

**3.9 LAND USE AND PLANNING**

This section describes existing and proposed land uses within the Project site and vicinity, and analyzes potential impacts that may result from land use conflicts. It also evaluates Project consistency with adopted planning goals and policies of the City General Plan, the County General Plan, and the ALUP for the Airport.

**3.9.1 Environmental Setting**

3.9.1.1 Regional Land Use and Planning

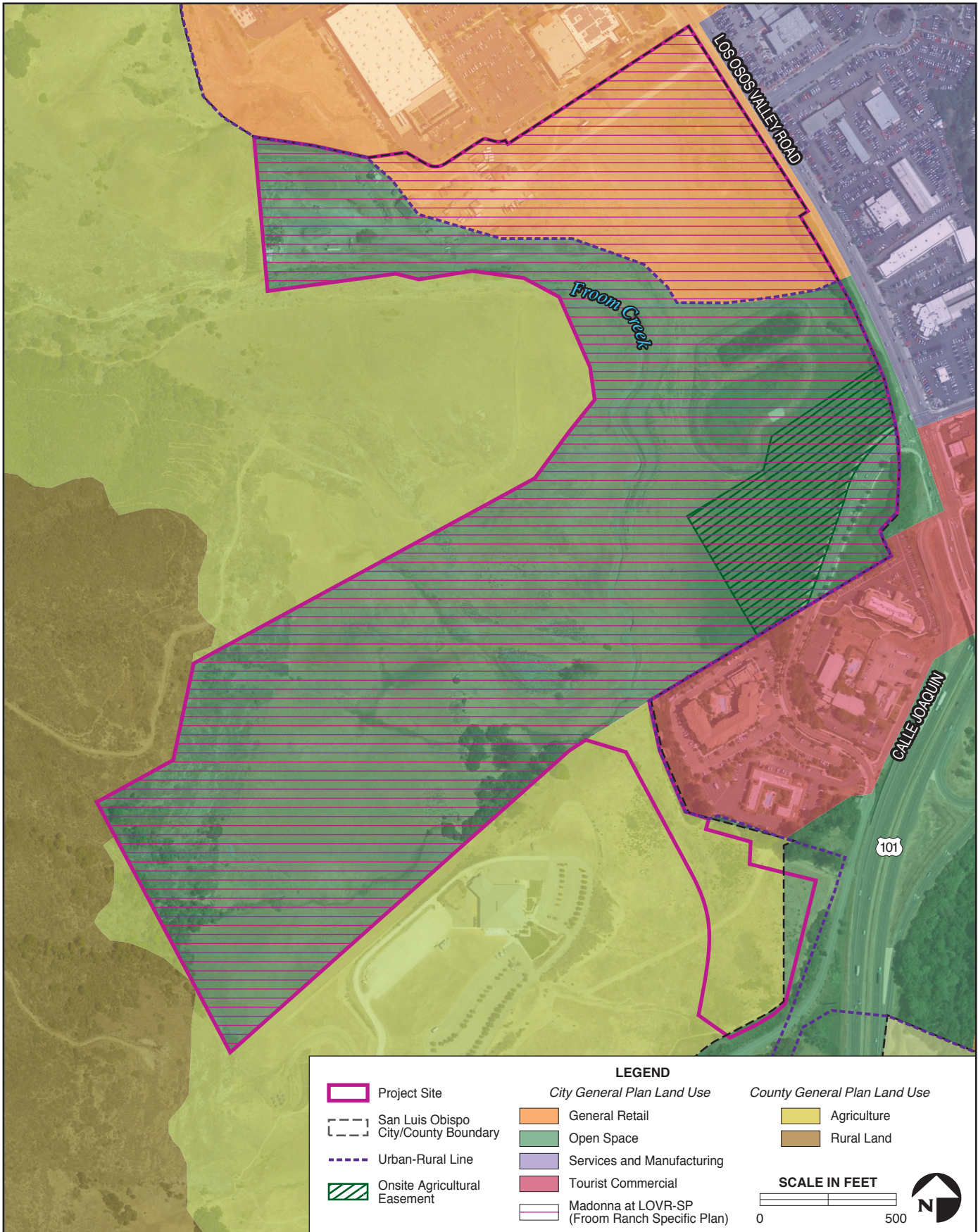
The Project site is located in the central portion of the County, approximately 5 miles northeast of the Pacific Ocean and outside of the local coastal zone. The site is currently unincorporated on the southern edge of the City and is surrounded on three sides by incorporated City areas. Urban land uses within the City, including commercial development, surround the site to the north, east, and south. Rural agricultural uses and open space within the Irish Hills Natural Reserve lie to the west. Allowable land uses on nearby properties are governed by both the City and County General Plans and respective Zoning Ordinances,<sup>1</sup> which allow a range of retail, commercial, visitor-serving, and open space uses (Tables 3.9-1 and 3.9-2; Figure 3.9-1).

**Table 3.9-1. Existing City and County Land Use within Project Vicinity**

Location	Land Use	Example of Potential Uses
City	General Retail	Specialty stores, department stores, restaurants, discount stores, and banks
	Open Space	Farming and grazing, protected natural open space, trails, and historic resources
	Services and Manufacturing	Medical services, storage businesses, lumber yards, car repair shops, light manufacturing, caretaker quarters, homeless shelters, and mixed-use residential
	Tourist Commercial	Hotels, motels, restaurants, gasoline stations, recreational uses, and minor retail
County	Agriculture (AG)	Agricultural processing, animal facilities, crops and grazing
	Rural Lands (RL)	Agricultural processing, crop production and grazing, mines and quarries, energy generating facilities

Source: City of San Luis Obispo 2014b; County of San Luis Obispo 2019.

<sup>1</sup> The County’s General Plan is adopted as the County’s Zoning Ordinance.



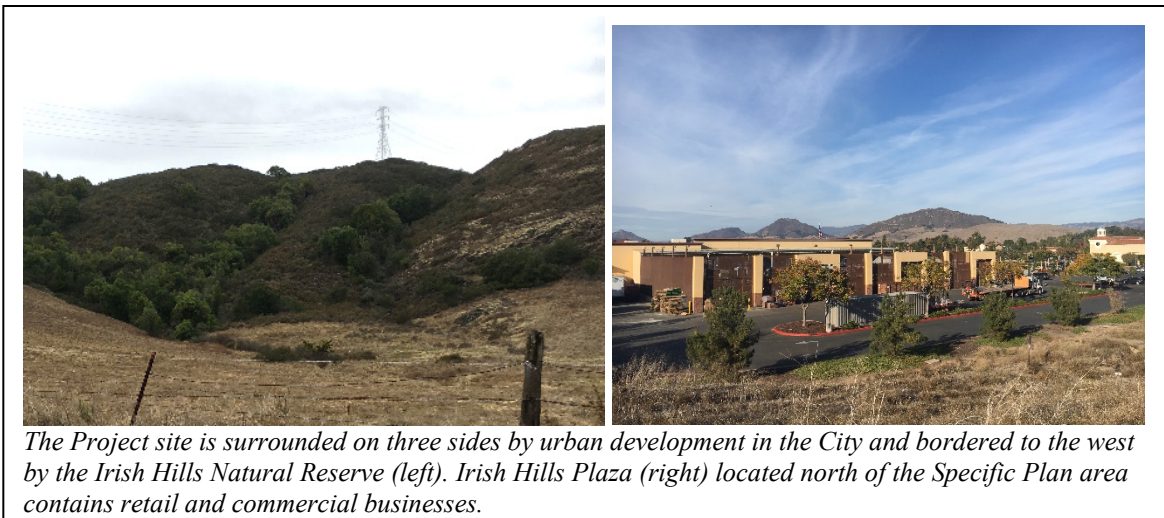


**Table 3.9-2. Existing City and County Zoning Districts within Project Vicinity**

Location	Zoning District	Example of Potential Uses
City	Conservation/Open Space (C/OS)	Open Space, agricultural grazing and accessory structures
	Commercial-Retail (C-R)	Retail sales, business, personal and professional services, parks and recreation facilities, entertainment, hotels, churches, restaurants, mixed-use developments
	Commercial-Service-Special Considerations (C-S-S) & Commercial-Service-Planned Development (C-S-PD)	Limited retail, storage, automobile and vehicle sales and services, wholesaling, warehousing, light manufacturing uses
	Commercial-Tourist (C-T)	Accommodations and services for the traveling public, parks and recreational facilities, mixed-use, restaurants
County	Agriculture (AG)	Agricultural processing, animal facilities, crops and grazing
	Rural Lands (RL)	Agricultural processing, crop production and grazing, mines and quarries, energy generating facilities
	Commercial Retail (CR)	Retail sales, business, personal and professional services, recreation, entertainment, transient lodging

Source: City of San Luis Obispo 2014b; County of San Luis Obispo 2019.

City-designated commercial-retail (C-R) uses border the Project site along LOVR to the northwest, including Irish Hills Plaza with numerous large-scale “big box” retail commercial businesses, including Costco and Home Depot, along with additional retail businesses, such as T.J. Maxx and Whole Foods Market. To the north across LOVR, commercial-service (C-S) land uses support primarily automobile dealerships, such as BMW, Nissan, Ford, Volkswagen, Toyota, and Honda, where structural development is



generally modern one-story offices and showrooms. To the southeast adjacent to U.S. 101 and Calle Joaquin, commercial-tourist (C-T) uses include a gasoline station, a restaurant, and several hotels, including Hampton Inn, Courtyard by Marriott, and Motel 6. To the south, Mountainbrook Church, a one-story conditionally permitted use, is located in County agricultural land off Calle Joaquin. To the west, the 1,110-acre Irish Hills Natural Reserve is located within County-designated rural lands (RL) but is owned and managed by the City. The nearest residential neighborhoods are 0.3 mile north of Irish Hills Plaza and 0.3 mile east across U.S. 101.

#### 3.9.1.2 Project Site Land Uses and Planning

The Project site is currently unincorporated and subject to the County's General Plan. As described in the County's General Plan, the Project site is located within the San Luis Obispo Planning Area, Sub Area North (2014). Figure 2-1 in Section 2.0, *Project Description*, shows the regional location of the Project. Approximately 97 acres of the Project site are designated agriculture, 0.5 acre is designated rural lands, and 19.3 acres are designated general retail (Figure 3.9-1). Within the Project site, the approximately 110-acre Specific Plan area is used primarily as grazing land for horses. The approximately 7-acre developed area on the northern side of the site is developed with the historic Froom Ranch Dairy complex and a permitted quarry. One of these buildings supports a construction business office (JM Development Group) in the main ranch house (an office) and other portions of the property support an equipment storage yard. The Project site also includes unpaved roads and walking paths, staging and materials storage, and stormwater detention facilities serving Irish Hills Plaza. The approximately 7.1-acre stormwater basin area on Mountainbrook Church property is currently undeveloped and is not used for agricultural uses. See Section 3.2, *Agricultural Resources*, for a discussion of the Project's agricultural setting and Section 3.5, *Cultural and Tribal Cultural Resources*, for a discussion of the existing structures on the site.

In December 2014, the City adopted the LUCE of the General Plan with programs and policies to guide private development and public improvements in the City for the next 20 years. The City certified an EIR for the LUCE update in 2014. The Project site lies fully within the City's adopted SOI under the LUCE. Approximately 19.3 acres within the northeastern portion of the Specific Plan area are located within the URL, which includes the

urban areas of the City and a limited portion of unincorporated area within the County.<sup>2</sup> The Specific Plan area within the Project site is designated as the Madonna at LOVR Specific Plan area in the LUCE. This designation anticipates consideration of future annexation to the City and eventual development under an adopted specific plan. The LUCE also identifies the site as a Special Focus Area, SP-3 in Section 8.1.5 of the LUCE, which provides specific policy guidance for future development within the Specific Plan area (see Section 3.9.2, *Regulatory Setting*). Development standards for the Specific Plan area set forth in the LUCE would allow up to 350 residences and 350,000 sf of neighborhood commercial and commercial-retail development (Table 3.9-3). The LUCE’s performance standards for SP-3 include access to trails and protection of wetlands, slopes, historic structures, open space, and viewsheds.

**Table 3.9-3. LUCE Performance Standards for Madonna at LOVR Specific Plan Area**

Type	Designations Allowed	Minimum <sup>1</sup>	Maximum
Residential (Mixed-Use)	Medium Density Residential Medium-High Density Residential High Density Residential	200 units	350 units
Commercial	Neighborhood Commercial Commercial	50,000 sf	350,000 sf
Parks	Park		
Open Space/Agriculture	Open Space Agriculture	50 % site coverage	
Public	N/A		
Infrastructure	N/A		

N/A – Not Applicable

<sup>1</sup> There can be a reduction in the minimum requirement based on specific physical and/or environmental constraints.

Source: City of San Luis Obispo 2014b.

### 3.9.1.3 Easements within Project Site

The Project site is encumbered by two recorded easements; one is for agricultural conservation within the Specific Plan area and the other delineates the proposed stormwater detention basin area.

<sup>2</sup> The URL represents the boundary of the City’s urban reserve, containing the area around the City where urban development would potentially occur. The City URL is an unincorporated extension of the City in which residents share City infrastructure and government-operated facilities and services including schools, libraries, and parks. The URL encompasses approximately 2,300 acres beyond the existing City limit (City of San Luis Obispo and County of San Luis Obispo 2013).

#### 2010 Open Space & Agricultural Conservation Easement

In 2010, a 7.1-acre agricultural easement was dedicated within the Project site as mitigation for impacts associated with the nearby Prefumo Creek Commons project. The easement is recorded over the southern areas of the Specific Plan area and includes the Calle Joaquin wetlands to the north of Calle Joaquin. As part of approval of annexation of that project site into the City, the San Luis Obispo County LAFCO required dedication of a permanent agricultural easement of 7.1 acres on Froom Ranch as part of an overall mitigation package. LAFCO criteria for dedication included the continuation of prior historical agricultural activities on the property. The resulting easement is managed by the City and may be amended with written consent of both Irish Hills Plaza, LLC and the City.

#### 2018 Memorandum of Option and Easement Rights

A Memorandum of Option and easement rights is recorded between the owners of the Mountainbrook Church property and the Project Applicant, and applies to an area between the Church, the Marriott and Motel 6 hotels, and Calle Joaquin. The Madonna Family Trust was granted the option to purchase easement rights within the Mountainbrook Church property to allow development of the proposed stormwater detention basin (see Section 2.0, *Project Description*).

#### 2001 Open Space Easement

In 2001, an open space agreement was made between the County and the City (co-grantees) and the Madonna family (owner) for the granting of two easement areas for the preservation of open space and natural resource protection within the Irish Hills. The easement areas lie immediately west of the Project site covering a cumulative area of 111.78 acres, but does not overlie the Project site. Under the agreement, no structures or facilities may be erected except for agriculture accessory buildings or public service facilities pursuant to approvals, and the landscape may not be altered that materially changes the site's attractive scenic features. Easement alterations may only be conducted with written agreement by all easement holders.

#### 2010 Deed of Easement for Ingress and Egress

In 2010, the Irish Hills Plaza West, LLC (owner) granted to the City (grantee) an irrevocable 20-foot-wide easement for ingress and egress for emergency maintenance, monitoring, and patrol purposes. The easement consists of two routes. One extends from LOVR along the existing entrance road and disturbed portions of the Project site, southwest

to the Froom Creek Connector Trail. The second easement route extends from the existing construction operations area and across the Arizona crossing at Froom Creek to connect to the Neil Havlik Way trail to the south. Easement alterations may only be conducted with written agreement by all easement holders.

### **3.9.2 Regulatory Setting**

This section summarizes directly relevant state regulations and regional and local land use plans and procedures. Evaluation of the Project’s consistency with specific goals, policies, and requirements from relevant land use plans and regulations is provided below in Section 3.9.3, *Consistency with Plans and Policies*, as well as within referenced EIR sections.

#### 3.9.2.1 State

##### Government Code Section 63450 (Specific Plans)

State law (Government Code Section 63450) authorizes cities to adopt specific plans for implementation of their general plans in a defined area. All specific plans must comply with Sections 65450-65457 of the Government Code. These provisions require that a specific plan be consistent with the adopted general plan and, in turn, that all subsequent subdivisions and development, public works projects, and zoning regulations be consistent with the specific plan. Specific plans are required to include distribution, location and types of uses, development, and improvements to public facilities and infrastructure. Tailored regulations, conditions, programs, standards, and guidelines help implement the vision for long-range development of the specific plan area.

##### Cortese-Knox Hertzberg Local Government Reorganization Act of 2000

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 et seq.) prescribes a “uniform process” for boundary changes for both cities and special districts. This Act delegates this process to LAFCOs. A LAFCO is a state agency that performs growth management functions, and has approval authority regarding the establishment, expansion, reorganization, and elimination of any city and most types of special districts. LAFCOs establish SOIs for cities and special districts that define the appropriate and probable future jurisdictional boundary and service area of the agency. In addition to the Cortese-Knox-Hertzberg Act, the San Luis Obispo County LAFCO (described below) has adopted local policies that it considers in its review of projects, as further described below.

#### Senate Bill (SB) 375

The adoption of California’s Sustainable Communities and Climate Protection Act SB 375 on September 30, 2008 aligns the goals of regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. SB 375 requires Metropolitan Planning Organizations (MPOs) such as the SLOCOG to adopt a Regional Transportation Plan (RTP)/ Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) within their RTP to demonstrate the achievement of GHG reduction targets. In compliance with SB 375, SLOCOG has adopted an RTP/SCS that covers the entirety of the City and County, as well as other cities within the boundaries of the County (see discussion below and also refer to Section 3.3, *Air Quality and Greenhouse Gas Emissions*).

#### 3.9.2.2 Regional

##### Regional Transportation Plan/Sustainable Communities Strategy

The 2014 RTP/SCS is the region’s long-term vision for the transportation system. As required by state and federal law, the SLOCOG prepares, updates and adopts the RTP/SCS every four years. The RTP facilitates the compliance with the state mandate for communities to coordinate with state and regional agencies to achieve regional air quality and GHG emission reduction targets. The key principles of these strategies include: locating new employment centers and neighborhoods near transit to reduce vehicle trips and peak congestion; creating communities around transit stations, with small businesses, housing, and restaurants within walking distance to reduce automobile travel; focusing future growth in urban centers and existing cities to reduce VMT and preserve rural and other natural areas; and preserving established single-family neighborhoods and existing natural and green spaces by accommodating new development within existing urbanized areas and downtown regions.

##### San Luis Obispo County Local Agency Formation Commission (LAFCO)

A LAFCO is a state agency that performs growth management functions, and has approval authority regarding the establishment, expansion, reorganization, and elimination of any city and most types of special districts. LAFCO establishes SOI for cities and special districts that define the territory that LAFCO independently finds will represent the appropriate and probable future jurisdictional boundary and service area of the subject agency. The state legislature has prescribed a “uniform process” for boundary changes for both cities and special districts that is now embodied in the Cortese-Knox-Hertzberg Local



Government Reorganization Act of 2000 (California Government Code Section 56000 et seq.). This Act delegates the legislature’s boundary powers to LAFCOs.

The San Luis Obispo County LAFCO is responsible for reviewing and approving proposed jurisdictional boundary changes in the County, including the annexation and detachment of territory to and/or from cities and most special districts, incorporations of new cities, formations of new special districts, and consolidations, mergers, and dissolutions of existing districts. In addition, the San Luis Obispo County LAFCO would review the Project’s proposed annexation to the City.

#### County of San Luis Obispo General Plan

In accordance with California state law, the County’s General Plan guides development on County land. The General Plan forms the basis for the County’s land use decision-making by expressing the County’s development goals, setting forth land use policy, and informing citizens and decision-makers of development related policies. The purpose of the General Plan is to identify the appropriate location of land uses, including basic design and function of circulation, open space, and infrastructure policies, and public service needs. The County’s General Plan consists of nine state-mandated and optional elements: LUE (Inland Framework for Planning [2015] and Coastal Zone Framework for Planning [2018]); Housing Element (HE; 2014); Noise Element (NE; 1992); SE (2014); COSE (2015); Parks and Recreation Element (PRE; 2006); Agriculture Element (2010); Offshore Energy Element (1992); and an Economic Element (2012).

#### County of San Luis Obispo Inland Land Use Ordinance

The County’s LUE (Inland Framework for Planning) is adopted as its zoning ordinance and defines 12 land use categories and 11 combining designations. Residential zones include: rural residential, suburban residential, and single-family residential. Non-residential zones include: agriculture, rural lands, open space, recreation, public facilities, office and professional, retail commercial, service commercial, and industrial. The combining designations include: airport review area, energy and extractive resource area, extractive resource area, flood hazard, geologic study area, historic site, local coastal plan area, renewable energy area, sensitive resource area, transfer of development credit receiving site, and transfer of development credit sending site.

#### Airport Land Use Plan for the San Luis Obispo County Regional Airport

The ALUP is a key governing land use document regarding safety and noise related restrictions for land use surrounding the Airport. It was first adopted in December 1973, most recently amended in 2005, and is currently being updated by the County ALUC. The ALUP provides guidance for the establishment of compatible land uses within the Airport Land Use Planning Area (ALUPA). The ALUP contains policies and guidelines which address public safety and noise exposure within the ALUPA and provides land use guidance based upon established noise and safety corridors. ALUP policies affect areas under both City and County jurisdiction.

Small portions of the Project site lie within Safety Sub-Areas S-1B and S-1C of the 2005 ALUP, identifying potential airport risk hazards from airport operations. However, as discussed further below, recent analysis of Airport hazards based on Caltrans Airport Land Use Planning Handbook and the San Luis Obispo Airport Land Use Compatibility Report criteria (Johnson Aviation 2014) indicates that the safety risks may be significantly lower than identified in the 2005 ALUP and that Airport hazard risks are very low. The maps prepared as part of the Johnson Aviation Report depicting Airport hazards based on the Caltrans Handbook Safety Compatibility Zones depict the Project site as being located entirely outside of the airport safety compatibility zones and susceptible to airport hazards. In addition, though two Airport Safety Areas are mapped on the Project site under the current ALUP, the ALUC conceptually reviewed the Project on April 19, 2017 and determined that the use of the corrected map was appropriate for defining airport hazards for the Project. Further, the ALUC is currently in the process of updating the ALUP to evaluate airport safety zones consistent with the California Airport Land Use Planning Handbook. Potential safety policies are discussed more fully in Section 3.7, *Hazards, Hazardous Materials, and Wildfire*, while consistency with ALUP policies is discussed in Section 3.9.3, *Consistency with Plans and Policies* below. Given the ALUC's preliminary review of the Project and the pending ALUP update, the Project is analyzed for airport safety against the Caltrans Handbook Safety Compatibility Zones identified in the Johnson Aviation Report.

**ALUP Safety Area S-1B** is comprised of those portions of Safety Area S-1 which are not included in Safety Area S-1A, but are within probable gliding distance for aircraft on expected approach or departure courses. This Safety Area also includes state-defined sideline safety areas, inner turning zones and outer safety areas for both Runway 11-29 and Runway 7-25. Aviation safety hazards to be particularly considered

in this area include mechanical failures, fuel exhaustion, deviation from glideslope or minimum descent altitude during instrument flight rules operations (due to pilot error or equipment malfunction), loss of control during short approach procedures, stall/spin incidents during engine-out maneuvers in multi-engine aircraft, loss of control during “go around” or missed approach procedures, and midair collisions. Under the 2005 ALUP, approximately 34.9 acres of the Specific Plan area are within this area.

**Airport Safety Area S-1C** is comprised of those portions of Safety Area S-1 which are not included in Safety Areas S-1A or S-1B, but are adjacent to Runway 11-29 (within 0.5 nautical mile [nm]) frequent or low-visibility aircraft operations at less than 500 feet above ground level. Aviation safety hazards to be considered in this area include mechanical failures, deviation from localized runway approach during instrument flight rules operations (due to pilot error or equipment malfunction), stall/spin incidents during engine-out maneuvers in multi-engine aircraft, loss of control during “go around” or missed approach procedures, and loss of visual references by aircraft performing circle-to-land procedures. The outer border of Safety Area S-1C is rectangular in shape. Approximately 7.6 acres of the Specific Plan area are in this area.

**ALUP Safety Area S-2** represents the area within the vicinity of the Project where aircrafts operate frequently or in conditions of reduced visibility at altitudes between 501 and 1,000 feet above ground level. Aviation safety hazards identified in the ALUP include mechanical failures, fuel exhaustion, loss of control during turns from downwind to base legs or from base to final legs of the traffic pattern, stall/spin incidents during engine-out maneuvers in twin engine aircraft, and midair collisions. Because aircraft in Safety Area S-2 are at greater altitude and are less densely concentrated than in other portions of the ALUPA, the overall level of aviation safety risk is considered to be lower than that in Area S-1 or the Runway Protection Zones (RPZs) (SLO County ALUC 2005). Approximately 107.5 acres of the Specific Plan area are within Safety Area S-2.

### 3.9.2.3 Local

#### City of San Luis Obispo General Plan

The City General Plan identifies the appropriate location of land uses, basic design and function of circulation, open space, and infrastructure policies, as well as public service needs. The City’s General Plan consists of eight state-mandated and optional elements:

LUE (2014); CE (2017); HE (2015); NE (1996); SE (2012); COSE (2006); PRE (2001); and Water and Wastewater Management Element (WWME; 2018). Project consistency with specific policies from the General Plan are analyzed below in Section 3.9.3, *Consistency with Plans and Policies* and within specific EIR sections.

In the early 1980s, the City's LUE was amended to address concerns over hillside development, including within the Project vicinity. The City has a long history of planning to protect steeper hillsides within and surrounding the City, including those within and adjacent to the Irish Hills. The City's 1982 Hillside Planning Areas Phase I and 1984 Phase II reports found that for the Project vicinity, among other things, the area above the 150-foot elevation has steep slopes and a high scenic value while areas below the 150-foot elevation south of Froom Creek are subject to inundation. The Phase I and II reports recommend that all areas above the 150-foot elevation in the Irish Hills become part of a permanent open space easement and that structures, grading, and removal of significant vegetation be prohibited. These recommendations were adopted in 1984 as an amendment to the 1977 LUE (Ordinance 1028-1984), including limiting hillside development on slopes over 15 percent to protect against adverse impacts related to emergency access, unstable geology, water resources availability, wildfire hazard, and visual resource degradation.

As a result of these previous planning efforts, the LUE prohibits development above the 150-foot elevation contour within the Hillside Planning Area to preserve the open space in the area's "steeper, higher, and most visible hillsides." Specifically, Subsection 6.4.7.H of the LUE, The Irish Hills Area, states, "The Irish Hills area should secure permanent open space with no building sites above the 150-foot elevation, in conjunction with any subdivision or development of the lower areas". This policy applies to the Specific Plan area and was not amended or altered during adoption of the 2014 LUCE Update.

#### *2014 Land Use Element*

The City's LUE identifies the Project site as a Special Focus Area, SP-3. The LUE includes policies and the prescribed format and content of regulatory elements of a specific plan for SP-3 (Sections 8.1.1 and 8.1.2 of the LUE, General Plan). The City also certified an EIR for the LUE update in 2014. The 2014 LUCE Update EIR addresses potential impacts of development of the Project site in a programmatic manner, primarily referring to the location as the "Madonna on LOVR Specific Plan Area," but it does not address the particulars of the Draft FRSP. Accordingly, Project-specific impacts associated with this development are addressed in detail in this EIR.

The 2014 LUE identifies the Specific Plan area as Special Focus Area, SP-3, with the following requirements:

***Policy 8.1.5 Purpose.*** The purpose of the specific plan is to provide design flexibility that will secure the appropriate development of the site while protecting sensitive environmental resources on the site. Development on the site should be a compact, mixed-use project that provides workforce housing options and neighborhood commercial uses that support pedestrian and bicycle access. The specific plan for this area should consider and address the following land use and design issues:

- a. Develop a design that is sensitive to environmental constraints and adjusts accordingly through design. Constraints include wetland protection, slope protection, historic structures, and open space protection.
- b. Maintain viewshed of surrounding mountains and secure steeper hillsides as protected open space areas.
- c. Variable height limits will be required to protect views of adjacent hills.
- d. Provide access to trails.
- e. Provide a plan for adequate and safe infrastructure, including appropriate points of access to LOVR.
- f. Address neighborhood commercial needs of new neighborhood.
- g. Provide connectivity to adjacent development.

*LUE Chapter 7, Airport Area*

Regulations in Chapter 7 of the LUE, titled Airport Area, apply to all uses, activities, and existing and proposed development on properties within ALUP Safety Areas S-1B, S-1C, and S-2 designated in the ALUP. LUE policies relating to airport land use are listed below.

***7.3. Airport Land Use Plan.*** Land use density and intensity shall carefully balance noise impacts and the progression in the degree of reduced safety risk further away from the runways, using guidance from the ALUP, State Aeronautics Act, and California Airport Land Use Planning Handbook guidelines. The City shall use the Airport Master Plan forecasts of aviation activity as a reasonably foreseeable projection of ultimate aviation activity sufficient for long-term land use planning purposes. Prospective buyers of property subject to airport influence should be so informed.

***7.4. ALUP Safety Area.*** Density and allowed uses within the Safety Areas shall be consistent with the ALUP unless the City overrides a determination of inconsistency in accordance with Section 21676 and 21676.5 et. seq. of the Public Utilities Code. If the



City overrides a determination, all land uses shall be consistent with the State Aeronautics Act and guidance provided in the California Airport Land Use Planning Handbook guidelines, City policies, and noise standards as substantiated by the San Luis Obispo County Airport Master Plan activity forecasts as used for noise planning purposes.

**7.5. *Airport Noise Compatibility.*** The City shall use the aircraft noise analysis prepared for the Airport Master Plan EIR as an accurate mapping of the long-term noise impact of the airport's aviation activity that is tied to the ultimate facilities development depicted in the FAA-approved Airport Layout Plan. The City shall use the 60 dB CNEL aircraft noise contour (FAA and state aircraft noise planning standard) as the threshold for new urban residential areas. Interiors of new residential structures shall be constructed to meet a maximum 45 dB CNEL.

**7.12. *County Airport Land Use Plan.*** The City shall continue to work with the ALUC to strive to achieve consistency between the ALUP and the City's General Plan. If consistency cannot be achieved, the City shall preserve and maintain as a plausible alternative its constitutional land use authority to overrule the ALUC with regard to adopting General Plan policies that are consistent with the purposes of the California Airport Land Use Planning Handbook, State Aeronautics Act, and state law. Applicable sections of the Zoning Regulations and Specific Plans shall be amended accordingly.

**7.16. *Airport Overlay Zone.*** The City shall create an AOZ to reflect the boundaries of the ALUP within the City limits. The purpose of the AOZs are to codify airport compatibility criteria in areas for which the City may override the ALUP 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 was intended to be accomplished through the Zoning Regulations.

**7.17. *Airport Land Use and Zoning Code.*** 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 Handbook, and comply with related state and federal requirements relating to airport land use compatibility. These development standards will include, but are 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. The process for airport compatibility criteria reviews by the City shall be consistent with these development standards.

#### City of San Luis Obispo Zoning Regulations

The City's Zoning Regulations define 15 zoning districts in three categories: residential, non-residential, and overlay. The residential zones include: low-density residential, medium-density residential, medium-high-density residential, and high-density residential. The non-residential zones include: conservation/open space, office, public facility, neighborhood commercial, retail commercial, community commercial, Downtown commercial, tourist commercial, service commercial, manufacturing, and business-park. The overlay zones include: planned development, specific plan, historic, mixed-use, and special considerations.

#### City of San Luis Obispo Community Design Guidelines

The City's Community Design Guidelines, revised in 2010, includes numerous principles related to site planning, building design, street orientation, and creek side development. Section 3.1, *Aesthetics* analyzes the Project's physical impacts related to principles outlined in these guidelines.

### **3.9.3 Consistency with Plans and Policies**

This section summarizes relevant adopted goals and policies and evaluates the Project's consistency with guidelines and requirements established therein. The following discussion of General Plan policies and preliminary determinations regarding Project consistency with these policies is presented for informational purposes. Section 15125(d) of the CEQA Guidelines requires that an EIR "shall discuss any inconsistencies between the Project and applicable general plans and regional plans." Table 3.9-4 discusses a preliminary determination of the Project's consistency with applicable policies from the City's General Plan. Table 3.9-5 summarizes the Project's preliminary consistency with applicable policies from the County's General Plan. The EIR identifies any feasible mitigation measures to improve Project consistency with these policies. Final Project consistency determinations would be made by City decision-makers.

**Table 3.9-4. City General Plan Policy Consistency Analysis**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
<b>Land Use Element (LUE)</b>			
1.1.1 – Growth Management	The City shall manage its growth so that: A. The natural environment and air quality will be protected. B. The relatively high level of services enjoyed by City residents is maintained or enhanced. C. The demand for municipal services does not outpace their availability. D. New residents can be assimilated without disrupting the community’s social fabric, safety, or established neighborhoods.	Potentially Consistent	As discussed in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , Section 3.4, <i>Biological Resources</i> , Section 3.7, <i>Hazards, Hazardous Materials, and Wildfire</i> , Section 3.11, <i>Population and Housing</i> , Section 3.12, <i>Public Services and Recreation</i> , Section 3.13, <i>Transportation</i> , and Section 3.14, <i>Utilities and Energy Conservation</i> , development of the Project would ensure the City continues to provide essential municipal services to all residents in a manner that ensures the protection of the natural environment to the maximum extent feasible while resulting in consistency and fluidity with surrounding community development.
1.1.2 – Development Capacity and Services	The City shall not designate more land for urban uses than its resources can be expected to support.	Potentially Consistent	As discussed in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , Section 3.4, <i>Biological Resources</i> , Section 3.7, <i>Hazards, Hazardous Materials, and Wildfire</i> , Section 3.11, <i>Population and Housing</i> , Section 3.12, <i>Public Services and Recreation</i> , Section 3.13, <i>Transportation</i> , and Section 3.14, <i>Utilities and Energy Conservation</i> , resources available within the City would be sufficient to support the urban uses within the Project in a manner that ensures the protection of the natural environment to the maximum extent feasible.
1.4 – Urban Edges Character	The City shall maintain a clear boundary between San Luis Obispo’s urban development and surrounding open land. Development just inside the boundary shall provide measures to avoid a stark-appearing edge between buildings in the City and adjacent open land. Such measures may include: using new or existing groves or	Potentially Inconsistent	The Project would include development of medium and higher density residential uses immediately adjacent to the open land within the Irish Hills Natural Reserve above the 150-foot elevation line, creating a stark edge between new buildings and the adjacent open lands. The Project would be potentially inconsistent with this policy.

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	windrows of trees, or hills or other landforms, to set the edge of development; increasing the required side-yard and rear-yard setbacks; and providing open space or agricultural transition buffers.		
1.5 – Jobs/Housing Relationship	The gap between housing demand (due to more jobs and college enrollment) and supply should not increase.	Potentially Consistent	The Project would include construction of 174 multi-family residential dwelling units and 404 senior units, meeting a need identified in the City General Plan HE. These new units would help maintain the City’s current jobs/housing ratio. The Project would contribute to providing housing to improve this balance.
1.7.3 – Interim Uses	Expansion areas should be kept in agriculture, compatible with agricultural support services, or open space uses until urban development occurs, unless a City-approved specific plan provides for other interim uses.	Potentially Consistent	The Project is proposed on land designated for a specific plan (SP-3) which would provide for urban development and open space preservation to implement the City’s General Plan.
1.8.1 – Open Space Protection	Within the 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 should be protected for farming. Scenic lands, sensitive wildlife habitat, and undeveloped prime agricultural land should be permanently protected as open space.	Potentially Inconsistent	The Project site is located within the City’s SOI, is planned for growth under SP-3, and would be annexed to the City consistent with adopted policy and LAFCO review. In accordance with the LUCE Update EIR, the Applicant must dedicate open space land or in-lieu fees for newly annexed land at a ratio of no less than 1:1. The Project would also be required to provide for permanent conservation of approximately 7.1 acres of land to maintain the acreage of an existing open space and agricultural conservation easement that would be partially developed under the Project and requires reconfiguration.  However, proposed development of the Upper Terrace would impact scenic lands and sensitive wildlife habitat that supports wildlife movement and corridors. Loss of these resources would be potentially inconsistent with this policy.

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
1.8.3 – Commercial uses in the Greenbelt	The City shall not allow commercial development within the greenbelt area unless it is clearly incidental to and supportive of agriculture or other open space uses.	Potentially Consistent	The Project site is located within the City’s SOI, within the greenbelt boundary, is planned for urban growth under the LUCE Update, and implementation of the Project would result in annexation of the Project site to the City. The Project would fill a development gap along LOVR with residential and commercial development, consistent with City policy for long-term protection of agriculture and open space surrounding the City within the greenbelt.
1.8.5 – Building Design and Siting	All new buildings and structures should be subordinate to and in harmony with the surrounding landscape. The City should encourage County adoption of regulations prohibiting new structures on ridge lines or in other visually prominent or environmentally sensitive locations, and allowing transfer of development rights from one parcel to another in order to facilitate this policy.	Potentially Inconsistent	The FRSP design provides for larger buildings and structures within the Lower Area of Villaggio and Madonna Froom Ranch, adjacent to already developed areas along LOVR such as the Irish Hills Plaza, and in conformance with the surrounding development and landscape, consistent with the intent of this policy. However, development of the Upper Terrace would place new multi-story structures in open lands on the Upper Terrace adjacent to and highly visible from public roads and the Irish Hills Natural Reserve. Such development would be potentially inconsistent with the intent of this policy that new buildings and structures should be subordinate to and in harmony with the surrounding landscape.
1.8.6 – Wildlife Habitat	The City shall ensure that continuous wildlife habitat- including corridors free of human disruption are preserved, and, where necessary, created.	Consistent	Project development would result in disruption of wildlife movement, particularly to and across the Upper Terrace through development in close proximity to key seep and spring water sources for wildlife and interrupt or prevent wildlife from the Irish Hills Natural Reserve moving through or across the Project site. Implementation of mitigation would reduce Project impacts to a less than significant degree and ensure continuous movement through the site can be provided for



Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			wildlife. Refer also to Section 3.4, <i>Biological Resources</i> .
1.9.1 – Agricultural Protection	The City shall support preservation of economically viable agricultural operations and land within the URL and city limits. The City should provide for the continuation of farming through steps such as provision of appropriate general plan designations and zoning.	Potentially Consistent	The City has considered the viability of agricultural operations on the Specific Plan area through past planning efforts such as the LUCE Update and the identification of the Project site as SP- 3. The Project site does not support any prime soils or economically viable agricultural operations. The existing open space and agricultural easement would be replaced through dedication of an equivalent continuous area of comparable soils. These measures would mitigate impacts to agricultural resources. See Section 3.2, <i>Agricultural Resources</i> , for additional information regarding the viability of agriculture onsite.
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.	Potentially Consistent	The City has considered the protection of agricultural resources on the Specific Plan area through past planning efforts, such as the LUCE Update and through the measures detailed for SP-3. Therefore, although Project implementation would result in loss of agricultural soils, which are considered prime when irrigated, the site is not currently irrigated, and has not been irrigated in the past. The existing open space and agricultural easement would be reconfigured. As discussed in Section 3.2, <i>Agricultural Resources</i> , there is no prime farmland or farmland of state or local importance identified within the Project site. Development of the Project would not result in the loss of prime agricultural land.
1.10.3 – Public Access	Areas preserved for open space should include public trail access, controlled to protect the natural resources, to assure	Potentially Consistent	The Project’s proposed land use plan and conceptual site plan includes a trailhead park in Madonna Froom Ranch providing improved public

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	reasonable security and privacy of dwellings, and to allow continuing agricultural operations.		access to the Irish Hills Natural Reserve’s trail network and a new trail access point associated with the Lower Area of Villaggio. Existing trails, proposed public streets, and parking areas would connect to a multi-use trail that would provide public access along the 3,000-foot-long reach of relocated Froom Creek onsite.
1.11.1 – Overall Intent	The City shall manage the city’s growth rate to provide for the balanced evolution of the community and the gradual assimilation of new residents. Growth must be consistent with the City's ability to provide resources and services and with State and City requirements for protecting the environment, the economy, and open space.	Potentially Consistent	As discussed in Section 3.7, <i>Hazards, Hazardous Materials, and Wildfire</i> , Section 3.11, <i>Population and Housing</i> , Section 3.12, <i>Public Services and Recreation</i> , Section 3.13, <i>Transportation</i> , and Section 3.14, <i>Utilities and Energy Conservation</i> , Project design and mitigation measures would ensure that resources and services provided by the City would be sufficient to address growth as a result of the Project.
1.11.2 – Residential Growth Rate	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 LUE Table 3, excluding dwellings affordable to residents with extremely low, very low or low incomes as defined by the HE. This rate of growth may continue so long as the City's basic service capacity is assured. Table 3 below shows the approximate number of dwellings and residents which would result from the one percent maximum average annual growth rate over the planning period. Approved specific plan areas may develop in accordance with the phasing schedule adopted by each specific plan provided thresholds established by Table 3 are not exceeded. The City Council shall review the rate of growth on an annual basis in conjunction with the General Plan annual	Potentially Consistent	As discussed in Section 3.11, <i>Population and Housing</i> , buildout of the FRSP, excluding inclusionary units, would contribute to an average 0.35 percent annual increase to the City’s total housing supply. The average annual growth rate would be below, and consistent with, the 1 percent annual average increase allowed by this policy.

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	report to ensure consistency with the City's gradual assimilation policy.		
1.13.1 – Water and Sewer Service	The City shall not provide nor permit delivery of City potable water or sewer services to the following areas. However, the City will serve those parties having valid previous connections or contracts with the City. A. Outside the City limits; B. Outside the urban reserve line; C. Above elevations reliably served by gravity-flow in the City water system; D. Below elevations reliably served by gravity-flow or pumps in the City sewer system.	Potentially Consistent	The Project site is located within the City's SOI and implementation of the Project would result in annexation of the Project site to the City. Development under the FRSP would not occur above or below elevation reliably served by gravity-flow or pumps in the City's water or sewer system. The site is a designated expansion area that would be entitled to both City water and sewer services.
1.13.2 – Recycled Water	Provision of recycled water outside of City limits may only be considered in compliance with WWME Policy A 7.3.4 and the following findings: A. Non-potable/recycled water is necessary to support continued agricultural operations. B. Provision of non-potable/recycled water will not be used to increase development potential of property being served. C. Non-potable/recycled water will not be further treated to make it potable. D. Prior to provision of non-potable/recycled water, the property to be served will record a conservation, open space, Williamson Act, or other easement instrument to maintain the area being served in agriculture and open space while recycled water is being provided.	Potentially Consistent	The Project site is located within the City's SOI and implementation of the Project would result in annexation of the Project site to the City. Development under the FRSP would utilize recycled water in a manner consistent with this policy.
1.13.8 – Open Space	The City shall require that each annexation help secure permanent protection for areas designated open space, and for the habitat	Potentially Inconsistent	The Project would involve annexation of the site to the City, with dedication of approximately 54 percent of the Specific Plan area (59 acres) as open

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	types and wildlife corridors within the annexation area that are identified in the COSE.		space. This area would include some but not all of the sensitive habitats (e.g., wetlands, serpentine native bunchgrass habitats). In addition, this open space would be fragmented by proposed development in the Upper Terrace, with residential units, roads, driveways and other improvements disrupting the continuity of this open space. The Project would also result in direct removal of wetland habitat with both onsite and offsite restoration proposed. In addition, development of the Upper Terrace would impact up to 12 special status native plant species, disrupt wildlife movement and corridors, and impact portions of Drainages 1, 2, and 3 and associated sensitive spring and seep habitats, with potential for significant and unavoidable impacts. Therefore, the Project would be only partially consistent with this policy (see Section 3.4, <i>Biological Resources</i> ).
1.13.10 – Solid Waste Capacity	In addition to other requirements for adequate resources and services prior to development, the City shall require that adequate solid waste disposal capacity exists before granting any discretionary land use approval which would increase solid waste generation.	Potentially Consistent	As discussed in Section 3.14, <i>Utilities and Energy Conservation</i> , waste produced by the Project would not substantially affect the landfill’s capacity or ability to comply with federal, state, or local regulations. There is adequate capacity at the Cold Canyon Landfill to support the Project.
1.14.7 Development Fee Programs	The City shall maintain a development fee program that covers the costs associated with serving projects with City services and facilities. This maintenance will include periodic review of the fees collected to ensure they are adequate to cover City costs.	Potentially Consistent	The City actively maintains and updates its development fee programs and the Project would be subject to City development fees to covers the costs associated with serving the Project with City services and facilities.
2.3.1 – Mixed Uses and Convenience	The City shall promote a mix of compatible uses in neighborhoods to serve the daily needs of nearby residents, including schools, parks, churches, and convenience retail stores. Neighborhood shopping and services	Potentially Consistent	The Project would be located adjacent to the Irish Hills Plaza Shopping Center, providing immediate access to convenience retail stores for food, clothing, and other necessary goods. Following mitigation discussed in Section 3.12, <i>Public</i>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	should be available within about one mile of all dwellings. When nonresidential, neighborhood serving uses are developed, existing housing shall be preserved and new housing added where possible. If existing dwellings are removed for such uses, the development shall include replacement dwellings (no net loss of residential units).		<i>Services and Recreation</i> , sufficient access to schools and parks would be available to Project residents. Several churches exist within the Project vicinity, including the immediately adjacent Mountainbrook Church as well as several churches in residential areas to the north of the Project site. No existing housing would be removed.
2.3.7 – Natural Features	The City shall require residential developments to preserve and incorporate as amenities natural site features, such as land forms, views, creeks, wetlands, wildlife habitats, wildlife corridors, and plants.	Potentially Inconsistent	Project development would result in substantial changes to onsite natural features through mass grading, changes in topography and alteration or elimination of substantial areas of sensitive habitats, including development in close proximity to 12 rare plant species; loss and disruption of sensitive habitats such as serpentine native grassland, springs, and seeps; and loss or disruption of wildlife habitats and wildlife corridors with potential significant and unavoidable impacts. Therefore, the Project would be potentially inconsistent with this policy.
6.4.1 – Hillside Policies	The City shall maintain comprehensive standards and policies for hillside development for the following reasons: A. 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. B. To set the limits of commercial and residential development in hillside areas by establishing a permanent open space green belt at the edge of the community. C. To protect the health, safety and welfare of community residents by directing development away from areas with hazards	Potentially Inconsistent	The Project would include development above the 150-foot elevation, subject to a General Plan Amendment, that would result in significant, unavoidable impacts to aesthetics including views from trails within the Irish Hills Natural Reserve and views from public roads towards the Irish Hills. Scenic hillside areas and natural features within the Upper Terrace that serve as landscape backdrops along the edge of the City would be fragmented by proposed development. The Project would also impact and disrupt natural features such as rare plant communities, including serpentine native bunch grassland and wetlands and up to 12 special status plant species would also be subject to direct and indirect impacts. Project development would also impinge directly on the border of the



**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	such as landslides, wildland fires, flooding and erosion.		Irish Hills Natural Reserve, disrupting the continuity of open space greenbelt along the edge of the City. Finally, Project development would expose new residences to significant wildland fire hazards. Because many of these impacts would be significant and unavoidable, the Project would be potentially inconsistent with this policy. See Sections, 3.4, <i>Biological Resources</i> , 3.7 <i>Hazards, Hazardous Materials, and Wildfire</i> , and 3.1, <i>Aesthetics</i> .
6.4.2 - Development Limits	The City shall establish and maintain clear development limit lines for hillside planning areas, and special design standards for the hillside areas. The location of the development limit and the standards should cause development to avoid encroachment into sensitive habitats or unique resources as defined in the COSE, and public health and safety problems related to utility service, access, wildland fire hazard, erosion, flooding, and landslides and other geologic hazards. Also, the development limit line and the standards should help protect the city’s scenic setting.		
6.4.7 – Hillside Planning Areas	The City shall urge the County to implement the following hillside policies. Specific policies to address particular concerns for the area as shown on Figure 7 are listed below. For each of these areas, land above the development limit line should be secured in open space.  H. The Irish Hills area should secure permanent open space with no building sites above the 150-foot elevation, in conjunction with any subdivision or development of the lower areas.		
6.6.1 – Creek and Wetlands Management Objectives	Maintain and restore natural conditions and habitats; minimize flooding damage; recognize sections of creeks which are in largely natural areas and manage for maximum ecological value. The City shall manage its lake, creeks, wetlands,	Potentially Inconsistent	Project development would result in large-scale planned restoration of Froom Creek and improvements to flood control and public access, consistent with the intent of this policy. However, proposed substantial changes to onsite natural drainage patterns, elimination of some wetland and riparian features and impacts to the ecological

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>floodplains, and associated wetlands to achieve the multiple objectives of:</p> <p>A. Maintaining and restoring natural conditions and fish and wildlife habitat;</p> <p>B. Preventing loss of life and minimizing property damage from flooding;</p> <p>C. Providing recreational opportunities which are compatible with fish and wildlife habitat, flood protection, and use of adjacent private properties.</p>		<p>value of Drainages, 1, 2, and 3 would cause potential inconsistencies as discussed below:</p> <p>A. Project improvements to Froom Creek would restore or create riparian habitat along the creek channel as well as potentially improve passage for steelhead trout and other wildlife species along the realigned Froom Creek channel. However, development within the Upper Terrace in close proximity to segments of Drainages 1, 2, and 3, as well as construction of roads across and culverts within these tributary drainages could substantially reduce the ecological value of the perennial springs and seeps to both onsite wildlife and that from the adjacent Irish Hills Natural Reserve, potentially inconsistent with the intent of this policy.</p> <p>B. Project flood control improvements would confine Froom Creek floodwaters, reducing onsite and offsite flooding, consistent with intent of this policy.</p> <p>C. The Project would include improved recreational opportunities through installation of amenities such as including a 6-foot-wide public trail and park benches along the bank of Froom Creek, consistent with the intent of this policy.</p>
6.6.3 – Amenities and Access	<p>New development adjacent to creeks must respect the natural environment and incorporate the natural features as project amenities, providing doing so does not diminish natural values. Developments along creeks should include public access across the development site to the creek and along the creek, provided that wildlife habitat, public safety, and reasonable privacy and security of the development can be maintained, consistent with the COSE.</p>	Potentially Inconsistent	<p>The Project would include restoration and enhancement of both natural resources (e.g., riparian habitat) and public access along Froom Creek. Amenities including a 6-foot-wide trail, picnic benches, and trash facilities would be located adjacent to the creek and would be accessible to the public from public streets. Further, implementation of MM BIO-1 through -8 would ensure appropriate replacement of adversely affected wetland and riparian habitat. However, development of the Upper Terrace with units, roads and driveways located proximate to Froom Creek</p>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			tributary and Drainages 1, 2, and 3 would disrupt the natural environment and values of these tributary drainages and their ability to sustain rare plants and wildlife movement and access, potentially inconsistent with the intent of this policy. Mitigation is identified, including a requirement for a comprehensive Biological Mitigation and Monitoring Plan and HMMP, which would increase the Project’s consistency with this policy.
6.6.5 – Runoff Reduction and Groundwater Recharge	The City shall require the use of methods to facilitate rainwater percolation for roof areas and outdoor landscaped areas where practical to reduce surface water runoff and aid in groundwater recharge.	Potentially Consistent	The Project includes BMPs, including use of bioswales, rain gardens, and detention basins to facilitate rainwater percolation, aid in groundwater recharge, and reduce surface water runoff, consistent with this policy.
6.6.6 – Development Requirements	The City shall require project designs that minimize drainage concentrations and impervious coverage. Floodplain areas should be avoided and, where feasible, any channelization shall be designed to provide the appearance of a natural water course.	Potentially Consistent	Project development would preserve approximately 54 percent of the site in open space, minimizing impervious surfaces, and include rain gardens and bioswales. Much of the area of proposed development is currently located within a floodplain; however, implementation of the Project would elevate lower portions of the site and reconfigure the floodplain such that no development would occur in a designated floodplain area. Froom Creek would be realigned to confine the floodplain largely within the creek channel outside developed areas and revegetated to have the appearance of a natural water course consistent with the intent of this policy.
6.6.7 – Discharge of Urban Pollutants	The City shall require appropriate runoff control measures as part of future development proposals to minimize discharge of urban pollutants (such as oil and grease) into area drainages.	Potentially Consistent	The Project identifies runoff control measures and water quality treatment components that would minimize or eliminate discharge of pollutants, including oils, grease, erosion, and sedimentation. In addition, all future development under the Draft

Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
6.6.8 – Erosion Control Measures	The City shall require adequate provision of erosion control measures as part of new development to minimize sedimentation of streams and drainage channels.		FRSP would be required to comply with the Central Coast RWQCB’s Post Construction Stormwater Requirements.
8.1.5 – SP-3, Madonna on LOVR Specific Plan Area	The purpose of the specific plan is to provide design flexibility that will secure the appropriate development of the site while protecting sensitive environmental resources on the site. Development on the site should be a compact, mixed-use project that provides workforce housing options and neighborhood commercial uses that support pedestrian and bicycle access.	Potentially Inconsistent	The Project would contain compact mixed-use workforce housing and commercial development within Madonna Froom Ranch. Senior housing and support facilities and private neighborhood commercial would be more dispersed within the Lower Area and Upper Terrace of Villaggio. Conceptual circulation plans are also designed to support pedestrian and bicycle access within, to, and from Madonna Froom Ranch and adjacent commercial development. See Section 3.13, <i>Transportation</i> . However, the Project would include a General Plan Amendment to allow for development above the 150-foot elevation, which was not initially contemplated in the LUE. The Upper Terrace would include new residences, parking garages, roads and driveways constructed within and immediately adjacent to environmentally sensitive resources, including native serpentine bunchgrass and wetland habitats, serpentine rock outcroppings that support special status plant species, and springs and seeps that support wildlife movement. Therefore, the Project would be potentially inconsistent with this policy. See Section 3.4, <i>Biological Resources</i> .
9.7 – Sustainable Design	The City shall promote, and where appropriate, require sustainable building practices that consume less energy, water and other resources, facilitate natural ventilation, use daylight effectively, and are healthy, safe, comfortable, and durable.	Potentially Consistent	The Project would provide passive heating, utilization of renewable energy sources (e.g., wind, solar), and incorporation of native and non-invasive drought tolerant plant materials that would promote and require implementation of sustainable design. These actions would implement City sustainable design policies and would comply with green
9.13 – Incentive Program	The City shall consider the feasibility of providing incentives for new and renovate	Potentially Consistent	

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	projects that incorporate sustainable design features such as constructing new buildings that are solar ready, or off-setting significant operational energy use through use of solar water heating, photovoltaic systems, geothermal or wind energy systems.		building certification on the City’s General Plan COSE and Climate Action Plan.
<b>Conservation and Open Space Element (COSE)</b>			
2.2.1 – Atmospheric Change	City actions shall seek to minimize undesirable climate changes and deterioration of the atmosphere’s protective functions that result from the release of carbon dioxide and other substances.	Potentially Consistent	Buildout of the Draft FRSP would result in substantial GHG generation during construction and operation. Although bicycle and pedestrian amenities and local-serving commercial uses would be provided, the site’s distance from downtown and lack of high-frequency transit routes inhibits minimization of long-term GHG generation. See Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> . Implementation of air quality mitigation measures would reduce Project emissions below adopted thresholds and minimize deterioration of the atmosphere.
2.2.4 – Promote walking, biking, and use of public transit use to reduce dependency on motor vehicles	City actions shall seek to reduce dependency on gasoline- or diesel-powered motor vehicles and to encourage walking, biking, and public transit use.	Potentially Consistent	The Project is designed to enhance and provide for multi-modal access within, to, and from the site. The Project would facilitate the development of new residences and mixed-use development adjacent to existing developed commercial and residential areas, supporting walkability and reducing vehicle trip lengths to and from the home and workplace.
3.2 – Historic and Architectural Resources	The City will expand community understanding, appreciation, and support for historic and architectural resource preservation to ensure long-term protection of cultural resources.	Potentially Consistent	The Project would preserve historic buildings within the Froom Ranch Historic District. Consistent with MM CR-8, the Project would develop and distribute an informational pamphlet that documents the potential historic district and its cultural and architectural heritage. The pamphlet would highlight social (Froom family) and industrial (dairy industry) factors relevant to the

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			property and region, and 500 free copies would be distributed in local museums, heritage organizations, and the trailhead park. After distribution of physical copies, a digital copy of the pamphlet would remain available.
3.3.1 – Historic Preservation	Significant historic and architectural resources should be identified, preserved, and rehabilitated.	Potentially Inconsistent	Implementation of MM CR-9 through -13 would ensure relocation and restoration and/or reconstruction of the four individually eligible historical resources would conform with the Secretary’s Standards, and MM CR-14 would address potential for construction vibration to disturb these buildings. Additionally, these measures would lessen impacts to the potential historic district by ensuring that relocation and reconstruction of the main residence, dairy barn, creamery, and granary would retain character-defining features that convey the district’s historical significance, and that demolished historic structures would be thoroughly documented and curated. However, because the demolition of portion of a historical resource represents an irreversible change to the historical resource, the Project may be inconsistent with these policies.
3.3.3 – Historical Documentation	Buildings and other cultural features that are not historically significant but which have historical or architectural value should be preserved or relocated where feasible. Where preservation or relocation is not feasible, the resources shall be documented and the information retained in a secure but publicly accessible location. An acknowledgement of the resources should be incorporated within the site through historic signage and the reuse or display of historic material and artifacts.		
3.3.4 – Changes to Historic Buildings	Changes or additions to historically or architecturally significant buildings should be consistent with the original structure and follow the Secretary of the Interior’s Standards for the Treatment of Historic Buildings. New buildings in historical districts, or on historically significant sites, should reflect the form, spacing and neighborhood’s architectural character should be maintained.		
3.5.1 – Archaeological Resource Protection	The City shall provide for the protection of both known and potential archaeological resources. To avoid significant damage to important archaeological sites, all available measures, including purchase of the property	Potentially Consistent	The Specific Plan includes policies for the protection of known and unknown pre-historic cultural and archaeological resources. Policy 3.3.4 of the Specific Plan, once adopted, would incorporate Section 4.30 of the City’s

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>in fee or easement, shall be explored at the time of a development proposal. Where such measures are not feasible and development would adversely affect identified archaeological or paleontological resources, mitigation shall be required pursuant to the Archaeological Resource Preservation Program Guidelines.</p>		<p>Archaeological Resource Preservation Guidelines, Mitigation Measures, and Avoidance by reference to ensure the identification, protection, and mitigation of archaeological resources occurs consistent with adopted City standards. With mitigation included in Section 3.4, <i>Cultural and Tribal Cultural Resources</i>, the Project would have less than significant effects on cultural resources and the Project would be consistent with these policies.</p>
<p>3.5.2 – Native American Sites</p>	<p>All Native American cultural and archaeological sites shall be protected as open space wherever possible.</p>		
<p>3.5.4 – Archaeological Sensitive Areas</p>	<p>Development within an archaeologically sensitive area shall require a preliminary site survey by a qualified archaeologist knowledgeable in Native American cultures, prior to a determination of the potential environmental impacts of the project.</p>		
<p>3.5.5 – Archaeological Resources Present</p>	<p>Where a preliminary site survey finds substantial archaeological resources, before permitting construction, the City shall require a mitigation plan to protect the resources. Possible mitigation measures include: presence of a qualified professional during initial grading or trenching; project redesign; covering with a layer of fill; excavation removal and curation in an appropriate facility under the direction of a qualified professional.</p>		
<p>3.5.6 – Qualified Archaeologist Present</p>	<p>Where substantial archaeological resources are discovered during construction or grading activities, all such activities in the immediate area of the find shall cease until a qualified archaeologist knowledgeable in Native American cultures can determine the</p>		



**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	significance of the resource and recommend alternative mitigation measures.		
3.5.7 – Native American Participant	Native American participation shall be included in the City’s Guidelines for resource assessment and impact mitigation. Native American representatives should be present during archaeological excavation and during construction in an area likely to contain cultural resources. The Native American community shall be consulted as knowledge of cultural resources expands and as the City considered updates or significant changes to its General Plan.	Potentially Consistent	The City initiated consultation with the NAHC and local interested Tribal agencies and representatives on the presence of sensitive archaeological sites and resources pursuant to SB 18 and AB 52. The results of this consultation process have been incorporated into the design of this Project, and potential impacts to these sensitive sites and resources would be avoided or mitigated through implementation of MM CR-1 through --7, that provide for monitoring during Project construction and requirements for incidental discovery of resources onsite, consistent with these policies.
3.5.8 – Protection of Native American Cultural Sites	The City will ensure the protection of archaeological sites that may be culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance; sites that may have religious value, even though no artifacts are present; and sites that contain artifacts which may have intrinsic value, even though their archaeological context has been disturbed.		
4.3.4 – Use of Energy-Efficient, Renewable Energy Resources	The City will promote the use of cost effective, renewable, non-depleting energy sources wherever possible, both in new construction projects and in existing buildings and facilities.	Potentially Consistent	The Draft FRSP provides policies promoting and requiring implementation of sustainable design including resource conservation and energy efficiency requirements, photovoltaic systems, EV charging stations, 100 percent use of carbon-free energy supplies, and reductions in VMT to the maximum extent feasible. These policies are intended to align with City policies for sustainable design and compliance with green building certification, including the City’s goal for achieving carbon neutrality by 2035, promoting energy efficiency, and the use of renewable energy supplies.
4.3.6 – Energy-Efficient and Green Building in New Development	The City shall encourage energy-efficient “green buildings” as certified by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program or equivalent certification.		

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
4.4.1 – Pedestrian- and Bicycle-friendly Design	Residences, work places and facilities for all other activities will be located and designed to promote travel by pedestrians and bicyclists.	Potentially Consistent	The Draft FRSP would facilitate mixed-use development adjacent to the Irish Hills Plaza and other existing urban development. The Draft FRSP land use and circulation plan promotes travel by pedestrians and bicyclists both onsite and offsite by providing a new sidewalk and bike lane along LOVR, pedestrian connections to Irish Hills Plaza, a new transit stop, and a new multi-use trail along Froom Creek.
4.4.2 – Alternative Transportation	The City’s transportation and circulation systems shall foster travel by modes other than motor vehicles, including walking, bicycles and public transit.		
4.5.1 – Solar Access Standards	To encourage use of solar energy, reasonable solar access shall be provided and protected. The City will protect reasonable solar exposure for existing collectors and likely locations of future collectors, both active and passive. Standards for the subdivision and development of property should assure desirable solar access.	Potentially Consistent	Section 4.7 Energy Conservation & Sustainability of the Draft FRSP provides site design and development practices to maximize solar exposure and opportunities for passive heating, cooling, and lighting. Unwanted heat gain would be minimized through implementation of FRSP policies, encouraging the use of exterior shading devices, skylights, daylighting controls, thermal mass building components, natural ventilation, and installation of high-performance glazing. FRSP goals, policies, and regulations developed based on the City’s COSE and Climate Action Plan would require the use of photovoltaic solar collectors where feasible to offset new energy demand. Vegetation and topography onsite would permit siting and development of solar collectors. No solar collectors on adjacent properties would be shaded as a result of Project implementation. See Section 2.4.2, <i>Project Design</i> for a complete list of Project sustainability features.
4.5.2 – Subdivision Design for Solar Access	In subdivisions, the layout of streets and lots shall provide and protect solar exposure. To assure the maximum control over potential shading features, the longest dimension of each lot should be oriented within 30 degrees of south, unless the subdivider demonstrates that for certain lots any of the following applies: The lots are large enough to allow desirable solar access, regardless of lot orientation. Buildings will be constructed as part of the tract development, and the buildings will be properly oriented, with adequate solar access. Topography makes variations from the prescribed orientation desirable to reduce grading or tree removal, or to take advantage of a setting that would favor greater reliance		

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>on early morning or late afternoon solar exposure.</p> <p>Topographical conditions, such as steep, north-facing slopes or shading by the mass of a hill, make solar energy infeasible.</p> <p>The size of the subdivision, combined with the existing orientation of surrounding streets and lots, precludes desirable lot orientation.</p>		
4.5.7 – Unwanted Solar Heat Gain	<p>Sites and buildings should be designed to avoid unwanted heat gain from solar exposure. Features that provide shading at suitable times of the day and year and generally should be “passive” or automatic, avoiding the need for occupants to regularly monitor or adjust them.</p>		
4.6.8 – Energy Efficient Project Design	<p>Encourage energy-efficient project design by emphasizing use of daylight and solar exposure, shading and natural ventilation, as opposed to designing a particular image and relying on mechanical systems to maintain functionality and comfort. Educate City staff, citizen advisers, developers and designers on ways to exceed minimum state energy standards.</p>		
4.6.9 – Solar Access for New Development	<p>Address solar access in all plans needing City discretionary approval, considering both structures and vegetation. Shading by vegetation is also subject to the California Solar Shade Control Act. This act prohibits the placement of vegetation that would shade a solar collector on another’s property, if the collector meets certain height and setback criteria. The City will advise those seeking permits for solar collectors to document</p>		

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
4.6.17 – Require Solar Power for New Dwellings	<p>vegetation existing when the collector is installed or built.</p> <p>Within new single-family residential projects of 20 or more dwelling units, 5 percent of the total number of dwellings shall be built with photovoltaic solar collectors beginning in 2008; this percentage shall increase 4 percent each year until 2020. Multi-family residential developments shall be exempt from this requirement, except for common-use facilities such as recreation rooms, spas, or swimming pools. In these cases, the common facilities shall be built with photovoltaic solar collectors.</p>		
5.5.8 – Recycling Facilities in New Development	Requires facilities in new developments to accommodate and encourage recycling.	Potentially Consistent	The Draft FRSP would designate communal collection areas for trash, recycling, and food waste material that would be accessible to municipal solid waste collectors.
7.3.1 – Protect Listed Species	City will comply with state and Federal requirements for listed species; City will protect listed species through its actions on...development applications.	Potentially Inconsistent	The Project would potentially impact two listed species, the state and federally-listed endangered Chorro Creek bog thistle and the federally-threatened southern steelhead trout. Development within the Upper Terrace would be located in close proximity (as close as 15 to 20 feet) to populations of the Chorro Creek bog thistle known to occur within Drainages 1 and 2. Development footprints may avoid direct impacts to known mapped locations of this species; however, mass grading and construction in such close proximity to this endangered species has potential to result in loss of individuals or take of this species. In addition, there is a high potential for indirect loss of take during construction and operation (e.g., landscape maintenance, fire buffer clearance, resident activities) as development would closely bracket populations in Drainage 2 and be located near this

Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			in Drainage 1. Mitigation is identified including increased buffers and implementation of a comprehensive Biological Mitigation and Monitoring Plan, which would further the Project's consistency with this policy. However, this impact could not be fully mitigated without major changes to current development configuration within the Upper Terrace. In addition, while potentially providing long-term habitat improvement benefits, construction activities during realignment of Froom Creek could impact southern steelhead trout due to inadvertent take; however, this impact could be feasibly mitigated. Because impacts to the endangered Chorro Creek bog thistle would be significant and unavoidable, the Project would be potentially inconsistent with this policy. See Section 3.4 <i>Biological Resources</i> .
7.3.2 Species of Local Concern	<p>The City will:  Maintain healthy populations of native species in the long term, even though they are not listed for protection under State or Federal laws. These “species of local concern” are at the limit of their range in San Luis Obispo, or threats to their habitat are increasing.</p> <p>Identify the location, habitat and buffer needs of species of local concern. This information will be developed by qualified people early in the planning and development review process.</p> <p>Protect species of local concern through: its actions on land use designations, development standards, development applications; the location, design, construction, and maintenance of City</p>	Potentially Inconsistent	<p>The Project site supports habitat for several listed species of local concern, other special-status plants and wildlife, as well as sensitive riparian, native bunchgrass, and freshwater marsh habitats. A total of seven plant species of local concern are known to occur within the Upper Terrace generally above the 150-foot elevation. Project development has the potential to directly or indirectly adversely affect these species, their range, and/or their habitat.</p> <p>Although the conceptual land use plan attempts to avoid direct removal of known locations of such species, large-scale mass grading of the Upper Terraces could lead to accidental or inadvertent loss of such species while Project operation and occupancy could lead to indirect losses as residences, roads, parking areas, trails and other uses areas would be interspersed among known locations of such species, leading to potential indirect impacts to such species through fire buffer</p>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>facilities; land that the City owns or manages.</p> <p>Encourage individuals, organizations, and other agencies to protect species of local concern within their areas of responsibility and jurisdiction.</p> <p>Protect sensitive habitat, including creeks, from encroachment by livestock and human activities.</p>		<p>and landscape management and human activities. Further, while Froom Creek would be restored and enhanced, development of the Upper Terrace would directly and indirectly impact sensitive creek, seep and spring habitats in Drainage 1, 2, and 3, as well as native grassland habitats and wetlands leading to long-term degradation of these sensitive habitats. While FRSP policies and mitigation measures in Section 3.4, <i>Biological Resources</i>, would partially mitigate potential harm or loss, impacts to species of local concern and sensitive habitats would remain significant and unavoidable. Therefore, the Project would be potentially inconsistent with this policy.</p>
<p>7.3.3 – Wildlife Habitat and Corridors</p>	<p>Continuous wildlife habitat, including corridors free of human disruption, shall be preserved and where necessary, created by interconnecting open spaces, wildlife habitat, and corridors.</p>	<p>Potentially Inconsistent</p>	<p>The Project would include development of housing, roads, driveways, parking areas and walkways within the Upper Terrace above the 150-foot elevation. The Upper Terrace development would be clustered between Drainages 1 and 3, closely bracketing both sides of Drainage 2. This clustered development would be linked to the Lower Area by an approximately 1,000-foot-long private access road and lighted walkways that would traverse the proposed open space area. This road would be traversed by hundreds of vehicles, pedestrians, cyclists, and other users per day, with potential for interruption of wildlife movement and increases in vehicle strikes. Although substantial areas of open space would be preserved and continue to be accessible to wildlife in the Upper Terrace, the development of medium and higher density residential units with associated increased noise, light, and activities in the middle of the proposed open space adjacent to or astride three drainages with perennial springs and seeps on the Upper Terrace adjacent to Irish Hills Natural Reserve</p>

Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			<p>would severely disrupt existing continuous wildlife habitat. This development would introduce high levels of human disruption in the middle of an environmentally sensitive wildlife habitat, with such development particularly inhibiting wildlife access to key spring and seep water sources which would be closely bordered by new residences. Further, this would greatly increase potential for urban-wildland conflicts related to trash management, pesticide impacts to wildlife (e.g., rodenticide impacts to predators), predation of domestic pets by, and/or adverse human interaction with larger predators (e.g., coyotes, mountain lions). Therefore, although the Project would preserve substantial amounts of open space, its value to wildlife would be diminished and the Project would be potentially inconsistent with this policy.</p>
7.5.1 – Protection of Significant Trees	<p>Significant trees, as determined by the City Council upon the recommendation of the Tree Committee, Planning or Architectural Review Committee, are those making substantial contributions to natural habitat or to the urban landscape due to their species, size, or rarity. Significant trees, particularly native species, shall be protected. Removal of significant trees shall be subject to the criteria and mitigation requirements in Chapter 8.6.3 [COSE Policy]. Oak Woodland communities in the Greenbelt and in open space areas shall be protected.</p>	Potentially Consistent	<p>Mature native and non-native trees would be potentially removed, trimmed, limbed, or otherwise adversely affected through Project development. Implementation of MM BIO-15 requiring daily surveys during construction by a City-approved arborist or qualified biologist would protect remaining native trees by ensuring avoidance and proper protection. Loss of native or riparian trees would require replacement, and would ensure individual discretionary actions mitigate for impacts to significant trees. Refer to Section 3.4, <i>Biological Resources</i>.</p>
7.5.2 Use of Native California Plants in Urban Landscaping	<p>Landscaping should incorporate native plant species, with selection appropriate for location.</p>	Potentially Consistent	<p>Draft FRSP policies would require that landscape plans use native and non-invasive drought-tolerant plant materials. These policies would require that park landscaping consist primarily of drought-tolerant trees, shrubs, and native grasses.</p>



**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
7.5.4 – Preservation of Grassland Communities and Other Habitat Types	Grassland communities and other habitat types in the Greenbelt and in designated open space areas shall be preserved.	Potentially Inconsistent	The majority of the serpentine bunchgrass grassland onsite would be preserved within the designated 59 acres of open space. MM BIO-1 through -8 would minimize disturbance of onsite grassland habitats, but full replacement of 4.74 acres of directly impacted serpentine bunchgrass grassland may be infeasible due to the difficulty of reestablishing the full complement of conditions and grasslands species. Therefore, impacts to this sensitive habitat would be considered significant and unavoidable. Therefore, the Project would be potentially inconsistent with this policy.
7.5.5 – Soil Conservation and Landform Modification	Public and private development projects shall be designed to prevent soil erosion, minimize landform modifications to avoid habitat disturbance, and conserve and reuse onsite soils.	Potentially Inconsistent	The Project would involve significant landform modification, including major grading on slopes within the Upper Terrace above the 150-foot elevation and realignment of 3,000 feet of Froom Creek. Site grading would include approximately 379,200 cy of fill including 120,000 cy of import; 253,000 cy of cut would be reused and balanced onsite. Although RWQCB permit requirements and BMPs would minimize soil erosion during and following construction, substantial areas of sensitive wetland, riparian and native grassland would be disturbed, damaged, or removed. While much of this disturbed habitat would be restored onsite or replaced offsite, long-term loss of 4.7 acres of native grassland habitat and potential ongoing disturbance of wetlands, seeps and springs in Drainages 1, 2, and 3 would not be fully mitigated. While grading and development within Madonna Froom Ranch and the Lower Area of Villaggio would appear to be consistent with the intent of this policy, development of the Upper Terrace in areas above the 150-foot elevation would require both substantial landform alteration

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			and disturbance of sensitive habitats. Therefore, the Project would be inconsistent with this policy.
7.7.6 – Replace Invasive, Non-Native Vegetation with Native Vegetation	The City and private development will protect and enhance habitat by removing invasive, non-native vegetation and by replanting it with native California plant species.	Potentially Consistent	The Project would include habitat restoration, designation of open space, and realignment of Froom Creek that would involve removal of non-native species and replanting with native vegetation. Draft FRSP policies would require existing invasive plants and noxious weeds removal prior to landscape installation. See Section 3.4, <i>Biological Resources</i> .
7.7.7 – Preserve Ecotones	Condition or modify development approvals to ensure that “ecotones,” or natural transitions along the edges of different habitat types, are preserved and enhanced because of their importance to wildlife. Natural ecotones of particular concern include those along the margins of riparian corridors, marshlands, vernal pools, and oak woodlands, where they transition to grasslands and other habitat types	Potentially Inconsistent	Project implementation would preserve ecotones and/or natural transitions between the realigned Froom Creek and the Calle Joaquin wetlands, as well as portions of ecotones between Drainages 1, 2, and 3 and surrounding grasslands and between oak woodlands and surrounding grasslands. However, ecotones between the riparian woodlands along the LOVR ditch, Calle Joaquin wetlands and adjacent grasslands, between Drainage 2 and adjacent grasslands and coastal sage scrub on the Upper Terrace and grasslands, around the confluence of Drainages 1, 2, and 3, and between the realigned Froom Creek and adjacent grasslands would be substantially reduced in extent or in some cases eliminated. In particular, the Calle Joaquin wetlands and realigned From Creek would be isolated from grasslands and drainages in the Upper Terrace. Therefore, the Project is potentially inconsistent with the intent of this Policy.
7.7.8 – Protect Wildlife Corridors	Condition development permits in accordance with applicable mitigation measures to ensure that important corridors for wildlife movement and dispersal are protected. Features of particular importance to wildlife include riparian corridors, wetlands, lake shorelines, and protected	Potentially Inconsistent	The Project would include development of housing, roads, driveways, parking areas and walkways within the Upper Terrace above the 150-foot elevation contour. The Upper Terrace development would be clustered between Drainages 1 and 3, closely bracketing both sides of Drainage 2. This clustered development would be linked to the

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>natural areas with cover and water. Linkages and corridors shall be provided to maintain connections between habitat areas.</p>		<p>Lower Area by an approximately 1,000-foot-long private access road and lighted walkways that would traverse the open space. This road would be traversed by hundreds of vehicles, pedestrians, cyclists, and other users per day, with potential for interruption of wildlife movement and increases in vehicle strikes. Although substantial areas of open space would be preserved and continue to be accessible to wildlife in the Upper Terrace, the development of residential units with associated increased noise, light and activities in the middle of the proposed open space adjacent to or across three drainages with perennial springs and seeps on the Upper Terrace adjacent to Irish Hills Natural Reserve would disrupt existing continuous wildlife habitat. This development would introduce high levels of human disruption in the middle of an environmentally sensitive wildlife habitat, with such development particularly inhibiting wildlife access to key spring and seep water sources which would be closely bordered by new residences. Further, this would greatly increase potential for urban-wildland conflicts related to trash management, pesticide impacts to wildlife (e.g., rodenticide impacts to predators), and predation of domestic pets by, and/or adverse human interaction with larger predators (e.g., coyotes, mountain lions). Therefore, although the Project would preserve substantial amounts of open space, its value to wildlife would be diminished and the Project would be potentially inconsistent with this policy.</p>
<p>7.7.9 – Creek Setbacks</p>	<p>As further described in the Zoning Regulations [Section 17.16.025], the City will maintain creek setbacks to include: an appropriate separation from the physical top</p>	<p>Potentially Consistent</p>	<p>The Project would establish and maintain a minimum 35-foot setback from the realigned Froom Creek top of bank as set forth in City policy. Planned 20-foot setbacks from Drainages 1, 2, and</p>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>of bank, the appropriate floodway as identified in the Flood Management Policy, native riparian plants or wildlife habitat, and space for paths called for by any city-adopted plan. In addition, creek setbacks should be consistent with the following:</p> <p>The following items should be no closer to the wetland or creek than the setback line: buildings, streets, driveways, parking lots, aboveground utilities, and outdoor commercial storage or work areas.</p> <p>Development approvals should respect the separation from creek banks and protection of floodways and natural features identified in Part A above, whether or not the setback line has been established.</p>		<p>3, which are tributaries to Froom Creek, pursuant to Policy 3.2.2 of the proposed FRSP, would be insufficient to protect wildlife and endangered plant habitat or long-term habitat viability, particularly within Drainage 2. However, because these tributary drainages are not flood hazards or specifically identified in City Flood Management Policy, the Project would be consistent within this policy.</p>
8.2.2 – Open Space within the Urban Area	<p>Within the urban area, the City will secure and maintain a diverse network of open land encompassing particularly valuable natural and agricultural resources, connected with the landscape around the urban area. Particularly valuable resources include:</p> <p>A. Creek corridors, including open channels with natural banks and vegetation.</p> <p>C. Wetlands and vernal pools.</p> <p>D. Undeveloped land within the Urban Reserve not intended for urban uses.</p> <p>E. Grassland communities and woodlands.</p> <p>F. Wildlife habitat and corridors for the health and mobility of individuals and of the species.</p> <p>G. The habitat of species listed as threatened or endangered by the State or Federal governments.</p>	Potentially Inconsistent	<p>The Project would dedicate 59 acres as open space, including the realigned Froom Creek corridor, Calle Joaquin wetlands and grassland and other habitats above the 150-foot elevation adjacent to the Irish Hills Natural Reserve, which would support diverse open space with valuable habitats. However, while the Project would be consistent with the majority of items listed in A-M, it would diminish the value to onsite wildlife corridors (F) as discussed under Policy 7.3.3 Wildlife Corridors and Habitats, above, and result in significant and unavoidable impacts to the serpentine bunchgrass grasslands which correspond to the <i>Nassella pulchra</i> Herbaceous Alliance, a unique plant community, as well as impacting several species of local concern as discussed under Policy 7.3.2 Species of Local Concern (M). Therefore, development of the Project is potentially inconsistent with this policy.</p>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>H. Prime agricultural soils and economically viable farmland.</p> <p>I. Groundwater recharge areas.</p> <p>J. Historically open-space settings for cultural resources, native and traditional landscapes.</p> <p>K. Hills, ridgelines and the Morros.</p> <p>M. Unique plant and animal communities, including “species of local concern.”</p>		
<p>8.3.1 Open Space within an Urban Area</p>	<p>The City will preserve the areas listed in Goal 8.2.2 (creek corridors, including open channel with natural banks and vegetation, wetlands and vernal pools, grassland communities and woodlands, wildlife habitat corridors, habitat of listed species, and unique plant and animal communities including “species of local concern”) and will encourage individuals, organizations, and other agencies to do likewise. The City will designate these areas as Open Space or Agriculture in the General Plan.</p>	<p>Potentially Inconsistent</p>	<p>As discussed above, although consistent with the intent of many factors listed in Policy 8.2.2, the Project would diminish the value of wildlife corridors and habitat onsite, impact six plant species of local concern, and eliminate 4.7 acres of the unique serpentine native bunchgrass habitat community. Therefore, the Project would be potentially inconsistent with this policy. Refer to discussion of consistency with General Plan COSE Policies 7.3.2, 7.3.3, and 7.5.4, above. Refer also to Section 3.4, <i>Biological Resources</i>.</p>
<p>8.3.2 – Open Space Buffers</p>	<p>When activities close to open space resources within or outside the urban area could harm them, the City will require buffers between the activities and the resources. Buffers associated with new development shall be on the site of the development, rather than on neighboring land containing the open space resource. Buffers shall be adequate for the most sensitive species in the protected area, as determined by a qualified professional and shall complement the protected area’s habitat values.</p>	<p>Potentially Inconsistent</p>	<p>The City’s 1,110-acre Irish Hills Natural Reserve is adjacent to the north and west of the Project site, and supports a wide variety of sensitive plant and animal species, including large predators such as mountain lions, coyotes and bobcats. Though the Project would incorporate a buffer between development in much of the areas adjacent to the Irish Hills Natural Reserve in the Upper Terrace through the designation of open space, the Project could impact open space resources within the Irish Hills Natural Reserve through creation of vegetation management fire buffers within the Reserve and disruption of or impacts to sensitive wildlife movement. The City has found that management of vegetation to reduce fire hazards</p>

Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			<p>within a buffer area of up to 100 feet in width within the Irish Hills Natural Reserve would not compromise or unduly impact open space or wildlife resources. However, increased noise, light, interruption of access to water sources (i.e., springs and seeps) in Drainages 1, 2, and 3 and indirectly through increased road kills, use of rodenticides or pesticides and increased urban-wildland interface conflicts (e.g., human or domestic pet-wildlife interactions) as discussed under Policy 7.3.3 – Wildlife Habitat and Corridors, above could impact sensitive wildlife. Therefore, the Project is potentially inconsistent with this Policy.</p>
8.6.1 – Loss of Open Space	<p>The City may permit loss of an open space resource as described in Goals 8.2.1 and 8.2.2 only when:</p> <p>Preserving the resource would permanently deprive the landowner of all reasonable use, and acquisition by the City or a conservation organization is not feasible, or</p> <p>There is a demonstrated need, based on public health, safety, or welfare, and there is no practical alternative to loss of the resource.</p>	Consistent	<p>The Project site is not currently designated as open space. Implementation of the Project would not result in the direct loss of City open space; however, as described in Section 3.7, <i>Hazards, Hazardous Materials, and Wildfire</i>, implementation of the Project has the potential to result in the disturbance of habitat and vegetation within designated open space areas of the Irish Hills Natural Reserve through compliance with state-mandated defensible space requirements. Impacts associated with the disturbance of these open space areas would be mitigated through implementation of MM HAZ-2. Refer to Section 3.7, <i>Hazards, Hazardous Materials, and Wildfire</i>.</p>
8.6.3.G – Required Mitigation	<p>Any development that is allowed on a site designated as Open Space or Agriculture, or containing open-space resources, shall be designed to minimize its impacts on open space values on the site and on neighboring land.</p> <p>Hillside development shall comply with the standards of the LUE, including minimization of grading for structures and</p>	Potentially Consistent	<p>Although the Project site is not currently designated as open space, the LUCE Special Focus Area SP-3 requires preservation of a minimum of 50 percent of the site as open space and notes the one purpose of FRSP is to provide flexibility that will secure the appropriate development of the site while protecting sensitive environmental resources. Based on City policy, sensitive resources on the Project site include sensitive habitats and plant</p>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>access, and use of building forms, colors, and landscaping that are not visually intrusive (See also Chapter [COSE Policy] 9.21.1).</p> <p>Creek corridors, wetlands, grassland communities, other valuable habitat areas, archaeological resources, agricultural land, and necessary buffers should be within their own parcel, rather than divided among newly created parcels. Where creation of a separate parcel is not practical, the resources shall be within an easement. The easement must clearly establish allowed uses and maintenance responsibilities in furtherance of resource protection.</p>		<p>species, wildlife corridors, slopes, historic structures, and open space resources. Proposed housing development would minimize aesthetic impacts to existing open space or agriculture through compliance with the LUE, including use of landscaping, building forms, and colors that are not visually intrusive. The Project would not include subdivisions on the underlying parcel, and the existing 7.1-acre agricultural easement would be reconfigured predominantly within the site and maintained through dedication of land or payment of in-lieu fees.</p>
<p>8.7.2.C – Enhance and Restore Open Space</p>	<p>Remove invasive, non-native species in natural habitat areas, and prevent the introduction or spread of invasive, non-native species and pathogens.</p>	<p>Potentially Consistent</p>	<p>The Project would include habitat restoration efforts through designation of open space and realignment of Froom Creek that would involve removal of non-native species and planting of native vegetation. The Draft FRSP includes policies which would require the removal of existing invasive plants and noxious weeds prior to landscape installation.</p>
<p>9.2.1 – Views to and from public places, including scenic roadways</p>	<p>Preserve and improve views of important scenic resources from public places...including streets and roads.</p>	<p>Potentially Inconsistent</p>	<p>Proposed development would impact scenic public views and community character, particularly as experienced from highly scenic public trails within the Irish Hills Natural Reserve, and views from public roads towards the Irish Hills. Existing development and riparian vegetation along the borders of the Project site would largely shield views of the Project from LOVR, and the Project would generally blend-in or be consistent with surrounding development when viewed from public roads. However, as discussed in Section 3.1, <i>Aesthetics</i>, views from scenic trails and vista points within the Irish Hills Natural Reserve looking</p>



**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
			down on the Upper Terrace and adjacent areas of Madonna Froom Ranch would be significantly impacted as a result of the Project. Therefore, the Project would be potentially inconsistent with this policy.
9.3.6 – View blockage along scenic highways	Determine that view blockage along scenic roadways is a significant impact.	Potentially Consistent	The section of LOVR adjacent to the Project site is designated as having a moderate scenic value and the LOVR Overpass is designated as having high scenic value. U.S. 101 is not designated as a state scenic highway in the vicinity of the Project, though it is eligible. Views of the Project site are currently limited from both of these roadways and would remain intermittent after development of the Project. Impacts to scenic views along these roadways were considered less than significant and the Project would be consistent with this policy.
10.1.3 – Water Quality	Protect and maintain water quality in aquifers, Laguna Lake, streams, and wetlands that supports all beneficial uses, agriculture, and wildlife habitat.	Potentially Consistent	The Draft FRSP includes BMP strategies and policies including the use of bioswales, rain gardens, and detention basins to facilitate rainwater percolation and reduce surface water runoff to manage stormwater and runoff onsite. the Project would be subject to RWQCB regulations and permitting requiring implementation of BMPs for erosion control during and following site construction.
10.2.1 – Water Quality	The City will employ the best available practices for pollution avoidance and control, and will encourage others to do likewise. “Best available practices” means behavior and technologies that result in the highest water quality, considering available equipment, life-cycle costs, social and environmental side effects, and the regulations of other agencies.		
10.2.2 – Ahwahnee Water Principles	In planning for its water operations, programs and services, the City will be guided by the Ahwahnee Water Principles and will encourage individuals, organizations, and other agencies to follow these policies:	Potentially Consistent	The Project would generate additional long-term demands on City water supplies, but the Draft FRSP contains goals, policies, and regulations derived from the City’s COSE and Climate Action Plan that would ensure consistency with this policy. These policies include the use of natural

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>A. Community design should be compact, mixed-use, walkable and transit-oriented so that automobile generated urban runoff pollutants are minimized and the open lands that absorb water are preserved to the maximum extent possible.</p> <p>B. Natural resources such as wetlands, flood plains, recharge zones, riparian areas, open space, and native habitats should be identified, preserved and restored as valued assets for flood protection, water quality improvement, groundwater recharge, habitat, and overall long-term water resource sustainability.</p> <p>C. Water holding areas such as creekbeds, recessed athletic fields, ponds, cisterns, and other features that serve to recharge groundwater, reduce runoff, improve water quality and decrease flooding should be incorporated into the urban landscape.</p> <p>D. All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.</p> <p>E. Permeable surfaces should be used for hardscape. Impervious surfaces such as driveways, streets, and parking lots should be minimized so that land is available to absorb storm water, reduce polluted urban runoff, recharge groundwater and reduce flooding.</p> <p>F. Dual plumbing that allows grey water from showers, sinks and washers to be reused for landscape irrigation should be</p>		<p>features (e.g., bioswales, retention basins) to manage stormwater onsite, native and non-invasive drought tolerant landscaping, high-efficiency appliances, and use of recycled water in irrigated areas within the residential and commercial zones. Project construction would entail expansion of onsite natural water retention features. Froom Creek and associated riparian would be realigned and expanded along the eastern border of the Project site, and would direct stormwater flows to a 4.5-acre stormwater detention basin located offsite within the Mountainbrook Church easement. This proposed stormwater detention basin would include storage capacity for up to 22 acre-feet of stormwater and would allow for percolation and recharge of underlying groundwater.</p>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>included in the infrastructure of new development, consistent with State guidelines.</p> <p>G. Community design should maximize the use of recycled water for appropriate applications including outdoor irrigation, toilet flushing, and commercial and industrial processes. Purple pipe should be installed in all new construction and remodeled buildings in anticipation of the future availability of recycled water.</p> <p>H. Urban water conservation technologies such as low-flow toilets, efficient clothes washers, and more efficient water-using industrial equipment should be incorporated in all new construction and retrofitted in remodeled buildings.</p> <p>I. Ground water treatment and brackish water desalination should be pursued when necessary to maximize locally available, drought-proof water supplies.</p>		
<b>Housing Element (HE)</b>			
2.3	For housing to qualify as "affordable" under the provisions of this Element, guarantees must be presented that ownership or rental housing units will remain affordable for the longest period allowed by State law, or for a shorter period under an equity-sharing or housing rehabilitation agreement with the City.	Potentially Consistent	While final details would be determined through Project permitting, the FRSP includes policies that require the Applicant to provide for deed-restricted housing for low and moderate-income households, consistent with the General Plan.

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
2.4	Encourage housing production for all financial strata of the City's population, in the proportions shown in the Regional Housing Needs Allocation, for the 2014 - 2019 planning period. These proportions are: extremely low income, 12 percent, very low income, 12 percent; low income, 16 percent; moderate income, 18 percent; and above moderate income, 42 percent.	Potentially Consistent	The Project proposes development of a variety of residential housing with a minimum of 5 percent low- and 10 percent moderate-income affordable dwelling units in accordance with the Expansion Area Inclusionary Housing Requirements. In other words, 15 percent of the total units would be subject to resale and rental restrictions to address low- and moderate-income household needs within the City. The Project would also develop 404 units of senior housing meeting key General Plan HE objectives.
4.2	Include both market-rate and affordable units in apartment and residential condominium projects and intermix the types of units. Affordable units should be comparable in size, appearance and basic quality to market-rate units.	Potentially Consistent	The FRSP includes policies that require the Applicant to provide for deed-restricted housing for low and moderate-income households, consistent with the General Plan. The Project The FRSP states that an affordable housing project is proposed on a portion of the proposed R-4 site near Los Osos Valley Road.
<b>Noise Element (NE)</b>			
1.3 – New Development Design and Transportation Noise Sources	New noise-sensitive development shall be located and designed to meet the maximum outdoor and indoor noise exposure levels of Table 2.	Potentially Consistent	Implementation of mitigation measures would reduce exterior and interior noise levels for residential uses resulting from noise sources to acceptable levels defined by the General Plan NE Table 2 (See Section 3.10, <i>Noise</i> ).
1.4 – New Transportation Noise Sources	Noise created by new transportation noise sources shall be mitigated to not exceed City-specified indoor and outdoor maximum noise exposure levels.	Potentially Consistent	Implementation of mitigation measures would reduce exterior and interior noise levels for residential uses resulting from noise sources to acceptable levels defined by the General Plan NE Table 2 (See Section 3.10, <i>Noise</i> ).
1.6 – New Development and Stationary Noise Sources	New development of noise-sensitive land uses may be permitted only where location or design allow the development to meet the standards of Table 2 for existing stationary noise sources.	Potentially Consistent	Implementation of mitigation measures would reduce exterior and interior noise levels for residential uses resulting from noise sources to acceptable levels defined by the General Plan NE Table 2 (See Section 3.10, <i>Noise</i> ).

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
1.7 – New or Modified Stationary Noise Sources	Noise generated by new stationary sources, or by existing stationary noise sources which undergo modifications that may increase noise levels, shall be mitigated so as not to exceed the exposure standards for lands designated for noise-sensitive uses, as measured at the property line of the receiver. The City’s NE lists mitigation strategies in a descending order of desirability. If preferred strategies are not implemented, it is the responsibility of the Applicant to demonstrate through a detailed noise study that the more desirable approaches are either not effective or not practical, before considering other design criteria contained in the General Plan.	Potentially Consistent	Implementation of mitigation measures would reduce exterior and interior noise levels for residential uses resulting from noise sources to acceptable levels defined by the General Plan NE Table 2 (See Section 3.10, <i>Noise</i> ).
1.10 – Existing and Cumulative Impacts	The City shall consider mitigation where existing or cumulative increases in noise levels significantly impact noise-sensitive land uses, including rerouting traffic, noise barriers, reducing traffic speed, retrofitting buildings, and exaction of fees.	Potentially Consistent	The Project would result in short-term construction noise impacts but would not significantly contribute to existing surrounding noise levels. Long-term FRSP residential buildout would not result in a considerable contribution to cumulative significant noise impacts due to the Project’s negligible contribution to the cumulative noise environment. See Section 3.10, <i>Noise</i> .
<b>Safety Element (SE)</b>			
2.1 – Flood Hazard Avoidance and Reduction	C. No new building or fill should encroach beyond, or extend over, the top-of-bank of any creek.  E. Within new development areas, such as the potential expansion areas shown in Figure 2 of the LUE, substantial displacement of flood waters should be avoided by:  1. Keeping a substantial amount of flood-prone land in the vicinity as open space;	Potentially Consistent	The Project would include a major realignment of Froom Creek through the Specific Plan area and the confinement of the flood waters to the newly widened channel of Froom Creek, the Calle Joaquin wetlands, and the proposed Mountainbrook Church flood detention basin. Currently flood-prone lands would be removed from the floodplain and become available for development. New buildings would be sited a minimum of 35 feet from the top of the bank of Froom Creek and located above the 100-year flood level; creek

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>2. Enlarging man-made bottlenecks, such as culverts, which contribute to flood waters backing up from them;</p> <p>3. Accommodating in such places uses which have relatively low ratios of building coverage to site area, for which shallow flooding of parking and landscape areas would cause minimum damage.</p> <p>4. Requiring new buildings to be constructed above the 100-year flood level.</p> <p>F. Creek alterations shall be considered only if there is no practical alternative, consistent with the COSE.</p> <p>G. Development close to creeks shall be designed to avoid damage due to future creek bank erosion. Property owners shall be responsible for protecting their developments from damage caused by future bank loss due to flood flows.</p>		<p>channelization and realignment are necessary to accommodate development of the site as proposed in the Draft FRSP and alleviate the bottleneck and capacity constraints at the U.S. 101 box-culvert. The Project would be consistent with the intent of this policy to minimize or avoid flood hazards. Refer to Section 3.4, <i>Biological Resources</i>, and Section 3.8, <i>Hydrology and Water Quality</i>.</p>
<p>3.0 – Adequate Fire Service</p>	<p>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.</p>	<p>Potentially Consistent</p>	<p>The Specific Plan area is within the acceptable 4-minute response time for fire protection services. The SLOFD has reviewed the Project and has determined that adequate fire suppression services and facilities are available to serve the Project. See Section 3.12, <i>Public Services and Recreation</i>.</p>
<p>3.1 – Wildland Fire Safety</p>	<p>F. Wildland fire hazard severity zones shall be classified as prescribed by CAL FIRE. Areas within the City, including “Very High” Fire Hazard Severity Zones, if any, shall be classified by the City’s Fire Code Official based on findings supported by substantial evidence in the record as required by Government Code Section 51179 and considered by City Council at a public hearing. Meaningful, early notification and</p>	<p>Consistent</p>	<p>The Lower Area and Upper Terrace (a total of approximately 97 acres) are designated as a Moderate FHSZ, and the highest elevation area (of approximately 13 acres) is located within a Very High FHSZ. No development would be constructed within the Very High FHSZ (refer to Figure 3.7-1). The Project does not propose a new subdivision within areas of Very High FHSZ. The Very High FHSZ would be designated and preserved for open space. As discussed in Section 3.7, <i>Hazards, Hazardous Materials, and Wildfire</i>, a 100-foot-</p>

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	<p>input shall be obtained from nearby neighborhoods which may be affected.</p> <p>G. New subdivisions shall be prohibited in areas of “Very High” wildland fire hazard unless part of conservation or open space acquisition program. Development of existing parcels shall require a development plan to manage fuels, maintain a buffer zone, and provide adequate fire protection to the approval of the Chief Building Official. The development plan must be consistent with Policies required by the City’s COSE.</p> <p>H. The City of San Luis Obispo is considered a “Community at Risk” due to the threat of wildfire impacting the urban community. The City shall continue to enhance the fire safety and construction codes for new buildings in order to reduce the risk of urban fires that may result from wildfires. Citywide building code enhancements should include: Fire resistant exterior wall coverings; Sprinkler protection in attic areas; and Ember resistant vent systems for attics and under floor areas and other provisions identified in CBC Chapter 7A.</p>		<p>wide vegetation and fuel management buffer would be required around all new development and implementation of mitigation requiring fire reduction practices and management strategies would reduce fire hazards to a less than significant level.</p>
4.5 – Avoiding Faults	<p>Development shall not be located atop known faults. Applications for the following types of discretionary approvals within 100 meters (330 feet) of any fault that is previously known or discovered during site evaluation shall be subject to review and recommendation by a State-registered engineering geologist: change to a more intensive land-use designation; subdivision into five or more parcels; development of</p>	Potentially Consistent	<p>A section of the Los Osos Fault runs through both the Madonna Froom Ranch and Villaggio portions of the site. Based on the proposed land use plan, the fault lines would cross residential (R-3-SP), open space (C/OS-SP), and public facility (PF-SP) land uses. The Draft FRSP and land use plan would incorporate recommendations of the site-specific subsurface fault investigation. FRSP buildout would incorporate required setbacks of buildings from faults identified in the subsurface</p>



**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	multifamily, commercial, industrial, or institutional buildings.		investigation and outlined in Section 3.2.3, Fault Lines, of the Draft FRSP. No development would be located atop any known faults. See Section 3.6, <i>Geology and Soils</i> .
4.6 – Avoiding Slope Instability	Development shall not be located on or immediately below unstable slopes, or contribute to slope instability. Any development proposed in an area of moderate or high landslide potential shall be subject to review and recommendation by a State-registered engineering geologist.	Consistent	The non-seismic landslide potential at the Project site is considered to be low based on site-specific geological investigations prepared for the Project. The Draft FRSP incorporates site-specific geologic investigation recommendations regarding slope stability and liquefaction. Incorporation of these recommendations would reduce potential for structural damage and risk from slope instability or liquefaction to a less than significant level. See Section 3.6, <i>Geology and Soils</i> .
4.7 – Avoiding Liquefaction Hazards	Development may be located in areas of high liquefaction potential only if a site-specific investigation by a qualified professional determines that the proposed development will not be at risk of damage from liquefaction. The Chief Building Official may waive this requirement upon determining that previous studies in the immediate area provide sufficient information.		
9.3 Program – Response Performance Standards	The City will evaluate fire-flow capacities and identify deficiencies through testing and modeling of the water system. For identified deficiencies, the Utilities Department will propose remedies to meet recommended service levels based on Insurance Service Organization ratings and other objective criteria.	Potentially Consistent	The Project would provide adequate water flow per adopted City standards. See Section 3.14, <i>Utilities and Energy Conservation</i> .
<b>Water and Wastewater Management Element (WWME)</b>			
2.1.7 – Annexation Criteria	Allows annexation of areas outside City limits if they are infill areas with access to existing City wastewater service.	Potentially Consistent	Following annexation to the City, the Project would be located within City limits and the City’s URL; access to existing City services including water and wastewater would be available. See Section 3.14, <i>Utilities and Energy Conservation</i> .

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
B 2.2.2 – Service Capacity	The City's wastewater collection system and Water Reclamation Facility shall support population and related service demands consistent with the General Plan.	Potentially Consistent	The City's WRRF has adequate capacity to accommodate dry-weather wastewater flows generated by the Project; however, peak wastewater flows may exceed the WRRF capacity under wet-weather conditions. The Project would also contribute to cumulative capacity constraints experienced at the Laguna lift station. However, the Project, like similar cumulative development within the City and serviced by these facilities, would be required to pay fair share fees towards the improvement of these facilities. See Section 3.14, <i>Utilities and Energy Conservation</i>
B 2.2.3 – Wastewater Service for New Development	New development shall pay its proportionate or “fair share” of expanded treatment and collection system capacity and upgrades. New development will only be permitted if adequate capacity is available within the wastewater collection system and/or Water Reclamation Facility.		
<b>Circulation Element (CE)</b>			
1.7.2 – Promote Alternative Forms of Transportation	Complete a network of bicycle lanes and paths, sidewalks and pedestrian paths within existing developed parts of the City and extend the system to serve new growth areas; and complete improvements to the city's transit system serving existing developed areas and provide service to new growth areas.	Potentially Consistent	The proposed circulation system provides for development of pedestrian, bicycle, and transit facilities and the connection to existing facilities. See Section 3.13, <i>Transportation</i> .
3.1.7 – Transit Service Access	New development should be designed to facilitate access to transit service.	Potentially Consistent	The Project would include installation of a bus stop and facilitation of the extension of bus service to the Specific Plan area. However, the Project site is located at the southwestern extent of the City and far removed from high-transit service areas. Transit demand within the vicinity of the Project is considered low. Implementation of the Project would increase demand for transit services within the vicinity of the Project site. However, implementation of identified mitigation would ensure adequate transit service is provided. Refer to Section 3.13, <i>Transportation</i> .
4.1.4 – New Development	The City shall require that new development provide bikeways, secure bicycle storage,	Potentially Consistent	The Project would provide dedicated bikeways and would be required to provide bicycle parking per

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
	parking facilities and showers consistent with City plans and development standards. When evaluating transportation impacts, the City shall use a Multimodal Level of Service analysis.		the City Municipal Code Section 17.16.060, which mandates that bicycle parking equal to 15 percent of vehicle parking be provided. The Project would complete an important gap in the planned regional Class II bicycle lane along LOVR. See Section 3.13, <i>Transportation</i> .
5.1.2 – Sidewalks and Paths	The City should complete a continuous pedestrian network connecting residential areas with major activity centers as well as trails leading into City and County open spaces.	Consistent	The Project would include fully developed pedestrian facilities within the Specific Plan area and connections to adjacent development, including Irish Hills Plaza though the proposed emergency access connection to Irish Hills Plaza, LOVR frontage improvements, and mitigation requiring improvements to pedestrian and bicycle facilities See Section 3.13, <i>Transportation</i> .
5.1.4 – Pedestrian Access	New or renovated commercial and government public buildings shall provide convenient pedestrian access from nearby sidewalks and pedestrian paths, separate from driveways and vehicle entrances.	Potentially Consistent	Sidewalks and pedestrian pathways separate from driveways and/or vehicle entrances are proposed to connect residential and commercial development of the Specific Plan area to the Irish Hills Plaza, along Fromm Creek, to the Irish Hills Natural Reserve and between the Upper Terrace and Lower Area of Villaggio. Proposed pedestrian connections would provide convenient pedestrian access through the site and to adjacent development. See Section 3.13, <i>Transportation</i> .
15.1.2 – Development along Scenic Routes	The City will preserve and improve views of important scenic resources from streets and roads. Development along scenic roadways should not block views or detract from the quality of views.	Potentially Consistent	Development of the Project would change the visual character of the area as viewed from the Irish Hills Natural Reserve. However, important public views from proximate streets and roads across the Project site would be preserved by development setbacks from LOVR and the reestablishment of riparian vegetation along the LOVR ditch. See Section 3.1, <i>Aesthetics</i> .

**Table 3.9-4. City General Plan Policy Consistency Analysis (Continued)**

Policy/Goal	Summary	Preliminary Consistency Finding	Discussion
<b>Parks and Recreation Element (PRE)</b>			
3.13.1 – Parks System	The City shall develop and maintain a park system at a rate of 10 acres of parkland per 1,000 residents. Five acres shall be dedicated as a neighborhood park. The remaining five acres required under the 10 acres per 1,000 residents in the residential annexation policy may be located anywhere within the City’s park system as deemed appropriate.	Potentially Consistent	Implementation of mitigation providing for and maintaining 12.31 acres of parkland, including 6.16 acres developed as a neighborhood park, would ensure consistency with this policy. The Project would provide a 2.9-acre trailhead park including benches, picnic tables, and a playground that are characteristic of a neighborhood park as defined by the City’s PRE and are within a 0.5- to 1.0-mile walking distance from all new residences.
3.15 – Neighborhood Parks	<ul style="list-style-type: none"> <li>- San Luis Obispo residents shall have access to a neighborhood park within 0.5 to 1.0-mile walking distance of their residence.</li> <li>-All residential annexation areas shall provide developed neighborhood parks at the rate of five acres per 1,000 residents.</li> <li>-In neighborhoods where existing parks do not adequately serve residents, mini-parks may be considered.</li> </ul>		

Sources: City of San Luis Obispo 1996; 2006; 2014b; 2014a; 2014c; 2015; 2018.

**Table 3.9-5. County General Plan Policy Consistency Summary**

Policy/Goal	Summary	Consistency Finding	Discussion
Goal BR5	Wetlands will be preserved, enhanced, and restored.	Potentially Consistent	The Project proposes to relocate an existing 3.2-acre detention basin to an approximately 4.5-acre proposed stormwater detention basin within the Mountainbrook Church easement outside of the Specific Plan area. This area would remain under the jurisdiction of the County following annexation of the Specific Plan area to the City as part of the Project. Development of the proposed stormwater detention basin has potential to affect wetlands, riparian, and grassland habitats. Impact associated with this aspect of the Project could be reduced through protection, avoidance, or restoration of habitat. Once constructed, the proposed stormwater detention basin would not inhibit wildlife movement through this portion of the site. Development of the proposed stormwater detention basin in this area would not significantly adversely affect views of the natural landscape from rural areas of the County. See Section 3.4, <i>Biological Resources</i> .
Policy BR 1.1- Protect Sensitive Biological Resources	Protect sensitive biological resources such as, wetlands, migratory species of the Pacific flyway, and wildlife movement corridors through: <ol style="list-style-type: none"> <li>1. environmental review of proposed development applications, including consideration of cumulative impacts,</li> <li>2. participation in comprehensive habitat management programs with other local and resource agencies, and</li> <li>3. acquisition and management of open space lands that provide for permanent protection of important natural habitats.</li> </ol>		
Policy BR 1.15 Restrict Disturbance in Sensitive Habitat during Nesting Season	Avoid impacts to sensitive riparian corridors, wetlands, and coastal areas to protect bird-nesting activities.		
Policy BR 1.10- Identify and Protect Ecologically Sensitive Areas	Protect and enable management of ecologically sensitive areas to the maximum extent feasible.		
Policy BR 1.11 Protect Wildlife Nursery Areas and Movement Corridors	Identify, protect, and enable the management of connected habitat areas for wildlife movement. Features of particular importance to wildlife for movement may include, but are not limited to, riparian corridors,		

**Table 3.9-5. County General Plan Policy Consistency Summary (Continued)**

Policy/Goal	Summary	Consistency Finding	Discussion
	shorelines of the coast and bay, and ridgelines. Identification and designation of wildlife corridors will not interfere with agricultural uses on private lands. (Refer to AGP 29 in the Agriculture Element).		
Goal VR1	The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.		
Policy VR 7.1 Nighttime Light Pollution	Protect the clarity and visibility of the night sky within communities and rural areas, by ensuring that exterior lighting, including streetlight projects, is designed to minimize nighttime light pollution.	Potentially Consistent	Exterior lighting would not be erected within the proposed stormwater detention basin area. Therefore, the Project would be consistent with this policy.

### 3.9.4 Environmental Impact Analysis

#### 3.9.4.1 Thresholds of Significance

Appendix G of the State CEQA Guidelines states that a project would have a significant impact on land use if it would:

- a) Physically divide an established community; or
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect;

#### *Non-Applicable Threshold(s)*

- 1) Threshold (a) (*Divide an established community*): The Project would not physically divide an established community based on the lack of residential land uses within the Specific Plan area as the site is bordered by existing agricultural and industrial land.

#### 3.9.4.2 Impact Assessment Methodology

Sources of land use information reviewed for this analysis include the LUCE Update and associated EIR; the City and County General Plan; SLOCOGRTP/SCS; the ALUP; the Airport Land Use Compatibility Report (Johnson Aviation 2014); and the Draft FRSP, as well as available geographic data provided by the City and County Geographic Information Systems (GIS). Recent EIRs, including the LUCE Update EIR and the Avila Ranch Specific Plan and San Luis Ranch Specific Plan EIRs prepared by the City, were also reviewed.

The Project's potential consistency with relevant General Plan policies and programs (Appendix G Threshold 'b') is evaluated in Section 3.9.3, *Consistency with Plans and Policies*. Associated land use impact analyses are also provided in Impacts LU-1 and LU-2 and within individual resource sections of this EIR. Only those Project elements that have the potential to conflict with a stated goal, policy, or program are highlighted in this section. A conflict with an adopted plan or policy is typically identified as a potentially significant impact only if there is a corresponding related adverse physical change in the environment, such as loss of sensitive biological resources.

The EIR land use consistency analysis considers whether the Project would be consistent with regional and local plans, policies, and regulations applicable to the Project consistent



with Section 15125(d). A project must be consistent with every policy and objective in the General Plan to be approved. It is considered consistent with the provisions of the identified regional and local plans if it is compatible with and will further the objectives and policies of the plans. This discussion primarily focuses on those goals and policies that relate to avoiding or mitigating environmental impacts and assesses if any inconsistency with these standards would result in a significant physical impact on the environment.

3.9.4.3 Project Impacts and Mitigation Measures

Land use impacts associated with construction and operation of the Project are discussed below and summarized in Table 3.9-6.

**Table 3.9-6. Summary of Project Impacts**

Land Use Impacts	Mitigation Measures	Residual Significance
LU-1. The Project would allow urban development above the 150-foot elevation and would relocate portions of the Froom Ranch Dairy complex, which would potentially conflict with City General Plan policies adopted for the purpose of avoiding impacts to visual, biological, and cultural resources and wildfire hazards.	MM BIO-1	Significant and Unavoidable
	MM BIO-2	
	MM BIO-3	
	MM BIO-4	
	MM BIO-5	
	MM BIO-6	
	MM BIO-9	
	MM BIO-10	
	MM BIO-11	
	MM BIO-12	
	MM BIO-13	
	MM BIO-14	
	MM CR-9	
	MM CR-10	
	MM CR-11	
	MM CR-12	
	MM CR-13	
	MM CR-14	
	MM HAZ-2	
	MM HAZ-3	
	MM HAZ-4	
	MM HAZ-5	
	MM TRANS-21	
MM TRANS-22		
MM TRANS-23		
LU-2. The Project would potentially be inconsistent with existing easements and setback requirements onsite.	None Required	Less than Significant

**Impact LU-1 The Project would allow urban development above the 150-foot elevation and would relocate portions of the Froom Ranch Dairy complex, which would potentially conflict with City General Plan policies adopted for the purpose of avoiding impacts to visual,**

**biological, and cultural resources and wildfire hazards (Significant and Unavoidable).**

City LUCE and General Plan COSE policies that protect sensitive biological, open space, and visual resources include protections reflected in Policy 6.4.7, *Hillside Planning Areas*, which prohibits development above the 150-foot elevation within the Irish Hills area. These policies are intended to protect environmentally sensitive resources (such as sensitive habitats and species) and to reduce adverse impacts related to emergency access, unstable geology, flooding, wildfire hazards, and visual resource degradation. Implementation of a General Plan Amendment that would allow development above the 150-foot elevation, and more specifically development within the environmentally sensitive Upper Terrace, would result in potentially significant and unavoidable impacts to aesthetic and visual resources, biological resources, and emergency access and fire hazards, as analyzed in Section 3.1, *Aesthetics*, Section 3.4, *Biological Resources*, and Section 3.7, *Hazards, Hazardous Materials, and Wildfire*. Potential impacts due to unstable geology would be less than significant, as described in Section 3.6, *Geology and Soils*. Further, the Project would relocate four historic structures onsite and integrate them in the proposed public park, which would have a significant impact to historic resources, as described in Section 3.5, *Cultural and Tribal Cultural Resources*. Potential environmental impacts resulting from the Project's inconsistency with land use plans and policies are summarized below

*Aesthetics*

The Project site is highly visible to trail users in the Irish Hills Natural Reserve trail system where sweeping views across the Project site are available, particularly overlooking the Upper Terrace and the western edge of Madonna Froom Ranch above 150 feet in elevation. General Plan COSE Policy 9.2.1, *Views to and from public places*, is designed to protect public views, including those from such places as the heavily used trail network in the Irish Hills Natural Reserve. City LUE Policy 6.4.7, *Hillside Planning Areas*, was intended in part to protect sensitive hillside views by prohibiting development above the 150-foot elevation in the Project vicinity. Project development, particularly within the Upper Terrace and the areas of Madonna Froom Ranch closest to the Irish Hills Natural Reserve and above the 150-foot elevation would result in *significant and unavoidable* impacts to aesthetic resources for recreationalists along trails such as the Ocean View Trail and the Filipponi Ranch Connector Trail. Such impacts would be in direct conflict with adopted City policies and would create significant physical environmental impacts.

### *Biological Resources*

Proposed development within the Upper Terrace would impact sensitive native grassland communities, seven rare plant species of local concern (including populations of a federal endangered plant), sensitive wetland habitats along Drainages 1, 2, and 3, and wildlife corridors and passage through this area. Such development would directly impact and degrade special status species and sensitive habitats potentially in conflict with multiple adopted City policies such as General Plan COSE Polices 7.3.2,



*The Project site provides rich natural communities and habitats, including wetlands and serpentine bunchgrass grassland, as well as California bay woodland. The Upper Terrace is particularly rich in these biological resources and development in this area is potentially inconsistent with City policies for resource protection.*

*Species of Local Concern, 7.3.3, Wildlife Habitat and Corridors, 7.5.4, Preservation of Grassland Communities and Other Habitat Types, 7.7.7, Preserve Ecotones, 7.7.8, Protect Wildlife Corridors, 8.2.2, Open Space within the Urban Area, 8.3.1, Open Space within an Urban Area, 8.3.2, Open Space Buffers, and 8.6.1, Loss of Open Space.* In addition, the Project would include a General Plan Amendment to LUE Policy 6.4.7, *Hillside Planning Areas*, which restricts development above the 150-foot elevation, in part to protect sensitive habitats and resources. The Project would result in *significant and unavoidable* physical impacts to biological resources, potentially inconsistent with adopted City policies.

### *Historic Resources*

As documented in Section 3.5, *Cultural and Tribal Cultural Resources*, the Project site contains the historic From Ranch Dairy complex (P-40-040991), including seven existing structures associated with the historic dairy and From family constituting a potential historic district under the City's Historic Preservation Ordinance, the CRHR, and the NRHP. While four structures (i.e., the main residence, creamery, dairy barn, and granary) considered significant historic resources as individual structures would be relocated, restored, and repurposed to maintain their historic integrity, the Project would result in the demolition and permanent loss of three structures identified as contributing to the From Ranch Dairy historic district (i.e., the shed, bunkhouse, and old barn), which would be a

significant and unavoidable impact following mitigation. This loss would be potentially inconsistent with City policy.

*Emergency Access and Wildfire Hazards*

Development of the Upper Terrace of Villaggio would locate residential uses at the wildland-urban interface where potential fire risks are considered moderate to high. Project residential buildout would also introduce potential sources of ignition from increased activity (e.g., individuals smoking on recreational trails, outdoor barbeques, and malfunctioning landscaping maintenance equipment). The Project proposes a number of emergency access routes that in the event of fire or other emergency, would provide adequate ingress/egress for evacuating civilians and emergency response personnel to the Project site; however, development of the Project would potentially restrict access for firefighting personnel to the Irish Hills Natural Reserve and diminish their ability to combat fires approaching proposed development from the north and west. Given the potential for structural damage, injuries, and/or loss of life due to wildland fires, impacts would be *potentially significant*.

Mitigation Measures

*MM BIO-1 shall apply.*

*MM BIO-2 shall apply.*

*MM BIO-3 shall apply.*

*MM BIO-4 shall apply.*

*MM BIO-5 shall apply.*

*MM BIO-6 shall apply.*

*MM BIO-9 shall apply.*

*MM BIO-10 shall apply.*

*MM BIO-11 shall apply.*

*MM BIO-12 shall apply.*

*MM BIO-13 shall apply.*

*MM BIO-14 shall apply.*

*MM CR-9 shall apply.*

*MM CR-10 shall apply.*

*MM CR-11 shall apply.*

*MM CR-12 shall apply.*

*MM CR-13 shall apply.*

*MM CR-14 shall apply.*

*MM HAZ-2 shall apply.*

*MM HAZ-3 shall apply.*

*MM HAZ-4 shall apply.*

*MM HAZ-5 shall apply.*

*MM TRANS-21 shall apply.*

*MM TRANS-22 shall apply.*

*MM TRANS-23 shall apply.*

#### Residual Impacts

Despite mitigation to reduce impacts, implementation of a General Plan Amendment to Hillside Policy 6.4.7, *Hillside Planning Areas*, and development and operation of the Project above the 150-foot elevation would result in substantial impacts to biological resources, aesthetics, and wildfire hazards. Mitigation would also not avoid the significant loss of historic resources associated with the Froom Ranch Dairy complex. Since implementation of feasible mitigation measures would not fully mitigate potential impacts resulting from development above the 150-foot elevation and significant irreversible loss of biological and historical resources, impacts related to land use policy consistency would be *significant and unavoidable*.

#### **Impact LU-2 The Project would potentially be inconsistent with existing easements and setback requirements onsite (Less than Significant).**

Realignment of Froom Creek and associated riparian habitat would potentially conflict with adopted local and regional water quality and creek corridor protection policies, and would potentially result in impacts to biological resources and conflict with City creek

setback requirements. The Project would also potentially conflict with the intent of the onsite agricultural easement.

#### *Setback from Realigned Froom Creek*

The Project would realign Froom Creek and would include channel and bank improvements within the Project site. Consistent with setbacks defined in the City's Zoning Ordinance, the FRSP requires 35-foot setbacks from Froom Creek and 20-foot setbacks from other site drainages, including Drainages 1, 2, and 3. Proposed recreational amenities within the 35-foot setback area would include a 6-foot-wide pervious multi-use trail, benches, and trash cans. The trail would not include night lighting. While pervious walkways and benches are allowed within creek setbacks in accordance with the City's Zoning Ordinance, the installation of waste facilities and other proposed amenities within the setback would require an exception determination and hearing of the Community Development Department. The Community Development Department has established a set of required findings that must be met in order to approve an exception to established uses within designated setback areas. Assuming compliance with existing policies and approval from the Community Development Department, realignment and revegetation of Froom Creek would be consistent with City setback policies. Associated impacts would be *less than significant*.

#### *Onsite Easements*

As discussed above, the Project is encumbered by several easements. The area recorded under the 7.1-acre open space and agricultural easement is preserved for agricultural activities and biological restoration and may not be developed as currently recorded. This easement currently includes a contiguous block of land with soils that are prime if irrigated. This area is not currently, or historically, irrigated and supports limited equestrian grazing. The Project would reconfigure the 7.1-acre easement into two areas of 5.5 acres and 1.6 acres, which would reduce the viability of existing grazing operations or other agricultural operations since livestock would be unable to access the 1.6-acre portion of the easement. However, realignment of the easement would support conservation of habitat and biological resources, particularly the protection of existing wetlands within this 1.6-acre portion east of Calle Joaquin, which is consistent with the terms of the easement. Thus, adjustment of the 7.1-acre easement would continue to meet the objectives and LAFCO requirements of the 2010 Open Space and Agricultural Conservation Easement agreement.

Regarding the 2018 Memorandum of Option and easement rights, the Project would entail purchase of easement rights within the Mountainbrook Church property to develop a proposed stormwater detention basin. This action would be consistent with the Memorandum of Option and easement rights currently held by the Madonna Family Trust (owner) and the Mountainbrook Church. With regard to the 2001 Open Space Easement and 2010 Deed of Easement for Ingress and Egress, based on the land use plan proposed under the Draft FRSP, implementation of the Project would not alter these existing easements. Therefore, implementation of the Project would not result in any conflicts with these easements or inconsistency with local or regional policies. However, if during preparation of the final land use plan revisions to the easements are required, the City may require adjustments of the final site design of the Project or adjustment of these easements between all applicable parties to ensure continued access and protection prior to final approval of the Project. Impacts associated with these existing easements would be *less than significant*.

#### 3.9.4.4 Cumulative Impacts

The Project is one of many planned and/or proposed residential and commercial developments in undeveloped open or agricultural lands along edges of the City, such as the San Luis Ranch Specific Plan and Avila Ranch Development projects. Construction of the Project would incrementally contribute to the trend of conversion of the southern end of the City from undeveloped agricultural land and open lands to developed urban uses, with resultant losses of open space and habitats, increases in impervious surfaces, night lighting, noise, and traffic that accompany such development. These changes would both directly and indirectly affect sensitive habitats and wildlife species. Proposed related projects, including the San Luis Ranch Specific Plan and the Avila Ranch Development Plan, could result in incremental impacts to biological resources, population and housing, and aesthetics within the cumulative region of influence. However, all pending/future projects would be required to comply with development standards and General Plan policies of the City. Potential impacts would be assessed and mitigated in accordance with CEQA and applicable City policies prior to approval. Implementation of mitigation measures would ensure consistency with the City's General Plan goals and policies and Zoning Regulations such that the Project would not cumulatively contribute to the loss of open space or agricultural land beyond that projected in the City's LUCE Update and EIR. Project buildout in conjunction with other pending/future projects (see Table 3.0-1) are considered within the City LUCE buildout by 2057 (see Section 3.11, *Population and Housing*). Nevertheless, the Project, in combination with planned buildout of the City's



General Plan and implementation of other pending or approved cumulative development within the City, would continue to incrementally contribute to the loss of biological and historical resources and inconsistency with City General Plan policies relating to biological, aesthetic, wildfire, and historic resources. Therefore, cumulative impacts related to land use and planning would be *significant and unavoidable*.

While the Project is potentially inconsistent with current ALUP development standards for Safety Areas, it would not be expected to result in airport-related safety hazards, particularly when evaluated against the identified Caltrans Handbook Safety Compatibility Zones for San Luis County Regional Airport, the pending update to the ALUP, and the ALUC's preliminary determination of the Project's compatibility with the redefined safety areas (see Section 3.7, *Hazards, Hazardous Materials, and Wildfire*). As such, the Project is not expected to cumulatively contribute to potential airport noise and/or safety issues. Implementation of mitigation measures would ensure that the Project would provide acceptable levels of accessible open space, and that the Project would comply with all applicable zoning development standards.

Therefore, cumulative impacts to land use caused by the development of the Project in combination with other related pending/future projects, would be *less than significant*. The Project's contribution to potential cumulative impacts would be less than considerable given implementation of proposed mitigation measures to ensure consistency with General Plan policies, design standards, and Zoning Ordinance regulations.