



**CITY OF
SAN LUIS OBISPO**

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
For EID-1303-2017/ARCH-1209-2017/SBDV-1211-2017**

1. Project Title:

Rockview Moderns

2. Lead Agency Name and Address:

City of San Luis Obispo
990 Palm Street
San Luis Obispo, CA 93401

3. Contact Person and Phone Number:

Rachel Cohen, Associate Planner
rcohen@slocity.org
(805) 781-7574

4. Project Location:

3063 Rockview Place, San Luis Obispo, CA 93401
APN: 004-584-004

5. Project Representative Name and Address:

Heidi Gibson
Studio 2G Architects, LLP
1540 Marsh street, suite 230
San Luis Obispo, CA 93401

6. General Plan Designation:

Medium-Density Residential and Conservation Open Space

7. Zoning:

Medium-Density Residential (R-2-S) zone with the Special Consideration Overlay and Conservation Open Space

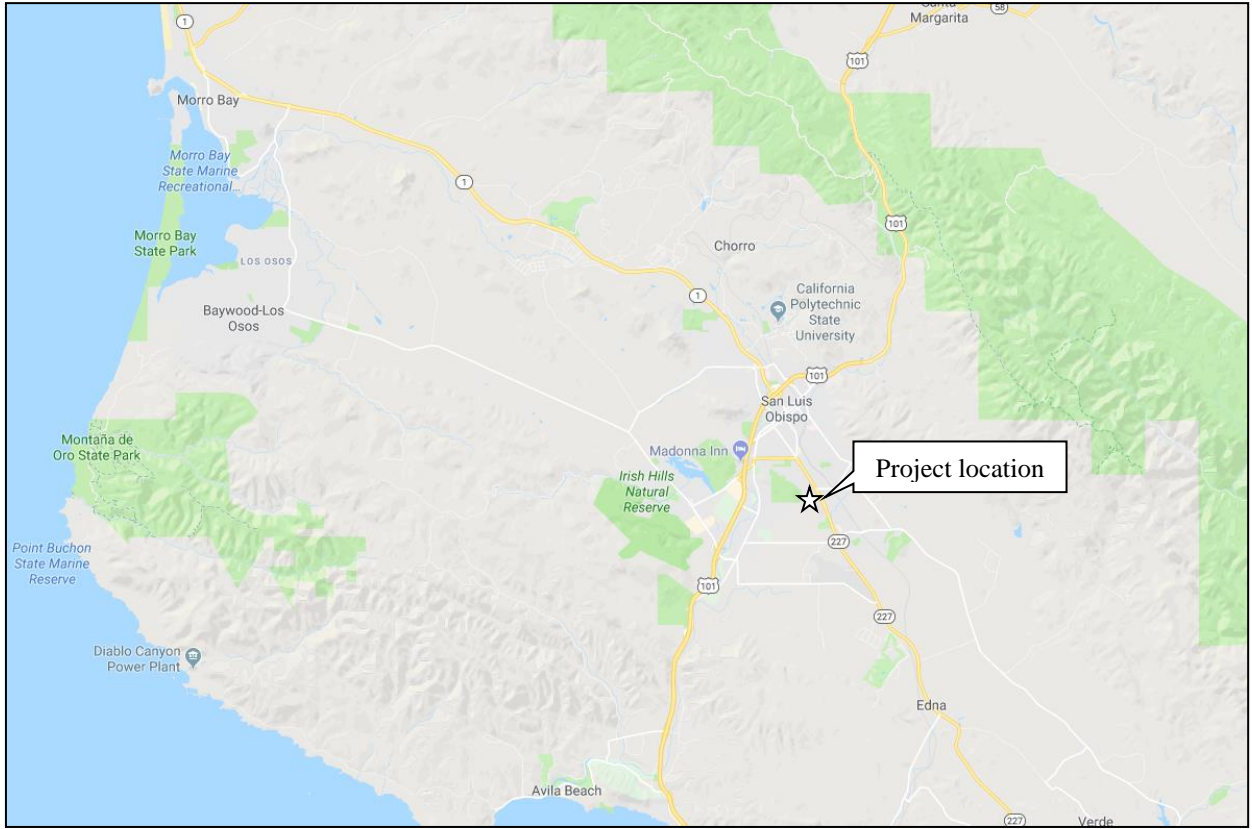


Figure 1: Regional Location



Figure 2: Project Location

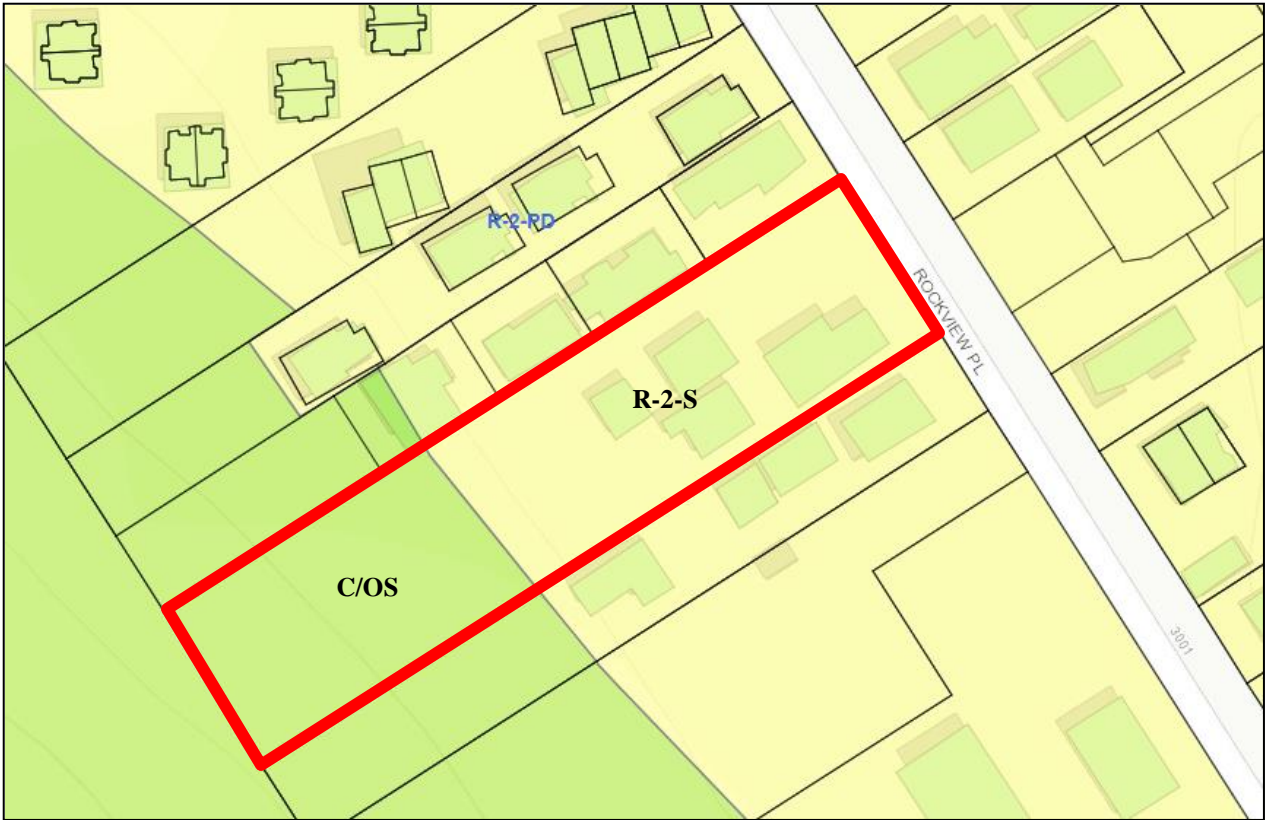


Figure 3: Zoning of the site

8. Description of the Project:

The applicant is proposing an eight-parcel common interest subdivision for a single-family residential project located within the Medium Density Residential zone with a special considerations overlay (R-2-S) and the Conservation Open Space (C/OS) zone located at 3063 Rockview Place, San Luis Obispo, CA 93405 (APN: 004-584-004). The residential project will be constructed on the R-2-S portion of the site and C/OS portion of the site will be placed under a preservation easement (see Figure 3).

The project includes the following:

1. An eight-lot common interest subdivision,
2. The construction of 6 detached, and 2 attached (total 8) two-bedroom residential units (approximately 1,200 square feet each),
3. A street yard setback reduction to 11 feet, where normally a 20-foot setback is required, to allow a trellis/patio structure,
4. A fence height exception of approximately 6.5 feet, where normally a 4.36-foot-tall fence is allowed, and
5. Frontage improvements along Rockview Place including curb, gutter and sidewalk upgrades (Attachment 1, Project Plans).

The structures on each lot will be two-stories with a maximum height of approximately 24 feet and provide two enclosed parking spaces for each unit and three guest spaces on the site. The parcels will be accessed from Rockview Place by a common driveway. The project will be

conditioned to include an easement or restrictive covenant for the portion of the property that is zoned Conservation Open Space (C/OS).

9. Surrounding Land Uses and Settings:

The project site encompasses one lot; 3063 Rockview Place (~43,995 square feet). The project site is located on the west side of Rockview Place. The project site area that is being considered for development has an approximate average cross slope of 15% and is developed with four structures (three single-family residences and a detached garage). The C/OS portion of the site has an approximate average cross slope of 26%. The parcel is located in the Medium-Density Residential zone with the Special Considerations Overlay (R-2-S) and the Conservation/Open Space (C/OS) zone. The site is surrounded by R-2-S zoning with single & multi-family residences and open space. Adjacent land uses and zoning are provided in the table below:

	Zoning	Land Use
North	R-2-S	Single-family residences
West	C/OS	South Hills Open Space
South	R-2-S	Multi-Family Development
East	R-2-S	Multi-Family Residence

10. Project Entitlements Requested:

Architectural Review: Architectural Review Commission (ARC) approval is required for the site layout and structure designs. The ARC will also take action on the requested setback reductions.

Tentative Tract Map: Tentative Tract Map approval will be required for the proposed eight lot common interest subdivision. The vesting tentative tract map will require Planning Commission review and City Council approval. The Council will also take action on allowing development of a site with Special Considerations.

11. Other public agencies whose approval is required:

None.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources code section 21080.3.1? If so, has consultation begun?

Native American Tribes have been notified about the project and two tribes requested additional information be provided but they did not specifically request a consultation. A discussion on their requests is included in Section 17: TRIBAL CULTURAL RESOURCES of the initial study.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population and Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
X	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use and Planning		Transportation & Traffic
X	Cultural Resources		Energy & Mineral Resources		Utilities and Service Systems
	Geology/Soils		Noise		Tribal Cultural Resources
	Mandatory Findings of Significance				

FISH AND GAME FEES

	There is no evidence before the Department that the project will have any potential adverse effects on fish and wildlife resources or the habitat upon which the wildlife depends. As such, the project qualifies for a de minimis waiver with regards to the filing of Fish and Game Fees.
X	The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Game for review and comment.

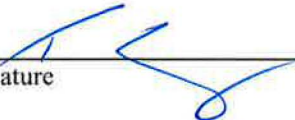
STATE CLEARINGHOUSE

	This environmental document must be submitted to the State Clearinghouse for review by one or more State agencies (e.g. Cal Trans, California Department of Fish and Game, Department of Housing and Community Development). The public review period shall not be less than 30 days (CEQA Guidelines 15073(a)).
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DETERMINATION:

On the basis of this initial evaluation:

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

Signature 

Date 6-6-18

Tyler Corey, Principal Planner

For: Michael Codron
Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 19, "Earlier Analysis," as described in (5) below, may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063 (c) (3) (D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

Issues, Discussion and Supporting Information Sources Rockview Moderns: SBDV-1211-2017 EID-1303-2017	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?	1,2,5			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	1,2,17			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1,14,17			X	
d) Create a new source of substantial light or glare which would adversely effect day or nighttime views in the area?	1,18,32			X	

Evaluation

The City is located eight miles from the Pacific Ocean and lies at the convergence of two main drainages: The Los Osos Valley which drains westerly into Morro Bay via Los Osos Creek, and San Luis Valley which drains to the south-southwest into the Pacific Ocean at Avila Beach via the San Luis Obispo Creek. The topography of the city and its surroundings is generally defined by several low hills and ridges such as Bishop Peak and Cerro San Luis. These peaks are also known as Morros and provide scenic focal points for much of the City. The Santa Lucia Mountains and Irish Hills are the visual limits of the area and are considered the scenic backdrop for much of the City. The surrounding hills have created a hard, urban edge where development has remained in the lower elevations.

The project site is within a residential neighborhood west of Broad Street that exhibits a more suburban character. The street pattern is irregular due to the neighborhood's location at the base of South Hills. The neighborhood enjoys the benefits of mature street trees and the unique visual backdrop provided by South Hills.

a) The proposed project is in an urbanized section of the City on an elevated site that has topography that slopes from the west down to the east. Although the project site is adjacent to the open space area of South Hills, the project site is surrounded by other medium-density (R-2) single-family and multi-family residential development to the north, south, and east. The project site is surrounded by urban uses and is not located in the area of a scenic vista. Less than a significant impact.

b), c) The proposed project will not damage or alter any scenic resources that are visible from a local or state scenic highway. The project site does not contain any historic buildings (see discussion in Section 5 – Cultural Resources below). Visual resources in the vicinity of the site include views of the South Hills (open space). The applicant proposes development of single-family residences with maximum peak heights of approximately 24 feet that are well below the maximum allowed of 35-feet for the zone. The proposed project is consistent with the scale of neighboring development and will not obstruct views of the South Hills. Additionally, the project will be reviewed by the Architectural Review Commission (ARC) for consistency with the Community Design Guidelines, specifically, guidelines for hillside development. Less than significant impact.

d) The project is located in an already urbanized area with light sources from neighboring residential uses, and light from vehicular circulation along neighboring streets. The proposed project will not create a new source of substantial light or glare or affect nighttime views in the area because it will be required to conform to the Night Sky Preservation Ordinance (Zoning Regulations Chapter 17.23) and General Plan Policies 9.2.1 and 9.2.3 which sets operational standards and requirements for lighting installations, including requiring all light sources to be shielded and downward facing. The project applicant would also be required to provide an overall lighting plan that demonstrates that the project complies with the requirements of City of San Luis Obispo Ordinance No. 17.18.030, which prohibits lighting or illuminated devices that would create glare which results in a hazard or nuisance on other properties (City of San Luis Obispo Municipal Code). This plan is required to be reviewed by the ARC prior to issuance of building permits. Adhering to these existing regulations and ordinances, as well as the City's Community Design Guidelines, would ensure that exterior lighting and finish is designed to minimize impacts on neighboring properties and other light and glare sensitive uses. Less than significant impact.

Conclusion: Less Than Significant Impact

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Rockview Moderns: SBDV-1211-2017 EID-1303-2017					

2. AGRICULTURE RESOURCES. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	19				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	12				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	19				X

Evaluation

The city is located in the heart of San Luis Obispo County and the Central Coast Region, both of which are important key agricultural centers within the State of California. The region's agricultural industry is an important part of the local economy. It provides employment and income directly for those in agriculture, and it helps drive growth in the tourism industry, which in turn generates further economic activity and consumer spending.

a) The project site is not designated as Prime or Unique Farmland or Farmland of Statewide Importance on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The site has not been actively farmed and is not zoned for agricultural use. Therefore, the proposed project would not result in conversion of such agricultural resources to nonagricultural use.

b) The project site is not located on active farmland, nor is it under a Williamson Act contract. The project site is designated for residential uses in the General Plan. The project site is surrounded by developed properties and public streets. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

c) Redevelopment of the site will not contribute to conversion of active farmland. No impacts to existing on site or off site agricultural resources are anticipated with development of the project site.

Conclusion: No impact.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	20,21			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	20,21		X		
c) 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 qualitative thresholds for ozone precursors)?	20,21		X		
d) Expose sensitive receptors to substantial pollutant concentrations?	20,21, 32		X		
e) Create objectionable odors affecting a substantial number of people?	32				X

Evaluation

Air quality in the San Luis Obispo region of the County is characteristically different than other regions of the County (i.e.,

Issues, Discussion and Supporting Information Sources Rockview Moderns: SBDV-1211-2017 EID-1303-2017	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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the Upper Salinas River Valley and the East County Plain), although the physical features that divide them provide only limited barriers to transport pollutants between regions. The County is designated non-attainment for the one-hour California Ambient Air Quality Standards (CAAQS) for ozone and the CAAQS for respirable particulate matter (PM10). The County is designated attainment for national ambient air quality standards (NAAQS). Measurements of ambient air quality from the monitoring station at 3220 South Higuera Street are representative of local air quality conditions.

a) The San Luis Obispo Air Pollution Control District (SLOAPCD) adopted the 2001 Clean Air Plan (CAP) in 2002. The 2001 CAP is a comprehensive planning document intended to provide guidance to the SLOAPCD and other local agencies, including the City, on how to attain and maintain the state standards for ozone and PM10. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality. The proposed project is consistent with the general level of development anticipated and projected in the CAP. The project is consistent with the CAP's land use planning strategies, including locating medium density residential within an urban area proximate to an existing roadway, near transit services and shopping areas. Therefore, potential impacts would be less than significant.

b), c), d) Both the US Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants representing safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. As mentioned above, San Luis Obispo is currently designated as nonattainment for the 1-hour and 8-hour State standards for ozone and the 24-hour State standard for PM10.

CEQA Appendix G states the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make significance determinations. Assessment of potential air quality impacts that may result from the proposed project was conducted using the April 2012 CEQA Air Quality Handbook, which is provided by the APCD for the purpose of assisting lead agencies in assessing the potential air quality impacts from residential, commercial and industrial development. Under CEQA, the APCD is a responsible agency for reviewing and commenting on projects that have the potential to cause adverse impacts to air quality.

Construction Significance Criteria:

Temporary impacts from the project, including but not limited to excavation and construction activities, vehicle emissions from heavy duty equipment and naturally occurring asbestos, have the potential to create dust and emissions that exceed air quality standards for temporary and intermediate periods.

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified that NOA may be present throughout the City of San Luis Obispo (APCD 2012 CEQA Handbook, Technical Appendix 4.4), and under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) are therefore required to provide geologic evaluation prior to any construction activities. As such, impacts are considered potentially significant but mitigable.

The project will include demolition of non-historic structures and grading, which has the potential to disturb asbestos that is often found in older structures as well as underground utility pipes and pipelines (i.e. transit pipes or insulation on pipes). Demolition can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). As such, the project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP). Impacts related to the proposed demolition of existing structures on the subject site are considered to be potentially significant but mitigable.

Issues, Discussion and Supporting Information Sources Rockview Moderns: SBDV-1211-2017 EID-1303-2017	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Because the project is within 1,000 feet of sensitive receptors, impacts related to fugitive dust emissions during proposed construction activities are considered potentially significant but mitigable.

Construction equipment itself can be the source of air quality emission impacts, including sensitive receptor exposure to diesel particulates and other air pollutants, and may be subject to California Air Resources Board or SLO APCD permitting requirements. This includes portable equipment, 50 horsepower (hp) or greater or other equipment listed in the SLO APCD’s 2012 CEQA Handbook, Technical Appendices, page 4-4. Truck trips associated with the proposed excavated site material (i.e., soils) that will be cut from the site may also be a source of emissions subject to SLO APCD permitting requirements, subject to a specifically selected truck route. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: <https://www.arb.ca.gov/msprog/truck-idling/factsheet.pdf> and <https://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf>. Impacts related to vehicle and heavy equipment emissions are considered potentially significant.

Operational Screening Criteria for Project Impacts:

Table 1-1 of the SLOAPCD CEQA Air Quality Handbook indicates that the construction of condos / townhouses with less than 103 dwelling units would not exceed the threshold of significance for the APCD Annual Bright Line threshold (MT CO₂e). The threshold for reactive organic gases (ROG) and oxides of nitrogen (NO_x) would not be exceeded by the proposed project (maximum size for exemption stated at 93 dwelling units). Therefore, operational phase air quality impacts are considered less than significant.

e) The project includes the development of multiple single-family units, as anticipated in the R-2 Medium Density Residential zone, and therefore would not include any potential land uses that would have the potential to produce objectionable odors in the area. There are no uses in the area that generate objectionable odors that may significantly affect future residents, employees, or visitors. Therefore, potential impacts would be less than significant.

Conclusion: Potentially Significant Unless Mitigation Incorporated.

Mitigation Measure AQ-1: Prior to grading plan approval, the project proponent shall ensure that a geologic evaluation be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Technical Appendix 4.4 of this Handbook includes a map of zones throughout SLO County where NOA has been found and geological evaluation is required prior to any grading.

More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos.php>.

Mitigation Measure AQ-2: Any scheduled demolition activities or disturbance, removal, or relocation of utility pipelines shall be coordinated with the APCD Enforcement Division at (805) 781-5912 to ensure compliance with NESHAP, which include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM.

More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos.php>.

Mitigation Measure AQ-3: During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, modify practices as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Community Development and Public Works Departments prior to commencement of construction.

Issues, Discussion and Supporting Information Sources Rockview Moderns: SBDV-1211-2017 EID-1303-2017	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a. Reduce the amount of disturbed area where possible.
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD’s limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Increased watering frequency will be required whenever wind speeds exceed 15 m.p.h. and cessation of grading activities during periods of winds over 25 m.p.h. Reclaimed (non-potable) water is to be used in all construction and dust-control work.
- c. All dirt stock pile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil disturbing activities.
- e. Exposed grounds 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.
- f. 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 APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 m.p.h. on any unpaved surface at the construction site.
- i. 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.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- l. All PM10 mitigation measures required shall be shown on grading and building plans.
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD’s limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Mitigation Measure AQ-4: Prior to any construction activities at the site, the project proponent shall ensure that all equipment and operations are compliant with California Air Resource Board and APCD permitting requirements and shall contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Mitigation Measure AQ-5: To reduce the sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project and export soil from the site, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations
 - a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 1. Shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of restricted area, except as noted in Subsection (d) of the regulation.
 - b. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board’s In-Use Off-road Diesel regulation.
 - c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state’s 5-minute idling limit.
2. Diesel Idling Restrictions Near Sensitive Receptors (residential homes). In addition to the State required diesel

Issues, Discussion and Supporting Information Sources Rockview Moderns: SBDV-1211-2017 EID-1303-2017	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:

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

3. Soil Transport. The final volume of soil that will be hauled off-site, together with the fleet mix, hauling route, and number of trips per day will need to be identified for the APCD. Specific standards and conditions will apply.

4. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	5,28			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	5,28			X	
c) Have a substantial adverse effect on Federally protected wetlands as defined in Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, etc.) through direct removal, filling, hydrological interruption, or other means?	28				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	28				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	5,10			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	5,10				X

Evaluation

The urbanized area of the City of San Luis Obispo lies at the convergence of two main geologic features: Los Osos Valley, which drains westerly into Morro Bay via Los Osos Creek, and San Luis Valley, which drains to the south- southwest into the Pacific Ocean at Avila Beach via San Luis Obispo Creek. San Luis Obispo, Stenner, Prefumo, and Brizzolara Creeks, and numerous tributary channels pass through the city, providing important riparian habitat and migration corridors connecting urbanized areas to less-developed habitats in the larger area surrounding the City.

Much of the areas outside the city limits consist of open rangeland grazed year-round, along with agricultural lands dominated by annual crop rotations and vineyards. A variety of natural habitats and associated plant communities are present within the City and support a diverse array of native plants and resident, migratory, and locally nomadic wildlife species, some of which are considered as rare, threatened, or endangered species. However, the largest concentrations of natural and native habitats are located in the larger and less developed areas outside the city limits.

The following discussion, as outlined in the LUCE Update EIR, provides a general overview of the habitat type found on the project site:

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Urban/Developed Habitats: Based on a project site visit and observations of the property, the site exhibits the characteristics associated with the “Urban/Developed” habitat commonly found concentrated within and adjacent to the developed portions of the City, and in discrete areas adjacent to Highway 1 and Broad Street/Highway 227. The LUCE update EIR discussed that these areas typically provide low potential to support native plant or animal species occurrences. Within the City limits, occurrences of sensitive natural habitats are present in low-lying areas (riparian and wetland areas), and on undeveloped hills and steep slopes above the Urban Reserve or development limit lines (coastal scrub, chaparral, woodlands, and grasslands). Wildlife occurrences within urban/developed areas typically consists primarily of urban- adapted avian species such as house sparrow (*Passer domesticus*) and Eurasian collared dove (*Streptopelia decaocto*) utilizing the abundant tree canopy and concentrated food sources, common animal species adapted to human presence such as raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), and striped skunk (*Mephitis mephitis*), and aquatic, semi-aquatic, and terrestrial species resident in or utilizing riparian areas.

a-d) The site does not support riparian or wetland areas. The project site contains areas that have been developed and a sloped portion of the site that contains grassland is zoned conservation/open space. Terra Verde Environmental Consulting (2018) visited the site and conducted a botanical survey of the site to identify any sensitive plant species on the site. The following species were determined to have a potential to occur on the site:

- Miles’ milkvetch (*Astragalus didymocarpus* var. *milesianus*) (California Rare Plant Rank)
- Club-haired mariposa lily (*Calochortus clavatus* var. *calvatus*)
- San Luis mariposa lily (*Calochortus obispoensis*)
- La Panza mariposa lily (*Calochortus simulans*)
- Cambria morning glory (*Calystegia subacaulis* subsp. *episcopalis*)
- San Luis Obispo owl’s clover (*Castilleja densiflora* subsp. *obispoensis*)
- Brewer’s spineflower (*Chorizanthe breweri*)
- Palmer’s spineflower (*Chorizanthe palmeri*)
- Mouse-gray dudleya (*Dudleya abramsii* subsp. *murina*)
- Blochman’s dudleya (*Dudleya blochmaniae* subsp. *blochmaniae*)
- Jone’s Layia (*Layia jonesii*)
- Adobe sanicle (*Sanicula maritima*) (California Rare)

The study was conducted on April 30, 2018 during the typical fruits and/or blooming period of most of the regionally-occurring, special status species determined to have the potential to occur on site. For those species that were not in bloom it was determined that vegetative parts were visible that allowed for identification to the genus level. No special status species were identified within the survey area and no unknown or unidentifiable plants were observed on site. The site is not near any natural waterway and will therefore have no adverse effect on Federally protected wetlands. The property is surrounded by urban development on three sides and the proposed construction of the residential units and the common interest subdivision will not interfere with the movement of any wildlife species or migratory wildlife corridor. Less than a significant impact.

e) The site does not contain any heritage trees or any biological resources that are protected by local policies or ordinances. The project proposal includes the removal of five trees (three fruit trees, a small ornamental tree, and a pepper tree). The proposed landscape plans that show the trees will be replaced with 12 new trees (Attachment 1, Project Plans, Sheets CLP1-3). The City Arborist has reviewed the proposal and supports the removal of the five trees and determined that the planting of four street trees and eight on-site trees is appropriate for the project. Less than significant impact.

f) The project site is not part of a local, regional, or state habitat conservation plan and therefore would have not have an impact. No impact.

Conclusion: Less than Significant Impact.

5. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historic resource? (See CEQA Guidelines 15064.5)	12,24, 25				X
b) Cause a substantial adverse change in the significance of an archaeological resource? (See CEQA Guidelines 15064.5)	12,24, 25		X		
c) Directly or indirectly destroy a unique paleontological resource	12,24,		X		

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or site or unique geologic feature?	25				
d) Disturb any human remains, including those interred outside of formal cemeteries?	26		X		

Evaluation

Pre-Historic Setting: As outlined in the City’s LUCE Update EIR, archaeological evidence demonstrates that Native American groups (including the Chumash) have occupied the Central Coast for at least 10,000 years, and that Native American use of the central coast region may have begun during the late Pleistocene, as early as 9000 B.C., demonstrating that historical resources began their accumulation on the central coast during the prehistoric era. The City of San Luis Obispo is located within the area historically occupied by the Obispeño Chumash, the northernmost of the Chumash people of California. The Obispeño Chumash occupied much of San Luis Obispo County, including the Arroyo Grande area, and from the Santa Maria River north to approximately Point Estero. The earliest evidence of human occupation in the region comes from archaeological sites along the coast.

Historic Resource Setting: The area of San Luis Obispo became colonialized by the Spanish Incursion initially in 1542, with the first official settlement on Chumash Territory occurring in 1772, when the Mission San Luis Obispo de Tolosa was established. By the 1870s (after the earliest arrivals of Chinese immigrants in 1869), a Chinatown district had been established in the downtown area near Palm and Morro Street. By 1875, 2,500 residents were documented in a 4-square mile area around what is now the City of San Luis Obispo. By 1901, the City was served by the Pacific Coast Railway and mainline Southern Pacific, and in 1903 the California Polytechnic State University was established. The last era of growth generally lasted from 1945 to the present. Many of the residential subdivisions in the Foothill and Laguna Lake area were developed between 1945 and 1970 and the city’s population increased by 53% during this time.

a) The project site is not designated or listed as a historic resource and not located within a historic district. The current structures on the site are older than 50 years but are not connected to history or a personage or unusual enough to qualify as significant cultural resources.

b-d) The project site is not located within a designated burial sensitivity area and the project is not considered an archaeologically sensitive site as described in the City’s Archaeological Resource Preservation Program Guidelines.

Two local tribal representatives contacted the City in their outreach per AB 52. One representative requested that the project provide a Phase I study as a part of the Initial Study review. The other representative requested that the project be required to provide archeological monitoring during ground disturbances during construction. Based on these requests the applicant has indicated that the project will conduct archeological monitoring during ground disturbances in the unlikely event that any materials are encountered. Therefore, with the proposed mitigation the project would have a less than significant impact.

Conclusion: Potentially Significant Unless Mitigation Incorporated.

Mitigation Measure CR-1: Preservation of Archeological Resources. A monitoring plan shall be prepared and approved by the City prior to building permit approval. The plan shall include survey results that outline where monitoring is required on the site and note when a Native American monitor is required. The plan shall provide protocols for stoppage of work and treatment of human remains, staff education requirements, and a data recovery plan to be implemented in case significant deposits are exposed.

6. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:					
I. Rupture of a known earthquake fault, as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of	4,29			X	

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Mines and Geology Special Publication 42.					
II. Strong seismic ground shaking?	4			X	
III. Seismic-related ground failure, including liquefaction?	4			X	
IV. Landslides or mudflows?	4			X	
b) Result in substantial soil erosion or the loss of topsoil?	29			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslides, lateral spreading, subsidence, liquefaction, or collapse?	4			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	4,14			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	7,33, 34				X

Evaluation

As discussed in the recent City LUCE Update EIR, San Luis Obispo lies within the southern Coast Range Geomorphic Province. This province lies between the Central Valley of California and the Pacific Ocean and extends from Oregon to northern Santa Barbara County. The Coast Range province is structurally complex and is comprised of sub-parallel northwest-southeast trending faults, folds, and mountain ranges.

Rock types in the San Luis Obispo area are mainly comprised of volcanic, metavolcanics, and a mixture of serpentinite and greywacke sandstone. These rocks are highly fractured and are part of the Mesozoic aged Franciscan Formation. Intrusive and extrusive volcanic deposits of Tertiary age and marine sedimentary deposits of the Miocene aged Monterey Formation are also found in the area. The most distinctive geomorphological feature of the San Luis Obispo area is the series of Tertiary aged volcanic plugs (remnants of volcanoes) which extend from the City of San Luis Obispo northwesterly to Morro Bay. Hollister Peak, Bishop Peak, Cerro San Luis Obispo, Islay Hill, and Morro Rock are all comprised of these volcanic plugs.

Faulting and Seismic Activity: The predominant northwest-southeast trending structures of the Coast Range Province are related to the San Andreas Fault Transform Boundary. Other faults in the San Luis Obispo area that are considered active or potentially active include the San Juan Fault, the East and West Huasna Faults, the Nacimiento Fault Zone, the Oceano Fault, the Oceanic Fault, Cambria Fault, the Edna Fault, the Hosgri Fault, and the Los Osos Fault. The East and West Huasna Faults, the Nacimiento Fault Zone, the Cambria Fault, and the Edna Fault have not yet been officially classified by the California Division of Mines and Geology.

The Alquist-Priolo Earthquake Fault Zone (formerly known as a Special Studies Zone) is an area within 500 feet from a known active fault trace that has been designated by the State Geologist. Per the Alquist-Priolo legislation, no structure for human occupancy is permitted on the trace of an active fault. The portion of the Alquist-Priolo fault zone closest to the city is located near the southern flank of the Los Osos Valley, northwest of Laguna Lake, but lies just outside of the city limits.

Seismically Induced Ground Acceleration: Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. Probabilistic modeling is done to predict future ground accelerations, taking into consideration design basis earthquake ground motion, applicable to residential or commercial, or upper-bound earthquake ground motion, applied to public use facilities like schools or hospitals.

Landslides: Landslides occur when the underlying support can no longer maintain the load of material above it, causing a slope failure. Ground shaking and landslide hazards are mapped by the City and are shown in the General Plan. Much of the development in San Luis Obispo is in valleys, where there is low potential for slope instability. However, the city contains extensive hillsides. Several are underlain by the rocks of the Franciscan group, which is a source of significant slope instability. The actual risk of slope instability is identified by investigation of specific sites, including subsurface sampling, by qualified professionals. The building code requires site-specific investigations and design proposals by qualified professionals in areas that are susceptible to slope instability and landslides.

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Liquefaction: Liquefaction is defined as the transformation of a granular material from a solid state to a liquefied state as a consequence of increased pore water pressure. As a result, structures built on this material can sink into the alluvium, buried structures may rise to the surface or materials on sloped surfaces may run downhill. Other effects of liquefaction include lateral spread, flow failures, ground oscillations, and loss of bearing strength. Liquefaction is intrinsically linked with the depth of groundwater below the site and the types of sediments underlying an area.

The soils in the San Luis Obispo area that are most susceptible to ground shaking, and which contain shallow ground water, are the ones most likely to have a potential for settlement and for liquefaction. The actual risk of settlement or liquefaction is identified by investigation of specific sites, including subsurface sampling, by qualified professionals. Previous investigations have found that the risk of settlement for new construction can be reduced to an acceptable level through careful site preparation and proper foundation design, and that the actual risk of liquefaction is low.

Differential Settlement: Differential settlement is the downward movement of the land surface resulting from the compression of void space in underlying soils. This compression can occur naturally with the accumulation of sediments over porous alluvial soils within river valleys. Settlement can also result from human activities including improperly placed artificial fill, and structures built on soils or bedrock materials with differential settlement rates. This phenomenon can alter local drainage patterns and result in structural damage. Portions of the City have been identified as possibly being underlain by soft organic soils, resulting in a high potential for settlement (General Plan Safety Element).

Subsidence: Ground subsidence occurs where underlying geologic materials (typically loosely consolidated surficial silt, sand, and gravel) undergo a change from looser to tighter compaction. As a result, the ground surface subsides (lowers). Where compaction increases (either naturally, or due to human activity), the geologic materials become denser. As a result, the ground surface overlying the compacting subsurface materials subsides as the underlying geologic materials settle. Ground subsidence can occur under several different conditions, including:

- Ground-water withdrawal (water is removed from pore space as the water table drops, causing the ground surface to settle)
- Tectonic subsidence (ground surface is warped or dropped lower due to geologic factors such as faulting or folding); and
- Earthquake-induced shaking causes sediment liquefaction, which in turn can lead to ground-surface subsidence.

Expansive Soils: Expansive soils are soils that are generally clayey, swell when wetted and shrink when dried. Wetting can occur in a number of ways (i.e., absorption from the air, rainfall, groundwater fluctuations, lawn watering, broken water or sewer lines, etc.). Soil expansion can cause subtle damage that can reduce structural integrity. Portions of the city are known to exhibit the soil types (refer to General Plan Safety Element) identified as having a moderate to high potential for expansion.

a, c, d) Although there are no fault lines on the project site or within close proximity, the site is located in an area of “High Seismic Hazards,” specifically Seismic Zone D, which means that future buildings constructed on the site will most likely be subjected to excessive ground shaking in the event of an earthquake. A soils engineering report by GeoSolutions (July 7, 2017) states that based on the consistency and relative density of the in-situ soils, the potential for seismic liquefaction of soils at the site is not a concern. Structures are required to be designed in compliance with seismic design criteria established in the California Building Code for Seismic Zone D and City Codes require new structures be built to resist such shaking or to remain standing in an earthquake.

The Safety Element of the General Plan indicates that the project site has a high potential for liquefaction, which is true for most of the City. Development will be required to comply with all City Codes, including Building Codes, which require proper documentation of soil characteristics for designing structurally sound buildings to ensure new structures are built to resist such shaking or to remain standing in an earthquake. Incorporation of required California Building Code, City Codes, and development in accordance with the General Plan Safety Element will reduce impacts related to seismic hazards to less than significant levels.

b) This is a previously developed infill site, located in an urbanized area of the City. The most significant source of potential erosion of on-site soils would be during initial site ground disturbance/construction and from stormwater runoff. The project applicant has prepared a Stormwater Control Plan (Ashley and Vance Engineering, Inc., May 4, 2018) and a Conceptual Landscape Plan. Development in accordance with the Stormwater Control Plan will address stormwater flow across the site,

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and landscaping planting will help ensure the natural retention of stormwater and help address potential erosion. Additionally, the dust reduction measures of Mitigation Measure AQ 3 will also minimize soil erosion. Therefore, erosion impacts are considered less than significant.

e) The proposed project will be required to connect to the City’s sewer system. Septic tanks or alternative wastewater systems are not proposed and will not be used on the site. No impact.

Conclusion: Less than significant impact.

7. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	13,20, 21			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	13,20, 21			X	

Evaluation

As outlined in the City LUCE Update EIR, prominent GHG emissions contributing to the greenhouse effect are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF6). Anthropogenic (human-caused) GHG emissions in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of the earth’s climate, known as global climate change or global warming. Global sources of GHG emissions include fossil fuel combustion in both stationary and mobile sources, fugitive emissions from landfills, wastewater treatment, agricultural sources, deforestation, high global warming potential (GWP) gases from industrial and chemical sources, and other activities.

The major sources of GHG emissions in the City are transportation-related emissions from cars and trucks, followed by energy consumption in buildings. These local sources constitute the majority of GHG emissions from community-wide activities in the city, and combine with regional, statewide, national, and global GHG emissions that result in the cumulative effect of global warming, which is causing global climate change. A minimum level of climate change is expected to occur despite local, statewide, or other global efforts to mitigate GHG emissions. The increase in average global temperatures will result in a number of locally-important adverse effects, including sea-level rise, changes to precipitation patterns, and increased frequency of extreme weather events such as heat waves, drought, and severe storms.

Statewide legislation, rules and regulations that apply to GHG emissions associated with the Project Setting include the Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32), Climate Pollution Reduction Beyond 2020 Healthier Communities and a Stronger Economy (Senate Bill [SB] 32), the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill [SB] 375), Advanced Clean Cars Rule, Low Carbon Fuel Standard, Renewable Portfolio Standard, California Building Codes, and recent amendments to the California Environmental Quality Act (CEQA) pursuant to SB 97 with respect to analysis of GHG emissions and climate change impacts.

Plans, policies and guidelines have also been adopted at the regional and local level that address GHG emissions and climate change effects in the City. The San Luis Obispo County Air Pollution Control District (APCD) adopted a CEQA Review Handbook, as well as guidance on GHG emission thresholds and supporting evidence, that may be applied by lead agencies within San Luis Obispo County (APCD 2012a, 2012b). The City also adopted a Climate Action Plan (CAP) that includes a GHG emissions inventory, identifies GHG emission reduction targets, and includes specific measures and implementing actions to both reduce community-wide GHG emissions and help the city build resiliency and adapt to the effects of climate change.

a, b) The proposed project will result in infill development, located in close proximity to transit, services and employment centers. City policies recognize that compact, infill development allows for more efficient use of existing infrastructure and aids Citywide efforts to reduce greenhouse gas emissions. The City’s CAP also recognizes that energy efficient design will result in significant energy savings, which result in emissions reductions.

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The emissions from project-related vehicle exhaust comprise the vast majority of the total project CO₂ emissions. The remaining project CO₂ emissions are primarily from building heating systems and increased regional power plant electricity generation due to the project's electrical demands.

Short Term Construction-Related GHG Emissions: Construction activities would generate GHG emissions through the use of on- and off-road construction equipment in new development. Mitigation Measures AQ 3, AQ 4, and AQ 5 address vehicle and equipment exhaust, and include provisions for reducing those impacts to less than significant levels.

Long-Term Operational GHG Emissions: Additional long-term emissions associated with the project relate to indirect source emissions, such as electricity usage. State Title 24 regulations for building energy efficiency are enforced with new construction. Table 1-1 of the SLOAPCD CEQA Air Quality Handbook indicates that the construction of condos / townhouses with less than 103 dwelling units would not exceed the threshold of significance for the APCD Annual Bright Line threshold (MT CO₂e). Therefore, operational phase air quality impacts are considered less than significant.

Conclusion: Less than significant impact.

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	4, 9			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	4, 9			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	9,10			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would create a significant hazard to the public or the environment?	9,31				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	1,4				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	1,4				X
g) Impair implementation of, or physically interfere with, the adopted emergency response plan or emergency evacuation plan?	4, 17			X	
h) 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 residents are intermixed with wildlands?	4,9,17			X	

Evaluation

As outlined in the recent City LUCE Update EIR, the analysis of hazards and hazardous material impacts relates to hazards regarding safety risks posed by airport flight patterns, impeding of adopted emergency response/evacuation plans, and wildland fires where wildlands are adjacent to urbanized areas; and hazardous materials or substances regarding routine

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transport or disposal of substances, explosion or release of substances, and emissions or handling of substances within one-quarter mile of an existing or planned school. The following is a brief outline of the primary identified hazards:

Fire Hazards: Fires have the potential to cause significant losses to life, property, and the environment. Urban fire hazards result from the materials that make up the built environment, the size and organization of structures, and spacing of buildings. Additional factors that can accelerate fire hazards are availability of emergency access, available water volume and pressure for fire suppression, and response time for fire fighters. Fire hazard severity in rural areas, including areas on the edge between urban and rural land (commonly called the wildland interface), are highly influenced by the slope of the landscape and site vegetation and climate. This risk is somewhat amplified by the native, Mediterranean vegetation common to the rural setting in which the City is located that has evolved to rely on wildfires for its ecological sustainability. Where wildland fires may be a threat, plant fuels are often managed by replacement planting, grazing, plowing, or mechanical clearing.

Hazardous Materials: Hazardous materials are defined as substances with physical and chemical properties of ignitability, corrosivity, reactivity, or toxicity which may pose a threat to human health or the environment. This includes, for example, chemical materials such as petroleum products, solvents, pesticides, herbicides, paints, metals, asbestos, and other regulated chemical materials. Additionally, hazards include known historical spills, leaks, illegal dumping, or other methods of release of hazardous materials to soil, sediment, groundwater, or surface water. If a historical release exists, then there is a risk associated with disturbing the historical release area. The potential for risks associated with hazardous materials are varied regionally. The primary risk concerns identified by the City, as stipulated in the City’s General Plan Safety Element, include radiation hazards and the transportation of hazardous materials in and around the city. Most of these incidents are related to the increasing frequency of transport of chemicals over roadways, railways or through industrial accidents. Highway 101 and a rail corridor are major transportation corridors through the San Luis Obispo area.

Airport Hazards: The San Luis Obispo County Airport provides commuter, charter, and private aviation service to the area. The primary hazard associated with land uses near the airport is the risk of aircraft incidents on approach and take-off. Aircraft flight operations are determined largely by the physical layout of the airport and rules of the Federal Aviation Administration. The County manages activities on the airport property through the Airport Land Use Commission (ALUC). As the means of fulfilling these basic obligations, the ALUC must prepare and adopt Airport Land Use Plans (ALUPs) for each airport within their jurisdiction. The policies in the ALUP are intended to minimize the public’s exposure to excessive noise and safety hazards while providing for the orderly expansion of airports (Public Utility Code Section 21670(a)(2)). The ALUC has developed an ALUP for the San Luis Obispo County Regional Airport that was first adopted in 1973, was updated in May 2005 and is currently being updated. The ALUP has identified safety zones with associated land use density and intensity restrictions. The ALUP defines these as:

- Runway Protection Zones – Areas immediately adjacent to the ends of each active runway, within which the level of aviation safety risk is very high and in which, consequently, structures are prohibited and human activities are restricted to those which require only very low levels of occupancy.
- Safety Areas S-1 a through c – The area within the vicinity of which aircraft operate frequently or in conditions of reduced visibility at altitudes less than 500 feet above ground level (AGL).
- Safety Area S-2 – The area within the vicinity of which aircraft operate frequently or in conditions of reduced visibility at altitudes between 501 and 1000 feet above ground level (AGL). Because aircraft in Area S-2 are at greater altitude and are less densely concentrated than in other portions of the Airport Planning Area, the overall level of aviation safety risk is considered to be lower than that in Area S-1 or the Runway Protection Zones.

a) The proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would be required to comply with applicable building, health, fire, and safety codes. Hazardous materials would be used in varying amounts during construction and occupancy of the project. Construction and maintenance activities would use hazardous materials such as fuels (gasoline and diesel), oils, and lubricants; paints and paint thinners; glues; cleaners (which could include solvents and corrosives in addition to soaps and detergents); and possibly pesticides and herbicides. The amount of materials used would be small, so the project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials, as such uses would have to comply with applicable federal, state, and local regulations, including but not limited to Titles 8 and 22 of the CCR, the Uniform Fire Code, and Chapter 6.95 of the California Health and

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Safety Code.

With respect to operation of the project, residential units do not generate significant amounts of hazardous materials, and only a minimal amount of routine “household” chemicals would be stored on-site. These materials would not create a significant hazard to the public or to the environment. This impact would be considered less than significant.

b) As discussed in Impacts a and c, the proposed project would not result in 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. Implementation of Title 49, Parts 171–180, of the Code of Federal Regulations and stipulations in the General Plan Safety Element would reduce any impacts associated with the potential for accidental release during construction or occupancy of the proposed project or by transporters picking up or delivering hazardous materials to the project site. These regulations establish standards by which hazardous materials would be transported, within and adjacent to the proposed project. Where transport of these materials occurs on roads, the California Highway Patrol is the responsible agency for enforcement of regulations.

The project also includes demolition of existing structures on the property including structures that are over 50 years old that could contain asbestos and lead. Asbestos, a naturally occurring fibrous material, was used as a fireproofing and insulating agent in building construction before being banned by the US Environmental Protection Agency (EPA) in the 1970s. Because it was widely used prior to discovery of its negative health effects, asbestos can be found in a variety of building materials and components including sprayed-on acoustic ceiling materials, thermal insulation, wall and ceiling texture, floor tiles, and pipe insulation. Asbestos is classified into two main categories: friable and non-friable. Friable asbestos can release asbestos fibers easily when disturbed and is considered Regulated Asbestos-Containing Material (RACM). Friable (easily crumbled) materials are particularly hazardous because inhalation of airborne fibers is the primary mode of asbestos entry into the body, which potentially causes lung cancer and asbestosis. Non-friable asbestos will release fibers less readily than RACM and is referred to as Category I or Category II, non-friable. Non-friable asbestos and encapsulated friable asbestos do not pose substantial health risks. The California Occupational Safety and Health Administration (Cal/OSHA) considers asbestos-containing building materials (ACBM) to be hazardous when a sample contains more than 0.1 percent asbestos by weight; Cal/OSHA requires it to be handled by a licensed, qualified contractor.

Lead can be found in paint, water pipes, plumbing solder, and in soils around buildings and structures with lead-based paint. In 1978, the federal government required the reduction of lead in house paint to less than 0.06 percent (600 parts per million [ppm]). However, some paints manufactured after 1978 for industrial uses or marine uses legally contain more than 0.06 percent lead. Exposure to lead can result in bioaccumulation of lead in the blood, soft tissues, and bones. Children are particularly susceptible to potential lead-related health problems because lead is easily absorbed into developing systems and organs.

Prior to any building demolition, CCR Title 8 Section 5208 requires that a state-certified risk assessor conduct a risk assessment and/or paint inspection of all structures constructed prior to 1978 for the presence of asbestos. If such hazards are determined to exist on site, the risk assessor would prepare a site-specific hazard control plan detailing ACBM removal methods and specific instructions for providing protective clothing and gear for abatement personnel. If necessary, the project sponsor would be required to retain a state-certified ACBM removal contractor (independent of the risk assessor) to conduct the appropriate abatement measures as required by the plan. Wastes from abatement and demolition activities would be disposed of at a landfill(s) licensed to accept such waste. Once all abatement measures have been implemented, the risk assessor would conduct a clearance examination and provide written documentation to the City that testing and abatement have been completed in accordance with all federal, state, and local laws and regulations.

Several regulations and guidelines pertain to abatement of and protection from exposure to lead-based paint. These include Construction Safety Order 1532.1 from Title 8 of the CCR and lead-based paint exposure guidelines provided by the US Department of Housing and Urban Development (HUD). In California, lead-based paint abatement must be performed and monitored by contractors with appropriate certification from the California Department of Health Services. Compliance with existing regulations would ensure impacts related to hazardous materials exposure would be less than significant.

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c) The proposed project is a single-family residential development with parking and associated amenities and is approximately 0.68 miles southwest of Sinsheimer Elementary School. As discussed in Impacts a and b, the proposed project a residential use that would not result in 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 at the existing school, and this impact would be considered less than significant.

d) The project site is not on a parcel included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (DTSC 2012) and, as a result, would not create a significant hazard to the public or the environment. No impact.

e, f) The project site is located in the vicinity of the San Luis Obispo County Regional Airport and is located within the S-2 Safety Area of the County Airport Land Use Plan (ALUP). The project site is subject to the City’s Airport Overlay Zone (AOZ) which allows development based on the development standards for the zone (Table 10, Zoning Regulations). The proposed project complies with the density (12 density units per acre) and development standards for the R-2 zone. The project site is not in the vicinity of a private airstrip. Less than significant impact.

g, h) The Fire Marshal has reviewed the design of the project and determined that the project would not interfere with any emergency response plan or emergency evacuation plans. The proposed project site is not within or adjacent to a wildland area and will not expose people or structures to a significant risk of loss, injury, or death. Less than significant impact.

Conclusion: Less than significant impact.

9. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?	5,9, 15, 16,27				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. The production rate of pre-existing nearby wells would drop to a level which would not support existing land uses for which permits have been granted)?	5,9, 15, 16,27				X
c) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation onsite or offsite?	5,9, 15, 16,27			X	
d) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial flooding onsite or offsite?	5,9, 15, 16,27			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	5,9, 15, 16,27			X	
f) Otherwise substantially degrade water quality?	5,9, 27			X	
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	5,9, 15, 16,27				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	5,9, 27				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	4,5,9, 27				X
j) Inundation by seiche, tsunami, or mudflow?	4,9				X

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Evaluation

As discussed in the City’s LUCE Update EIR, the project site is located within the San Luis Obispo Creek Hydrologic Subarea of the Estero Bay Hydrologic Unit, an area that corresponds to the coastal draining watersheds west of the Coastal Range. The Estero Bay Hydrologic Unit stretches roughly 80 miles between the Santa Maria River and the Monterey County line and includes numerous individual stream systems. Within the Estero Bay Hydrologic Unit, the San Luis Obispo Creek watershed drains approximately 84 square miles.

The City of San Luis Obispo is generally located within a low-lying valley centered on San Luis Obispo Creek. San Luis Obispo Creek is one of four major drainage features that create flood hazards in the city, with the others being Stenner Creek, Prefumo Creek, and Old Garden Creek. In addition, many minor waterways drain into these creeks, and these can also present flood hazards. Because of the high surrounding hills and mountains in the area, the drainage sheds of these creeks are relatively small, but the steep slopes and high gradient can lead to intense, fast moving flood events in the city.

According to the Central Coast Regional Water Quality Control Board (Central Coast RWQCB), water quality in the San Luis Obispo Creek drainage system is generally considered to be good. However, the water quality fluctuates along with seasonal changes in flow rates. In summer months, when the flows decrease, and dilution is reduced, water quality decreases. According to the RWQCB Total Maximum Daily Load (TMDL) Project for San Luis Obispo Creek, the creek has been reported to exceed nutrient and pathogen levels.

Groundwater within the San Luis Obispo Valley Sub-basin flows toward the south-southwest, following the general gradient of surface topography. Groundwater within the San Luis Obispo area is considered suitable for agricultural water supply, municipal and domestic supply, and industrial use.

a, f) The project does not violate any water quality standards or waste discharge requirements or substantially degrade water quality because the project is required to comply with the Central Coast Regional Water Quality Control Board (RWQCB) requirements set forth in their Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region. The project includes a Stormwater Control Plan (SWCP) (Ashley and Vance Engineering, Inc., May 4, 2018). The plan states that the project will result in over 5,000 square feet of impervious surface and will be subject to SWCP Performance Requirements 1 and 2 as follows: 1) Site Design and Runoff Reduction and 2) Water Quality Treatment. To meet these requirements the project includes the following design features: 1) direct roof runoff to vegetated planters in areas that are near paved surfaces, and to vegetated swales in areas that are further away, 2) installation of permeable surfacing wherever appropriate for walkways, driveways, and parking areas to reduce runoff, and 3) implementation of infiltration pits and bioinfiltration swales.

b) The project will be served by the City’s sewer and water systems and will not deplete groundwater resources. No impact.

c, d, e) Physical improvement of the project site will be required to comply with the drainage requirements of the City’s Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City’s watershed. The Waterways Management Plan and Low Impact Development (LID) stormwater treatment requires that site development be designed so that post-development site drainage does not significantly exceed pre-development run-off. In addition, the project is required to comply with the City’s engineering standards, water pollution control plan requirements, Post Construction Stormwater Requirements, and adopted building and grading codes for water quantity/quality analysis. Less than significant impact.

g, h) The project site is located at the base of the South Hills and is not within the boundaries of an area subject to inundation from flood waters in a 100-year storm per the Federal Flood Hazard Boundary or Flood Insurance Rate Map. The project will not impede or re-direct the flow of any waters. No impact.

j) The proposed development is outside the zone of impacts from seiche or tsunami, and the existing upslope projects do not generate significant storm water runoff such to create a potential for inundation by mudflow. The Soils Engineering Report prepared by GeoSolutions, Inc. (July 7, 2017) has not identified upslope or on-site slope instability. No impact.

Issues, Discussion and Supporting Information Sources Rockview Moderns: SBDV-1211-2017 EID-1303-2017	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Conclusion: Less than significant impact

10. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?	1, 9,11				X
b) Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	1,9, 10			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plans?	5,9, 10				X

Evaluation

a) The proposed infill development project is consistent with the development anticipated for the project site under the site's General Plan and zoning designation, since the site is designated for medium density residential land uses and is designed to fit among existing multi-family and single family residential development surrounding it and will not physically divide an established community. Less than significant impact.

b) The proposed project will not conflict with applicable land use plans, policies, or regulations for the purpose of avoiding or mitigating an environmental effect. The project is proposed to be consistent with City regulations and development standards, with the exception of a request for a reduced front yard setback to allow a trellis structure in the front yard, as depicted within Attachment 1, Project Plans, Sheets AC1.0 -1.1. The project is required to be reviewed by the ARC to review the front yard setback for consistency with the Community Design Guidelines. Less than significant impact.

c) As discussed in subsection 4, Biological Resources, the proposed project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan or natural community conservation plan. No impact.

Conclusion: Less than Significant Impact.

11. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	5,9				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	5,9				X

Evaluation

a), b) No known mineral resources are present at the project site. Implementation of the proposed project would not result in the loss of availability of a known mineral resource. The project site is not designated by the general plan, specific plan, or other land use plans as a locally important mineral recovery site. No impact.

Conclusion: No Impact.

12. NOISE. Would the project result in:

a) 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?	3,9, 10,11				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	3,9, 10,11			X	

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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	3,9,10,11			X	
d) A substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	3,9,10,11			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	1,3,9,10,11			X	
f) 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 levels?	3,9,10			X	

Evaluation

As analyzed in the City's LUCE Update EIR, a number of noise-sensitive land uses are present within the City, including various types of residential, schools, hospitals and care facilities, parks and recreation areas, hotels and transient lodging, and place of worship and libraries. Based on ambient noise level measurements throughout the City, major sources of noise include traffic noise on major roadways, passing trains, and aircraft overflights.

a) Residences are designated as noise sensitive by the Noise Element. The Noise Element indicates that noise levels of up to 60 dB are acceptable for outdoor activity areas and noise levels of up to 45 dB are acceptable for indoor areas. Exterior noise levels will be less than 60 dB when attenuation afforded by building features and elevation is taken into account. The project location has not been identified as an area subject to noise sources above the City's thresholds. In addition, interior noise levels of less than 45 dB will be achievable with standard building materials and construction techniques. Impacts associated with 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, would be less than significant.

b) Long-term operational activities associated with the proposed project would be from residential uses, which would not involve the use of any equipment or processes that would result in potentially significant levels of ground vibration. Increases in groundborne vibration levels attributable to the proposed project would be primarily associated with short-term construction-related activities. Construction activities would likely require the use of various types of heavy equipment, such as forklifts, concrete mixers, and haul trucks. Because construction activities are restricted to the days, hours, and sound levels allowed by City ordinance (Chapter 9.12 of the Municipal Code), impacts associated with groundborne vibration and noise would be less than significant.

c) As discussed above, long-term operation of the project involves residential use, which is consistent with existing uses in the project vicinity. Residential uses would not result in substantial changes to the existing noise environment. Operation of the project would be consistent with the existing uses in the vicinity of the project site and would not result in substantial changes to the existing noise environment. Other noise sensitive uses in the vicinity include other neighboring residential developments. These uses will be partially shielded from noise generated by residential uses by distance (over 50 feet from the single-family units to the south of the site) and by the structures themselves. The proposed project would therefore have a less than significant impact related to producing a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

e, f) The project is not within the vicinity of a private airstrip. The project site is located approximately 1.5 miles from the end of San Luis Obispo Airport Runway 29 and outside of the 50 dB contour identified in Figure 1 of the San Luis Obispo County Airport Land Use Plan (ALUP). Table 1 of the General Plan Noise Element states that the maximum noise exposure for outside residential activities is 60 dB. Interior noise levels of less than 45 dB will be achievable with standard building materials and construction techniques. Less than significant impact.

Conclusion: Less than significant Impact.

Issues, Discussion and Supporting Information Sources Rockview Moderns: SBDV-1211-2017 EID-1303-2017	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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13. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?	2,6,9				X
b) Displace substantial numbers of existing housing or people necessitating the construction of replacement housing elsewhere?	1,6,9			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	6,9			X	

Evaluation

a) The project site is designated for multi-family residential development under the General Plan and is zoned R-2 (medium density residential). The proposed project includes development consistent with the anticipated land use and residential density of the site.

New employment generated by the proposed project would not be considered substantial. Considering the project area is currently developed, and the proposed project would utilize existing infrastructure at the subject location, the project would not induce additional growth that would be considered significant. The proposed project would not involve any other components that would induce further growth not already anticipated under the General Plan. Impacts are considered less than significant.

b, c) The project proposes to demolish three residential structures and construct eight new residences, a net increase of five additional units. Removal of the residential structures would not be considered a substantial loss of housing, nor displace substantial numbers of people, since new housing is proposed as part of the project description. Impacts are considered less than significant.

Conclusion: Less than significant impact.

14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision, or need, of new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a) Fire protection?	9,12			X	
b) Police protection?	9,12			X	
c) Schools?	9,12			X	
d) Parks?	12			X	
e) Roads and other transportation infrastructure?	2,9,12			X	
f) Other public facilities?	12			X	

Evaluation

a), b), d), e), f) As an infill site, adequate public services (fire, police, roads and other transportation infrastructure, and other public facilities) are available to serve the project. Future development must comply with applicable City codes and State regulations and building permits will be issued to ensure consistency with these requirements. Less than significant impact.

c) The school districts in the state have the authority to collect fees at the time of issuance of building permits to offset the costs to finance school site acquisition and school construction and are deemed by State law to be adequate mitigation for all school facility requirements. Any increases in demand on school facilities caused by the project are considered to be mitigated by the district's collection of adopted fees at the time of building permit issuance. Less than significant impact.

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Conclusion: Less than significant impact.

15. RECREATION. Would the project:

a) 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?	35			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	35			X	

Evaluation

a), b) The project will add incrementally to the demand for parks and other recreational facilities. However, given the size of the project (eight new residences) and expected number of residents, no significant recreational impacts are expected to occur with development of the site. Park Land In-Lieu fees will be required to be paid to the City to help finance additional park space, maintenance or equipment in the vicinity, per existing City policy. Should the map not be recorded and the project developed as for-rent units on one parcel, the City also collects a Dwelling Unit Construction tax that goes to a Park Improvement Fund with building permits for multi-family projects. Collection of these fees helps offset the impacts of new projects on the City's recreational facilities. Less than significant impact.

Conclusion: Less Than Significant Impact.

16. TRANSPORTATION/TRAFFIC. Would the project:

a) 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?	2,9, 10,22			X	
b) 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?	1,2, 4,9			X	
c) 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?	9,10				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	2,9, 22,32				X
e) Result in inadequate emergency access?	4,9				X
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	2,9				X

Evaluation

a), b) The project does not conflict with any applicable circulation system plans and does not add to demand on the circulation system or conflict with any congestion management programs or any other agency's plans for congestion management. The project will add vehicular trips to local and area streets which lead out of the neighborhood to uncontrolled intersections. The existing streets have sufficient unused capacity to accommodate the added vehicular traffic without

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reducing existing levels of service. The proposed project would not result in a significant impact with regard to increased vehicular trips and does not conflict with performance standards provided in City adopted plans or policies. The project will also contribute to overall transportation infrastructure by participating in the Citywide Transportation Impact Fee program. Less than significant impact.

c) The project will not result in any changes to air traffic patterns and does not conflict with any safety plans of the Airport Land Use Plan. No impact.

d) The project has been designed to meet City Engineering Standards and will not result in safety risks. The project will include curb, gutter, and sidewalk per City Engineering Standards, which will improve pedestrian and vehicle safety along Rockview Drive. No impact.

e) The project has been reviewed by the City Fire Marshal to ensure adequate emergency access has been provided. No impact.

f) The project is consistent with policies supporting alternative transportation due to the site's location within the City's urban center, and its proximity to transit stops, shopping, parks and services. No impact.

g) The project will not result in any changes to air traffic patterns, nor does it conflict with any safety plans of the Airport Land Use Plan. No impact.

Conclusion: Less Than Significant Impact.

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

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	12,23				X
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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	23,24		X		

Evaluation

On February 22, 2018, local Native American tribal groups were formally noticed that an Initial Study of Environmental Impact was being completed for the proposed project at 3063 Rockview Place and invited to provide consultation on the proposed project. No tribal representatives requested a formal consultation; however, one representative requested a Phase I archaeological survey be completed for the site and if the results were positive for cultural resources that all ground disturbing activities for the project be monitored by a qualified archaeologist. Another representative requested that an archeological monitoring plan be incorporated as mitigation for the project. Based on these requests the applicant has indicated that the project will conduct archeological monitoring during ground disturbances in the unlikely event that any materials are encountered (see Section 5: Cultural Resources for further discussion and Mitigation Measure CR-1).

a) The project site does not contain any structures that are listed or eligible for listing in the California Register of Historical Resources or local register as defined in Public Resources Section 5020.1(k). No impact.

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b) The site does not contain any known resources considered significant by any California Native American tribe. As discussed in Section 5: Cultural Resources, Mitigation Measure CR-1 requires an archeological monitoring plan to be in place prior to any ground disturbances in the unlikely event that any materials are encountered. Therefore, with the proposed mitigation the project would have a less than significant impact.

Conclusion: With incorporation of the required mitigation measure (Section 5: MM CR-1) impacts are considered less than significant.

18. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	7,9,16			X	
b) Require or result in the construction or expansion of new water treatment, waste water treatment, water quality control, or storm drainage facilities, the construction of which could cause significant environmental effects?	7,9,16,27,33,34			X	
c) 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?	7,9,16,27			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded water resources needed?	7,9,16			X	
e) 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 commitment?	5,7,9,16,33,34			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	5,8,9			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?	5,8,9			X	

Evaluation

Water: As discussed in the City's LUCE Update EIR, the City of San Luis Obispo Utilities Department provides potable and recycled water to the community and is responsible for water supply, treatment, distribution, and resource planning. The City is the sole water provider within the city limits and most of the City's water is supplied from multiple surface water sources. However, the City also uses groundwater to supplement surface water supplies and recycled water is used to supplement irrigation demand. With the update of the City's Water and Wastewater Element in 2018, the City Council reaffirmed the policy for a multi-source water supply. Consistent with the multi-source water supply concept, the City obtains water from five sources:

- Salinas Reservoir (Santa Margarita Lake) and Whale Rock Reservoir: Combined Safe Annual Yield 4,910 AF/year
- Nacimiento Reservoir: 5,482 AF/year dependable yield/ contractual limit
- Recycled water from the City's Water Resource Recovery Facility (WRRF): 238 AF/year

Wastewater: The wastewater system for the City includes facilities for wastewater collection and treatment. The City's collection system serves residential, commercial, and industrial customers. Sewer service is provided only to properties within the city limits, with the exception of a few residential properties located just outside of the city limits, Cal Poly San Luis Obispo, and the County of San Luis Obispo Airport. There are approximately 12,000 service connections.

The City's Water Resource Recovery Facility (WRRF) processes wastewater in accordance with the standards set by the State's RWQCB. The WRRF removes solids, reduces the amount of nutrients, and eliminates bacteria in the treated

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wastewater, which is then discharged to San Luis Obispo Creek. The WRRF is designed for an average dry weather flow capacity of 5.4 million gallons per day (MGD) and a peak wet weather flow capacity of 19 MGD. In 2017, annual average flows to the WRRF were approximately 3.30 MGD.

Solid Waste: The City’s Utilities Department is responsible for administering an exclusive franchise agreement with San Luis Garbage Company to collect and dispose solid waste generated by residential, commercial, and industrial customers in San Luis Obispo. This agreement also includes curbside recycling, and green waste service. There are three solid waste disposal facilities within San Luis Obispo County. Most solid waste collected in the city is disposed of at the Cold Canyon Landfill. Cold Canyon Landfill is currently (2016) permitted to receive up to 1,650 tons of solid waste per day, with an estimated remaining capacity of 14,500,000 cubic yards (60.1 percent remaining capacity). In 2015, the Cold Canyon Landfill operator estimated the landfill is expected to reach capacity in 2040.

a, b, c, e) The proposed project would result in an incremental increase in demand on City infrastructure, including water, wastewater and storm water facilities. Development of the site is required to be served by City sewer and water service, which both have adequate capacity to serve the use. Existing storm water facilities are present in the vicinity of the project site, and it is not anticipated the proposed project will result in the need for new facilities or expansion of existing facilities which could have significant environmental effects. The developer will be required to construct private sewer facilities to convey wastewater to the nearest public sewer. The on-site sewer facilities will be required to be constructed according to the standards in the Uniform Plumbing Code and City standards. Impact fees are collected at the time building permits are issued to pay for capacity at the City’s Water Resource Recovery Facility (WRRF). The fees are set at a level intended to offset the potential impacts of each new residential unit in the project. This project has been reviewed by the City’s Utilities Department and no resource/infrastructure deficiencies have been identified. Less than significant impact.

d) The proposed project would result in an incremental increase in demand on water supplies, as anticipated under the recent General Plan Update. As analyzed in the LUCE Update EIR, the City has sufficient water supplies for build-out of the City’s General Plan. The incremental change created by the proposed project would be less than significant. This project has been reviewed by the City’s Utilities Department and no resource/infrastructure deficiencies have been identified. Less than significant impact.

f), g) The proposed project will be served by San Luis Garbage Company, which maintains standards for size and access to ensure that collection is feasible, both of which will be reviewed by the Architectural Review Commission. The location and size of trash enclosures proposed for the project have been reviewed by the City and it has been determined that the trash enclosures are sufficient in size to handle the demands of the proposed project.

The Integrated Waste Management Act of 1989 (AB 939) requires each city and county in California to reduce the flow of materials to landfills by 50% (from 1989 levels) by 2000. The proposed project is required to reduce the waste stream generated by development consistent with the City’s Conservation and Open Space Element policies to coordinate waste reduction and recycling efforts (COSE 5.5.3), and Development Standards for Solid Waste Services (available at <http://www.slocity.org/home/showdocument?id=4384>). A solid waste reduction plan for recycling discarded construction materials is a submittal requirement with the building permit application. The incremental additional waste stream generated by this project is not anticipated to create significant impacts to solid waste disposal. This impact would be considered less than significant.

Conclusion: Less Than Significant Impact.

19. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of			X		
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the major periods of California history or prehistory?					
The project is an infill residential development in an urbanized area of the city. Without mitigation, the project could have the potential to have adverse impacts on all of the issue areas checked in the Table on Page 3. As discussed above, potential impacts to air quality and cultural resources will be less than significant with incorporation of recommended mitigation measures.					
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)			X		
The impacts of the proposed project are individually limited and not considered "cumulatively considerable." The proposed project is consistent with the existing Land Use Element and Zoning for medium density residential development and the cumulative impacts of developing this site were analyzed as a part of the Land Use and Circulation Element (LUCE) EIR. Although incremental changes in certain issue areas can be expected as a result of the proposed project, all environmental impacts that could occur as a result of the proposed project would be reduced to a less than significant level through compliance with existing regulations and incorporation of recommended mitigation measures as discussed in this Initial Study.					
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X		
Implementation of the proposed project would result in no environmental effects that would cause substantial direct or indirect adverse effects on human beings, all environmental impacts that could occur as a result of the proposed project would be reduced to a less than significant level through compliance with existing regulations and incorporation of recommended mitigation measures as discussed in this Initial Study.					

20. EARLIER ANALYSES.
Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:
a) Earlier analysis used. Identify earlier analyses and state where they are available for review.
City of San Luis Obispo Land Use and Circulation Element (LUCE) Update EIR, available for review at the City Community Development Department (919 Palm Street, San Luis Obispo, CA 93401), or at the following web site: http://www.slocity.org/government/department-directory/community-development/planning-zoning/general-plan
b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
Applicable excerpts, analysis and conclusions from the LUCE Update EIR have been added to each impact issue area discussion. Where project specific impacts and mitigation measures have been identified that are not addressed in the LUCE Update EIR, original analysis has been provided and mitigation has been recommended to reduce impact levels as needed.
c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.
N/A

21. SOURCE REFERENCES.
1. City of SLO General Plan Land Use Element, December 2014
2. City of SLO General Plan Circulation Element, December 2014
3. City of SLO General Plan Noise Element, May 1996
4. City of SLO General Plan Safety Element, March 2012
5. City of SLO General Plan Conservation & Open Space Element, April 2006

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6.	City of SLO General Plan Housing Element, January 2015
7.	City of SLO General Plan Water and Wastewater Element, March 2018
8.	City of SLO Source Reduction and Recycling Element, on file in the Utilities Department
9.	City of SLO General Plan EIR 2014 for Update to the Land Use and Circulation Elements
10.	City of San Luis Obispo Municipal Code (which includes the City Zoning Regulations, Chapter 17)
11.	City of San Luis Obispo Community Design Guidelines, June 2010
12.	City of San Luis Obispo, Land Use Inventory Database
13.	City of SLO Climate Action Plan, August 2012
14.	2013 California Building Code
15.	City of SLO Waterways Management Plan
16.	Water Resources Status Report, July 2012, on file with in the Utilities Department
17.	Site Visit
18.	Staff Knowledge
19.	Website of the Farmland Mapping and Monitoring Program of the California Resources Agency: http://www.consrv.ca.gov/dlrp/FMMP/
20.	CEQA Air Quality Handbook, Air Pollution Control District, April 2012
21.	Clean Air Plan for San Luis Obispo County, Air Pollution Control District, 2001
22.	Institute of Transportation Engineers, Trip Generation Manual, 9 th Edition, on file in the Community Development Department
23.	City of San Luis Obispo, Historic Resource Preservation Guidelines, on file in the Community Development Department
24.	City of San Luis Obispo, Archaeological Resource Preservation Guidelines, on file in the Community Development Department
25.	City of San Luis Obispo, Historic Site Map
26.	City of San Luis Obispo Burial Sensitivity Map
27.	Stormwater Control Plan. Ashley & Vance Engineering, Inc. May 4, 2018
28.	Focused Spring Botanical Survey. Terra Verde Environmental Consulting. May 1, 2018
29.	Soils Engineering Report. GeoSolutions, Inc. July 7, 2017
30.	San Luis Obispo County Airport Land Use Plan
31.	Website of the California Environmental Protection Agency, Cortese List: https://calepa.ca.gov/SiteCleanup/CorteseList/
32.	Project Plans
33.	2012 Sanitary Sewer Flow Monitoring and Inflow/Infiltration Study
34.	2016 Wastewater Collection System Infrastructure Renewal Strategy
35.	City of SLO General Plan Parks & Recreation Element, April 3, 2001

Note: All documents listed above are available for review at the City of San Luis Obispo Community Development Department, 919 Palm Street, San Luis Obispo, California (805) 781-7101.

Attachments:

1. Project Plans

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REQUIRED MITIGATION AND MONITORING PROGRAMS

Air Quality

Mitigation Measure AQ-1: Prior to grading plan approval, the project proponent shall ensure that a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Technical Appendix 4.4 of this Handbook includes a map of zones throughout SLO County where NOA has been found and geological evaluation is required prior to any grading.

More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos.php>.

- **Monitoring Plan, AQ-1:** All mitigation measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor compliance with APCD requirements. The name and telephone number of such persons shall be provided to the APCD, Community Development and Public Works Departments prior to commencement of construction. The applicant shall provide documentation of compliance with APCD requirements to City staff prior to issuance of any grading or building permits.

Mitigation Measure AQ-2: Any scheduled demolition activities or disturbance, removal, or relocation of utility pipelines shall be coordinated with the APCD Enforcement Division at (805) 781-5912 to ensure compliance with NESHAP, which include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM.

More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos.php>.

- **Monitoring Plan, AQ-2:** All mitigation measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor compliance with APCD requirements. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD, Community Development and Public Works Departments prior to commencement of construction.

Mitigation Measure AQ-3: During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, modify practices as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Community Development and Public Works Departments prior to commencement of construction.

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- a. Reduce the amount of disturbed area where possible.
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Increased watering frequency will be required whenever wind speeds exceed 15 m.p.h. and cessation of grading activities during periods of winds over 25 m.p.h. Reclaimed (non-potable) water is to be used in all construction and dust-control work.
- c. All dirt stock pile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil disturbing activities.
- e. Exposed grounds 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.
- f. 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 APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 m.p.h. on any unpaved surface at the construction site.
- i. 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.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- l. All PM10 mitigation measures required shall be shown on grading and building plans.
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD's limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

➤ Monitoring Plan, AQ-3: All mitigation measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone

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number of such persons shall be provided to the APCD, Community Development and Public Works Departments prior to commencement of construction.

Mitigation Measure AQ-4: Prior to any construction activities at the site, the project proponent shall ensure that all equipment and operations are compliant with California Air Resource Board and APCD permitting requirements and shall contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

- **Monitoring Plan, AQ-4:** All mitigation measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor compliance with APCD requirements. The name and telephone number of such persons shall be provided to the APCD, Community Development and Public Works Departments prior to commencement of construction. The applicant shall provide documentation of compliance with APCD requirements to City staff prior to issuance of any grading or building permits.

Mitigation Measure AQ-5: To reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project and export soil from the site, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations
 - a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 1. Shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of restricted area, except as noted in Subsection (d) of the regulation.
 - b. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board’s In-Use Off-road Diesel regulation.
 - c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state’s 5-minute idling limit.
2. Diesel Idling Restrictions Near Sensitive Receptors (residential homes). In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
 - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.
 - c. Use of alternative fueled equipment is recommended.
 - d. Signs that specify the no idling areas must be posted and enforced at the site.

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3. Soil Transport. It is estimated that 16,000 cubic yards of cut material (i.e., soils) will be cut from the site, but the final volume of soil that will be hauled off-site, together with the fleet mix, hauling route, and number of trips per day will need to be identified for the APCD. Specific standards and conditions will apply.

- **Monitoring Plan, AQ-5:** All mitigation measures shall be shown on grading and building plans. In addition, the contractor shall designate a person or persons to monitor that idling control techniques are being implemented to reduce sensitive receptor emissions impact of diesel vehicles and equipment during construction. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD, Community Development and Public Works Departments prior to commencement of construction. The applicant shall provide documentation of compliance with APCD requirements to City staff prior to issuance of any grading or building permits.

Mitigation Measure CR-1: Preservation of Archeological Resources. A monitoring plan shall be prepared and approved by the City prior to building permit approval. The plan shall include survey results that outline where monitoring is required on the site and note when a Native American monitor is required. The plan shall provide protocols for stoppage of work and treatment of human remains, staff education requirements, and a data recovery plan to be implemented in case significant deposits are exposed.

- **Monitoring Plan, CR-1:** Building/grading plans shall show and outline all details and requirements of the monitoring plan prepared by a City qualified Registered Professional Archeologist to be implemented during construction. The monitoring plan shall specify methods and procedures for identifying those deposits during construction; standards for assessing the significance and integrity of any deposits so identified; and methods and procedures for mitigating impacts on significant deposits. The plan also shall identify the qualified professional who will conduct the monitoring and circumstances where a Native American tribal representative or qualified site monitor may be required.