medium duty delivery trucks generally range from 61 to 71 dB at a distance of 50 feet, depending on whether or not the driver is accelerating. Noise exposure from delivery trucks would potentially result in periodic community annoyance for nearby receivers. However, because delivery truck trips to the site would be an occasional source of noise, and would be similar in noise level and frequency to existing delivery truck trips associated with other commercial uses located adjacent to the project site, operational noise impacts would be less than significant.

Operational Noise from Parking Structure on Sensitive Receptors

The proposed project includes a parking structure with 445 parking spaces and has the potential to expose sensitive receptors to noise from its use. Noise associated with parking lot activities include onsite vehicular traffic, car door slamming, car alarms, vehicle engine start-up, tire squealing, and people conversing. The project proposes a small seating area on the rooftop of the parking

structure, which would generate minimal noise in relation to the vehicle traffic generated by the parking structure and along the roadways.

The majority of the parking structure activities would occur within the structure and would be primarily enclosed. However, parking structures typically have openings and there is some reverberation from inside the structure. Using the formula described in the methodology, the predicted day time parking structure noise level is 59.6 dBA Leq at a distance of 50 feet. The noise level at 50 feet was then attenuated to 100 feet (distance to the nearest sensitive receptor). The predicted typical worst case Leq during daytime hours at the nearest residence would be 53.6 dBA Leq. As shown in Table 11, the maximum acceptable exterior noise level for the adjacent medium-high density residential land uses between 7:00 AM – 10:00 PM is 55 dBA Leq. The project would not result in operational noise that exceeds City thresholds during the daytime hours.

Using the formula described in the methodology, the predicted parking structure noise level at night is 51.4 dBA Leq at a distance of 50 feet. Using an attenuation of 100 feet to the nearest receptor, the typical worst case Leq during nighttime conditions would be 45.4 dBA Leq. As shown in Table 11, the maximum acceptable exterior noise level for the adjacent medium-high density residential land uses between 10:00 PM – 7:00 AM is 50 dBA Leq. The project would not result in operational noise that exceeds City thresholds during the nighttime hours.

Operational noise from the project would not exceed daytime or nighttime thresholds in the City of San Luis Obispo Municipal Code Section 9.12.060, and impacts would be less than significant.

Roadways and Vehicle Trips

Operation of the project would produce vehicle trips that would incrementally increase traffic noise on study area roadways, and would result in an increase in traffic noise at existing offsite land uses along affected roadways. Table 17 shows the modeled roadway noise levels along the project-studied roadway segments.

Table 17 Existing and Existing Plus Project Noise Levels on Studied Roadway Segments

Segment	Existing (dBA Ldn)	Existing Plus Project (dBA Ldn)	Project Increase (dBA Ldn)	Applicable Noise Increase[1] (dBA)
1. Palm Street – Nipomo to Broad	59.4	60.4	1.0	3
2. Nipomo Street – Palm to Monterey	62.8	63.5	0.7	2
3. Broad Street – Palm to Monterey	60.2	60.2	0.0	2
4. Monterey Street – Nipomo to Broad	56.7	56.7	0.0	3

[1] FTA Applicable noise increases for roadways based on the thresholds in Table 14 and discussed in the Methodology and Significance Thresholds.

See Appendix C for noise calculations.

Source: HUD DNL Calculator

Existing and Existing Plus Project Conditions

EXISTING

Per the modeled results from the HUD DNL calculator and shown in Table 17, the residences along Palm Street currently experience roadway noise levels of approximately 59.4 Ldn and Monterey Street at 56.7 Ldn. Nipomo Street currently has existing roadway noise levels of 62.48 Ldn, and Broad Street has existing roadway noise at 60.2 Ldn.

EXISTING PLUS PROJECT

The addition of project generated traffic would increase noise levels along the project's studied roadway segments. As shown in Table 17, residences along Palm Street (between Nipomo Street and Broad Street) would experience a roadway noise level increase of approximately 1.0 dBA, which would result in an ambient noise level of approximately 60.4 Ldn. Residences along Nipomo Street (between Palm Street and Monterey Street) would experience an increase in roadway noise levels of 0.7 dBA, resulting in an ambient noise level of 63.5 Ldn. Both Broad Street (between Palm Street and Monterey Street) and Monterey Street (between Nipomo Street and Broad Street) would not exhibit changes in ambient noise levels, based on the number of trips generated by the project; therefore, noise impacts along these roadways would be less than significant.

Based on the existing noise level of 62.8 Ldn on Nipomo Street, and thresholds shown in Table 14, impacts would be significant if an increase was larger than 2 dBA. The project would result in an increase of 0.7 dBA; therefore, impacts would be less than significant. Based on the existing noise level of 59.4 Ldn on Palm Street, and thresholds shown in Table 14, impacts would be significant if an increase was larger than 3 dBA. As the project would experience an increase of 1 dBA, impacts would be less than significant. Impacts associated with operational roadway noise would be less than significant.

Mitigation Measures

No mitigation measures are required.

Significance After Mitigation

No mitigation measures are required. Impacts are less than significant.

c. Cumulative Impacts

Construction

Project construction is anticipated to begin in 2019. Construction of the proposed project could overlap with construction of other projects in the vicinity, including the Monterey Street Place across Monterey Street and The Vesper Hotel at the Creamery Project across Nipomo Street, and have the potential to impact sensitive receptors, including the Children's Museum and adjacent residences. As discussed under impact N-1, the project would result in significant and unavoidable construction noise impacts; therefore, any additional construction noise would result in a significant cumulative impact to sensitive receptors. The project's incremental contribution to this impact would be cumulatively considerable.

Mitigation Measures

Mitigation Measure N-4 would be required to reduce cumulative impacts associated with construction noise.

N-4 Coordination of Construction Timing

Prior to the issuance of grading permits, the City of San Luis Obispo shall review and coordinate the construction schedules of any other projects within 300 feet of the project to ensure that construction schedules do not overlap.

Significance After Mitigation

Implementation of mitigation measure N-4 would avoid additional cumulative construction noise impacts and reduce the cumulative impact to a less than significant level.

Operations

As discussed in Impact N-3, the proposed project would introduce new commercial and parking uses on the project site that would increase ambient noise levels. The roadway noise levels for both the Cumulative baseline, and Cumulative Plus Project Conditions are shown below in Table 18.

Table 18 Cumulative and Cumulative Plus Project Noise Levels on Roadway Segments

Segment	Cumulative (baseline; dBA Ldn)	Cumulative Plus Project (dBA Ldn)	Project Increase (dBA Ldn)	Applicable Noise Increase[1] (dBA)
1. Palm Street – Nipomo to Broad	60.0	60.8	0.8	2
2. Nipomo Street – Palm to Monterey	64.0	64.5	0.5	2
3. Broad Street – Palm to Monterey	60.9	60.9	0.0	2
4. Monterey Street – Nipomo to Broad	57.4	57.5	0.1	3

[1] FTA Applicable noise increases for roadways based on the thresholds in Table 14 and discussed in the Methodology and Significance Thresholds.

See Appendix C for all calculations

Source: HUD DNL Calculator

A shown in Table 18, Palm Street would experience a roadway noise level increase of 0.8 dBA under the Cumulative Plus Project condition. The threshold for allowable noise increase along this roadway is 2 dBA. The 0.8 dBA increase is below the 2 dBA threshold. This impact would be less than significant and the project's contribution would not be cumulatively considerable.

As shown in Table 18, Nipomo Street would experience a roadway noise level increase of 0.5 dBA under the Cumulative Plus Project condition. Based on the 2 dBA threshold, this impact would be less than significant and the project's contribution would not be cumulatively considerable.

Under the Cumulative Plus Project condition, there would be no increase in ambient noise levels from project generated traffic on Broad Street (between Palm Street and Monterey Street). Therefore, the project would not result in a cumulative impact on Broad Street (between Palm Street and Monterey Street).

As shown in Table 18, under the Cumulative Plus Project condition, Monterey Street would experience a roadway noise level increase of 0.1 dBA. The applicable noise increase along this roadway is 3 dBA. Since the project would contribute a 0.1 dBA increase, this is would be less than significant, and impacts would not be cumulatively considerable. Under the Cumulative Plus Project condition, increases in ambient noise would be less than significant and the project's contribution to cumulative noise impacts in the vicinity would be less than significant

4.4 Transportation

This section is based on the *Palm Nipomo Parking Structure Project Transportation Impact Study* (2017) prepared by Central Coast Transportation Consulting (CCTC), which evaluates the potential transportation impacts of the Palm Nipomo Parking Structure Project. The Transportation Impact Study is included as Appendix D to this EIR.

The scope of the transportation study was developed in consultation with City staff and conforms to the standards and policies for such analysis set forth in the City's adopted *Multimodal Transportation Impact Study Guidelines* (2015) and *General Plan Circulation Element* (2014). In particular, careful consideration was given to the transportation facilities that could be substantially affected by project-generated traffic. These facilities are reviewed and assessed in this EIR. The initial screening of facilities that could be substantially impacted by project-generated traffic took into account existing traffic volumes, traffic control systems, existing operational characteristics, and the magnitude of project-generated traffic and its likely distribution.

4.4.1 Setting

a. Environmental Setting

The project site is located east of U.S. 101 at the intersections of Palm and Nipomo streets and Nipomo and Monterey streets in downtown San Luis Obispo. The site is developed with a 77-space surface parking lot, one detached garage, and four residential structures containing five residences. The existing parking lot provides public parking in metered stalls owned and operated by the City of San Luis Obispo. Ingress and egress to the lot is available from a driveway on Palm Street. There are sixteen on-street metered parking spaces along the project frontage, with more metered parking available on surrounding streets.

The Transportation Impact Study identifies four study intersections and four roadway study segments for the transportation study area, shown in Figure 11~~10~~. Table 19 lists these intersections and roadway segments, further described in the subsections below.

Table 19 Study Intersections and Segments

Study Intersections	Study Segments
1. Palm Street/Nipomo Street	1. Palm Street (Nipomo to Broad)
2. Palm Street/Project Driveway	2. Nipomo Street (Palm to Monterey)
3. Project Driveway/Nipomo Street	3. Broad Street (Palm to Monterey)
4. Monterey Street/Nipomo Street	4. Monterey (Nipomo to Broad)

Existing Roadway Network

Regional access to the project site is provided by U.S. 101, located west and north of the study area, and Highway 1, which coincides with and is designated Santa Rosa Street (north of U.S. Highway 101) near the project site. A well-defined grid of downtown streets provides local access to the site. The study area roadways are described below. According to the City's General Plan Circulation Element, all of the study area roadways are classified as Local Commercial streets.

Figure 11~~10~~ Study Intersections and Road Segments

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Fig 3 TrafficStudy

Nipomo Street is a north-south local roadway with one travel lane in each direction and a speed limit of 25 miles per hour (mph) in the study area. Nipomo Street operates perpendicular to Higuera and Marsh Streets. The road mainly serves as a connection between the residential and commercial areas and the downtown.

Broad Street is a north-south local roadway with one travel lane in each direction and a speed limit of 25 mph in the study area. Broad Street operates parallel to Nipomo Street. The roadway serves the commercial and residential areas within the downtown.

Monterey Street is an east-west local roadway with one travel lane in each direction and a speed limit of 25 mph in the study area. Monterey Street serves the retail and commercial areas within the downtown core, providing access to two of the three downtown parking structures.

Palm Street is an east-west local roadway with one lane in each direction and a speed limit of 25 mph in the study area. Palm Street serves the retail and commercial areas within the downtown.

Existing Pedestrian and Bicycle Facilities

Pedestrian facilities generally included in the study area are sidewalks along roadways and crosswalks. All study segments have paved sidewalks on both sides of the street. A curb extension is located on the southeast corner of the Monterey Street/ Nipomo Street intersection. The intersection of Palm Street/Nipomo Street has one north-south marked crosswalk across Palm Street. The intersection of Monterey Street/Nipomo Street does not have any marked crosswalks. The intersection of Broad Street/Palm Street, with all-way stop sign control, has marked crosswalks on all legs of the intersection except the north leg. The intersection of Broad Street/Monterey Street has a north-south marked crosswalk across Monterey Street on the uncontrolled leg. An east-west marked crosswalk is also provided near the Mission Plaza Dogleg where Broad Street becomes Monterey Street.

Bicycle facilities in the study area consist of Class III bicycle routes along Nipomo and Broad Streets. Class III bicycle routes are for shared use with motor vehicles and have no separated bike right-of-way or lane striping.

Existing Transit Service

The San Luis Obispo Regional Transit Authority (RTA) and the City of San Luis Obispo Transit Division (SLO Transit) provide fixed route transit service to the study area. RTA Route 10 and SLO Transit Routes 1 and 2 serve the study area.

RTA Route 10 serves Nipomo Street near the project, providing service from San Luis Obispo to Santa Maria. Along Nipomo Street, southbound Route 10 stops at Higuera Street. The nearest northbound Route 10 stop is on Marsh Street at Broad Street. Weekday service has one-hour headways, Saturday service has near three-hour headways, and Sunday service has close to four-hour headways.

SLO Transit Route 1 passes through the study area as it travels southbound from the Downtown Transit Center to the Orcutt Road/Johnson Avenue area, with a stop on Nipomo Street at Higuera Street. Route 1 runs only on weekdays with hourly headways.

SLO Transit Route 2 provides service from downtown San Luis Obispo to Suburban Road, with a southbound stop on Nipomo Street at Higuera Street. The nearest northbound stop is on Marsh Street at Broad Street. Route 2 provides service with 40-minute headways, and one-hour headways on weekday evenings from Labor Day to mid-June.

Existing Multimodal Level of Service

Existing conditions establish baseline traffic conditions in the study area. In order to determine existing operational characteristics and levels of congestion, traffic counts were collected at each of these intersections in 2016 (see Appendix D).

Level of service (LOS) is a qualitative measure to describe how well an urban street serves the needs of each of its users (motorists, pedestrians, cyclists, and/or transit users) based on factors, such as speed, travel time, and delay. A scale of LOS A to F is used to indicate the level of service, with "A" as the best quality and "F" as the worst quality. LOS is determined following the methodologies presented in the Transportation Research Board's 2010 *Highway Capacity Manual* (2010 HCM; Fifth Edition) Multimodal Level of Service criteria. Table 20 presents the LOS criteria by mode used for unsignalized (i.e., stop sign controlled) intersections and street segments as set forth in 2010 HCM.

Table 20 Level of Service Criteria

Unsignalized Intersections (Automobiles)[1]		Unsignalized Intersections (Pedestrians)[2]		Street Segments (Automobiles, Pedestrian, Bicycle, and Transit Modes)[3]	
Control Delay (Seconds/Vehicle)	LOS	Approach Delay	LOS	LOS Score	LOS
≤ 10	A	≤ 5	A	≤ 2.00	A
>10 – 15	B	>5 – 10	B	>2.00 – 2.75	B
>15 – 25	C	>10 – 20	C	>2.75 – 3.50	C
>25 – 35	D	>20 – 30	D	>3.50 – 4.25	D
>35 – 50	E	>30 – 45	E	>4.25– 5.00	E
>50	F	>45	F	>5.00	F

[1] Automobiles at side-street-stop-controlled intersections. Source: Exhibits 19-1 and 20-2 of the 2010 HMC.

[2] Pedestrian LOS at two-way stop controlled intersections. Source: Exhibits 19-2 of the 2010 HCM.

[3] Autos, pedestrian, bicycle, and transit LOS along street segments. Source: Exhibit 16-5 and 16-6 of the 2010 HCM, assuming 60 ft^2/p for pedestrian mode.

To calculate LOS, traffic counts for weekday PM peak hour (4:00 PM to 6:00 PM) conditions were collected at the study intersections in 2016 to establish baseline conditions. Intersection operations were evaluated for the highest one-hour volume counted during this period. Traffic count sheets are provided in Appendix A of the Transportation Impact Study (2017) located in Appendix D of this EIR. The Levels of Service were then computed at each of the study locations following the 2010 *Highway Capacity Manual* (2010 HCM) methodology and using the Synchro 9 software for intersections and the LOS+ software for segments. The Synchro and LOS+ output sheets showing the LOS calculations are provided in Appendix B and C of the Transportation Impact Study (2017) in Appendix D of this EIR.

The City's General Plan Circulation Element (2014) establishes the following minimum multimodal LOS standards:

- **Vehicle**. LOS E or for an intersection or roadway segment in the downtown area
- **Pedestrian.** LOS C
- **Bicycle**. LOS D
- **Transit**. Baseline LOS or LOS D, whichever is lower

The following subsections describe the existing conditions of study intersections and roadway segments in terms of LOS for vehicles, pedestrians, bicycles, and transit.

Existing Vehicle Conditions

Figure 12~~11~~ shows the existing weekday PM peak hour traffic volumes at the study intersections, as well as the existing intersection lane configurations. Table 21 presents the average daily traffic (ADT) volumes along street segments in the study area.

Table 21 Existing Average Daily Trips

Segment	ADT[1]
1. Palm Street	2,238
2. Nipomo Street	4,954
3. Broad Street	2,676
4. Monterey Street	1,197

[1] 2016 average daily trips

Source: CCTC 2017

Table 22 presents the existing vehicle LOS for the study intersections, which currently operate at an acceptable LOS B. Table 23 shows the existing LOS for the study segments, which all currently operate at an acceptable LOS B.

Table 22 Existing Intersection LOS for Vehicles (PM Peak Hour)

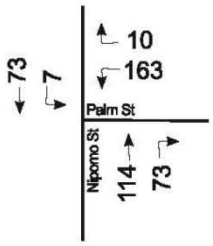
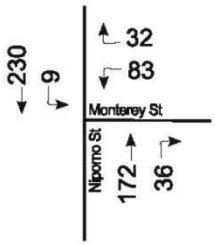
	Existing Conditions		
Intersection	V/C[1]	Delay[2] (sec/veh)	LOS
1. Palm Street/Nipomo Street	0.30	5.0 (12.3)	B
2. Palm Street/Project Driveway		N/A	
3. Project Driveway/Nipomo Street		N/A	
4. Monterey Street/Nipomo Street	0.24	2.8 (13.3)	B

[1] Volume to capacity (v/c) ratio reported for worst movement.

[2] HCM 2010 average control delay in seconds per vehicle (sec/veh). For side-street-stop controlled intersections the worst approach's delay is reported in parentheses next to the overall intersection delay.

N/A – V/C and delay do not occur at these intersections under existing conditions as they currently have not been built.

Figure 12~~11~~ Existing Weekday PM Peak Hour Traffic Volumes

Existing Peak Hour			
1. 	2. Does Not Exist	3. Does Not Exist	4. 

Source: CCTC 2017

Legend:	
(X) - Study Area Intersection	xx - PM Peak Hour Traffic Volumes

Palm/Nipomo Parking Structure

Table 23 Existing Roadway Segment LOS for Vehicles (PM Peak Hour)

		Existing Conditions	
Segment	**Direction**	**V/C**	**LOS[1]**
1. Palm Street – Nipomo to Broad	EB	0.03	B
	WB	0.00	B
2. Nipomo Street – Palm to Monterey	NB	0.09	B
	SB	0.17	B
3. Broad Street – Palm to Monterey	NB	0.04	B
	SB	0.00	B
4. Monterey Street – Nipomo to Broad	EB	0.00	B
	WB	0.00	B

[1] HCM 2010 Automobile Traveler Perception Score and LOS

Existing Pedestrian Conditions

Table 24 shows the existing pedestrian LOS for the study intersections and Table 25 show the existing pedestrian LOS for the study segments. All intersections and segments currently operate at acceptable conditions (LOS C or better) during the weekday PM peak hour for pedestrians.

Table 24 Existing Intersection LOS for Pedestrians (PM Peak Hour)

		Existing Conditions	
Intersection	**Direction**	**Approach Delay[1]**	**LOS**
1. Palm Street/Nipomo Street	NB/SB	4.8	A
2. Palm Street/Project Driveway	All	N/A	
3. Project Driveway/Nipomo Street	All	N/A	
4. Monterey Street/Nipomo Street	NB/SB	13.7	C

[1] HCM 2010 Reports pedestrian LOS at two-way stop controlled intersection in delay (seconds)

Table 25 Existing Roadway Segment LOS for Pedestrians (PM Peak Hour)

		Existing Conditions	
Segment	**Direction**	**LOS Score**	**LOS[1]**
1. Palm Street – Nipomo to Broad	EB	1.09	A
	WB	1.58	A
2. Nipomo Street – Palm to Monterey	NB	1.57	A
	SB	1.60	A
3. Broad Street – Palm to Monterey	NB	1.09	A
	SB	1.11	A
4. Monterey Street – Nipomo to Broad	EB	1.02	A
	WB	1.19	A

[1] HCM 2010 pedestrian/bicycle score and LOS

Existing Bicycle Conditions

HCM 2010 does not establish LOS standards for bicycles at stop-controlled intersections. Therefore, bicycle intersection operations are not reported. Bicycle segment LOS is reliant on the presence of a Class II bicycle lane and the volume of vehicles on the roadway. All study segments lack bicycle lanes, therefore segments with more vehicle traffic experience worse service levels.

Table 26 shows the existing bicycle LOS for the study segments. Westbound bicycle traffic on Palm Street between Nipomo Street and Broad Street and bicycle traffic on Nipomo between Palm and Monterey in both directions currently operate acceptably at LOS D. The remaining segments currently operate at LOS C or better for bicycles during the weekday PM peak hour.

Table 26 Existing Roadway Segment LOS for Bicycles (PM Peak Hour)

		Existing Conditions	
Segment	**Direction**	**LOS Score**	**LOS[1]**
1. Palm Street – Nipomo to Broad	EB	2.88	C
	WB	3.56	D
2. Nipomo Street – Palm to Monterey	NB	3.78	D
	SB	3.93	D
3. Broad Street – Palm to Monterey	NB	2.80	C
	SB	2.92	C
4. Monterey Street – Nipomo to Broad	EB	2.18	B
	WB	3.30	C

[1] HCM 2010 pedestrian/bicycle score and LOS

Existing Transit Conditions

An acceptable transit LOS is predicated primarily on the presence of shelters and benches at bus stops, as well as the frequency and on-time performance of each route. Route 1 and Route 10 currently operate with a frequency of one bus per hour, while Route 2 operates at one bus every 40 minutes. All three transit routes provide an unsheltered stop with benches within one block of the project site as follows.

- A stop at the Nipomo Street/Higuera Street intersection is served by SLO Transit's Route 1 and Route 2
- A stop at the Marsh Street/Broad Street intersection serves Routes 1, 2, and RTA Route 10

Table 27 presents the existing transit LOS for the study segments. As shown, both study segments served by transit stops operate acceptably.

Table 27 Existing Roadway Segment LOS for Public Transit (PM Peak Hour)

Segment	Direction	Existing Conditions	
		LOS Score[1, 2]	LOS[1]
1. Palm Street – Nipomo to Broad	EB	N/A	
	WB	1.67	A
2. Nipomo Street – Palm to Monterey	NB	N/A	
	SB	1.68	A
3. Broad Street – Palm to Monterey	NB	N/A	
	SB	N/A	
4. Monterey Street – Nipomo to Broad	EB	N/A	
	WB	N/A	

[1]HCM 2010 pedestrian/bicycle/transit score and LOS

[2]LOS is not established for segments without a directional transit route.

b. Regulatory Setting

Americans with Disabilities Act

Title III of the ADA (codified in Title 42 of the U.S. Code [USC]), prohibits discrimination on the basis of disability in places of public accommodation (i.e., businesses and non-profit agencies that serve the public) and commercial facilities (i.e., other businesses). This regulation includes Appendix A to Part 36, Standards for Accessible Design, which establishes minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility.

Senate Bill (SB) 743

To further the State's commitment to the goals of SB 375, Assembly Bill (AB) 32, and AB 1358, SB 743 adds Chapter 2.7, Modernization of Transportation Analysis for Transit-Oriented Infill Projects, to Division 13 (Section 21099) of the Public Resources Code. Key provisions of SB 743 include reforming aesthetics and parking CEQA analysis for urban infill projects and replacing the measurement of automobile delay with vehicle miles traveled as a metric that can be used for measuring environmental impacts. Under SB 743, the focus of the environmental impacts of transportation shift from driver delay to reduction of greenhouse gas emissions, creation of multimodal networks, and promotion of a mix of land uses, and LOS standards become local policy thresholds as adopted among individual agencies. Currently official measures and significance thresholds are still being developed and have not yet been adopted under CEQA. Therefore automobile LOS is still used as a significance threshold for CEQA review. The traffic study prepared for the Palm/Nipomo Parking Structure project discusses both multimodal LOS and VMT.

City of San Luis Obispo General Plan, Circulation Element

The City's adopted General Plan Circulation Element includes policies and programs pertaining to transportation in the City. Policies and programs applicable to this project include:

- **Goal 1.7.1 Encourage Better Transportation Habits.** Increase the use of alternative forms of transportation (as shown on Table 1) and depend less on the single-occupant use of vehicles.

- **Policy 2.1.4 Downtown Congestion.** Within the Downtown the City shall establish and promote programs aimed at reducing congestion in a way that supports the long-term economic viability of the downtown.
- **Policy 3.1.7 Transit Service Access.** New Development should be designed to facilitate access to transit service.
- **Program 3.2.7 New Development.** When evaluating transportation impacts, the City shall use a Multimodal Level of Service analysis.
- **Policy 4.1.4 New Development.** The City shall require that new development provide bikeways, secure bicycle storage, parking facilities and showers consistent with City plans and development standards. When evaluating transportation impacts, the City shall use a Multi-modal Level of Service (MMLOS) analysis.
- **Policy 4.1.12 Bike Parking.** The City shall facilities development of conveniently located bike parking so as not to impede pedestrian walkways.
- **Policy 5.1.3 New Development.** New development shall provide sidewalks and pedestrian paths consistent with City policies, plans, programs, and standards. When evaluating transportation impact, the City shall use a Multimodal Level of Service analysis
- **Policy 5.1.4 Pedestrian Access.** New or renovated commercial and government public buildings shall provide convenient pedestrian access from nearby sidewalks and pedestrian paths, separate from driveways and vehicle entrances.
- **Policy 5.1.5 Pedestrian Crossings.** To improve pedestrian crossing safety at heavily used intersections, the City shall institute the following:
  - Install crossing controls where warranted by the California Manual on Uniform Traffic Control Devices (MUTCD) that provide adequate time for pedestrians to cross the street. In the downtown, install traffic-calming features such as textured cross walks and bulb-outs, where appropriate.
- **Policy 6.1.2 Multimodal LOS Objectives, Service Standards, and Significance Criteria.** The City shall strive to achieve LOS objectives and shall maintain LOS minimums for all four modes of travel; Pedestrians, Bicyclists, Transit, & Vehicles per Table 2 and the Highway Capacity manual.
- **Policy 6.1.3 Multimodal Priorities.** In addition to maintaining minimum LOS, MMLOS should be prioritized in accordance with the established modal priorities, such that construction, expansion, or alteration for one mode should not degrade the service level of a higher priority mode.
- **Policy 6.1.4 Defining Significant Circulation Impact**. Any degradation of the LOS shall be minimized to the extent feasible in accordance with the modal priorities established. If the LOS degrades below thresholds established in Policy 6.1.2, it shall be determined a significant impact for purposes of environmental review under CEQA. For roadways already operating below the established MMLOS standards, any further degradation to the MMLOS score will be considered a significant impact under CEQA. Where a potential impact is identified, the City in accordance with the modal priorities established, can determine if the modal impact in question is adequately served through other means e.g., another parallel facility or like service. Based on this determination, a finding of no significant impact may be determined by the City.
- **Program 7.2.7 Traffic Access Management.** The City shall adopt an access management policy to control location, spacing, design and operation of driveways, median openings, crosswalks, interchanges and street connections to a particular roadway including navigation routes to direct traffic in a manner that preserves the safety and efficiency of the transportation system.

Navigation routing and other smart access technologies should be considered as part of the update to the Access and Parking Management plan.

- **7.3 Design Standards.** The City shall require that improvements to the City's roadway system are made consistent with the following descriptions and standards.
- **Program 13.2.4 Public Parking Structures.** The City shall only approve construction of additional public parking structures after considering the findings and results of a parking supply and demand study.

City of San Luis Obispo Municipal Code, Sections 12.38 and 17.16.060

City of San Luis Obispo Municipal Code, Sections 12.38 and 17.16.060 of the San Luis Obispo Zoning Code discuss vehicle and bicycle parking space requirements for new developments.

City of San Luis Obispo Access and Parking Management Plan (2011)

This plan establishes vehicle parking policies and programs that apply throughout San Luis Obispo. Specific Policies and Programs applicable to the project are described below:

- **Policy 1.1** The City should maximize the use of all parking structures and surface lots.
- **Policy 5.2** Building parking structures is the best way of providing more parking facilities while minimizing the use of valuable commercial land. City-owned land earmarked for parking structures may be used as temporary surface parking lots.
- **Policy 5.4** Parking structures and surface lots should be located along the periphery of the commercial core as a means of eliminating traffic congestion and enhancing pedestrian activities.

Bicycle Transportation Plan (2013)

This plan presents the goals, objectives, policies, and implementation actions of the planning, development, and maintenance of bicycle facilities and activities within the City of San Luis Obispo. Specific Policies and Programs applicable to the project are described below:

- **Policy 1.6** All developments/subdivisions shall be designed with bicycle use as an equal and viable option for transportation to, from, and within a development.
- **Policy 1.7** Developments shall adhere to all policies in this Plan, include all bikeways described in this Plan, and include approved bicycle parking as referenced in the Plan's bicycle parking policies.
- **Policy 1.8** Development shall provide bicycle facilities, in accordance with City plans and standards pursuant to State and local legal requirements.

City of San Luis Obispo Downtown Concept Plan

The Downtown Concept Plan is the community's vision for how downtown San Luis Obispo should be developed over the next 25 years. This vision is expressed through a series of design principles, project goals, an illustrative physical plan, mobility diagrams, and an action list of public projects.

- **Goal 4 Enhanced Mobility.** Enhance the downtown's walkability, making it safer and easier to get to and travel throughout for pedestrians, bicyclists, and transit riders.
- **Table 3.1 Block Descriptions.** A new parking structure on the corner of Palm and Nipomo Streets is envisioned to include office mixed use along Nipomo Street, the Theatre relocated

along Monterey Street, and public use on a portion of the rooftop. An expansion of the History Center is shown on the City-owned parking lot on Monterey Street, wrapping around the building to the property on Broad Street. If it is not all needed for the History Center, then it may be used for other community-serving use in the Cultural District.

4.4.2 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

The amount of project traffic affecting the study locations is estimated in three steps: trip generation, trip distribution, and trip assignment. Trip generation refers to the total number of trips generated by the site. Trip distribution identifies the general origins and destination of these trips, and trip assignment specifies the routes taken to reach these origins and destinations. Each of these steps is described further below.

Trip Generation

Specific land uses generate travel demand, such as residences, commercial and retail uses, and parks and recreation. Absent the travel demand associated with land use, there would be no parking demand. The usage of the proposed parking structure would be driven by nearby existing and future land uses. The parking structure itself would generate few new trips, and would instead support existing and future land uses. This analysis conservatively assumes that the trips from the proposed parking structure are new trips, instead of trips shifted from other parking locations.

Trip generation rates were estimated using the average mid-week hourly entries and exits at the 919 Palm Street parking structure. The weekday PM peak hour rates were calculated by dividing hourly entries and exists by the total number of parking spaces available to the public. These derived rates were multiplied by the anticipated number of project parking spaces to estimate vehicle trip generation (CCTC 2017).

The new structure would replace the existing 77-space surface parking lot. Accordingly, the net new parking spaces are used to estimate trip generation. Table 28 summarizes the trip generation estimates for the proposed project. As shown in Table 28, the project would add 303 weekday PM peak hour trips, 134 in and 169 out, to adjacent streets.

Table 28 Weekday Vehicle Trip Generation (PM Peak Hour)

Land Uses	Units	In	Out	Total
Parking Structure[1]	368 spaces	118	147	265
Commercial Space[2]	5,000 sf	1	7	8
SLO Theatre[3]	Box Office/Staff	15	15	30
Total Trips		134	169	303

[1] Rates per space derived from counts at 919 Palm parking structure; average of Tuesday and Wednesday. Estimate reflects net new spaces (445 new-77 existing = 368 net new).

[2] ITE Trip Generation Manual, Land Use Code 710, General Office Building. Average rate used for peak hour trips.

[3] Estimate based on information provided by Little Theater staff.

Source: City of San Luis Obispo 2016; CCTC 2017, provided in Appendix D

TRIP DISTRIBUTION AND ASSIGNMENT

Trip distribution and assignment for the project trips were estimated based on the location of complementary land uses, existing traffic counts, and parking structure access via two driveways on Nipomo Street and Palm Street.

To calculate LOS, traffic counts for weekday PM peak hour (4:00 PM to 6:00 PM) conditions were collected at the study intersections in 2016 to establish baseline conditions. Intersection operations were evaluated for the highest one-hour volume counted during this period. Traffic count sheets are provided in Appendix A of the Transportation Impact Study (2017) located in Appendix D of this EIR. The Levels of Service were then computed at each of the study locations following the 2010 *Highway Capacity Manual* (2010 HCM) methodology and using the Synchro 9 software for intersections and the LOS+ software for segments. The Synchro and LOS+ output sheets showing the LOS calculations are provided in Appendix B and C of the Transportation Impact Study (2017) in Appendix D of this EIR.

Consistent with the City's Multimodal Transportation Impact Study Guidelines, a neighborhood traffic analysis that evaluates ADT on roadways classified as Local Residential is not included in this section because the study area roadways are classified as Local Commercial roadways.

ANALYSIS SCENARIOS

The study intersections and segments were evaluated under the following scenarios:

- **Existing (2016) Conditions.** These conditions reflect 2016 traffic counts and the existing transportation network as described in Section 4.4.1, Setting
- **Existing (2016) Plus Project Conditions**. These conditions add the project generated vehicle trips and traffic to the Existing Conditions volumes defined above
- **Cumulative Pre-Project Conditions**. These conditions represent future traffic conditions reflective of the buildout of the land uses in the area, not including the proposed project
- **Cumulative Plus Project Conditions**. These conditions represent future traffic conditions reflective of the buildout of land uses in the area, including the proposed project

The cumulative scenario reflects all major developments envisioned in the City's 2014 General Plan, as amended. It also includes all planned/programmed infrastructure improvements with an identified funding source identified in adopted City planning documents. Closure of the Broad Street on- and off-ramps is a planned/programmed infrastructure improvement and was accounted for in the cumulative scenario. The City of San Luis Obispo ~~is in the process of updating the~~ Mission Plaza Concept Plan~~, which~~ may result in changes to the Broad Street "dog leg." However, closure of the dog leg is not part of the cumulative scenario because it is still conceptual at this time. ~~The cumulative forecasts were developed assuming no changes to vehicle access near Mission Plaza.~~ However, the Transportation Impact Study (CCTC 2017; Appendix D) did evaluate the traffic impacts of the two concepts under consideration for the Mission Plaza dog leg and found that ~~T~~the modifications under consideration as part of the Mission Plaza Concept Plan would not substantially change the findings of this transportation analysis (CCTC 2017). ~~No other roadway network changes affecting the study locations were assumed to be in place under cumulative conditions.~~ Cumulative Pre-Project and Cumulative Plus Project conditions were developed using the City's Travel Demand Model, which includes planned network and land use changes expected upon buildout of the City's General Plan.

Thresholds of Significance

The following criteria are based on Appendix G of the State CEQA Guidelines. Impacts related to transportation from the proposed project would be significant if the project would do any of the following:

1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit
2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)
5. Result in inadequate emergency access
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities

The Initial Study found that the project would not result in changes to air traffic patterns (criteria 3), substantial hazards due to a design feature or incompatible use (criteria 4), or inadequate emergency access to the site (criteria 5). Therefore, thresholds 3, 4, and 5 are not discussed further in this section. Refer to Section 5.0, *Issues Addressed in the Initial Study*, for a discussion of these impacts.

City of San Luis Obispo Thresholds

The City of San Luis Obispo does not have a formally adopted Congestion Management Program (CMP). However, as discussed under the Regulatory Setting, the City's General Plan Circulation Element establishes minimum LOS standards for all modes of transportation. Based on these standards, significant impacts to transportation facilities are identified under the following circumstances:

Project traffic causes unsignalized intersection LOS degradation when the following occurs:

- For vehicles, an unsignalized operating at LOS A, B, C, D, or E to degrade to unacceptable traffic conditions of LOS F; and the volume-demand-to-capacity ratio (V/C) is increased by 0.01 or more and signal warrants are met
- For pedestrians, a segment operating at LOS A, B, or C to degrade to LOS D, E, or F

Project traffic causes segment LOS degradation when the following occurs:

- For vehicles, segments operating at LOS A, B, C, D, or E to degrade to LOS F and an increase of the V/C ratio by .01 or more
- For bicycles, a segment operating at LOS A, B, C, or D to degrade to LOS E or F
- For pedestrians, a segment operating at LOS A, B, or C to degrade to LOS D, E, or F

The City's Multimodal Transportation Impact Study Guidelines allow discretion when identifying impacts to non-auto modes based on whether the impacts are contextually significant.

In addition to maintaining minimum LOS, the City's Circulation Element has established priorities for various modes such that construction, expansion, or alteration of one mode should not degrade the LOS of a higher priority mode. In the downtown area, modes are prioritized as follows: 1) pedestrians, 2) bicycles, 3) transit, and 4) vehicle. Exceptions to multimodal priorities may apply when in conflict with safety or regulatory requirements or conflicts with area character, topography, street design, and existing density.

b. Project Impacts

Impact T-1 UNDER EXISTING PLUS PROJECT CONDITIONS, ALL INTERSECTIONS AND SEGMENTS WOULD OPERATE AT ACCEPTABLE LEVELS OF SERVICE FOR VEHICLES, PEDESTRIANS, BICYCLES, AND TRANSIT. THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Implementation of the project would generate 303 net new vehicle trips during the weekday PM peak hour that would be dispersed from the two project driveways and onto adjacent streets. Figure 13~~12~~ shows the weekday PM peak hour traffic volumes at the study intersections for the Existing and Existing Plus Project Conditions.

Table 29 and Table 30 summarize the automobile operating conditions at study intersections and segments under Existing and Existing Plus Project conditions. As shown in Table 29 and Table 30, all of the study intersections and roadway segments would operate at acceptable levels of service (LOS E or better) for vehicles with the addition of project traffic. Impacts to vehicle LOS on the study intersections and segments would be less than significant.

Table 29 Existing and Existing Plus Project Intersection LOS for Vehicles (PM Peak Hour)

	Existing			Existing Plus Project		
Intersection	V/C[1]	Delay[2] (sec/veh)	LOS	V/C[1]	Delay[2] (sec/veh)	LOS
1. Palm Street/Nipomo Street	0.30	5.0 (12.3)	B	0.32	5.0 (12.9)	B
2. Palm Street/Project Driveway		N/A		0.08	2.8 (9.2)	A
3. Project Driveway/Nipomo Street		N/A		0.21	2.3 (13.6)	B
4. Monterey Street/Nipomo Street	0.24	2.8 (13.3)	B	0.30	2.8 (16.2)	C

[1] Volume to capacity ratio reported for worst movement.

[2] HCM 2010 average control delay in seconds per vehicle. For side-street-stop controlled intersections the worst approach's delay is reported in parentheses next to the overall intersection delay.

N/A – V/C and Delay do not occur at these intersections under existing conditions as they currently have not been built.

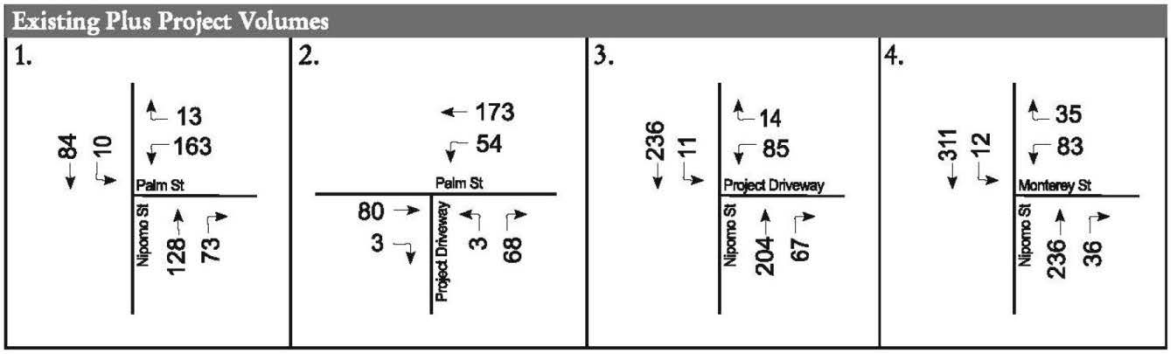
Note: Unacceptable operations shown in bold text.

Table 30 Existing and Existing Plus Project Segment LOS for Vehicles (PM Peak Hour)

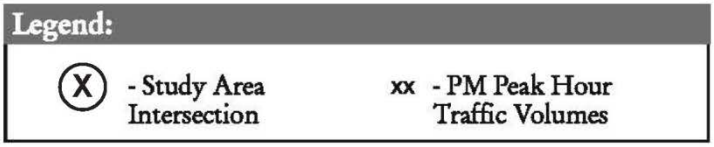
		Existing		Existing Plus Project	
Segment	Direction	V/C	LOS[1]	V/C	LOS[1]
1. Palm Street – Nipomo to Broad	EB	0.03	B	0.03	B
	WB	0.00	B	0.00	B
2. Nipomo Street – Palm to Monterey	NB	0.09	B	0.12	B
	SB	0.17	B	0.18	B
3. Broad Street – Palm to Monterey	NB	0.04	B	0.04	B
	SB	0.00	B	0.00	B
4. Monterey Street – Nipomo to Broad	EB	0.00	B	0.00	B
	WB	0.00	B	0.00	B

[1]HCM 2010 Automobile Traveler Perception Score and LOS

Figure 13~~12~~ Existing Plus Project Weekday PM Peak Hour Traffic Volumes



Source: CCTC 2017



Palm/Nipomo Parking Structure

Table 31 and Table 32 summarize the service levels for pedestrians at study intersections and segments under Existing and Existing Plus Project conditions. As shown in Table 31 and Table 32, all of the study intersections and segments would operate at acceptable levels of service (LOS C or better) for pedestrians with the addition of project traffic. Impacts to pedestrian LOS on the study intersections and segments would be less than significant.

Table 31 Existing and Existing Plus Project Intersection LOS for Pedestrians (PM Peak Hour)

		Existing		Existing Plus Project	
Intersection	Direction	Approach Delay[1]	LOS	Approach Delay[1]	LOS
1. Palm Street/Nipomo Street	NB/SB	4.8	A	5.7	B
2. Palm Street/Project Driveway	All	N/A		7.0	B
3. Project Driveway/Nipomo Street	All	N/A		15.8	C
4. Monterey Street/Nipomo Street	NB/SB	13.7	C	14.2	C

[1] HCM 2010 Reports pedestrian LOS at two-way stop controlled intersection in delay (seconds)

Table 32 Existing and Existing Plus Project Segment LOS for Pedestrians (PM Peak Hour)

		Existing		Existing Plus Project	
Segment	Direction	LOS Score[1]	LOS[1]	LOS Score[1]	LOS[1]
1. Palm Street – Nipomo to Broad	EB	1.09	A	1.10	A
	WB	1.58	A	1.59	A
2. Nipomo Street – Palm to Monterey	NB	1.57	A	1.73	A
	SB	1.60	A	1.62	A
3. Broad Street – Palm to Monterey	NB	1.09	A	1.09	A
	SB	1.11	A	1.11	A
4. Monterey Street – Nipomo to Broad	EB	1.02	A	1.03	A
	WB	1.19	A	1.20	A

[1] HCM 2010 pedestrian LOS score and LOS

Table 33 shows the service levels for bicycles on study segments under Existing and Existing Plus Project conditions. As shown in Table 33, under Existing Plus Project conditions, all study segments would operate at acceptable levels of service (LOS D or better) for bicycles with the addition of project generated traffic. Impacts to bicycle LOS on study segments would be less than significant.

Table 33 Existing and Existing Plus Project Segment LOS for Bicycles (PM Peak Hour)

Segment	Direction	Existing		Existing Plus Project	
		LOS Score[1]	LOS[1]	LOS Score[1]	LOS[1]
1. Palm Street – Nipomo to Broad	EB	2.88	C	2.92	C
	WB	3.56	D	3.57	D
2. Nipomo Street – Palm to Monterey	NB	3.78	D	3.92	D
	SB	3.93	D	3.95	D
3. Broad Street – Palm to Monterey	NB	2.80	C	2.80	C
	SB	2.92	C	2.92	C
4. Monterey Street – Nipomo to Broad	EB	2.18	B	2.26	B
	WB	3.30	C	3.33	C

[1] HCM 2010 bicycle LOS score and LOS

Table 34 shows the service levels for public transit on study segments under the Existing and Existing Plus Project conditions. As shown in Table 34, implementation of the project would not degrade public transit LOS to unacceptable conditions (below baseline LOS). All public transit would continue to operate at LOS A with implementation of the project. Impacts to transit LOS on study segments would be less than significant.

Table 34 Existing and Existing Plus Project Segment LOS for Transit (PM Peak Hour)

Segment	Direction	Existing		Existing Plus Project	
		LOS Score[1,2]	LOS[1]	LOS Score[1,2]	LOS[1]
1. Palm Street – Nipomo to Broad	EB	N/A		N/A	
	WB	1.67	A	1.67	A
2. Nipomo Street – Palm to Monterey	NB	N/A		N/A	
	SB	1.68	A	1.68	A
3. Broad Street – Palm to Monterey	NB	N/A		N/A	
	SB	N/A		N/A	
4. Monterey Street – Nipomo to Broad	EB	N/A		N/A	
	WB	N/A		N/A	

[1]HCM 2010 transit score and LOS

[2]LOS is not established for segments without a directional transit route.

Mitigation Measures

No mitigation measures are required.

Significance After Mitigation

No mitigation measures are required. This impact would be less than significant.

Impact T-2 THE PROJECT WOULD NOT ADD ROADWAY CAPACITY THAT WOULD INDUCE TRAVEL AND WOULD NOT GENERATE NEW TRAVEL DEMAND AS A LAND USE. IN ADDITION, THE CITY ACTIVELY MANAGES PARKING DEMAND AND ENCOURAGES NON-AUTO MODES OF TRAVEL. THEREFORE, THE PROJECT WOULD HAVE A NEGLIGIBLE IMPACT ON VEHICLE MILES TRAVELED (VMT). THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The City's 2014 Circulation Element includes a goal to reduce car use, and sets a mode split objective where 50 percent of City resident trips are made by motor vehicles (presumably single occupant), with the remainder made by transit, bicycles, walking, car pools, and other forms of transportation.

The proposed project has the potential to conflict with these goals if parking is provided at a subsidized rate by effectively encouraging driving over other modes. Increased parking supply correlates with reduced transit usage, and recent studies have documented a causal relationship where increased parking supply results in increased automobile mode share (CCTC 2017).

Conversely, research shows that where the parking supply is limited a substantial portion (30 percent by some estimates) of circulating traffic is searching for a parking spot (CCTC 2017). This increases VMT and congestion. Providing a single, consolidated parking location reduces the search time for parking, thereby reducing VMT. It also supports denser urban form and infill development where individual properties do not have to provide onsite parking, which supports travel by walking, biking, and transit.

The proposed project does not add roadway capacity that would induce travel and does not generate new travel demand as a land use. Therefore it would have a negligible impact on VMT under the following circumstances:

- The City continues to pursue policies, programs, and investments encouraging non-auto modes of travel.
- The City continues to manage parking to minimize cruising for parking and manage parking demand. This includes policies allowing payment of in-lieu parking fees to increase density and provide centralized parking for new development.

The City of San Luis Obispo currently does, and would continue to follow the aforementioned circumstances. Therefore, the project would have a negligible impact on VMT and impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Significance After Mitigation

No mitigation measures are required. Impacts would be less than significant.

Impact T-3 IMPLEMENTATION OF THE PROJECT WOULD RESULT IN PEDESTRIAN ACCESS IMPACTS DUE TO THE DIFFICULTY OF CROSSING NIPOMO STREET AT AN UNCONTROLLED LOCATION. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

Implementation of the project would generate pedestrian traffic and increase the number of people walking to and from the project site. The project includes a new pedestrian crosswalk and bump out

to improve pedestrian access to and from the site along Monterey Street. However, existing crosswalks either do not exist or would not adequately serve the added pedestrian demand associated with the project along Nipomo Street and detailed frontage designs are not available at this time. This impact to pedestrian access would be potentially significant.

Mitigation Measures

The following mitigation measures would be required to serve the added pedestrian demand associated with the project along Nipomo Street.

T-3 Pedestrian Access

Subject to approval of the Public Works Director, the City shall incorporate improvements to the intersections of Dana Street/Nipomo Street and Monterey Street/Nipomo Street to enhance pedestrian safety and accessibility. The improvements shall be consistent with the City's Circulation Element and Downtown Physical Concept Plan (2017) and shall balance the needs of each mode of use. At a minimum the project should consider:

- High visibility crosswalk, or other intersection enhancements, with directional curb ramps across Nipomo Street from the northwest corner of Dana Street/Nipomo Street to the southwest corner of the parking structure.
- High visibility crosswalk, or other intersection enhancements, with directional curb ramps from the southeast corner of Monterey Street/Nipomo Street across Nipomo Street.
- Standard crosswalks, or other intersection enhancements, with directional curb ramps across Monterey Street and Dana Street where they intersect with Nipomo Street.
- Reduce the curb radii on the southwest corner of Dana Street/Nipomo Street and the northeast corner of Monterey Street/Nipomo Street.

PLAN REQUIREMENTS AND TIMING

Final project design plans shall include improvements at identified locations.

MONITORING

City Public Works Director shall confirm inclusion of intersection improvements, and approve final design plans prior to issuance of grading permits.

Significance After Mitigation

Implementation of Mitigation Measure T-3 would ensure adequate pedestrian access to and from the project site at locations along Nipomo Street. This mitigation would bring potential impacts related to pedestrian access along Nipomo Street to a less than significant level.

c. Cumulative Impacts

As discussed in Section 4.4.2(a), *Methodology and Significance Thresholds*, cumulative forecasts were developed assuming no changes to vehicle access near Mission Plaza. The modifications under consideration as a part of the Mission Plaza Plan would not substantially change the findings in this section. No other roadway network changes affecting the study locations were assumed to be in place under Cumulative Conditions. Cumulative and Cumulative Plus Project traffic volume forecasts

were developed using the City's Travel Demand Model, which includes land use changes expected upon buildout of the City's General Plan.

Under Cumulative plus Project conditions, all study intersections and segments would operate at acceptable service levels of for vehicles, and all study segments would operate at acceptable levels of service for bicycles and transit. Figure 14~~13~~ shows the traffic volumes for the Cumulative Pre-Project and Cumulative Plus Project conditions. Table 35 and Table 36 show the automobile operating conditions at study intersections and segments under Cumulative Pre-Project and Cumulative Plus Project conditions. As shown in Table 35 and Table 36, all of the study intersections and roadway segments would operate at acceptable levels of service (LOS E or better) for vehicles. Impacts to vehicle LOS on the study intersections and segments would be less than significant.

Table 35 Cumulative and Cumulative Plus Project Intersection LOS for Vehicles (PM Peak Hour)

	Cumulative			Cumulative Plus Project		
Intersection	V/C[1]	Delay[2] (sec/veh)	LOS	V/C[1]	Delay[2] (sec/veh)	LOS
1. Palm Street/Nipomo Street	0.37	4.8 (14.8)	B	0.40	4.9 (15.6)	C
2. Palm Street/Project Driveway		N/A		0.09	2.5 (9.4)	A
3. Project Driveway/Nipomo Street		N/A		0.25	2.2 (15.9)	C
4. Monterey Street/Nipomo Street	0.35	3.7 (16.0)	C	0.45	4.0 (20.7)	C

[1] Volume to capacity ratio reported for worst movement.

[2] HCM 2010 average control delay in seconds per vehicle. For side-street-stop controlled intersections the worst approach's delay is reported in parentheses next to the overall intersection delay.

N/A – V/C and Delay do not occur at these intersections under existing conditions as they currently have not been built.

Table 36 Cumulative and Cumulative Plus Project Segment LOS for Vehicles (PM Peak Hour)

		Cumulative		Cumulative Plus Project	
Segment	Direction	V/C Delay	LOS[1]	V/C Delay	LOS[1]
1. Palm Street – Nipomo to Broad	EB	0.04	B	0.05	B
	WB	0.00	B	0.00	B
2. Nipomo Street – Palm to Monterey	NB	0.12	B	0.15	B
	SB	0.22	B	0.23	B
3. Broad Street – Palm to Monterey	NB	0.05	B	0.05	B
	SB	0.00	B	0.00	B
4. Monterey Street – Nipomo to Broad	EB	0.00	B	0.00	B
	WB	0.00	B	0.00	B

[1] HCM 2010 pedestrian/bicycle score and LOS

Figure 14~~13~~ Cumulative and Cumulative Plus Project Traffic Volumes

Cumulative Peak Hour Volumes

1.	2.	3.	4.
130 ↓ 10 ↑ 10 ↓ 170 ↑ Palm St; Nipomo St 150 ↑ 100 ↓	Does Not Exist	Does Not Exist	240 ↓ 10 ↑ 40 ↓ 110 ↑ Monterey St; Nipomo St 230 ↑ 40 ↓

Cumulative Plus Project Volumes

1.	2.	3.	4.
141 ↓ 13 ↑ 13 ↓ 170 ↑ Palm St; Nipomo St 164 ↑ 100 ↓	180 ↓ 54 ↑ Palm St; 110 → 3 ↓ Project Driveway 3 ↑ 68 ↓	300 ↓ 11 ↑ 14 ↓ 85 ↑ Project Driveway; Nipomo St 270 ↑ 67 ↓	321 ↓ 13 ↑ 43 ↓ 110 ↑ Monterey St; Nipomo St 294 ↑ 40 ↓

Source: CCTC 2017

Legend:

(X) - Study Area Intersection

xx - PM Peak Hour Traffic Volumes

Palm/Nipomo Parking Structure

Table 37 shows the service levels for bicycles on study segments under Cumulative Pre-Project and Cumulative Plus Project conditions. As shown in Table 37, under Cumulative Plus Project conditions, all study segments would operate at acceptable levels of service (LOS D or better) for bicycles. Impacts to bicycle LOS on study segments would be less than significant.

Table 37 Cumulative and Cumulative Plus Project Segment LOS for Bicycles (PM Peak Hour)

		Cumulative		Cumulative Plus Project	
Segment	Direction	LOS Score[1]	LOS[1]	LOS Score[1]	LOS[1]
1. Palm Street – Nipomo to Broad	EB	3.22	C	3.25	C
	WB	3.58	D	3.59	D
2. Nipomo Street – Palm to Monterey	NB	3.92	D	4.03	D
	SB	4.05	D	4.07	D
3. Broad Street – Palm to Monterey	NB	3.61	D	3.61	D
	SB	3.08	C	3.08	C
4. Monterey Street – Nipomo to Broad	EB	2.28	B	2.33	B
	WB	3.60	D	3.63	D

[1] HCM 2010 bicycle LOS score and LOS

Table 38 shows the service levels for transit on study segments under the Cumulative Pre-Project and Cumulative Plus Project conditions. As shown in Table 38, implementation of the project would not degrade public transit LOS to unacceptable conditions (below baseline LOS). All public transit would continue to operate at LOS A. Impacts to transit LOS on study segments would be less than significant.

Table 38 Cumulative and Cumulative Plus Project Segment LOS for Transit (PM Peak Hour)

		Cumulative		Cumulative Plus Project	
Segment	Direction	LOS Score[1]	LOS[1]	LOS Score[1]	LOS[1]
1. Palm Street – Nipomo to Broad	EB	N/A[2]		N/A	
	WB	1.68	A	1.68	A
2. Nipomo Street – Palm to Monterey	NB	N/A		N/A	
	SB	1.70	A	1.70	A
3. Broad Street – Palm to Monterey	NB	N/A		N/A	
	SB	N/A		N/A	
4. Monterey Street – Nipomo to Broad	EB	N/A		N/A	
	WB	N/A		N/A	

[1]HCM 2010 transit score and LOS

N/A for segments without a directional transit route; LOS is not established for segments without a directional transit route.

Mitigation Measures

No mitigation measures are required.

Significance After Mitigation

No mitigation measures are required. Impacts would be less than significant.

Impact T-4 UNDER CUMULATIVE PLUS PROJECT CONDITIONS, ONE STUDY INTERSECTION (THE PROJECT DRIVEWAY AT NIPOMO STREET) WOULD OPERATE AT AN UNACCEPTABLE LEVEL OF SERVICE FOR PEDESTRIANS DURING THE EVENING PEAK HOUR. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

Table 39 and Table 40 show the pedestrian LOS at study intersections and segments respectively under Cumulative Pre-Project and Cumulative Plus Project conditions. As shown in Table 39 and Table 40, all intersections and segments, with the exception of the intersection of the project driveway at Nipomo Street, would operate at an acceptable pedestrians LOS (LOS C or better) under the Cumulative Plus Project condition during the PM peak hour. As shown in Table 39, the Project Driveway/Nipomo Street intersection would operate at LOS D during the weekday PM peak hour for the Cumulative Plus Project condition. This would be a potentially significant impact.

Table 39 Cumulative and Cumulative Plus Project Intersection LOS for Pedestrians (PM Peak Hour)

		Cumulative		Cumulative Plus Project	
Intersection	Direction	Approach Delay[1]	LOS	Approach Delay[1]	LOS
1. Palm Street/Nipomo Street	NB/SB	8.1	B	9.1	B
2. Palm Street/Project Driveway	All	N/A		8.5	B
3. Project Driveway/Nipomo Street	All	N/A		**24.7**	**D**
4. Monterey Street/Nipomo Street	NB/SB	12.2	C	19.5	C

[1] HCM 2010 Reports pedestrian LOS at two-way stop controlled intersection in delay (seconds)

Table 40 Cumulative and Cumulative Plus Project Roadway Segment LOS for Pedestrians (PM Peak Hour)

		Cumulative		Cumulative Plus Project	
Segment	Direction	LOS Score[1]	LOS[1]	LOS Score[1]	LOS
1. Palm Street – Nipomo to Broad	EB	1.18	A	1.19	A
	WB	1.60	A	1.60	A
2. Nipomo Street – Palm to Monterey	NB	1.72	A	1.88	A
	SB	1.74	A	1.77	A
3. Broad Street – Palm to Monterey	NB	1.34	A	1.34	A
	SB	1.16	A	1.16	A
4. Monterey Street – Nipomo to Broad	EB	1.04	A	1.05	A
	WB	1.30	A	1.31	A

[1] HCM 2010 pedestrian score and LOS

Mitigation Measures

Mitigation measures T-3(a) and T-3(c) require the installation of crosswalks at key locations along Nipomo Street. Implementation of mitigation measures T-3(a) and T-3(c) would be required to reduce impacts to pedestrian LOS under the Cumulative Plus Project condition.

Significance After Mitigation

Implementation of mitigation measures T-3(a) and T-3(c) would result in acceptable pedestrian LOS at the intersection of the project driveway and Nipomo Street under the Cumulative Plus Project condition. With these mitigation measures, the impact to pedestrian LOS would be less than significant.

5 Issues Addressed in the Initial Study

This section summarizes the potential environmental effects of the project that were determined to be less than significant or significant but mitigable, as described in the Initial Study for the project (refer to Appendix A). The items listed below are contained in the City's environmental checklist form and the environmental checklist form included in Appendix G of the *CEQA Guidelines*. Any items not addressed in this section have been addressed in Section 4.0, *Environmental Impact Analysis*, of this EIR. Section 4.0 also includes an expanded discussion of the settings under each environmental issue area discussed therein.

The Initial Study determined that the project, with implementation of specified mitigation measures, would not result in adverse impacts related to Air Quality, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, and Construction Traffic. Mitigation measures for the issue areas are discussed below and provided in the Executive Summary.

A summary of the analysis of issue areas for which no significant adverse impacts were identified is provided in this section. Please refer to the Initial Study (Appendix A) for the complete issue area analysis.

5.1 Impacts Less than Significant with Mitigation

5.1.1 Air Quality

Would the project:

- Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- Expose sensitive receptors to substantial pollutant concentrations?

While the estimated construction emissions associated with the project and would be below the San Luis Obispo Air Pollution Control District (SLOAPCD) thresholds and would not introduce new hazardous air pollutants to the area, in accordance with the standards of the SLOPACD CEQA Handbook, standard mitigation measures are required because sensitive receptors (Mission College Preparatory Academy, existing residential units, and San Luis Obispo Children's Museum) are located within 1,000 feet of the project site and because the South Coast Air Basin is in non-attainment for PM_{10}. Accordingly, Mitigation Measures AQ-1 and AQ-2(a) through AQ-2(c) would be required to reduce fugitive dust, ozone precursors, and diesel particulate matter emissions from the project. Construction impacts were deemed be potentially significant unless mitigation was incorporated.

Mitigation Measures

The following mitigation measures are required to reduce project construction emissions to a less than significant level:

AQ -1 Fugitive Dust Control Measures

Construction projects shall implement the following dust control measures so as to reduce PM_{10} emissions in accordance with SLOAPCD requirements.

- Reduce the amount of the disturbed area where possible
- Water trucks or sprinkler systems shall be used during construction in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible
- All dirt stock pile areas shall be sprayed daily as needed
- Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established
- All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD
- All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible after grading unless seeding or soil binders are used
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible
- All of these fugitive dust mitigation measures shall be shown on grading and building plans
- The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust offsite. 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 SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition

AQ-2(a) Standard Control Measures for Construction Equipment

The following standard air quality mitigation measures shall be implemented during construction activities at the project site:

- Maintain all construction equipment in proper tune according to manufacturer's specifications
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for sue off-road)
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation
- Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_X exempt area fleets) may be eligible by proving alternative compliance
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit
- Diesel idling within 1,000 feet of sensitive receptors is not permitted
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors
- Electrify equipment when feasible
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible
- Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas, liquefied natural gas, propane or biodiesel

AQ-2(b) Best Available Control Technology for Construction Equipment.

The following best available control technology for diesel-fueled construction equipment shall be implemented during construction activities at the project site, where feasible:

- Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines where feasible
- Repowering equipment with the cleanest engines available
- Installing California Verified Diesel Emission Control Strategies, such as level 2 diesel particulate filters with strategies listed at: www.arb.ca.gov/diesel/verdev/vt/cvt.htm

AQ-2(c) Architectural Coating

To reduce ROG and NO_X levels during the architectural coating phase, low or no VOC-emission paint shall be used with levels of 50 g/L or less.

5.1.2 Biological Resources

Would the project:

- 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?

The project site is currently developed with a surface parking lot, one detached garage, and five residences, and is surrounded by urban land uses. The site does not provide suitable habitat for wildlife and the surrounding urban uses would act as barriers to wildlife movement. It is not located in any wildlife corridors or potential wildlife corridors identified within the City's General Plan

Conservation and Open Space Element (City of San Luis Obispo 2006). However, trees on the site may support nesting birds protected under the Migratory Bird Treaty Act. The removal of trees and general construction activity may affect protected nesting birds. Therefore, Mitigation Measure BIO-1 would be required for the project to protect nesting birds. Impacts to migratory bird species would be potentially significant unless mitigation incorporated.

Mitigation Measure

The following mitigation measure, and compliance with Migratory Bird Treaty Act and California Department of Fish and Wildlife requirements, would be required for the project to reduce impacts to nesting birds to a less than significant level.

BIO-1 Nesting Bird Protection

To avoid disturbance of nesting and special-status birds, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (typically February through August in the project region). If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted within the Project Boundary, including a 300-foot buffer (500-foot for raptors), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the area. If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

5.1.3 Geology and Soils

Would the project:

- Be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?
- Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial risks to life or property?

Based on the Geotechnical Report (Appendix B to the Initial Study), soils on the project site are moderate to highly expansive and the existing fill located onsite would not be a suitable foundation for the parking structure. The report also determined that soils onsite have the potential for total and differential settlement. Therefore, Mitigation Measure GEO-1(a) would be required to reduce impacts associated with the project to a less than significant level.

Mitigation Measure

The following mitigation measure would reduce impacts associated with the project to a less than significant level.

GEO-1 Minimization of Expansive Soil Hazards

Once the final maximum loads of the project have been determined, a design-level geotechnical report shall be prepared that identifies the most appropriate geotechnical improvements to onsite soils, the foundation, and parking structure to minimize expansive soil hazards. Recommendations could include, but are not limited to the following:

- Use of imported non-expansive materials combined with pre-moistening of the soils to provide protection for slabs and flatwork
- A layer of non-expansive material 18 to 24 inches thick
- Post-tensioned slabs-on-grade
- Shoring methods, such as shotcrete-faced soil nail walls, tangent drilled caissons, whaler-braced retaining walls, and steel I-beam and lagging walls
- Overexcavation and recompaction
- Utilization of a deep foundation system, such as caissons, driven piles, or rammed aggregate piers

A certified soils engineer shall be retained for monitoring during construction of the project. The certified soils engineer shall also provide any necessary soil testing during construction, to ensure compliance with the design-level geotechnical report, and to provide site-specific guidance as subsurface materials are encountered.

5.1.4. Hazards and Hazardous Materials

Would the project:

- Be located on a site included on a list of hazardous material 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?

According to the Earth Systems Pacific assessment, archived documents at the City of San Luis Obispo Fire Department indicate that the previous use of the site as a welding/automobile repair shop contained several areas of oil-stained soil, a dry well, and a hydraulic lift. It is unknown whether or not soil sampling was conducted at the time of removal of these features and there is a potential that these or other undocumented buried features would be encountered during excavation. Furthermore, soil samples taken (in 2005) at three and four feet indicate the presence of total petroleum hydrocarbons in quantities that exceed City of San Luis Obispo Fire Department action levels. The presence of nickel and chromium were also detected, although the concentrations were below actionable levels. Because the project would require excavation and removal of existing fill based on the geotechnical analysis, construction activities could result in potential health impacts to workers exposed to onsite soils. Mitigation Measure HAZ-1 would be required to reduce impacts associated with the project to a less than significant level.

Mitigation Measure

The following mitigation measure would reduce impacts associated with the project to a less than significant level.

HAZ-1 Hazardous Materials Soil Sampling and Remediation.

Prior to issuance of grading permits, additional soil samples testing for total petroleum hydrocarbons shall be performed. A work plan shall be completed to address the sampling protocols to be followed, as well as the number of samples to be taken and the chemical analysis required. Upon City of San Luis Obispo approval, the work plan shall be implemented and the results of the soil sampling shall be forwarded to the City of San Luis Obispo. The City shall review the data to determine if any additional investigation or remedial activities are deemed necessary. No work shall resume in that area until the lead local regulatory agency has provided written authorization that the area does not warrant any additional action.

If concentrations of contaminants warrant remediation, contaminated materials shall be remediated either prior to or concurrent with construction. Remediation shall generally include a management plan which establishes design and implementation of remediation. Cleanup may include excavation, disposal, bio-remediation, or any other treatment of conditions subject to regulatory action. All necessary reports, regulations, and permits shall be followed to achieve cleanup of the site. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by the San Luis Obispo Fire Department. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

5.1.5 Transportation

Would the project:

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

The construction period of the project would result in short-term construction traffic, construction parking, and modifications to existing pedestrian, bicycle, and transit circulation during the construction period. The traffic associated with the construction of the project could be a potentially significant impact. The preparation of a construction management plan, as described in Mitigation Measure T-1 would reduce construction impacts to less-than-significant levels. Impacts associated with the project and would be less than significant with mitigation incorporated.

Mitigation Measure

The following mitigation measure would reduce impacts associated with the construction traffic to a less than significant level.

T-1 Construction Management Plan

Prior to the issuance of each building permit, the construction contractor shall meet with the Public Works department to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project. The construction contractor will develop a construction management plan for review and approval by the Public Works department. The plan should include at least the following items and requirements:

- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic and pedestrian hours, detour signs if required, lane closure procedures, sidewalk closure procedures, signs, cones for drivers, and designated construction access routes.
- Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- Location of construction staging areas for materials, equipment, and vehicles (must be located on the project site).
- Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant.
- Temporary construction fences to contain debris and material and to secure the site.
- Provisions for removal of trash generated by project construction activity.
- A process for responding to and tracking complaints pertaining to construction activity.
- Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected.
- It is anticipated that this Construction Traffic Management Plan would be developed in the context of a larger Construction Management Plan, which would address other issues such as hours of construction onsite, limitations on noise and dust emissions, and other applicable items.

5.2 Issues with Less than Significant Impact or No Impact

5.2.1 Aesthetics

Would the project:

- Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings in a state scenic highway?

The nearest highway is U.S. 101, designated as an Eligible State Scenic Highway by the California Department of Transportation. Due to the heights of the parking structure and theater, the project may be visible from U.S. 101, but this segment has not been designated as a state scenic highway and thus, the project would not damage scenic resources in a state scenic highway.

5.2.2 Agriculture

Would the project:

- Convert Prime Farmland, Unique Farmland, 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?
- Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 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))?

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

The project site is currently developed with a surface parking lot and residential structures. The site does not contain any agricultural resources, land identified for potential agricultural production, lands designated as or zoned for agricultural use, lands under a Williamson Act contract, or timberland, and no impact would occur.

5.2.3 Air Quality

Would the project:

- Conflict with or obstruct implementation of the applicable air quality plan?

The project is not a subdivision or large residential project, and would not be considered a large commercial or industrial development according to the screening criteria set forth in the SLOAPCD CEQA Air Quality Handbook (2012). Therefore, the project does not have the potential to be inconsistent with the Clean Air Plan or Smart/Strategic Growth Principles.

- Create objectionable odors affecting a substantial number of people?

The SLOAPCD CEQA Handbook (2012) identifies typical land uses that have the potential to result in increases in odorous emissions. None of the project's proposed uses, including a parking structure, commercial space, or theater are listed as uses that typically create objectionable odors. The project would not create objectionable odors affecting a substantial number of people and no impact related to objectionable odors affecting a substantial number of people would result.

5.2.4 Biological Resources

Would the project:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is currently developed with a surface parking lot, one detached garage, and five residences, and is surrounded by urban land uses. The site does not provide suitable habitat for wildlife or sensitive plant or animal species (City of San Luis Obispo 2006; California Natural Diversity Database 2016). The site does not contain any federally protected wetlands, riparian habitat, or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. In addition, the

project site does not occur within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan (California Department of Fish and Game 2016). No impact would result.

Would the project:

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

A large oak tree, which has the potential to be recognized as a "significant tree" by the City Council Tree Committee, is located on the southeastern edge of the project site. However, the project design includes the preservation of the large oak tree, as well as existing trees on the southern corner where Nipomo Street and Monterey Street converge. New street trees would be provided in accordance with the City of San Luis Obispo's street tree list (e.g., Brisbane Box, Carrotwood, Ficus, Queen Palms) along Palm, Nipomo, and Monterey Streets, ranging from 8 to 12 feet in height. After five years, the trees would be expected to achieve heights in the range of 16 to 30 feet tall. This impact would be less than significant.

5.2.5 Geology and Soils

Would the project:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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?
- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Although no faults have been mapped across the project site, seismic events caused by active and potentially active faults in the region could result in seismic ground shaking onsite. The City, along with all of Southern California and the Central Coast, is in Seismic Zone 4 and subject to seismic ground shaking from faults in the region. Compliance with existing building standards would ensure impacts associated with the project remain less than significant.

Would the project:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?
- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Based on the Geotechnical Report prepared for the project site, the potential for liquefaction onsite is very low to none, and the potential for landslides or slope instability onsite is very low (Earth Systems Pacific 2011; Appendix B to the Initial Study). According to the City's General Plan Safety Element (2012), the project site is not located in an area that would be subject to high or moderate potential for landslides. Impacts related to liquefaction, landslides, and slope instability would be less than significant.

Would the project:

- Result in substantial soil erosion or the loss of topsoil?

The soils on the project site are classified as Los Osos-Diablo complex soils, with 5-9 percent slopes. This soil type is considered well drained and has a low to moderate susceptibility to erosion (Natural Resources Conservation Service 2012). Elevations onsite range from 190 and 206 feet above mean sea level, and slopes are generally toward the northwest. The project would require a National Pollution Discharge Elimination System (NPDES) General Permit for construction activities. Compliance with the NPDES permit would ensure that construction-related erosion impacts associated with the project would be less than significant. Given the gently sloping topography of the site, the drainage characteristics of onsite soils, and presence of impervious surfaces, the project would not result in substantial soil erosion or loss of topsoil. Impacts would be less than significant.

Would the project:

- 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 project would not require a septic system or any alternative wastewater disposal system, and no impact would occur.

5.2.6 Greenhouse Gas Emissions

Would the project:

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

Project construction activities, energy use, daily operational activities, and mobile sources (vehicle trips associated with the new theater and commercial uses) would result in new GHG emissions. The parking structure itself does not generate new travel demand as a land use and therefore would have a negligible impact on mobile source emissions. The project is estimated to produce approximately 774 metric tons of CO_2e per year. The project's annualized GHG emissions would not exceed the SLOAPCD's GHG emissions threshold of 1,150 MT CO_2e. This impact would be less than significant.

Would the project:

- Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The project would not result in new significant impacts related to greenhouse gas emissions. As the applicable GHG thresholds have been developed by SLOAPCD, and the project would not exceed the adopted GHG thresholds, the project would not conflict with applicable policies to reduce GHG emissions. In addition, the project would not conflict with City of San Luis Obispo General Plan or Climate Action Plan policies adopted for the purpose of reducing GHG emissions. This impact would be less than significant.

5.2.7 Hazards and Hazardous Materials

Would the project:

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

- 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?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

The project does not include uses that would require the routine transport, use, disposal, handling, or emission of any hazardous materials that would create a significant hazard to the public or to the environment, including nearby sensitive receptors. Compliance with existing regulations would ensure impacts related to hazardous materials exposure associated with the project would be less than significant.

Would the project:

- 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 for people residing or working in the project area?
- For a project near a private airstrip, would it result in a safety hazard for people residing or working in the project area?

The project site is not located within an airport land use plan area or in two miles of a public use airport or airstrip. There are no private airstrips near the project site that would result in a safety hazard for people residing or working in the project area. No impact would result.

Would the project:

- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Construction of the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project would be required to comply with San Luis Obispo Fire Department specifications and Chapter 5 of the California Fire Code and this impact would be less than significant.

Would the project:

- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project site is surrounded by urban development and no wildlands are near the project site. According to the Safety Element of the City's General Plan, the project site is not located in an area considered at risk for wildland fires and no impact would occur.

5.2.8 Hydrology and Water Quality

Would the project:

- Violate any water quality standards or waste discharge requirements?
- Otherwise substantially degrade water quality?

The proposed project would disturb more than one acre of land area and would therefore be subject to a NPDES General Permit for Storm Water Discharges Associated with Construction Activities. Coverage under the General Permit must also be obtained prior to construction and the preferred project is subject to these requirements. Under the conditions of the permit, the City, as the project applicant, would be required to eliminate or reduce non-storm water discharges to waters of the nation, develop and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project construction activities, and perform inspections of the storm water pollution prevention measures and control practices to ensure conformance with the site SWPPP. The state permit also specifies that construction activities must meet all applicable provisions of Sections 30 and 402 of the Clean Water Act. Conformance with Section 402 of the Clean Water Act would ensure that the project does not violate any water quality standards or waste discharge requirements.

In addition, the project would be required to comply with the City's and Regional Water Quality Control Board's Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region. To demonstrate compliance, a Stormwater Control Plan is required to be submitted for the project. Based on compliance with existing regulations, the project would not violate any water quality standards or waste discharge requirements, or substantially degrade surface or groundwater quality, and potential impacts would be less than significant.

Would the project:

- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering or the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

The City's water supply is primarily obtained through reservoirs, with only four percent of the total supply obtained by groundwater. The water demand associated with the proposed project would not be enough to substantially deplete groundwater supply, nor would it interfere with groundwater recharge. In addition, the project would not interfere with groundwater onsite, due to the depth of groundwater (Earth Systems Pacific 2011). This impact would be less than significant.

Would the project:

- Substantially alter the existing drainage pattern of the site or area, including by altering the course of a stream or river, in a manner that would result in substantial erosion or siltation on or offsite?
- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite?
- Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The majority of the project site is currently covered with impervious surfaces, due to the existing surface parking lot and residential structures. The project would not result in an increase in impervious surfaces, and thereby create substantial new sources of stormwater runoff. However, the project includes a catch basin with filter on the upper deck catch of the parking structure and drainage improvements that would maintain or reduce existing surface runoff rates from the site and existing stormwater infrastructure would be utilized. Impacts would be less than significant.

Would the project:

- Place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map?
- Place in a 100-year flood hazard area structures that would impede or redirect flood flows?

The FEMA flood hazard maps shows that a small portion of the project site is located in the mapped AE zone (1 percent annual chance flood hazard) and an additional portion of the site being located in the shallow (x shaded) flood zone. However, based on additional research of the flood profiles for San Luis and Stenner Creek at the project site, as well as the site topography and project design grades, the project would be located outside the flood zones. Therefore, the project would not place structures of any type in a 100-year flood hazard area. No impact would occur.

Would the project:

- Expose people or structures to a significant risk of loss, injury, or death involving flooding including that occurs as a result of the failure of a levee or dam?
- Result in inundation by seiche, tsunami, or mudflow?

The project site is not located in a dam inundation area or Tsunami Inundation Zone, as designated by San Luis Obispo County. The potential for a tsunami, seiche, or mudflow to affect the site is nil (Earth Systems Pacific 2011). No impact would result.

5.2.9 Land Use and Planning

Would the project:

- Physically divide an established community?

The project would be located on a developed 1.38-acre property within an urban setting and would not divide an established community. No impact would result.

Would the project:

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Upon approval of the General Plan amendment, Zone Change, and Use Permit the project would be consistent with the land use and zoning designations. The project would also require Architectural Review. The project would be consistent with both Land Use and Circulation Element Policies. Circulation Element Policy 13.2.4 requires completion of a comprehensive parking study prior to development of parking structure projects. Such a study was completed for the proposed structure by an Ad Hoc Parking Review Committee in March 2009; the study determined that a downtown structure will be required to meet the City's downtown parking needs within the next 5 to 10 years. As such, the project would not conflict with applicable land use plans, policies or regulations. This impact would be less than significant.

Would the project:

- Conflict with an applicable habitat conservation plan or natural community conservation plan?

No habitat conservation or natural community conservation plans apply to the project site and no impact would result.

5.2.10 Mineral Resources

Would the project:

- 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?
- 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?

The project would not result in the loss of a known mineral resource. The extraction of mineral resources is not permitted in the City limits. The project would have no impact on mineral resources.

5.2.11 Noise

Would the project:

- For a project located in 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?
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise?

The project site is not located within the San Luis Obispo County Regional Airport Land Use Plan or near a private airstrip, and no impact would result.

5.2.12 Population and Housing

Would the project:

- Induce substantial 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 project does not involve the development of residential or major commercial uses that would directly induce substantial population growth. Furthermore, the project does not include the extension of roads or other infrastructure, such that it would indirectly induce population growth. This impact would be less than significant.

Would the project:

- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The project would require the demolition of five residences and therefore displace approximately 11 persons. While five units and approximately 11 individuals would be displaced, this does not represent a substantial number of people resulting in the need for replacement housing elsewhere. In addition, there are other planned and pending housing projects within the City that would compensate for the loss of housing on the project site. Impacts related to the displacement of housing or people associated with the project would be less than significant.

5.2.13 Public Services

Would the project:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 fire protection?
- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 police protection?
- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 schools, Parks (a.4) or other public facilities (a.5)?

The project would not substantially alter the number of housing units or population in the city or result in the need for new fire or police protection facilities to serve the site. The project does not include residential uses and would not increase the population of San Luis Obispo such that it would necessitate the construction of new schools, parks, or other public facilities. There would be no physical impacts from the project related to the construction of new fire or police protection facilities, schools, parks, or other public facilities and impacts would be less than significant.

5.2.14 Recreation

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?
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The project would not result in substantial new population growth that would result in physical deterioration of existing recreational facilities or require the construction of new recreational facilities; related impacts would be less than significant.

5.2.15 Transportation

Would the project:

- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The project site is not located in the San Luis Obispo County Regional Airport Plan Area and would not result in an increase of air traffic levels or a change to air traffic patterns. No impact would result.

Would the project:

- Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Vehicle access into and out of the parking structure would be provided via driveways on Palm Street and Nipomo Street, with one lane for ingress and one lane for egress at each driveway. This configuration is adequate for a structure of this size. All estimated approaches and departures are estimated to have a maximum queue of less than 50 feet with the addition of the project. None of the 95th percentile queues are long enough to block adjacent intersections. Furthermore, the parking structure exits are designed to ensure that exiting vehicles have adequate sight distance. Bicycle access to the site would be provided by a 10-foot wide entrance to accommodate both pedestrians and cyclists. This width is adequate to allow cyclists a clear path of travel into the bicycle parking area. Impacts would be less than significant.

Would the project:

- Result in inadequate emergency access?

Access to the project site would be from Palm Street, with secondary access along Nipomo Street. Proposed access points would be sized to accommodate emergency vehicles per City of San Luis Obispo Fire Department standards and would therefore provide adequate emergency access.

5.2.16 Utilities and Service Systems

Would the project:

- 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?
- 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 project would result in an incremental increase in demand on City infrastructure, including water, wastewater, and storm water facilities. The project would be served by City sewer and water service, which both have adequate capacity to serve the use (City of San Luis Obispo 2014). Therefore the project would not 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.

Would the project:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The majority of the project site is currently covered with impervious surfaces, due to the existing surface parking lot and residential structures. The project would not result in an increase in impervious surfaces, and thereby create substantial new sources of stormwater runoff. However, the project includes a catch basin with filter on the upper deck catch of the parking structure and drainage improvements that would maintain or reduce existing surface runoff rates from the site and existing stormwater infrastructure would be utilized. Impacts would be less than significant.

Would the project:

- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Based on the incremental increase in water demand, and adequate capacity, impacts would be less than significant.

Would the project:

- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- Comply with federal, state, and local statutes and regulations related to solid waste?

Solid waste would be generated during construction and demolition of the existing parking lot and residential structures. Construction waste would be temporary in nature, and in accordance with AB 341, would be required to divert 50 percent of construction waste from landfills, which would minimize potential impacts to the Cold Canyon Landfill. The amount of waste generated from operation of the project would be minimal. San Luis Garbage Company and Cold Canyon Landfill have adequate capacity to serve the project. Impacts would be less than significant.

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6 Other CEQA Required Discussions

This section discusses other issues for which CEQA requires analysis in addition to the specific issue areas discussed in Section 4.0, *Environmental Impact Analysis*. These additional issues include (1) the potential to induce growth; (2) significant unavoidable effects of the project; (3) significant and irreversible impacts on the environment-including energy usage/efficiency.

6.1 Growth Inducing Effects

Section 15126.2(d) of the *State CEQA Guidelines* requires that EIRs discuss the potential for projects to induce population or economic growth, either directly or indirectly. CEQA also requires a discussion of ways in which a project may remove obstacles to growth. Generally speaking, a project may be considered growth inducing if it results in one or more of the five conditions identified below:

A. Induces population growth

B. Induces economic expansion

C. Establishes a precedent setting action (e.g., an innovation, a radical change in zoning or general plan designation)

D. Results in development or encroachment in an isolated or adjacent area of open space (i.e., being distinct from "infill" development)

E. Removes an impediment to growth (e.g., the establishment of an essential public service or the provision of new access to an area)

Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth-inducing potential is therefore considered significant if it could result in unavoidable significant effects in one or more environmental issue areas.

6.1.1 Population Growth

As discussed in Section 2.0, *Project Description*, the proposed project consists of the removal of an existing 77-space surface parking lot and five residential structures. The project would construct an above-ground five-level parking structure, a non-profit theater, and commercial space. The existing onsite residences house approximately 11 individuals who would be displaced as part of the project. Although displaced, it is not anticipated that these residents would be leaving the City of San Luis Obispo. No housing or habitable structures proposed as part of the project, therefore the project would not impact population growth. There would be no significant impact to population or housing.

6.1.2 Economic Growth

The proposed project includes development of a parking structure, non-profit theatre, and 5,000 square feet of commercial space. The proposed project would incrementally contribute to economic

growth by providing a small amount of commercial space for business within the city. However, this would be a small amount and the project does not include residential uses such that it would not result in an increase in population that could increase demand for goods and services. In addition, the project would provide parking that would support downtown businesses, but not enough to create physical impacts. This impact would be less than significant.

6.1.3 Precedent Setting Action

The proposed project would change the character of the site from residential housing and at grade parking lot, to a five story parking structure, commercial space, and a theatre. The project, as proposed, would require a General Plan Amendment to amend the General Plan Land Use Map from Office and Medium-High Density Residential to Public. The project would require a zone change and amend Zoning Map from Office with Historic Overlay (O-H) and Medium-High Density Residential to Public Facility with a Historic Overlay (PF-H). In addition the project would require a Planning Commission Use Permit to allow to allow the multi-level parking structure and non-profit theater, and to request variances for the floor to area ratio to exceed 1.0, exceed the height limits for the elevator parapet wall, and to exceed the 60 percent maximum lot coverage. Lastly the project would require Architectural Review. The project is consistent the Access and Parking Management Plan and Downtown Concept Plan for the City, which both call for a parking structure in on the proposed project site and would serve existing and reasonably foreseeable land uses. The project would be at the discretion of the City Council who may consider it on its own merits in terms of how the new proposal fulfills the City General Plan goals and objectives. The project would not represent a precedent-setting action, and with the required approvals, impacts would be less than significant.

6.1.4 Development of Isolated or Adjacent Area of Open Space

Development of open space is considered growth-inducing when it occurs outside urban boundaries or in isolated locations instead of infill areas. The project site is located in a developed urban area and would be considered urban infill development. Therefore, the project would not directly or indirectly result in the development of an isolated or adjacent area of open space area. No impact would result.

6.1.5 Removal of an Impediment to Growth

The project would not result in the removal of an impediment for growth, as adequate access and services are already available for the project site and surrounding areas, which are all within the City of San Luis Obispo. No additional utility infrastructure or facilities beyond those necessary to accommodate the proposed project would be required or are proposed. The project site is contiguous to urban land uses designated for urban development, and the site is entirely surrounded by land within the limits of the City. The proposed project would not result in the removal of an impediment to growth.

6.2 Energy Use and Conservation

Public Resources Code Section 21100(b)(2) and Appendix F of the State *CEQA Guidelines* requires an EIR to discuss the potential for a project to result in impacts related to energy consumption and/or conservation. A project may have the potential to cause such impacts if it would result in inefficient,

wasteful, or unnecessary consumption of energy, including electricity, natural gas, or transportation fuel supplies and/or resources.

The project's anticipated energy demand (including fuel consumption), energy conserving features, and required mitigation measures that have an effect on energy conservation are evaluated in this section to determine whether the project would result in unnecessary or wasteful energy consumption. The discussion of the project's anticipated energy demand includes natural gas, electricity, and fuel consumption during construction and operation of the project.

6.2.1 Existing Conditions

a. State and Regional Energy Consumption

State

California is one of the lowest per capita energy users in the United States, ranked 49th in the nation, due to its energy efficiency programs and mild climate (U.S. Energy Information Administration [EIA] 2014). California used 295,405 gigawatt-hours (GWh) of electricity in 2015 (California Energy Commission [CEC] 2017) and 2,309,759 million cubic feet of natural gas in 2014 of which 401,172 million cubic feet were consumed by residential users (EIA 2015). In addition, Californians presently consume nearly 18 billion gallons of motor vehicle fuels per year (CEC 2014). The single largest end-use sector for energy consumption in California is transportation (38.7 percent), followed by industry (24.4 percent), commercial (18.6 percent), and residential (18.3 percent) (EIA 2014).

The majority of California's electricity is generated in-state with approximately 44 percent imported from the Northwest and Southwest in 2015 (CEC 2015). In addition, approximately 26 percent of California's electricity supply comes from renewable energy sources, such as wind (24,100 GWh), solar photovoltaic (PV) (15,100 GWh), geothermal (12,900 GWh), and biomass (8,600 GWh) (CEC 2016a). Senate Bill (SB) 350, adopted in October 2015, requires that renewables supply 50 percent of retail electricity by 2030. Self-generation using rooftop solar PV and increased appliance energy efficiency has resulted in a decline in state energy total system power in 2015, a trend that is expected to continue (CEC 2016a).

California's existing natural gas supply portfolio is regionally diverse and includes supplies from California sources (onshore and offshore), Southwestern U.S. supply sources (the Permian, Anadarko, and San Juan basins), the Rocky Mountains, and Canada (California Gas and Electric Utilities 2016). California natural gas demand, including volumes not served by utility systems, is expected to decrease at a rate of 1.4 percent per year from 2016 to 2035. Residential gas demand is expected to decrease at an annual average rate of 0.5 percent due to aggressive energy efficiency programs (California Gas and Electric Utilities 2016).

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.1 billions of gallons sold in 2015 and is used by light-duty cars, pickup trucks, and sport utility vehicles (CEC 2016b). Diesel is the second most used fuel in California with 4.2 billion gallons sold in 2015 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and construction and heavy duty military vehicles (CEC 2016c). Both gasoline and diesel are primarily petroleum-based and their consumption releases greenhouse gases, including CO_2 and NO_X. The transportation sector

is the single largest source of greenhouse gas (GHG) emissions in California, accounting for 37 percent of all inventoried emissions in 2013 (ARB 2015).

The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. The Code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances. It provides guidance on construction techniques to maximize energy conservation and minimum efficiency standards for a variety of building elements, including appliances, heating and cooling equipment, and insulation for doors, pipes, walls, and ceilings. CALGreen sets targets for: energy efficiency, water consumption, dual plumbing systems for potable and recyclable water, diversion of construction waste from landfills, and use of environmentally sensitive materials in construction and design.

Regional

Electricity service for the project would be provided by Pacific Gas & Electric (PG&E), which provides natural gas and electric service to approximately 16 million people throughout a 70,000-square mile service area in northern and central California (PG&E 2017). electricity to about 14 million people in Southern California. In 2015, SCE provided 27,581 millions of kWh (GWh) to its residential users (CEC 2016d). SCE's power mix consists of approximately 25 percent renewable energy sources (wind, geothermal, solar, small hydroelectric, and biomass) (SCE 2015). Gas service would be provided by the Southern California Gas Company (SoCalGas), which serves 21.6 million consumers throughout Southern California. In 2015, SoCalGas provided 2,038 million therms to its residential users (CEC 2016e).

According to the San Luis Obispo Council of Governments (SLOCOG) and the California Department of Transportation (Caltrans), there were a total of approximately 530,000 vehicle miles traveled (VMT) in the City of San Luis Obispo, and approximately 7,862,000 VMT in the County in 2013 (Caltrans 2015). These annual VMT contribute to the consumption of gasoline and diesel fuel in the region. San Luis Obispo County also provides a variety of public transit services, including bus and paratransit service and vanpools.

b. Regulatory Setting

State

California Energy Commission

The California Energy Commission (CEC) was created in 1974 to serve as the state's primary energy policy and planning agency. The CEC is tasked with reducing energy costs and environmental impacts of energy use - such as greenhouse gas emissions - while ensuring a safe, resilient, and reliable supply of energy.

State of California Integrated Energy Policy (SB 1389)

In 2002, the Legislature passed Senate Bill 1389, which required the CEC to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in

implementing incentive programs for Zero Emission Vehicles and their infrastructure needs, and encouragement of urban designs that reduce vehicles miles traveled and accommodate pedestrian and bicycle access.

California Global Warming Solutions Act of 2006 (Assembly Bill 32)

Assembly Bill 32 (Health and Safety Code Sections 38500–38599; AB 32), also known as the California Global Warming Solutions Act of 2006, commits the state to achieving year 2000 GHG emission levels by 2010 and year 1990 levels by 2020. To achieve these goals, AB 32 tasked the California Public Utilities Commission and CEC with providing information, analysis, and recommendations to the California Air Resources Board regarding ways to reduce GHG emissions in the electricity and natural gas utility sectors.

California Energy Code (Title 24, Part 6, Building Energy Efficiency Standards)

California Code of Regulations Title 24, Part 6 comprises the California Energy Code, which was adopted to ensure that building construction, system design, and installation achieve energy efficiency.

California Green Building Standards Code (Title 24, Part II, CALGreen)

The California Building Standards Commission adopted the California Green Buildings Standards Code (CALGreen in Part 11 of the Title 24 Building Standards Code) for all new construction statewide on July 17, 2008. Originally a volunteer measure, the code became mandatory in 2010 and the most recent update (2016) went into effect on January 1, 2017. CALGreen sets targets for energy efficiency, water consumption, dual plumbing systems for potable and recyclable water, diversion of construction waste from landfills, and use of environmentally sensitive materials in construction and design, including eco-friendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels. The 2016 CALGreen Code includes mandatory measures for non-residential development related to site development; water use; weather resistance and moisture management; construction waste reduction, disposal, and recycling; building maintenance and operation; pollutant control; indoor air quality; environmental comfort; and outdoor air quality.

Clean Energy and Pollution Reduction Act (SB 350)

The Clean Energy and Pollution Reduction Act (SB 350) was passed by California Governor Brown on October 7, 2015, and establishes new clean energy, clean air, and greenhouse gas reduction goals for the year 2030 and beyond. SB 350 establishes a greenhouse gas reduction target of 40 percent below 1990 levels for the State of California, further enhancing the ability for the state to meet the goal of reducing greenhouse gas emissions by 80 percent below 1990 levels by the year 2050.

Renewable Portfolio Standard

Established in 2002 under SB 1078, the state's Renewables Portfolio Standard (RPS) was amended under SB 107 to require accelerated energy reduction goals by requiring that by the year 2010, 20 percent of electricity sales in the state be served by renewable energy resources. In years following its adoption, Executive Order S-14-08 was signed, requiring electricity retail sellers to provide 33 percent of their service loads with renewable energy by the year 2020. In 2011, SB X1-2 was signed, aligning the RPS target with the 33 percent requirement by the year 2020. This new RPS applied to all state electricity retailers, including publically owned utilities, investor-owned utilities, electrical

service providers, and community choice aggregators. All entities included under the RPS were required to adopted the RPS 20 percent by year 2020 reduction goal by the end of 2013, adopt a reduction goal of 25 percent by the end of 2016, and meet the 33 percent reduction goal by the end of 2020. In addition, the Air Resources Board, under Executive Order S-21-09, was required to adopt regulations consistent with these 33 percent renewable energy targets.

Local

City of San Luis Obispo General Plan

The City's General Plan contains policies which encourage energy efficiency and sustainable practices to reduce the use of energy resources. The following goals and policies are contained in the various elements of the City's General Plan are applicable to the project.

LAND USE ELEMENT

- **Policy 9.7 Sustainable Design**. The City shall promote, and where appropriate, require sustainable building practices that consume less energy, water and other resources, facilitate natural ventilation, use daylight effectively, and are healthy, safe, comfortable, and durable. Projects shall include, unless deemed infeasible by the City, the following sustainable design features.
  A. Energy Efficient Structure. Utilize building standards and materials that achieve or surpass best practices for energy efficiency.
  B. Energy-Efficient Appliances. Utilize appliances, including air conditioning and heating systems that achieve high energy efficiency. Incorporation of alternative energy systems (e.g. passive and/or active solar, heat pumps) is encouraged.
  C. Naturalized Ventilation. Optimized potential for cooling through natural ventilation.
  D. Plumbing. Utilize plumbing fixtures that conserve or reuse water such as low flow faucets or grey water systems and implement a builder incentive program that will encourage new homes to be built with onsite water/heat recycling systems to help achieve the goal of net zero water and energy use.
  E. Efficient Landscaping. Include landscaping that reduces water use through use of drought-tolerant/native plant species, high-efficiency irrigation (drip irrigation), and reduction or elimination of the use of turf. Collection and use of site runoff and rainwater harvesting in landscape irrigation is encouraged.
  F. Solar Orientation. Optimize solar orientation of structures to the extent possible.
  G. Privacy and Solar Access. New buildings outside of the downtown will respect the privacy and solar access of neighboring buildings and outdoor areas, particularly where multistory buildings or additions may overlook backyards of adjacent dwellings.
  H. Solar Ready. The City shall encourage new development to be build "solar ready" so that owners may easily install solar infrastructure, as appropriate.
  I. Solar Canopies. The City shall encourage the inclusion of solar canopies that include solar panels (such as structures over parking lots) on new construction, as appropriate.

CONSERVATION AND OPEN SPACE ELEMENT

- **Policy 4.3.6 Energy Efficiency and Green Building in new developments.** The City shall encourage energy-efficient "green buildings" as certified by the U.S. Green Buildings Council's LEED (Leadership in Energy and Environmental Design) Program or equivalent certification, as further described in Chapter 5.5.7.

6.2.2 Analysis of Project Impacts and Determination of Significance

The project would involve the use of energy during construction and operation. Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may be provided to any temporary construction trailers or electric construction equipment. Long-term operation of the proposed project would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. In addition, the increase in vehicle trips associated with the project would increase fuel consumption within the city.

Electricity and Natural Gas

Table 41 shows the project's estimated electricity and natural gas demand compared to statewide demand. Electricity and natural gas consumption were estimated using CalEEMod, as described in the Initial Study Air Quality and Greenhouse Gas Emissions sections (Appendix A). Based on the modeling, the project would utilize approximately 292 megawatt hours per year of electricity and approximately 0.0069 billion cubic feet of natural gas per year during operation. As shown in Table 41, the project's electricity consumption would represent approximately 0.0001 percent of statewide annual demand, and project natural gas consumption would represent approximately 0.0003 percent of statewide annual demand.

Gasoline and Diesel Fuel

A large portion of the project's energy use would result from fuel consumption associated with project-related vehicle trips. Table 42 shows the project's estimated annual operational fuel consumption due to vehicle travel. Fuel consumption was estimated using the default fleet vehicle mix and the total annual mitigated annual VMT from the CalEEMod trip generation estimates, and average fuel efficiencies for each vehicle category. Please note that the parking structure itself does not generate new travel demand as a land use and therefore was assumed to have a negligible impact on VMT. Based on these assumptions, the project would result in the consumption of approximately 35,097 gallons of vehicle fuel per year during operation, which represents approximately 0.00002 percent of annual statewide fuel consumption. In addition, construction activities would also result in short-term fuel consumption from worker trips and materials hauling trips.

Table 41 Project Energy Use Relative to Statewide Energy Use

Form of Energy	Units	Annual Project-Related Energy Use	Annual Statewide Energy Use	Project Percent of Statewide Energy Use
Electricity	Megawatt hours	292[1]	295,405,000[2]	0.0001%
Natural Gas	Billions of cubic feet	0.0069[1]	2,313[3]	0.0003%

[1] CalEEMod output (provided in Appendix A of Initial Study, which is located in Appendix A to this EIR)

[2] California Energy Commission 2017a

[3] California Energy Commission 2017b

Table 42 Project Operational Vehicle Fuel Consumption

Vehicle Type	Percent of Vehicle Trips[1]	Annual Vehicle Miles Traveled[2]	Average Fuel Efficiency (miles/gallon)[3]	Total Annual Fuel Consumption (gallons)
Passenger Cars	56%	348,015	23.3	14,936
Light/Medium Trucks	34%	211,295	17.1	12,356
Heavy Trucks/Other	9%	55,931	7.3	7,662
Motorcycles	1%	6,215	43.4	143
Total	100%	621,456	--	35,097
State Motor Vehicle Fuels				18,019,000,0004
Project Percent of Statewide Energy Use				0.00002%

[1] Percent of vehicle trips found in Table 4.4 "Fleet Mix" in CalEEMod outputs (see Appendix A of Initial Study, which is included as Appendix A to this EIR)

[2] Mitigated annual VMT found in Table 4.2 "Trip Summary Information" in CalEEMod outputs (see Appendix A). Annual VMT per vehicle type = Mitigated annual VMT * Percent of vehicle trips per vehicle type.

[3] Sources: US DOT, Bureau of Transportation Statistics. 2013. National Transportation Statistics 2013, Tables 4-12 and 4-13. Washington DC. Vehicle classes provided in CalEEMod do not correspond exactly to vehicle classes in USDOT fuel consumption data, except for motorcycles. Therefore, it was assumed that passenger cars correspond to the light-duty, short-base vehicle class, light/medium trucks correspond to the light-duty long-base vehicle class, and heavy trucks/ other correspond to the single unit, 2-axle 6-tire or more class.

[4] California Energy Commission 2014

Appendix F Requirements and Energy Conservation Standards

Appendix F of the CEQA Guidelines requires inclusion in an EIR of relevant information that addresses "potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy"(Public Resources Code Section 21100[b][3]). Although the CEQA Guidelines do not include formal thresholds for evaluating the significance of potential energy-related impacts, the following discussion addresses direct energy impacts of the project as framed in Appendix F of the CEQA Guidelines by evaluating whether the project would result in the wasteful or inefficient consumption of energy or the potential need for new energy-related infrastructure, the construction or operation of which would have significant impacts.

1. Would the project result in the wasteful and inefficient use of non-renewable resources during construction and operation of the project?

Project operation would result in the annual consumption of approximately 292 megawatt hours per year of electricity, 0.0069 billion cubic feet of natural gas per year, and 35,097 gallons of vehicle

fuel each year. The project would be subject to energy conservation requirements in the California Energy Code (Title 24, Part 6, of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and CALGreen (Title 24, Part 11 of the California Code of Regulations), as embodied in enforceable conditions of approval. Adherence to Title 24 requirements would ensure that the project would not result in wasteful and inefficient use of non-renewable resources due to building operation.

The project would be required to comply with applicable Title 24 building standards and would incorporate required EIR mitigation that would reduce operational energy use. Therefore, the project would not result in wasteful and inefficient use of non-renewable resources during construction and operation.

2. Would the project result in the need for new systems or substantial alterations to electrical, natural gas, or communication systems infrastructure, the construction or operation of which would have significant impacts?

Construction of new energy infrastructure or substantial alteration of existing energy infrastructure to expand capacity can result in potentially significant environmental impacts. To determine whether this project would require substantial alteration to existing infrastructure or construction of new infrastructure, the project's operational energy demands were estimated and compared to Statewide demand.

Based on the comparisons of project electricity, natural gas, and fuel demand to statewide demand for these resources shown in Table 41 and Table 42, the project's energy demand would result in a nominal increase in statewide energy demand. Furthermore, California's use of non-renewable electricity and natural gas are expected to continue to decline as a proportion of overall energy demand due to stringent energy efficiency measures and a mandated increase in renewable energy use that would serve to offset any increase in non-renewable energy use resulting from the project. Therefore, the project would not result in the need for construction of new major facilities or substantial alteration of existing facilities to meet the project's energy demands.

Cumulative Impacts

The project, in combination with buildout under the General Plan, would contribute incrementally to adverse effects associated with energy resource demand and conservation. Future development would have the cumulative effect of increasing local and regional energy demands, resulting in potential considerable impacts to energy conservation.

However, like the project, discretionary actions requiring agency approval are required to comply with local, regional, state, and federal policies designed to reduce wasteful energy consumption, and improve overall energy conservation and sustainability. For instance, all local projects involving the development of new buildings must be designed to conform to CALGreen and the 2016 California Energy Code. Further, cumulative development would be operated and maintained by private utility companies, such as PG&E and SoCal Gas, which plan for anticipated growth. Electric and natural gas services are provided based on demand from consumers and expanded as needed to meet demand, consistent with applicable local, state, and federal regulations. Therefore, it is not anticipated that the project, in combination with other cumulative development would result in a significant cumulative effect, and the project's contribution would not be cumulatively considerable. Cumulative impacts would therefore be less than significant.

Conclusion

Energy consumption associated with construction and operation of the project would not be expected to be wasteful or inefficient, and the project is not expected to result in the need for construction of new major facilities or substantial alteration of existing facilities to meet the project's energy demands. Therefore, the project's impact on energy resources and conservation would be less than significant.

6.3 Significant Unavoidable Effects

State CEQA Guidelines §15126(b) requires that an EIR identify those significant impacts that cannot be reduced to a less than significant level with the application of mitigation measures. The implications and reasons why the project is being proposed, notwithstanding, must be described.

As discussed in Sections 4.1, *Aesthetics*, 4.2, *Cultural Resources,* and 4.3, *Noise*, implementation of the project would result in significant and unavoidable impacts to aesthetics (visual character and cumulative visual character), cultural resources (historic resources and cumulative historic resources) and noise (construction noise).

6.4 Significant Irreversible Environmental Effects

State CEQA Guidelines §15126.2(c) requires a discussion of any significant irreversible environmental changes which would be caused by the proposed project should it be implemented. Such significant irreversible environmental changes may include the following:

- Use of non-renewable resources (including energy resources) during the initial and continued phases of the project which would be irreversible because a large commitment of such resources makes removal or non-use unlikely
- Primary impacts and, particularly secondary impacts (such as highway improvement which provides access to a previously inaccessible area) which generally commit future generations to similar uses
- Irreversible damage which may result from environmental accidents associated with the project

The project site is currently developed with an existing City-owned parking lot, five residences, and a detached garage. The preferred project would replace the existing parking lot and buildings with a parking structure, commercial space, and theater. As such, construction of the project would require a small amount of building materials and energy, some of which are non-renewable resources. Section 6.2, *Energy Use and Conservation*, discusses ongoing energy requirements for the project.

The project does not include residential units, and would not therefore increase the population of San Luis Obispo. The development of the non-profit theatre commercial space accommodated under the proposed project would require an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. These services were all dismissed as less than significant in the project's Initial Study. The proposed project would contribute to construction waste to local landfills although, as discussed in the Section 5.0, *Issues Addressed in the Initial Study* under Utilities, impacts related to construction waste and operational solid waste would be less than significant. In addition, the vehicle trips associated with the proposed project would incrementally contribute local traffic as discussed in Section 4.4, *Transportation,* but impacts were determined to be less than significant or less than significant with mitigation. No increases in environmental accidents are anticipated as a result of proposed project.

7 Alternatives

As required by CEQA Guidelines §15126.6, this EIR examines a range of reasonable alternatives to the proposed project that would attain most of the basic project objectives, but would avoid or substantially lessen the significant adverse impacts.

As discussed in Section 2.0, *Project Description*, the objectives for the proposed project include the following:

- Provide a minimum of 400 parking spaces
- Accommodate cultural and/or residential uses on Monterey Street in front of the structure
- Include a public use plaza area at the corner of Nipomo and Monterey Streets
- Provide a direct pedestrian connection from the structure to Monterey Street
- Preserve the large oak tree onsite
- Consider contextual sensitivity of surrounding properties (i.e., Hays-Lattimer adobe)

The following alternatives are evaluated in this EIR:

- Alternative 1: No Project/No Development
- Alternative 2: Project Plus Live/Work Units
- Alternative 3: Parking Structure, Commercial, plus Residential
- Alternative 4: Historic Resource Preservation

The alternatives analysis focuses on a comparison of impacts for the four issues areas of focus in this EIR (aesthetics, cultural resources, noise, and transportation), because the Initial Study determined that project impacts for other environmental issue areas would not be significant. A more detailed description of the alternatives is included in the impact analysis for each alternative.

7.1 Alternatives Considered but Eliminated from Further Discussion

The following alternatives were considered, but then eliminated from further discussion for the reasons given below.

Section 15126.6 of the State CEQA Guidelines states that: “An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible.

The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

The California Supreme Court, in *Citizens of Goleta Valley v. Board of Supervisors* (1990), indicated that a discussion of alternative sites is needed if the project "may be feasibly accomplished in a successful manner considering the economic, environmental, social, and technological factors involved" at another site. The City of San Luis Obispo considered other City-owned surface parking lots as alternatives, but eliminated other sites from further discussion because none of the other sites were large enough to accommodate a parking structure that would provide a minimum of 400 spaces. In addition, the City also considered a reduced height parking structure with four levels instead of five; however, at four levels, the parking structure would only provide 326 parking spaces and would not be able to meet the most basic of project objectives, which includes providing a minimum of 400 parking spaces.

7.2 Alternative 1: No Project/No Development

7.2.1 Alternative Description

This alternative assumes the project is not approved, that none of the proposed entitlements are implemented, and that no further development would occur on the project site.

7.2.2 Impact Analysis

Under this alternative, the proposed project's significant and unavoidable impacts related to visual character, historic resources, and construction noise would not occur because development of the project would not move forward. The No Project/No Development Alternative would not result in potentially significant but mitigatable impacts to construction air pollutant emissions, archaeological or paleontological resources, aesthetics (light and glare), pedestrian access, hazardous materials exposure, expansive soils, or construction traffic and no mitigation measures would be required. However, this alternative would fail to meet the project objectives.

7.3 Alternative 2: Project Plus Live/Work Units

7.3.1 Alternative Description

This alternative assumes the build out of the proposed project (parking structure, theater, and commercial space), except the 5,000 square feet of commercial space would be reduced to 2,500 square feet of commercial space and four residential units would be included on the second level. This alternative discusses the impact of the four residential apartments on the second story of the commercial area as opposed to the 2,500 square feet of commercial space. As with the proposed project, vehicle access would continue to be provided from Palm Street and Nipomo streets via the

parking structure. For the purpose of this analysis, it is assumed that this alternative would follow the same site plan/floor plan as the proposed project.

7.3.2 Impact Analysis

Aesthetics

Buildout under Alternative 2 would be similar to the proposed project, except the second story of the commercial building would be changed to four residential apartments. The visual character of the site would remain almost entirely unchanged compared to the proposed project as a similar configuration to the proposed project would result in similar impacts from surrounding public viewpoints. The size and scale of buildings would be the same as the proposed project; therefore the impact to visual character would remain significant and unavoidable.

Light and glare impacts would also be similar to the proposed project due to the similar use of the project site and size and density of development. The lighting from the residences would be similar to the commercial use. Impacts would remain potentially significant and require the mitigation measures discussed in Section 4.1, *Aesthetics.*

Cultural Resources

Implementation of Alternative 2 would result in identical impacts to cultural resources. Construction of this alternative would require ground-disturbing activity that has the potential to impact paleontological and archaeological resources, as well as tribal cultural resources. These impacts would remain significant but mitigable. Mitigation measures required in Section 4.2, *Cultural Resources*, would be required to reduce impacts to a less than significant level. Similar to the proposed project, Alternative 2 would require the demolition of the residences at 610 and 614 Monterey Street to construct the theater, which would result in significant and unavoidable impacts to the historical resources.

Noise

Noise and vibration impacts due to construction of this alternative would be identical to the proposed project because the project structures would be the same size and the duration of construction would not vary. Temporary noise levels from construction would similarly exceed local thresholds for nearby residences, and result in significant and unavoidable impacts. Mitigation measures discussed in Section 4.3, *Noise*, would be required to reduce noise to the extent feasible, but would not bring impacts to a less than significant level. Therefore, this impact would remain significant and unavoidable. Vibration impacts to nearby receptors and the historic Hays-Lattimer adobe building would remain less than significant.

Alternative 2 would generate operation noise similar to the proposed project due to the similar uses and similar operational components. The addition of residences on the site would locate sensitive receptors directly adjacent to the parking structure. Therefore this alternative would require additional mitigation to reduce interior noise levels below established thresholds. Impacts to new noise sensitive receptors would be potentially significant, but mitigable and therefore greater than the proposed project.

Transportation

Impacts resulting from construction traffic and operational traffic would be similar with this Alternative compared to the proposed project. The change from 2,500 square feet of commercial space to 2,500 square feet of residential space would have a negligible change on the vehicle trips and impacts discussed in Section 4.4, *Transportation.* This alternative would have a similar amount of average daily trips, which results in similar impacts to intersections and roadways segments in the area. Vehicles, pedestrians, and bicyclists would experience similar changes in levels of service as to the conditions discussed in Section 4.4, *Transportation*. Mitigation measures T-3(a) through T-3(d) would be required to reduce impacts to pedestrian LOS and access. Transportation-related impacts from Alternative 2 would be similar to the proposed project, and would be significant but mitigable.

Impacts Addressed in the Initial Study

Impacts under Alternative 2 would be similar to the proposed project, except for the addition of residences on the site. The addition of habitable residences would incrementally increase the population within the City, and generate incrementally increased demand on recreational facilities, and public services such as libraries, schools, and parks. The introduction of residences on the site would change and slightly increase the amount of water demanded, as well as the amount of wastewater generated onsite. This alternative would incrementally contribute to the city's wastewater treatment plant, but the capacity of the wastewater collection system and Water Resource Recovery Facility would adequately serve the four residences. Implementation of Alternative 2 would not result in any new impacts requiring mitigation or increased severity compared to those addressed in the Initial Study.

7.4 Alternative 3: Parking Structure, Commercial and Residential

7.4.1 Alternative Description

This alternative would include the five-level parking structure and 5,000 square feet of commercial space, consistent with the proposed project; however this alternative would include 22 two-bedroom apartments in place of the theater and plaza along Monterey Street. This alternative would include removal of the existing surface parking lot and all existing residential structures. As with the proposed project, vehicle parking/site access would continue to be provided from Palm Street and Nipomo Street via the parking structure. For the purpose of this analysis, it is assumed that the site plan would adhere to the basic layout and footprint of development as is contemplated in the proposed project for the parking structure and commercial space, with the direct replacement/addition of apartments in place of the theater.

7.4.2 Impact Analysis

Aesthetics and Visual Resources

Buildout under Alternative 3 would be similar to the proposed project, except the theater portion of the project would be omitted and replaced with 22 two-bedroom residential units. The residential apartments would have similar massing, height and scale as the theater, and would contribute to similar impacts to visual character as the proposed project. The impact to visual character would remain significant and unavoidable, similar to the proposed project.

Light and glare impacts would be similar when compared to the proposed project due to the similar use of the project site and size and density of development. The lighting emanating from the residences would be similar to the theater use. Impacts would remain potentially significant and require the mitigation measures discussed in Section 4.1, *Aesthetics.*

Cultural Resources

Implementation of Alternative 3 would result in identical impacts to cultural resources as the proposed project. Construction of this alternative would include ground-disturbing activity that has the potential to impact paleontological and archaeological resources, as well as tribal cultural resources. These impacts would remain potentially significant but mitigable. Mitigation measures identified in Section 4.2, *Cultural Resources*, would be required to reduce impacts to a less than significant level. Similar to the proposed project, Alternative 3 would require the demolition of the residences at 610 and 614 Monterey Street to construct the 22 two-bedroom apartments, which would result in significant and unavoidable impacts to historical resources.

Noise

Noise impacts due to project construction would be similar under this Alternative due to the similar development and type of construction equipment required. Temporary noise levels from construction would exceed local thresholds for nearby residences, and result in significant and unavoidable impacts. Mitigation measures discussed in Section 4.3, *Noise*, would be required to reduce noise to the extent feasible, but would not bring impacts to a less than significant level. In addition, vibration impacts would be similar to the proposed project. Vibration impacts to nearby receptors and the historic Hays-Lattimer adobe building would remain less than significant.

The operational noise impacts associated with Alternative 3 would be similar to the proposed project. However, the addition of residences would be directly adjacent to the operational noise emanating from the structure. This would generate slightly increased impacts compared to the proposed project. The amount of vehicle trips and average daily trips that would change from operation of the theater to the 22 new residences would be minimal and would not cause operational noise levels to exceed City thresholds. Average daily trips from Alternative 3 would be similar to the proposed projects, and would not generate roadway noise levels that exceed thresholds. Operational noise impacts would remain less than significant.

Transportation

Impacts resulting from construction traffic and operational traffic would be similar with this Alternative compared to the proposed project. The introduction of 22 two bedroom residences instead of the theater would have similar impacts discussed in Section 4.4, *Transportation.* This Alternative would have a similar amount of average daily trips, which results in similar impacts to intersections and roadways segments in the area. Mitigation measures T-3(a) through T-3(d) would be required to reduce impacts to pedestrian LOS and access. Impacts associated with Alternative 3 would be similar to the proposed project, and would be significant but mitigable.

Impacts Addressed in the Initial Study

Impacts under Alternative 3 would be similar to the proposed project, except for the addition of residences on the site. The addition of habitable residences would incrementally increase the population within the City, and incrementally increase demand on recreational facilities, and public services such as libraries, schools, and parks. The introduction of residences on the site would

change and slightly increase the amount of water demanded, as well as the amount of wastewater generated onsite. However, this would not result in the need to new or expanded facilities as the project could be adequately served by existing supplies and facilities. Implementation of Alternative 3 would not result in any impacts requiring mitigation or increased severity compared to those addressed in the Initial Study. Under this Alternative, all impacts discussed in the Initial Study would remain less than significant or have no impact.

7.5 Alternative 4: Historic Resource Preservation

7.5.1 Alternative Description

This alternative would involve the construction of the five-level parking structure and 5,000 square feet of commercial space, consistent with the proposed project; however, this alternative would not include construction of the theater or plaza fronting Monterey Street. This alternative assumes the historic residences along Monterey Street (610 and 614) would remain intact and at their existing location; however, much of the backyards at these properties would be developed with the parking and commercial uses. For the purpose of this analysis, it is assumed that the site plan would adhere to the basic layout of development as is contemplated in the proposed project for the parking structure and commercial space and omit the theater.

7.5.2 Impact Analysis

Aesthetics and Visual Resources

Buildout under Alternative 4 would be similar to the proposed project, except the theater portion of the project would be omitted. The parking structure would remain onsite, and provide views of Cerro San Luis from the rooftop seating area. The parking structure and commercial apartments would have similar massing, height and scale as the proposed project, and would contribute to similar visual impacts as the proposed project. Under Alternative 4, no development would occur where the 610 and 614 Monterey Street residences are located; however, the detached garage would still be demolished and much of the residence's rear yards would be developed for the parking structure. The parking structure and commercial space would result in a five story structure directly behind these private residences, resulting in massing and scale that is incompatible with these one story homes. The height and scale of the parking structure relative to the historic structures would still result in a significant and unavoidable impact to visual character.

Light and glare impacts would be similar when compared to the proposed project due to the addition of the parking structure and commercial space. Similar to the proposed project, impacts associated with light and glare would remain potentially significant requiring the mitigation measures discussed in Section 4.1, *Aesthetics.* Similar to the proposed project, mitigation would reduce impacts associated with light and glare to a less than significant level.

Cultural Resources

Construction of this alternative would require ground-disturbing activity that has the potential to impact paleontological and archaeological resources, as well as tribal cultural resources. These impacts would remain significant but mitigable. Mitigation measures required in Section 4.2, *Cultural Resources*, would be required to reduce impacts to a less than significant level.

Alternative 4 would maintain the residences at 610 and 614 Monterey Street, which are considered historical resources for the purposes of CEQA and contribute to the City of San Luis Obispo's Downtown Historic District. Since these residences would remain, implementation of Alternative 4 would result in less than significant impacts to historical resources, and thereby eliminate the significant impact. Alternative 4 would result in lessened cultural resource impacts compared to the proposed project.

Noise

Noise impacts due to construction would be slightly increased under Alternative 4, as although similar development and type of construction equipment is required, the residences that would remain would be directly adjacent and contribute as sensitive receptors. Similar to the proposed project, temporary noise levels from construction would exceed local thresholds for nearby residences, and result in significant and unavoidable impacts. Mitigation measures discussed in Section 4.3, *Noise*, would be required to reduce noise to the extent feasible, but would not bring impacts to a less than significant level. As such, this significant and unavoidable impact would remain. In addition, vibration impacts would be similar to the proposed project as identical equipment would be required. Vibration impacts to nearby receptors and the historic adobe building would remain less than significant.

The operational noise impacts associated with Alternative 4 would be incrementally less than the proposed project due to the removal of the theater component. The removal of the theater would incrementally reduce the number of vehicle trips and average daily trips and the associated noise. Similar to the proposed project, operational noise would be less than significant and not require mitigation.

Transportation

Impacts resulting from operational traffic would be slightly less with this alternative compared to the proposed project, as trips generated by the theater would no longer occur. Although the project would reduce fewer trips, associated with the theater, it would still generate pedestrian trips going to and from the parking structure, and result in similar impacts to pedestrian LOS and access. The impact to pedestrian LOS and access would require mitigation measures T-3(a) through T-3(d). With mitigation, impacts would be reduced to a less than significant level, similar to the proposed project.

Impacts Addressed in the Initial Study

Impacts under Alternative 4 would be similar to the proposed project, except for the omission of theater on the site. The omission of the theater would change and incrementally decrease the amount of water demanded, as well as the amount of wastewater generated onsite. This impact would remain less than significant. Implementation of Alternative 4 would not result in any additional impacts requiring mitigation or increased severity compared to those addressed in the Initial Study.

7.6 Environmentally Superior Alternative

Section 15126.6(e)(2) of the *State CEQA Guidelines* requires that an analysis of project alternatives identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the project site and its surrounding environment.

This section evaluates the impact conclusions for the proposed Palm Nipomo Parking Structure Project and the four alternatives under consideration. It then identifies the environmentally superior alternative for each issue area. In accordance with the State CEQA Guidelines, if the No Project Alternative is identified as the Environmentally Superior Alternative, an alternative among the remaining scenarios that is environmentally superior must also be identified.

Table 43 summarizes the environmental advantages and disadvantages associated with the proposed project and the analyzed alternatives. CEQA Guidelines section 15126.6 states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives.

Table 43 Alternatives and Impact Comparisons

Issue	Alternative 1 No Project/ Existing Zoning	Alternative 2 Project Plus Live/Work Units	Alternative 3 Parking Structure, Commercial, and Residential	Alternative 4 Historic Resource Preservation
Aesthetics	+	=	=	+/=
Cultural Resources	+	=	=	+
Noise	+	-	-/=	+/=
Traffic	+	=	=	+
Issues Addressed in the Initial Study	+	=	-/=	=

+ Superior to the proposed project (reduced magnitude of impact)

- Inferior to the proposed project (increased magnitude of impact)

= Similar magnitude of impact to the proposed project

+/- Aspects both better and worse than the proposed project

Alternative 4: Historic Resource Preservation would be the environmentally superior alternative, as it would reduce impacts associated with cultural (historic) resources. Alternative 4 would meet most of the project objectives by providing a minimum of 400 parking spaces, providing a direct pedestrian connection from the structure to Monterey Street, preserving the large oak tree onsite, and considering the contextual sensitivity of surrounding properties (i.e., Hays-Lattimer adobe). However, it would not meet the objective of providing the cultural (theater) use. Alternative 4 would eliminate direct and indirect significant impacts to historical resources because the two contributing structures to the Downtown Historic District and the linkage between properties in the district they provide would remain in place. However, aesthetic (visual character) and construction noise impacts would remain significant and unavoidable.

Alternative 1: No Project/No Development could also be considered environmentally superior to the proposed project because the site would remain as is and it would not result in any significant environmental impacts; however, it would not meet the project objectives.

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8.2 List of Preparers

This EIR was prepared by the City of San Luis Obispo, with the assistance of Rincon Consultants, Inc. Consultant staff involved in the preparation of the EIR are listed below.

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9 Response to Comments on the Draft EIR

In accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the City of San Luis Obispo, as the lead agency, has reviewed the comments received on the Draft Environmental Impact Report (Draft EIR) for the Palm Nipomo Parking Structure Project and has prepared responses to all comments received.

The Draft EIR was circulated for a 78-day public review period that began December 14, 2017 and concluded on March 1, 2018. However, the City also accepted comment letters through March 10, 2018, which are included herein. The City held a Cultural Heritage Committee hearing for the project on January 22, 2018 as well as a public Planning Commission hearing on February 28, 2018 to receive public testimony in the form of verbal comments on the Draft EIR.

Each written and verbal comment that the City received is included in this Responses to Comments section. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft EIR addresses pertinent environmental issues. The focus of the responses to comments is the disposition of environmental issues that are raised in the comments, as specified by Section 15088(c) of the *State CEQA Guidelines*. Detailed responses are not provided to comments on the merits of the proposed project. In addition, Section 15131 of the *State CEQA Guidelines* states that "economic or social effects of a project shall not be treated as significant effects on the environment." When a comment is not directed to an environmental issue, the response indicates that the comment will be forwarded to the appropriate decision-makers for review and consideration as part of the public record.

The Draft EIR and responses to comments collectively comprise the Final EIR for the project. Any changes made to the text of the Draft EIR to correct information, data, or intent, other than minor typographical corrections or minor working changes, are noted in the Final EIR as changes from the Draft EIR. Where a comment results in a change to the Draft EIR text, a notation is made in the response indicating that the text is revised. Changes in the Draft EIR text are signified by strikeouts (~~strikeouts~~) where text is removed and by underline font (<u>underline font</u>) where text is added. If text is added where the font is already bold or underlined, additions are noted using underlined bold font (**<u>underlined bold font</u>**).

9.1 Responses to Public Testimony on the Draft EIR

On February 28, 2018, the City Planning Commission conducted a public hearing regarding the Draft EIR for the Palm Nipomo Parking Structure Project. The hearing provided an opportunity for members of the public to receive a summary presentation of the project as well as the major findings of the Draft EIR. The primary purpose of the public comment portion of the hearing was to receive input from interested parties regarding the adequacy of the Draft EIR. In addition to the Planning Commission staff, there were seven speakers during the hearing.

On January 22, 2018, the City Cultural Heritage Committee also conducted a public hearing regarding the Draft EIR for the project. The hearing provided an opportunity for members of the Committee and the public to receive a summary presentation of the project as well as the major

findings of the Draft EIR related to cultural and historical resources, and to provide comments on the Draft EIR. In addition to Cultural Heritage Committee staff, there was one speaker during the hearing.

Table 44 summarizes the topics of comments made by each speaker during the public comment hearings. The City's response to each comment follows Table 44.

Table 44 Public Hearing Comment Summary

No.	Speaker/Affiliation	Topics Presented in Comments
February 28, 2018 Planning Commission Hearing		
Planning Commissioner Comments		
1	John Fowler	Construction impacts; traffic
2	Nicholas Osterbur	Parking
3	Mike Wulkan	a. Alternatives b. Traffic noise c. Construction noise d. Traffic e. Pedestrian safety
Public Comments		
1	Dominic Tartaglia, Executive Director, Downtown Association	General support for EIR mitigation measures; project name change request
2	Russell Brown, City resident, Chair, Save Our Downtown	Cumulative traffic analysis
3	Dave Hannings, adjacent property owner	General support for project
4	Mark Johnson, City resident with nearby property	Traffic
5	Ursula Bishop, City resident with nearby property	Traffic; support for project alternatives
6	Kathy Freeman Godfrey, City resident with nearby property	General opposition to project; traffic; historic resources
7	Sam Blakeslee, private citizen	General support for project; alternatives
January 22, 2018 Cultural Heritage Committee Hearing		
Cultural Heritage Commissioner Comments		
1	Glen Matteson, Cultural Heritage Committee	Sectional views of the project
2	James Papp, Cultural Heritage Committee	Alternatives
Public Comments		
1	Dave Hannings, adjacent property owner	General support for project

February 28, 2018 Planning Commission Hearing, Commissioner Comments

1. John Fowler, Planning Commission. The commenter questioned whether construction traffic, traffic during school hours, and vehicle queuing were examined for the project.

   Transportation/traffic impacts, including impacts from construction and operational trips and queuing were analyzed consistent with the requirements of CEQA in Section 4.4, *Transportation*, of the Draft EIR and in Section 16, *Transportation*, of the Initial Study (Appendix A of the DEIR). The analysis is based on the *Palm Nipomo Parking Structure Project Transportation Impact Study* (2017) provided as Appendix D to the Draft EIR.

   Section 16, *Transportation*, of the Initial Study (Appendix A of the Draft EIR) and Section 5.1.5, *Transportation*, of the Draft EIR discuss potential impacts related to project-generated construction traffic. As described therein, the project would result in short-term construction traffic, which could be a potentially significant impact. Mitigation Measure T-1, Construction Management Plan, would be required to reduce construction traffic impacts to a less-than-significant level.

   As discussed in Section 4.4, *Transportation*, of the Draft EIR, project traffic conditions were evaluated during the weekday evening peak period (4:00-6:00 PM) (p. 102 of Draft EIR). However, the roadway segment counts available near the project and school show the midday, school periods, and evening peak hours to have relatively close volumes. Therefore, the vehicle LOS at the study intersections and along the study segments would be similar to the LOS reported for the PM peak hour. All locations operated at LOS C or better, well within the City's threshold of LOS E or better, so with the addition of project traffic, no additional impacts would occur during school pickup and drop off times. Impacts to vehicle LOS would remain less than significant. Therefore, the conclusions in the Draft EIR regarding the significance of the impact are not changed by the comment.

   Section 16, *Transportation*, of the Initial Study (Appendix A of the Draft EIR) and Section 5.2.15, *Transportation*, of the Draft EIR discuss potential impacts related queuing. As described therein, all estimated approaches and departures are estimated to have a maximum queue of less than 50 feet with the addition of the project. None of the 95th percentile queues would be long enough to block adjacent intersections. This impact would be less than significant.

2. Nicholas Osterbur, Planning Commission. The commenter questioned why there is a range in the proposed number of parking spaces included in the project. As stated in footnote 1 on page 1 of Draft EIR, the parking structure is undergoing design refinement with respect to the ultimate number of parking spaces. Based on the current design, the structure would provide 410 parking spaces; however, the EIR analysis conservatively assumes a maximum of up to 445 parking spaces would be provided.

3. Mike Wulkan, Planning Commission.

   a. The commenter requested that the EIR examine an alternative that reduces impacts related to aesthetics or discuss why such an alternative is not feasible. Section 15126.6 of the *State CEQA Guidelines* states that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant

effects of the project, and evaluate the comparative merits of the alternatives." As discussed in Section 7.1, *Alternatives Considered but Eliminated from Further Discussion*, of the Draft EIR, the City considered an alternative to the project which involved development of a reduced height parking structure with four levels instead of five, thereby reducing aesthetic impacts of the project. However, at four levels, the parking structure would only provide 326 parking spaces and would not be able to meet the basic project objective of providing a minimum of 400 parking spaces. Therefore, this alternative was eliminated from further discussion in the EIR.

b. The commenter stated that the residences along Palm Street currently experience roadway noise levels of approximately 59.4 dBA Ldn and these residences would experience a roadway noise level increase of approximately 1.0 dBA, which would result in a post-project roadway noise level of approximately 60.4 dBA Ldn. The commenter noted that because a noise level exceeds the City standard of 60 dB Ldn or CNEL (Ldn/CNEL), it should be considered significant. The commenter stated that the FTA threshold used in the Draft EIR analysis of project-generated roadway noise would apply only when existing roadway noise levels exceed the 60 dB Ldn/CNEL standard. The commenter stated that, because the existing noise level of 59.4 dBA Ldn does not exceed the 60 dB Ldn/CNEL standard, the FTA noise increase threshold would not apply.

   The FTA noise increase thresholds were used to evaluate whether an increase in traffic noise at existing noise-sensitive land uses would be significant; these thresholds address situations where a substantial noise increase may occur, even if such an increase would not result in post-project traffic noise above 60 dBA Ldn, as well as situations where existing and/or post-project traffic noise would be above 60 dBA Ldn, but where the project-generated traffic noise increase would not be substantial. In the case of the proposed project, the anticipated traffic noise increase of 1.0 dBA along Palm Street would not be considered a substantial increase in existing traffic noise levels, such that it would result in a significant adverse noise impact. As indicated in Section 4.3, *Noise*, of the Draft EIR, a 3.0 dBA increase in noise is barely perceptible to most people. Therefore, a 1.0 dBA increase in noise would not constitute a perceptible increase in noise. This is also consistent with noise threshold b) in the City's Land Use and Circulation Element EIR, which states an impact would be significant if a project would "result in a substantial (e.g., an increase of 3 dB or greater is typically considered a substantial increase as it is perceivable by the human ear) permanent increase in ambient noise levels in the project vicinity above levels existing without the project" (City of San Luis Obispo 2014: 4-263).

c. The commenter stated that Mitigation Measure N-1(b) appears to allow for construction noise on Sundays, holidays, and at night as it is worded in the Draft EIR. He also stated that the noise levels specified may not be feasible to achieve and requested that the measure be edited for clarity and for feasibility of implementation.

   Mitigation Measure N-1(b) in Section 4.3, *Noise*, of the Draft EIR states that "except for emergency repair of public service utilities or where an exception is issued by the Community Development Department, *no* operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur daily-between the hours of 7:00 PM and 7:00 AM, or any time on Sundays, holidays, or after sunset, where that operation creates a noise disturbance that exceeds 75 dBA for single family residential,

80 dBA for multi-family residential, and 85 dBA for mixed residential/commercial land uses across a residential or commercial property line for a maximum of 10 days. For construction activities lasting more than 10 days, noise from construction equipment shall not exceed 60 dBA for single family residential, 65 dBA for multi-family residential, and 70 dBA for mixed residential/commercial land uses across a residential or commercial property line." As it is worded, the measure would not allow construction-related noise in exceedance of specified noise levels at night (7:00 PM to 7:00 AM) or on Sundays, holidays, or after sunset. The noise levels specified in the mitigation measure are consistent with the noise levels specified in Section 9.12.050 of the Municipal Code.

d. The commenter expressed concern about the scope of the traffic analysis, stating that additional intersections, including the intersections of Nipomo Street/Higuera Street, Palm Street/Broad Street, Broad Street/Higuera Street, Monterey Street/Broad Street, and Dana Street, should be evaluated. As discussed in Section 4.4, *Transportation*, of the Draft EIR, the scope of the Transportation Impact Study (Appendix D of the Draft EIR), on which the section is based, was developed in consultation with City staff and conforms to the standards and policies for such analysis set forth in the City's adopted *Multimodal Transportation Impact Study Guidelines* (2015) and *General Plan Circulation Element* (2014). Careful consideration was given to the transportation facilities (i.e., roadway segments and intersections) that could be substantially affected by project-generated traffic. These roadway segments and intersections are reviewed and assessed in the Draft EIR. The identification of roadway segments and intersections that could be substantially impacted by project-generated traffic was based on previous studies discussed on page 4 of the Transportation Impact Study (Appendix D of the Draft EIR) and took into account existing traffic volumes, traffic control systems, existing operational characteristics, and the magnitude of project-generated traffic and its likely distribution. The intersections of Nipomo Street/Higuera Street and Palm Street/Broad Street were analyzed in the 2012 Draft Palm/Nipomo Project Traffic Impact Study discussed on page 4 of the Transportation Impact Study (Appendix D of the Draft EIR), which notes that both intersections operate at LOS B or better. The Broad Street/Higuera Street intersection was evaluated in the San Luis Square Transportation Impact Study (CCTC, January 2016), which showed that under cumulative conditions the intersection would operate at LOS A. The Monterey Street/Broad Street intersection was evaluated in the 2001 Mission Plaza Dogleg study discussed on page 4 of the Transportation Impact Study (Appendix D of the Draft EIR), which found it would operate at LOS B or better under all Mission Plaza alternatives evaluated. Dana Street carries lower volumes than the other study intersections since it is a short dead end. Therefore none of these locations would be substantially impacted by the addition of project-generated traffic. All of the intersections and roadways would operate at acceptable levels of service (LOS E or better) with the addition of project traffic under both existing and cumulative scenarios. This comment does not change the conclusions in the Draft EIR regarding the significance of the impact or require changes to the Draft EIR.

e. The commenter stated that it is unclear how Mitigation Measure T-3, *Pedestrian Access*, in the Draft EIR will address impacts related to pedestrian-vehicle conflict at the driveway discussed under Impact T-4 and questioned whether additional or alternative measures can be imposed to address such impacts. The analysis included under Impact T-4 in the Draft EIR relates to potential impacts on pedestrian level of service (LOS) under the Cumulative Plus Project condition, rather than pedestrian-vehicle conflict. As stated on page 122 of the Draft

EIR, Mitigation Measure T-3 would be required to reduce impacts to pedestrian LOS under the Cumulative Plus Project condition. Potential impacts related to pedestrian-vehicle conflict, specifically those associated with pedestrian safety due to the design of the project, are addressed in Section 16, *Transportation*, of the Initial Study (Appendix A of the Draft EIR) and 5.2.15, *Transportation*, of the Draft EIR. As discussed therein, the parking structure exits are designed to ensure that exiting vehicles have adequate sight distance. Long curb extensions along the project frontage would prevent architectural elements immediately adjacent to the driveways from hindering the ability of drivers exiting the parking structure to see pedestrians walking along the sidewalk adjacent to the parking structure, or vice-versa. The project would not result in any significant impacts and no mitigation is required.

February 28, 2018 Planning Commission Hearing, Public Comments

1. Dominic Tartaglia, Executive Director of Downtown Association. The commenter voiced support for the project and suggested that the project name be changed to Mission Plaza Parking Structure. This comment does not raise any issues with the adequacy of the Draft EIR; however, the commenter's support of the project and suggested name change will be forwarded to the appropriate decision-makers for review and consideration.

2. Russell Brown, City resident and Chair of Save Our Downtown. The commenter expressed concern that the cumulative traffic analysis assumes no change to vehicular access around Mission Plaza (e.g., closure of Broad Street, bicycle access, and closure of U.S. 101 on- and off-ramps at Broad Street). The commenter also expressed concern that the traffic study does not include a neighborhood traffic analysis because of the school and residences in the vicinity. The commenter suggested that the conclusions of the Walker Parking Study about the need for the project be considered during review of the project.

   As stated in Section 3.3, *Cumulative Development*, of the Draft EIR, the EIR examines cumulative impacts based on a summary of projections of long-range general plan buildout of the City of San Luis Obispo. This includes buildout of existing vacant and underutilized parcels in the City through a buildout horizon of the year 2035, in accordance with existing General Plan land use designations established in the 2014 City of San Luis Obispo General Plan Land Use Element, as amended. The 2035 buildout cumulative land use reflects all major developments envisioned in the City's 2014 General Plan. Planned/programmed infrastructure improvements with an identified funding source identified within adopted City planning documents were also included as part of the cumulative scenario. Closure of the Broad Street on- and off-ramps is a planned/programmed infrastructure improvement that was accounted for in the cumulative scenario. Closure of the Broad Street "dog leg" is not part of the cumulative scenario because it is still conceptual at this time. However, the Transportation Impact Study (Appendix D of the Draft EIR) includes an evaluation of the Mission Plaza expansion, including closure of the "dogleg." The study found that shifted vehicular volumes are not expected to significantly impact nearby roadways and the modifications under consideration as part of the Mission Plaza Concept Plan would not substantially change the findings of the transportation analysis presented in the Draft EIR. This is stated in Section 4.2.2, *Impact Analysis*, of the Draft EIR. Nevertheless, the discussion of cumulative traffic analysis scenarios in Section 4.2.2 of the Final EIR has been revised to clarify this information as follows:

   > The cumulative scenario reflects all major developments envisioned in the City's 2014 General Plan, as amended. It also includes all planned/programmed infrastructure

improvements with an identified funding source identified in adopted City planning documents. Closure of the Broad Street on- and off-ramps is a planned/programmed infrastructure improvement and was accounted for in the cumulative scenario. The City of San Luis Obispo ~~is in the process of updating the~~ Mission Plaza Concept Plan~~, which~~ may result in changes to the Broad Street "dog leg." Closure of the dog leg is not part of the cumulative scenario because it is still conceptual at this time. ~~The cumulative forecasts were developed assuming no changes to vehicle access near Mission Plaza.~~ However, the Transportation Impact Study (CCTC 2017; Appendix D) did evaluate the traffic impacts of two concepts under consideration for the Mission Plaza dog leg and found that ~~T~~the modifications under consideration as part of the Mission Plaza Concept Plan would not substantially change the findings of this transportation analysis (CCTC 2017). ~~No other roadway network changes affecting the study locations were assumed to be in place under cumulative conditions.~~ Cumulative Pre-Project and Cumulative Plus Project conditions were developed using the City's Travel Demand Model, which includes planned network and land use changes expected upon buildout of the City's General Plan.

Refer to response to Planning Commission Hearing Commissioner Comments 1 and 3d as they relate to the consideration of school traffic and the determination of the appropriate transportation facilities (i.e., roadway segments and intersections) included in the Transportation Impact Analysis for the project respectively.

The commenter's concerns and suggestion to consider the conclusions of the previous Walker Parking Study pertain to the merits of the project and do not relate to the adequacy of the environmental analysis provided in the Draft EIR; this comment will be forwarded to the appropriate decision-makers for review and consideration.

3. Dave Hannings, adjacent property owner. The commenter voiced support for the project. The commenter did not raise any issues with the environmental analysis provided in the Draft EIR. However, the commenter's support of the project will be forwarded to the appropriate decision-makers for review and consideration.

4. Mark Johnson, City resident with nearby property. The commenter suggested that the project be postponed to determine its future necessity. The commenter expressed concerns with the potential for exiting vehicles accidentally turning down Dana Street and suggested the City provide traffic calming or signage to address this issue. The commenter's suggestion to postpone the project does not pertain to the adequacy of the environmental analysis; this comment will be forwarded to the appropriate decision-makers for review and consideration. Transportation/traffic impacts are analyzed consistent with the requirements of CEQA in Section 4.4, *Transportation*, of the Draft EIR and in Section 16, *Transportation*, of the Initial Study (Appendix A of the DEIR). Also refer to response to Planning Commission Hearing Commissioner Comment 3d which discusses traffic impacts on Dana Street. The commenter does not raise any specific concerns with the adequacy of the environmental analysis in the Draft EIR; therefore, no further response can be provided. However, the comment and suggestion to implement traffic calming strategies or signage will be forwarded to the appropriate decision-makers for review and consideration.

5. Ursula Bishop, City resident with nearby property. The commenter recommended that the City prepare a traffic analysis that includes Dana Street. The commenter also expressed support for

Alternative 1 (No Project/No Development) or Alternative 4 (Historic Resource Preservation). Refer to response to Planning Commission Hearing Commissioner Comment 3d as it discusses traffic impacts on Dana Street. The commenter's support of Alternative 1 or Alternative 4 will be forwarded to the appropriate decision-makers for review and consideration.

6. Kathy Freeman Godfrey, City resident with nearby property. The commenter stated opposition to the project due to the increased traffic congestion from the project, particularly when combined with school traffic, and the impacts to historic resources that would result from the project. Transportation/traffic impacts were analyzed consistent with the requirements of CEQA in Section 4.4, *Transportation*, of the Draft EIR. As discussed therein, all intersections and segments would operate at acceptable levels of service (LOS E or better) for vehicles under existing and cumulative conditions and impacts would be less than significant (p. 113 and 118-119 of the Draft EIR). Refer to response to Planning Commission Hearing Commissioner Comment 1 regarding the consideration of school-related traffic.

   Impacts to historic resources are analyzed consistent with the requirements of CEQA in Section 4.2, *Cultural and Tribal Cultural Resources*, of the Draft EIR. As discussed therein, the Draft EIR acknowledges a significant and unavoidable impact related to the loss of historic resources (p. 70-73 of the Draft EIR). The Draft EIR also acknowledges that the project would contribute to the cumulative loss of historic resources in the city, which would be significant and unavoidable (page 78). The City would need to adopt a Statement of Overriding Considerations setting forth why the project's benefits outweigh these impacts, if the project is to be approved. The commenter did not raise any specific concerns with the methods or conclusions of the Draft EIR traffic analysis or required mitigation; however, the commenter's concerns will be forwarded to the appropriate decision-makers for review and consideration.

7. Sam Blakeslee, private citizen. The commenter voiced support for the project. The commenter suggested an alternative layout to the pedestrian plaza portion of the project. Section 15126.6 of the *State CEQA Guidelines* states that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." Section 7.0, *Alternatives*, includes descriptions and analyses of four alternatives determined to constitute a "reasonable range" of project alternatives, consistent with CEQA requirements. The alternative suggested by the commenter would not reduce the severity of an impact identified for the proposed project. This comment does not require changes to the Draft EIR. However, the commenter's support of the project and suggested alternative will be forwarded to the appropriate decision-makers for review and consideration.

January 22, 2018 Cultural Heritage Committee Hearing, Commissioner Comments

1. Glen Matteson, Cultural Heritage Committee. The commenter requested that cross sectional views of the project be provided. In response to this comment, the City has provided a cross sectional view of the project, which has been included as a new Figure 6 on page 25 of the Final EIR. All subsequent figures in the Final EIR have been renumbered accordingly.

2. James Papp, Cultural Heritage Committee. The commenter suggested that an alternative to relocate the onsite adobe residence to a nearby site or elsewhere on the project site be considered. Section 15126.6 of the *State CEQA Guidelines* states that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." With consideration of the potential project impacts to historic resources, including the existing adobe residence on the project site, the Draft EIR includes and analyzes Alternative 4 (Historic Resource Preservation) in Section 7.5, *Alternative 4: Historic Resource Preservation*. As stated in Section 7.5 of the Draft EIR, Alternative 4 would maintain the residences at 610 and 614 Monterey Street (one of which includes the adobe), which are considered historical resources for the purposes of CEQA and contribute to the City of San Luis Obispo's Downtown Historic District. Since these residences would remain, implementation of Alternative 4 would result in less than significant impacts to historical resources, and thereby eliminate the significant impact. Alternative 4 would result in lessened cultural resource impacts compared to the proposed project. Therefore, this alternative addresses the potential adverse impacts to historic resources and additional alternatives to address such impacts need not be examined in the EIR. Additionally, relocating the adobe to a nearby site or elsewhere on the project site would not eliminate the significant adverse impact to historic resources and it is unknown whether it would be feasible to relocate the structure. This comment does not require additional analysis or changes to the Draft EIR.

January 22, 2018 Cultural Heritage Committee Hearing, Public Comments

1. Dave Hannings, adjacent property owner. The commenter voiced support for the project. The commenter's support of the project will be forwarded to the appropriate decision-makers for review and consideration.

9.2 Responses to Written Comments on the Draft EIR

Each written comment on the Draft EIR that the City of San Luis Obispo received is listed in Table 45. The comment letters included herein were submitted by one State agency and five private citizens. Each comment letter has been numbered sequentially and each separate issue raised by the commenter, if more than one, has also been assigned a number. Each comment letter is reproduced in its entirety with the issues of concern numbered in the right margin. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft EIR addresses pertinent environmental issues. The responses to each comment identify the number of the comment letter, and then the number assigned to each issue (For example, Response 2.1 indicates that the response is for the first comment raised in Letter 2).

Table 45 Comments Received on the Draft EIR

No.	Commenter and Affiliation	Date Received
Comments Received on the Draft EIR from December 14, 2017 through March 10, 2018		
1	Scott Morgan, Director, State Clearinghouse	February 15, 2018
2	Allan Cooper, private citizen	February 16, 2018
3	Eric Meyer, private citizen	February 17, 2018
4	Davis Foley, private citizen	February 25, 2018
5	Susan Pyburn, private citizen	February 26, 2018
6	Jean Martin, private citizen	March 10, 2018

Letter 1

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

February 15, 2018

Scott Lee
City of San Luis Obispo
919 Palm Street
San Luis Obispo, CA 93401

Subject: Palm Nipomo Parking Structure Project
SCH#: 2017051011

Dear Scott Lee:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on February 14, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 FAX 1-916-558-3164 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2017051011
Project Title Palm Nipomo Parking Structure Project
Lead Agency San Luis Obispo, City of

Type EIR Draft EIR

Description The project involves the construction of an above-ground, five-story parking structures, 5,000 sf of commercial space, and a non-profit theater. The parking structure would provide 400-445 parking spaces. The theater would entail a three story structure with a gross floor area of 23,841 sf and up to 255 theater seats. The project would include a general plan amendment from office and medium high density residential to public and a zone change from office with a historic overlay and medium high density residential to public facility with a historic overlay. The PF-H zone allows for development of a multi-level parking structure and non-profit theater, and deviations to otherwise applicable setback requirements and building height limits with planning commission approval. Commercial uses would be allowed as accessory uses of the parking and theater facilities. The project would also require a variance for the floor to area ratio to exceed 1.0 and max coverage to exceed 60%.

Lead Agency Contact

Name Scott Lee
Agency City of San Luis Obispo
Phone 805-781-7203 **Fax**
email
Address 919 Palm Street
City San Luis Obispo **State** CA **Zip** 93401

Project Location

County San Luis Obispo
City San Luis Obispo
Region
Lat / Long 35° 16' 47.7" N / 120° 39' 59.5" W
Cross Streets Palm St, Nipomo St, and Monterey St
Parcel No. 002-412-001, 002, 003, 004, 002-412-011, 012
Township 30S **Range** 12E **Section** 26 **Base** M

Proximity to:

Highways 101
Airports
Railways
Waterways San Luis Obispo Creek
Schools Mission College Prep
Land Use office/office w Historic Overlay: APN 002-412-001, -002, -004, -011, -012; Medium-High Density Residential: 002-412-003

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 5; Department of General Services; Regional Water Quality Control Board, Region 3; California Energy Commission; Native American Heritage Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Date Received 12/14/2017 ***Start of Review*** 12/14/2017 ***End of Review*** 02/14/2018

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 1

COMMENTER: Scott Morgan, Director, State Clearinghouse

DATE: February 15, 2018

The commenter states that the State Clearinghouse submitted the Draft EIR to applicable state agencies and acknowledges that the City has complied with CEQA environmental review requirements. No further response is warranted.

Letter 2

To: Scott Lee, Parking Manager & Tim Bochum, Deputy Director Transportation
Re: Comments on the Palm/Nipomo Parking Structure Project DEIR
From: Allan Cooper, San Luis Obispo
Date: February 16, 2018

I believe that the DEIR should have identified the "environmentally superior alternative" to be Alternative 1: No Project because this garage will **not meet** the "project objectives" which are "to ameliorate the current high demand for parking" (see below).

However, if the Council decides to move ahead with the construction of a garage at this location then I would urge them to select the DEIR's other environmentally superior alternative, Alternative 4: Historic Resource Preservation, which would include the parking structure and 5,000 square feet of commercial space, but retain the two houses at 610 and 614 Monterey Street. The theater would not be included as part of this alternative. After all, why is the City favoring the SLO Repertory Theatre when there are numerous other non-profits that could benefit from such a facility? A decision was made by Council on April 4, 2017 to build the parking structure first while other components, such as the Repertory Theatre, could be built later when funding is in place. The City's January 19, 2006 MOA with the Repertory Theatre is no longer binding. We are encouraging Council to hold off on pursuing a new MOA with the Repertory Theatre. 1

However, I would prefer that Alternative 4 be modified by replacing the 5,000 square feet of commercial space with offices at the first level and residential on the second story along this stretch of Nipomo Street because the commercial development proposed to be located along Nipomo Street is inappropriate. It will be isolated from the main shopping areas in the downtown core. 2

What is missing in this DEIR is a traffic analysis taking into account that the Broad Street "dogleg" may be partially or totally closed (now formally part of the Downtown Concept Plan), that Broad Street may become a bicycle boulevard and that the Highway 101 off- and on-ramps accessing Broad Street may someday be closed. The DEIR states:

"The City of San Luis Obispo is in the process of updating the Mission Plaza Concept Plan, which may result in changes to the Broad Street 'dog leg'. The cumulative forecasts were developed **assuming no changes to vehicle access near Mission Plaza**. The modifications under consideration as part of the Mission Plaza Concept Plan would not substantially change the findings of this transportation analysis (CCTC 2017). No **other roadway network changes** affecting the study locations were assumed to be in place under cumulative conditions." 3

How can one assume that no cumulative changes would result from the closure of the "dog leg" or that other "roadway network changes" (i.e., closure of the Broad Street on/off ramps and a proposed bicycle boulevard)?

The DEIR further states:
"Consistent with the City's Multimodal Transportation Impact Study Guidelines, a **neighborhood traffic analysis** that evaluates ADT on roadways classified as Local Residential is **not included** in this section because the study area roadways are classified as Local Commercial roadways." 4

This project is surrounded with residential development and two schools. I believe that, before this project goes any further, there should be a neighborhood traffic analysis. Moreover, such an analysis could help determine the best location for a 4th parking garage. 4 cont'd

The noise analysis is surprising in that there is no prediction of increased decibel levels along Broad between Highway 101 and the proposed garage. See below:

"The addition of project generated traffic would increase noise levels along the project's studied roadway segments. As shown in Table 17, residences along Palm Street would experience a roadway noise level increase of approximately 1.0 dBA, which would result in an ambient noise level of approximately 60.4 Ldn. Residences along Nipomo Street would experience an increase in roadway noise levels of 0.7 dBA, resulting in an ambient noise level of 63.5 Ldn. Both **Broad Street** and Monterey Street **would not exhibit changes in ambient noise levels**, based on the number of trips generated by the project, therefore, noise impacts along these roadways would be less than significant." 5

Wouldn't one surmise that there would be increased usage of the Broad Street/Highway 101 on- and off-ramps once the garage is installed?

In conclusion, the DEIR states that Alternative 1: No Project/No Development could also be considered environmentally superior to the proposed project because the site would remain as is and it would not result in any significant environmental impacts; however, it **would not meet the project objectives**. However, there is no demonstrable need at this time for this project in that there is little demand for parking at this end of town. In 2015, Walker Parking Consultants stated "The location of the planned Palm/Nipomo parking structure is **not ideal to ameliorate the current high demand for parking experienced on streets** and in some surface lots Downtown." The demand exists, instead, in the major growth areas east of Santa Rosa. The 2014 Walker Parking Consultant demand study projected that occupancy would be at 60%. Over 1/3 of the parking spaces will remain unoccupied. Private and public development projected to take place here in this part of town will take years to develop. We should also recognize that back when the first demand study was written in 2009 the size and scale of both the Garden Street Terraces and Chinatown projects were significantly greater than now. 6

If the Palm/Nipomo parking structure will not ameliorate the current high demand for parking, then does this garage at this location meet "the project objectives"?

Moreover, the construction cost projection ($23,600,000) may be too low (at $53,034 per space for a 445 space facility) and it is fiscally irresponsible to prepare an EIR that will cost $1.65 million without any proof that this project is needed. The Walker report warns that any exclusive use of the parking structure will likely mean that "any financing will not be funded through tax exempt bonds and would likely increase financing costs". This exclusive use refers to the demand for parking for Monterey Place (65 spaces) and SLO Museum of Art (39 spaces). This additional financing cost will only **further burden a City that has let it's unfunded liabilities** build up over the years 7

This money (were it to be available) would be better spent on alternative transportation systems. The City should look at decentralized solutions to the parking problem taking into account emerging technologies and changes to driving and parking dynamics.
Thank you!

Letter 2

COMMENTER: Allan Cooper, Private Citizen

DATE: February 16, 2018

Response 2.1

The commenter states that the EIR should identify Alternative 1 (No Project/No Development) as the "environmentally superior alternative." The commenter expresses support for Alternative 4 (Historic Resource Preservation) if the City Council moves ahead with the project.

Section 7.6, *Environmentally Superior Alternative*, of the Draft EIR discusses that, pursuant to the *State CEQA Guidelines* (Section 15126.6), if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. As stated in Section 7.6 of the Draft EIR, Alternative 1 (No Project/No Development) could be considered environmentally superior to the proposed project because the site would remain as is and would not result in any significant environmental impacts. This alternative, however, would not meet the project objectives. Pursuant to the Section 15126.6 of the *State CEQA Guidelines*, the Draft EIR also identifies Alternative 4 (Historic Resource Preservation) as the environmentally superior alternative, as it would reduce the magnitude of impacts associated with the project to the greatest extent among the alternatives that were analyzed for the project, while meeting the project objectives. The commenter's support of Alternative 4 if the project is approved will be forwarded to the appropriate decision-makers for review and consideration.

Response 2.2

The commenter requests that the EIR evaluate an additional alternative similar to Alternative 4 (Historic Resource Preservation) that does not include the theater component and replaces the 5,000 square feet of commercial space with offices at the first level and residential on the second level. The commenter recommends the City postpone renewal of the previous memoranda of agreement with the Repertory Theatre. Please refer to response to Planning Commission Hearing Public Comment 7 as it relates to the alternatives determined to constitute a "reasonable range" of project alternatives for the project, consistent with CEQA requirements. The alternative suggested by the commenter would not reduce the severity of an impact identified for the proposed project beyond what was already identified under Alternative 4. The commenter's suggestion regarding the Repertory Theatre does not pertain to the adequacy of the environmental analysis provided in the Draft EIR, but will be forwarded to the appropriate decision-makers for review and consideration.

Response 2.3

The commenter states that the EIR should include a traffic analysis that considers potential changes to vehicular access around Mission Plaza, including the Broad Street "dog leg." Refer to response to Planning Commission Hearing Public Comment 2 as it relates to the scope of the cumulative traffic impact analysis and evaluation of the "dog leg."

Response 2.4

The commenter states that a neighborhood traffic analysis, accounting for residential development and schools in the neighborhood, should be conducted for the project. Refer to responses to Planning Commission Hearing Commissioner Comments 1 and 3d and Planning Commission Hearing

Public Comment 2 as they relate to the consideration of school traffic and the determination of the appropriate transportation facilities (i.e., roadway segments and intersections) included in the Transportation Impact Analysis for the project respectively.

Response 2.5

The commenter questions the results of the noise analysis discussed under Impact N-3 of the EIR, which states that Broad Street would not exhibit a change in ambient noise levels, based on the number of trips generated by the project. The commenter believes there would be increased usage of the Broad Street/U.S. 101 on- and off-ramps as a result of the project which would increase noise levels. The project's noise impacts were evaluated consistent with the requirements of CEQA in Section 4.3, *Noise*, of the Draft EIR. As described therein, noise modeling was conducted for study area roadways (Section 4.4, *Transportation*) using the U.S. Department of Housing and Urban Development Day/Night Noise Level Calculator (HUD DNL) and trip data from the Transportation Impact Study prepared for this project (Appendix D to the Draft EIR) to assess potential long-term (operation-related) noise impacts due to project-generated increases in traffic (p. 86 of the Draft EIR). As shown on Figure 10 in Section 4.4, *Transportation*, and Table 17 of the Draft EIR, the study area roadway segment for Broad Street was from Palm Street to Monterey Street, which does not include the segment of Broad Street from Palm Street to the U.S. 101 on- and off-ramps. To clarify that Broad Street was evaluated from Palm Street to Nipomo Street under Impact N-3, the Final EIR has been revised as follows on page 99:

> Both Broad Street (between Palm Street and Monterey Street) and Monterey Street (between Nipomo Street and Broad Street) would not exhibit changes in ambient noise levels, based on the number of trips generated by the project; therefore, noise impacts along these roadways would be less than significant.

The cumulative noise impact analysis in the Final EIR has also been revised to provide clarification as follows:

> Under the Cumulative Plus Project condition, there would be no increase in ambient noise levels from project generated traffic on Broad Street (between Palm Street and Monterey Street). Therefore, the project would not result in a cumulative impact on Broad Street (between Palm Street and Monterey Street).

As shown in Appendix F of the Transportation Impact Study, Existing and Existing Plus Project scenario Average Daily Trips (ADT) along Broad Street (between Palm Street and Monterey Street) are 2,676 and Cumulative and Cumulative Plus Project scenario ADT are 3,159. Therefore, based on the Transportation Impact Study, the project is not anticipated to add vehicle trips to Broad Street between Palm Street and Monterey Street. As such, there was no change in the noise levels between the Existing and Existing Plus Project scenarios (Table 17 of the Draft EIR) or the Cumulative and Cumulative Plus Project scenarios (Table 18 of the Draft EIR).

The Transportation Impact Study in Appendix D of the Draft EIR did not analyze average daily trips on other segments of Broad Street; however, the 2012 Draft Traffic Impact Study for the project, discussed on page 4 of the Transportation Impact Study in Appendix D of the Draft EIR, shows that only four percent of project-generated trips (approximately 60 ADT) would be distributed onto Broad Street north of Palm Street. In general, a doubling of the intensity of a noise generating source (such as a doubling of traffic along a roadway) results in a 3 dBA noise level increase, which is typically considered a perceptible increase. This 60 ADT increase along Broad Street is substantially less than a doubling of traffic; therefore, the addition of project-based trips would not result in a

perceptible increase in traffic noise. Therefore, this comment does not change the conclusions in the Draft EIR regarding the significance of the impact.

Response 2.6

The commenter states that the proposed project would not meet the project objectives because it will not ameliorate the current high demand for parking. As stated in Section 2, *Project Description*, of the Draft EIR, the project objectives include the following:

- Provide a minimum of 400 parking spaces;
- Accommodate cultural uses on Monterey Street in front of the structure;
- Include a pedestrian-level public use plaza area at the corner of Nipomo and Monterey Streets;
- Provide a direct pedestrian connection from the structure to Monterey Street;
- Preserve the large oak tree on site; and
- Consider contextual sensitivity of surrounding properties (e.g., Lattimer-Hayes adobe).

The project's provision of up to 445 parking spaces would meet the project objective to provide a minimum of 400 parking spaces. The commenter does not raise any specific concerns with the adequacy of the environmental analysis in the Draft EIR. No further response is required.

Response 2.7

The commenter states that the project construction cost projection may be too low and financing the project will burden the City. This comment pertains to the economics of the project. Section 15131 of the State CEQA Guidelines states that "economic or social effects of a project shall not be treated as significant effects on the environment." The commenter does not raise any issues with the environmental analysis provided in the Draft EIR. The commenter's concerns with project costs and financing will be forwarded to the appropriate decision-makers for review and consideration.

Letter 3

Purrington, Teresa

From: Cohen, Rachel
Sent: Tuesday, February 20, 2018 8:12 AM
To: Purrington, Teresa
Subject: FW: Palm Nipomo Parking Garage Comments to the EIR

Hi Teresa-

Please pass on the e-mail below to the PC for the February 28th meeting regarding Item #2.

Thank you,

Rachel Cohen
Associate Planner

CITY OF SAN LUIS OBISPO

Community Development
919 Palm Street, San Luis Obispo, CA 93401-3218
E rcohen@slocity.org
T 805.781.7574
slocity.org

From: Bochum, Tim
Sent: Tuesday, February 20, 2018 8:03 AM
To: Cohen, Rachel <rcohen@slocity.org>
Cc: Lee, Scott <SLee@slocity.org>
Subject: FW: Palm Nipomo Parking Garage Comments to the EIR

Am I listed as the EIR contact for comments?

From: Eric Meyer [redacted]
Sent: Saturday, February 17, 2018 12:18 AM
To: Bochum, Tim <tbochum@slocity.org>
Subject: Fwd: Palm Nipomo Parking Garage Comments to the EIR

Tim,

Forwarding this to you because I see (after sending it to Scott Lee) that you are listed as the project contact. Please make sure my comments are attached to the EIR and responded to... thanks

Eric Meyer
---------- Forwarded message ----------
From: **Eric Meyer** [redacted]
Date: Sat, Feb 17, 2018 at 12:05 AM
Subject: Palm Nipomo Parking Garage Comments to the EIR
To: slee@slocity.org
Cc: "Grigsby, Daryl" <dgrigsby@slocity.org>, "Johnson, Derek" <djohnson@slocity.org>

Scott,

Please include my letter below, the linked report "RethinkX Disruption..." as well as the article from "Parking Today" (attached at the bottom of my letter below)... as my comments to the Palm Nipomo Parking Garage Environmental Impact Report

Thank you:

Comment letter to Palm Nipomo Parking Garage Environmental Impact Report, City of San Luis Obispo, Feb 16, 2018

From Eric Meyer

I believe that the studies used to ascertain the need for this parking garage are outdated. The data used to determine the necessity for this new parking structure does not include any discussion of the shift toward driverless autonomous cars by the entire automobile industry nor do any of the studies accurately discuss the concept of Transportation as a Service (TAAS).

Autonomous car usage and behavior will not be anything like the current usage patterns. This is not discussed in determining the need for this garage. If the predictions made in the last year are accurate, the environmental impacts associated with the building of this garage could possibly be entirely avoided simply because the entire transportation industry will evolve in a way that no longer requires cars to be parked in locations near activity centers. This has already been predicted... why is it not discussed in this EIR?

The Fehr and Peers Transportation Impact analysis for this Parking Garage was done in 2012. This was six years ago. Many of the economic and data driven analysis used to determine the need for this garage are also from before 2016 and and do not take into account recent dramatic shift toward autonomous cars and the shifts coming to transportation habits as a result. WHY?

Shouldn't we include all known current data in the discussion of parking trends and needs? Shouldn't we include a range of projections as to how autonomous cars might affect the average occupancy needs of this garage? Why has this not been discussed?

Since the analyses used to determine the need for this garage were written there has been dramatic news about the disruption coming from electric autonomous cars. It is now known by ALL transportation, parking and transit professionals that autonomous cars will either gradually or suddenly revolutionize the transportation and parking sector at sometime within the next 5-20 years. Indeed all of the major automobile industry manufacturers, as well as most of the major computer companies, ride hailing companies, etc are ALL investing billions of dollars into autonomous cars right now. It is one of the largest and widest investments into a new sector from the broadest segments of our industries in history. Where is this discussion in the EIR?

The question is not "whether" this disruption will come.. rather it is "when" will it occur.

Tony Seba, from Stanford University, a leading expert on the coming transportation disruption, projects that up to 80% of parking spots will not be needed by 2030. The website RethinkX.com describes this coming disruption in transportation. His is only one discussion... there are literally dozens if not hundreds of papers on this subject. Again, where is discussion in the EIR! How can we know that we must create the impacts associated with the building of this garage if we don't accurately include all data from all the current discussion around autonomous cars?

I would like to include the following report, in it's totality, to my comment... it is titled:

"RethinkX Disruption, Implications, and Choices, Rethinking Transportation 2020-2030... The disruption of Transportation and the Collapse of the Internal Combustion Vehicle and Oil industries"

See link below and add the entire content of the report to my comment:

https://static1.squarespace.com/static/585c3439be65942f022bbf9b/t/59f279b3652deaab9520fba6/1509063126843/RethinkX+Report_102517.pdf

if you cannot reach the report via that link then you can find it by clicking the "get the report"
at https://www.rethinkx.com/transportation

if you cannot find it there... then go to www.rethinkx.com and search for the report on the homepage.

At the very least the entire text of this report should be contained in an appendix to the EIR so that the public can accurately asses whether the data in this report is important to the discussion of building this parking facility and the the risks of it going unused balanced against the environmental impacts of its being built in the first place.

This report is an in depth dive by a broad panel of industry experts into the subject of Transportation as a Service (TAAS) and autonomous cars and what they will do to to the automobile industry, transportation, energy, and parking sectors.

The coming changes are vast and yet we are not considering them in the discussion around this parking garage. The discussions from this report should be included in the rational leading up to determining the need to create the impacts associated with this garage. Yet these changes are not included or mentioned in any meaningful way despite the dramatic shifts happening in the automobile industry at this very moment.

Nowhere in this EIR is there any mention of this coming transportation disruption. How can this be allowed. There should be careful analysis as to the likelihood of this disruption ccurring in a given number of years... and exactly what that will mean to the need for this garage. There should be some consideration for the impacts coming from autonomous cars and how these impacts will affect transportation habits and parking needs of the future.

Neither Transportation as a Service (TAAS) nor Autonomous Vehicles are mentioned in any of the studies leading up to the need to build this parking structure. How can we accurately assess the future projected occupancies of this parking facility without considering TAAS and or autonomous vehicles?

If TAAS and autonomous car usage projections are correct, and this parking garage goes 80% vacant within 12 years... where are the funds going to come from to pay off the millions of dollars of bonds sold to pay for this garage in the first place? Most likely they will have to come from the city's General Fund... in which case that means that other city services and amenities will have to be cut in order to pay for a garage that may not be able to pay for itself and may not be necessary. But we won't know this unless we study the data and understand the trends.

At the very least... we need analysis determining the occupancy needs of this garage to be based on current projected automotive parking trends from data that includes TAAS and autonomous car projections from leading experts today... not from before 2017. Transportation forecast data and trip generation data, and parking data trends from prior to the autonomous car discussion, and prior to the concept of TAAS is now completely outdated and useless.

It is my hope that we can more accurately determine the exact size and scale of this garage based on current data rather than useless data from before the Autonomous car discussion began.

SO... I do not know whether this disruption is coming or not. But I am concerned that the city has not accurately assessed the risks associated with what this disruption could do to our parking department income and all of the associated facilities. I am worried about how the bonds sold to finance this parking garage will be paid back if the facility is overbuilt and under parked. I am concerned we are creating a lot of impacts without fully understanding whether or not we actually will need the building in 10 years.

I will sign off by including an article from "ParkingToday.com" (an online magazine dedicated to the parking industry…)This article is from May 2017. Note that I have highlighted the section on parking in red for emphasis. I would like your your response to the points made in this letter.

START PAYING ATTENTION NOW

May, 2017

The 'driverless' car's impact on real estate

Wes Guckert

When you talk about "driverless" cars, images of Knight Rider's KITT car or scenes from the science fiction film "Minority Report" may come to mind. While it's hard to wrap your head around the idea of getting into a vehicle *without* a driver, significant public discussion and substantial private investments are accelerating such technologies.

Business Insider published a report in October 2016 that reviewed 19 major companies claiming to put self-driving cars on the road by 2021. That might seem much further off in the future, but the reality is that that is only four years from now.

The reality is that these new autonomous vehicles will likely drive massive disruption, forcing real estate investors and developers to re-examine their strategies.

For example, Houston's central business district comprises 65% streets and surface parking, with only 35% for buildings and parks.

Even in Washington, DC, which has a sizable mass transit system, streets and parking take up 45% of the downtown central business district, and vehicles can occupy substantial space *within* buildings — upward of 30%.

It's hoped that driverless vehicles will reduce the need for car-related space, relieve congestion, reduce fuel use and lower the number of accidents. The likely advent of these vehicles means real estate owners and investors should start paying attention now. But how will driverless cars affect real estate usage and values?

The Need for Parking Spaces Will Drop

A lot of discussion is going on as to whether the need for parking will drop, increase or stay the same. Experts and analysts are weighing in on this issue.

Deloitte's Leader of Global and U.S. Real Estate, Bob O'Brien, told *Law360* that investors are already planning for a time when large parking garages are simply not needed. And a report by Green Street Advisors, a California-based research firm, estimates that a decline in vehicle ownership could cut U.S. parking needs in half within 30 years. That would eliminate 75 billion square feet of parking space.

To put it in perspective, this is more than the combined area of all apartment, office, shopping mall, retail strip center and warehouse buildings in the country today. That's a lot of land to potentially repurpose!

What does that mean? It means that values of parking garages and all parking lots will plummet. It also appears that some above-ground parking garage structures will be repurposed, but many will become obsolete because of floor-to-floor dimensions.

Parking components for high-rise apartment buildings — which comprise as much as 15% to 20% of construction costs — will likely become unnecessary, or at least reduced. This reduction in cost will increase developer returns or allow for a reduction in rental costs by possibly as much as 30%.

Bike Lanes and Urban Green Space

If indeed private vehicle ownership will decline, then the need for road-side parking will decline, making more neighborhood streets twice as wide as needed. Parking lanes on streets could be converted to bicycle and scooter lanes. Some streets could be repurposed into green spaces, decreasing water runoff and heat buildup.

San Francisco, for example, already has programs that allow residents to repurpose street parking into mini public spaces or very small parks and patios called "parklets." Converting a fraction of the city's 280,000 parking spaces (which represents 40 million square feet) could result in significant changes in residential and retail markets there.

Prime Real Estate

Autonomous cars operating as fleets and maintained and refueled at central locations will make the new corner gas station and convenience store obsolete. It is expected in the future that privately owned autonomous cars will be programmed to refuel on their own. It has been noted that, as of 2012, the U.S. had more than 125,000 gas stations and convenience stores, many of which are sited on busy intersections and suitable for redevelopment.

Transit-Oriented Developments (TODs) The desirability of living close to mass transit may increase because people may be more willing to abandon their cars and depend on the ready availability of driverless cars, if they know they are able to conveniently move around on subways, light rail or buses.

We see this happening today with millennials in cities and urbanized areas. In Washington, DC, parking for new apartment facilities equals 0.33 spaces per unit. In Baltimore, the demand for parking is lessening to about 1 space per unit.

Asked why, major developers indicate that urban mobility companies such as Uber and Lyft have created a market that results in millennials not wanting or needing a car.

'Robo Cars' and Parking Spaces

About 30% to 60% of the cars driving around a downtown core are just circling, looking for open parking spaces. Worldwide, urban drivers spend an average of 20 minutes, per trip, looking for parking.

It's expected that fleets of self-driving cars could scurry around picking up people and dropping them off, working in sleek robotic efficiency. They would pick up several people heading the same way, optimizing ride-sharing on the fly, just like Uber Pool and Lyft Line.

The U.S. Census Bureau reports that in 2005, 76% of U.S. workers, who lived in the same city where they worked and commuted to their jobs in a vehicle by themselves, only 7.8% of them did so using public transportation.

What Are Cities to Do?

While it seems there is still a disconnect between transportation planners and the push for driverless technology, city planners and local officials should begin planning *now* for this technology — before they find themselves looking in the rear view mirror. Being prepared ensures the successful future of individual cities.

Here are a few suggestions to aid in the planning process:

Encourage any new garages in your city be designed with 15-to-18-foot floor-to-ceiling clearances to enable reuse in the future. The need for parking will diminish as we continue to move deeper into an auto-sharing industry. Reuse of garages into higher density will provide another source of real estate tax revenue. (Deloitte's O'Brien has even noticed that offices buildings with parking garages currently under construction are being built so that the garage has flat floors. The idea is that this space can easily be converted once driverless vehicles are mainstream.)

Allow developers to provide fewer parking spaces and allow the market to decide if parking is needed for new residential developments. Encourage parking that is unbundled.

Understand that the old standard of parking for retail centers (4.5-5 spaces/1,000 square feet) is no longer needed. Allow these centers to provide residential uses on the unused parking areas.

Be supportive of the private ride-sharing companies such as Uber, Lyft, Bridj, zTrip and others. Private transportation companies know how to survive and make money; therefore, allow them to freely use the current public transit stops.

Be prepared for how gas stations and convenience stores can be repurposed and the land rezoned as the U.S. moves to electric vehicles and hybrids, versus gasoline-powered autos. Determine the best use for those current land uses.

In Conclusion

Driverless vehicles are coming, and they will be here faster than we can imagine. There is no question that vast economic and cultural changes will arrive with them, and real estate is in its path and will be clearly impacted in many ways.

Smart investors, developers and transportation engineers should immediately begin analyzing their portfolios and setting goals for the future.

Wes Guckert is President and CEO of The Traffic Group. Contact him at wguckert@trafficgroup.com; visit the website www.trafficgroup.com; or follow him on Twitter @wes_guckert.

Thanks

Eric Meyer

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Eric Meyer

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Eric Meyer

frenchbicycles@gmail.com

Letter 3

COMMENTER: Eric Meyer, Private Citizen

DATE: February 17, 2018

The commenter states that the use of autonomous vehicles should be considered in determining the purpose and need for the project. The commenter provides two articles about autonomous vehicle use and trends in support of the comment. The commenter does not raise any issues related to the adequacy of the environmental analysis provided in the Draft EIR. However, the project wouldn't preclude future use of the facility by autonomous vehicles. These comments and the provided articles will be forwarded to the appropriate decision-makers for review and consideration.

Letter 4

Purrington, Teresa

From: Davis [redacted]
Sent: Sunday, February 25, 2018 9:13 PM
To: Lee, Scott
Cc: E-mail Council Website
Subject: Rethink the Palm Nipomo Parking Structure

Hello Mr. Lee and City Council,

I was excited to hear that the city is considering replacing the surface parking lot on Palm and Nipomo with a multi-use development. That excitement has turned to concern the more I have read about the proposed project.

My concerns with this project are that the City of SLO is failing its goals by prioritizing parking over housing, even at a time when the 445 parking spaces are unnecessary and the city cannot afford the project. Additionally, the project is at odds with the land use ideals set forth in the city's climate action plan and the completed project will undermine the city's transportation goals. 1

The Palm Nipomo Parking Structure, as proposed, would demolish or move (but not replace) five downtown residences. This area of downtown has very few housing options already, and whittling down residents' choices even further will only hurt the neighborhood. The loss of these units comes at a time as housing costs near historic highs and flies in the face of the direction that our current pro-housing city council wants to go.

City council and staff must look skeptically at the need for this amount of parking. A 2014 report prepared for the City of San Luis Obispo by Walker Parking Consultants recommends that the city reevaluate "if or when the [Palm Nipomo] parking structure should be built" given that existing parking structures are underutilized. In fact, Walker points out that only 61 out of every 100 parking structure spaces saw use during peak hours. The Walker report advises meeting parking needs by using demand-based pricing, making staff changes, and extending on-street enforcement until 9 PM. Nowhere does Walker recommend building additional parking. 2

Meanwhile, staff and public alike are aware of the budget issues the city is facing: a shortfall of $8.9 million over the next three years. In this context, the idea of spending an additional $23.6 million to add to an already abundant supply of parking adds insult to injury. 3

The SLO Climate Action Plan "addresses the largest contributor to community emissions: vehicles." It also notes that "land use patterns influence the transportation choices we make in our community on a daily basis. Compact mixed-use neighborhoods that locate housing, jobs, recreation, and other daily needs within close proximity give us more choices in what mode of transportation to use." The city needs more residents living, not just parking, downtown so that they can walk and bike to work, entertainment, and local businesses. 4

Despite a stated commitment to multi-modal transportation by the City of SLO, business as usual will not get us there; instead, city leaders need to take ambitious steps to accomplish that feat. A good start would be to redesign or reject the current proposal. For example, why not wrap the garage with the proposed 5,000 sq ft of commercial space on the ground floor, plus 50 housing units and the SLO Little Theater, and then use the remaining space for parking? You wouldn't have 445 new parking spaces, but you would meet the needs of the community by checking off items on everybody's wishlist (climate, commerce, culture, housing, and parking). 5

In conclusion, the Palm Nipomo parking structure project as proposed would fail the City of SLO in each of its four major goals: 6

1. Housing
2. Multi-modal Transportation
3. Climate Action
4. Fiscal Sustainability and Responsibility

6
cont'd

Sincerely,
Davis Foley

Letter 4

COMMENTER: Davis Foley, Private Citizen

DATE: February 25, 2018

Response 4.1

The commenter expresses concerns with the required removal of houses located on the project site given the need for housing in the community. As discussed in Section 13, *Population and Housing*, of the Initial Study (Appendix A of the Draft EIR) and Section 5.2.12, *Population and Housing*, of the Draft EIR, the project would require the demolition of five residences resulting in displacement of approximately 11 persons. In the context of the City's existing total population and housing supply, the displacement of 11 individuals does not represent a substantial number of people in need of replacement housing elsewhere. Additionally, other planned and pending housing projects in the City would offset the loss of housing on the project site. Therefore, the loss of housing due to the project would result in a less than significant impact. This comment does not require changes to the Draft EIR. However, the commenter's concerns about impacts to the City's housing supply will be forwarded to the appropriate decision-makers for review and consideration.

Response 4.2

The commenter states that a 2014 report prepared by Walker Parking Consultants concluded that parking in the existing parking structures are underutilized and recommends alternative solutions and reevaluation of the need for a parking structure "if or when the parking structure should be built." The commenter states that the City Council and staff must consider the need for this project. The commenter does not raise any issues related to the adequacy of the Draft EIR. However, the commenter's suggestion to consider the conclusions of the previous Walker Parking Study in evaluating the need for the project will be forwarded to the appropriate decision-makers for review and consideration.

Response 4.3

The commenter expresses concerns over the cost of the project. This comment pertains to the economics of the project. Section 15131 of the State CEQA Guidelines states that "economic or social effects of a project shall not be treated as significant effects on the environment." The commenter does not raise any issues related to the adequacy of the environmental analysis provided in the Draft EIR. The commenter's concern will be forwarded to the appropriate decision-makers for review and consideration.

Response 4.4

The commenter states the city needs more residents living not just parking in the community. Please refer to Response 4.1. The commenter does not raise any issues related to the adequacy of the Draft EIR. However, this comment will be forwarded to the appropriate decision-makers for review and consideration.

Response 4.5

The commenter suggests that the City redesign or reject the current proposal to meet the needs of the community. Section 7.0, *Alternatives*, of the Draft EIR includes descriptions and analyses of four

alternatives determined to constitute a "reasonable range" of project alternatives, consistent with CEQA requirements. The commenter does not raise any issues related to the adequacy of the Draft EIR. However, this comment will be forwarded to the appropriate decision-makers for review and consideration.

Response 4.6

The commenter states that the project would not meet the general housing, multi-modal transportation, climate action, or fiscal sustainability and responsibility goals of the City of San Luis Obispo. Section 10, *Land Use and Planning*, of the Initial Study (Appendix A of the Draft EIR) and Section 5.2.9, *Land Use and Planning*, of the Draft EIR discuss the project's consistency with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. As discussed therein, upon approval of the General Plan amendment, Zone Change, and Use Permit the project would be consistent with the land use and zoning designations. The project would also require Architectural Review. The project would be consistent with the policies of both the Land Use and Circulation Element. Circulation Element Policy 13.2.4 requires completion of a comprehensive parking study prior to development of parking structure projects. Such a study was completed for the proposed structure by an Ad Hoc Parking Review Committee in March 2009. The study determined that a downtown structure will be required to meet the City's downtown parking needs within the next 5 to 10 years. As such, the project would not conflict with applicable land use plans, policies or regulations. Section 7, *Greenhouse Gas Emissions*, of the Initial Study (Appendix A of the Draft EIR) and Section 5.2.6, *Greenhouse Gas Emissions*, of the Draft EIR discusses the project's consistency with applicable plans, policies, or regulations adopted for the purpose of reducing greenhouse gas (GHG) emissions. As discussed therein, the project would not result in significant impacts related to greenhouse gas emissions. As the applicable GHG thresholds have been developed by SLOAPCD, and the project would not exceed the adopted GHG thresholds, the project would not conflict with applicable policies to reduce GHG emissions. In addition, the project would not conflict with City of San Luis Obispo General Plan or Climate Action Plan policies adopted for the purpose of reducing GHG emissions.

Letter 5

Purrington, Teresa

From: susan pyburn [redacted]
Sent: Monday, February 26, 2018 10:32 PM
To: CityClerk; Advisory Bodies
Subject: Planning Commission Review of Alcohol Policy and other matters

Attention: Members of SLO City Planning Commission

Several items which may be coming before this body are of interest to me as a resident of San Luis Obispo. Alcohol Policy seems to be rather undefined insofar as development is concerned. Given the continually increasing proliferation of commercial outlets serving alcohol in the downtown core, I urge the commissioners to take up this matter and formulate policy recommendations for City Council members that might help to shape the socio/commercial culture of our town. This should not be left to the City Council to deliberate without some advisement from Planning Commission. We are already inundated with such outlets, and problem drinking, especially among youth, is reaching blight proportions, posing problems for the tourist industry as well as public health. 1

Regarding the proposed parking facility at Palm and Nipomo, it does not seem to merit further action at this time. Such a facility is rather far from the downtown core where likely consumers want to go. Therefore, this huge facility should be put on hold until such time that a greater need might be demonstrated. Keep in mind that ongoing development projects have already included parking in their designs. 2

Regarding density transfers and the urge to increase height and density downtown, please remember that citizen input has strongly supported limiting height to three stories and generally constraining over-development of the downtown. Even more importantly, San Luis Obispo city planners should consider very very carefully and prudently further density encroachment into Upper Monterey Street. I would propose a height/density cutoff at Johnson, beyond which the mix of single family residential homes with small scale commercial should be respected and maintained in a complementary scale. 3

Thank you for your consideration of these thoughts.

Susan Pyburn
1061 Grove Street
San Luis Obispo, CA 93401
805-594-1625

Our lives begin to end the day we become silent about things that matter.
Martin Luther King Jr.

A Lens of Her Own *www.aloho.us*
also:*http://herownlens.smugmug.com*

Letter 5

COMMENTER: Susan Pyburn, Private Citizen

DATE: February 26, 2018

Response 5.1

The commenter expresses concerns unrelated to the project, pertaining to provision of commercial outlets that serve alcohol in the downtown area. No further response is warranted.

Response 5.2

The commenter states that the project should be put on hold until a greater need for the project is determined. Refer to responses to Letters 3 and 4.2 regarding the need for the project. The commenter does not raise any issues related to the adequacy of the Draft EIR. However, the comment will be forwarded to the appropriate decision-makers for review and consideration.

Response 5.3

The commenter expresses general concerns about height and density in the downtown, particularly on upper Monterey Street near Johnson Avenue. The project's impacts on aesthetics were evaluated consistent with the requirements of CEQA in Section 4.1, *Aesthetics*, of the Draft EIR. As discussed therein, under Impact AES-2, the Final EIR acknowledges a significant and unavoidable impact related to the change in visual character. In addition, under the cumulative impact discussion (page 55 of the Draft EIR), the EIR acknowledges a significant and unavoidable cumulative impact related to the change in visual character; the project's contribution to this impact would be cumulatively considerable. The City would need to adopt a Statement of Overriding Considerations setting forth why the project's benefits outweigh these impacts, if the project is to be approved. The commenter does not raise any specific concerns with the adequacy of the environmental analysis in the Draft EIR. The commenter's concern will be forwarded to the appropriate decision-makers for review and consideration.

Thank you, Rachel, and feel free to phone me at 805 - 543 - 7931 if you want to know SLO History as I am home every day almost and
very busy here keeping active with bright mind. If I don't answer just leave a message on my answering machine and I will call back.

2

cont'd.

The best to you,

Jean Martin

Letter 6

COMMENTER: Jean Martin, Private Citizen

DATE: March 10, 2018

Response 6.1

The commenter states that the proposed five-story height of the parking garage is too high and the proposed structure should be no more than two stories tall. Refer to response to Letter 5.3 with regards to the aesthetic impacts of the project. Please refer to response to Planning Commission Hearing Commissioner Comment 3a regarding a project alternative with fewer parking levels.

Response 6.2

The commenter expresses concern about the loss of historic resources associated with the project. Refer to response to Planning Commission Hearing Public Comment 6 as it relates to the project's impacts on historic resources.