

## 1.0 INTRODUCTION

### 1.1 OVERVIEW

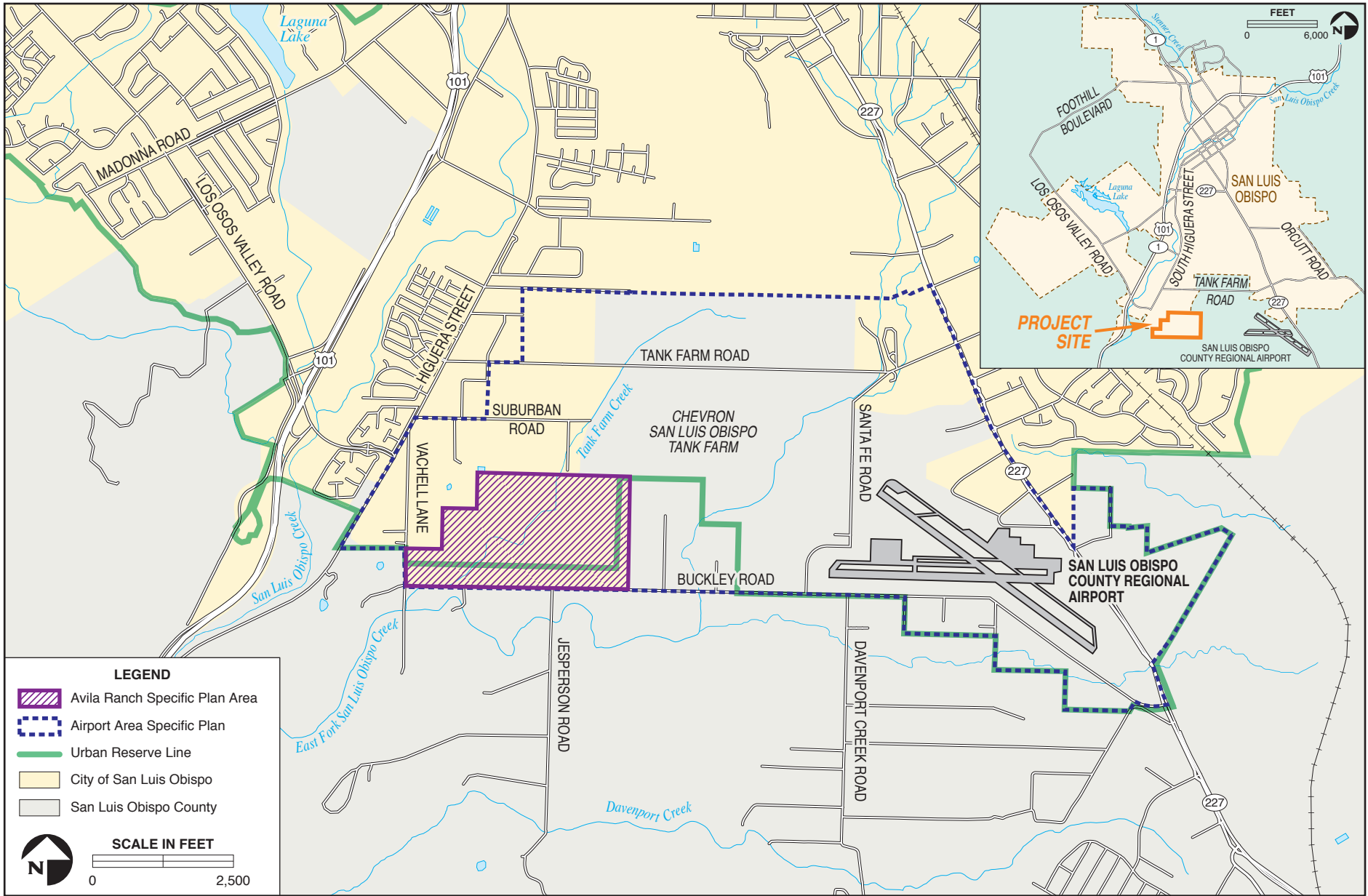
This Environmental Impact Report (EIR) evaluates the potential environmental impacts of the proposed Avila Ranch Development Project (Project) in the City of San Luis Obispo (City), California. This EIR was prepared by Amec Foster Wheeler, Environment and Infrastructure, Inc. (Amec Foster Wheeler) in cooperation with City staff. This EIR discloses the findings of the City regarding potential environmental impacts of adoption and implementation of the Project. It should be noted that since preparation of the Draft EIR, the Applicant intends to seek



*The 150-acre Project site located along Buckley Road at the southern edge of the City of San Luis Obispo is proposed for development of 720 units of mixed density residential uses along with public and private open space, park, and commercial uses.*

approval of the Mitigated Project Alternative (MPA) (described and analyzed in Section 5.4.2.2 of this document) rather than the original proposed Project.

The Project site encompasses three adjacent parcels (APN 053-259-004, -005, and -006) totaling 150 acres. The site is located at the northeast corner of Buckley Road and Vachell Lane, adjacent to the southern end of the City's jurisdictional boundary (Figure 1-1). The Project site is currently undeveloped and has historically been used for agriculture. Tank Farm Creek, a tributary to San Luis Obispo Creek, diagonally bisects the Project site from northeast to southwest and conveys storm water from the Chevron Tank Farm and adjacent properties to San Luis Obispo Creek. Prior to its annexation to the City in 2008, the Project site was zoned by the County of San Luis Obispo (County) for Business Park and Conservation/Open Space (C/OS) uses. The City's 2005 Airport Area Specific Plan (AASP) also designated the site for Business Park uses and the Project site remained zoned Business Park and C/OS. However, the City's 2014 Land Use Element of the General Plan rejected past Business Park land use designations in favor of new housing, and designated the Project site as a Special Focus Area (SP-4) for provision of up to 700 residential units and small-scale neighborhood commercial uses, along with associated policies and



Regional Location

**FIGURE 1-1**

performance standards that would guide future development (Section 8.1.6 of the General Plan, Land Use Element).<sup>1</sup>

Avila Ranch LLC (Applicant) proposes the adoption of the Avila Ranch Development Plan (Development Plan) dated December 18, 2015, including an amendment to the AASP, a rezone, and related actions to permit a mix of residential uses (68.23 acres), neighborhood commercial (3.34 acres), and open space/park uses (71.30 acres). The Project would result in construction of approximately 720 residential units (which includes a 20-unit assumed density bonus) as follows:

- 17.45 acres of R-1 low density uses with 105 single-family units on lots ranging between 4,000 to 8,500 square feet (sf);
- 35.03 acres of R-2 medium density uses with 305 single-family detached small lot units designed to meet moderate and “workforce” income needs that would be affordable by design;
- 11.04 acres of R-3 medium-high density uses with 185 multiple-family attached “townhouse” and “condo” dwelling units for moderate income families and households; and
- 4.71 acres of R-4 high density multiple uses with 125 multiple-family attached units for moderate and lower income households.

The Project would also include 15,000 sf of leasable Neighborhood Commercial space concentrated in the eastern portion of the Project site in a proposed Town Center. It is anticipated that the Town Center would provide small offices, retail shops, and service uses. Open space and park land uses would include of 18 acres of riparian open space along Tank Farm Creek, 27 acres of agricultural buffer area along the southern boundary of the Project for dryland farming, and 16 acres of park space, including 9.8 acres of Neighborhood Park along with pocket parks and mini-parks. The Project would include an internal network of roads and bicycle paths that would be integrated into the regional transportation and circulation system.

## **1.2 LAND USE BACKGROUND**

In December 2008, the Project site was annexed into the City and was given a land use designation of Business Park, BS-SP. In December 2014, the City adopted the updated Land Use and Circulation Elements (LUCE) of the General Plan with programs and policies to guide private development and public improvements in the City for the next 10

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<sup>1</sup> The existing Business Park zoning is intended for research and development, light manufacturing, and business services compatible with airport operations (Zoning Regulations Chapter 17.49). However, this zoning currently conflicts with the updated Land Use Element of the General Plan designation of the site, which designates the site for up to 700 residential units and up to 25,000 square feet (sf) of commercial uses.

to 20 years. The updated LUCE identifies the Project site as a Special Focus Area, SP-4. The 2014 LUCE includes policies and the prescribed format and content of regulatory elements of a specific plan for SP-4 (Sections 8.1.1 and 8.1.2 of the Land Use Element, General Plan). The City certified an EIR for the LUCE update in 2014. The 2014 Land Use and Circulation Elements Update EIR (LUCE Update EIR) addresses potential impacts of development of the Project site in a programmatic manner, but it does not address the particulars of an Avila Ranch Development Project (City of San Luis Obispo 2014). Project-specific impacts associated with this development are addressed in detail in this EIR.

In addition to the LUCE and other City General Plan policies, the AASP provides a framework to guide development of a 1,500-acre planning area surrounding the San Luis Obispo County Regional Airport (Airport) that also encompasses the Project site. The AASP was initially adopted in 2005 and was last revised in 2014. The AASP sets forth allowable land uses, circulation and transportation, and resource management practices around the Airport. As part of the Project, the AASP would be amended to include the new LUCE objectives and policies for the Project site, as well as the development parameters associated with the Project.

The San Luis Obispo County Airport Land Use Plan (ALUP) addresses safety and noise policies to protect existing and future Airport operations and their relationship with surrounding land uses. The ALUP was adopted in 1973, and amended through 2005. The ALUP was assembled by the County's Airport Land Use Commission (ALUC), and was created to detail and assist the planning and policies of land uses including and surrounding the Airport. The policies of the ALUP are intended to ensure that land uses surrounding the Airport are compatible with airport noise, safety, airspace protection, and overflight policies. The Project has been subject to preliminary review by the ALUC, but must have a formal review and determination of consistency with the ALUP. On December 21, 2016, the ALUC made a final determination that the Project, as well as the MPA, is consistent with the ALUP (see Appendix N).

### 1.3 LEAD, RESPONSIBLE, AND TRUSTEE AGENCIES

Per Section 21067 of the California Environmental Quality Act (CEQA) and Sections 15367 and 15050 through 15053 of the State CEQA Guidelines, the City of San Luis Obispo is the Lead Agency under whose authority this document has been prepared. The City has primary discretionary authority to determine whether to approve the Project.

Responsible and other agencies are public agencies responsible for certain discretionary Project approvals or implementing specific and/or offsite components of the Project. These include:

- California Department of Transportation (Caltrans)
- ALUC
- U.S. Army Corps of Engineers (USACE)
- Regional Water Quality Control Board (RWQCB)
- San Luis Obispo County Air Pollution Control District (APCD)
- County of San Luis Obispo

In addition, trustee agencies have jurisdiction over certain resources held in trust for the people of California but do not have legal authority for approval of the Project. The California Department of Fish and Wildlife (CDFW) is considered the only trustee agency for this Project, pursuant to CEQA Section 15386, with regard to fish and wildlife, and native plants designated rare and endangered.

#### **1.4 PURPOSE AND LEGAL AUTHORITY**

This EIR was prepared in accordance with the CEQA Guidelines, published by the Resources Agency of the State of California (Title 14, California Code of Regulations 15000 et. seq.). It is intended to provide information to public agencies, decision-makers, and the general public regarding the environmental impacts that would result from implementation of the Project. Under the provisions of CEQA, “the purpose of the environmental impact report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which significant effects can be mitigated or avoided” (Public Resources Code 21002.1[a]). In a practical sense, this EIR functions as a tool for fact-finding, allowing the public and the City, through a full disclosure process, an opportunity to collectively review and evaluate baseline existing conditions and the Project’s potential to result in environmental impacts. Additionally, this EIR provides the primary source of environmental information for the City to consider when exercising any permitting or approval authority directly related to the Project.

The CEQA process was established to enable public agencies to evaluate a project in terms of its environmental consequences, to examine and implement methods of eliminating or reducing any potentially adverse impacts, and to consider alternatives to the project. While CEQA Section 15021(a) requires that major consideration be given to avoiding

environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, taking into account economic, legal, social, and technological factors.

Although the Project takes the form of a Development Plan and Specific Plan amendment, this EIR contains a Project-level environmental review that fulfills the requirement of a Project-level EIR. As defined in CEQA Guidelines Section 15161, a Project-level EIR examines the environmental impacts of a specific development project and focuses primarily on the changes in the environment that would result from the project. The EIR examines all phases of the Project including planning, construction, and operation.

Pursuant to CEQA Guidelines Section 15182, where a public agency prepares an EIR on a specific plan, future residential projects that conform to the specific plan would not require further environmental review in accordance with Government Code Section 65457, as long as the residential development is within the scope of the EIR, no new environmental effects are anticipated to occur, and no new mitigation measures are required for the residential development.

### **1.4.1 Tiering and Prior Environmental Review**

Section 15152 of the CEQA Guidelines allows for an EIR to tier from the environmental analysis of an earlier EIR as follows:

“Tiering refers to using the analysis of general matters contained in a broader EIR with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project....Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR of negative declaration.”

Pursuant to CEQA Guidelines Section 15152, this EIR tiers from, and incorporates by reference, the City’s previously certified LUCE Update EIR (2014). The LUCE Update EIR evaluated the impacts associated with future development occurring under the LUCE at a programmatic level, including those associated with development of the Project site. The LUCE Update EIR is available for public review at: <http://www.slo2035.com/library/documents-reports/46-final-program-eir.html>.

The City prepared an Initial Study (IS) for the Project in July 2015, made publicly available through the Notice of Preparation (NOP) distribution process in August 2015. The IS found that the Project may have potentially significant impacts to the following resources: aesthetics, agriculture, air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation, and utilities (see Appendix A). Pursuant to Section 21080(d) of the Public Resources Code and Section 15064(f)(1) of the CEQA Guidelines, if there is a fair argument supported by substantial evidence that a project may have a significant effect on the environment, the Lead Agency shall prepare an EIR, even when other substantial evidence has been presented that a project will not have a significant effect. Consequently, the City has determined that the preparation of an EIR would be required to analyze potential environmental impacts of the Project.

In compliance with the procedural requirements of CEQA, the City performed a public scoping process consistent with Section 15083 of the CEQA Guidelines. The public was provided an opportunity to comment on the scope of the EIR through a NOP released on August 14, 2015, which was distributed to federal, state, regional, and City agencies, and neighborhood groups. The NOP comment period ran from August 14, 2015 through September 14, 2015, and a public hearing was held on August 26, 2015. During the NOP comment period, City received 30 written comment letters. Comments received during the NOP comment period were considered during EIR preparation and are included in Appendix B.

This Draft EIR has been distributed to federal, state, regional, and City agencies, neighborhood groups, and NOP commenters. The Draft EIR is available for review online at the City's Community Development Department website at: <http://www.slocity.org/government/departments-directory/community-development/documents-online/environmental-review-documents>. Hardcopies of the Draft EIR are available for review at City Hall, as well as local libraries. The Draft EIR public review period runs from November 23, 2016 to January 11, 2017. Comments on the Draft EIR may be sent to the City of San Luis Obispo, Community Development Department at 919 Palm Street, San Luis Obispo, California 93401, or emailed to John Rickenbach at [jfrickenbach@aol.com](mailto:jfrickenbach@aol.com). Comments received during this period will be addressed in the Final EIR.

### 1.5 SCOPE OF THE EIR

This EIR assesses the potential environmental impacts that could occur with implementation of the Project. The scope of the EIR includes evaluation of potentially significant environmental issues identified in the IS and raised in response to the NOP and during scoping discussions. The IS and NOP scoping process determined that the Project may result in potentially significant impacts with respect to the following issue areas, which are addressed in detail in this EIR:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Transportation and Traffic
- Utilities

This EIR builds upon the analysis performed in the LUCE Program EIR, addresses the issues referenced above, and identifies potential environmental impacts, including Project-specific and cumulative effects of the Project, in accordance with the provisions set forth in the CEQA Guidelines. In addition, the EIR recommends feasible mitigation measures, where necessary, that would reduce or eliminate adverse environmental effects. In accordance with CEQA Guidelines Section 15128 (Effects Not Found to Be Significant), environmental impacts related to Geology and Soils, Mineral Resources, and Recreation were not considered significant, and are discussed in Section 4.0, *Other CEQA Considerations*.

A summary of cumulative impacts, which gives consideration to other projects in the vicinity, are described in each resource section within Section 3.0, *Environmental Impact Analysis and Mitigation Measures*. Cumulative project analyses represent a comprehensive assessment of potential impacts on City resources using a list of past, present, and probable future projects capable of producing related or cumulative impacts.



Consistent with CEQA Guidelines (Section 15126.6[d]), this EIR includes the assessment of a reasonable range of alternatives to the Project that could feasibly attain the Project objectives while avoiding or substantially lessening any of the significant effects of the Project, including four alternatives that were considered, but discarded from further analysis and three alternatives fully analyzed per CEQA. Please refer to Section 5.0, *Alternatives*.

## **1.6 AREAS OF KNOWN PUBLIC CONTROVERSY**

Section 15123 of the CEQA Guidelines states that an EIR shall identify areas of controversy known to the Lead Agency, including issues raised by the agency and the public. Based on comments received from the public hearing and responses received during the NOP comment period, the following issues are known to be of concern and may be controversial. Each issue is further evaluated in the EIR:

- Increased traffic congestion and impacts to circulation, especially on Los Osos Valley Road, Buckley Road, South Higuera Street, and Vachell Lane;
- Adequacy of utility infrastructure and dependent resources, including the existing water system and available water supply;
- Airport safety and noise;
- Permanent loss of prime agricultural land;
- Construction-related impacts such as interference with pedestrian and vehicle traffic circulation, dust, and other emissions; and
- Potential impacts to sensitive biological resources along the Tank Farm Creek channel connecting into San Luis Obispo Creek.

## **1.7 ORGANIZATION OF THE EIR**

This EIR is organized into the following sections:

- Section 1.0, *Introduction*, summarizes the background of the Project and explains the environmental review process.
- Section 2.0, *Project Description*, provides a detailed description of Project specifications, Project site and area settings, and applicable federal, state, and local regulations.
- Section 3.0, *Environmental Impact Analysis and Mitigation Measures*, provides analysis of existing environmental conditions, specific Project impacts, mitigation measures, residual impacts, and cumulative impacts.
- Section 4.0, *Other CEQA Sections*, identifies significant and irreversible, growth-inducing, and unavoidable effects, as well as resource areas that would not be significantly affected by the Project.

- Section 5.0, *Alternatives*, describes alternatives to the Project, and identifies the Environmentally Superior Alternative.
- Section 6.0, *List of Preparers*, identifies the EIR Project team.
- Section 7.0, *References*, provides information about resources used in the preparation of the EIR.
- Section 8.0, *Response to Comments*, includes responses to all written and oral comments received from the public, organizations, and agencies on the Draft EIR and Recirculated Draft EIR Sections.
- Appendices to the EIR include the IS, NOP, NOP comment letters, and supporting technical studies used as a basis of information and analyses in preparation of the EIR.