



**ZONING REGULATIONS UPDATE  
DRAFT INITIAL STUDY/NEGATIVE DECLARATION  
(CITYWIDE; GENP-0327-2017)  
JUNE 2018, Amended JULY 2018**

**INTRODUCTION**

This document is an Initial Study to evaluate the potential environmental effects of the City of San Luis Obispo's proposed Zoning Regulations Update (also referenced as the "Project"). This document has been prepared in accordance with the relevant provisions of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State *CEQA Guidelines* as implemented by the City of San Luis Obispo. This Initial Study/Negative Declaration (IS/ND) evaluates the potential direct, indirect, and cumulative environmental effects associated with the Project, as proposed, and based on reasonable assumptions outlined in this Initial Study. The proposed Zoning Regulations Update implements the policies of the City's Land Use and Circulation Element (LUCE) by classifying, defining, and regulating the development and uses of land and structures within the City. The Project is described in detail below (refer to Description of the Project).

**BACKGROUND**

In 2014, the City adopted a new General Plan Land Use and Circulation Element (LUCE) and certified the associated Final Program Environmental Impact Report (EIR) (State Clearinghouse No. 2013121019; herein referred to as the "LUCE EIR"). The Land Use Element sets direction for the orderly development of land within the City's planning area, and the Circulation Element describes how transportation will be provided in the community envisioned by the Land Use Element. Following adoption of the LUCE, City Planning staff began the process of identifying which land use policies would be most effectively implemented via changes to the City Zoning Regulations.

The Zoning Regulations are the key tool used to implement land use and circulation policies related to parking management, transit, bicycling, and pedestrian accommodation. Zoning Regulations are intended to guide the development of the city in an orderly manner, based on the adopted general plan, to protect and enhance the quality of the natural and built environment, and to promote the public health, safety and general welfare by regulating the use of land and buildings and the location and basic form of structures. The Zoning Regulations Update is focused on implementation of the policies and programs in the LUCE. The Update also provides an opportunity to incorporate best practices and to address deficiencies identified by staff.

Additional background information regarding the Zoning Regulations Update is available on the City's website: <http://www.slocity.org/government/departments-directory/community-development/planning-zoning/zoning/zoning-regulations-update>

## PURPOSE AND LEGAL AUTHORITY

In accordance with the California Environmental Quality Act (Public Resources Code Section 21000, et. Seq.) and the 2018 State *CEQA Guidelines*, as lead agency, the City of San Luis Obispo is required to undertake the preparation of an Initial Study to determine whether the Project would have a significant environmental impact. If, as a result of the Initial Study, the lead agency finds that there is evidence that any aspect of the Project may cause a significant environmental effect, the lead agency shall further find that an EIR is warranted to analyze Project-related and cumulative environmental impacts. Alternatively, if the lead agency finds that there is no evidence that the Project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the lead agency shall find that the Project would not have a significant effect on the environment and shall prepare a Negative Declaration or Mitigated Negative Declaration (ND or MND) for the Project. Such determination can be made only if “there is no substantial evidence, in light of the whole record before the lead agency” that such an effect may occur (Section 21080(c), Public Resources Code). Additionally, Section 15152 of the State *CEQA Guidelines* allows an EIR or ND to tier from the environmental analysis of an earlier EIR or ND as follows:

“Tiering refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.” The State *CEQA Guidelines* states that agencies “are encouraged to tier the environmental analyses which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration. Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration. However, the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed” (State *CEQA Guidelines* Section 15152).

State *CEQA Guidelines* Section 15168 states that a Program EIR may be used with later activities as follows:

“Use with Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

- (1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.
- (2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
- (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.

(4) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

(5) A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.”

The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency with and successful implementation of the LUCE. Pursuant to CEQA, the City of San Luis Obispo has prepared this Initial Study/Negative Declaration (IS/ND) to evaluate the potential environmental effects of the proposed Zoning Regulations Update. This IS/ND addresses all environmental issues listed in Appendix G of the State *CEQA Guidelines*. Since the Zoning Regulations update is consistent with the 2014 LUCE, this IS/ND tiers with and incorporates, by reference, the City’s previously-certified Program EIR (September 2014) prepared for the LUCE pursuant to State *CEQA Guidelines* Sections 15150, 15152, and 15168.

This IS/ND, which is ultimately required to be adopted by the City Council in accordance with CEQA, is intended as an informational document. Future land uses allowed pursuant to the Draft Zoning Regulations would be subject to further entitlement review and project-specific use, development, and design standards as required by the Zoning Regulations, as updated. Additionally, future land uses would be subject to review on a project-specific basis, and if necessary, project-level CEQA review will be required to determine project-specific impacts. Evaluation of future project-level impacts would be too speculative to include in the IS/ND; State *CEQA Guidelines* Section 15145 (Speculation) states that “if after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.” Based on the analysis provided within this IS/ND, the City has concluded that adoption of the Draft Zoning Regulations Update would not result in new significant impacts on the environment that have not been previously examined or adequately addressed in the LUCE EIR. No new mitigation measures would be required, and mitigation measures that were adopted for the LUCE EIR continue to remain applicable, as such measures were incorporated into the General Plan following City Council’s adoption of the LUCE.

#### **PRIOR ENVIRONMENTAL DOCUMENTS**

The LUCE Program EIR, from which this ND is tiered with, evaluated impacts associated with the LUCE, including cumulative impacts associated with future development occurring under the LUCE. The LUCE Program EIR is available for public review at the City of San Luis Obispo Community Development Department, located at 919 Palm Street, San Luis Obispo, California, 93401. The certified EIR for the LUCE Update is available on the City’s website: <http://www.slocity.org/government/departments-directory/community-development/planning-zoning/general-plan>

## **AMENDMENTS TO THE INITIAL STUDY**

Minor amendments to this Initial Study have been made in order to clarify the use of this document in relation to the LUCE Program EIR, and to provide additional source information as directed by the City Planning Commission. Such minor amendments are indicated by underlined and italicized text and these clarifications do not include any substantial revisions and do not change the analysis or conclusions of the publicly circulated Initial Study / Negative Declaration.

Pursuant to State *CEQA Guidelines* Section 15073.5 (Recirculation of a Negative Declaration Prior to Adoption), these clarifications do not constitute a substantial revision of the negative declaration because: (1) no new, avoidable significant effects are identified and no new mitigation measures or project revisions are required in order to reduce the level of effect to insignificance; (2) the lead agency has not determined that any mitigation measures or project revisions would not reduce potential effects to less than significant, and as such, no new measures or revisions are required.

Pursuant to State *CEQA Guidelines* Section 15073.5(c), recirculation of the Initial Study / Negative Declaration is not required because: (1) new project revisions are added in response to written and verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects, and (2) new information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.



## INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** City of San Luis Obispo Zoning Regulations Update (GENP-0327-2017)
2. **Lead Agency Name and Address:** City of San Luis Obispo  
Community Development Department  
919 Palm Street, San Luis Obispo, CA 93401
3. **Contact Person and Phone Number:** Doug Davidson, 805-781-7177
4. **Project Location:** Citywide
5. **Project Sponsor's Name and Address:** City of San Luis Obispo  
Community Development Department  
919 Palm Street, San Luis Obispo, CA 93401
6. **General Plan Designations:** Multiple (Citywide)
7. **Zoning:** Multiple (Citywide)
8. **Description of the Project:**

In 2014, the City adopted a new General Plan Land Use and Circulation Element (LUCE) and certified the associated Final Program Environmental Impact Report (EIR) (State Clearinghouse No. 2013121019). The LUCE is the City's guiding land use and circulation plan that encompasses the City's vision for the future through the year 2035. The land use component sets direction for "the orderly development of land within the City's planning area", and the circulation component describes "how transportation will be provided in the community envisioned by the Land Use Element."

The Zoning Regulations are the key tool used to implement land use and circulation policies related to the use of land, buildings, location and form of structure, parking management, transit, bicycling, and pedestrian accommodation. Zoning Regulations are intended to guide the development of the city in an orderly manner, based on the adopted general plan, to protect and enhance the quality of the natural and built environment, and to promote the public health, safety and general welfare. The Zoning Regulations Update is focused on implementation of the policies and programs in the LUCE. The update also provides an opportunity to incorporate best practices and to address deficiencies identified by staff in working with the document daily. Additional information regarding the proposed Zoning Regulations Updates is available online

on the City's website at: <http://www.slocity.org/government/department-directory/community-development/planning-zoning/zoning/zoning-regulations-update>

Key revisions made to the Zoning Regulations are as follows:

- 1) Restructured the document to improve ease of use
- 2) Land use tables simplified to consolidate similar uses (e.g., offices), reflect modern land use practices, and create flexibility over time
- 3) Created more objective standards for the review of multi-unit residential development and mixed-use developments consisting of at least two-thirds residential (in response to recent State law)
- 4) New development standards for the R-1 and R-2 zones to address neighborhood compatibility outlined in LUCE policies 2.12 and 2.13
- 5) Revised parking regulations for motor vehicles and bicycles to achieve the City's 50 percent mode shift objective and to provide more precise shared parking provisions
- 6) Codified conditions routinely applied to specific uses (e.g., alcohol establishments, bed and breakfast establishments)
- 7) Clarified provisions for mixed-use developments and required usable and purposeful ground-floor commercial space for mixed-use developments
- 8) On a target basis, included regulations to address the current City's Climate Action Plan (CAP), with the understanding that the CAP is being updated and subsequent follow-up will be required (and that many CAP programs are implemented through avenues other than the Zoning Regulations)
- 9) Responded to policy direction from the City Council provided at its April 10, 2018 workshop regarding:
  - how density is calculated
  - regulation of rooftop uses
  - adequacy of alcohol outlet regulations
  - tiny homes on wheels
  - consolidating and streamlining the development review process
  - updating parking regulations

Additional ordinance amendments proposed in conjunction with updating the Zoning Regulations include applying a Downtown Overlay on parcels zoned C-R (Retail Commercial) within the and rezoning property on north Broad Street from R-1 to R-1-S.

The proposed Zoning Regulations Update is organized into nine articles that are further broken up into chapters. Each article contains chapters covering specific topics. Some of the specific chapters likely to be of high interest are identified below.

Article 1 – Enactment, Applicability, and Enforcement. This Article identifies the purpose and applicability of the Zoning Regulations, and rules and procedures of interpretation. The updated regulations now include the document's relationship to other guidelines and regulations.

Article 2 – Zones, Allowable Uses, and Development and Design Standards. The purpose of this Article is to identify those land uses that may be established in conjunction with any buildings,

improvements, lots, or premises within the zones established by Chapter 17.06 (Zones Established and Zoning Map). This Article includes use regulations by zone, including the purpose and application of each zone, and zone-specific development standards including density, lot size and dimensions, setbacks, height, and impervious area. Consistent with the Land Use Element, the Update recommends a minimum density of 20 units per acre in the R-3 zone. Consistent with the intent of the Medium Density Residential, Medium-High Density Residential, and High Density Residential land use categories identified in the Land Use Element, the proposed Update clarifies that at least two units shall be allowed on each parcel in the R-2 zone, at least three units shall be allowed on each parcel in the R-3 zone, and at least four units shall be allowed on each parcel in the R-4 zone. In addition, the Update proposes that at least two units shall be allowed on each parcel in the Office (O) zone. This Article also identifies prohibited uses and specified requirements for certain uses within identified zones. This Article includes procedures and standards for overlay zones and Special Focus areas.

Article 3 – Regulations and Standards Applicable to All Zones. This Article identifies site development and general development standards, such as (and not limited to) permitted projections into required setbacks, intersection sight distance, height measurement and exceptions, accessory structures, coverage, density, provisions for fences and walls, night sky preservation, performance standards related to air quality, energy conservation, water quality, noise, property maintenance standards, and public art requirements.

Key updates include specifying density for units less than 600 square feet (including studios and one-bedroom units) as 0.50 density units; providing clarifications and additional provisions for edge conditions, that support a floor/area ratio (FAR) reduction, buffers between low-density residential zones or open space area and zones that permit development of higher intensity, and standards for windows, driveways, trash and recycling areas, and hours of operation that address privacy, light and glare, and noise; providing provisions for rooftop open space that would minimize potential noise impacts on residential (R-1) properties as consistent with the Municipal Code; clarifying hillside development standards consistent with the goals of the Land Use and Conservation and Open Space Elements; provision of additional limitations, design standards, pedestrian access requirements for mixed-use developments to further land use and architectural compatibility, public health, and safety; addition of a new section addressing no net loss of residential units, which implements General Plan policies guiding land use and housing preservation; modification of parking requirements to ensure provision of adequate off-street vehicle and bicycle parking, minimize the negative environmental and urban design impacts that can result from parking lots, driveways, and drive aisles, and accommodate and encourage increased use of alternative fuel and zero-emission vehicles; and clarified performance standards for development.

Article 4 – Regulations for Specific Land Uses and Activities. The purpose of Article 4 is to establish standards for the location, site planning, development, and operations of certain land uses that are allowed by within individual or multiple zones, and for activities that require special standards to mitigate their potential adverse impacts. This Article includes regulations, performance standards, and restrictions for specific land uses and activities, including accessory dwelling units and guest quarters, adult entertainment businesses, alcoholic beverage sales, dog boarding and kennels, bed and breakfast establishments, commercial recreation, convenience

stores, electronic game amusement centers, family day care, food trucks, general markets and retail, group housing, high occupancy residential use, home occupations, homeless shelters, homestay rentals, manufacturing, offices uses, outdoor sales, parking as a principal use, pools and pool equipment, recreational vehicles, recycling facilities, safe parking, satellite dish antennas, schools, service and fueling stations, temporary and intermittent uses, utilities, vending machines, wireless telecommunications facilities.

Article 5 – Nonconformities. This Article addresses nonconforming structures, uses, and lots, including limits on reconstruction, provisions for exceptions, and associated regulations. This Article is intended to provide for the correction or removal of nonconforming structures as soon as practical, but not unduly encumber maintenance and continued use of otherwise sound structures.

Article 6 – Permit Procedures. This Article 6 establishes the overall structure for the application, review, and action on City-required permit applications, and identifies and describes those discretionary permits and other approvals required by these Zoning Regulations in Table 6-1 (Review Authority).

Article 7 – Administration of Zoning Regulations. The purpose of this Article is to describe the authority and responsibilities of the Director, Planning Commission, Architectural Review Committee, and Council in the administration of the Zoning Regulations.

Article 8 – Housing-related Regulations. The purpose and intent of this Article are: 1) to promote the public welfare by increasing the production and availability of affordable housing units and 2) to establish an inclusionary housing requirement which implements General Plan policies guiding land use and housing development. This Section addresses inclusionary housing requirements, establishment of the affordable housing fund, in-lieu fees and real property dedication, incentives, application and program requirements and restrictions, affordable housing agreements, and fees. This Article also includes Downtown housing conversion regulations, residential growth-management regulations, and residential occupancy standards.

Article 9 – Definitions. This Article provides definitions of the technical and other terms and phrases used in Title 17 (Zoning Regulations) as a means of providing consistency in its interpretation.

9. **Project Entitlements:** Adoption of Zoning Regulations by the City Council, based on recommendations from the Planning Commission, formal referral to the Airport Land Use Commission



10. **Surrounding Land Uses and Settings:** Multiple (Citywide)
11. **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?**

On April 26, 2018, local Native American tribal groups were formally noticed that an Initial Study of Environmental Impact was being completed for the proposed Zoning Regulations Update and invited to provide consultation on the proposed project. No tribal representatives requested a formal consultation; however, two representatives discussed the proposed Zoning Regulations with City Staff and one requested specific policy language to be included in the Zoning Regulation Update (refer to Initial Study Section 17 Tribal Cultural Resources).

12. **Other public agencies whose approval is required:** County of San Luis Obispo Airport Land Use Commission (formal referral, determination of consistency with Airport Land Use Plan).

**13. Use of this Initial Study as a tiered document.**

*The LUCE Program EIR evaluated all environmental impacts as required by CEQA and included measures to mitigate certain impacts. The Zoning Regulations is an implementing extension of the LUCE. All EIR mitigation measures relevant to Zoning Regulations have already been added to other policy documents, such as the Land Use Element and Safety Element. No EIR mitigation measures were specific to the Zoning Regulations Update. However, as the Zoning Regulations is facilitating growth as directed from the LUCE, a major focus of this Initial Study is to review for consistency with the LUCE EIR and determine if any of the changes to the Zoning Regulations would result in new significant impacts not previously evaluated in the LUCE EIR. As is identified in the following Environmental Factors summary table, no new potentially significant impacts were identified. It is important to note that under each of the environmental factors discussed that most of the analysis, proposed mitigation, and conclusions are from the LUCE as it relates to the Zoning Regulations Update. It is provided in this Initial Study intending to show the level of environmental review performed as well as used as a basis to show consistency with the LUCE EIR.*

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this Project, beyond what was determined in the Land Use and Circulation Element Program Environmental Impact Report, as indicated by the checklist on the following pages.

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

**FISH AND WILDLIFE FEES**

	The Department of Fish and Wildlife has reviewed the CEQA document and written no effect determination request and has determined that the project will not have a potential effect on fish, wildlife, or habitat (see attached determination).
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 Wildlife for review and comment.

**STATE CLEARINGHOUSE**

X	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 Wildlife, 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** (To be completed by the Lead Agency):

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, by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
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 pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	X



Signature

7-25-18

Date

Tyler Corey, Principal Planner  
Printed Name

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. 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

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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**1. AESTHETICS. Would the project:**

a) Have a substantial adverse effect on a scenic vista?	1,2,3, 4,5			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?	1,2,3, 4,5			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1,2,3, 4,5			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1,2,3, 4,5,6			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.

a),b)The Circulation Element and Conservation and Open Space Element (COSE) identify scenic roadways and specific scenic vistas (Circulation Element *Figure 3 Scenic Roadways* and COSE *Figure 11: Scenic Roadways and Vistas*). The LUCE EIR identifies important scenic corridors, including roadways determined to have high and moderate scenic value (refer to LUCE EIR Section 4.1 Aesthetics *Table 4-1-1. Important Scenic Corridors*). Roadways with high scenic value within the City include: U.S. Highway 101 (from the southern city limit to Marsh Street); South Higuera Street (between Prado Road and the southern city limit); Broad Street (between Perkins lane and the southern city limit); Tank Farm Road (between Board and Higuera Street; and east of the UPRR tracks); Johnson Avenue (in the vicinity of Bishop Street); Los Osos Valley Road (west of Laguna Lane to the city limit); and Santa Rosa Street (between Boysen Avenue and the northern city limit). Identified scenic features in the City include: the Morros; Santa Lucia Mountains; Irish Hills; Laguna Lake; Open Space and agricultural fields surrounding the city; historic buildings; Downtown Core streetscape; Mission Plaza; creeks; particularly San Luis Obispo Creek in the Downtown Core; and Mill Street (between Johnson Avenue and Pepper Street) (refer to LUCE EIR Section 4.1 Aesthetics, *Table 4.1-2. Scenic Features in the City*).

The Land Use Element (LUE), Circulation Element, and COSE include policies and programs for open space and hillside protection, development limits and standards within hillside planning areas. The LUE includes goals, policies and programs to protect degradation to the existing visual character and its surroundings from the increase of urbanization along the viewing corridors and scenic roadways. The following policies and programs address potential degradation of existing visual characteristics: 1.4 Urban Edges Character; 1.8.1 Open Space Protection; 2.3.10 Site Constraints; 4.10 Open Places and Views; 4.17 New Buildings and Views; 4.20.4 Building Height; 4.26 Visual Resource Study; 6.2.1 Resource Mapping; 6.4 Hillside Policies; and 6.4.1 The City shall maintain comprehensive standards and policies for hillside development. In addition, the Circulation Element and COSE contains numerous applicable policies and programs in Circulation Element Section 15 Scenic Roadways and COSE Chapter 9 Views.

LUCE EIR Conclusion

The LUCE EIR concluded that “development under the LUCE Update would introduce new development along viewing corridors and scenic roadways, including state scenic highways, in the San Luis Obispo area. This could have a substantial adverse effect on scenic resources or an identified visual resource or scenic vista from a public viewing area. With the incorporation of the proposed LUCE Update policies and existing City policies, potential impacts to such views are considered Class III, less than significant” (LUCE EIR Section 4.1 Aesthetics, Impact AES-1).

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

The proposed Project includes revisions, additions, corrections, and clarifications to various sections of the Zoning Regulations in order to provide a regulatory structure to implement the LUCE. The proposed Project would not change the property development standards (i.e. density, parcel size, setback, height, impervious area) identified for each zone except for the following:

- Residential R-3 zone (change from 18 to 20 units per net acre)
- Allow a minimum of two density units on parcels within the R-2 (Medium Residential Density) zone
- Allow a minimum of three density units on parcels within the R-3 (Medium-High Density) zone
- Allow a minimum of four density units on parcels within the R-4 (High Density) zone
- O (Office) zone (change maximum height from 25 to 35 feet).
- Allow a minimum of two density units on parcels within the O (Office) zone
- PF (Public Facilities) zone – maximum height may be increased up to 50 feet for City-owned facilities
- Proposed overlay zone for Upper Monterey (Santa Rosa to Pepper Street) from C-R (Retail Commercial; maximum height 45 feet) to C-R-D (Downtown overlay; maximum height 50 feet, can be increased up to 75 feet with incentives)

New requirements for edge conditions would result in beneficial effects by facilitating improved neighborhood compatibility and transitions between zones. The edge conditions regulations support a buffer between low-density residential zones or open space areas and zones that permits development of higher intensity. Where multi-unit residential zones or commercial zones are adjacent to lower intensity residential or open space zones, development shall incorporate elements in the site design and building design to soften its impact and to result in a compatible transition to the sensitive zone.

Similar to what was assessed in the LUCE EIR, potential impacts resulting from implementation of the Project may include: blockage of views by construction equipment and staging areas; disruption of views by temporary signage; exposure of slopes and removal of vegetation; structural development within identified scenic areas; and view blockages by new structures, signs, and parking areas. The proposed Project does not include any updates or amendments that would be inconsistent with existing General Plan policies and architectural guidelines in place to protect scenic vistas and other scenic resources. The proposed changes to allow increases in residential density within the R-3 zone and establishing a minimum number of dwelling units within the R-2, R-3, R-4, and O zones would be consistent with the analysis and conclusions of the LUCE EIR, because: these changes are consistent with adopted LUCE maximum dwelling density for the Medium-High Density Residential land use designation (20 units per acre, as shown in LUE Table 4. Residential Population Assumptions), the changes would be consistent with the intention of the Medium, Medium-High and High Density Residential and Office land use designations to provide multi-family and other residential opportunities (see LUE Table 1. General Plan Land Use Designations and Development Standards within the LUCE Planning Sub-area), development of housing projects pursuant to the proposed regulations would result in similar impacts and conclusions as disclosed in the LUCE EIR, and future development would be subject to performance and design standards established for these multi-family residential and office zones.

The proposed changes to allow 10 feet of increased height in the O zone (up to 35 feet) and allowance of two density units on each parcel in the O zone would be consistent with the analysis and conclusions presented in the LUCE EIR because the existing setting includes buildings in the O zone that exceed 25 feet in height (as currently allowed based on consideration of an Administrative Use Permit), existing O zones in the City currently support a mix of residential and office uses, and future development would be subject to site and project-specific analysis including consistency with General Plan policies and Community Design Guidelines that require consideration of scenic resources during the architectural review and entitlement process. The proposed changes to allow 15 feet of increased height in the PF zone (limited to City-owned facilities), would not be inconsistent with the analysis and conclusions presented in the LUCE EIR because future development would be subject to site and project-specific analysis including consistency with General Plan policies and Community Design Guidelines that require consideration of scenic resources during the architectural review and entitlement process.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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The proposed overlay zone for Upper Monterey (from C-R to C-R-D) would allow for additional building height along this corridor, resulting in an expected increase of 5 feet, with provisions for an additional 30 feet based on incorporation of specific incentives identified in the Zoning Regulations Update. This would not be inconsistent with the analysis and conclusions presented in the LUCE EIR because allowable density would not change, *the potential impacts associated with potential future structural development in compliance with the proposed regulations would not result in any new significant impacts beyond what is identified in the LUCE EIR as identified in LUCE EIR Section 4.1 Aesthetics, Impact AES-1*, and future development would be subject to site and project-specific analysis including consistency with General Plan policies and Community Design Guidelines that require preparation of visual resource studies and consideration of scenic resources during the architectural review and entitlement process (*refer to LUE Chapter 4 (Downtown) 4.17 New Buildings and Views, 4.20 Design Principles, 4.20.4 Building Height: “New buildings shall fit within the context and scale of existing development, shall respect views from, or sunlight to, publicly-owned gathering places...and should be stepped back...to maintain a street façade that is consistent with the historic pattern of development” and Conservation and Open Space Element Chapter 9 (Views) 9.1.2 Urban development: “Urban development should reflect its architectural context”, 9.1.5 View protection in new development, 9.2.1 Views to and from public places, and 9.3.5 Visual assessments: “Require evaluations (accurate visual simulations) for projects affecting important scenic resources and views from public places”*).

Furthermore, the proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations, performance standards and design standards that address the preservation of scenic vistas and scenic resources, including those set forth in the Zoning Regulations, as updated, and the General Plan. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations update would be subject to their own environmental review on a project-by-project basis to assess impacts on scenic vistas. Therefore, the proposed Project would not have a substantial adverse effect on a scenic vista. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. The proposed modifications to height development standards would result in potentially significant impacts to scenic views consistent with LUCE EIR, Section 4.1 Aesthetics, Impact AES-1, and the resulting impact would be less than significant based on compliance with the General Plan. Therefore, there would be no new scenic vista impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.1 Aesthetics.

- c) As described in LUCE EIR Section 4.1 Aesthetics, the City combines a compact urban form in a rural setting and does not have one character, but several, transitioning from urban in its Downtown Core to more suburban along the edges. The city has been successful in maintaining an urban or suburban character, while retaining a more rural character outside the city. This is most clearly demonstrated in the Laguna Lake area where Los Osos Valley Road (LOVR) leaves the city, and the relative dense housing stops abruptly, giving way to open space and agriculture in the county. A similar phenomenon is visible in many other areas, notably as one travels west on Foothill Boulevard; south on Johnson Avenue and turns left on Orcutt Road; or even as one leaves the city on Broad Street to the south. To a large extent, this is also true as a traveler leaves the city to the north, on either Highway 1 or 101. LUCE EIR Section 4.1 Aesthetics includes descriptions of several defined areas of the city, including: Downtown Core; Older Downtown Residential Neighborhoods; Foothill Boulevard Neighborhoods; Johnson Avenue Neighborhoods; Neighborhoods South of Tank Farm Road; Laguna Lake Residential Area; Laguna Lake Freeway Commercial and Auto Center Area; Mid- and South Higuera Street; and South Broad Street.

LUCE EIR Conclusion

The LUCE emphasizes both reuse of existing urbanized lands, infill development on vacant parcels, and new development on vacant parcels near urban areas. The LUCE EIR concludes that “the development of such areas could degrade the existing visual character and its surroundings. With the incorporation of the proposed LUCE Update and existing City policies and programs, potential impacts related to existing visual character changes are considered Class III, less than significant” (LUCE EIR Section 4.1 Aesthetics, Impact AES-2).

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

Similar to what was assessed in the LUCE EIR, the intensification of land use anticipated to occur in certain areas of the city may be considered degradation of the existing visual character and its surroundings to some viewers due to the presence of larger buildings and the corresponding reduction in vacant land within the city’s framework. However, the reuse and intensification of already developed areas would be expected to reduce the pressure for development at the city’s periphery, thus minimizing the potential for the loss of open lands adjacent to the city, protected for their visual character. The LUCE states that much of the intensification and reuse that would occur would also generally be expected to enhance the visual character of the community. In particular, it is anticipated that future redevelopment in the South Broad Street Special Planning Area would enhance visual quality by adding attractive infill development (LUCE EIR Section 4.1 Aesthetics).

As required by the existing and proposed Zoning Regulations, new development projects are subject to varying levels of design review by the Community Development Director, Architectural Review Commission, Planning Commission, and when required, the City Council to ensure consistency with the General Plan and Community Design Guidelines. The proposed Project includes revisions, additions, corrections, and clarifications to various sections of the Zoning Regulations in order to provide a regulatory structure to implement the LUCE. The proposed Project would not change the property development standards (i.e. density, parcel size, setback, height, impervious area) identified for each zone except for the standards noted above (refer to Initial Study Section 1 Aesthetics, discussion under a). The proposed Project would not result in new development in areas where such development is prohibited under the LUCE.

The proposed Project does not include any updates or amendments that would be inconsistent with existing General Plan policies and architectural guidelines in place to protect visual character. The proposed changes to increase density within the R-3 zone and allow a minimum number of dwelling units within the R-2, R-3, R-4 and O zones would be consistent with the analysis and conclusions of the LUCE EIR, because: these changes are consistent with adopted LUCE maximum dwelling density for the Medium-High Density Residential land use designation (20 units per acre, as shown in LUE Table 4. Residential Population Assumptions), the changes would be consistent with the intention of the Medium, Medium-High and High Density Residential and Office land use designations to provide multi-family and other residential opportunities (see LUE Table 1. General Plan Land Use Designations and Development Standards within the LUCE Planning Sub-area), development of housing projects pursuant to the proposed regulations would result in similar impacts and conclusions as disclosed in the LUCE EIR, and future development would be subject to performance and design standards established for these multi-family residential and office zones.

The proposed changes to allow 10 feet of increased height in the O zone (up to 35 feet) and allowance of two density units on each parcel in the O zone would not be inconsistent with the analysis and conclusions presented in the LUCE EIR because the existing setting includes buildings in the O zone that exceed 25 feet in height (as currently allowed based on consideration of an Administrative Use Permit), existing O zones in the City currently support a mix of residential and office uses, and future development would be subject to site and project-specific analysis including consistency with General Plan policies and Community Design Guidelines that require consideration of scenic resources during the architectural review process.

The proposed changes to allow 15 feet of increased height in the PF zone (limited to City-owned facilities), would not be inconsistent with the analysis and conclusions presented in the LUCE EIR because future development would be subject to site and project-specific analysis including consistency with General Plan policies and Community Design Guidelines that require consideration of scenic resources during the architectural review process.

The proposed overlay zone for Upper Monterey (from C-R to C-R-D) would allow for additional building height along this corridor, resulting in an expected increase of 5 feet, with provisions for an additional 30 feet based on incorporation of specific incentives identified in the Zoning Regulations Update. This would be consistent with the analysis and conclusions presented in the LUCE EIR because allowable density would not change, and future development would be subject to site and project-specific analysis including consistency with General Plan policies and Community Design Guidelines that



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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require preparation of visual resource studies and consideration of scenic resources and neighborhood character during the architectural review and entitlement process.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations, performance standards and design standards that address the visual character and edge conditions, including those set forth in the Zoning Regulations, as updated, and the General Plan. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations update would be subject to their own environmental review on a project-by-project basis to assess impacts on scenic vistas. Therefore, the proposed Project would not have a substantial adverse effect on visual character. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. The proposed modifications to height development standards would result in potentially significant impacts to visual character consistent with LUCE EIR, Section 4.1 Aesthetics, Impact AES-2, and the resulting impact would be less than significant based on compliance with the General Plan. Therefore, there would be no new visual character impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.1 Aesthetics.

- d) Existing development in the City, including private development and associated exterior lighting, street lights within the public right-of-way, and other lighting associated with parks and public facilities generate ambient light visible within the City. Additional existing sources of light and glare include glass windows and facades and vehicle headlights. All development in the City is subject to the City’s Night Sky Preservation Ordinance, which establishes “outdoor lighting regulations that encourage lighting practices and systems that will: A. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security and enjoyment while preserving the ambience of night; B. Curtail and reverse any degradation of the nighttime visual environment and the night sky; C. Minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary; D. Help protect the natural environment from the damaging effects of night lighting; E. Meet the minimum requirements of the California Code of Regulations for Outdoor Lighting and Signs (Title 24, Chapter 6)”.

LUCE EIR Conclusion

The LUCE EIR states that “proposed development in accordance with the LUCE Update would introduce new sources of light and glare. However, adherence to policies included in the Zoning Ordinance and Community Design Guidelines would reduce potential impacts to a Class III, less than significant, level” (LUCE EIR Section 4.1 Aesthetics, Impact AES-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the impact analysis for the LUCE, development in accordance with the proposed Project could increase the ambient nighttime lighting throughout the city. Increased glare could potentially occur as a result of building materials, roofing materials, and windows reflecting sunlight. Areas that would experience the greatest potential for increased lighting are those areas likely to experience the greatest development potential. The proposed Project does not include any updates or amendments that would be inconsistent with the Night Sky Preservation Ordinance. In addition, future development is subject to proposed performance standard regulations for light and glare, which state that “Every existing or proposed use, activity, or process or portion thereof producing glare shall be shielded in such a manner that the glare is not perceptible at or beyond any property line” (proposed Zoning Regulations Section 17.74.080, Light and Glare).

The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations update would be required to conform to all applicable regulations performance standards and design standards that address lighting and glare, including those of the Night Sky Preservation Ordinance. Therefore, the proposed Zoning Regulations Update would not have a substantial adverse effect related to light and glare. Impacts would

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no physical changes related to increased light or glare that have not been previously examined or adequately addressed in LUCE EIR Section 4.1 Aesthetics.

**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?	1, 4		X		
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	1, 4			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?	1, 4		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), c) As shown on LUCE EIR Section 4.2 Agricultural Resources, *Figure 4.2-2 City of SLO Planning Area Prime Soils in Agriculture*, Prime Farmland and Farmland of Statewide Importance is present within the City. The LUE includes several policies specific to open space and agricultural protection, including but not limited to the following:

Policy 1.9.1. Agricultural Protection: The City shall support preservation of economically viable agricultural operations and land within the urban reserve and city limits. The City should provide for the continuation of farming through steps such as provision of appropriate general plan designations and zoning.

Policy 1.9.2. Prime Agricultural Land: The City may allow development on prime agricultural land if the development contributes to the protection of agricultural land in the urban reserve or greenbelt by one or more of the following methods, or an equally effective method: acting as a receiver site for transfer of development credit from prime agricultural land of equal quantity; securing for the City or for a suitable land conservation organization open space or agricultural easements or fee ownership with deed restrictions; helping to directly fund the acquisition of fee ownership or open space easements by the City or a suitable land conservation organization. Development of small parcels which are essentially surrounded by urbanization need not contribute to agricultural land protection.

LUCE EIR Conclusion

The LUCE EIR concluded that “future development in accordance with the LUCE Update could occur on prime farmland, unique farmland, and/or farmland of statewide importance. Buildout within the City Limits would result in Class II, significant but mitigable impacts to agricultural conversion” (LUCE EIR Section 4.2 Agricultural Resources, Impact AG-2).

The LUCE EIR determined that Impact AG-2 would be mitigated to less than significant by implementation of the following policy, which was incorporated in the adopted LUE: “LUE Policy 1.8.1. Open Space Protection: Within the

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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City's planning area and outside the urban reserve line, undeveloped land should be kept open. Prime agricultural land, productive agricultural land, and potentially productive agricultural land shall be protected for farming. Scenic lands, sensitive wildlife habitat, and undeveloped prime agricultural land shall be permanently protected as open space”.

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis in the LUCE EIR, build-out pursuant to the Zoning Regulations update would facilitate the development and redevelopment of lands within the City of San Luis Obispo, and future development in accordance with the Project could occur on prime farmland, unique farmland, farmland of statewide importance, and other farmland within the City. Adherence to the City’s standard of practice regarding agricultural soils and farmland for new development projects and its enforcement of the General Plan policies regarding preservation of farmland will ensure that development on prime farmland, unique farmland, and/or farmland of statewide importance is a less than significant impact. In addition, individual development would be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these existing policies.

The proposed Project, by itself, does not propose or authorize any development. As future development is proposed, the City will be required to ensure consistency with the General Plan. Therefore, the proposed Zoning Regulations Update would not have a substantial adverse effect on agricultural resources. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project does not include any updates or amendments that would be inconsistent with General Plan policies in place to ensure no net loss of Farmland, and there are no proposed changes to allowable lot coverage that would have the potential to result in increased impacts to agricultural resources not already assessed in the LUCE EIR. The proposed Project does not include any changes that would result in the conversion of Farmland beyond what was analyzed in the LUCE EIR, because the proposed Project would not result in new development in areas where such development is prohibited under the LUCE. Therefore, there would be no physical changes related to agricultural resource impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.2 Agricultural Resources.

- b) There are no large tracks of land within the city limits currently in commercial agricultural production, with the exception of the San Luis Obispo City Farm located adjacent to Calle Joaquin Road and U.S. Highway 101. In addition, four community gardens provide small plots of land to the public to grow small-scale agriculture, but these are within the urban context of the developed city. The largest piece of land adjacent to the city in production is the San Luis Ranch area, an identified Specific Plan Area that is currently pending annexation into the City. As shown on LUCE EIR Section 4.2 Agricultural Resources, *Figure 4.2-3 City of SLO Planning Area Williamson Act Properties*, there are no areas within the City limits that are under Williamson Act contract.

LUCE EIR Conclusion

The LUCE EIR states that “the LUCE Update could alter the existing land use and zoning on sites throughout the city and may result in incompatibilities with adjacent urban and agricultural uses. However, the General Plan reduces land use conflicts through policies and plan review. Therefore, impacts that would occur from development would be Class III, less than significant” (LUCE EIR Section 4.2 Agricultural Resources, Impact AG-1). The LUCE EIR states that adherence to the City’s standard of practice regarding agricultural compatibility for new development projects and its enforcement of the General Plan policies regarding preservation of agricultural operations will ensure that agricultural uses and compatibility with urban development is a less than significant impact.

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis in the LUCE EIR Section 4.2 Agricultural Resources, buildout of the City pursuant to the Zoning Regulations Update would facilitate the development and redevelopment of residential uses in areas of the city near

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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agricultural areas. Residential development adjacent to farmland can result in impacts related to existing farm operations, including direct impacts related to fencing, theft, soil compaction and crop damage due to trespass, and decreased air quality and creation of fugitive dust (which can affect crop production). Placement of residences adjacent to cultivated agriculture can also have economic impacts to growers. Based on compliance with the General Plan, including but not limited to COSE Program 8.7.1 (Protect open space resources), potential impacts would be less than significant.

The proposed Project, by itself, does not propose or authorize any development. As future development is proposed, the City will be required to ensure consistency with the General Plan. Therefore, the proposed Zoning Regulations Update would not have a substantial adverse effect on agricultural resources. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project does not include any updates or amendments that would be inconsistent with General Plan policies in place to minimize potential land use incompatibilities, and there are no proposed changes to allowable lot coverage that would have the potential to result in increased impacts to agricultural resources not already assessed in the LUCE EIR. The proposed Project does not include any changes that would result in any addition agricultural impacts beyond what was analyzed in the LUCE EIR, because the proposed Project would not result in new development in areas where such development is prohibited under the LUCE. Therefore, there would be no physical changes related to agricultural resource impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.2 Agricultural Resources.

**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?	1, 2, 3, 4, 7, 38		X		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	1, 2, 3, 4, 6, 7, 8, 38		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 quantitative thresholds for ozone precursors)?	1, 2, 3, 4, 6, 7, 8, 38		X		
d) Expose sensitive receptors to substantial pollutant concentrations?	1, 2, 3, 4, 6, 8, 38			X	
e) Create objectionable odors affecting a substantial number of people?	1, 2, 3, 4, 6, 8			X	

Evaluation

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

- a) The San Luis Obispo Air Pollution Control District (SLOAPCD) adopted the 2001 Clean Air Plan (CAP) in 2002, and the CAP has not been updated following certification of the LUCE EIR. 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.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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LUCE EIR Conclusion

The LUCE EIR included a consistency analysis, which evaluated implementation of the LUCE against the land use goals, policies, control measures, and population projections contained in the CAP (refer to LUCE EIR Section 4.3 Air Quality, Impact AQ-2, Long-term). Based on this analysis, the LUCE EIR concluded that “implementation of the LUCE Update would not be consistent with the assumptions contained in the most recent version of the APCD’s CAP even with the incorporation of the proposed LUCE Update policies and existing City policies. Thus, long-term air quality impacts are considered Class I, significant and unavoidable” (LUCE EIR Section 4.3 Air Quality, Impact AQ-2, Long-term). Upon certification of the LUCE EIR and approval of the LUCE Update, the City adopted a Statement of Overriding Considerations for this significant and unavoidable impact.

Proposed Zoning Regulations Update Analysis and Conclusions

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and LUCE and COSE policies and programs that relate to air quality (refer to COSE Section 2 Air) and CAP Control Measures (refer to LUCE EIR, Section 4.3 Air Quality, Table 4.3-1 Clean Air Plan Control Measure Consistency with LUCE Update). Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review on a project-by-project basis to assess impacts on air quality. Therefore, the proposed Project would not result in a significant air quality impact not examined or adequately addressed in the LUCE EIR.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new air quality impacts that have not been previously disclosed and addressed in LUCE EIR Section 4.3 Air Quality.

- b), c) 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. 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 PM<sub>10</sub>.

LUCE EIR Conclusion

Construction-related (Short-term) Impacts

Construction emissions are described as “short-term” or temporary in duration and have the potential to have an adverse effect on air quality. Ozone precursor emissions (i.e., ROG and NOx) are primarily associated with gas and diesel equipment exhaust and the application of architectural coatings. Fugitive dust emissions (i.e., PM10 and PM2.5) are primarily associated with site preparation and vary as a function of such parameters as soil silt content, soil moisture, wind speed, acreage of disturbance area, and vehicle miles traveled (VMT) by construction vehicles on- and off-site. Typical construction equipment associated with development and redevelopment projects includes dozers, graders, excavators, loaders, and trucks.

The LUCE EIR concluded that “implementation of the LUCE Update would involve construction of development projects that generate short-term emissions of criteria air pollutants and ozone precursors. Emissions from individual construction projects could exceed APCD’s project-level significance thresholds. Thus, implementation of the LUCE Update could result in construction-generated emissions that violate or contribute substantially to an existing or projected air quality

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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violation, contribute a cumulatively considerable net increase of criteria air pollutants for which the region is designated as non-attainment, and/or expose sensitive receptors to substantial pollutant concentrations. Adherence to relevant policies and implementation of APCD-recommended project-specific mitigation measures would reduce potential short-term impacts to a less-than-significant level. Thus, construction-generated air quality impacts are considered Class II, significant but mitigable” (LUCE EIR Section 4.3 Air Quality, Impact AQ-1, Short-term). The LUCE EIR determined that potential air quality impacts would be minimized to less than significant through implementation of mitigation measures identified by the APCD.

Proposed Zoning Regulations Update Analysis and Conclusions

Although it is not possible to speculate on the exact type, number, location, or timing of future development projects or on the precise nature or degree of environmental impacts associated with such projects, implementation of the Zoning Regulations Update would require construction activity resulting in the generations of criteria air pollutant and ozone precursor emissions. The LUCE EIR provides estimates of construction emissions of ROG, NOX, PM10, and PM2.5 using CalEEMod based on the description of land use changes (dwelling units and commercial square feet) associated with buildout under the LUCE. The LUCE EIR notes that daily emissions could exceed APCD’s applicable thresholds of significance for construction activities (e.g., 137 lb/day for ROG and NOX combined) (LUCE EIR Section 4.3 Air Quality).

The APCD specifies construction mitigation measures designed to reduce emissions of ROG, NOx, PM10, and PM2.5 (both fugitive and exhaust) (refer to APCD 2012 CEQA Handbook). These include standard mitigation measures, best available control technology (BACT), and construction activity management plan (CAMP) and off-site mitigation for construction equipment emissions; along with short and expanded lists for fugitive dust emissions. The City shall ensure the implementation of the most current APCD-recommended construction mitigation measures to reduce construction-generated emissions to less-significant levels as defined by APCD. Individual development would be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with the most current APCD-recommended construction mitigation measures. As stated in APCD’s CEQA Air Quality Handbook, if estimated construction emissions are expected to exceed either of the APCD Quarterly Tier 2 thresholds of significance after the standard and BACT measures are accounted for, then an APCD approved CAMP and off-site mitigation would need to be implemented to reduce air quality impacts to a less-than-significant level. In addition, all fugitive dust sources shall be managed to ensure adequate control below 20% opacity as identified by Rule 401, for which compliance is required by law. In addition, future development will be subject to proposed performance standards, which state that “No use or activity shall be conducted without first obtaining any required permit from the County Air Pollution Control District” and “Uses shall be conducted to prevent dust or other airborne material from crossing property lines” (proposed Zoning Regulations Section 17.74.030). Adherence to relevant policies and implementation of APCD-recommended project-specific mitigation measures would reduce potential impacts associated with future development under the proposed Zoning Regulations Update to a less-than-significant level. Thus, consistent with the LUCE EIR, construction-generated air quality impacts are considered significant but mitigable.

Existing Regulatory Requirements Related to Asbestos and Equipment Operation

In addition to construction-related emissions, 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 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 related to future development pursuant to the Zoning Regulations Update are considered significant but mitigable based on compliance with existing regulations.

Future development under the Zoning Regulations Update may require 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. transite pipes or insulation on pipes). Demolition can have potential negative air quality impacts, including

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). As such, future projects 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 are considered to be significant but mitigable based on compliance with existing regulations.

In addition, future projects may be subject to CARB or APCD permitting requirements. This includes portable equipment, 50 horsepower (hp) or greater or other equipment listed in the 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 to be significant but mitigable based on compliance with existing regulations.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all applicable regulations, performance standards, and design standards as required by the City’s Municipal Code, the APCD, and CARB. Therefore, potentially significant impacts would be mitigated to less than significant through compliance with existing regulations and guidelines.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new urban development in areas where such development is prohibited under the LUCE. Therefore, there would be no new air quality impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.3 Air Quality.

LUCE EIR Conclusion

Operational (Long-term) Impacts.

As described in the APCD 2012 CEQA Handbook, “operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial and industrial development. Air pollutant emissions from urban development can result from a variety of sources, including motor vehicles, wood burning appliances, natural gas and electric energy use, combustion-powered utility equipment, paints and solvents, equipment or operations used by various commercial and industrial facilities, heavy-duty equipment and vehicles and various other sources”. A program level environmental review of long-term impacts resulting from implementation of the LUCE is presented in the LUCE EIR, and as directed by the APCD 2012 CEQA Handbook, consist of a qualitative analysis based upon criteria such as prevention of urban sprawl and reduced dependence on automobiles, and by comparing consistency of the project with the Transportation and Land Use Planning Strategies outlined in the APCD’s Clean Air Plan (refer to a) above, and LUCE EIR, Section 4.3 Air Quality, *Table 4.3-1 Clean Air Plan Control Measure Consistency with LUCE Update*).

The LUCE EIR concluded that “implementation of the LUCE Update would involve operation of development projects that generate long-term emissions of criteria air pollutants and ozone precursors. Implementation of the LUCE Update would not result in the exposure of sensitive receptors to substantial sources of local carbon monoxide concentrations, odors, or TACs. However, with regards to criteria air pollutants and precursors implementation of the LUCE Update would not be consistent with the assumptions contained in the most recent version of the APCD’s Clean Air Plan even with the incorporation of the proposed LUCE Update policies and existing City policies. Thus, long-term air quality impacts are considered Class I, significant and unavoidable” (LUCE EIR Section 4.3 Air Quality, Impact AQ-2 Long-term). Upon certification of the LUCE EIR and approval of the LUCE Update, the City adopted a Statement of Overriding Considerations for this significant and unavoidable impact.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the LUCE EIR, overall, implementation of the Zoning Regulations Update, including proposed modifications to minimum dwelling units on R-2, R-3, R-4, and O zoned lots, and the proposed change to increase allowable density on R-3 lots (as consistent with the General Plan), and proposed development occurring within the Upper Monterey Overlay zone, would involve operation of development projects that generate long-term emissions of criteria air pollutants and ozone precursors. With regards to criteria air pollutants and precursors, similar to the conclusion in the LUCE EIR, implementation of the Project would not be consistent with the assumptions contained in the most recent version of the APCD’s Clean Air Plan even with implementation of COSE policies and programs (refer to COSE Section 2 Air Quality) and compliance with the LUE. Consistent with the conclusions of the LUCE EIR, long-term air quality impacts resulting from future development constructed pursuant to the proposed Zoning Regulations Update are considered significant and unavoidable.

The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all applicable regulations performance standards and design standards that address sustainability and air quality, including those of the Zoning Regulations, as updated, and the LUCE. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review on a project-by-project basis to assess impacts on air quality. Therefore, the proposed Project would not result in a significant air quality impact not examined or adequately addressed in the LUCE EIR.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Consistent with the LUCE, the proposed Project may result in beneficial environmental impacts on air quality by developing incentives in the Downtown area to reduce the use of cars, including provisions that would allow for corner stores in residential areas, further allowing upper-story residential uses in commercial areas, providing for an enhanced pedestrian experience in the Downtown, providing additional dwelling units within medium to high residentially-zoned areas, maintaining rural character and protecting natural resource areas, incorporating further sustainability standards into land use regulations, and adjusting parking requirement to achieve multi-modal objectives identified in the General Plan. Therefore, there would be no new air quality impacts that have not been previously disclosed and addressed in LUCE EIR Section 4.3 Air Quality.

d) LUCE EIR Conclusion

The San Luis Obispo area is designated as an attainment area for carbon monoxide (CO) for both the CAAQS and NAAQS. The analysis in the LUCE EIR states that if a project would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour (or more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway) then implementation would not result in or contribute to a CO violation. The LUCE EIR concluded that implementation of the LUCE Update would not result in the addition of vehicles to affected intersections that exceed these recommended levels.

With regards to the exposure of sensitive receptors to toxic air contaminant (TAC) sources, there are no freeways or urban roadway segments with traffic volumes that exceed 100,000 vehicles per day and no rural roadways with volumes that exceed 50,000 vehicles per day within the City (LUCE EIR Section 4.3 Air Quality, Impact AQ-2, Long-term). The other types of TAC sources in the City (existing or proposed under implementation of the LUCE and Zoning Regulations Update) would be required by law to comply with APCD’s permit process, which would ensure exposure to sensitive receptors to TACS to be within acceptable levels.

The LUCE EIR determined that “Implementation of the LUCE Update would not result in the exposure of sensitive receptors to substantial sources of local carbon monoxide concentrations, odors, or TACs” (LUCE EIR Section 4.3 Air Quality, Impact AQ-2, Long-term).



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

Overall, implementation of the Zoning Regulations Update would involve operation of development projects that generate long-term emissions of criteria air pollutants and ozone precursors, consistent with the LUCE (refer to LUCE EIR Section 4.3 Air Quality, Impact AQ-2, Long-term, under discussion b). Implementation of the Zoning Regulations Update would not result in the exposure of sensitive receptors to substantial sources of local carbon monoxide concentrations or TACs, as development would occur in the areas assessed in the LUCE EIR.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations, performance standards, and design standards as required by the City’s Municipal Code, the APCD, and CARB. Therefore, the proposed Project would not result in a significant air quality impact not examined or adequately addressed in the LUCE EIR, and impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new urban development in areas where such development is prohibited under the LUCE. Therefore, there would be no new air quality impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.3 Air Quality.

e) LUCE EIR Conclusion

As noted in the LUCE EIR, City of San Luis Obispo General Plan Update Background Report (6.3), existing potential odor sources in the city include a wastewater treatment plant (35 Prado Road San Luis Obispo, CA 93401, and several automotive businesses. No other major odor sources are identified. Other minor sources of odor associated with typical land uses located in commercial and industrial areas in urban communities are currently present in the city, such as restaurants, auto repair facilities, gasoline stations, manufacturing plants, and other similar uses. The LUCE EIR determined that “Implementation of the LUCE Update would not result in the exposure of sensitive receptors to substantial sources of local carbon monoxide concentrations, odors, or TACs” (LUCE EIR Section 4.3 Air Quality, Impact AQ-2, Long-term).

Proposed Zoning Regulations Update Analysis and Conclusions

There are no major new sources of odor that are proposed or designated in the LUCE or Zoning Regulations Update. Various commercial and industrial land uses could be developed pursuant to the Zoning Regulations Update, but these are not typically associated with major sources. In addition, implementation of the LUCE and Zoning Regulations Update would not result in the placement of new sensitive receptors closer to existing sources in comparison to existing conditions, *including underlying land use designations and zoning for uses considered sensitive.*

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations, performance standards, and design standards as required by the City’s Municipal Code, the APCD, and CARB. Therefore, the proposed Project would not result in a significant air quality impact not examined or adequately addressed in the LUCE EIR, and impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new urban development in areas where such development is prohibited under the LUCE. Therefore, there would be no new air quality impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.3 Air Quality.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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**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?	1, 2, 3, 4			X	
b) Have a substantial adverse effect, on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 2, 3, 4			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, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1, 2, 3, 4, 6			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 native wildlife nursery sites?	1, 2, 3, 4			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1, 2, 3, 4, 6			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?	1, 2, 3, 4			X	

Evaluation

The urbanized area of the City of San Luis Obispo lies at the convergence of two main geologic features: the Los Osos Valley which drains westerly into Morro Bay via Los Osos Creek, and the 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 LUCE Sphere of Influence (SOI) Planning Subarea surrounding the city. Much of the LUCE SOI Planning Subarea 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 LUCE SOI Planning Subarea 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. Serpentine soils and serpentine rock outcrops present within the LUCE SOI Planning Subarea typically support a high percentage of sensitive or special status plant species due to the unique chemical composition of this volcanic soil. The types and locations of habitats present are shown on LUCE EIR Section 4.4 Biological Resources, *Figure 4.4-1a Planning Area Habitat Map* and *Figure 4.4-1b City of San Luis Obispo Habitat Map*, and listed in LUCE EIR Section 4.4 Biological Resources, *Table 4.4-1, Habitat Types within the LUCE SOI Planning Subarea*. LUCE EIR Section 4.4 Biological Resources, *Table 4.4-1 Natural Habitat Constraints Summary* identifies the special-status species associated with each habitat type within the City. The largest concentrations of natural and native habitats are located in the larger LUCE SOI Planning Subarea outside the city limits. LUCE EIR Section 4.4, Biological Resources, includes additional descriptions of habitats, vegetation types, special status plants and animals, and common wildlife and associated wildlife corridors found within the City and the LUCE SOI.

- a) The LUCE EIR and associated Background Report include the results of a search and review of the California Natural Diversity Database (CNDDDB), which identified 30 special-status plant species, four natural communities of special

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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concern, and 20 special-status wildlife species with recorded occurrences within a 10-mile search radius of the LUCE SOI Planning Subarea. Portions of the northern and eastern LUCE SOI Planning Subarea are located in California red-legged frog (CRLF) Critical Habitat Unit SLO-3—Willow and Toro Creeks to San Luis Obispo. LUCE EIR Section 4.4 Biological Resources, *Figure 4.4-2 CNDDDB Botanical Occurrences within Planning Area* and *Figure 4.4-3 CNDDDB Wildlife Occurrences within Planning Area* show the CNDDDB plant and wildlife special-status species recorded occurrences within the LUCE SOI Planning Subarea. LUCE EIR Section 4.4 Biological Resources, *Table 4.4-2 Special Status Plant Species and Natural Communities of Special Concern in the LUCE SOI Planning Subarea* and *Figure 4.4-3 Special Status Wildlife Species in the LUCE SOI Planning Subarea* show the scientific and common names and listing status for the special-status species present or with potential to occur in the LUCE SOI Planning Subarea. Additional species information is presented in the LUCE EIR Background Report. Focused biological surveys have not been conducted over the entire LUCE SOI Planning Subarea, and therefore, additional, previously unidentified species or habitats could also occur. Site-specific surveys for any potentially sensitive species and habitats would be necessary to confirm presence/absence within a particular area prior to any development under the LUCE and Zoning Regulations Update. In addition, development within the City is subject to compliance with policies and programs that address special-status species and habitats, as identified in COSE Section 7, Natural Communities.

LUCE EIR Conclusion

Special-status Plants. Development under the LUCE Update has potential to impact special-status plant species (as defined in LUCE EIR Section 4.4.1b) present within the LUCE SOI Planning Subarea. Although the majority of special-status plant species occurrences are located outside the city limits, development within any natural habitat type within the city limits could have potential to impact special-status plant species.

As identified in the LUCE EIR, “development consistent with the LUCE Update has the potential to impact special-status plant species within the LUCE SOI Planning Subarea. With the incorporation of the proposed and existing City policies, and the requirements of regulatory and oversight agencies, potential impacts to special-status plant species are considered Class III, less than significant” (LUCE EIR Section 4.4 Biological Resources, Impact BIO-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis of the LUCE, future development under the Zoning Regulations Update will be required to comply with local, state, and federal laws and policies, and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts to special-status plant species. Future projects within or adjacent to known occurrences of a listed species, or habitat types that have potential to contain special-status plant species, will undergo individual project environmental review to ensure protection of special-status plant species populations. Focused biological surveys to determine presence/absence and map locations of special-status plant species occurrences would be required prior to any ground disturbing activity. Impacts to special-status plant species may require consultation with the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), and mitigation would be required per city policy and state and federal regulations to offset any impacts associated with individual project development.

Development under the proposed Zoning Regulations Update has potential to impact special-status plant species within the LUCE SOI Planning Subarea. However, with adherence to the existing City policies and state and federal regulatory requirements, impacts would be addressed through either avoidance of the resource based on detailed site-specific biological studies, or through the detailed mitigation requirements for the protection of plant species that occur on a given site. Implementation of proposed and existing local policies, as well as compliance with State and Federal laws and policies and the requirements of regulatory and oversight agencies as appropriate, and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

LUCE EIR Conclusion

Special-status Wildlife. Future development consistent with the General Plan has the potential to impact special-status

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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wildlife species (as identified in LUCE EIR Section 4.4.1b). While the majority of special-status wildlife species occurrences are located outside the city limits, development within grasslands, wetland, riparian, and forest/grove habitats within the city limits would have potential to impact special-status wildlife. Projects within or adjacent to known occurrences of listed species, or habitat types that have potential to contain one or more special-status wildlife species, would undergo individual project environmental review to ensure protection of those species. The existing General Plan requires focused biological surveys to determine presence/absence and map locations of special-status wildlife species occurrences prior to any habitat disturbance. Impacts to special-status wildlife species may require consultation with the CDFW, USFWS, and National Oceanic and Atmospheric Administration (NOAA) Fisheries, and mitigation would be required to offset specific project impacts. Implementation of LUE and COSE policies, as well as compliance with local, State and Federal laws and policies and the requirements of regulatory and oversight agencies as appropriate, and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

As identified in the LUCE EIR, “development consistent with the LUCE Update has potential to impact special-status wildlife species within the LUCE SOI Planning Subarea. With the incorporation of the proposed and existing City policies, and the requirements of regulatory and oversight agencies, potential impacts to special-status wildlife species are considered Class III, less than significant” (LUCE EIR Section 4.3 Biological Resources, Impact BIO-4).

*Proposed Zoning Regulations Update Analysis and Conclusions*

Similar to the analysis of the LUCE, future development pursuant to the Zoning Regulations Update will be required to comply with local, state, and federal laws and policies, and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts to special-status wildlife species. Based on compliance with the LUCE and COSE, and adherence to the existing City regulations and state and federal regulatory requirements, future development projects with the potential to impact special-status wildlife will be required to fully study project site resources, avoid disturbance of identified wildlife and their habitat and mitigate any impacts in accordance with qualified professionals under the authority of the jurisdictional agencies. Implementation of proposed and existing local policies, as well as compliance with state and federal laws and policies and the requirements of regulatory and oversight agencies as appropriate, and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable policies, regulations, performance standards, and design standards as required by the City’s Municipal Code, the General Plan, and CEQA. Therefore, the proposed Project would not result in any significant impacts to special-status plants and wildlife not examined or adequately addressed in the LUCE EIR, and impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts to special-status plant and wildlife species that have not been previously examined or adequately addressed in LUCE EIR Section 4.4 Biological Resources.

b), c) LUCE EIR Conclusion

Riparian and wetland habitats include streams, lakes, ponds, and associated natural vegetation adapted to increased soil moisture, and have a high potential to contain special status plant and animal species. Major examples in the City include San Luis Obispo, Stenner, Brizzolara, and Prefumo Creeks, Laguna Lake, and many smaller tributary drainages. These features and habitats pass through and border all other habitat types present in the LUCE SOI Planning Subarea and could be significantly impacted by implementation of the LUCE. All development in the City is subject to creek setback requirements and performance standards identified in the Zoning Regulations. Development under the LUCE Update has potential to impact four habitat types listed as Natural Communities of Special Concern by the CDFW, Serpentine

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Bunchgrass, Northern Interior Cypress Stand, Central Maritime Chaparral, and Coastal and Valley Freshwater Marsh, that have high potential to support special-status plant and wildlife species (refer to LUCE EIR Section 4.4 Biological Resources, *Table 4.4-2 Special Status Plant Species and Natural Communities of Special Concern in the LUCE SOI Planning Subarea*). In addition, riparian, vernal pool, oak woodland, and native perennial grassland habitats present within the LUCE SOI Planning Subarea are considered sensitive by the CDFW and other regulatory agencies and could be impacted by future development (also see LUCE EIR Section 4.4 Biological Resources, *Table 4.4-4 Natural Habitat Constraints Summary*).

The LUCE EIR concluded that “development consistent with the LUCE Update has potential to impact four Natural Communities of Special Concern present within the LUCE SOI Planning Subarea including Serpentine Bunchgrass, Northern Interior Cypress Stand, Central Maritime Chaparral, and Coastal and Valley Freshwater Marsh. With the incorporation of the proposed and existing City policies, and the requirements of regulatory and oversight agencies, potential impacts to sensitive habitats are considered Class III, less than significant” (LUCE EIR Section 4.4 Biological Resources, Impact BIO-2).

*Proposed Zoning Regulations Update Analysis and Conclusions*

Similar to the analysis in the LUCE EIR, potential near-term and long-term impacts resulting from implementation of the Zoning Regulations Update, including development in or near sensitive or jurisdictional areas may include loss of habitat and the introduction or increase of human presence. Specific impacts due to development include the disruption of patterns of habitat use, displacement of individuals, disruption of breeding habits, disruption and barriers to wildlife movements, increased mortality of wildlife species and in turn less prey, night lighting, and reduction of available habitat in general. The level of intensity of impacts related to human presence would depend upon the habitat disturbed and level of build out within these developable areas and adjacent habitat areas. COSE Policy 7.3 requires that projects within or adjacent to known occurrences of Natural Communities of Special Concern, or in areas that have potential to contain one or more of these habitats, would be expected to have a site-specific biology report prepared and undergo individual project environmental review to determine the location, extent, and proposed impact to those habitats. These project-level biological surveys to map Special Concern or sensitive habitat boundaries, and to determine presence/absence of special-status wildlife and plant species would be required prior to any ground disturbing activity. Any impacts to these habitats would require permits and/or authorization from local, state and federal regulatory agencies, including the City of San Luis Obispo, CDFW, Regional Water Quality Control Board (RWQCB), USFWS, NOAA Fisheries, and U.S. Army Corps of Engineers (USACE), and site-specific mitigation would be required to offset impacts associated with project development. Similar to the conclusions in the LUCE EIR, based on compliance with LUCE and COSE policies, and the regulatory framework governing sensitive habitats and associated plant and wildlife species, potential impacts to Special Concern or sensitive habitats within the LUCE SOI Planning Subarea are considered potentially significant but mitigable.

Future development consistent with the LUCE and Zoning Regulations Update will be required to comply with local, state, and federal laws and policies, and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts to natural communities of special concern. Individual development will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with LUE and COSE policies. Potentially significant impacts that may occur as a result of implementation of the proposed Project would be reduced through goals, policies and programs that require either the protection and avoidance of protected resources prior to proposed development, or through the required mitigation of impacts to protected resources. Implementation of existing General Plan policies, as well as compliance with State and Federal laws and policies and the requirements of regulatory and oversight agencies as appropriate, and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable policies, regulations, performance standards, and design standards as required by the City’s Municipal Code and General Plan. Therefore, the proposed Project would not result in any significant impacts to riparian, wetland, and other sensitive communities and habitats not

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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examined or adequately addressed in the LUCE EIR, and impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would maintain and clarify required creek setback regulations and would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts to riparian, wetland, and other sensitive communities and habitats that have not been previously examined or adequately addressed in LUCE EIR Section 4.4 Biological Resources.

e) LUCE EIR Conclusion

As identified in the LUCE EIR, future development has the potential to impact common natural habitat types, common wildlife species, species of local concern, and associated wildlife corridors present within the LUCE SOI Planning Subarea.

The LUCE EIR determined that “development under the LUCE Update has potential to impact common habitat types including non-native annual grasslands and disturbed/ruderal areas that provide habitat for common wildlife and plant species. With the incorporation of the proposed LUCE Update policies and existing governing policies, potential impacts to these common habitats are considered Class III, less than significant” (LUCE EIR Section 4.4 Biological Resources, Impact BIO-1). The LUCE EIR also determined that “development consistent with the LUCE Update has potential to impact common wildlife species and species of local concern within the LUCE SOI Planning Subarea. With the incorporation of the proposed and existing City policies, and the requirements of regulatory and oversight agencies, potential impacts to common and species of local concern are considered Class III, less than significant” (LUCE EIR Section 4.4, Biological Resources, Impact BIO-5).

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis in the LUCE EIR, development under the Zoning Regulations Update has potential to impact common wildlife species and species of local concern through habitat loss, migration corridor loss from the barrier effect of new roads and developed areas, and increased noise, traffic, lighting, and human presence. Development within or adjacent to any natural habitat type within the project area would have potential to impact these wildlife species. Projects within or adjacent to habitat types that have potential to contain common wildlife species would undergo individual project environmental review to ensure that avoidance and minimization measures are included in design, construction, and ongoing uses. Project-specific mitigation measures may be required to offset impacts to common wildlife species and species of local concern associated with future project development consistent with the LUCE and Zoning Regulations Update. Future development will also be required to comply with local, state, and federal laws and policies, and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts to common wildlife and species of local concern. Individual development will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these policies.

Based on compliance with existing LUCE and COSE policies and programs, adherence to the existing City regulations and state and federal regulatory requirements, future development projects with the potential to impact common and locally important wildlife will be required to fully study project site resources, avoid disturbance of identified wildlife and their habitat and mitigate any impacts in accordance with qualified professionals under the authority of the jurisdictional agencies. Implementation of proposed and existing local policies, as well as compliance with state and federal laws and policies and the requirements of regulatory and oversight agencies as appropriate, and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable policies, regulations, performance standards, and design standards as required by the City’s Municipal Code and General Plan. Therefore, the proposed Project would not result in any significant impacts to fish and wildlife, and associated habitats and habitat corridors, not examined or adequately addressed in the LUCE EIR, and impacts would be less than significant.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would maintain and clarify required creek setback regulations and would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts to fish and wildlife, and associated habitats and habitat corridors that have not been previously examined or adequately addressed in LUCE EIR Section 4.4 Biological Resources.

e), f) Development within the City is subject to existing policies and programs identified in the General Plan, including the LUE and COSE, and the City’s Municipal Code, including Chapter 12.24, Tree Regulations. The proposed Project would not modify or conflict with these existing policies or regulations, and include clarifications to regulations specific to hillside development and development on slopes exceeding 16 percent, which would further protect natural resources found on hillside locations by implementing the goals of the COSE, including:

1. To protect and preserve scenic hillside areas and natural features such as the volcanic Morros, ridge lines, plant communities, rock outcroppings and steep slope areas that function as landscape backdrops for the community;
2. To avoid encroachment into sensitive habitats or unique resources as defined in the Conservation and Open Space Element;
3. To protect the health, safety and welfare of community residents by directing development away from areas with hazards such as landslides, wildland fires, flooding and erosion; and
4. To protect the City’s scenic setting.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land use that occur pursuant to the proposed Project would be required to conform to all applicable regulations, performance standards and design standards of the Zoning Regulations as updated, the Tree Regulations, the LUCE, and the COSE that address natural resources. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review on a project-by-project basis to assess impacts on natural resources. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE and other elements of the General Plan, including the COSE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.4 Biological Resources.

**5. CULTURAL RESOURCES. Would the project:**

a) Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5.	1, 2, 3, 4, 6, 9, 10		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5)	1, 2, 3, 4, 6, 9, 10, 11			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 2, 3, 4			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?	1, 2, 3, 4, 6, 9, 10, 11			X	

Evaluation

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 San Luis Obispo area became colonized by the Spanish Incursion initially in 1542, with

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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the first official settlement on Chumash Territory occurring in 1772, when the Mission San Luis Obispo de Tolosa was established. Since this period, a timeline of San Luis Obispo modern occupation has been broken down into multiple smaller eras, the first of which being the Spanish Incursion—the Mission Era lasted from 1772-1850. In 1822 California became a Mexican Territory, and the mission lands gradually became private ranchos via new Mexican land grants. In 1834, the proclamation for secularization was issued, and the Mission was effectively disbanded. By that time, “missionization,” disease, and destruction of the native subsistence base had decimated the Chumash and their culture. Immigrants began coming to the state in the 1850’s, during the Early Settlement Era (lasting from 1850-1875), and by the 1870’s (after the earliest arrivals of Chinese immigrants in 1969), 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 not the City of San Luis Obispo. Population growth and advancements in technology continued to occur during this Industrial Era (1875-1900). The period from 1900-1945, is said to commence exponential rates of population growth for the area. The last era of growth is said to have 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. As new projects are proposed, the City continues to make strong efforts in conserving the natural and historical resources and character that lie within the community so as to maintain a connection to the past.

Regarding paleontological resources, the only fossil resources likely to occur in the City are of Quaternary (Pleistocene) age. The Quaternary is the most recent of the three Periods of the Cenozoic Era in the geologic time scale. It follows the Tertiary Period, spanning from about 2,588,000 years ago to the present. The LUCE EIR notes three reported vertebrate localities along the coast within nine miles of the city, which include assemblages of the mammals *Equus sp.* and *E. occidentalis* (horse); *Camelops sp.* and *C. hesternus* (camel); *Bison antiquus* and *B. latifrons* (bison), and *Mammut americanum* (mammoth).

This information, and additional background is provided in LUCE EIR Section 4.5 Cultural Resources.

- a) A historical resource is defined in Section 15064.5(a) of the CEQA Guidelines as a resource listed in or eligible for listing in the California Register of Historical Resources; a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California. Generally, a resource is considered to be “historically significant” if it meets one of the following criteria:
- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
  - Is associated with the lives of persons important in our past;
  - Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
  - Has yielded, or may be likely to yield, information important in prehistory or history.
  - Resources listed in or determined eligible for the California Register, included in a local register, or identified as significant in a historic resource survey are also considered historical resources under CEQA.

Historic resources in the City are subject to the policies and regulations contained in the General Plan, Historic Preservation Ordinance, Historic Preservation Program Guidelines. These policies and regulations also identify the review process for actions proposed within historical districts (see LUCE EIR Section 4.5, Cultural Resources *Figure 4.5-1 City of San Luis Obispo Historical Districts*) and on properties that contain Master List and Contributing Historic Resources.

LUCE EIR Conclusion

The LUCE EIR concludes that “development allowed by the LUCE update could cause a substantial adverse change in the significance of a historical resource which is either listed or eligible for listing on the National Register of Historic Places, the California Register of Historic Resources, or a local register of historic resources. This impact is considered to be Class II, significant but mitigable” (LUCE EIR Section 4.5, Cultural Resources Impact CR-1).



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis in the LUCE EIR, intensification of land uses anticipated to occur in certain areas of the city under the Zoning Regulations Update could have an adverse effect on historic structures by damaging or destroying historical buildings or structures, diminishing the integrity of the context and setting of individual properties, or diminishing the integrity of the historical district. The loss of historic buildings or new developments within the existing historic districts that could impact historical resources is considered potentially significant. However, the policies and programs identified in the LUCE and COSE, the City’s Historic Preservation Ordinance, Historic Preservation Program Guidelines, Historic Context Statement, Archaeological Resource Preservation Program Guidelines, the City-designated Cultural Heritage Committee (CHC) policies and guidelines, and compliance with CEQA directly address this impact.

Development facilitated under the Zoning Regulations Update will have the potential to result in impacts to historical resources. These changes are subject to the policies and regulations identified above, which target historical resource protection. Compliance with existing regulations, standards, and guidelines, in addition to project review by the Cultural Heritage Committee, will help govern development and redevelopment that may occur during the lifetime of the LUCE and proposed Zoning Regulations. All of these plans and documents work together to protect San Luis Obispo’s historical resources and are a means to retain the community character and history, while providing enhancements in certain areas of the city. Impacts will be less than significant with implementation of applicable policies and regulations. Individual development pursuant to the Zoning Regulations Update will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these policies. Based on compliance with existing City policies, programs, and regulations related to historic resources, impacts can be avoided through the protection of known historic structures and through the study of potentially historic resources prior to construction and through measures required to preserve significant resources, which will reduce impacts to less than significant levels.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development, and would continue to provide for the protection of the City’s historic resources. The proposed Zoning Regulations Update would not make any changes to the Historic Preservation Ordinance and would not allow new development in areas where such development is prohibited under the LUCE. Therefore, impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. Future land use that occur pursuant to the proposed Project would be required to conform to all applicable regulations of the Zoning Regulations, as updated, the LUCE and COSE, the Historic Preservation Ordinance, and Historic Preservation Program Guidelines, all of which address historical resources. Notwithstanding existing provisions that aim to protect existing historic resources, demolition or alteration of a historical resource on a parcel in the City could conceivably occur as a result of individual development projects. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review on a project-by-project basis to assess impacts on historical resources. Therefore, the proposed Project would not result in a significant impact on historical resources not examined or adequately addressed in LUCE EIR Section 4.5, Cultural Resources.

b), c), d) LUCE EIR Conclusion

As documented in the LUCE EIR, proposed development under the policies proposed under the LUCE could impact areas that contain previously identified and previously unidentified archaeological and paleontological resources such as sites containing Native American artifacts, burial sites/human remains, buildings or structures dating from the identified Mission era, or early urbanization periods. The degree of such impacts is dependent upon the proximity of new construction or development to previously identified archaeological and paleontological sites, and also dependent upon the level of development near previously unidentified resources. The LUCE encourages infill development in areas already within the city, which would be facilitated by the updates proposed for the Zoning Regulations. Infill development typically reduces the pressure to develop on the edges of the city, which could have impacts on previously unidentified archaeological and paleontological resources. However, due to the nature of new developments, some future structures may interfere or coincide with previously unidentified archaeological and paleontological resources. If archaeological and paleontological

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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resources are discovered, existing codes and policies stipulate treatment methods for evaluation and treatment of the resources. Implementation of these policies on a project-by-project basis would require the preparation of site-specific archaeological and paleontological studies in areas of potential sensitivity as well as mitigation of impacts to any identified resources. In addition, implementation of the City’s Archaeological Preservation Program Guidelines is intended to incorporate archaeological resource preservation during the early stages of project planning and design. Property owners, developers, builders, design professionals and others involved in public or private development can use these guidelines to anticipate City concerns, protect important cultural resources, and to design their projects so as to avoid delays during development review and construction.

The LUCE EIR concluded that “development facilitated by Land Use and Circulation Element Update could adversely affect identified and previously unidentified archaeological and paleontological resources. This includes potential disturbance of human remains. General Plan policies would ensure that such impacts are addressed on a case-by-case basis. Impacts would be considered Class III, less than significant” (LUCE EIR Section 4.5, Cultural Resources, Impact CR-2). In addition, the LUCE EIR determined that “development facilitated by the LUCE Update could...result in the loss of a unique geologic feature. However, compliance of future development projects with...adopted General Plan policies would ensure that resulting impacts are Class III, less than significant” (LUCE EIR, Section 4.6 Geology and Soils, Impact GEO-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis in the LUCE EIR, development facilitated under the Zoning Regulations Update will result in impacts to archaeological and paleontological resources and undiscovered human remains. These changes are subject to the policies and regulations included in the existing and proposed policies that target historical resource protection. The City Historic Preservation Ordinance, Historic Preservation Program Guidelines, Historic Context Statement, Archaeological Resource Preservation Program Guidelines and review by the Cultural Heritage Committee will govern development and redevelopment that may occur during the lifetime of the LUCE and Zoning Regulations Update. All of these plans and documents work together to protect San Luis Obispo’s archaeological and paleontological resources and are a means to retain the community character and history, while providing enhancements in certain areas of the city. Impacts will be less than significant with implementation of Applicable policies and regulations. Individual development will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with existing policies and regulations.

Excavation of land, or development on previously undisturbed lands, may affect paleontological resources. COSE Policy 3.5.1 (Archaeological resource protection) requires protection of both archaeological and paleontological resources through compliance with the City’s Archeological Resource Preservation Guidelines. This linkage through policy ensures that other COSE policies such as 3.5.3 that prohibits non-development related destruction of resources; and, 3.5.12 that protects resources with open space designations; and, 3.6.5 through 3.6.7 regarding the treatment and curation of resources, would apply to paleontological resources. The existence of resources would be determined during the exploration of a development site at the time of a development proposal as required by COSE Policy 3.5.1. With implementation of the existing COSE policies and compliance with state law, the impact to paleontological resources is considered less than significant.

Development facilitated by the Zoning Regulations Update could adversely affect identified and previously unidentified archaeological and paleontological resources, including the potential disturbance of human remains. However, adherence to existing Federal, State and City policies and programs discussed above will address these impacts by requiring the study of site-specific resources, identification of significant resources present within a given project site, requirements to avoid significant resources and requirements to mitigate any impacts to these resources through project design, monitoring and Native American consultation. As such, impacts are considered less than significant.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land use that occur pursuant to the proposed Project would be required to conform to federal, State, and local guidelines and

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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requirements that address the discovery of archaeological and paleontological resources. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review on a project-by-project basis to assess impacts on archaeological resources. Therefore, the proposed Project would not significantly disturb archaeological or paleontological resources. Impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Future development that occurs pursuant to the proposed Project would be required to conform to all applicable regulations of the Zoning Regulations, as updated, the LUCE and COSE, the Historic Preservation Ordinance, Historic Preservation Program Guidelines, and Archaeological Resource Preservation Program Guidelines, which address historical, archaeological, and paleontological resources. In addition, future actions are subject to *State CEQA Guidelines* Section 15064.5 relating to the discovery of human remains. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.5, Cultural Resources.

**6. GEOLOGY AND SOILS. Would the project:**

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: I. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. II. Strong seismic ground shaking? III. Seismic-related ground failure, including liquefaction? IV. Landslides?	1, 2, 3, 4, 6, 13, 14			X	
				X	
				X	
				X	
				X	
b) Result in substantial soil erosion or the loss of topsoil?	1, 2, 6, 13, 14			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 landslide, lateral spreading, subsidence, liquefaction or collapse?	1, 2, 6, 13, 14			X	
d) Be located on expansive soil, as defined in Table 1802.3.2 of the California Building Code (2013), creating substantial risks to life or property?	1, 2, 6, 13, 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?					X

Evaluation

San Luis Obispo County lies within the southern Coast Range Geomorphic Province, which 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. 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. There are over 21 major and minor peaks in the Morros, but there are nine major peaks, hence the name commonly used, "The Nine Sisters". The nine major peaks are: Morro Rock, Black Hill, Cabrillo Peak, Hollister Peak, Cerro Romauldo, Chumash Peak, Bishop Peak, Cerro San Luis Obispo, and Islay Hill. The Nine Sisters form a divider between the Los Osos Valley and Chorro Valley, covering approximately 40 square miles.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Seismicity and Ground Shaking. Faults produce ground shaking and/or surface rupture. Seismically induced ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Surface rupture is limited to very near the fault. Other hazards associated with seismically induced ground shaking include earthquake-triggered landslides, liquefaction, and tsunamis. 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 (LUCE EIR Section 4.6, Geology and Soils). As depicted in LUCE EIR Section 4.6 Geology and Soils, *Figure 4.6-1 Earthquake Faults – Regional Area* and *Figure 4.6.2 Earthquake Faults – Local Area*, the City is located in a seismically active area. Local active and potentially active faults are shown on these figures, and represent seismic hazards related to surface displacement and seismically induced ground acceleration. These faults are described in detail in LUCE EIR Section 4.6 Geology and Soils.

Liquefaction Hazards. 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. 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 or liquefaction (refer to LUCE EIR Section 4.6 Geology and Soils, *Figure 4.6-3 Seismic and Landslide Hazards*). 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.

Landslide Hazards. 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 LUCE EIR Section 4.6 Geology and Soils, *Figure 4.6-3 Seismic and Landslide Hazards*. 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 California Building Code (CBC) and City Municipal Code require site-specific investigations and design proposals by qualified professionals in areas that are susceptible to slope instability and landslides.

Other Hazards. Differential settlement is the downward movement of the land surface resulting from the compression of void space in underlying soils. Portions of the city have been identified as possibly being underlain by soft organic soils, resulting in a high potential for settlement. Other potential geologic hazards in the City include expansive soils, and subsidence, which occurs where underlying geologic materials (typically loosely consolidated surficial silt, sand, and gravel) undergo a change from looser to tighter compaction, and as a result, the ground surface subsides (lowers) (refer to LUCE EIR Section 4.6 Geology and Soils, *Table 4.6-1 City of San Luis Obispo Soil Properties*).

- a) The City is located in Seismic Zone 4, the highest level of potential earthquake threat in the State of California. City General Plan Safety Element *Figure 3, Earthquake Faults – Local Area* shows mapped and inferred faults in the San Luis Obispo area, including the Los Osos Fault, which is identified under the California Alquist Priolo Fault Hazards Act.

LUCE EIR Conclusion

The LUCE EIR concluded that “new development under the LUCE Update could be susceptible to impacts from future seismic events, creating the potential for structural damage or health and safety risks. However, compliance with required building codes and implementation of General Plan polices would result in a Class III, less than significant impact” (LUCE

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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EIR, Section 4.6 Geology and Soils, Impact GEO-1).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the analysis in the LUCE EIR, no hazards related to fault rupture area are expected to occur as a result of implementation of the proposed Zoning Regulations Update because no historically active, active or potentially active faults are located within or in the immediate vicinity of the city. However, regional faults that could result in strong groundshaking including the San Andreas, 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 range of maximum probable magnitudes for earthquakes emanating from these faults ranges from 6.5 to 7.8, which would affect existing and future development. Based on compliance with required building codes and the City’s General Plan, impacts would be less than significant.

LUCE EIR Conclusion

Regarding liquefaction, the LUCE EIR concluded that “future seismic events could result in liquefaction of soils near San Luis Obispo Creek, Prefumo Creek and other low-lying areas. Development in these areas could be subject to liquefaction hazards. The compliance of future development projects with the California Building Code (CBC) and General Plan policies would result in Class III, less than significant impacts” (LUCE EIR, Section 4.6, Geology and Soils Impact GEO-2).

Proposed Zoning Regulations Update Analysis and Conclusions

Implementation of the proposed Zoning Regulations Update would facilitate the development and redevelopment of lands within the City. Areas near San Luis Obispo Creek, Prefumo Creek, and other low-lying areas are susceptible to high groundwater occurrences and most of the existing City has high liquefaction potential (refer to LUCE EIR Section 4.6 Geology and Soils, *Figure 5 Groundshaking & Landslide Hazards*). Based on compliance with required building codes and the City’s General Plan, impacts would be less than significant.

LUCE EIR Conclusion

The LUCE EIR notes that build-out in areas that exhibit landslide hazards would have the potential to result in significant impacts related to slope instability. The City requires the completion of detailed soils reports and ensures that the project design follows the recommendation in the report. The LUCE EIR concluded that “steep slopes outside of the existing city limits present potential on- or off-site landslide hazards. In addition to human safety impacts, a landslide has the potential to damage or destroy structures, roadways and other improvements as well as to deflect and block drainage channels, causing further damage and erosion, including loss of topsoil. The compliance of future development projects with the California Building Code (CBC) and General Plan policies would result in Class III, less than significant impacts” (LUCE EIR Section 4.6 Geology and Soils, Impact GEO-4).

Proposed Zoning Regulations Update Analysis and Conclusions

Implementation of the proposed Zoning Regulations Update would facilitate the development and redevelopment of lands within the City, and hillside areas identified for future annexation. Consistent with the LUCE EIR, future development may be subject to direct and indirect impacts related to landslide hazards. Based on compliance with required building codes and the City’s General Plan, impacts would be less than significant.

The existing General Plan includes several policies that are intended to minimize potential impacts due to seismicity including: LUE Policy 6.4 Hillside Policies; and Safety Element Policies 4.5 Avoiding Faults, 4.6 Avoiding Slope Instability, and 4.7 Avoiding Liquefaction Hazards. In addition, the proposed Project includes updated hillside development standards, which are proposed to implement goals of the COSE, including protection of the “health, safety

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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and welfare of community residents by directing development away from areas with hazards such as landslides, wildland fires, flooding and erosion” (refer to Article 3, Hillside Development Standards). The proposed Hillside Development Standards chapter includes standards requiring that “each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, at the lowest feasible elevation” and identifies standards specific to density, proximity to ridgelines, protection of natural slopes 26 percent and greater, and maximum 20 land disturbance area.

Consistent with the LUCE, implementation of proposed Zoning Regulations Update would facilitate the development and redevelopment of lands within the City, including areas with potential geologic hazards and soil types conducive to liquefaction and other stability risks. The potential human health and safety impacts from seismic events would be mitigated by existing regulations including the CBC. The City periodically updates the version of the CBC in use to keep current with changes in technology and research regarding building construction and safety. The City’s adoption of the CBC includes standards for new construction affecting plumbing, electrical, construction unreinforced masonry, wells, property maintenance. Proper engineering, including compliance with the CBC, the City of San Luis Obispo Municipal Code, existing policies identified in the LUE and Safety Element, and updated Hillside Development Standards included in the proposed Project would minimize the risk to life and property and would reduce impacts to less than significant levels.

The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all General Plan policies, and applicable regulations, standards and design standards of the CBC, Municipal Code, and Zoning Regulations (Hillside Development Standards) that address seismic hazards. In addition, the City Municipal Code identifies building requirements to ensure the safety of life and property through the regulation of development under Title 15 Building and Construction, Section 15.04 – Construction and Fire Prevention Regulations. This would include the Unreinforced Masonry Hazard Mitigation Program. Therefore, the proposed Zoning Regulations Update would not expose people or structures to substantial adverse effects due to seismicity. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not make changes to the City’s Municipal Code that addresses geologic risks and building safety. Proposed Hillside Development Standards would further minimize potential seismic risks. Additionally, the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new seismic-related impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.6 Geology and Soils).

- b) As shown in LUCE EIR Section 4.6 Geology and Soils, *Table 4.6-1 City of San Luis Obispo Soil Properties*, soils throughout the City of San Luis Obispo have high to very high erosion potential. Structures and facilities constructed on highly erosive soils, as well as occupants of the structures, would have the potential to be exposed to hazards related to erosion. The CBC includes requirements to address soil related hazards. Typical measures included in the CBC requirements intended to treat hazardous soil conditions involve removal, proper fill selection, and compaction. The City’s Municipal Code requires implementation of erosion control measures, as approved through the grading and building permit process (refer to related Municipal Code sections including but not limited to Chapter 15.04 Construction and Fire Prevention Regulations, Chapter 12.08 Urban Storm Water Quality Management and Discharge Control, Chapter 16.18 General Subdivision Standards, Chapter 16.20 Physical Improvement Standards and Procedures, and Chapter 17.84 Floodplain Management Regulations).

LUCE EIR Conclusion

The LUCE EIR determined that erosion would not be a substantial constraint to development of individual sites provided that adequate soil and foundation studies are performed prior to construction in accordance with the CBC and existing General Plan policies. The City requires submittal of erosion control plans and the completion of detailed soils reports and ensures that the project design follows the recommendation in the report and plan. The LUCE EIR concluded that

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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“development facilitated by the LUCE Update could occur on soils that have the potential to present natural hazards (expansive soils, erosive soils, and differential settlement) to structures and roadways. Development could also result in the loss of a unique geologic feature. However, compliance of future development projects with the California Building Code and adopted General Plan policies would ensure that resulting impacts are Class III, less than significant” (LUCE EIR Section 4.6 Geology and Soils, Impact GEO-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Development facilitated by the Zoning Regulations Update could occur on soils that have the potential to present hazards, including erosive soils, to structures and roadways. Consistent with the LUCE EIR, adherence to the existing City’s General Plan, the proposed updated Hillside Development Standards, the City of San Luis Obispo Municipal Code, and implementing proper engineering, including compliance with the California Building Standards, will ensure that potential impacts related to erosive soils remain less than significant. Individual development will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these policies.

The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all General Plan policies, and applicable regulations, standards and design standards of the Municipal Code and Zoning Regulations (Hillside Development Standards) that address erosion hazards. Therefore, the proposed Zoning Regulations Update would not expose people or structures to substantial adverse effects due to erosion or loss of topsoil. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not make changes to the City’s Municipal Code that address erosion and loss of topsoil. Proposed Hillside Development Standards would further minimize potential erosion risks. Additionally, the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new erosion-related impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.6 Geology and Soils.

c) LUCE EIR Conclusion

The LUCE EIR notes that build-out in areas that exhibit landslide and other geologic hazards would have the potential to result in significant impacts related to slope instability (refer to discussion a, above for additional information regarding potential seismic hazards). A landslide and other geologic hazards that destabilize slopes have the potential to damage or destroy structures, roadways and other improvements as well as to deflect and block drainage channels, causing further damage and erosion, including loss of topsoil. The City requires the completion of detailed soils reports and ensures that the project design follows the recommendation in the report, to ensure slope stability, pursuant to the City’s Municipal Code and the CBC.

The LUCE EIR concluded that “steep slopes outside of the existing city limits present potential on- or off-site landslide hazards. In addition to human safety impacts, a landslide has the potential to damage or destroy structures, roadways and other improvements as well as to deflect and block drainage channels, causing further damage and erosion, including loss of topsoil. The compliance of future development projects with the California Building Code (CBC) and General Plan policies would result in Class III, less than significant impacts” (LUCE EIR Section 4.6 Geology and Soils, Impact GEO-4).

The General Plan includes several policies that are intended to minimize potential impacts due to slope instability including: LUE Policy 6.4 Hillside Policies and Safety Element Policies 4.6 Avoiding Slope Instability and 4.7 Avoiding Liquefaction Hazards. In addition, the proposed Project includes an updated Hillside Development Standards chapter (refer to proposed Zoning Regulations Update Article 3). In addition, the City Municipal Code identifies building requirements to ensure the safety of life and property through the regulation of development under Title 15 Building and Construction,

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Section 15.04 – Construction and Fire Prevention Regulations. These regulations require detailed soils analysis be prepared to support the proposed building or subdivision activity. As a result of the analysis, larger footings, soil amendment or changes in construction methods and/or materials may be required. While design features and engineering solutions cannot be known until a specific development is proposed for a given site, compliance with the CBC, the City Municipal Code and General Plan policies will reduce impacts from landslides to less than significant. Individual development will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these policies.

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis in the LUCE EIR, implementation of the proposed Zoning Regulations Update would facilitate the development and redevelopment of lands within the city, including areas with potential geologic hazards and soil types conducive to liquefaction and other stability risks. The potential human health and safety impacts from landslide, liquefaction, and other slope stability risks would be considered significant; however, new development would conform to the CBC. Proper engineering, including compliance with the CBC, the City Municipal Code, existing policies identified in the LUE and Safety Element, and updated Hillside Development Standards included in the proposed Project would minimize the risk to life and property.

The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all General Plan policies, and applicable regulations, standards and design standards of the CBC, Municipal Code, and Zoning Regulations (Hillside Development Standards) that address slope stability. Based on compliance with existing regulations, potential impacts related to slope instability would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not make changes to the City’s Municipal Code that addresses geologic risks and building safety. Proposed Hillside Development Standards would further minimize potential seismic risks. Additionally, the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new seismic-related impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.6, Geology and Soils.

- d) As shown in LUCE EIR Section 4.6 Geology and Soils, *Table 4.6-1 City of San Luis Obispo Soil Properties*, several soils within the City have moderate shrink-swell potential, and the potential for soil settlement could result in significant impacts to new development in these areas. The shrink-swell characteristics of soils can vary widely within short distances, depending on the relative amount and type of clay.

LUCE EIR Conclusion

The LUCE concluded that “development facilitated by the LUCE Update could occur on soils that have the potential to present natural hazards (expansive soils, erosive soils, and differential settlement) to structures and roadways. Development could also result in the loss of a unique geologic feature. However, compliance of future development projects with the California Building Code and adopted General Plan policies would ensure that resulting impacts are Class III, less than significant” (LUCE EIR Section 4.6 Geology and Soils, Impact GEO-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Similar to the analysis in the LUCE EIR, implementation of the proposed Zoning Regulations Update would facilitate the development and redevelopment of lands within the city, including areas with expansive soils. The CBC includes requirements to address soil related hazards. Typical measures included in the CBC requirements intended to treat hazardous soil conditions involve removal, proper fill selection, and compaction. Expansion or large-scale settlement



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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problems would not be a substantial constraint to development of individual sites provided that adequate soil and foundation studies are performed prior to construction in accordance with existing General Plan policies and CBC regulations. The City requires the completion of detailed soils reports and ensures that the project design follows the recommendation in the report. In addition, the Municipal Code identifies building requirements to ensure the safety of life and property through the regulation of development under Title 15 Building and Construction, Section 15.04 – Construction and Fire Prevention Regulations. Adherence to the City’s General Plan and the City’s Municipal Code, and implementing proper engineering, including compliance with the CBC, will ensure that potential expansive soils and differential settlement impacts remain less than significant. Individual development will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these policies. Adherence to the existing City’s General Plan, the City Municipal Code, and implementing proper engineering, including compliance with the CBC, will ensure that potential impacts related to expansive soils remain less than significant.

The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all General Plan policies, and applicable regulations, standards and design standards of the Municipal Code and CBC that address geologic hazards, including expansive soils. Therefore, potential impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not make changes to the Municipal Code that addresses expansive soils. Additionally, the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to expansive soils that have not been previously examined or adequately addressed in LUCE EIR, Section 4.6 Geology and Soils.

- e) The entirety of the City is served by established wastewater conveyance and treatment services, and new development would connect to the municipal system. Therefore, the proposed Zoning Regulations Update would not result in impacts associated with soils supporting the use of septic systems. No impacts would occur.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not result in the construction of new septic systems within the City, as new development would connect to the existing municipal system. Therefore, no impact would occur.

**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?	1, 2, 3, 4, 6, 7, 8, 14, 18, 19, 20			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	1, 2, 3, 4, 6, 7, 8, 14, 18, 19, 20			X	

Evaluation

As outlined in LUCE EIR Section 4.7 Global Climate Change, prominent GHG emissions contributing to the greenhouse effect are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). 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

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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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 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 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’s Green Building Standards Code (CALGreen), 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 Air Quality 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 April 2012, APCD March 2012). 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) LUCE EIR Section 4.7 Global Climate Change addresses the potential impacts resulting from implementation of the LUCE, including short-term and long-term GHG emissions. As discussed in the LUCE EIR, the City conducted a GHG emissions inventory of annual emissions for the baseline year 2005. This 2009 inventory includes estimated community-wide emissions for the transportation, residential and commercial/industrial energy usage (electricity and natural gas), and solid waste sectors. The City’s CAP also includes forecasted business-as-usual (BAU) emissions for 2010, 2020 and 2035, consistent with population, housing and employment data for 2010 and projections for 2020 and 2035. Forecasted 2020 and 2035 emissions were estimated based on growth rates provided by the San Luis Obispo Council of Governments (SLOCOG). The CAP BAU forecast supersedes forecasted emissions included in the original inventory, conducted in 2009. The baseline inventory and BAU forecasts are summarized in LUCE EIR Section 4.7 Global Climate Change, *Table 4.7-1 Baseline and Forecasted GHG Emissions*. As shown in this table, communitywide BAU emissions were estimated to increase by approximately 9 percent in 2020 compared to 2005 levels and would further increase by approximately 21 percent in 2035 compared to 2005 levels.

LUCE EIR Conclusion

Projected growth in housing and employment assumed under the LUCE was determined to be equal to or slightly less than the growth projections used to estimate worst case, “business-as-usual” (BAU) future GHG emissions in the CAP. Therefore, expected long-term operational GHG emissions generated by new development consistent with the LUCE would be consistent with forecasted BAU communitywide emissions in the CAP. The CAP includes a communitywide GHG emissions reduction target of 15 percent below 2005 levels by 2020. This target can also be expressed as a 22 percent reduction below the projected BAU forecast by 2020, which takes into account anticipated growth in population, housing and employment and associated changes in the built environment. The CAP includes specific GHG reduction measures in the CAP that are designed to achieve this target, in combination with state and federal legislative reductions. As shown in LUCE EIR Section 4.7 Global Climate Change, *Table 4.7-2 CAP Community-wide GHG Emissions Reductions in 2020 and 2035*, which includes expected emissions reductions from CAP GHG reduction measures along with State legislative reductions and the resulting net emissions expected in 2020 and 2035 as a result of implementation of all CAP measures, community-wide emissions would be reduced to 16 percent below 2005 levels by the year 2020, exceeding the 15 percent

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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target. LUCE EIR Section 4.7 Global Climate Change, *Table 4.7-3 Consistency of Proposed LUCE Update Policies and Program with Climate Action Plan Measures and Actions* summarizes the LUCE policies that would support or directly result in the reduction of GHG emissions or serve as climate adaptation strategies, and provides a reference to corresponding CAP strategies and implementing actions, where applicable, to demonstrate consistency with the adopted CAP. The LUCE EIR concluded that because the LUCE update included policies and programs that are consistent with GHG reduction policies and measures that are in the CAP, communitywide GHG emissions reductions assumed in the CAP were applicable to the proposed LUCE update. Therefore, the LUCE EIR determined that the incremental contribution of GHG emissions associated with implementation of the LUCE would not be cumulatively considerable, and implementation of proposed and existing policies would reduce potential impacts to a less-than-significant level.

The LUCE EIR concluded that “implementation of the proposed LUCE Update could result in an increase in GHG emissions due to short-term construction and long-term operational activities associated with new housing and commercial development, resulting in a cumulatively considerable contribution to the impact of global climate change. However, because the proposed LUCE Update would be consistent with the City’s CAP and incorporates applicable CAP policies and programs that would reduce GHG emissions, this impact would be considered Class III, less than significant” (LUCE EIR Section 4.7 Global Climate Change, Impact GCC-1).

*Proposed Zoning Regulations Update Analysis and Conclusions*

The proposed Zoning Regulations Update is one of the principal tools for implementing the LUCE and will advance greenhouse gas reduction goals as mandated by the State (AB32, SB375) and the City’s CAP. The proposed Project facilitates the development of a sustainable, multi-modal community to reduce per capita VMT and GHG emissions through increased design standards, new design guidelines, and the imposition of general site regulations. The adopted CAP will be undergoing a substantive revision, and the policy directives in the updated CAP will guide City action on GHG reduction strategies in all City regulatory documents. However, the current CAP includes several policy directives that can be implemented now via the Zoning Regulations Update. The Planning Commission has reviewed a white paper outlining possible implementation strategies, and at the May 3, 2018 community workshop, participants suggested additional strategies that might be addressed in the Zoning Regulations Update. It should be noted that the City is already forward thinking in its climate adaption strategies and has adopted measures to reduce the City’s carbon footprint, such as requiring extensive tree canopy in parking lots (which reduces heat island effects and improves carbon sequestration), requiring wiring for electric vehicle charging in garages in new subdivisions, and requiring LEED Silver or equivalent development as an incentive in the C-D zone. Also, the State is moving forward with climate change initiatives, such as requiring solar installations on new development beginning in 2020, which will be applied to new developments. New strategies in the updated Zoning Regulations include:

- As an incentive for increased height in the C-D zone and a community benefit for a PD overlay, having a developer provide net-zero energy construction features
- Reducing the allowable pervious surface coverage in front yards of R-1 zones from 50 percent to 40 percent
- As an incentive for increased height in the C-D zone and a community benefit for a PD overlay, requiring a Transportation Demand Management (TDM) program that achieves measurable 20 percent mode shift and that is covenanted for long-term implementation
- Allowing shared car services (e.g., ZipCar) spaces to be located in developments without increased parking requirements
- Parking requirements for alternative clean fuel vehicles
- Requirements for showers, lockers and changing rooms for large developments
- Reducing car parking requirements and increasing bike parking

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Buildout pursuant to the LUCE and the proposed Project would increase development intensity within the city limits, as well as undeveloped areas to a more built environment, thereby resulting in the generation of GHGs. As noted above, the General Plan, CAP, and policies adopted in the LUCE protect air quality and facilitate GHG reductions through policies and plan review. *In*

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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*addition, proposed regulated performance standards applicable to future development require that “The use of conventional energy sources for space heating and cooling, water heating, and illumination shall be minimized by means of proper design and orientation, including provision and protection of solar exposure” (proposed Zoning Regulations Section 17.74.050, Energy Conservation).* Adherence to these requirements would reduce any impacts from buildout occurring under the proposed Zoning Regulations Update, to less than significant. Therefore, the proposed Project would be consistent with the CAP and impacts would be less than significant.

**Conclusion.** The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project includes updates that would facilitate implementation of the goals identified in the City’s CAP, which would facilitate GHG reductions consistent with local and state regulations. Additionally, the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to GHGs and global climate change that have not been previously examined or adequately addressed in LUCE EIR Section 4.7 Global Climate Change.

**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?	1, 2, 3, 6, 13, 14			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?	1, 2, 3, 6, 13, 14			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?	1, 2, 3, 6, 13, 14			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, would it create a significant hazard to the public or the environment?	1, 2, 3, 6, 13, 14			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, 2, 3, 4, 6, 13, 14, 23, 24			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, 2, 3, 4, 6, 13, 14, 23, 24			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1, 2, 3, 6, 13, 14			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 residences are intermixed with wildlands?	1, 2, 3, 4, 6, 13, 14, 25			X	

**Evaluation**

**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

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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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. Examples of these are gas stations and areas that historically included oil production. 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 Safety Element, include radiation hazards and the transportation of hazardous materials in and around the city.

Because of the widespread use of hazardous materials in our communities, minor and major hazardous materials spills and incidents occur. Most of these incidents are related to the increasing frequency of transport of chemicals over roadways, railways or through industrial accidents. US 101 and a rail corridor are major transportation corridors through the San Luis Obispo area. Trains and trucks commonly carry a variety of hazardous materials, including gasoline and various crude oil derivatives, and other chemicals known to cause human health problems. When properly contained, these materials present no hazard to the community. But in the event of an accident or derailment, such materials may be released, either in liquid or gas form. In the case of some chemicals (such as chlorine), highly toxic fumes may be carried far from the accident site. Transporters of hazardous waste in California are subject to many federal and state regulations. They must register with the California Department of Health Services (DHS) and ensure that vehicle and waste container operators have been trained in the proper handling of hazardous waste. Vehicles used for the transportation of hazardous waste must pass an annual inspection by the California Highway Patrol. Transporters must allow the Highway Patrol and/or the DHS to inspect its vehicles and must make certain required inspection records available to both agencies. The transport of hazardous materials that are not wastes is regulated by the U.S. Department of Transportation through national safety standards.

Other risks resulting from hazardous materials include the use of these materials in local industry, businesses and agricultural production. The owner or operator of any business or entity that handles a hazardous material above threshold quantities is required, by State and Federal laws, to submit a Business Plan to the local Certified Unified Program Agency (CUPA). San Luis Obispo County Environmental Health Services Division is the CUPA and the City of San Luis Obispo Fire Department administers the program within the city.

In order to address the risks to health and property associated with hazardous material releases, the City of San Luis Obispo Fire Department maintains several active programs designed to address emergency situations, including the release of hazardous materials. Other potential hazards described in further detail in LUCE EIR Section 4.8 Hazards and Hazardous Materials include radiation, electromagnetic fields, and hazardous trees.

**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. The San Luis Obispo County Airport Land Use Commission (ALUC) is an independent body of seven members that was created in response to the mandates of The State Aeronautics Act, first enacted in 1967. 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. In addition to formulating ALUPs, the ALUC is required to review certain types of action by local counties and cities, which affect the land use in the vicinity of airports for consistency with the ALUP. Although the ALUC is not part of any local governmental structure, the City must refer certain local actions to the ALUC. Those local actions include: general plans and general plan amendments; specific plans and specific plan amendments; zoning ordinances and zoning ordinance amendments; and, building regulations and modifications thereof.

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) (refer to LUCE EIR Section 4.8 Hazards and Hazardous Materials, *Figure 4.8-3 Airport Hazards*). 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, Safety Areas S-1 a through c, and Safety Area S-2 (refer to LUCE EIR Section 4.8 Hazards and Hazardous Materials and the ALUP for additional information regarding safety zones).

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Fire Risk. 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. Wildland fire hazards exist in at the city's edges. Refer to LUCE EIR Section 4.8 Hazards and Hazardous Materials, *Figure 4.8-1 Fire Hazard Severity Zones*, for a detailed depiction of the wildland fire risk assessment for the city's outlying areas.

Government Code Sections 51175 through 51189 require identification of land within very high fire hazard severity zones to identify measures that will mitigate uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken (refer to LUCE EIR Section 4.8 Hazards and Hazardous Materials, *Figure 4.8-1 Fire Hazard Severity Zones*). Properties within these zones are required to utilize Wildland-Urban Interface Fire Area Building Standards to minimize the threat of property damage in the event a wildfire occurs in close proximity to these properties. The objective of the Wildland-Urban Interface Fire Area Building Standards is to establish minimum standards for materials and construction to provide a reasonable level of exterior wildfire exposure protection for buildings in Very High Fire Hazard Severity Zones and other areas designated by the City Council after a public hearing. The City has not identified a separate Wildland-Urban Interface Fire Zone but rather has determined it to be coterminous with the state-identified Very High Fire Hazard Severity Zone. However, local building code has been adopted to address the idea that the City is within an area that may put the community at risk of impacts from wildland fires and has increased construction requirements to address fire hazard. For additional information regarding factors that contribute to wildfire risk, refer to LUCE EIR Section 4.8 Hazards and Hazardous Materials.

a), b), c), d), g) LUCE EIR Conclusion

Exposure to Hazardous Materials. Implementation of the LUCE would facilitate new development (including residences) within several areas in and around the city where hazardous materials could be stored or used, or where previous use has resulted in contamination of the site. Residential development proximate to commercial or industrial facilities using or storing hazardous materials has the potential to increase the risk of exposure to harmful health effects. Areas where users of hazardous materials are located are confined primarily to commercial and industrial areas of the city. Construction activities may require the use of hazardous materials, which could be a threat if they were to have an adverse impact on the public or environment. This includes the generation of hazardous waste, potential release or explosion of substances, and construction taking place within a quarter mile of an established or planned school or construction within a site which is included on a list of hazardous material sites compiled pursuant to Government Code §65962.5 resulting in the creation of a significant hazard to the public or the environment. The LUCE EIR notes that by allowing for residential or mixed-use development in commercial and industrial areas where there may have been past use or there may be current use of hazardous materials, the potential for exposure may increase due to: (1) potential soil/groundwater contamination resulting from past practices; and (2) the proximity of new residential development to ongoing activity involving the use of hazardous materials. Development or redevelopment in these areas would have the potential for exposure of hazardous materials to the public. The magnitude of exposure to hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites.

Older structures throughout the city could potentially have asbestos containing materials (ACM) and/or lead-based paint (LBP). If demolition of these structures occurred, ACM or LBP could be released, resulting in adverse health effects. To prevent health risks to occupants or construction workers, proper ACM and LBP abatement and disposal procedures are required to be undertaken whenever the demolition is considered for structures that were built prior to 1979.

The presence of soil or groundwater contamination would depend upon the location of the construction site and its proximity to sources of contamination. Depending on the previous land uses, new development could present potential risk of exposure to contamination associated with agricultural pesticide use, leaking underground storage tanks (LUSTs), undocumented abandoned oil and gas wells, and/or various industrial contaminants. Hence, development of vacant and underutilized sites under buildout would increase the potential for exposure to soil and groundwater contamination hazards.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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However, any necessary assessment and remediation of the properties would be completed in accordance with applicable regulatory requirements prior to development. In addition to compliance with General Plan policies and regulatory requirements, mitigation would be required to reduce potential impacts to a less than significant level. The City of San Luis Obispo Fire Department will continue to maintain programs designed to address emergency situations, including the release of hazardous materials.

The LUE includes policies and programs for development near known hazardous material users, or construction in areas with existing hazardous materials, that could expose individuals to health risks due to soil/groundwater contamination or emission of hazardous materials into the air. These policies include: 2.3.11 Residential Project Objectives (provide buffers from hazardous materials transport routes, as recommended by the City Fire Department); 6.4.6 Homesites Outside the Limit Lines (have effective emergency-vehicle access from a City street or County road); and 12.9 Environmental Review. The Safety Element lists policies for development near known hazardous material users, or construction in areas with existing hazardous materials or general hazardous conditions, that could expose individuals to health risks due to soil/groundwater contamination or emission of hazardous materials into the air which include: Safety Element Policies 6.1 (Other Hazardous Materials), 6.2 (Minimizing Hazardous Materials Exposure), 6.3 (Hazardous Materials in City Operations). In addition, the Safety Element includes a comprehensive set of policies and programs intended to address avoiding and preparing for emergencies in general. This includes programs and requirements intended to avoid several kinds of emergencies and to respond to those that occur (refer to Safety Element Policies 10.0 through 10.23).

The City Demolition and Moving of Buildings Section 115 Public Safety Requirements include general requirements for building demolition activities, permitting for such activities, hauling operations, and routes of moving materials in order to address hazardous materials issues. In addition, there are subsections included for dust and debris, fire safety, and removal and disposal of demolition materials. In addition, adherence to the Federal Asbestos NESHAP regulations and State and Federal regulations pertaining to the abatement of lead-based paints will reduce expose of these materials. In addition, the City of San Luis Obispo Fire Department Hazardous Waste Generator Permit ensures that the City Fire Department permits hazardous waste generators in San Luis Obispo County.

The LUCE EIR states that based on compliance with the General Plan and existing regulations summarized above, future development implemented pursuant to the LUCE would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (LUCE EIR Section 4.8, Hazards and Hazardous Materials).

The LUCE EIR determined that “development facilitated by the LUCE Update could occur near known hazardous material users or result in construction in areas with existing hazardous materials. Implementation of the LUCE Update could expose individuals to health risks due to soil/groundwater contamination or emission of hazardous materials into the air and could impact an adopted emergency response/evacuation plan. With the incorporation of the proposed LUCE Update policies and existing City policies, potential impacts are considered Class III, less than significant” (LUCE EIR Section 4.8, Impact HAZ-1).

*Proposed Zoning Regulations Update Analysis and Conclusions*

Similar to the analysis identified in the LUCE EIR and summarized above, implementation of the proposed Zoning Regulations Update has the potential to result in significant impacts related to the introduction of new development near known hazardous material users, or construction in areas with existing hazardous materials, that could expose individuals to health risks due to soil/groundwater/materials contamination or emission of hazardous materials into the air. Upon review of specific projects and development proposals, where required, further review including completion of phased Environmental Site Assessments to determine the potential for hazardous materials, soil and groundwater sampling, and documented recommendations for remediation under the appropriate oversight agency would reduce the risk of possible contamination. In addition, compliance with General Plan policies and current federal and state requirements would reduce impacts to less than significant levels.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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LUCE EIR Conclusion

Regarding potential exposure to hazardous materials transported by rail and highway, development along the railroad tracks would be most susceptible to hazardous materials impacts associated with railway accidents, and development along Highway 101 would be most susceptible to hazardous materials impacts associated with highway accidents. Applicable policies and programs that address this impact include: Safety Element Policies 9.1 Hazardous Materials; Policy 6.2 Minimizing Hazardous Materials Exposure; Policy 6.3 Hazardous Materials in City Operations.

The LUCE EIR determined that “development under the proposed LUCE Update could potentially introduce sensitive receptors to areas in direct proximity to hazardous materials transportation corridors including the Union Pacific Railroad and Highway 101 and could potentially create a public safety hazard. This is a Class III, less than significant impact” (LUCE EIR, Section 4.8 Hazards and Hazardous Materials, Impact HAZ-5).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the conclusions of the LUCE EIR, impacts to new development implemented pursuant to the Zoning Regulations Update are considered potentially significant; however, based on compliance with existing General Plan policies and programs, impacts related to hazards from rail and highway accidents and the transportation of hazardous materials within the city would be reduced to a less than significant level.

LUCE EIR Conclusion

Other Hazards. The LUCE EIR also identified other potential hazards including radiation, electromagnetic fields, and hazardous trees. The Diablo Canyon Nuclear Power Plant, which is pending closure estimated in 2024-2025, is the primary hazard for ionizing radiation in the San Luis Obispo area. Emergency planning at the Diablo Canyon facility is coordinated with the Emergency Services Director from the Office of the County Administer and the state Department of Health Services (DHS) provides oversight and guidance on many health-related issues. Applicable response plans for an emergency at the Diablo Canyon Nuclear Power Plant include the State of California Emergency Plan the San Luis Obispo County/Cities Nuclear Power Plant Emergency Response Plan. Implementation of the LUCE would have the potential to introduce residents to regional hazards associated with a radiation leak at Diablo Canyon Nuclear Power Plant. Incorporation of the existing state and federal regulations and compliance with local response plan implemented by the County and City of San Luis Obispo will reduce impacts related to radiation hazards to less than significant levels.

Regarding electromagnetic fields, which have the potential to affect biological systems, the LUCE EIR determined that implementation of Safety Element Policies 7.0 Exposure to Electromagnetic Fields and 7.1 Notification to Buyers Near Electromagnetic Fields would reduce impacts related to exposure to electromagnetic fields are reduced to less than significant levels.

The City Municipal Code, Ordinance 1544 Tree Ordinance, outlines the regulatory procedures and authority for the trimming or removal of hazardous trees. Safety Element policies and programs to minimize danger to people and property from trees that are weakened and susceptible to falling or limb loss during storms include: Policy 9.0 Hazardous Trees and Program 9.1 Hazardous Trees. The LUCE EIR determined that implementation of the City’s policies and programs and Tree Ordinance will reduce safety impacts to less than significant levels. In addition to the policies and programs listed above, the Safety Element includes a comprehensive set of policies and programs intended to address avoiding and preparing for emergencies in general. Safety Element Policies and Programs 10.0 through 10.9 are intended to avoid several kinds of emergencies and to respond to those that occur.

The LUCE EIR concluded that “development facilitated by the LUCE Update could introduce sensitive receptors to additional hazards related to exposure to radiation, electromagnetic fields and hazardous trees. With the incorporation of the proposed LUCE Update policies and existing City policies, potential impacts are considered Class III, less than significant” (LUCE EIR, Section 4.8 Hazards and Hazardous Materials, Impact HAZ-4).



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

Implementation of the Zoning Regulations Update would result in the same impacts identified for the LUCE Update, as summarized above. Consistent with the analysis and determinations in the LUCE EIR, development facilitated by the proposed Zoning Regulations Update could occur near known hazardous material users and hazardous materials transportation corridors, result in construction in areas with existing hazardous materials, could expose individuals to health risks due to soil/groundwater contamination or emission of hazardous materials into the air, could impact an adopted emergency response/evacuation plan. Additionally, future development could introduce sensitive receptors to hazards associated with radiation, electromagnetic fields and hazardous trees. Adherence to the General Plan, Municipal Code, CBC, existing and proposed Zoning Regulations, and federal and state regulations, and avoidance and remediation of hazardous sites and conditions, will ensure that potential impacts related to hazards and hazardous materials will remain a less than significant impact. Individual development would be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with existing regulations, policies, and programs.

In addition to existing plans, policies, and programs summarized above, the Zoning Regulations Update includes several proposed modifications to further reduce potential impacts, consistent with the LUCE. Proposed Article 3 of the Zoning Regulations Update includes clarifications regarding hazards and hazardous materials, which would provide further protections for the public, including:

- Limitations on use for mixed-use projects, which clarify that major vehicle/equipment repair, uses that required storage of hazardous materials beyond what is normally associated with residential uses, manufacturing or industrial activities, and any other activity or use incompatible with residential activities and/or having the possibility of affecting the health or safety of mixed-use development residents);
- Clarified performance standards stating that “land or buildings shall not be used or occupied in a manner creating any dangerous, injurious, or noxious fire, explosive, or other hazard that would adversely affect the surrounding area”;
- A new section stating that “The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations and the California Fire and Building Codes, as well as the laws and regulations of the California Department of Toxic Substances Control and the County Environmental Health Agency. Activities, processes, and uses shall not generate or emit any fissionable or radioactive materials into the atmosphere, a sewage system, or onto the ground”; and,
- New trash enclosure standards to avoid health and safety hazards.

In addition, revisions to Article 4 propose restrictions for locating schools within 1,000 feet of any business posing significant health risk to the school due to the presence of hazardous materials or conditions, and Article 6 states that required findings for a Minor Use Permit or Conditional Use Permit include the following: “The type, density, and intensity of use being proposed will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare, or be materially detrimental or injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.”

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. The proposed changes do not conflict with existing General Plan policies nor state and federal regulations applicable to public safety and exposure to hazards and hazardous materials. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all General Plan policies, and applicable regulations, standards and design standards of the CBC, Municipal Code, and state and federal regulations address hazardous and hazardous materials. Based on compliance with existing policies and regulations, and proposed regulations identified in the Zoning Regulations Update, potential impacts related to hazards and hazardous materials would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE and to further reduce potential impacts related to hazards and hazardous materials. The proposed Project would not allow new

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to hazards and hazardous materials that have not been previously examined or adequately addressed in LUCE EIR, Section 4.8 Hazards and Hazardous Materials.

- e), f) The policy and programs presented in LUE Chapter 7 Airport Area reflect airport safety, noise, height and overflight considerations consistent with the purposes of the State Aeronautics Act. Policies, programs, and Zoning Regulations implementation were previously incorporated into the Airport Overlay Zone (AOZ) to codify airport compatibility criteria for areas subject to airport influence consistent with the requirements of Cal. Pub. Utilities Code Section 21670, et. seq, the California Airport Land Use Planning Handbook, and other related federal and state requirements relating to airport land use compatibility planning. These include allowable uses and development standards such as density and intensity limitations, identification of prohibited uses, infill development, height limitations, and other hazards to flight, noise insulation, buyer awareness measures, airspace protection, nonconforming uses and reconstruction, and the process for airport compatibility criteria reviews by the City.

LUCE EIR Conclusion

The LUCE EIR states that “adherence to the existing City’s General Plan, and coordination with the ALUC, will ensure that future development under the LUCE will not result in significant airport-related safety hazards. Individual development would be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these policies”.

The LUCE EIR concluded that “development consistent with the proposed LUCE Update could introduce incompatible residential and commercial land uses into safety zones established through the Airport Land Use Plan and may result in a safety hazard for people residing or working in these areas. Impacts would be Class III, less than significant” (LUCE EIR Section 4.8 Hazards and Hazardous Materials, Impact HAZ-2).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the LUCE EIR, implementation of the Zoning Regulations Update would facilitate development within the boundary of the ALUP and City AOZ. In association with adoption of the LUCE and associated Airport Land Use Compatibility Report, the City Council approved an overrule of the ALUP, which allowed for development to occur pursuant to adopted Specific Plans or existing Zoning Regulations Chapter 17.57 Airport Overlay Zone and associated *Table 10 – Airport Overlay Zone (AOZ) – Maximum Allowed Persons*. The Draft Zoning Regulations Update restructured this section of the Zoning Regulations as Chapter 17.64 and includes clarifications to how density is to be calculated (consistent with the California Airport Land Use Planning Handbook) and includes updates specific to the names of land uses, consistent with the remainder of the proposed Update (refer to Article 2 of the proposed Project). The proposed Zoning Regulations Update would not modify the allowable density (persons per acre) for each use within identified Safety Zones.

Development consistent with the LUCE and Zoning Regulations Update could introduce incompatible residential and commercial land uses into safety zones identified in the ALUP and may result in a safety hazard for people residing or working in these areas. However, the proposed and existing City policies and programs and compliance with the Municipal Code directly address future development with the potential to airport-related safety hazards. As future development pursuant to the Zoning Regulations Update is proposed, the City will be required to ensure consistency with the General Plan and Municipal Code. Implementation of proposed and existing policies and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. The proposed changes do not conflict with existing General Plan policies nor state and federal regulations applicable to public safety and airport hazards. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all General Plan policies, and applicable regulations, standards and design standards of the General Plan, Municipal Code,

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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and state and federal regulations that address airport safety. Based on compliance with existing policies regulations, potential impacts related to airport hazards would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE and *Table 10 – Airport Overlay Zone (AOZ) – Maximum Allowed Persons*. Therefore, there would be no new impacts related to airport safety that have not been previously examined or adequately addressed in LUCE EIR, Section 4.8 Hazards and Hazardous Materials.

h) LUCE EIR Conclusion

Buildout of the LUCE would facilitate the development of residential uses in areas of the City that are at risk of damage from wildland fires. As shown on LUCE EIR Section 4.8 Hazards and Hazardous Materials, *Figure 4.8-1 City of SLO Planning Area Fire Hazard Severity Zones*, the northern portion of the city, consisting of the land surrounding Via Carta and Poly Canyon Road and along the north-eastern edge behind Cal Poly State University is a High to Very High Fire Hazard area. The southeast quadrant of the intersection of Highway 1 and Highway 101 directly east of the French Hospital Medical Center is also designated as a High Fire Hazard area. In addition, Moderate Fire Hazard Areas are located along the southern portion of the city between Highway 101 and Highway 227. Development of vacant and/or underutilized parcels in these areas has the potential to result in an increased risk of exposure to wildland fires. The Uniform Fire Code (UFC) and CBC set construction requirements for residences and structures in wildland fire hazard areas. Compliance with these requirements would minimize risks associated with development in these areas. Compliance with General Plan policies would further reduce the risks in these areas. The remainder of the urbanized city has a low/moderate potential for wildland fires. However, steep hills covered with brush and grasslands surround San Luis Obispo, and during fire season areas within the city limits are susceptible to wildfire damage if these fires cannot be prevented or controlled. The City has adopted fire safety standards relating to road standards for fire equipment access, standards for signs identifying streets, roads, and buildings, minimum private water supply reserves for emergency fire use, and fuel breaks and greenbelts as outlined in the California Public Resources Code Section 4290 and Section 4291. These standards apply to all development outside of the incorporated city and would help to reduce the risk of wildfires spreading and impacting the city.

The Safety Element lists policies to protect areas designated as Moderate or High Wildland Fire Hazard which include Policies 3.0 Adequate Fire Services and 3.1: Wildland Fire Safety. In addition, the Safety Element includes a comprehensive set of policies and programs intended to address wildland fire hazards. This includes the following programs and requirements intended to avoid several kinds of emergencies and to respond to those that occur: Policy 10.1 Emergency Preparedness and Response; Program 10.3 Response Performance Standards; Program 10.5 Specific Emergency-Response Information; Program 10.6 Coordinated Emergency Planning; Program 10.7 Emergency Operations Center; Program 10.9 City Emergency Plan; Program 10.10 Mutual and Automatic Aid; Policy 10.13 Emergency Access and Evacuation; Policy 10.18 Safety of Structures and Facilities; Program 10.19 Reducing Structural Hazards; Program 10.22 Building and Fire Regulations; and Program 10.23 Required Inspections.

The LUCE EIR determined that “development consistent with the proposed LUCE Update would introduce residential land uses into areas designated as having a Moderate or High Wildland Fire Hazard, introducing the potential to expose people or structures to a significant risk of loss and/or injury. However, compliance with existing policies and state and local regulations would reduce impacts to a Class III, less than significant level” (LUCE EIR Section 4.8 Hazards and Hazardous Materials, Impact HAZ-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the analysis in the LUCE EIR, development pursuant to the Zoning Regulations Update would introduce residential land uses into areas designated as Moderate or High Wildland Fire Hazard, introducing the potential to expose people or structures to a significant risk of loss and/or injury. However, the existing City policies and programs and

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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proposed regulations discussed above directly address future development in areas designated as Moderate or High Wildland Fire Hazard. As future development under the Zoning Regulations Update is proposed, the City will be required to ensure consistency with the General Plan. In addition to existing regulations that refer to fire safety and compliance with the UFC, the proposed Zoning Regulations Update includes additional protective regulations related to fire risk, including clarified Hillside Development Standards in Article 3, which are provided to “protect the health, safety and welfare of community residents by directing development away from areas with hazards such as landslides, wildland fires, flooding and erosion.” Therefore, implementation of proposed and existing policies and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. The proposed changes do not conflict with existing General Plan policies nor state and federal regulations applicable to fire risk. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all General Plan policies, and applicable regulations, standards and design standards of the General Plan, Municipal Code, UFC, and CBC regulations that address fire safety. Based on compliance with existing policies regulations, potential impacts related to fire hazards would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to fire hazards that have not been previously examined or adequately addressed in LUCE EIR, Section 4.8 Hazards and Hazardous Materials.

**9. HYDROLOGY AND WATER QUALITY. Would the project:**

a) Violate any water quality standards or waste discharge requirements?	1, 2, 4, 6, 26, 27, 28			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 or planned uses for which permits have been granted)?	1, 2, 4, 6, 26, 27, 28			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?	1, 2, 4, 6, 26, 27, 28			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	1, 2, 4, 6, 26, 27, 28			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	1, 2, 4, 6, 26, 27, 28			X	
f) Otherwise substantially degrade water quality?	1, 2, 4, 6, 26, 27, 28			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate	1, 2, 4, 6, 26,			X	

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Map or other flood hazard delineation map?	27, 28				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	1, 2, 4, 6, 26, 27, 28			X	
i) Expose people or structures to significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	1			X	
j) Inundation by seiche, tsunami, or mudflow?	1				X

Evaluation

**Drainage and Flooding.** The City is located within the San Luis Obispo Creek Hydrologic Subarea of the Estero Bay Hydrologic Unit, which stretches roughly 80 miles between the Santa Maria River and the Monterey County line and includes numerous individual stream systems. According to the Safety Element of the City of San Luis Obispo General Plan, average seasonal precipitation in the City of San Luis Obispo is 22 inches and average seasonal precipitation throughout the county varies from 8.5 inches (at Simmler) to 25.6 inches (at San Simeon). The watershed generally drains to the south-southwest via San Luis Obispo Creek where it meets the Pacific Ocean at Avila Beach. San Luis Obispo Creek originates in the Cuesta Grade area north of San Luis Obispo at an elevation of 2,200 feet above mean sea level, in the western slopes of the Santa Lucia Range. The creek flows south through the City of San Luis Obispo adjacent to U.S. Highway 101 until it reaches the southern extent of the Irish Hills where it veers west to the ocean.

The City 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. Key areas within the 100-Year Flood Zone include: Downtown (especially bounded by Santa Rosa, Monterey, Broad, and Pismo Streets); Mid-Higuera Area; and Margins of Laguna Lake and Prefumo Creek (refer to LUCE EIR Section 4.9 Hydrology and Water Quality, *Figure 4.9-1 100-year Flood Zones*). San Luis Obispo is not subject to inundation from dam failure, beach erosion, or coastal or lakefront flooding due to earthquake-induced waves (tsunami or seiche).

**Water Quality.** The City’s Public Works, Utilities, and Community Development Departments are responsible for coordinating the implementation of the City’s Storm Water Management Program (SWMP). This program is required under the Phase II Storm Water Regulations regulated by the SWRCB, San Luis Obispo Region. The primary goal of the program is to minimize urban runoff that enters the municipal storm drain system, and carries bacteria and other pollutants into local creeks, our watershed and to the ocean. As part of these new requirements, the City of San Luis Obispo has been mandated to establish a set of minimum-designated Best Management Practices (BMPs) and Pollution Prevention Methods (PPMs). BMPs are steps taken to minimize or control the amount of pollutants and runoff. PPMs are strategies to eliminate the use of polluting materials, and/or not exposing potential pollutants to rainwater or other runoff.

San Luis Obispo Creek has been designated by the Central Coast Regional Water Quality Control Board (RWQCB) as having present and potential beneficial uses for municipal supply; agricultural supply; groundwater recharge; recreation; wildlife habitat; warm and cold fresh water habitat; migration of aquatic organisms; spawning, reproduction, and/or early development of fish; and commercial and sport fishing. As documented in LUCE EIR Section 4.9 Hydrology and Water Quality, 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. Nitrate sources contributing to the nutrients identified in TMDL Project are, in decreasing order of contribution: City of San Luis Obispo Water Resource Recovery Facility (WRRF), croplands, background, reservoirs, and residential areas. The fecal coliform sources identified by the RWQCB TMDL Project are, in decreasing order of contribution: urban, human, birds and bats roosting in the tunnel, livestock, and background.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Groundwater Quality. Groundwater within the San Luis Obispo Valley Sub-basin flows toward the south-southwest, following the general gradient of surface topography. Groundwater occurs within the alluvial sediments and the underlying weathered and fractured bedrock. Depth to groundwater in the San Luis Obispo Valley Sub-basin is estimated to be 15 to 25 feet below ground surface. Groundwater within the San Luis Obispo area is considered suitable for agricultural water supply, municipal and domestic supply, and industrial use. For additional information, refer to LUCE EIR Section 4.9 Hydrology and Water Quality.

a), f) LUCE EIR Conclusion

The LUCE EIR notes that potential development in accordance with the LUCE could increase the amount of point and non-point sources of contamination, which could affect water quality and groundwater in the City. An increase in point source and non-point source pollution could result from increases in development intensity and construction activities which may directly impact water quality specific to site drainage patterns. Discharge of pollutants from any point source is prohibited unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) Permit issued by the Regional Water Quality Control Board. Generally, pollutants of greatest concern in regulation of point sources include nutrients (ammonia and nitrate), heavy metals, toxic chemicals, chlorine, and salts.

The LUE includes policies and programs for point and non-point sources of contamination that has the potential to affect water quality, including 3.7.3 Air & Water Quality. Industries locating or expanding in San Luis Obispo are required to comply with all applicable air-quality and water-quality regulations. The COSE lists policies for point and non-point sources of contamination (10.3.2 Maintain water quality). In addition to the City’s General Plan, the RWQCB has developed a Basin Plan (2011) designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Water quality objectives for the Central Coastal Basin satisfy state and federal requirements established to protect waters for beneficial uses and are consistent with existing statewide plans and policies. This would ensure that impacts from point and non-point sources of contamination will not affect water quality in San Luis Obispo Creek and groundwater in the City of San Luis Obispo and remain less than significant.

The LUCE EIR concluded that “point and non-point sources of contamination could affect water quality in San Luis Obispo Creek, Prefumo Creek as well as other surface waters and groundwater in the city. However, compliance with existing regulations and implementation of General Plan policies and the City’s Stormwater Management Plan (SWMP) would result in Class III, less than significant impacts” (LUCE EIR Section 4.9 Hydrology and Water Quality, Impact HWQ-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the analysis and conclusions of the LUCE EIR, construction activities associated with development under the proposed Zoning Regulations Update could result in the pollution of natural watercourses or underground aquifers. The types of pollutant discharges that could occur as a result of construction include accidental spillage of fuel and lubricants, discharge of excess concrete, and an increase in sediment runoff. Regulations under the federal Clean Water Act and the State require construction activity that disturbs greater than one acre, or that disturbs less than one acre but is part of a larger common plan of development, to comply with the NPDES State General Construction Permit. The Permit requires the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that contains specific actions, termed Best Management Practices (BMPs), to control the discharge of pollutants, including sediment, into local surface water drainages. A Notice of Intent (NOI) to perform work under the Permit must be filed with the State. In the State of California, Regional Water Quality Control Boards administer the NPDES permit process for construction sites, with implementation coordinated with the local agencies under their Phase I and Phase II NPDES Municipal Permits (SWMP). Increases in development intensity that could occur under the Zoning Regulations Update may incrementally increase pollutants in surface runoff. New development would be required to comply with current federal, state, and local requirements, which are more stringent than what was required at the time most existing development within the city was built. As such, redevelopment of these areas with new projects that incorporate current BMP requirements has the potential to improve water quality in area drainages. Overall, impacts are anticipated to be less than significant.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Point and non-point sources of contamination could affect water quality in San Luis Obispo Creek, Prefumo Creek, and other surface waters and groundwater in the city. In addition to the General Plan and Basin Plan policies, the City’s Stormwater Quality Ordinance helps maintain the health, safety, and general welfare of citizens, and protects and enhances the quality of watercourses and water bodies in a manner pursuant to and consistent with the Clean Water Act by reducing pollutants in storm water discharges to the maximum extent practicable by prohibiting non-storm water discharges to the storm drain system and improving storm water management. Compliance with the General Plan and stormwater regulations summarized above directly address future development with the potential impact from point and non-point source contamination. As future development under the Zoning Regulations Update is proposed, the City will be required to ensure consistency with the General Plan and the policies/programs listed above. Implementation of proposed and existing policies and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations summarized above that address stormwater and water quality. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to stormwater discharge and water quality that have not been previously examined or adequately addressed in LUCE EIR Section 4.9 Hydrology and Water Quality.

b), c) LUCE EIR Conclusion

The LUCE EIR states that development pursuant to the LUCE could cause an increase in the amount of impervious surfaces within the city which could lead to the lack of percolation of water to the groundwater basin and could alter drainage patterns resulting in erosion and/or sedimentation. Potential development may also increase the volume of surface runoff due to lack of percolation. Future development and redevelopment projects within the City are required to comply with the Central Coast Regional Water Quality Control Board Post Construction Requirements. Future development could result in additional runoff from the impervious area constructed. This additional impervious area has the potential result in an increase in the amount of runoff within the watershed, as well as a marginal decrease in percolation to the groundwater basin. However, upon compliance with the terms of the City’s SWMP, the LUCE EIR determined that impacts would be less than significant.

The LUE includes goals, policies and programs to address impacts related to groundwater percolation and recharge and the altering of existing drainage patterns to less than significant levels, including: 6.6.5 Runoff Reduction and Groundwater Recharge; 6.6.6 Development Requirements; and 6.7.1 Previously Developed Areas. The Safety Element lists the following policies that address potential impacts related to groundwater percolation and recharge and the altering of existing drainage patterns: 2.1 Flood Hazard Avoidance and Reduction and 10.12 Critical Facilities Locations. The COSE lists goals, policies and programs related to groundwater percolation and recharge and the altering of existing drainage patterns, including 8.3.3 Open space for safety; 10.2.2 Awhahnee Water Principles; 10.1.3 Goal Water Quality; and, 10.2.1 Water Quality.

The LUCE EIR concluded that “development facilitated by the LUCE Update has the potential to increase the amount of impervious surfaces within the city. This could result in a decrease in percolation to the Groundwater Basin, the alteration of drainage patterns and increases in the volume of surface runoff. Compliance with the City’s Stormwater Management Plan (SWMP) would reduce impacts to a Class III, less than significant level” (LUCE EIR, Section 4.9 Hydrology and Water Quality, Impact HWQ-2).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the LUCE EIR, development facilitated by the proposed Zoning Regulations Update has the potential to

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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increase the amount of impervious surface within the City. This could result in a decrease in percolation to the Groundwater Basin, the alteration of drainage patterns and increases in the volume of surface runoff. Adherence to the existing City’s General Plan, and compliance with the City’s SWMP and Drainage Design Manual (DDM) will ensure that the creation of additional impervious areas will not increase the amount of runoff within the watershed and will not affect percolation to the groundwater basin or adversely alter drainage patterns. As such, impacts would be less than significant. The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address drainage and storm water runoff, including the City’s SWMP and DDM. Therefore, the proposed Project would not violate any drainage or stormwater standards. Additionally, the proposed Zoning Regulations Update would not substantially interfere with groundwater recharge, or substantially alter existing drainage patterns in a manner that would result in substantial erosion or siltation off-site. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to groundwater recharge and drainage that have not been previously examined or adequately addressed in LUCE EIR Section 4.9 Hydrology and Water Quality.

d), g), h) Flooding can cause widespread damage to affected areas and endanger human safety. When urban areas encroach on floodplains, buildings and vehicles can be damaged or destroyed, while smaller objects can be buried in flood-deposited sediments. Floodwaters can break utility lines, interrupting services and potentially affecting health and safety. Floods may also create health and safety hazards and disrupt vital public services. The secondary effects of flooding are due to standing water, which can result in crop damage, septic tank failure, and water well contamination. Standing water can also damage roads, foundations, and electrical circuits. The extent of damage caused by any flood depends on the topography of the area flooded; depth, duration, and velocity of floodwaters; the extent of development in the floodplain; and the effectiveness of forecasting, warnings, and emergency operations. Encroachment onto floodplains, such as artificial fills and structures, reduces the capacity of the floodplain and increases the height of floodwater upstream of the obstructions.

LUE Section 6 Resource Protection includes several policies related to flooding and flood management, including: 6.6 Creeks, Wetlands, and Flooding Policies; 6.6.1 Creek and Wetlands Management Objectives; and 6.6.6 Development Requirements (project designs shall minimize drainage concentrations and impervious coverage and floodplain areas should be avoided and, where feasible, any channelization shall be designed to provide the appearance of a natural water course). LUE 6.7 Creeks and Flooding Programs include: 6.7.1. Previously Developed Areas (to limit the potential for increased flood damage in urbanized areas, the City shall ensure new development complies with the City’s flood plain ordinance, setbacks, specific plans, and design standards to minimize flood damage and flood plain encroachment), 6.7.2. National Flood Program (the City shall administer the National Flood Insurance Program standards); 6.7.3. Creekside Care and Notification (in maintaining creek channels to accommodate flood waters, the City shall notify owners of creeks and adjacent properties in advance of work and use care in any needed removal of vegetation), and 6.7.4. Evaluate Use of Financing Districts. The COSE also includes policies and programs related to floodplain management including 7.7.9 Creek Setbacks, 8.3.3 Open Space for safety, and 10.2.2 Ahwahnee Water Principles. The Safety Element lists goals and policies aimed to protect from flooding which include 2.1 Flood Hazard Avoidance and Reduction and 10.12 Critical Facilities Locations.

LUC EIR Conclusion

The LUCE EIR concluded that “future implementation of the following proposed development area projects and street network changes would have the potential to result in significant impacts related to flooding or impede or redirect flood flows. New development under the LUCE Update within the 100-year flood plain could be subject to flooding and have the potential to impede or redirect flood flows. However, with implementation of General Plan policies and adherence to the City’s Floodplain Management Regulation impacts related to flooding would be Class III, less than significant” (LUCE EIR Section 4.9 Hydrology and Water Quality, Impact HWQ-1).



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the LUCE EIR, development pursuant to the Zoning Regulations Update could result in new development within the 100-year floodplain and could introduce structures in areas that could impede or redirect flood flows. Under the General Plan, any property within the Flood Insurance Rate Program (FIRM) defined 100-year flood zone is considered as having a hazard potential requiring specified controls or protective measures. Anticipated development under the proposed Project could subject new development to flooding impacts. In addition to the General Plan policies listed above, adherence to the City of San Luis Obispo’s Floodplain Management Zone Regulations, the Waterway Management Program (WMP), the Drainage Design Manual (DDM), and the Stream Management and Maintenance Program will ensure that impacts from flooding remain less than significant.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address drainage, storm water runoff, and flooding, including the City’s Floodplain Management Zone Regulations, the WMP, the DDM, and the Stream Management and Maintenance Program. Therefore, the proposed Project would not violate any drainage or flooding standards and would not substantially increase the potential for additional flood risk. Additionally, the proposed Zoning Regulations Update would not substantially alter the existing drainage patterns such that erosion or flooding would occur. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to stormwater runoff, drainage, or flooding that have not been previously examined or adequately addressed in LUCE EIR Section 4.9 Hydrology and Water Quality.

e) LUCE EIR Conclusion

The LUCE EIR states that development facilitated by the LUCE has the potential to incrementally increase the amount of impervious surface area and place additional demand on existing stormwater conveyance infrastructure, such that new or expanded infrastructure may be needed. Based on the current regulations of the RWQCB reflected in the City’s Stormwater Management Plan (SWMP), development and redevelopment projects within the City are required to comply with the Central Coast Regional Water Quality Control Board Post Construction Requirements. In accordance with these requirements, future development could result in additional runoff from the impervious area, thereby placing limited demand on existing or planned stormwater infrastructure. As development occurs, site-specific stormwater infrastructure needs would be determined on a project-specific basis. The LUCE EIR determined that upon compliance with the City’s SWMP and State regulatory requirements, impacts related to the need for additional stormwater infrastructure would be less than significant.

The LUCE EIR concluded that “development facilitated by the LUCE Update has the potential to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, resulting in increased stormwater runoff and has the potential to result in the need for additional stormwater infrastructure. Compliance with the City’s Stormwater Management Plan (SWMP), and State regulatory requirements, would reduce impacts to a Class III, less than significant” (LUCE EIR Section 4.9 Hydrology and Water Quality, Impact HWQ-4).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the analysis and conclusions of the LUCE EIR, development facilitated by the Zoning Regulations Update has the potential to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, resulting in increased stormwater runoff and has the potential to result in the need for additional stormwater infrastructure. Existing City policies and programs discussed above directly address future development with the potential impact to exceed the stormwater drainage system. As future development under the Project is proposed, the City will be required to ensure consistency with the General Plan and the policies/programs listed above. Adherence to the

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existing City’s General Plan and compliance with the City’s SWMP and state requirements will ensure that the additional impervious areas will not result in impacts related to the need for increases in stormwater infrastructure. Individual development will be required to undergo separate environmental review, which may result in specific impacts that require project specific mitigation consistent with these policies. Implementation of proposed and existing policies and reliance on establishment of project-specific mitigation measures where appropriate would reduce potential impacts to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address stormwater runoff. Therefore, the proposed Project would not violate any stormwater standards and impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to stormwater runoff and impacts to the City’s stormwater conveyance infrastructure that have not been previously examined or adequately addressed in LUCE EIR Section 4.9 Hydrology and Water Quality.

- i), j) Existing and future development within the City is not subject to inundation from dam failure, beach erosion, or coastal or lakefront flooding due to earthquake-induced waves (tsunami or seiche); therefore, no impacts would occur. Refer to Initial Study Section 6, Geology and Soils, for a discussion of potential impacts due to landslide (mudflow).

**10. LAND USE AND PLANNING. Would the project:**

a) Physically divide an established community?	1, 2			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1, 2, 3, 4, 6, 24			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	1, 2, 3, 4, 6			X	

Evaluation

The City of San Luis Obispo includes a variety of land use types including residential, mixed-use, commercial, office, industrial, public/quasi-public, parks and recreation, agriculture, and open space. The City's General Plan guides the use and protection of various resources to meet community purposes. It reflects consensus and compromise among a wide diversity of citizens' preferences, within a framework set by State law. The General Plan is published in separately adopted sections, called elements, which address various topics. The LUE represents a generalized blueprint for the future of the City of San Luis Obispo. Required by State law, it is the core of the General Plan. Starting with conditions at the time of adoption, the LUE sets forth a pattern for the orderly development of land within the City's planning area. This pattern should be based on residents' preference and on protection of natural assets unique to the planning area. The LUE describes the expected level of population growth resulting from construction of the kinds of housing units included in the plan, as well as the kinds of new commercial and industrial development that are responsive to the City's economic needs.

The City’s Zoning Regulations are “intended to guide the development of the City in an orderly manner, implement the policies of the General Plan, to protect and enhance the quality of the natural and built environment, promote the public health, safety, and general welfare by regulating the use of land and building and the location and basic form of structures, and provide the physical, environmental, economic, and social advantages that result from the orderly planned use of land resources” (Zoning Regulations Section 17.02.020, Purpose and Authority).

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- a) The proposed Project is limited to an update to the City’s Zoning Regulations, pursuant to the City’s General Plan. The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and standards of the updated Zoning Regulations and the LUCE. The update does not include any actions that would result in the division of an established community or neighborhood in the City, but rather provides the regulations that guide how future development would be developed. Therefore, impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in the LUCE EIR Section 4.10 Land Use.

- b) The proposed Zoning Regulations Update is specifically intended to achieve consistency with local and regional plans, including the City’s General Plan. The proposed Zoning Regulations Update is one of the principal tools for implementing the LUCE, and this specific comprehensive update does not go beyond providing the regulations necessary to implement the policies and programs identified in the LUCE.

LUCE EIR Conclusion

As documented in the LUCE EIR, the ALUC found the LUCE update inconsistent with the ALUP. The City followed the process called out in Public Utilities Code (PUC) Section 21676 et seq. by referring the LUCE update and implementation to the ALUC for a determination of consistency with the ALUP. Following the ALUC’s determination of inconsistency with the ALUP, the City complied with the requirements identified in the California State Aeronautics Act (SSA) (see, e.g., SAA 21676, 21676.5 and 21677), which provide the process for the City to overrule the ALUC decision. In association with adoption of the LUCE and associated Airport Land Use Compatibility Report, and in compliance with the SAA, the City Council approved an overrule of the ALUP, which allowed for development to occur pursuant to the General Plan and adopted Specific Plans or existing Zoning Regulations Chapter 17.57 Airport Overlay Zone and associated *Table 10 – Airport Overlay Zone (AOZ) – Maximum Allowed Persons*. The LUCE EIR determined that based on substantial evidence in the record, that the overrule will not have a significant impact relative to safety, noise, airport land use compatibility or any other component of the environment; therefore, the LUCE EIR characterizes the policy conflict between the LUCE update and the ALUP as Class 3, less than significant. The LUCE EIR concluded that “the proposed LUCE Update would conflict with the airport land use plan (ALUP). However, with the implementation of proposed LUCE Update policies and implementing zoning regulations, potential land use conflicts are less than significant” (LUCE EIR, Section 4.10 Land Use [refer to Final EIR], Impact LU-1).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the analysis and conclusions of the LUCE EIR, implementation of the proposed Zoning Regulations Update would facilitate development within the boundary of the ALUP and City Zoning Regulations AOZ. The proposed Zoning Regulations Update has tentatively restructured this section of the Zoning Regulations as Chapter 17.64 and includes clarifications to how density is to be calculated (consistent with the California Airport Land Use Planning Handbook) and includes updates specific to the names of land uses, consistent with the remainder of the proposed Update (refer to Article 2 of the proposed Project). The proposed Zoning Regulations Update would not modify the allowable density for each use within identified Safety Zones (refer to *Table 10 – Airport Overlay Zone (AOZ) – Maximum Allowed Persons*).

Table 1 below shows how the proposed Zoning Regulations Update would implement specific policies identified in the LUCE:

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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**TABLE 1. LAND USE ELEMENT POLICY STATEMENTS AND ASSOCIATED ZONING REGULATIONS UPDATES**

Policy Number	Policy Statement	How Addressed in Updated Zoning Regulations
2.10.	<b>Updating &amp; Enforcing Standards</b>	
2.10.1.	<b>Enforcing Standards.</b> The City shall review, revise if deemed necessary, and actively enforce noise, parking, and property development and property-maintenance standards.	This relates largely to enforcement. Enforcement provisions are contained in Chapter 1.24 of the SLO Municipal Code.
2.10.2.	<b>Property Maintenance Standards.</b> The City shall implement, and regularly review and update property-maintenance regulations focused on proper enclosure of trash, appearance of yards and buildings from the street, and storage of vehicles.	Property maintenance standards have been modified slightly to address concerns.
2.11.	<b>Multifamily Preferences and Standards</b>	
2.11.1.	<b>Preferences.</b> The City shall evaluate student housing preferences and consider revising development standards to better meet them in multifamily housing near campus.	Mixed use regulations have been amended. No other changes proposed at this time.
2.12.	<b>Downtown Residential Development.</b> The City shall adopt special development standards to guide addition of dwellings within Downtown residential areas to implement Policy 2.8. The following should be included when evaluating new standards for this area: A. Requirements that new dwellings on lots with existing houses be above or behind the existing houses, and that the added building area be modestly sized and of similar architecture in comparison with the principal residences on the site and in the surrounding area; B. Requiring new buildings to reflect the mass and spacing of existing, nearby buildings; C. Requiring special parking and coverage standards; D. Requiring minimum amounts of usable open space.	A and B. New setback and other standards have been established for the R-1 and R-2 zones to address compatibility concerns.  C. Parking regulations have been revised to reduce auto parking requirements generally and encourage additional bike parking.  D. Standards included in Article 2.
2.13.	<b>Neighborhood Compatibility.</b> The City will consider new regulations, for Low-Density and Medium-Density Residential areas, to require special review for (1) incompatibly large houses, (2) replacement or infill homes in existing neighborhoods, and (3) accessory buildings with plumbing facilities allowing easy conversion to illegal second dwellings. The City will periodically update Community Design Guidelines for larger homes, infill housing and accessory single-story buildings.	New setback and other standards have been established for the R-1 and R-2 zones to address compatibility concerns. Also, edge condition standards have been prepared to address transitions between higher density and lower density developments.
2.15.	<b>Residential Densities.</b> The City will evaluate alternatives to the current maximum number of dwelling units per acre (based on bedroom count) and height, parking, and setback standards, to regulate residential building intensity, and bulk and mass. Floor area limits will be considered.	Alternatives have been evaluated for Downtown, with direction to have FAR dictate for developments with units smaller than 600 sf. Staff will implement this direction as part of a subsequent amendment once appropriate CEQA review has been completed.
2.16.	<b>Use of Downtown Parking by Residents.</b> The City shall evaluate the potential to use portions of City-owned	This issue will be addressed as part of a subsequent study.

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	parking lots and structures for residents' parking.				
3.9.	<b>Zoning Regulations.</b> The City shall amend its Zoning Regulations to implement the changes included in the 2014 General Plan update program.	This update process and planned follow-up amendments address this policy.			
3.10.	<b>Noise Control.</b> Zoning Regulations and Community Design Guidelines will include measures such as the following to prevent unacceptable noise exposure for residential areas or other noise-sensitive uses: location and shielding of mechanical equipment; location of truck loading, trash collection areas, and loudspeakers; noise attenuation measures along property lines.	New standards have been included to address mechanical equipment noise along property lines and location of loading and trash collection areas.			
3.13.	<b>Zoning Update for Visitor Services Uses.</b> The City shall review zoning regulations to consider allowing visitor-service uses in office zones adjacent to community commercial zones in the Downtown and adjacent to Monterey Street between Johnson and Santa Rosa.	Proposed overlay zone for Upper Monterey from C-R to C-R-D (Downtown overlay)			
3.14.	<b>Zoning Update for Emerging Technologies.</b> The City will investigate emerging technologies and trends to evaluate whether updates to zoning regulations are needed.	The use regulations have been simplified to provide flexibility over time.			
4.28.	<b>Allowing Efficiency Units and Variable Density in Downtown.</b> The City shall modify zoning regulations to allow efficiency units and variable density in the Downtown Core.	Alternatives have been evaluated for Downtown, with direction to have FAR dictate for developments with units smaller than 600 sf. Staff will implement this direction as part of a subsequent amendment once appropriate CEQA review has been completed.			
4.32.	<b>Use Permit Requirements.</b> The City shall incorporate into its zoning regulations specific criteria for evaluating use permits for bars/taverns, night clubs and late night drinking establishments.	Standard conditions and findings have been included for such uses (in Article 4).			
7.16.	<b>Airport Overlay Zone.</b> The City shall create an Airport Overlay Zone to reflect the boundaries of the San Luis Obispo County Regional Airport Land Use Plan within the City limits. The purpose of the Airport Overlay Zone is to codify airport compatibility criteria in areas for which the City may override the Airport Land Use Commission determination to ensure compliance with the requirements of the California State Aeronautics Act (Cal. Pub. Utilities Code, Section 21670, et. seq.) which establishes statewide requirements for airport land use compatibility planning, guidance from the California Airport Land Use Planning Handbook, which is published by the California Department of Transportation Division of Aeronautics to support and amplify the State Aeronautics Act requirements, and other related federal and state requirements relating to airport land use compatibility planning. Implementation of the compatibility policies will be accomplished through the Zoning Code.	This zone and accompanying regulation are now in the Zoning Regulations.			

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7.17.	<b>Airport Land Use and Zoning Code.</b> The City shall update its Zoning Regulations to address allowable uses and development standards for areas in which the City may override a determination of inconsistency. Zoning regulations shall be consistent with the requirements of the State Aeronautics Act, use guidance from the Caltrans Airport Land Use Planning Handbook and comply with related state and federal requirements relating to airport land use compatibility. These development standards will include, but not limited to, intensity and density limitations, identification of prohibited uses, infill development, height limitations, obstructions, and other hazards to flight, noise insulation requirements, buyer awareness measures, nonconforming uses and reconstruction and the process for airport compatibility criteria reviews by the City consistent these development standards.	The City is working with the County to address consistency requirements.
7.18.	<b>Review of Local General Plan and implementing Development Standards.</b> Unless previously referred and acted upon by the City, review of General and Specific Plans and Amendments, Zoning ordinance or amendments, or Building code changes within the San Luis Obispo County Regional Airport Land Use Plan boundary (Figure 9) shall include referral to the Airport Land Use Commission as specified in Section 21676(b) of the Public Utilities Code for a determination of consistency with the San Luis Obispo County Airport Land Use Plan.	Per State law, this provision is in the regulations.
12.1.	<b>Zoning Regulations.</b> Zoning Regulations consist of the zoning map, lists of uses allowed in certain zones, property-development standards such as maximum building height and minimum parking, and procedures intended to give the interests of development applicants and other citizens fair consideration.	The updated Zoning Regulations achieve all of these policy directives.

The proposed Project is limited to an update to the City’s Zoning Regulations, pursuant to the City’s General Plan. The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and standards of the updated Zoning Regulations and the General Plan. The update does not include any actions that would result in an incompatibility with an adopted plan. Therefore, impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, consistent with the LUCE and Community Goals identified in the LUE, the proposed Zoning Regulations includes standards and requirements that: facilitate protection of the environment, including hillsides, creeks, surface and groundwater, soils, and air quality; include development and redevelopment standards that support a well-balanced community; and maintain and where appropriate adapt the City form to preserve open space, create compact, mixed-use neighborhoods that locate housing, jobs, recreation, and other daily needs in close proximity to one another, protect the quality of life in established neighborhoods through compliance with proposed edge conditions regulations, and encouraging multi-modal transportation. Therefore, there would be no new impacts that have not been previously examined

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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or adequately addressed in LUCE EIR Section 4.10 Land Use (refer to the Final EIR).

- c) The City has eight Open Space Conservation Plans that guide protection, access, and restoration efforts within these areas of the City’s Greenbelt: Agricultural Master Plan for Calle Joaquin Reserve; Bishop Peak Natural Reserve; Cerro San Luis Conservation Plan; Irish Hills Conservation Plan; Johnson Ranch Conservation Plan; South Hills Conservation Plan; Stenner Springs Natural Reserve Draft Conservation Plan; and Reservoir Canyon Natural Reserve Conservation Plan. Riparian and wildlife corridors, wetlands, habitat, and other natural communities are addressed through policies in the General Plan. Applicable COSE plans and policies include: 8.3.2 Open space buffers; 8.5.1 Public access; and 8.6.3 Required mitigation). Applicable LUE policies and programs include 6.1.1 Resource Planning; 6.3.2 Open Space Uses; 6.4.2 Development Limits; and 6.6.1 Creek and Wetlands Management Objectives.

LUCE EIR Conclusion

The LUCE EIR concluded that “the proposed Land Use Element Update would result in conflicts with applicable habitat conservation plans or natural community conservation plans. With the implementation of proposed LUCE Update policies, potential plan and policy conflict impacts are considered Class III, less than significant” (LUCE EIR, Section 4.10 Land Use, Impact LU-3).

Proposed Zoning Regulations Update Analysis and Conclusions

The proposed Project is limited to an update to the City’s Zoning Regulations, pursuant to the City’s General Plan. The proposed Project, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and standards of the updated Zoning Regulations and the General Plan. The proposed Project supplements existing Zoning Regulations requirements applicable to the preservation of natural resources by including additional and clarified regulations and mandatory findings related to hillside development (see proposed Article 3, Hillside Development Standards) and allowing density reductions in the Conservation and Open Space (C/OS) zone as necessary based on the extend of environmental resources. The Project does not include any actions that would result in an incompatibility with an adopted plan. Based on compliance with the General Plan and City Conservation Plans, potential impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.10 Land Use.

**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?	1, 2, 4				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?	1, 2, 4				X

Evaluation

Native minerals are those occurring in the San Luis Obispo area that have, or are expected to have, economic value. Sand, gravel and stone used in construction, and metal ores, are examples of economically valuable minerals. In the past, quarries and mines in the San Luis Obispo area produced basaltic stone for masonry, “red rock” for road base and surfacing, and cinnabar, an ore of mercury. State guidelines and rules aim for continued accessibility to native minerals, while avoiding significant harm to the environment or human health from their extraction. In the 1980s, a petroleum company asked to explore City-owned land in the Lopez Lake area. The request was denied based on the environmental qualities of the area. Since that time, no other such

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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requests have been received, and the City’s policy on mineral extraction within City limits has remained unchanged.

a), b) There are no mineral resource recovery sites in the City; therefore, the proposed Zoning Regulations Update would not result in the loss of availability of a known mineral resource or mineral resource recovery site. Any future request would be subject to the policies and programs of the General Plan and Municipal Code regulations. No impact would occur.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.6 Geology and Soils.

**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?	1, 2, 3, 6, 30, 31		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	1, 2, 3, 6, 30, 31			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 2, 3, 6, 30, 31		X		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 2, 3, 6, 30, 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 expose people residing or working in the project area to excessive noise levels?	1, 2, 3, 6, 23, 24, 29, 30, 31			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?	1, 2, 3, 6, 23, 24, 29, 30, 31			X	

Evaluation

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 conducted throughout the City during preparation of the LUCE EIR, major sources of noise include traffic noise on major roadways, passing trains, and aircraft overflights. Roadway traffic from highways and major arterials is the most significant source of noise affecting sensitive land uses in the City. LUCE EIR Section 4.11 Noise, *Table 4.11-1 Summary of Modeled Existing Roadway Traffic Noise Levels* (refer to LUCE Final EIR) includes a summary of existing traffic noise levels. As shown in the LUCE EIR, residential uses located within the 60 dBA (average decibel level) contour on several road segments within the City are potentially exposed to noise levels above the 60 dBA Community Noise Equivalent Level (CNEL) standard for residential land uses. In addition to traffic noise on roadways, freight and passenger trains passing through the City contribute to community noise levels. Based on railroad noise modeling conducted for the LUCE EIR, noise levels from the railroad would result in 69 dBA CNEL at 50 feet from the center of the track. Stationary sources in the community include industrial facilities, as well as large institutions such as California Polytechnic State University. Aircraft overflights from San Luis Obispo County Regional Airport also contribute to the noise environment. The Airport Land Use Compatibility Report prepared in association with the LUCE EIR and adoption of the LUCE shows the location of the noise contours associated with the forecasted operations from the Airport Master Plan EIR, with the appropriate fleet mix, and time of day noise weighting (refer to Figure 6-5 in the Johnson Aviation Airport Compatibility Report, November 2013). The LUCE EIR



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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states that no new residential uses are proposed within the 60 dB CNEL noise contours associated with forecasted airport operations.

The City Noise Element contains a number of noise policies and standards, which are summarized in LUCE EIR, Section 4.11 Noise, including *Table 4.11-2 Community Noise Exposure Levels* and *Table 4.11-3 Maximum Noise Exposure for Noise-Sensitive Uses Due to Transportation Noise Sources*. *LUCE EIR Appendix J: Noise Modeling and LUCE Update Background Report 6.10 Noise provide recent and future noise levels and associated noise contours based on updated noise modeling conducted as part of the LUCE EIR. This updated information is currently used in place of the outdated noise levels and contours presented in the City Noise Element.* New development of noise-sensitive land uses may be permitted only where location or design allow the development to meet the standards identified for existing stationary noise sources (refer to the Noise Element and LUCE EIR Section 4.11 Noise, *Table 4.11-4 Maximum Noise Exposure for Noise-Sensitive Uses Due to Stationary Noise Sources*). This policy does not apply to noise levels associated with agricultural operations. The Noise Element also contains a number of policies that address procedures for noise mitigation, including specific treatments for sound walls.

Chapter 9.12 of the City’s Municipal Code (Noise Control Ordinance) stipulates that construction or demolition activities that create a noise disturbance across a residential or commercial property line are prohibited between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, and any time on Sundays or holidays (refer to Municipal Code Section 9.12.050). The ordinance further states that, where technically and economically feasible, construction activities shall not exceed the standards identified in LUCE EIR Section 4.11 Noise, *Table 4.11-5 Maximum Noise Levels for Properties Affected by Construction and Demolition Noise*. Municipal Code Section 9.12.050 prohibits operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property or at 150 feet from the source if on a public space or public right-of-way.

Municipal Code Section 9.12.060 identifies exterior noise limits for noise generated by existing residential and nonresidential properties (refer to LUCE EIR Section 4.11 Noise, *Table 4.11-6 Maximum Exterior Noise Limits*). These noise level standards are not to be exceeded more than 30 minutes in any one hour. The noise levels in LUCE EIR Table 4.11-6 do not apply to construction activities, which are covered under the noise levels summarized in LUCE EIR Table 4.11-5. Based on the Municipal Code, the maximum interior noise standard for multi-family residential uses is 40 dBA from 10:00 p.m. to 7:00 a.m. and 45 dBA from 7:00 a.m. to 10:00 p.m. These noise levels shall not be exceeded for a cumulative period of more than five minutes in any hour or, the noise standard plus 5 dB for a cumulative period of more than one minute in any hour, or the noise standard plus 10 db for any period of time. Municipal Code Section 9.12.080.A prohibits refuse collection between the hours of 7:00 p.m. and 6:30 a.m. within or adjacent to a residential area. In addition to the Municipal Code, the City uses the City of San Luis Obispo Noise Guidebook as part of their regulatory program and to implement the Noise Element.

- a) This analysis section addresses potential noise impacts, as compared to the compatibility and noise exposure standards in the Noise Element, including: short-term noise generation, long-term noise generation due to transportation-related sources, and long-term noise generation due to stationary sources.

*LUCE EIR Conclusion*

*Short-term (Construction-related) Noise*

The LUCE EIR states that construction activities associated with future development projects consistent with the LUCE could include site preparation (e.g., excavation, grading), laying of concrete foundations, paving, equipment installation, finishing, and cleanup. These activities typically involve the use of noise-generating equipment such as cranes, excavators, dozers, graders, dump trucks, generators, backhoes, compactors, and loaders. LUCE EIR Section 4.11 Noise, *Table 4.11-7 Typical Construction Equipment Noise Levels* shows the maximum noise levels generated by the types of equipment and activities that could be used during construction activities. During land development projects, the site preparation phase of construction results in the most noise generation from the use of heavy-duty equipment such as excavators, graders, dozers, loaders, and trucks. Pile driving and blasting activities are unlikely to be used in most land development projects; however, they are shown in the LUCE EIR Table 4.11 for reference. Based on the information provided in LUCE EIR Table 4.11-7

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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and accounting for usage factors of individual pieces of equipment associated with a site preparation phase of construction, construction levels of up to 85 dBA Lmax could occur as measured 50 feet from a construction site. These levels could exceed the maximum construction noise levels permitted by the City’s Municipal Code adjacent to existing residential or mixed residential/commercial land uses (see LUCE EIR, Section 4.11 Noise, *Table 4.11-5 Maximum Noise Levels for Properties Affected by Construction and Demolition Noise*).

The Noise Element establishes operational standards for siting of new land uses; however, it contains no policies or programs that address the identification and mitigation of temporary construction noise generated by land development projects on existing sensitive receptors. Municipal Code Chapter 9.12 (Noise Control Ordinance) sets forth maximum noise levels that apply to existing properties that may be affected by construction and demolition activities. However, many construction projects could still exceed the maximum levels permitted by the City’s ordinance, as noted above, particularly in infill areas where adjacent land uses could be affected. Enforcement of the Noise Element and Noise Control Ordinance would reduce impacts to the extent feasible; however, with the implementation of feasible construction noise reduction measures and exemptions, construction activities could still exceed applicable standards especially if activities are near existing receptors and/or occur during the nighttime. Thus, the LUCE EIR determined that short-term construction noise levels are considered Class I, significant and unavoidable.

The LUCE EIR concluded that “implementation of development projects under the proposed LUCE Update would involve construction that could generate noise levels that exceed applicable standards for mobile construction equipment in the City’s Noise Control Ordinance and result in temporary substantial increases in noise levels primarily from the use of heavy-duty construction equipment. Even with the incorporation of the proposed LUCE Update policies and existing City policies, short-term construction noise levels are considered Class I, significant and unavoidable” (LUCE EIR Section 4.11 Noise, *Impact N-1: Short-Term Construction Noise Levels*). Upon certification of the LUCE EIR and approval of the LUCE Update, the City adopted a Statement of Overriding Considerations for this significant and unavoidable impact.

*Proposed Zoning Regulations Update Analysis and Conclusions*

Consistent with the analysis and conclusions in the LUCE EIR, implementation of the Zoning Regulations Update would result in construction activity that generates noise levels exceeding applicable standards for mobile construction equipment and would result in temporary substantial increases in noise levels during the use of heavy-duty construction equipment. Future development is required to comply with the City Noise Element and Noise Control Ordinance; however, similar to the conclusion of the LUCE EIR, potential short-term impacts related to construction activity would be significant and unavoidable.

*LUCE EIR Conclusion*

*Long-term Noise Exposure Due to Transportation-Related Noise Sources*

The LUCE EIR states that implementation of the LUCE and associated development projects could result in exposure of new sensitive receptors to existing transportation noise sources. Implementation of the LUCE would also generate increases in traffic on local roadways, due to planned increases in population, housing, and employment; which would increase overall traffic noise levels affecting both existing and new sensitive receptors. Single-family residential development, schools, libraries, hospitals, convalescent homes, and places of worship are considered the most noise-sensitive land uses. High-density and mixed-use residential, commercial, and industrial development is less noise-sensitive because activities are primarily indoors, and typically noise exposure can be reduced through design and material choice (e.g., outdoor activity areas are located in courtyards surrounded by structures, materials with greater insulation are used).

Roadway Traffic Noise. Existing and future traffic noise levels throughout the city were modeled during preparation of the LUCE EIR to determine the anticipated traffic noise levels along major roadways. A complete list of roadway segments and the modeled distances from the roadway centerline to the 55, 60, 65, and the 70 dBA Community Noise Equivalent Level (CNEL)/Day-night noise level (Ldn) contour and the noise level at 50 feet from the roadway centerline is provided in

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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LUCE EIR Technical Appendix J: Noise Modeling.

LUCE EIR Section 4.11 Noise, *Table 4.11-8 Modeled Changes in Traffic Noise Levels (2012 to 2035)* shows the existing (baseline) traffic noise levels on modeled roadways, projected 2035 traffic noise levels, and the change in noise levels at 50 feet from the modeled roadways. Based on the modeling conducted, future projected traffic volumes on modeled roadways would result in traffic noise increases ranging from 1 to 10 dBA. The LUCE EIR determined that a noticeable increase in noise (i.e., 3 dB or greater) would be considered a substantial increase in noise.

Railroad Traffic Noise. One existing railroad line owned by Union Pacific Railroad passes through the City and is used for both freight and passenger rail service. Noise from railroads is generated primarily by diesel locomotive engines, warning horns, and gate bells at railroad crossings. Other components of noise include diesel exhaust, cooling fans, and railroad car wheel/rail interaction. Railroad noise modeling is shown in LUCE EIR Section 4.11 Noise, *Table 4.11-9 Summary of Modeled Existing Railroad Noise Levels*. The modeling summarizes the existing railroad noise levels at 50 feet from the railroad centerline, along with approximate distances from the railroad centerlines to the 70 dB, 65 dB, 60 dB, and 55 dB CNEL/Ldn noise contours. Pursuant to the LUCE, changes in land use could result in additional residential and mixed-use development along major corridors, within the downtown area, or in various areas near or adjacent to the railroad line. Placement of new residential or other sensitive land uses in close proximity to this active railroad line could potentially expose people to excessive noise levels.

The LUCE EIR concluded that “implementation of the proposed LUCE Update would increase traffic volumes and associated noise levels along major transportation routes. In some instances, traffic-related noise increases could be more than 3 dB, the level typically audible to the human ear and; therefore, considered a substantial increase in noise. New development associated with the proposed LUCE Update could also result in the siting of new sensitive receptors in close proximity to transportation noise sources such as the railroad, with potential to exceed the land use compatibility and transportation noise exposure standards in the existing Noise Element. However, because the City’s Noise Element contains policies and programs that would address and mitigate potential site-specific impacts for individual projects in the future, this impact would be considered Class III, less than significant” (LUCE EIR Section 4.11 Noise, *Impact N-2 Long-Term Roadway and Railroad Traffic Noise Levels*).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the analysis and conclusions in the LUCE EIR, implementation of the Zoning Regulations Update would result in increased traffic volumes and associated noise levels along major transportation routes. New development associated with the proposed Project could also result in the siting of new sensitive receptors in close proximity to transportation noise sources such as major roadways and the railroad, with potential to exceed the land use compatibility and transportation noise exposure standards in the existing Noise Element. Future development is required to comply with the City Noise Element and Noise Control Ordinance; therefore, potential impacts would be less than significant.

LUCE EIR Conclusion

Long-term Noise Exposure Due to Stationary Sources

Stationary (and area) sources include landscape and building maintenance activities, stationary mechanical equipment (e.g., pumps, generators, HVAC units), garbage collection activities, commercial and industrial activities, and other stationary and area sources such as people’s voices, amplified music, and public address systems.

The LUCE EIR concluded that “implementation of the proposed LUCE Update could increase stationary source noise levels from new development. New development associated with the proposed LUCE Update could also result in the siting of new sensitive receptors in close proximity to these source types, with potential to exceed the land use compatibility and stationary noise exposure standards in the existing Noise Element. However, because the City’s Noise Element contains policies and programs that would address and mitigate potential site-specific impacts for individual projects in the future, this impact would be considered Class III, less than significant” (LUCE EIR Section 4.11 Noise, *Impact N-3 Exposure of*

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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*Noise Sensitive Receptors to Stationary Sources).*

*Proposed Zoning Regulations Update Analysis and Conclusions*

Consistent with the analysis and conclusions of the LUCE EIR, implementation of development pursuant to the proposed Zoning Regulations Update could increase stationary source noise levels from new development. New development could also result in the siting of new sensitive receptors in close proximity to these source types, with the potential to exceed the land use compatibility and stationary noise exposure standards in the Noise Element. However, the City’s Noise Element contains policies that apply to new stationary sources, and, similarly, LUCE policies would serve to mitigate potential increases in stationary noise that could occur as a result of overall development through 2035.

Implementation of the proposed Project could also introduce new sensitive land uses in close proximity to existing stationary noise sources that could exceed applicable thresholds contained in the City’s Noise Element, similar to the analysis and conclusions identified in the LUCE EIR. Noise Element policies and standards require all new development to comply with the City’s adopted noise standards, noise mitigation procedures, and sensitive land use siting policies. Site-specific noise studies would require mitigation measures, if necessary, to ensure that development meets noise standards. Therefore, implementation of the Zoning Regulations Update would not expose people to excessive noise levels from stationary sources.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and standards of the Municipal Code and Noise Element, which would ensure that future new land uses are designed to minimize construction-related, operational, and stationary noise levels. Similar to the determination in the LUCE EIR and associated Statement of Overriding Considerations, short-term impacts resulting from construction-related noise pursuant to the proposed Zoning Regulations Update would be significant and unavoidable. Long-term impacts associated with increases in transportation-related noise, development of noise-sensitive uses near transportation corridors, and increases in stationary noise sources would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not make changes to the City’s existing Noise Ordinance. Additionally, the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.11 Noise.

- b) Ground vibration may result from short-term construction activities as well as long-term exposure from transportation noise sources (i.e., passenger trains, freight trains, buses). Construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and activities involved. Vibration generated by construction equipment spreads through the ground and diminishes with increases in distance. Construction-related ground vibration is normally associated with impact equipment such as pile drivers, jackhammers, and the operation of some heavy-duty construction equipment, such as dozers and trucks. Blasting activities also generate relatively high levels of ground vibration. LUCE EIR Section 4.11 Noise, *Table 4.11-10 Representative Ground Vibration and Ground Noise Levels for Construction Equipment* displays ground vibration levels for typical construction equipment. The effects of ground vibration may be imperceptible at the lowest levels, result in low rumbling sounds and detectable vibrations at moderate levels, and high levels of vibration can cause sleep disturbance in places where people normally sleep or annoyance in buildings that are primarily used for daytime functions and sleeping. Ground vibration can also potentially damage the foundations and exteriors of existing structures even if it does not result in a negative human response. Pile driving and blasting activities produce the highest levels of ground vibration, as shown in LUCE EIR Table 4.11-10 and can result in structural damage to existing buildings.

*LUCE EIR Conclusion*

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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The LUCE EIR concluded that “implementation of the proposed LUCE Update could increase exposure to vibration levels. However, because the City’s ordinance contains and that these sources (existing and proposed) would be anticipated to be minor, this impact would be considered Class III, less than significant” (LUCE EIR Section 4.11 Noise, Impact N-5 Exposure to Excessive Vibration Levels).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent *with* the analysis and conclusions of the LUCE EIR, future development pursuant to the Zoning Regulations Update would occur in primarily urban settings where land is already disturbed and; therefore, would not be anticipated to require blasting, which is typically used to remove unwanted rock or earth. However, it is possible that pile driving could occur during building construction. The Zoning Regulations Update could facilitate the construction of sensitive land uses within portions of the City where known vibration sources exist, primarily in areas located along the existing active railroad corridors (a primary ground vibration source within the city). With regards to vibration impacts on new development near railroads, human disturbance is the primary concern. Vibration levels from trains passing would not result in structural damage to new development. As documented in the LUCE EIR, Section 4.11 Noise, proposed development within 80 feet of an existing railroad centerline could exceed the recommended threshold for human disturbance of 80 VdB for sensitive receptors that are exposed to an infrequent amount of vibration events.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and standards that address vibration, including requirements in the City’s Noise Ordinance that address construction-related vibration. *Future development shall also comply with existing performance standards identified in the Zoning Regulations, which state that “no activity shall be conducted which causes ground vibrations perceptible at the property line” (current Zoning Regulations Section 17.18.020, proposed Zoning Regulations Section 17.74.110, Vibration).* In addition, pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review on a project-by-project basis to assess impacts related to groundborne vibration. Therefore, potential impacts related to vibration would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new vibration impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.11 Noise.

c), d) LUCE EIR Conclusion and Proposed Zoning Regulations Update Analysis and Conclusion

Overall, development under the LUCE and Zoning Regulations Update would increase development intensity within the city limits, as well as undeveloped areas to a more built environment, thereby resulting in the generation of noise impacts as experienced by sensitive receptors. As noted above, the General Plan and Municipal Code protect sensitive receptors from noise impacts through policies and plan review. Adherence to these requirements would reduce any long-term impacts from buildout, including potential increases in overall ambient noise levels. With the implementation of feasible construction noise reduction measures and exemptions, short term construction activities could still exceed applicable standards especially if activities are near existing receptors and/or occur during the nighttime. Thus, consistent with the LUCE EIR, cumulative short-term construction noise levels remain Class I, significant and unavoidable (LUCE EIR Section 4.11, Cumulative Impacts).

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and standards of the Municipal Code and Noise Element, which would ensure that future new land uses are designed to minimize construction-related and operational noise levels. Similar to the determination in the LUCE EIR and associated Statement of Overriding Considerations, cumulative noise-related impacts pursuant to the proposed Zoning Regulations Update would be significant and unavoidable.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not make changes to the City’s existing Noise Ordinance. Additionally, the proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.11 Noise.

e), f) The ALUP establishes noise compatibility policies for sensitive land uses within the projected 55 and 60 dBA CNEL airport noise contours associated with the hypothetical maximum use of both runways. The ALUP restricts extremely noise sensitive land uses within the 60 dBA CNEL airport noise contour and requires mitigation measures for moderately sensitive land uses within the 60 dBA CNEL airport noise contour. As summarized in this Initial Study (see Section 10 Land Use and Planning) and as described in detail in the LUCE EIR, the City approved an overrule of the ALUC’s determination of consistency with the ALUP. The LUCE EIR determined that based on substantial evidence in the record, that the overrule will not have a significant impact relative to safety, noise, airport land use compatibility or any other component of the environment. In addition, two Specific Plan areas are located proximate to the airport. The Margarita Area Specific Plan area is located directly north of the Airport Area Specific Plan area and northwest of the Airport, while the Airport Area lies immediately adjacent to and north of the Airport. Development within these areas are subject to the policies, standards, and requirements identified in these Specific Plans.

LUCE EIR Conclusion

The LUCE EIR concluded that “implementation of the proposed LUCE Update would result in the designation of noise-sensitive land uses located within or near the 55 dBA and 60 dBA noise contours of the San Luis Obispo County Regional Airport Land Use Plan. This could result in exposure of people to excessive noise levels. However, with the incorporation of the proposed LUCE Update policies that address airport noise compatibility and consistency with the adopted ALUP, this impact would be considered Class III, less than significant” (LUCE EIR Section 4.11, Impact N-4 Airport Noise Exposure).

Proposed Zoning Regulations Update Analysis and Conclusions

Implementation of the proposed Zoning Regulations Update would result in development occurring within the boundaries of the ALUP and City AOZ. Consistent with the analysis and conclusions of the LUCE EIR, based on compliance with the General Plan and proposed clarifications to the Airport Overly Zone section of the Zoning Regulations, potential impacts would be less than significant.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations and standards of the Municipal Code, General Plan, and Specific Plans (as applicable). Therefore, the proposed Zoning Regulations Update would not expose people to significant levels of airport noise. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts related to noise generated by airport operations that have not been previously examined or adequately addressed in the LUCE EIR (Section 4.11 Noise).

**13. POPULATION AND HOUSING. Would the project:**

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1, 32			X	
b) Displace substantial numbers of existing housing, necessitating	1, 33			X	

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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the construction of replacement housing elsewhere? c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	1, 33			X	
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Evaluation

As documented in the LUCE EIR, as of January 2013, the City has a population of 45,541, and is expected to have a population increase of 4,613 people by 2035. Over the past 30 years, the population of the City has grown at an average rate of about one percent per year, with periods of faster or slower growth reflecting national and statewide economic cycles. At the beginning of 2013, the City had 20,697 housing units. According to the City’s General Plan Annual Report 2017, the total population in 2017 was 46,724 and the total housing units was 21,286. LUE Policy 1.11.2 Residential Growth Rate, states that the City shall manage the growth of the city's housing supply so that it does not exceed one percent per year, on average, based on thresholds established by Land Use Element Table 3 [One Percent City Population Growth Projection]. This rate of growth may continue so long as the City's basic service capacity is assured. Based on the Community Development Department’s running total of residential construction permits, as shown in General Plan Annual Report 2017 Table 6, the annual growth rate in 2017 was 0.53 percent, which includes new single-family and multi-family residential construction. This is well within the limit of the one percent annual residential growth rate identified in the Land Use Element. The five-year average growth rate also remained below one percent at 0.46 percent.

a) LUCE EIR Conclusion

The LUCE EIR concluded that “the LUCE Update would not result in residential unit development or associated population growth that exceeds an adopted average annual growth rate threshold. Potential population and housing impacts are considered Class III, less than significant” (LUCE EIR, Section 4.12 Population and Housing, Impact PH-1).

Proposed Zoning Regulations Update Analysis and Conclusions

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable standards (such as maximum density) of the Zoning Regulations, as updated, and the LUCE, including identified growth rates. Therefore, the proposed Zoning Regulations Update would not induce substantial population growth. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR, Section 4.12 Population and Housing.

b), c) The City’s Housing Element includes several goals, policies, and programs specific to the retention of existing housing within the City. Development pursuant to the Zoning Regulations Update is required to be consistent with City Housing Element Goal 3 Housing Conservation: “Conserve existing housing and prevent the loss of safe housing and the displacement of current occupants”. Housing Element Program 3.10 states that “continue to encourage the creation of dwellings in the Downtown Core (C-D Zone) and the Downtown Planning Area by continuing the "no net housing loss" program, consistent with Chapter 17.86 (Downtown Housing Conversion Regulations) of the Zoning Regulations”. The proposed Zoning Regulations retain the statement that “development projects within the Downtown Planning Area shall not result in a net housing loss.” The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable federal, state, and local regulations that restrict housing loss and address tenant displacement. Based on compliance with the Housing Element, and implementation of the Zoning Regulations, impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in the LUCE EIR (LUCE EIR, Section 4.12 Population and Housing).

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

a) Fire protection?	1, 13			X	
b) Police protection?	1, 13			X	
c) Schools?	1			X	
d) Parks?	1, 34			X	
e) Other public facilities?				X	

Evaluation

The San Luis Obispo Fire Department (SLOFD) provides fire and emergency services to the City of San Luis Obispo. The Fire Department is organized into five divisions: Emergency Operations, Fire Prevention and Life Safety, Training and Equipment, Administrative, and Support Services. In addition to providing fire and emergency services to the city, SLOFD maintains an Emergency Services Contract with Cal Poly. Under the current contract, SLOFD provides fire and emergency services to the university in return for a set annual fee. SLOFD operates out of four fire stations located throughout the City.

The San Luis Obispo Police Department (SLOPD) provides police protection services within the city limits. SLOPD is responsible for responding to calls for service, investigating crimes and arresting offenders, enforcing traffic and other laws, and promoting community safety through crime prevention and school-safety patrols. The Police Department consists of two bureaus, Administration and Operations, each of which has four divisions. The Police Department operates out of one main facility located at 1042 Walnut Street and a small additional office at 1016 Walnut Street. In July 2010, a new Emergency Communications Center opened at Fire Station One. The Emergency Communications Center provides dispatch for the Police Department and Fire Department. Program 9.3C of the Safety Element establishes a 30% available time objective for patrol response. "Available time" is the fraction of total time that a patrol unit is not previously assigned and is intended for use to conduct proactive enforcement, community policing or to assist with neighborhood wellness initiatives. The San Luis Obispo County Sheriff's Department provides law enforcement services to areas outside the city but within the LUCE Planning Subarea. The Cal Poly Police Department provides police protection on campus. The California Highway Patrol (CHP) also provides law enforcement services within the LUCE Planning Subarea, primarily along state highways.

The San Luis Coastal Unified School District (SLCUSD) serves an area between the coast and the Los Padres National Forest, and from Morro Bay to the north and Arroyo Grande to the south. In total, the District operates ten elementary schools, two middle schools, two high schools, one continuation high school, and an adult education facility. In addition to the K-12 educational program, the SLCUSD offers a variety of additional educational programs, including: cooperative preschool, preschool early education, and parent participation. Within the San Luis Obispo LUCE Planning Subarea, the District operates six elementary schools, one middle school, one high school, and one continuation high school. There are six private schools located within the LUCE SOI Planning Subarea that provide preschool, primary, secondary, and high school educational services to residents based on individually set criteria (e.g., academic performance, religious affiliation). California Polytechnic State University San Luis Obispo and Cuesta College provide college education services.

There are 26 parks in the city, consisting of eight community parks, ten neighborhood parks, and eight mini-parks. There are also six joint use facilities, and several recreation centers and special facilities (e.g., Damon Garcia Sports Fields and the SLO Swim Center). There is currently approximately 151.65 acres of parkland in the city, of which 33.53 acres are neighborhood parks. In addition to developed parks, the City owns or manages over 6,970 acres of open space within and adjacent to San Luis Obispo, some of which provide trails that accommodate hiking and mountain biking. LUCE EIR Section 4.14 Recreation Tables 4.14-1 Existing City of San Luis Obispo Parks and Recreation Facilities and 4.14-2 Existing City of San Luis Obispo Special Facilities and Figure 4.14-1 Parks Locations describe the type, location, and amenities provided by parks and special



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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facilities in San Luis Obispo.

a) LUCE EIR Conclusion

As determined in the LUCE EIR, new residential and non-residential development facilitated by the LUE would place additional service demands on the SLOFD. Increased service demands would have the potential to result in a significant environmental impact if new or physically altered fire service facilities would be required to ensure that the City’s four-minute response standard was achieved.

The LUCE EIR concluded that “buildout of the proposed Land Use Element would increase the demand for fire protection services by increasing population and the number of structures in the city. This is a Class II, potentially significant but mitigable impact” (LUCE EIR, Section 4.13 Public Services, Impact PS-1). The recommended mitigation identified in the LUCE EIR was incorporated into the Safety Element, which includes the following policy as required pursuant to certification of the LUCE EIR: “Development shall be approved only when adequate fire suppression services and facilities are available or will be made available concurrent with development, considering the setting, type, intensity, and form of the proposed development”.

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the LUCE EIR, implementation of development pursuant to the proposed Zoning Regulations would result in additional residential and non-residential development that would be served by SLOFD. As future development would be subject to General Plan policies, including the modified measure from the LUCE EIR that was incorporated into the Safety Element, implementation of the proposed Zoning Regulations Update would result in less than significant adverse physical impacts associated with the provision of new or altered facilities needed to achieve consistency with the City’s fire response standard.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be evaluated by the City as part of the planning and development review process to determine the level of and demand for fire protection services that would be generated by each project. Additionally, all new land uses would be required to conform to all applicable federal, state, and local regulations that address fire safety, including the City Municipal Code, CBC, and Fire Code. Therefore, the proposed Zoning Regulations Update would not result in substantial adverse impacts on fire services. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.13 Public Services.

b) LUCE EIR Conclusion

The LUCE EIR states that new residential and non-residential development facilitated by the LUE would place additional service demands on the SLOPD. Increased service demands would have the potential to result in a significant environmental impact if new or physically altered law enforcement service facilities would be required. Based on the population estimates identified in the LUCE EIR, and if additional officers were hired commensurate with future population growth facilitated by the LUE, a total of 74 officers, an increase of seventeen officers compared to baseline conditions identified in the LUCE EIR, would be required to retain the existing officer to population ratio of 1.27. Space to house police personnel and equipment is currently fully subscribed. Should a substantial number of officers be hired in the future, reconfiguration, reconstruction or new construction of facilities may be needed to accommodate them. If a new or additional facility is constructed in a new location, changes to response time could result. Adverse physical impacts associated with the provision of new or altered facilities needed to maintain the existing ratio of officers to the population

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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served are unlikely as any new or reconstructed facility would be required to meet community design guidelines, and its location would need to meet the response time needs of the community. As of June 2018, the City is evaluating the possible construction of a new Police Department in the City. The LUCE EIR states that “the proposed LUCE Update would not result in substantial adverse physical impacts associated with the provision of new or altered facilities related to law enforcement services” (LUCE EIR, Section 4.13 Public Services).

The LUCE EIR concluded that “buildout of the proposed Land Use Element Update would increase the demand for police protection services by increasing population and development in the city. This is a Class III, less than significant impact. The proposed LUCE Update would result in less than significant environmental impacts related to law enforcement services and no mitigation measures are required” (LUCE EIR, Section 4.13 Public Services Impact PS-2).

Proposed Zoning Regulations Update Analysis and Conclusions

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be evaluated by the City as part of the planning and development review process to determine the level of and demand for police protection services that would be generated by each project. Additionally, all new land uses would be required to conform to all applicable federal, state, and local regulations that address public safety, including the City Municipal Code and CBC. Therefore, the proposed Zoning Regulations Update would not result in substantial adverse impacts on police services. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.13 Public Services.

c) LUCE EIR Conclusion

The LUCE EIR determined that providing new residential units would increase the population of the City, which would result in additional school-age children attending the City’s public schools. New student generation rates for single- and multi-family residential units are depicted on LUCE EIR Section 4.13 Public Services, *Table 4.13-3 Student Generation Rates*. LUCE EIR Chapter 2, Project Description, *Table 2.4-3 Total Future Development Capacity within the Planning Subarea* indicates that buildout of the LUE could result in the development of approximately 4,904 new dwelling units in the city, consisting of 2,420 single-family dwellings and 2,484 multi-family units. Projected new student generation that would result from buildout of the proposed LUE is provided on LUCE EIR Section 4.13 Public Services, *Table 4.13-4 Proposed Land Use Element Buildout Student Generation*. Based on student generation rates provided by SLCUSD, the LUE would have the potential to generate approximately 911 additional students by the year 2035, which is anticipated to be the buildout year of the LUE. The additional students generated by buildout of the proposed LUE could result in over-capacity conditions at certain schools located in the LUCE Planning Area. The additional students could result in the need for the expansion of existing schools and/or the installation of portable classrooms at existing school sites; however, it is unlikely that providing additional classrooms at existing school sites would result in significant environmental impacts.

The LUCE EIR concluded that “buildout of the proposed Land Use Element Update would increase enrollment in public schools by increasing the population of the city. This is a Class III, less than significant impact” (LUCE EIR, Section 4.13 Public Services, Impact PS-3).

Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the conclusions of the LUCE EIR, should new school facilities be required to accommodate additional student populations resulting from build-out of the LUCE pursuant to the proposed Zoning Regulations Update, short-term impacts associated with construction are generally reduced to a less than significant level with the implementation of site

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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design measures and compliance with applicable regulations. Site-specific evaluations of any proposed new or expanded schools would be required, however, it is expected that potential physical impacts associated with the provision of new or altered school facilities needed to serve additional school-age children residing in the additional 4,904 residential units that could be developed under the proposed LUE and Zoning Regulations Update would not be significant.

In addition, Senate Bill 50 (Government Code Section 65970) implemented school impact fee reforms in 1998 by amending the laws governing developer fees and school mitigation. Pursuant to SB 50, future development projects would be required to pay school impact fees established to offset potential impacts on school facilities. Therefore, although implementation of the Zoning Regulations Update would result in additional students and could result in or contribute to over-capacity at individual schools, payment of the fees mandated under SB 50 is the mitigation measure prescribed by the statute, and payment of the fees is deemed full and complete mitigation.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to pay developer fees per SB50 to mitigate impacts on schools. Therefore, the proposed Project would not result in substantial adverse impacts on schools. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.13 Public Services.

- d), e) The City Parks and Recreation Element and Master Plan includes a park standard that requires the City to develop and maintain 10 acres of parkland per 1,000 residents, with at least five of each 10 acres developed as neighborhood parks. The LUCE EIR determined that based on existing population and parks acreage conditions, the city needs an additional 303 acres of park land, of which 195 acres should be neighborhood parks, to meet its per capita parkland standard.

LUCE EIR Conclusion

The LUCE EIR determined that based on a potential buildout population of 58,626 and a total of 204 acres of parkland, the amount of per capita parkland in the city would be 3.44 acres per 1,000 residents, which is more per capita parkland than the existing 3.32 acres of parkland for each 1,000 residents currently provided. As such, implementation of the LUCE would result in a slightly improved parkland per capita ratio when compared to existing conditions. To achieve the City’s parkland standard of 10 acres per 1,000 residents under proposed LUCE buildout conditions, approximately 586 acres of parkland would be required in the city. The increase in per capita parkland proposed by the LUCE would incrementally improve the existing condition in which the City’s per capita parkland standard is not achieved. In addition, the increase in per capita parkland would minimize the potential for an adverse increase in the use of existing parks or other recreational facilities such that substantial physical deterioration of the existing facilities would occur or be accelerated.

The LUCE EIR concluded that “buildout of the proposed LUCE Update would increase the population of the city and would facilitate the development of additional parkland. Buildout of the proposed LUCE Update would result in a small increase in total per capita parkland in the city when compared to existing conditions. Although the LUCE Update would not comply with the City’s per capita parkland standard, this would not result in a physical effect. Therefore the LUCE Update would result in a Class III, less than significant environmental impact related to the increased use of existing park and recreation facilities” (LUCE EIR Section 4.14 Recreation, Impact REC-1).

Proposed Zoning Regulations Update Analysis and Conclusions

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update may be subject to the payment of park fees, if such fees are

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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adopted by the City. In addition, the Quimby Act (1975) gives cities and counties the authority, by ordinance, to require the dedication of land or payment of in-lieu fees, or a combination of both, for park and recreation purposes as a condition of approval of a tract map or parcel map. The Quimby Act allows fees to be collected for up to five acres of parkland per 1,000 residents. The Orcutt Area and Margarita Area Specific Plans have associated parkland impact fees to ensure dedication and development of parkland occurs. However, development in other areas of the City is not subject to park fees other than through Quimby Act fees collected with subdivisions. Furthermore, as part of the planning and development review process, all new residential development projects would be evaluated on a case-by-case basis to determine the level of and demand for parks and common open space that would be generated by a specific project. Therefore, the proposed Zoning Regulations Update would not result in substantial adverse impacts on parks. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.14 Recreation.

**15. RECREATION.**

a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	1, 34			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	1, 34			X	

Evaluation

There are 26 parks in the city, consisting of eight community parks, ten neighborhood parks, and eight mini-parks. There are also six joint use facilities, and several recreation centers and special facilities (e.g., Damon Garcia Sports Fields and the SLO Swim Center). There is currently approximately 151.65 acres of parkland in the city, of which 33.53 acres are neighborhood parks. In addition to developed parks, the City owns or manages over 6,970 acres of open space within and adjacent to San Luis Obispo, some of which provide trails that accommodate hiking and mountain biking. LUCE EIR Section 4.14 Recreation Tables 4.14-1 Existing City of San Luis Obispo Parks and Recreation Facilities and 4.14-2 Existing City of San Luis Obispo Special Facilities and Figure 4.14-1 Parks Locations describe the type, location, and amenities provided by parks and special facilities in San Luis Obispo.

a), b) LUCE EIR Conclusion

The construction and use of park facilities adjacent to residential areas has the potential to result in significant environmental impacts related to issues such as traffic, noise, dust generation and emissions, night lighting and land use compatibility. Future development under the LUCE will be required to comply with local, State, and Federal laws and policies, and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts resulting from future development of parks facilities. Applicable LUE policies include 2.3.2 Separation and Buffering, which states that “the City shall seek to protect Residential areas from incompatible and detrimental non-residential activities and facilities” and Policy 12.9 Environmental Review.

The LUCE EIR concluded that “buildout of the proposed Land Use Element would potentially provide up to 52.4 acres of new park facilities in the city. The construction and use of the proposed parks would have the potential to result in significant environmental impacts. This is considered a Class III impact, less than significant” (LUCE EIR, Section 4.14 Recreation, Impact REC-2).

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Proposed Zoning Regulations Update Analysis and Conclusions

Consistent with the analysis and conclusions of the LUCE EIR, existing General Plan policies applicable to future park project design would substantially reduce the potential for park-related environmental impacts as a result of development occurring pursuant to the proposed Zoning Regulations Update. In addition, subsequent CEQA review would identify project-specific impacts and provide measures to reduce potential impacts to the extent possible. Furthermore, pending preparation of a Parks and Recreation Master Plan and General Plan Element Update (recently authorized by the City Council), most of the future parkland to be provided in the city would be constructed as part of the buildout of previously approved (Margarita and Orcutt) or proposed (San Luis Ranch, Avila Ranch, Madonna) Specific Plans, which would facilitate park planning and design opportunities to minimize environmental impacts and land use conflicts. Therefore, potential adverse physical effects on the environment resulting from future park development and use would be reduced to a less than significant level through the implementation of proposed policy and project-specific CEQA requirements.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Zoning Regulations Update may be subject to the payment of park fees, if such fees are adopted by the City. Furthermore, as part of the planning and development review process, all new residential development projects would be evaluated on a case-by-case basis to determine the level of and demand for parks and common open space that would be generated by the project, in addition to potential impacts resulting from the development and operation of additional parkland. Therefore, the proposed Zoning Regulations Update would not result in substantial adverse impacts on parks. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.14 Recreation.

**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?	1, 2, 3, 6, 35		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, 3, 6, 35		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?	1, 2, 3, 6, 35			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	1, 2, 3, 6, 35			X	
e) Result in inadequate emergency access?	1, 2, 3, 6, 35			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	1, 2, 3, 6, 35			X	

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Evaluation

The City is accessed primarily by roadways including US 101, State Route (SR) 1 and SR 227. Routes of regional significance providing access include Los Osos Valley Road, Foothill Road, Broad Street, O’Connor Way, Prefumo Canyon Road, South Higuera Street and Orcutt Road. The city is accessed by air via the San Luis Obispo County Regional Airport or by rail via Amtrak’s Pacific Surfliner and Coast Starlight routes. Additional modes of transportation include City bikepaths and bikelanes and SLO Transit (refer to LUCE EIR Section 4.15 Transportation and Circulation, *Figure 4.15-1 City of San Luis Obispo Roads, Airport and Rail*, *Figure 4.15-2 City of San Luis Obispo Roads, Transit*, and *Figure 4.15-3 City of San Luis Obispo Bicycle System*). LUCE EIR Section 4.15 Transportation and Circulation, *Table 4.15-2 Local Roadway LOS (Per ADT Threshold)* shows the properties of local roadways and the baseline level of service (LOS) as determined by the transportation analysis conducted for the LUCE EIR. LUCE EIR Section 4.15 Transportation and Circulation also discusses neighborhood traffic management and roadway operations.

a), b) LUCE EIR Conclusion

Roadways and Intersections. Based on the LUCE EIR, future implementation of the LUCE would have the potential to result in significant impacts related to roadway and intersection operations. LUCE EIR Section 4.15 Transportation and Circulation, *Table 4.15-6 US-101 Proposed Project AM Peak-Hour LOS (Post Miles from South to North)*, *Table 4.15-7 US-101 Proposed Project PM Peak-Hour LOS (Post Miles from South to North)*, and *Table 4.15-8 Cumulative Local Roadway LOS (Using FDOT Procedures)* show the potential changes to LOS. As documented in the LUCE EIR, the following eight roadway segments would experience significant impacts due to increases in volumes: Broad (S/South, South – Orcutt, Orcutt – Tank Farm Road and Buckley – South City Limit); Chorro (Foothill – Lincoln; Los Osos Valley Road (just west of the City Limits); and Prado (US 101 – Higuera and Higuera – Broad). As shown in LUCE EIR Section 4.15 Transportation and Circulation, *Table 4.15-9 2035 Intersection LOS Summary – LOS E/F*, a total of eleven intersections would operate at unacceptable conditions during the AM and/or PM peak hours, including: Grand and Slack; California and Taft; Grand and US 101 SB on-ramp/Loomis; San Luis and California; Higuera & Tank Farm; Broad and High; Broad and Rockview; Broad and Capitolio; Johnson and Orcutt; Broad and Tank Farm; and Broad and Airport.

The LUCE EIR concluded that “development and street network changes under the LUCE Update will cause roadways currently operating at LOS D or better to deteriorate to LOS E or F, in downtown San Luis Obispo, roadways operating at LOS E or better will deteriorate to LOS F, or will add additional traffic to roadways operating at LOS E (outside of downtown) or F (in downtown). Impact is considered to be Class I, significant and unavoidable” (LUCE EIR Section 4.15 Transportation and Circulation, Impact CIR-1). Upon certification of the LUCE EIR and approval of the LUCE Update, the City adopted a Statement of Overriding Considerations for this significant and unavoidable impact.

The LUCE EIR also concluded that “development and street network changes under the LUCE Update will cause intersections currently operating at LOS D or better to deteriorate to LOS E or F, in downtown San Luis Obispo, intersections operating at LOS E or better will deteriorate to LOS F, or will add additional traffic to intersections operating at LOS E (outside of downtown) or F (in downtown). Impact is considered to be Class I, significant and unavoidable” (LUCE EIR Section 4.15 Transportation and Circulation, Impact CIR-2). Upon certification of the LUCE EIR and approval of the LUCE Update, the City adopted a Statement of Overriding Considerations for this significant and unavoidable impact.

Proposed Zoning Regulations Update Analysis and Conclusions

Implementation of development pursuant to the proposed Zoning Regulations Update, including proposed modifications to allowable density in the R-3 zone, future development within the Upper Monterey Downtown Overlay zone, and establishment of minimum dwelling units on multi-family residential (R-2, R-3, and R-4) and office zoned lots, would have the potential to result in significant impacts related to operations of City roadways and key intersections, as identified in the LUCE EIR. Future development shall be consistent with the Circulation Element, which includes multiple policies addressing issues including, but not limited to, congestion, multi-modal and alternative transportation, growth management and roadway expansions, peak hour and daily traffic, and transportation funding. The Circulation Element also includes

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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policies that support and encourage use of alternative modes, which would result in a shift in mode of travel, and reduction in the traffic volumes on city streets. While the potential addition of traffic related to City build-out pursuant the General Plan and Zoning Regulations would be considered significant, compliance with Circulation Element policies could reduce volumes; however, further reduction of volumes would be necessary to reduce impacts to less than significant levels (as stated in the LUCE EIR). Therefore, this impact remains significant and unavoidable, as determined in the LUCE EIR.

LUCE EIR Conclusion

Freeway Operations. Consistent with the determinations of the LUCE EIR, future implementation of the LUCE pursuant to the proposed Zoning Regulations Update has the potential to result in significant impacts on freeway facilities. The LUCE EIR concluded that “development under the LUCE Update will increase traffic on freeway facilities. Impact is considered to be Class I, significant and unavoidable” (LUCE EIR Section 4.15 Transportation and Circulation, Impact CIR-3). Upon certification of the LUCE EIR and approval of the LUCE Update, the City adopted a Statement of Overriding Considerations for this significant and unavoidable impact.

Proposed Zoning Regulations Update Analysis and Conclusions

The LUCE EIR states that one segment north of Madonna Road (post mile 28.088) is projected to experience unstable flow conditions (LOS F) in northbound direction during the AM peak hour, and all other segments are projected to operate at LOS D or better during the AM peak hour in 2035. During the PM peak hour in the southbound direction, all US 101 segments (4.074 centerline miles of freeway) are projected to experience unstable flow conditions (LOS F). All segments in the northbound direction are projected to operate at LOS D. Despite compliance with LUCE policies and programs, freeway impacts would not be reduced to less than significant levels. Therefore, this impact is considered to be significant and unavoidable, consistent with the determination in the LUCE EIR.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Implementation of the proposed amendments to the Zoning Regulations to allow a minimum number of dwelling units on multi-family zoned lots would result in an average increase in density of 0.53, 0.84, and 1.22 density units on R-2, R-3, and R-4 lots, respectively. This may reasonably translate into: one additional bedroom on R-2 lots; one additional bedroom on R-3 lots, and two additional bedrooms on R-4 lots. Implementation of the proposed amendment to the Zoning Regulations to allow a minimum number of dwelling units on office zoned lots would result in an average increase in density of 0.49 density unit. This may reasonably translate into one additional bedroom on O lots. The proposed changes to allowable density in the R-3 zone and proposed minimum dwelling unit standards in the R-2, R-3, R-4, and O zones would be consistent with the analysis and conclusions of the LUCE EIR, because: these changes are consistent with adopted LUCE maximum dwelling density for the Medium-High Density Residential land use designation (20 units per acre, as shown in LUE Table 4. Residential Population Assumptions), the changes would be consistent with the intention of the Medium, Medium-High and High Density Residential and Office land use designations to provide multi-family and other residential opportunities, development of housing projects pursuant to the proposed regulations would generate additional multi-modal traffic and result in similar impacts and conclusions as disclosed in the LUCE EIR, future development would be subject to performance and design standards established for these residential and office zones, future development would be subject to consistency with the Circulation Element, and potential build-out pursuant to the proposed Project remains subject to the one percent growth limitation.

As development under the LUCE and Zoning Regulations Update is proposed, the City will be required to ensure consistency with the General Plan. While the Zoning Regulations Update does not include any regulations that are inconsistent with the Circulation Element, the anticipated traffic that would be generated upon build-out of the City pursuant to the LUCE and implementation of existing and proposed Zoning Regulations would result in the degradation of LOS, as identified in LUCE EIR Section 4.15 Transportation and Circulation. Compliance with Circulation Element policies and programs that contribute to reducing volumes along roadways would partially mitigate this significant impact. In addition, pursuant to CEQA, future new land uses that occur pursuant to the proposed Project would be subject to their own environmental review on a project-by-project basis to assess traffic impacts; however, consistent with the LUCE EIR,

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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the impact would remain significant and unavoidable. Therefore, the proposed Project would not result in a significant transportation impact not examined or adequately addressed in the LUCE EIR.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, the proposed Zoning Regulations Update would not result in a significant transportation and circulation impact not examined or adequately addressed in the LUCE EIR Section 4.15 Transportation and Circulation.

c) Implementation of the General Plan and proposed Zoning Regulations Update would not result in any changes in air traffic patterns. Potential impacts due to increased traffic associated with the San Luis Obispo County Airport are discussed below (refer to the discussion under d).

d) LUCE EIR Conclusion

Roadways improved consistent with the Circulation Element would be designed in compliance with City Engineering Standards; however, implementation of future development pursuant to the LUCE has the potential to increase traffic volumes and speeds in neighborhoods. Compliance with Circulation Element policies including the following would address neighborhood traffic: 8.1.1 Through Traffic; 8.1.2 Residential Streets; 8.1.3 Neighborhood Traffic Speeds; 8.1.4 Neighborhood Traffic Management; 8.1.5 Neighborhood Traffic Management Guidelines; 8.1.6 Non-Infill Development; and 8.1.7 New Project Evaluation. The LUCE EIR concluded that “development under the LUCE Update may increase traffic volumes or traffic speed in designated neighborhood traffic management areas. Impact is considered to be Class III, less than significant” (LUCE EIR, Section 4.16 Transportation and Circulation, Impact CIR-4).

Implementation of the LUCE may encourage increased truck traffic on non-designated truck routes. The Circulation Element includes the following policy to address increased truck traffic: 10.1.1 Truck Routes. The LUCE EIR concluded that “development under the LUCE Update may encourage increased heavy vehicle traffic on non-designated truck routes. Impact is considered to be Class III, less than significant” (LUCE EIR, Section 4.16 Transportation and Circulation, Impact CIR-5).

The LUCE EIR states that implementation of the LUCE may lead to changes in traffic volumes of traffic patterns that result in deteriorated safety conditions. Future development will comply with Circulation Element policies including: 11.1.1 Interstate Air Service; 11.1.2 County Aircraft Operations; and 11.1.3 Public Transit Service. The LUCE EIR concludes that “development under the LUCE Update will cause increased activity at San Luis Obispo County Regional Airport that may lead to changes in traffic volumes or traffic patterns that result in deteriorated safety conditions. Impact is considered to be Class III, less than significant” (LUCE EIR Section 4.16 Transportation and Circulation, Impact CIR-6).

Proposed Zoning Regulations Update Analysis and Conclusions

Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all applicable regulations performance standards and design standards that address safety, including those of the Zoning Regulations, as updated, the Circulation Element, and City Engineering Standards. Future development proposals would be reviewed on a case-by-case basis as they arise to determine if project layouts, driveway locations, land use types, or actual intensities would result in hazardous conditions. Therefore, the proposed Zoning Regulations Update would not substantially increase hazards due to a design feature. Impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Project would not allow new development in areas where such development is prohibited under the LUCE. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in the LUCE EIR Section 4.16 Transportation and Circulation.



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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- e) Emergency access requirements are established in the Fire Code and are reviewed and approved by the City Fire Marshal. The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address emergency access, including Fire Code requirements. Future development proposals would be reviewed on a case-by-case basis by the City Fire Department as they arise to determine if adequate emergency access is provided. Therefore, the proposed Zoning Regulations Update would not result in inadequate emergency access. Impacts would be less than significant. Refer to Initial Study Section 8 Hazards and Hazardous Materials for additional discussion regarding emergency access.
- f) The Circulation Element provides policies that encourage the use of active transportation modes within the City, including: 4.1.1 Bicycle Use; 4.1.2 Campus and School Site Trips; 4.1.3 Continuous Network; 4.1.4 New Development; 4.1.5 Bikeway Design and Maintenance; 4.1.6 Bikeway Development with Road Improvements; 4.1.7 Education and Safety; 4.1.8 Bicycle Transportation Coordinator; 4.1.9 Traffic Law Compliance; 4.1.10 Right-of-way Acquisition; 4.1.11 Bicycle Transportation Plan Implementation; 4.1.12 Bike Parking; 5.1.1 Promote Walking; 5.1.2 Sidewalks and Paths; 5.0.3 New Development 5.1.4 Pedestrian Access; 5.1.5 Pedestrian Crossings; 5.1.6 Downtown Commercial Core; and 5.1.7 Sidewalks.

LUCE EIR Conclusion

The LUCE EIR concluded that “development and street network changes and adoption of the policies and programs under the LUCE Update would not conflict with adopted policies that are supportive of increased active transportation. Impact is considered to be Class III, less than significant” (LUCE EIR Section 4.15, Transportation and Circulation Impact CIR-7). The LUCE EIR also concluded that “development and adoption of the policies and programs under the LUCE Update would not conflict with adopted policies that are supportive of increased transit ridership and provision of services. Impact is considered to be Class III, less than significant” (LUCE EIR Section 4.15, Transportation and Circulation Impact CIR-8).

Proposed Zoning Regulations Update Analysis and Conclusions

Adoption of the Zoning Regulations Update will not impose new barriers on bicycle and pedestrian traffic or use of transit within the City, nor will in conflict with existing policies that are supportive of these alternative modes of transportation as identified in the Circulation Element. The proposed Zoning Regulations Update implements the goals and policies of the LUCE, including updating parking requirements to “encourage bicycling, transit use, walking, carpooling, and other modes of transportation (other than motor vehicle) that can move the City toward achieving modal split goals in the General Plan Circulation Element” (proposed Zoning Regulations, Article 3). The proposed Project clarifies standards addressing short-term and long-term bicycle parking and storage, simplifies parking requirements consistent with trip demands (revised Table 9), and requires showers, lockers, and changing rooms in non-residential projects over 20,000 square feet. Future land uses that occur pursuant to the proposed Zoning Regulations Update would be required to conform to all applicable regulations performance standards and design standards, including those of the Zoning Regulations, as updated, the Circulation Element, and City Engineering Standards. Therefore, impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review on a project-by-project basis to assess consistency with the Circulation Element. Therefore, the proposed Zoning Regulations Update would not result in a significant impact not examined or adequately addressed in LUCE EIR Section 4.15 Transportation and Circulation.

**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:**

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a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register as defined in Public Resources Section 5020.1(k)?	1, 9, 10, 11, 12			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.	1, 12			X	

Evaluation

On April 26, 2018, local Native American tribal groups were formally notified that an Initial Study of Environmental Impact was being completed for the proposed Zoning Regulations Update and invited to provide consultation on the proposed project. No tribal representatives requested a formal consultation; however, two representatives discussed the proposed Zoning Regulations with City Staff and one requested additional policy language to be included in the Zoning Regulation Update. No specific tribal cultural resources were identified by the tribal representatives.

- a) The City contains multiple resources that are listed or eligible for listing in the California Register of Historical Resources, and/or in the City’s list of historical resources. Development facilitated by the LUCE and Zoning Regulations Update could adversely affect identified and previously unidentified historical and archaeological resources. However, adherence to existing Federal, State and City policies and programs, will address these impacts by requiring the study of site-specific resources, identification of significant resources present within a given project site, requirements to avoid significant resources and requirements to mitigate any impacts to these resources through project design, tribal consultation, monitoring and Native American consultation. As such, impacts are considered less than significant.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land use that occur pursuant to the proposed Project would be required to conform to federal, State, and local guidelines and requirements that address historical, archaeological, and tribal cultural resources. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review and associated tribal consultations on a project-by-project basis to assess potential impacts. Therefore, impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Future development that occurs pursuant to the proposed Project would be required to conform to all applicable regulations of the Zoning Regulations, as updated, the LUCE and COSE, the Historic Preservation Ordinance, Historic Preservation Program Guidelines, and Archaeological Resource Preservation Program Guidelines, which address historical and archaeological resources. In addition, pursuant to State CEQA Guidelines Section 21080.3.1, the City will continue to conduct tribal consultations on all projects are required by CEQA. Therefore, there would be no new impacts that have not been previously examined or adequately addressed in LUCE EIR Section 4.5, Cultural Resources.

- b) Based on the unique nature of the proposed Project, which does not by itself propose or authorize any development, consultation with tribal representatives resulted in the following recommendation by a tribal representative: Request to modify Zoning Regulations language specific to the S zone as follows (additional language is underlined): The S zone has two purposes: A. In combination with any zone, to require approval of an administrative use permit before any use may be established. The use permit requirement is intended to assure compatibility of the use with its surroundings or conformance with the general plan, or to determine if a proposed development solves problems such as noise exposure, flood hazard, airport hazard, or slope instability which are particularly severe on a given site. Such development review may also be used to protect areas of scenic, or ecological sensitivity, historic resources, indigenous cultural resources,

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wildlife habitat, or wildland fire hazard”.

The tribal representative also requested expanded creek setbacks (from 20 to 50 feet) throughout the City, as these places can contain cultural resources, and the change would help protect culturally important and sensitive places well before any construction activity has begun. The City does not recommend expanding the creek setback to 50 feet in all locations of the City, as this may present an infeasible limitation on development within the urban core of the City. In addition, the City’s Archaeological Resource Preservation Program Guidelines defines areas within 200 feet of identified creeks as sensitive, and thus requires a Phase I Archaeological Investigation including a records search and field survey. Therefore, it is City Staff’s recommendation to retain the 20-foot setback where indicated in the Zoning Regulations and maintain compliance with the City’s adopted Archaeological Resource Preservation Program Guidelines.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land use that occur pursuant to the proposed Project would be required to conform to federal, State, and local guidelines and requirements that address tribal cultural resources. Pursuant to CEQA, future new land uses that occur pursuant to the proposed Zoning Regulations Update would be subject to their own environmental review and associated tribal consultations on a project-by-project basis to assess potential impacts. In addition, the language identified by the tribal representative has been incorporated into the proposed Zoning Regulations Update. Therefore, impacts would be less than significant.

Conclusion. The proposed Project would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. The language identified by the tribal representative regarding the S Overlay has been incorporated into the proposed Zoning Regulations Update. In addition, future development would be subject to tribal consultation, when required by CEQA. Therefore, no significant impacts to tribal cultural resources would occur as a result of the proposed Project.

**18. UTILITIES AND SERVICE SYSTEMS. Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	1, 2, 3, 4, 6, 26, 27, 28, 35, 36, 37			X	
b) Require or result in the construction or expansion of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 2, 3, 4, 6, 26, 27, 28, 35, 36, 37			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?	1, 2, 3, 4, 6, 26, 27, 28, 35, 36, 37			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded entitlements needed?	1, 2, 3, 4, 6, 36, 37			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 commitments?	1, 2, 36, 37			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	1, 2			X	

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g) Comply with federal, state, and local statutes and regulations related to solid waste?	1, 2			X	
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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 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), e) LUCE EIR Conclusion

Potential future wastewater flows resulting from land use changes implemented under the LUE are shown on LUCE EIR Section 4.16 Utilities and Service Systems, *Table 4.16-7 Proposed Land Use Element Development Wastewater Generation*. Buildout of the LUE would result in wastewater flows of approximately 0.97 MGD, which when added to existing wastewater flows would result in LUE buildout wastewater flows of approximately 5.36 MGD. Future wastewater flows that could result from the buildout of the proposed LUE would exceed the existing WRRF treatment capacity by approximately 0.26 MGD.

The LUCE EIR concluded that “new development that could occur as a result of the LUCE Update would generate wastewater flows that exceed the existing capacity of the City’s Water Resource Recovery Facility. This is a Class III, less than significant impact” (LUCE EIR, Section 4.16 Utilities and Service Systems, Impact USS-2).

Proposed Zoning Regulations Update Analysis and Conclusions

In 2018, the City approved a proposed upgrade to the WRRF, including certification of an EIR for the Water Resource

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Recovery Facility Project. The WRRF project entails upgrading the City’s wastewater treatment facility to comply with updated discharge requirements outlined in the National Pollutant Discharge Elimination System (NPDES) permit adopted by the Regional Water Quality Control Board (RWQCB) and State Water Resources Control Board (SWRCB) in September 2014. The NPDES permit went into effect December 1, 2014, and compliance is required by November 30, 2019. At the same time, the WRRF would be upgraded to provide a nominal increase in average dry weather flow (ADWF) capacity to serve the needs of the City, as projected in the LUE.

In addition, the 2018 Water and Wastewater Element includes extensive policies and programs intended to minimize and mitigate for potential impacts related to wastewater collection and treatment for buildout of the LUE. In compliance with the 2018 Water and Wastewater Element, development identified by the LUE could not occur unless it was demonstrated that adequate treatment capacity at the WRRF existed prior to approval of future development projects. Therefore, implementation of the future development pursuant to the LUE would not result in new development and associated increases in wastewater flows that would exceed the capacity of the WRRF. Future development projects pursuant to the proposed Zoning Regulations Update would be required to demonstrate that adequate treatment capacity exists prior to the approval of those projects. Implementation of the approved WRRF expansion and existing Water and Wastewater Element policies would reduce potential wastewater treatment impacts resulting from implementation of the LUCE pursuant to the proposed Zoning Regulations Update to a less than significant level.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Implementation of the proposed amendments to the Zoning Regulations to allow a minimum number of dwelling units on multi-family zoned lots would result in an average increase in density of 0.53, 0.84, and 1.22 density units on R-2, R-3, and R-4 lots, respectively. This may reasonably translate into: one additional bedroom on R-2 lots; one additional bedroom on R-3 lots, and two additional bedrooms on R-4 lots. Implementation of the proposed amendment to the Zoning Regulations to allow a minimum number of dwelling units on office zoned lots would result in an average increase in density of 0.49 density unit. This may reasonably translate into one additional bedroom on O lots. The proposed changes to allowable density in the R-3 zone and proposed minimum dwelling unit standards in the R-2, R-3, R-4, and O zones would be consistent with the analysis and conclusions of the LUCE EIR, because: these changes are consistent with adopted LUCE maximum dwelling density for the Medium-High Density Residential land use designation (20 units per acre, as shown in LUE Table 4. Residential Population Assumptions), the changes would be consistent with the intention of the Medium, Medium-High and High Density Residential, and Office land use designations to provide multi-family and other residential opportunities, development of housing projects pursuant to the proposed regulations would result in similar impacts and conclusions as disclosed in the LUCE EIR, future development would be subject to performance and design standards established for these residential and office zones, and potential build-out pursuant to the proposed Project remains subject to the one percent growth limitation.

Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address wastewater collection and treatment, including those set forth in the City’s General Plan and state and federal water quality regulations. Additionally, future development proposals would be reviewed on a case-by-case basis as they arise to confirm available capacity at the WRRF, consistent with the General Plan. Therefore, the proposed Zoning Regulations Update would not require or result in new wastewater facilities, and impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, the proposed Zoning Regulations Update would not result in a significant wastewater impact not examined or adequately addressed in the LUCE EIR (LUCE Section 4.16 Utilities and Service Systems).

b) LUCE EIR Conclusion

As documented in LUCE EIR Section 4.16 Utilities and Service Systems, parts of the city’s water distribution and wastewater collection systems are approaching or are past their estimated lifespan. In addition, new development proposed by the LUE could require the installation of new or upgraded water transmission and distribution mains, and the installation

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of new water tanks. The City’s Water Master Plan identifies needed improvements to the water distribution system, including water tanks that are undersized. Wastewater collection to serve new development may also require the installation of new or upgraded gravity sewer lines, force mains and pump stations. The Infrastructure Renewal Strategy identifies capacity issues for the wastewater collection system and a prioritized list of replacements. Environmental impacts that may result from the construction of new or upgraded infrastructure pipelines, water tanks, lift stations and other facilities generally include the potential for short-term impacts such as construction-related increases in noise and air emissions, temporary roadway lane closures and other circulation-related impacts, water quality impacts from increased erosion or an accidental release of construction materials. Impacts to sensitive biologic or cultural resources may also result if resources are present within or adjacent to proposed construction corridors. The construction of above-ground facilities, such as water tanks, may have the potential to result in long-term aesthetic impacts.

Short-term construction impacts that may be result from infrastructure improvement projects are usually minimized by standard construction site and operation measures such as: designing projects to avoid or minimize construction activities in or adjacent to sensitive areas; implementing appropriate resource protection/restoration measures; implementing standard safety precautions; conducting construction activities in a manner that minimizes equipment use and other construction activities within and adjacent to construction corridors; and compliance with applicable regulatory requirements and City policies. For example, LUE Policy 12.9 Environmental Review requires project-specific reviews to identify potential on- and off-site environmental impacts that may result from future infrastructure improvements.

The LUCE EIR concluded that “new development that could be facilitated by the LUCE Update would require the construction of new water and wastewater infrastructure or the replacement of existing infrastructure. The construction or replacement of infrastructure has the potential to result in significant environmental effects. This is a Class III, less than significant impact” (LUCE EIR Section 4.16 Utilities and Service Systems, Impact USS-3).

Proposed Zoning Regulations Update Analysis and Conclusions

With adherence to existing policy and development review requirements, potential infrastructure construction impacts associated with the proposed Zoning Regulations Update would be less than significant. Implementation of the LUCE pursuant to the proposed Zoning Regulations would reduce potential infrastructure construction impacts to a less than significant level. Subsequent development projects would be required to demonstrate compliance with the applicable policies and regulatory requirements, and if required, may be subject to the implementation of additional mitigation measures.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Implementation of the proposed amendments to the Zoning Regulations to allow a minimum number of dwelling units on multi-family zoned lots would result in an average increase in density of 0.53, 0.84, and 1.22 density units on R-2, R-3, and R-4 lots, respectively. This may reasonably translate into: one additional bedroom on R-2 lots; one additional bedroom on R-3 lots, and two additional bedrooms on R-4 lots. Implementation of the proposed amendment to the Zoning Regulations to allow a minimum number of dwelling units on office zoned lots would result in an average increase in density of 0.49 density unit. This may reasonably translate into one additional bedroom on O lots. The proposed changes to allowable density in the R-3 zone and proposed minimum dwelling unit standards in the R-2, R-3, R-4, and O zones would be consistent with the analysis and conclusions of the LUCE EIR, because: these changes are consistent with adopted LUCE maximum dwelling density for the Medium-High Density Residential land use designation (20 units per acre, as shown in LUE Table 4. Residential Population Assumptions), the changes would be consistent with the intention of the Medium, Medium-High and High Density Residential, and Office land use designations to provide multi-family and other residential opportunities, development of housing projects pursuant to the proposed regulations would result in similar impacts and conclusions as disclosed in the LUCE EIR, future development would be subject to performance and design standards established for these residential and office zones, and potential build-out pursuant to the proposed Project remains subject to the one percent growth limitation.

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address water and wastewater infrastructure. Additionally, future development proposals would be reviewed on a case-by-case basis as they arise to confirm sufficient infrastructure. Therefore, the proposed Zoning Regulations Update would not require or result in new or expanded water or wastewater infrastructure, and impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, the proposed Zoning Regulations Update would not result in a significant infrastructure impact not examined or adequately addressed in LUCE EIR Section 4.16 Utilities and Service Systems.

c) LUCE EIR Conclusion and Proposed Zoning Regulations Update Analysis and Conclusion

As documented in the LUCE EIR, development pursuant to the LUCE could cause an increase in the amount of impervious surfaces within the city which may increase the volume of surface runoff into City stormwater systems. Future development and redevelopment projects within the City are required to comply with the Central Coast Regional Water Quality Control Board Post Construction Requirements. As discussed in more detail in Initial Study Section 9 Hydrology and Water Quality, based on compliance with the terms of the City’s SWMP, impacts would be less than significant. Similar to the construction of water and wastewater infrastructure (see discussion in Section 4.16 Utilities and Service Systems, section b), potential short-term construction impacts can be minimized to less than significant.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address drainage and stormwater infrastructure. Additionally, future development proposals would be reviewed on a case-by-case basis as they arise to confirm sufficient infrastructure. Therefore, the proposed Zoning Regulations Update would not require or result in new or expanded drainage or stormwater infrastructure, and impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, the proposed Zoning Regulations Update would not result in a significant infrastructure impact not examined or adequately addressed in LUCE EIR Section 4.16 Utilities and Service Systems and LUCE EIR Section 4.9 Hydrology and Water Quality.

d) LUCE EIR Conclusion

The LUCE EIR states that buildout of the proposed LUE could result in approximately 4,904 additional residential units in the City, potentially resulting in approximately 25,601 dwelling units located in the City by 2035. Using a dwelling unit occupancy rate of 2.29 persons per dwelling unit, buildout of the LUE could support a General Plan buildout population of approximately 58,626. As documented in the LUCE EIR, the primary water supply required for estimated buildout demand resulting from the LUE would be 7,815 AF/year (LUCE EIR Section 4.16 Utilities and Service Systems). LUCE EIR Section 4.16 Utilities and Service Systems, *Table 4.16-5 Proposed Land Use Element Buildout Water Supply* summarizes water supply and demand conditions associated with the buildout of the LUCE. Future water supply estimates have been updated based on the recent adoption of the 2018 Water and Wastewater General Plan Element. As noted above, the City obtains water from five sources, totaling 10,630 AF/year, which is greater than the identified demand for build-out. The LUCE EIR concluded that “new development that could occur as a result of the proposed LUCE Update would increase existing water demand. This is a Class III, less than significant impact” (LUCE EIR, Section 4.16 Utilities and Service Systems, Impact USS-1).

Proposed Zoning Regulations Update Analysis and Conclusions

Adherence to the existing City’s Water and Wastewater Element and the 2010 Urban Water Management Plan will ensure

	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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that impacts related to water demand for new development construction and operated pursuant to the proposed Zoning Regulations Update would remain less than significant. Individual development will be required to undergo separate environmental review, which may include preparation of a Water Supply Assessment and other impact analysis, which may result in requirements for project specific mitigation.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Implementation of the proposed amendments to the Zoning Regulations to allow a minimum number of dwelling units on multi-family zoned lots would result in an average increase in density of 0.53, 0.84, and 1.22 density units on R-2, R-3, and R-4 lots, respectively. This may reasonably translate into: one additional bedroom on R-2 lots; one additional bedroom on R-3 lots, and two additional bedrooms on R-4 lots. Implementation of the proposed amendment to the Zoning Regulations to allow a minimum number of dwelling units on office zoned lots would result in an average increase in density of 0.49 density unit. This may reasonably translate into one additional bedroom on O lots. The proposed changes to allowable density in the R-3 zone and proposed minimum dwelling unit standards in the R-2, R-3, R-4, and O zones would be consistent with the analysis and conclusions of the LUCE EIR, because: these changes are consistent with adopted LUCE maximum dwelling density for the Medium-High Density Residential land use designation (20 units per acre, as shown in LUE Table 4. Residential Population Assumptions), the changes would be consistent with the intention of the Medium, Medium-High and High Density Residential, and Office land use designations to provide multi-family and other residential opportunities, development of housing projects pursuant to the proposed regulations would result in similar impacts and conclusions as disclosed in the LUCE EIR, future development would be subject to performance, design, landscaping, and water conservation standards established for these residential and office zones, and potential build-out pursuant to the proposed Project remains subject to the one percent growth limitation.

Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address water use and water conservation, including those set forth in the City’s General Plan, CBC, and CALGreen, and drought-related water conservation laws. Additionally, future development proposals would be reviewed on a case-by-case basis as they arise to confirm available water supply and sufficient infrastructure. Therefore, the proposed Zoning Regulations Update would not require or result in new or expanded water entitlements, and impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, the proposed Zoning Regulations Update would not result in a significant water supply impact not examined or adequately addressed in LUCE Section 4.16 Utilities and Service Systems.

- f), g) 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.

LUCE EIR Conclusion

The LUCE EIR determined that potentially significant solid waste disposal impacts that could result from inadequate disposal capacity would be minimized by LUE Policy 1.13.10 Solid Waste Capacity, which requires that adequate solid waste disposal capacity be available to serve new development. The policy states: “In addition to other requirements for adequate resources and services prior to development, the City must shall determine require that adequate solid waste disposal capacity will be available exists before granting any discretionary land use approval which would increase solid waste generation. San Luis Obispo City and County are focusing on waste diversion and recycling efforts to minimize future waste disposal impacts. For example, new development projects are required to minimize short-term waste disposal



	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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impacts by recycling construction and demolition waste. Long-term waste disposal impacts are minimized by including facilities for the collection and storage of recyclables in new development projects. These efforts will enhance the ability of the City to achieve a 75 percent diversion rate by the year 2020 and to ultimately be as close to zero waste as possible”.

The LUCE EIR concludes that “new development that could be facilitated by the LUCE Update would increase the demand for solid waste disposal at county landfills. Potential new development would also comply with applicable regulations related to the management of solid waste. As such, solid waste disposal impacts of the LUCE Update are Class III, less than significant impact” (LUCE EIR Section 4.16, Utilities and Service Systems Impact USS-4).

Proposed Zoning Regulations Update Analysis and Conclusions

With adherence to the policy requirements identified above, potential solid waste disposal impacts would be less than significant and new development facilitated by the proposed Zoning Regulations Update would not interfere with the City’s ability to comply with regulations related to solid waste management or increased solid waste diversion rates. Therefore, compliance with the LUE would reduce potential solid waste disposal and diversion impacts to a less than significant level. Subsequent development projects would be required to demonstrate compliance with the applicable policies and regulatory requirements, and if required, may be subject to the implementation of additional mitigation measures.

The proposed Zoning Regulations Update, by itself, does not propose or authorize any development. Future land uses that occur pursuant to the proposed Project would be required to conform to all applicable regulations that address waste storage and disposal, including those set forth in the City’s General Plan. Therefore, the development that would occur under the proposed Zoning Regulations Update would be served by landfills with adequate capacity, and impacts would be less than significant.

Conclusion. The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE. Therefore, the proposed Zoning Regulations Update would not result in a significant waste impact not examined or adequately addressed in LUCE EIR Section 4.16 Utilities and Service Systems.

**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 the major periods of California history or prehistory?				X	
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The proposed Zoning Regulations Update would make revisions, additions, corrections and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the LUCE. The proposed Zoning Regulations Update does not authorize any development. Therefore, its adoption would not significantly 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 the major periods of California history or prehistory. Therefore, as discussed in Section 4 (Biological Resources) of this Initial Study, no new significant impacts beyond what is identified in the LUCE EIR would occur.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable"			X		
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	Sources	Potentially Significant Impact, greater than identified in the LUCE EIR	Significant Impact Adequately Addressed in the LUCE EIR	Less Than Significant Impact, consistent with the LUCE EIR	No Impact, consistent with the LUCE EIR
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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)?					
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The proposed project involves the adoption of the City’s Zoning Regulations Update, which guides future development. No specific development projects would occur as a result of the proposed Zoning Regulations Update and therefore, the project, in itself, would not result in cumulative impacts. Furthermore, cumulative impacts associated with future development have been evaluated at a program level in the LUCE EIR. Since the proposed Zoning Regulations Update would not allow new development in areas where such development is prohibited under the LUCE, adopting the proposed Zoning Regulations Update would not create new cumulative impacts or increase the significance of cumulative impacts identified in the LUCE EIR.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	
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As identified throughout the analysis herein, the proposed Zoning Regulations Update would not have an environmental effect that would cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

**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.

On September 16, 2014, the City Council certified the Land Use and Circulation Element (LUCE) Final Program Environmental Impact Report (EIR) (State Clearinghouse Number 2013121019) and adopted findings and a statement of overriding considerations pursuant to the California Environmental Quality Act (CEQA).

The LUCE EIR is available for view online: <http://www.slocity.org/government/department-directory/community-development/planning-zoning/general-plan>

The final Resolution, CEQA Findings, and Statement of Overriding Considerations is available for view online: <http://opengov.slocity.org/weblink/1/doc/26033/Page1.aspx>

**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.

Refer to analysis in this Initial Study.

**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.

No additional mitigation measures are required.

**21. SOURCE REFERENCES.**

1.	Land Use and Circulation Element (LUCE) Final Program Environmental Impact Report (EIR) (State Clearinghouse Number 2013121019) and adopted findings and a statement of overriding considerations pursuant to the California Environmental Quality Act (CEQA) and associated Background Report
2.	City of San Luis Obispo Land Use Element, 2014
3.	City of San Luis Obispo Circulation Element, 2014
4.	City of San Luis Obispo Conservation & Open Space Element, 2006.
5.	City of San Luis Obispo Community Design Guidelines, 2010
6.	City of San Luis Obispo Municipal Code
7.	Clean Air Plan for San Luis Obispo County, Air Pollution Control District, 2001
8.	CEQA Air Quality Handbook, Air Pollution Control District, April 2012
9.	Historic Preservation Ordinance, 2010
10.	Historic Preservation Ordinance Guidelines, 2010
11.	Historic Context Statement, 2014
12.	Archaeological Resource Preservation Program Guidelines, 2009
13.	City of San Luis Obispo General Plan Safety Element, 2000.
14.	California Building Code
15.	City of San Luis Obispo General Plan Water and Wastewater Element, 2018
16.	Sanitary Sewer Flow Monitoring and Inflow/Infiltration Study, 2012
17.	Wastewater Collection System Infrastructure Renewal Strategy, 2016
18.	City of San Luis Obispo Climate Action Plan, 2012
19.	APCD Greenhouse Gas Thresholds and Supporting Evidence, 2012
20.	White Paper: Implementing the Climate Action Plan in the Zoning Regulations, City of San Luis Obispo, 2018
21.	State of California Emergency Plan, 2017
22.	San Luis Obispo County/Cities Nuclear Power Plant Emergency Response Plan, 2014

23.	San Luis Obispo County Airport Land Use Plan, 2005
24.	California Airport Land Use Planning Handbook, 2011
25.	Uniform Fire Code
26.	Stormwater Management Plan
27.	Waterway Management Plan, City and County of San Luis Obispo, 2003
28.	Drainage Design Manual, 2003
29.	Final Environmental Assessment / Environmental Impact Report, San Luis Obispo County Regional Airport Master Plan Update, San Luis Obispo, California, U.S. Department of Transportation, Federal Aviation Administration, County of San Luis Obispo, 2006
30.	City of San Luis Obispo Noise Element, 1996
31.	City of San Luis Obispo Noise Guidebook
32.	City of San Luis Obispo General Plan Annual Report 2018
33.	City of San Luis Obispo Housing Element, 2015
34.	San Luis Obispo Parks and Recreation Element and Master Plan, 2001
35.	City Engineering Standards
36.	City of San Luis Obispo Water and Wastewater Element, 2018
37.	Water Resource Recovery Facility Project, Final Environmental Impact Report, 2016
38.	<i>Clarification Memorandum for the San Luis Obispo County Air Pollution Control District's 2012 CEQA Air Quality Handbook, Air Pollution Control District, November 14, 2017</i>