



COUNCIL agenda report

CITY OF SAN LUIS OBISPO

Meeting Date	3/2/10
Item Number	PH2

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SUBJECT: ADOPTION OF THE ORCUTT AREA SPECIFIC PLAN (OASP) AND FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (FEIR), INCLUDING GENERAL PLAN AMENDMENTS NECESSARY TO IMPLEMENT THE PLAN (SP/ER 209-98).

RECOMMENDATION

As recommended by the Planning Commission, adopt a resolution to:

- 1) Certify the FEIR based on findings and subject to a Mitigation Measure Monitoring Plan, and
- 2) Adopt the Planning Commission Draft of the OASP, and
- 3) Approve amendments to the General Plan Land Use Map and Urban Reserve Line to implement the land uses shown in the OASP, and
- 4) Direct staff to begin implementation measures described in the OASP, including preparation of an annexation boundary map for Council review.

REPORT-IN-BRIEF

The Orcutt Area is a residential expansion area located on the southeast boundary of the existing City limits. The OASP includes provisions for development of up to 979 new homes and associated infrastructure, including new parks and open space areas. The General Plan requires a specific plan to be adopted for the area before any portion of it can be annexed and developed.

The Planning Commission has recommended certification of the FEIR and approval of the OASP after extensive hearings with input from the public and area property owners. Adoption of the OASP is consistent with the City's General Plan, which has identified the Orcutt Area as a residential expansion area for over thirty years. The process to develop the OASP has insured that the plan will result in a new neighborhood that is well integrated into the existing fabric of the City of San Luis Obispo. The OASP includes a fee program to insure that new development pays its fair share of the facilities needed to serve it.

The Council is being asked to consider cost sharing for one of the key transportation infrastructure projects identified in the OASP. The Planning Commission recommended that the OASP be responsible for less than 100% of the \$1.76 million Industrial Way

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pedestrian/bicycle bridge over the railroad tracks. City staff is recommending that the Council approve 80/20 cost sharing, committing the City to seeking grant funding to pay for 20% of the cost of this facility.

In 2007, the OASP was updated to incorporate mitigation measures from the Draft EIR. All of the mitigation measures from the FEIR are now either reflected directly in the OASP land use plan, policies and programs, or are listed in Appendix C for immediate reference. The FEIR for the project identifies significant and unavoidable impacts in the areas of aesthetics, air quality and noise. Findings of fact and a statement of overriding considerations are attached to the resolution recommended for Council approval.

DISCUSSION

The discussion below provides a brief review of the public hearing process, a brief project description, a summary of the key issues discussed by the Planning Commission and an overview of the environmental impacts discussed in FEIR.

Previous Review

On February 12, 2008, the City Council held a study session on the OASP, initiating a comprehensive public review process. The agenda report from this study session is attached to provide the Council and the public with background information regarding the process to develop and adopt the OASP (Attachment 1).

Public Participation and Planning Process

After the Council held its study session in 2008, the OASP and Draft EIR were reviewed by various City advisory bodies and the Planning Commission. Public hearings held by the Bicycle Advisory Committee, the Architectural Review Commission, and Parks and Recreation Commission provided key input to the Planning Commission as it deliberated the content of the Plan. Copies of agenda reports from public hearings held during 2008 and 2009 are available on the City's OASP webpage, located at www.slocity.org/communitydevelopment/oasp.asp. City staff has also made presentations on the project to the Workforce Housing Coalition and the Chamber of Commerce. An e-mail list of interested individuals has been maintained to provide notification when new information is available.

On December 10, 2009, the Planning Commission concluded its review of the OASP, and forwarded recommendations of approval to the City Council (Attachment 2, Planning Commission Minutes). Staff subsequently incorporated all of the changes approved by the Planning Commission into a new document, titled *Planning Commission Draft of the Orcutt Area Specific Plan*. The FEIR has also been published and both documents have been available for public review since February 8, 2010.

Project Description

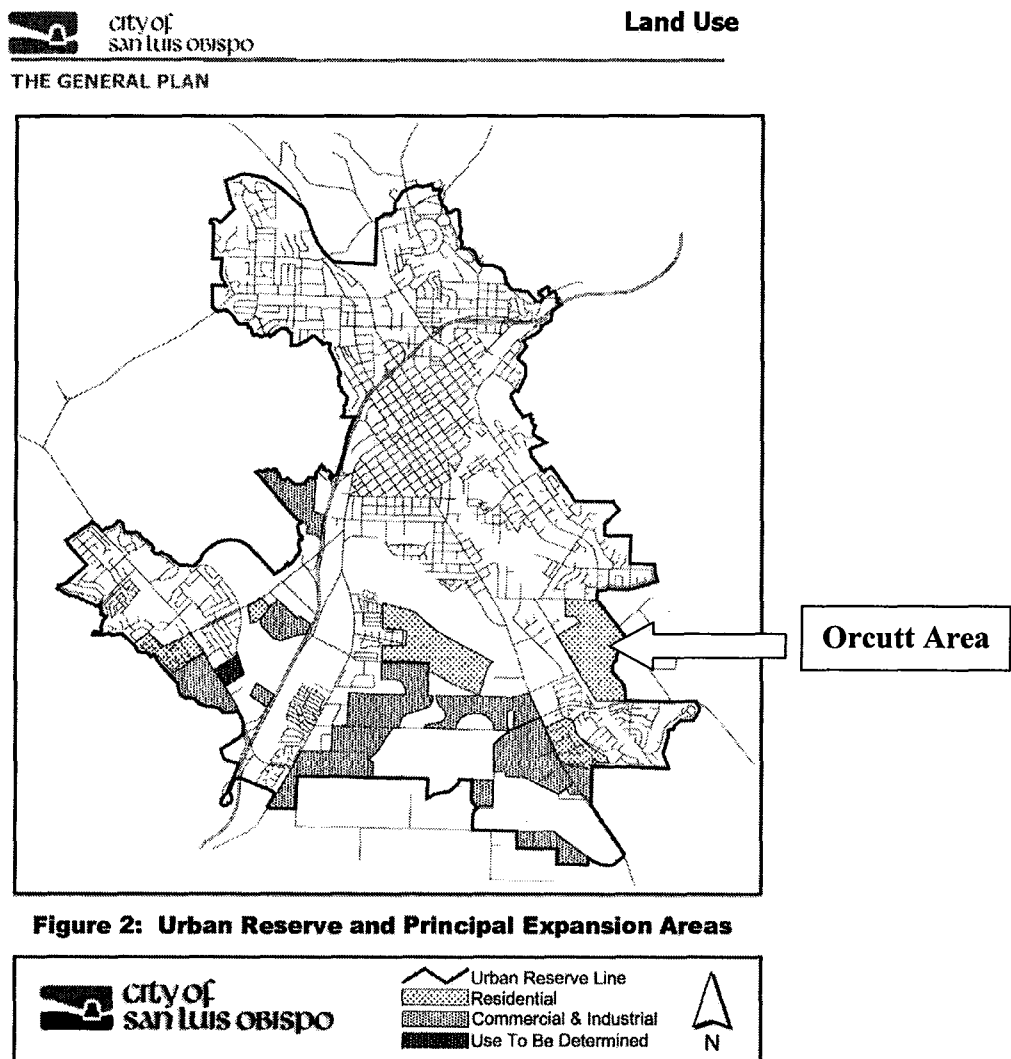
The Orcutt Area encompasses 230.9 acres on the southeast boundary of the City limits. The area is bounded by Tank Farm Road to the south, Orcutt Road to the east and north,

and the Union Pacific Railroad (UPRR) to the west. The area currently includes 21 parcels, with thirteen different property owners. Most of the area is unincorporated and has seen limited development under County rural residential and agricultural zoning. At full buildout, the area is planned to support between 892 and 979 homes.

1. General Plan Goals and Objectives

a. Policies for the Orcutt Area

As shown in Land Use Element (LUE) Figure 2, below, the Orcutt Area is defined as one of the City's principle residential expansion areas. The General Plan LUE Map has designated the Orcutt Area for development as a residential neighborhood for over 30 years. LUE Policy 1.12.3 states that a specific plan must be adopted for the Orcutt Area before any portion of it can be annexed and developed. Land Use Element Policy 1.12.5 says that Mine Hill (Righetti Hill) shall be dedicated as open space when the Orcutt Area is developed.



b. Specific Plan Content Requirements

LUE Policy 2.3.1 provides a list of required contents for the OASP. This policy requires the OASP to include programs that guide future development of the area, including plans for open space preservation, parkland acquisition and improvement, new residential neighborhoods and public infrastructure to support the new development. The OASP is also required to contain detailed information on the acreage and location of each proposed land use, which is summarized in the following Land Use Summary table.

TABLE 1.1 LAND USE SUMMARY

Land Use	Zoning	Acres	Density	Total Units (Estimated)	% of Orcutt Area
RESIDENTIAL					
Low Density Residential Detached single family, 4,500 - 15,000 sf. Lots	R-1-SP	51.0	Up to 7 du/acre ²	264	23.1
Medium Density Residential Detached/attached single family w/zero lot line; duplex units ¹ Minimum lot size of 3,000 sf.	R-2-SP	32.0	Up to 12 du/acre ²	276	13.5
Medium-High Density Residential Multi-plex units; mobile homes and multi-family apartments ¹	R-3-SP	22.3	Up to 18 du/acre ²	336	9.0
High Density Residential Multi-family apartments ¹	R-4-SP	5.5	Up to 24 du/acre ²	103	2.4
Subtotal		110.8		979³	48.0
COMMERCIAL					
Community Commercial/ Mixed Use	CC-MU	2.75 ⁴			1.2
OPEN SPACE AND RECREATION					
Open Space	C/OS-SP	79.3			33.3
Parks					
<i>Neighborhood Park (bal fields, ball courts, playgrounds)⁵</i>	P-F-SP	12.0			4.7
<i>Trail Junction Park/Pocket Parks</i>	P-F-SP	4.3			1.6
<i>Potential joint use facility as part of future elementary school</i>	in residential zones	4.0			
Total Potential Parks		20.3			6.3
Central Detention Area/Floodable Terrace		4.8			2.0
Creeks		6.7			2.9
PUBLIC FACILITIES					
Roads Arterials, Collectors and major Local		14.6			6.3
TOTAL		230.9		979⁵	100.0

¹ These types of housing reflect examples of housing types within each residential category.

² This range reflects the maximum densities for residential development.

³ This figure represents max. development potential before affordable housing density bonuses.

⁴ This acreage is for CCMU and is expected to support 8,000 SF of retail and 8,500 SF of office space. The balance of the area will be devoted to residential in a mixed-use configuration.

⁵ This plan provides 12 acres total in the central neighborhood park. Dedication will be from two to three owners.

2. How the OASP Implements the General Plan

a. Land Use Pattern

The Orcutt Area represents a logical expansion of the City because it is bordered on three sides by existing urban land uses and infrastructure. The OASP implements the General Plan by providing for significant residential development capacity to balance commercial development in other areas of the City. The Orcutt Area is proximate to the Airport Area, which is expected to be an area of future job growth in the City.

Within the Orcutt Area, a range of residential densities are proposed and lot sizes are smaller than would normally be allowed to insure that target densities are feasible. Once developed, the Orcutt Area is expected to be one of the most land-efficient neighborhoods in the City, with minimum lot sizes of 4,500 square feet in the R-1 zone and 3,000 square feet in the R-2 zone.

b. Street Network – Access to Destinations/Services

The OASP includes a street network, with bicycle facilities, that is well integrated into the surrounding transportation system. Development of the area will include transit facilities to provide residents with access to City bus routes. The Railroad Safety Trail will also be extended through the Orcutt Area and across Tank Farm Road. Perimeter streets will be improved with Class II bike lanes and turning lanes to improve traffic safety.

The new neighborhood will include a commercial core with space for small-scale retail and service businesses to meet the immediate needs of area residents. In addition, the Orcutt Area is located close to major community commercial facilities, such as Marigold Center.

c. Parks and Open Space

The Orcutt Area provides improved parkland consistent with the Parks and Recreation Element, which sets the goal of providing 10 acres of parkland for every 1,000 residents. In addition to park features, the Righetti Hill open space will provide a natural point of reference for people in the Orcutt Area. Righetti Hill will be dedicated to the City and improved with trails directly accessible through the park and surrounding streets.

d. Infrastructure Plan

The OASP also embodies best practices for infrastructure planning. The area will have access to recycled water for irrigation of the park and other landscaping features, and fits into the existing network of City water and waste water infrastructure. New water and sewer lines will connect to existing lines at the edges of the Orcutt Area, which have been sized to accommodate its build-out. Storm water management guidelines in the OASP are consistent with the City's Waterways Management Plan, and promote post-construction stormwater quality through the use of bio-filtration and Low-Impact Development (LID) practices such as reduced and disconnected impervious surfaces,

preservation of native vegetation wherever feasible and use of tree boxes to capture and infiltrate street runoff.

Key Issues

Members of the public and Orcutt Area property owners have been engaged in the process to develop the OASP, and public input has been an important part of the process. The following provides an overview of some of the main issues discussed by the Planning Commission during its review of the OASP, which included eight public hearings between February 2008 and December 2010.

1. Orcutt Area Fee Program

a. Summary of Infrastructure Costs

The total cost of infrastructure included in the Orcutt Area Fee Program is \$15.8 million, as illustrated in the following table.

TABLE 8.1 – INFRASTRUCTURE COST ESTIMATE SUMMARY

Improvement	Total Cost
Transportation	\$5,050,000
Pedestrian and Bicycle Paths	\$2,656,000
Parks and Recreation	\$4,448,000
Parkland	\$3,678,000
Total	\$15,832,000

Table 8.2 of Chapter 8 (Page 8-3) lists each of the projects under each improvement category. The projects funded by the Orcutt Area Fee Program include widening of Orcutt Road, signalization of the Orcutt Road/Tank Farm Road intersection, three new bridges within the Orcutt Area and improvements to the central Neighborhood Park, among others.

These costs are translated into per-unit fees based on daily vehicle trip rates, or by residents served (average household population) as discussed in Section 8.3.1 of the OASP (Page 8-5).

These infrastructure costs result in a per unit fee of \$19,265 for new single-family units, and \$13,904 for new multi-family units. These fees are considered Orcutt Area “add-on” fees because they are collected in addition to city-wide impact fees for water, sewer and transportation. Total fees are summarized in Table 8.8 (Page 8-7) of the OASP, which is also attached to this agenda report (Attachment 3).

Fees have been a major concern of property owners during the process to adopt the OASP. Beginning in 2008, with the publication of the first draft of the financing plan, staff has worked closely with owners on ways to reduce fees. Through this process

infrastructure costs reflected in the fee program were reduced by 30%, from over \$22 million to \$15.9 million.

b. Cost Sharing Proposed for Bicycle Pedestrian Bridge at Industrial Way

One of the ways that costs were reduced through the process was through a more accurate cost estimate for the grade separated, bike/ped bridge proposed at Industrial Way. The original cost of the facility was estimated to be \$3,850,000, which was based on the cost of the Jennifer Street Bridge, including an annual upward adjustment of 4% since 1998 to account for increases in the construction cost index. More recently, an estimate provided by Dokken Engineering pegged the cost at \$1,760,000 (Attachment 4).

The proposed bridge is shown in the City's Bicycle Transportation Plan and would provide a key connection for Orcutt Area residents to bike or walk westerly without illegally crossing the railroad tracks towards Marigold Center, the Damon-Garcia Sports Fields, and other development planned in the Margarita Area. The bridge will also provide a convenient route for residents in other parts of the City visiting the Neighborhood Park, the Righetti Hill open space, or for students going to school depending on where the elementary school is built.

Property owners in the Orcutt Area oppose the bridge because of its cost, a perception that the bridge would be unsafe, and a belief that the bridge would be an eyesore for the new neighborhood.

The Planning Commission heard a substantial amount of public testimony on the Industrial Way bridge from property owners and bicycle advocates alike. Ultimately, the Commission decided that the Orcutt Area should not be responsible for 100% of the cost of the facility, because many other users in the City will benefit from its construction.

Normally, the City would allocate all of the cost of this facility to the Orcutt Area, because if it were not for development in the Orcutt Area, the bridge would not be necessary at all. Likewise, there are facilities throughout the City that will be used by Orcutt Area residents that they will not have to pay for. In this manner the City can roughly balance the provision of facilities between neighborhoods for everyone's benefit. As an example, the proposed fees in the Orcutt Area do not collect a direct contribution to the Prado Road Extension project or bikeways in the Margarita Area, even though modeling shows that future Orcutt Area residents will use these facilities.

The Planning Commission made its recommendation based on public testimony that indicated the bridge would be used by a large number of residents outside the Orcutt Area. As a result, City staff is recommending that the Council allocate 80% of the cost of the bridge to the Orcutt Area, with the remaining 20% to be funded by the City. This will reduce the cost of the facility to the Orcutt Area by over \$300,000 (over \$300 per unit on average). City staff is confident that grant funding for the facility would be available to meet its portion of the obligation when enough fees have been collected through the Orcutt Area Fee Program. This may take a longer period of time than if the Orcutt Area

was solely responsible for the bridge project because other, higher priority bicycle grant projects are already awaiting grant funding.

c. Parkland Costs

As part of the process to create the Orcutt Area Fee Program described in Chapter 8, the City paid an appraiser, Schenberger, Taylor, McCormick and Jecker to prepare an evaluation of parkland value in the Orcutt Area (Attachment 5). The land associated with the Neighborhood Park is flat land and the acreage is exclusive of creek corridors. The direction provided to the appraisers was to advise the City regarding the future market value of parkland if it were zoned for low-density residential development. The appraiser concluded that the value of future residential land would be approximately \$500,000 per acre, after a 25% discount was applied because of uncertain market conditions (the report was prepared in June, 2008).

The reason parkland values were evaluated as residential land is because by accepting all of the parkland on their property, the Righetti land owners give up residential development potential. Conversely, other property owners in the Orcutt Area benefit from having the park located on the Righetti land because it reserves more of their properties for housing. The City also benefits from having one large neighborhood park, as opposed to multiple park facilities scattered throughout the area. The concentration of park facilities in this manner allows for more efficient maintenance and programming of recreational activities, including the provision of four tennis courts.

The Righetti property is the largest landholding in the Orcutt Area, encompassing Righetti Hill, the Neighborhood Park site, the multi-use regional detention basin and most of the residentially designated land south of 'B' Street. Of the 143 acres that make up the Righetti property, approximately 52 acres will be dedicated to the City without reimbursement. These areas include the Righetti Hill open space (48 acres), the trail junction parkland (2.49 acres), and the pocket parks located at each end of the regional detention facility, which will be used for passive recreation and for staging access to the Railroad Safety Trail.

The Righetti family is seeking compensation through the fee program for 11.39 acres of parkland, which includes the majority of the Neighborhood Park and the .26-acre pocket park at end of 'D' Street. Notwithstanding the \$500,000/acre value identified in the appraisal, the property owners have agreed to the parkland value established in the OASP, which is \$300,000 per acre.

d. Grant Funding for Orcutt Road Widening

Grant funding was recently used to complete the Orcutt Road widening project between Laurel Lane and the railroad tracks. With the project near completion, the City is able to substantially reduce the cost burden of this project on future residential development in the Orcutt Area. Specifically, the share of the project cost attributed to the Orcutt Area will be reduced from \$1,123,750 to approximately \$300,000. This will ultimately reduce impacts fees by approximately \$900 per unit on average.

2. School Site Issues

Population projections prepared by San Luis Coastal Unified School District show that a new school may be necessary once development of the Margarita Area and Orcutt Area is close to completion. The Orcutt Area is designed to accommodate a school within its internal street system. The location of the school was originally planned west of the Neighborhood Park site. However, during the planning process it became apparent that this location would be difficult to permit under State Department of Education guidelines because of its proximity to the railroad tracks. In 2009, the School District Board reviewed a study of alternative sites and decided not to pursue acquisition of the Neighborhood Park site.

As a result of the direction taken by the School District Board, the OASP does not include a specific site for a new elementary school. However, the OASP does include policy support for a school (see OASP Section 3.2.6 and Figure 3.1). The School District does not envision a new school facility being needed for ten to twenty years, which will provide the City and property owners time to facilitate their planning efforts for the eventual construction of a school in or near the Orcutt Area.

3. View Preservation on Righetti Hill

OASP Figure 2.9, shown on the previous page, highlights other key features of development on the east slope of Righetti Hill that will preserve views and lower the presence of rooflines on the hillside.

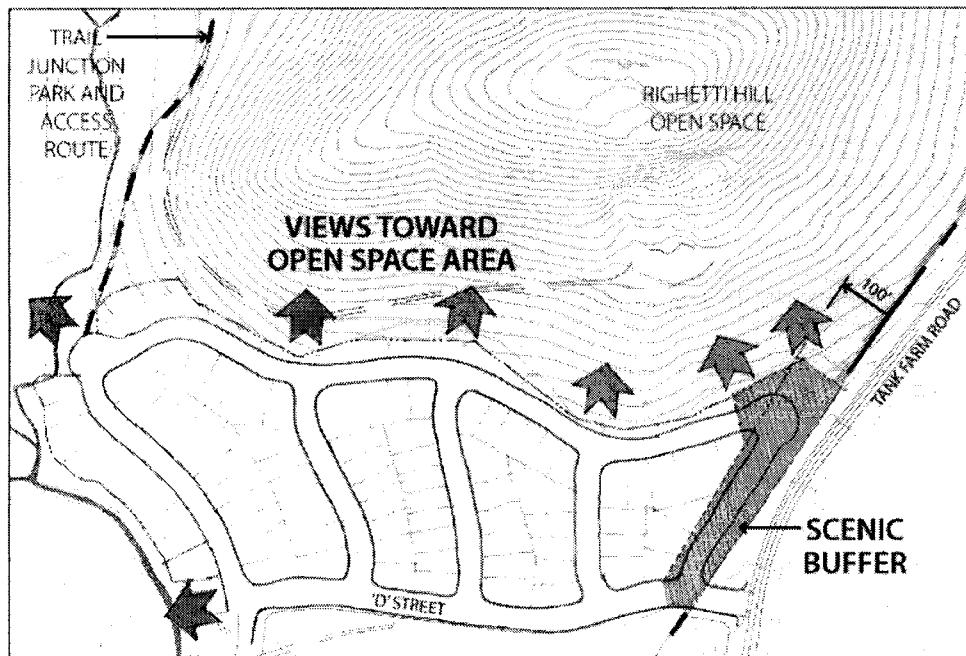


FIGURE 2.9 DIAGRAM OF STREET LAYOUT TO PRESERVE VIEWS OF RIGHETTI HILL

4. Affordable Housing

Section 3.3 of the OASP includes goals, policies and programs for affordable housing in the Orcutt Area. OASP Policy 3.3.1 requires all of the affordable housing required for new subdivisions to be met by building the affordable units within the Orcutt Area. The requirement for affordable housing is 5% low income units plus 10% moderate income units, and staff expects this requirement to add approximately 150 dwellings to the long-term affordability program. Additional affordable housing is expected as property owners take advantage of City and State affordable housing incentives, including density bonuses, fee waivers and exceptions to certain property development standards such as parking requirements and building height limitations.

Muick/Taylor Property Affordable Housing

During the past few months, City staff has been approached by representatives of the Muick/Taylor properties with a proposal to develop an affordable housing project. The project would include 40% affordable housing, with a mixture of affordability levels targeted, including up to eight extremely-low income units that could be used for transitional housing. The project would require phasing and the provision of interim services to the site via Orcutt Road. If sufficient information regarding the project can be produced by the owner's representatives in time, the Council may wish to consider including an overview of the project in Appendix A. Staff will present more information about the project during the public hearing and will make a recommendation regarding inclusion in the OASP at that time.

5. Individual Property Owner Concerns

Appendix A of the OASP includes a description of each property in the Orcutt Area and the desires of the property owner regarding future development. Appendix A was used during the planning process to facilitate the application of land use designations and to develop the phasing plan. It was also used to locate proposed infrastructure in such a way that existing homes and agricultural uses would not be impacted by new development, consistent with the intent of the "homesite" designation.

The homesite concept, discussed in Appendix A, was intended to address property owner concerns that annexation would involve substantial fees, assessments and requirements to dedicate land for right-of-way or other purposes. Owners wanted to shield their existing homes from impacts associated with annexation and development of other portions of the plan area.

The City's more recent experience with annexation of the Airport Area further supports the concept that a successful annexation requires the City to allow for the continuation of legal non-conforming uses, and avoid imposing new fees on property owners before they are ready to develop.

As a result, Appendix A has been updated to discuss current City practice with respect to annexation and provides property owners with assurances they desire regarding their

ability to continue to live on their properties without increased costs or fees imposed as a result of annexation or development of adjacent properties.

Final EIR – Program for Evaluation of New Development

The FEIR is an informational document that analyzes the environmental impacts of development envisioned by the OASP. The FEIR is published in a legislative draft format to show the changes made to the Draft EIR during the public review process. Section 10.0 of the FEIR includes the City's responses to the public comment received on the document.

The OASP is designed as a self-mitigating specific plan. In 2007, when preliminary environmental studies were available, the OASP land use plan, policies and programs were updated to reflect identified environmental constraints. In addition, Appendix C includes a list of all mitigation measures from the FEIR that are not reflected directly in the text of the OASP, for easy reference. Attachment 6, Exhibit A, includes the specific findings of fact showing each environmental impact will be mitigated to a less than significant level.

The following is an overview of key issue areas discussed in the FEIR.

1. Class I - Significant and Unavoidable Impacts

The FEIR identifies four impacts that are considered Class 1, significant and unavoidable, in the areas of aesthetics, air quality and noise. These impacts are summarized under the headings below. All other impacts identified in the FEIR are able to be mitigated to a less than significant level.

a. Aesthetics

Two significant and unavoidable impacts occur in the area of aesthetics because of the change of land use from rural to urban. One impact is caused by changes to the viewshed from Orcutt Road and Tank Farm Road, and another impact arises because of the project's affect on the aesthetic character of the site itself, including impeded views of Righetti Hill.

b. Air Quality

The OASP is consistent with the population assumptions of the City's General Plan and the Air Pollution Control District's Clean Air Plan (CAP). However, the OASP includes a low-density residential area of approximately 27 single-family homes outside of the current URL boundary. The CAP encourages development to occur within the URL of cities, therefore, the project is inconsistent with the CAP and a significant and unavoidable impact is identified.

c. Noise

The noise related impacts associated with specific plan development are considered significant and unavoidable. Development of the Orcutt Area will contribute to noise levels on surrounding streets, such as Orcutt Road, Tank Farm Road and Johnson Avenue, which already exceed the noise exposure standards established in the Noise Element of the City's General Plan. The FEIR concludes that development of the Orcutt Area will contribute further to noise levels that already exceed standards, and while mitigation measures have been included in the OASP, the impact is considered unavoidable.

Noise Element Policy 1.10 provides direction for when cumulative increases in noise levels resulting from new development significantly impact existing noise-sensitive land uses. Under these conditions, City policy recommends consideration of the following mitigation measures:

1. Rerouting traffic onto streets that can maintain desired levels of service, consistent with the Circulation Element, and which do not adjoin noise-sensitive land uses.
2. Rerouting trucks onto streets that do not adjoin noise-sensitive land uses.
3. Constructing noise barriers.
4. Lowering traffic speeds through street or intersection design methods (see also the Circulation Element).
5. Retrofitting buildings with noise-reducing features.
6. Establishing financial programs, such as low cost loans to owners of noise-impacted property, or establishment of developer fees to pay for noise mitigation or trip reduction programs.

Section 4.5 of the OASP discusses noise and addresses noise on surrounding streets, including Orcutt Road and Tank Farm Road. As development of the Orcutt Area progresses, the City will work with developers to implement Noise Element Policy 1.10.

d. Statement of Overriding Considerations

By adopting a statement of overriding considerations, the City can illustrate how the benefits of the project have been balanced with the unavoidable environmental risks. This statement is included as part of the findings for adoption of the FEIR, included in this agenda report as Exhibit A of Attachment 6. The following topics are highlighted in the statement of overriding considerations.

1. Provision of new Residential and Commercial Uses. The Orcutt Area Specific Plan will develop a new residential neighborhood to meet the City's housing needs and that designates sufficient land for neighborhood serving commercial uses to reduce vehicle trips and provide for the convenience of area residents.
2. Provision of a Variety of Housing Types for all Income Levels. The Orcutt Area Specific Plan provides a variety of housing types and costs to meet the needs of

renters and buyers with a variety of income-levels, including inclusionary affordable housing for residents with moderate, low and very-low income levels.

3. **Open Space and Natural Resource Protection.** Implementation of the proposed project would result in the creation of 47 acres of permanently-protected open space on Righetti Hill, and 34 acres of creek and wetland corridors and setback areas. The Specific Plan would protect and enhance Righetti Hill, creek/wetland habitats, and visual resources in open space areas.
4. **Provision of Park and Recreational Facilities.** The Orcutt Area Specific Plan will provide parks, recreational facilities, public squares, plazas and green spaces for residents of the Orcutt Area.
5. **Well-Planned Neighborhood Would Reduce Vehicle Trips.** The Orcutt Area Specific Plan would develop a new residential neighborhood to meet the City's housing needs and that designates sufficient land for neighborhood serving commercial uses to reduce vehicle trips and provide for the convenience of area residents. In addition, the Specific Plan encourages the use of bicycles and walking within the Plan Area by: (a) including specific policies and development standards that will result in subdivision and building designs that facilitate bike use and pedestrian access; (b) incorporating all classes of bike lanes and include bike and pedestrian paths through the parks and open space areas; and (c) providing parks, recreational facilities, public squares, plazas and green spaces for residents of the Orcutt Area.
6. **Provision of New Jobs.** The project would create new construction-related and permanent jobs in the project area. Planned commercial development would provide new jobs that are needed to support a household within the City.
7. **Implementation of the General Plan.** As required by the City General Plan, the Orcutt Area Specific Plan contains policies and standards that will facilitate appropriate development of land, protection of open space, and provision of adequate public facilities.

Based on the benefits discussed under these seven issue areas, the Planning Commission has recommended approval of the OASP, even though some of the impacts associated with the project are considered significant and unavoidable.

2. Discussion of Other Impacts

a. Traffic/Circulation

Impacts in the area of transportation are considered significant, but the mitigation measures identified in the FEIR will reduce these impacts to less than significant levels. Mitigation measures are required when operations at intersections, or on roadway segments, are reduced to an unacceptable Level of Service (LOS) defined in the City's General Plan, Circulation Element, as LOS E or F. The Baseline LOS, and the

Baseline+Project LOS, for roadways and intersections studied in the FEIR are identified in FEIR Tables 4.11-5 and 4.11-6, as follows:

Table 4.11-5. Baseline and Baseline + Project Roadway Segment Levels of Service

Roadway Segment	Type ¹	Baseline		Baseline + Project	
		Daily Volume	LOS ²	Daily Volume	LOS ²
1. Broad Street, south of Orcutt Road	4-Lane Class I Divided Arterial	36,420	E	38,046	E
2. Laurel Lane, north of Orcutt Road	4-Lane Divided Major Roadway (no left-turns)	12,060	C	12,894	D
3. Johnson Avenue, north of Orcutt Road	2-Lane Undivided Major Roadway	8,310	D	9,144	D
4. Johnson Avenue, north of Laurel Lane	4-Lane Divided Major Roadway (with left-turns)	16,660	D	18,328	D
5. Orcutt Road, west of the UPRR tracks	4-Lane Divided Major Roadway (with left-turns)	17,020	D	21,150	D
6. Orcutt Road, north of Tank Farm Road	2-Lane Undivided Major Roadway	8,140	D	8,912	D
7. Tank Farm Road, east of Broad Street	4-Lane Divided Major Roadway (with left-turns)	13,030	C	15,324	C
8. Tank Farm Road, east of the UPRR tracks	2-Lane Undivided Major Roadway	8,220	D	10,598	D

Notes:

¹ Roadway types identified in Table 3.

² LOS = Level of service.

Bold text denotes roadway segments with significant impacts.

Table 4.11-6. Baseline and Baseline + Project Intersection Levels of Service

Intersection	Traffic Control	Baseline		Project	
		Delay ¹	LOS ²	Delay ¹	LOS ²
1. Broad Street/South Street-Santa Barbara Street	Signal	31.2	C	35.4	D
2. Broad Street/Orcutt Road	Signal	27.9	C	31.6	C
3. Broad Street/Industrial Way	Signal	22.9	C	26.8	C
4. Broad Street/Tank Farm Road	Signal	36.3	D	41.1	D
5. Johnson Avenue/Laurel Lane	Signal	18.5	B	20.9	C
6. Orcutt Road/Laurel Lane	Signal	10.5	B	16.0	B
7. Orcutt Road/Johnson Avenue	All-Way Stop	18.1	C	23.1	C
8. Orcutt Road/Tank Farm Road	Two-Way Stop	17.6(31.5)	C (D)	38.5 (>50)	E (F)
9. Broad Street/Prado Road Extension	Signal	18.8	B	21.7	C

Notes:

¹ Whole intersection weighted average control delay expressed in seconds per vehicle using methodology described in the 2000 HCM. For side street stop controlled intersections, total control delay for the worst movement is presented in parentheses.

² LOS = Level of service. For side street stop controlled intersections, LOS for the worst movement is shown in parentheses. LOS calculations conducted using the Synchro level of service analysis software package.

Bold text denotes intersections with significant impacts.

As illustrated by these tables, one roadway segment and one intersection are expected to experience unacceptable levels of service after construction of the project, and mitigation measures are included to address these conditions, for instance a new signal is programmed for the intersection of Orcutt Road and Tank Farm Road. FEIR Table 4.11-8 identifies three additional intersections (study intersections 4, 7 and 9) that will experience unacceptable Levels of Service at General Plan buildout.

The projects needed to maintain an acceptable LOS at and along the impacted intersections and roadway segments are discussed in the FEIR, and in Chapter 5 of the OASP, Circulation. The fee program that will fund these projects is discussed in Chapter 8 of the OASP, Public Facilities Financing.

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b. Biological Resources

The Orcutt Area include four distinct habitat types that have varying suitability for supporting sensitive plant and animal species. These four habitat types are identified in FEIR Table 4.4-1, as follows.

Table 4.4-1. Habitat Summary Table

Habitat Type	Acres
Non-Native Annual Grassland *	222.3
Riparian Woodland	3.7
Wetland	3.9
Coastal Scrub	6.9

* Includes areas already developed with homes, or otherwise disturbed.

Non-native annual grassland is the dominant vegetative community found in the Orcutt Area, and is also the area where the majority of development is proposed. The City's existing policies require setbacks from riparian habitat areas and wetland areas, and the coastal scrub habitat on-site is associated with the upper slopes of Righetti Hill, which will be set aside as open space. Chapter 2 of OASP also includes goals, policies and programs that support preservation of habitat for sensitive plant and animal species, and appropriate mitigation where direct impacts are unavoidable or where surrounding development would segment a habitat area to the point where it would lose its value. For instance, Program 2.2.3b allows for .78 acres of isolated wetland seeps on the west side of Righetti Hill to be filled to allow for residential development. The OASP sets aside land suitable for wetland creation at twice the area of habitat lost, consistent with the City's Conservation and Open Space Element.

In the course of developing the OASP and FEIR, biological surveys were conducted in 1998, 2002 and again in 2004 to evaluate the likelihood that special status plants or animals would be present in areas that are proposed for development. The Orcutt Area was evaluated for the potential to provide suitable habitat for 35 special-status plant species, as listed in Table 4.4-2 of the FEIR. Similarly, Table 4.4-3 lists 20 special-status animal species that may be present in the area.

During the surveys conducted as part of the FEIR, the only special status plant species determined to be present was Cambria morning-glory. These specimens were found on the western slope of Righetti Hill, within the proposed open space area. However, habitat suitable for other important plant species is also present. Based on the results of the FEIR analysis, the OASP and FEIR include requirements for seasonally-timed botanical surveys for the special status plant species listed on the following page. Studies are also required to determine presence or absence of native bunchgrasses.

The results of these studies will be used as part of the evaluation of future subdivision proposals to determine if the proposed development is consistent with the goals, policies and programs included in Chapter 2 of the OASP. In general, avoidance of habitat areas in the preferred approach. However, the Orcutt Area includes substantial wetland, riparian, grassland and coastal scrub habitat set aside as open space that would be suitable to mitigate biological impacts if avoidance is not possible.

<u>Special-status plant species</u>	<u>Habitat</u>
<ul style="list-style-type: none"> • Adobe sanicle • Cambria morning-glory • Jones' layia • Marsh sandwort • Obispo Indian paintbrush • Rayless ragwort 	<ul style="list-style-type: none"> • grassland, isolated seeps on Righetti Hill • grassland • grassland • fresh water emergent wetland • grassland
<ul style="list-style-type: none"> • Saline clover • San Luis Obispo sedge 	<ul style="list-style-type: none"> • rocky slopes of Righetti Hill, grassland where weeds are scarce • grassland, wetland • grassland, coastal scrub, isolated seeps on Righetti Hill

No special status animal species were observed during the surveys conducted. However, suitable habitat does exist for several types of birds and other animals. As a result, the OASP and FEIR require pre-construction surveys for special status birds, including raptors and burrowing owls, monarch butterflies, and vernal pool fairy shrimp.

Overall, the Orcutt Area reflects lower habitat value for special status animal species because of the high degree of ground disturbance associated with on-going agricultural activities. In addition, the Orcutt Area is bound on all four sides by roadways and the railroad tracks, making migration of terrestrial animals more difficult.

Related General Plan Amendments

Exhibits B and C of Attachment 6 depict the General Plan Amendments associated with adoption of the OASP. Exhibit B shows how the LUE Map will be updated to implement the land uses approved as part of the OASP. Exhibit C shows a modification to the Urban Reserve Line (URL).

The URL currently includes all of the Orcutt Area with the exception of the Righetti Hill open space. During the process to develop the OASP, a closer look at the location of the URL resulted in a decision by the Planning Commission to modify the line to exclude some areas on the hillside that are less suitable for development and include some flat land on the northeast side of the hill that could accommodate low-density residential development.

As a result, implementation of the OASP includes an amendment to the URL that would incorporate approximately seven acres of gently rolling land on the northeast side of the hill, while excluding a similarly sized area of steeply sloping land on the east side of the hill. Currently, the URL follows the dirt road along the east side of the hill that leads up to the abandoned mine. The proposed URL amendment would lower the URL by 100 to 300 feet on the hillside.

CONCURRENCES

The OASP and FEIR was developed through a collaborative process that included all City departments with development review and public services requirements for development

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in the Orcutt Area. In addition, the Draft EIR was routed through the State Clearinghouse to agencies with jurisdiction over development related activities in the Orcutt Area, including the State Department of Fish and Game, the Regional Water Quality Control Board, the Air Pollution Control District and the County Agricultural Commissioners Office. Each of these agencies has contributed comments that are reflected in the OASP and FEIR.

FISCAL IMPACT

When the General Plan was prepared, it was accompanied by a fiscal impact analysis, which found that overall the General Plan was fiscally balanced. Development of the Orcutt Area as a residential expansion area is consistent with the General Plan. Therefore (even though residential areas normally cost more to maintain than they produce in city revenue), the land use program as a whole will remain fiscally balanced with development of the Orcutt Area.

ALTERNATIVES

1. Direct staff to make revisions to the proposed public hearing schedule.
2. Continue consideration of the proposed public hearing schedule and direct staff to provide additional information to the City Council regarding the specific plan and FEIR at a future meeting.

ATTACHMENTS

1. Council Agenda Report (2-12-08)
2. Planning Commission Minutes (12-10-09)
3. OASP Table 8.6: Orcutt Area Fee Program Summary
4. Dokken Engineering Bridge Estimate
5. OASP Parkland Appraisal
6. Resolution certifying the FEIR and approving the OASP

COUNCIL READING FILE

1. Orcutt Area Specific Plan, Final Program EIR, Technical Appendices
2. Orcutt Area Specific Plan, Public Facilities Financing Plan

The Planning Commission Draft of the Orcutt Area Specific Plan and FEIR are available for review and purchase at the Community Development Department, 919 Palm Street.

These documents can also be downloaded from the City's website:
<http://www.slocity.org/communitydevelopment/oasp.asp>



council agenda report

CITY OF SAN LUIS OBISPO

Meeting Date	2/12/08
Item Number	552

FROM: John Mandeville, Community Development Director
Prepared By: Michael Codron, Associate Planner

SUBJECT: PRESENTATION OF THE PUBLIC HEARING DRAFT OF THE ORCUTT AREA SPECIFIC PLAN (OASP), AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR).

CAO RECOMMENDATION

Receive a presentation on the OASP and DEIR, consider the proposed public hearing schedule, and direct staff to proceed through the public review process.

REPORT-IN-BRIEF

The Orcutt Area has been identified as one of the City's main residential expansion areas since the 1970's. In 1998, the City accepted a Planning Application from certain Orcutt Area property owners requesting approval of a draft specific plan that they had prepared. After the application was submitted, the City began working with all Orcutt Area property owners and other stakeholders to develop a recommendation based on input from all of the property owners, the school district, as well as General Plan policy input from staff. In 2002, the City Council approved preparation of an environmental impact report based on a revised specific plan as the project description and basis for environmental review.

A public hearing draft of the OASP and the DEIR for the project have been published and are now being presented to the City Council. The OASP provides for the development of approximately 1,000 new residences within the 230 acre plan area. Approximately 45% of the Orcutt Area will be dedicated as open space or park land. The OASP also provides for a centralized commercial core, a public school site and transportation projects including a pedestrian and bike path over the railroad tracks at Industrial Way.

A public hearing schedule has been prepared that involves review of the OASP by several advisory bodies including the Parks and Recreation Commission, Airport Land Use Commission, Bicycle Advisory Committee, Cultural Heritage Committee, Architectural Review Commission and Planning Commission. Staff is recommending that the City Council direct staff to proceed through the public hearing process at this time.

DISCUSSION

Brief History of the OASP and EIR Process

The City's General Plan has identified the Orcutt Area as a residential expansion area since the 1970's. The current boundaries of the Orcutt Area were established with the 1994 Land Use Element Map. Land Use Element Policy 1.12.3, also adopted in 1994,

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says that no portion of the Orcutt Area may be annexed before a specific plan is prepared for the whole expansion area.

In the late 1990's, certain property owners within the Orcutt Area began working with Andrew Merriam, a local planner and designer, to prepare a specific plan to guide future development. An application was submitted to the City in December, 1998, and the City hired a planning consultant, Rincon Consultants, to help process the specific plan.

During the first few years, the consultant and City staff worked with all of the property owners in the Orcutt Area that were willing to participate to try to develop consensus over land use issues and development costs. After many revisions, a revised draft of the specific plan was prepared in 2002, which was accepted by the majority of property owners and the City Council as the project description for environmental review (Attachment 1, City Council Minutes, 10-1-02).

In 2003, the City Council authorized a scope of work for an environmental impact report (EIR) and agreed to share the cost of preparing the EIR with the applicants (Attachment 2, City Council Minutes, 2-4-03). Rincon Consultants, Inc., was selected as the EIR consultant and the Planning Commission held a public scoping meeting on February 19, 2004, initiating the EIR preparation process. City costs associated with processing the OASP and DEIR will be recovered through fees on future development.

2005 Environmental Studies Workbook and OASP Update

In 2005, the OASP DEIR was near completion when changes to the Urban Reserve Line (URL) associated with adoption of the Airport Area Specific Plan made a new traffic study necessary. When the URL was changed, the City's traffic model was updated to include traffic generated by urban land uses on the Avila Ranch property along Buckley Road. Once the traffic model was updated, it was determined that the OASP traffic study would also need to be updated to insure accurate results for area intersections and roadways, such as the Tank Farm/Broad intersection.

It took approximately one year for a new traffic study to be prepared. During this time, the City and property owners took advantage of the downtime to update the OASP based on all of the environmental studies that had been completed. The intent was to create a self-mitigating specific plan. In other words, all of the mitigation measures now identified in the DEIR are also reflected in the goals, policies, programs and standards of the OASP. Certain mitigation measures that were too detailed for the body of the specific plan document are listed in Appendix C of the OASP.

Entitlements Requested Include Annexation

The entitlements that have been requested through the planning application process include General Plan amendments, pre-zoning, approval of the specific plan, environmental review and annexation.

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Public Hearing Schedule

With the publication of the OASP and DEIR, a public hearing schedule has been prepared for Council's consideration (Attachment 3). The schedule includes hearings for several committees and commissions, including the Airport Land Use Commission, the Parks and Recreation Commission, the Bicycle Advisory Committee along with the Architectural Review Commission, the Cultural Heritage Committee and the Planning Commission. This schedule is subject to change should a need for more lengthy review arise, especially at the Planning Commission.

The discussions and conclusions made by the various advisory bodies will be reported to the Planning Commission for consideration as part of their recommendation to the City Council on the OASP and DEIR. The schedule culminates with City Council hearings to consider the Planning Commission's draft of the OASP, beginning in July, 2008.

Overview of the Orcutt Area Specific Plan: Key Issues

Generalized Project Description

The Orcutt Area is located in the unincorporated county, southeast of and adjacent to the City limits. The 230 acre area is bounded on three sides by the existing city limits, with Tank Farm Road to the south, Orcutt Road to the east and north, and the Union Pacific Railroad (UPRR) to the west (Attachment 4, Vicinity Map). There are currently 21 parcels, with thirteen different property owners, in the Orcutt Area.

The OASP includes policies and programs that will guide future annexation and development of the area in a manner consistent with the General Plan, as required by state law. It calls for open space, park, residential, and mixed residential and commercial land uses (mixed-use development) as well as associated roads and multi-use pedestrian/bike paths. A potential site for a school is also identified. Residential development would take up approximately half of the total area, open space and recreation approximately 45%, and the remaining land would be developed with mixed-use and public facilities. At full buildout the plan provides for 979 homes. The OASP contains detailed information on the acreage and location of each use, but since the exact size of future parcels cannot be determined at the specific plan level, these numbers have been generalized (Attachment 5, Land Use Summary).

Specific Plan Features

Some of the key features of the OASP include dedication of the Righetti Hill open space, including trail access from the neighborhood park; extension of the Railroad Safety Trail between Orcutt Road and Tank Farm Road; a centralized commercial core located across the street from the park and school site; a variety of housing types with 75% of the units planned to be in the form of duplex or other multi-family configuration; policies that require about 150 deed-restricted affordable dwelling units to be constructed within the Orcutt Area; guidelines to create a cohesive neighborhood character through the design of public and private improvements; a regional drainage solution; plans for transit to serve

the neighborhood; and a pedestrian and bike bridge that would connect the Orcutt Area to Industrial Way and to the Broad Street corridor, including the Marigold Center.

School Site Issues

The location of the school site has been the subject of many meetings with School District staff as the OASP has been refined. The plan shows the 4.62-acre site located west of the neighborhood park, with a shared school/park facility located between the school and the railroad tracks (Attachment 6, Neighborhood Park/School Plan). Consultations with the San Luis Coastal Unified School District indicate that the proposed location is preferred to previously proposed sites (Attachment 7, SLCUSD correspondence).

Parkland Issues

The Parks and Recreation Element says that residential annexation areas shall dedicate ten acres of parkland per 1,000 residents, with five acres per 1,000 residents to be developed as a neighborhood park. Average household size in the City is 2.198 people, and the Orcutt Area is expected to accommodate between 2,151 and 2,198 people. Therefore, the specific plan is required to provide between 21.5 and 22 acres of parkland with approximately 11 acres developed as a neighborhood park.

Development of the OASP would include a 12.39 acre neighborhood park, meeting the Parks and Recreation Element requirement for *developed* parkland. The OASP identifies a total of 20.72 acres of parkland, however, additional analysis and decision making is necessary to determine if the proposed parkland dedications meet all of the applicable City policies and standards. For instance, the OASP currently identifies 1.55 acres of playgrounds within multi-family developments in the parkland total. According to the Subdivision Regulations, such private recreation facilities may be counted towards meeting the City's parkland requirements, with City Council approval.

In addition, some acreage that would normally count towards the total parkland acreage, such as the area of the planned trail to the top of Righetti Hill, is not factored into the OASP land use summary for parkland.

City staff and the applicants will continue to work through this issue and hope to develop a resolution to the parkland requirement when we meet with the Parks and Recreation Commission on March 5, 2008.

Urban Reserve Line

The 2002 draft of the OASP showed a modification to the Urban Reserve Line (URL) to include all of the Orcutt Area. However, since Righetti Hill is to be designated Conservation/Open Space with no need for City services, a revision was made to the current OASP to keep the URL in its present location, with the exception of approximately 7 acres of land on the northeast edge of the open space area that is designated in the specific plan for low-density residential. A modification to the URL in

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this location is one of the General Plan amendments requested by the applicants that will be evaluated during the public review process.

Affordable Housing

Section 3.3 of the OASP includes goals, policies and programs for implementing the General Plan Housing Element in the Orcutt Area. OASP Policy 3.3.1 establishes a requirement that all of the affordable housing required by the City for expansion areas (5% low income units plus 10% moderate income units for a total of about 150 units) shall be met by building the affordable units on-site, within the Orcutt Area.

The low income unit requirement would be met through dedication of improved land (with curb, gutter, sidewalk, street and utilities installed) to a City-approved affordable housing developer. The moderate income unit requirement would be met by requiring each subdivision in the Orcutt Area to construct a minimum of 10% of the proposed units for moderate income households.

Public Facilities Financing Plan

The City has recently contracted with Goodwin Consulting Group to prepare a Public Facilities Financing Plan for the OASP. The plan will become Chapter 8 of the specific plan document. The plan will evaluate the financial feasibility of all of the public improvements identified in the OASP and DEIR, and will recommend a fee program to insure that the costs of these improvements are equitably distributed to the property owners in the Orcutt Area. The PFFP will also identify financing mechanisms that would be available to the owners and developers of the Orcutt Area, such as assessment districts and reimbursement agreements.

Draft EIR and Significant Impacts

The DEIR is a public, informational document that analyzes the environmental impacts of development envisioned by the OASP. State law requires the City to establish a 45-day public review period for the DEIR. During this time, public comments regarding potential environmental impacts that are made during public hearings or in writing to City staff are considered. After the public comment period closes, a Final EIR is prepared, which includes responses to all of the public comment made during the 45-day review period. The 45-day period for the OASP DEIR is proposed to run from Wednesday, February 13th, to Monday, March 31st.

The DEIR identifies four impacts that are considered Class 1, significant and unavoidable, in the areas of aesthetics, air quality and noise. These impacts are summarized under the headings below. All other impacts identified in the DEIR are able to be mitigated to a less than significant level.

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PH2-22

Aesthetics

Two significant and unavoidable impacts occur in the area of aesthetics because of the change of land use from rural to urban. One impact is caused by changes to the viewshed from Orcutt Road and Tank Farm Road, and another impact arises because of the project's affect on the aesthetic character of the site itself, including impeded views of Righetti Hill.

Air Quality

The OASP is consistent with the population assumptions of the City's General Plan and the Air Pollution Control District's Clean Air Plan (CAP). However, the OASP includes a low-density residential area of approximately 27 single-family homes outside of the current URL boundary. The CAP encourages development to occur within the URL of cities, therefore, the project is inconsistent with the CAP and a significant and unavoidable impact is identified.

Noise

The noise related impacts associated with specific plan development are considered significant and unavoidable. Development of the Orcutt Area will contribute to noise levels on surrounding streets, such as Orcutt Road, Tank Farm Road and Johnson Avenue, which already exceed the noise exposure standards established in the Noise Element of the City's General Plan. The DEIR concludes that development of the Orcutt Area will contribute further to noise levels that already exceed standards, and while mitigations have been included in the OASP, the impact is considered unavoidable.

Noise Element Policy 1.10 provides direction for when cumulative increases in noise levels resulting from new development significantly impact existing noise-sensitive land uses. Under these conditions, City policy recommends consideration of the following mitigation measures:

1. Rerouting traffic onto streets that can maintain desired levels of service, consistent with the Circulation Element, and which do not adjoin noise-sensitive land uses.
2. Rerouting trucks onto streets that do not adjoin noise-sensitive land uses.
3. Constructing noise barriers.
4. Lowering traffic speeds through street or intersection design methods (see also the Circulation Element).
5. Retrofitting buildings with noise-reducing features.
6. Establishing financial programs, such as low cost loans to owners of noise-impacted property, or establishment of developer fees to pay for noise mitigation or trip reduction programs.

Section 4.5 of the OASP discusses noise and addresses noise on surrounding streets, including Orcutt Road and Tank Farm Road. Johnson Avenue must also be addressed in this section of the specific plan.

Traffic/Circulation

Several required transportation projects, both on-site and off-site, are identified in the DEIR. These projects include improvements to major intersections such as Orcutt/Johnson, Tank Farm/Orcutt, Laurel/Orcutt, and South/Broad. The costs associated with all of the off-site and on-site transportation improvements identified in the DEIR have been estimated by Wallace Group, who was retained by the City and the property owners jointly to prepare costs estimates for the proposed projects. These cost estimates will serve as the basis for the fee program that is being developed as part of the Public Facilities Financing Plan.

Biological Resources

The DEIR is a *program level* environmental impact report. With respect to biological resources this means that the potential affects of the project are analyzed and the DEIR establishes a method that all future development must follow to insure that potential site specific impacts are addressed. For instance, buildout of the OASP has the potential to impact both plant and animal species endemic to the area. The DEIR establishes study requirements and mitigation responsibilities that would apply to future development on a case by case basis, depending on whether or not the resources are present on the particular site of a proposed subdivision or development project. The DEIR establishes a program for mitigating impacts to biological resources that is very similar to the program approved for the Margarita Area and Airport Area Specific Plans.

Neighborhood Center Alternative

When the City Council authorized the preparation of the DEIR, it also authorized funds for an alternative land use plan to be prepared for the Orcutt Area. The City and Orcutt Area property owners shared costs for Stephanos Polyzoides (of Moule and Polyzoides, Inc.) to prepare the Neighborhood Center alternative plan, which is analyzed in Section 8.2 of the DEIR. From an environmental perspective, the Neighborhood Center plan is considered inferior to the proposed specific plan because of increases in noise, traffic, and water demand, and reduced airport compatibility.

Other Environmental Impacts

Other issue areas covered in the DEIR include cultural resources, public safety, public services, water/wastewater, drainage and water quality, geologic hazards, agricultural resources, growth inducing impacts, cumulative impacts and global climate change.

CONCURRENCES

The OASP and DEIR were developed through a collaborative process that included all City departments with development review and public services requirements for development in the Orcutt Area. The DEIR has been sent to the State Clearinghouse and is being distributed to various California agencies for comment. Comments on the DEIR will be addressed by the consultant in the Final EIR.

FISCAL IMPACT

When the General Plan was prepared, it was accompanied by a fiscal impact analysis, which found that overall the General Plan was fiscally balanced. Development of the Orcutt Area as a residential expansion area is consistent with the General Plan. Therefore (even though residential areas normally cost more to maintain than they produce in city revenue), the citywide land use program will remain fiscally balanced with development of the Orcutt Area.

City costs associated with processing the OASP include costs for a part-time consultant between 2000 and 2002 (approximately \$63,830), the cost of the Environmental Impact Report (approximately \$200,000) and the cost of a consultant hired by the City to prepare an alternative design for the Orcutt Area (\$25,000). The City and the applicants are sharing in the EIR preparation costs, for a total City outlay of approximately \$188,830. These costs will be recovered by the City through a fee program that would be established with approval of a specific plan for the Orcutt Area.

ALTERNATIVES

1. Direct staff to make revisions to the proposed public hearing schedule.
2. Continue consideration of the proposed public hearing schedule and direct staff to provide additional information to the City Council regarding the specific plan and DEIR at a future meeting.

ATTACHMENTS

1. City Council Minutes 10-1-2002
2. City Council Minutes 2-4-2003
3. Proposed Public Hearing Schedule
4. Vicinity Map
5. OASP Table 1.1 (Land Use Summary)
6. OASP Figure 2.5 (Neighborhood Park Plan)

The Orcutt Area Specific Plan and Draft EIR are available for review and purchase at the Community Development Department, 919 Palm Street. These documents can also be downloaded here: <http://www.slocity.org/communitydevelopment/oasp.asp>

**SAN LUIS OBISPO
PLANNING COMMISSION MINUTES
December 10, 2009**

Attachment 2

ROLL CALL:

Present: Commissioners Michael Boswell, Michael Draze, Eric Meyer, Vice-Chairperson Michael Multari, and Chairperson Charles Stevenson

Absent: Commissioners Airlin Singewald, Mary Whittlesey

Staff: Deputy Community Director Kim Murry, Housing Programs Manager Michael Codron, Director John Mandeville, Peggy Mandeville Public Works and Recording Secretary Janet Miller

ACCEPTANCE OF THE AGENDA:

The agenda was accepted as presented.

PUBLIC COMMENTS ON NON-AGENDA ITEMS:

There were no comments made from the public.

MINUTES: Minutes of November 12, 2009 were approved as presented.

Commissioner Boswell recused himself from the public hearing item due to a potential conflict of interest.

PUBLIC HEARINGS:

1. Orcutt Area. GP/SP/ER 209-98: Consideration of a recommendation to the City Council to adopt the Draft Orcutt Area Specific Plan (OASP) and certify the Final Environmental Impact Report for the project, including recommendations for General Plan Amendments needed to implement the OASP, and recommendations establishing pre-zoning for the Orcutt Area that would take recommendations for General Plan Amendments needed to implement the OASP, and recommendations establishing pre-zoning for the Orcutt Area that would take effect upon future annexation, including an ordinance to rezone 3750 Bullock Lane from Conservation/Open Space/Special (c/OS-S) to Medium High Density Residential/Specific Plan (R-3-SP) and Community Commercial/Specific Plan (C-C-SP); Barbara Parsons, applicant. (Michael Codron)

Michael Codron, Housing Programs Manager, presented the staff report, recommending that the Planning Commission recommend approval of the Orcutt Area Specific Plan (OASP), the project's Environmental Impact Report (EIR) and related implementation measures to the City Council, based on findings and subject to conditions which he outlined.

PUBLIC COMMENTS:

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PUBLIC COMMENTS:

Andrew Merriam, applicant's representative, spoke in support of the staff recommendation and reducing facility costs to make housing development viable.

Mike Cannon, applicant's representative, spoke in opposition to the bicycle/pedestrian bridge proposed at Industrial Way due to concerns safety, maintenance, and visual issues. Mr. Cannon suggested that the impact fees associated with the bridge could be allocated to alternative bike projects.

Nick Muick, San Luis Obispo, Orcutt Area property owner spoke in opposition to the costs associated with the project, including parkland.

Patti Taylor, San Luis Obispo, Orcutt Area property owner noted concerns with development costs. Ms. Taylor requested that the Commission have staff evaluate the legality of the applicant-drive specific plan, provide examples within the state where other jurisdictions have accepted applications for specific plans, and provide a legal opinion regarding the EIR because it does not provide adequate public information on the financial plan and project costs.

Ed Garay, San Luis Obispo, Orcutt Area property owner, requested that his Orcutt area property be excluded from the project.

Glen Mattesson, Bicycle Advisory Committee, spoke in support of the bicycle/pedestrian bridge at Industrial Way.

Robert Maddalena, San Luis Obispo, Orcutt Area property owner, expressed concerns that the proposed fees would make development infeasible.

David Grey, San Luis Obispo, spoke in support of the project but did not support the bridge as part of this plan.

Dan Rivoire, San Luis Obispo, spoke in support of the bicycle and pedestrian bridge.

Jeanne Helphenstine, San Luis Obispo, spoke in support of the project. Ms. Helphenstine questioned the need and cost of the proposed bridge.

There were no further comments made from the public.

STAFF COMMENTS TO PUBLIC COMMENTS:

Mr. Codron replied to questions raised with the following responses:

1. The Hansen Lane project is included in the OASP in order to address overall project-related increases in vehicle trips expected to occur on Orcutt Road, not because of the few units planned immediately adjacent to the area.
2. The fee program can change over time, as new information becomes available. In some cases, costs may increase as building materials become more

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expensive, or costs may go down in the event that other funding sources for projects, such as grant funding are acquired.

3. The parkland value was based on an independent appraisal commissioned by the City, which estimates that parkland value at the time of dedication will be \$500,000 per acre. However, based on the desire to develop consensus, the property owners had agreed to a value of \$300,000 per acre for the Neighborhood Park land.
4. The consent of property owners is not required in order to create and approve a specific plan, since it is a planning document and not an actual development project.
5. For those property owners that didn't allow for the initial evaluation of biological and cultural resources to occur on their property during the EIR process, there are requirements in the Final Program EIR for future evaluations to be concluded prior to any development.
6. The School District has provided an evaluation of alternative school sites, which is included in the OASP by reference and kept on file in the Community Development Department.

COMMISSION COMMENTS:

Commr. Draze discussed the difference between a project and a plan. Mr. Draze noted that the cost concerns were ultimately a City Council decision about whether to share in the costs of certain facilities, such as the bridge.

Commr. Meyer discussed bicycle connectivity, the City's long term goals for bicycle transportation, and noted that the bridge was important over the long-term.

Vice-Chair Multari noted that the current economic conditions should not be the basis for decisions regarding long term development. Mr. Multari requested clarification on whether the bridge was an EIR mitigation measure. Staff replied that the bridge was not a mitigation measure, but was part of the project description.

Chairperson Stevenson supported the range of housing opportunities being planned for the area and suggested that grants be sought to fund the bridge.

On motion by Commr. Draze, seconded by Commr. Meyer, to adopt a resolution recommending the City Council certify the Final Program EIR for the OASP, based on findings and subject to a Mitigation Monitoring Reporting Plan, as recommended by staff.

AYES: Comms. Draze, Meyer, Vice-Chair Multari, and Chairperson Stevenson
NOES: None
RECUSED: Commr. Boswell
ABSENT: Comms. Singewald and Whittlesey

The motion passed on a 4:0 vote.

On motion by Vice-Chair Multari, seconded by Commr. Draze, to recommend City Council approval of the Planning Commission Draft of the Orcutt Area Specific Plan, with the following two considerations, (1) the cost of the bike bridge should be allocated to the Orcutt Area at less than 100%, and (2) that property owners be given an option for providing parkland. The motion also directs staff to include additional findings regarding the long-term nature of the project; that planning for the Orcutt Area requires an inter-generational look at infrastructure requirements; and that development in the Orcutt Area will be better served by City infrastructure than by development under County standards.

AYES: Commrs. Draze, Meyer, Vice-Chair Multari, and Chairperson Stevenson
NOES: None
RECUSED: Commr. Boswell
ABSENT: Commrs. Singewald and Whittlesey

The motion passed on a 4:0 vote.

On motion by Vice-Chair Multari, seconded by Commr. Meyer, to recommend that the City Council approve amendments to the General Plan Land Use Map and to Land Use Element Figure #2, establishing new land use designations for the Orcutt Area and amending the Urban Reserve Line as shown in the OASP.

AYES: Commrs. Draze, Meyer, Vice-Chair Multari, and Chairperson Stevenson
NOES: None
RECUSED: Commr. Boswell
ABSENT: Commrs. Singewald and Whittlesey

The motion passed on a 4:0 vote.

On motion by Commr. Meyer, seconded by Commr. Draze, to recommend that the City Council rezone property located on 3750 Bullock Land from Conservation/Open Space/Special to Medium-High Density Residential-Specific Plan, and Community Commercial-Specific Plan.

AYES: Commrs. Draze, Meyer, Vice-Chair Multari, and Chairperson Stevenson
NOES: None
RECUSED: Commr. Boswell
ABSENT: Commrs. Singewald and Whittlesey

The motion passed on a 4:0 vote.

On motion by Vice-Chair Multari, seconded by Commr. Meyer, to recommend that the City Council approve annexation pre-zoning for land in the Orcutt Area, consistent with the land use designations shown in the OASP.

AYES: Commrs. Draze, Meyer, Vice-Chair Multari, and Chairperson Stevenson
NOES: None
RECUSED: Commr. Boswell

ABSENT: Commrs. Singewald and Whittlesey

The motion passed on a 4:0 vote.

COMMENT AND DISCUSSION:

2. Staff

- a. Agenda Forecast – Staff provided an agenda forecast of the January 13th meeting.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

Respectfully submitted by

Janet Miller
Recording Secretary

TABLE 8.6 – TOTAL PROJECT SPECIFIC PLUS CITY-WIDE AND OTHER IMPACT FEES

Land Use	Project-Specific Impact Fees				City-Wide Impact Fees			Other Impact Fees		Total Gross Fees per Unit	Total Gross Fees per Net Acre		
	Transportation	Pedestrian and Bicycle Paths	Parks & Recreation	Parkland	Total Project-Specific Impact Fees	Transportation Impact Fee	Water Impact Fee	Sewer Impact Fee	Total City-Wide Fees			Specific Plan and EIR Fee	Total Other Fees
Single Family	\$6,218	\$3,270	\$5,352	\$4,425	\$19,265	\$3,220	\$15,919	\$6,946	\$26,085	\$737	\$737	\$46,087	\$275,849
Multi-Family	\$4,344	\$2,284	\$3,983	\$3,293	\$13,904	\$2,858	\$12,735	\$5,557	\$21,150	\$276	\$276	\$35,330	\$564,303

PH2-31



SAN LUIS OBISPO BICYCLE BRIDGE OVER UPR

PLANNING STUDY OPTION COST COMPARISON

Constants: Costs: Approach = \$20 /ft²
 Ramp Structure = \$130 /ft²
 Bridge Structure = \$200 /ft²

Width: 10 ft

LOCATION OPTION	West Approach		West Ramp		Bridge Structure		East Ramp		East Approach		STRUCTURE/ RAMP COST
	length, ft	cost	length, ft	cost	length, ft	cost	length, ft	cost	length, ft	cost	
Industrial Way	180	\$ 36,000	220	\$ 286,000	200	\$ 400,000	300	\$ 390,000	300	\$ 60,000	\$ 1,200,000
<i>Reference estimates:</i>											
Francis:	112	\$ 22,400	249	\$ 323,700	260	\$ 520,000	0	\$ -	311	\$ 62,200	\$ 900,000
Humbert:	200	\$ 40,000	154	\$ 200,200	205	\$ 410,000	167	\$ 217,100	125	\$ 25,000	\$ 900,000
Lawrence: A	72	\$ 14,400	180	\$ 234,000	200	\$ 400,000	258	\$ 335,400	106	\$ 21,200	\$ 1,000,000
B	125	\$ 25,000	109	\$ 141,700	200	\$ 400,000	258	\$ 335,400	106	\$ 21,200	\$ 900,000

Summary
 Structure Cost \$1,200,000
 Design/Environmental/Permitting \$300,000
 Construction Management \$100,000
 Contingency 10% \$160,000
Total \$1,760,000

PH2-32

Attachment 4

SCHENBERGER, TAYLOR, McCORMICK & JECKER

I N C O R P O R A T E D

Real Estate Appraisers, Consultants and Investment Analysts
Founded in 1972

Attachment 5

Emeritus

Richard L. Schenberger, ARA

Principals of the Firm

Gerald C. Taylor, SREA, MAI

Rollie A. McCormick, MAI

Jerald W. Jecker, SRA

Todd O. Murphy, MAI, ARA

Associates

Jenna R. Moran

JoAnn C. Wall

June 27, 2008

Mr. Michael Codron, Associate Planner
Community Development Department
City of San Luis Obispo
919 Palm Street
San Luis Obispo, California 93401-3218

Re: *Real Estate Market Data*
Residential Development Land

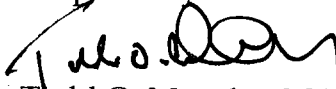
Dear Mr. Codron:


As you have requested, we have completed a survey of real estate market data relating to potential residential development land in the City of San Luis Obispo and nearby communities. Enclosed is our report showing significant details of this investigation. The intended use of this survey is for pricing potential development land for dedication and/or mitigation purposes as part of the Orcutt Area Specific Plan. This survey is used to evaluate the approximate land value range suggested by Mr. Byron Grant of South County Realty in his memo to Mr. Andrew Merriam, dated April 4, 2008. The intended user of this report is the City of San Luis Obispo. No other uses or users are intended by the appraisers.

This report was developed in conformance with the Uniform Standard of Professional Appraisal Practice (USPAP), and reflects an effective date of June 24, 2008.

Thank you for the opportunity to be of service. Please contact Todd Murphy with any questions at (805) 544-2472, Extension 15.

Respectfully submitted,


Todd O. Murphy, MAI, ARA
Principal of the Firm
California License # AG002286


John E. Butler
Associate Appraiser
California License # AT028761

TOM/JEB/jsi

Enclosure

PH2-33

Real Estate Market Data Survey

This survey compiles the most relevant available data involving potential residential development land. The term "Market Data" means an actual sale or listing of a parcel of real property that features a most probable use as residential development land. A "Sale" means an actual completed transaction, whereas, a "Listing" represents an offer to sell, but no completed sale.

This survey has been compiled by reviewing numerous sources, including deed recordings and the local Multiple Listing Service (MLS) and interviews with real estate brokers and real estate appraisers. A total of 34 data points were identified (31 sales and 3 listings).

Data Tables

The identified market data has been presented in several tables to provide easier analysis. Subdivision Land Sale Summary Table 1 arrays the market data by sale date and applicable density with the oldest sale shown as Land Sale 1, and the more recent sales following sequentially. The data is sorted by residential density classification. The first group comprises the low-density residential properties (typically R1 zoning), the higher densities follow (zonings R2, R3, and R4). The current listings are shown at the end of the appropriate data group with an "L" next to the sale date.

Subdivision Land Sale Summary Tables 2 through 4 rank the market data by various key comparable criteria, including development density (number of development units per acre) and project scale (size of the project).

Comparative Criteria

Land sales are evaluated based on various comparative criteria or variables that affect the prices. These key variables are briefly reviewed as follows:

Date of Sale/Market Conditions

Generally, the local residential development market reflected a surging market and price environment up through the middle of 2006. The first indication of a "sea change" was evident in the late spring/early summer of 2006, with a fairly abrupt change in market conditions.

Residential home sales activity dwindled through 2006, while development land sales dropped off rather dramatically. Residential land sales that have occurred subsequent to June 2006 reflect this distinct change in market conditions.

The two very dated (2002) sales considered here represent sales within the annexation area boundaries near San Luis Obispo. These are used for price benchmarking purposes. The older, 2004 to June 2006, sales are also useful for historical trending purposes. Greater weight is typically given to the most current sales that have occurred subsequent to mid-2006, although these are comparatively few in number.

Market Cycles

This appraisal reflects the market conditions that are effective as of the current date of value. Residential market conditions typically cycle between strong and weak market periods. This latest "boom" period was quite long by historical standards*, so it is uncertain how long the recovery will take. Market experts are predicting at least 12 to 24 months before a corresponding market rebound.

Data Quantity

Due to past community growth controls, the City of San Luis Obispo has historically reflected relatively limited availability of subdivision development land. As such, much of the land sales in the City of San Luis Obispo are infill properties. On a broader, countywide scale, this analysis benefits from an active market environment in residential development land through 2006, but has declined substantially since then. The fewer sales since mid-2006 creates a bit of a "data gap."

Locational Factors

Many of the subdivision land sales are located in the immediate San Luis Obispo market area, with generally similar locational factors. Additional subdivision land sales come from the nearby market areas of Morro Bay, Five Cities, Nipomo, and Atascadero. These are the best development land sale comparables available.

Terms of Sale Financing Conditions

All sales are considered to represent cash or equivalent terms. In the cases where they were seller-financed, the interest rate and terms were equal to market.

Property Status and Development Approvals

Project approvals or "entitlements" in San Luis Obispo are typically very time-consuming, costly, and fraught with risk of delays, uncertain development conditions,

* 10± years, compared to typically shorter 3- to 7-year cycles

and costs, as well as outright project denial. For these reasons, an approved tract map typically represents a dramatic enhancement in market value.

Therefore, a critical comparative indicator is the physical and legal condition that the comparable property exhibited when it sold. The comparables shown here demonstrate a wide range of physical and legal entitlement factors. Within the overall land development continuum, the least valuable is raw land with no approvals. At the other end of the spectrum are fully approved and saleable projects with all infrastructure and site work completed.

Project Density

The term "density" refers to the number of potential lots or living units per acre of land. This is a key comparative factor that directly affects the sale price per unit and sale price per acre. The comparables range from 0.520 to 32.129 units per acre. All else being equal, lower-density comparables typically sell higher on a price-per-unit basis (and lower on a per-acre basis), whereas higher-density projects sell for less on a price-per-unit basis (and higher on a per-acre basis), thereby illustrating the economies of scale.

Project Scale

The number of developable units exhibited by the sales range from 2 to 178. Due to longer absorption times, holding costs, infrastructure improvements, entitlement issues, and development complexity, the larger-scale projects generally sell for a lesser price on a per-unit basis.

Topography, Soils, and Development Costs

These comparables reflect varying development cost levels with regard to slope and soil factors.

Development Fees

Development fees have an impact on land prices and as fees increase, land values decrease, all else being equal. These sales reflect varying fee levels within different jurisdictions.

Units of Comparison

The primary units of comparison here is the price per developable unit and price per acre. The price per potential developable unit (or developable lot) is most commonly used by local developers when the project density is known (i.e., established by tract

map approvals) or anticipated. When the density is not known, the price per acre may be a more relevant unit of comparison.

Data Recap

The development land sales represent the best available sales for proposed residential development land. The sales range from \$28,252 to \$3,695,652 per acre. The \$28,252 sale is 88.49 acres with roughly one-half zoned Single Family Residential and one-half zoned Agriculture, with a very uncertain development outlook. The \$3,695,652 sale is a very small parcel. Sales 1 and 2 are quite dated, but reflect properties in San Luis Obispo annexation areas. Overall, the sale data falls in the following density and price ranges:

Density	Density Range ¹		Price per Acre	
R1	0.520	to 7.221	\$28,252	to \$2,000,000
R2 and R3	5.747	to 18.735	\$708,029	to \$3,437,500
R4	10.554	to 32.129	\$1,339,286	to \$3,695,652

Current market conditions would argue for a lower price; however, the discount would be somewhat tempered by the historical scarcity of development land near San Luis Obispo². Mid-level home prices in San Luis Obispo are off perhaps 10% to 15% from the peak of the market in early 2006. This argues for an approximate discount of 20% to 25% off subdivision land in San Luis Obispo. As a comparison, in Santa Maria, resales of subdivision land in 2007 reflect discounts of 40% to 50% off the prior sale prices, while home prices in 2004-2005 are off 20% to 35%.

Conclusions – Orcutt Area Specific Plan

The assumptions used by Mr. Byron Grant of South County Realty reflect an assumed density of 4.5 to 5.0 units per acre. This falls into the “low” density category. In addition, Mr. Grant assumes land zoned for residential land, but not fully entitled.

¹ Unit per acre

² The Margarita and Orcutt areas will represent substantial additions to the development land inventory.

In terms of a property zoned for residential but not with tract map approval, Land Sale 6 represents a smaller, 3.34-acre infill development site in San Luis Obispo with a density of 3.30 units per acre. This property sold in December 2004 for \$688,623 per acre. It is a more sloping site, with higher development costs. If this sale is adjusted downward 20% to 25% for current market conditions, it suggests a current price indication as follows:

Sale Price per Acre	\$688,623	\$688,623
Market Conditions	-25%	-20%
Adjusted Price per Acre	\$516,467	\$550,898

This sale indicates a current market value range of \$516,467 to \$550,898 per acre. This is very supportive of the range of \$500,000 to \$550,000 per acre suggested by Mr. Grant. Additional attention is given to Sale 25, a 5-acre site on Broad Street in San Luis Obispo that sold in November 2005 with full approvals for 61 units. This directly equals 12.20 units per acre, and a price of \$2,200,000 per acre. If this sale is adjusted 30% to 35% for approvals, this provides the following range:

Sale Price per Acre	\$2,200,000	\$2,200,000
Market Conditions	-25%	-20%
Adjusted Price per Acre	\$1,650,000	\$1,760,000
Approvals	-35%	-30%
Indicated Market Value per Acre	\$1,072,500	\$1,232,000

This suggests a price indication of \$1,072,500 to \$1,232,000 per acre (\$80,000± to \$100,000± per unit) for raw land zoned, but without approvals, at a density of 12.20 units per acre.

Conclusions

Assuming annexed and "zoned" (but not fully approved) land, the price range suggested by Mr. Grant appears supported for low-density residential development land, but would be considered low for medium-density residential land in San Luis Obispo.





Subdivision Land Sale Summary Table No. 1 - Ranked by Date

Land Sale	APN	APNs	Address	Jurisdiction	Sale Date	Zoning	Add'l Zoning	Sales \$	Proposed Units	Size Acres	\$/Acre	\$/Unit	Units Per Acre	App'l's Y/N	Comments
1	076-481-002		1355 Orcutt Road	SLO Co	Jan-02	R1	RSF	\$ 1,100,000.00	60.00	12.00	\$ 91,666.67	\$ 18,333.33	5.000		SLO - in county Orcutt Annexation Area (OAA)
2	053-022-013		N. of Prado Road	SLO	May-02	R1	CS	\$ 1,900,000.00	55.00	14.72	\$ 129,076.09	\$ 34,545.45	3.736	N	1/2 zoned Commercial (15 units); 1/2 zoned Residential (40 units) - Margarita Annexation Area (MAA)
3	002-352-018		Lizzie & Wilding	SLO	Jun-04	R1	S	\$ 6,050,000.00	23.00	15.00	\$ 403,333.33	\$ 263,043.48	1.533	Y	Overall parcel is 284 acres - only 15 acres developable
4	092-271-007		392 S. Oak Glen	Nipomo/Co	Jul-04	RSF		\$ 960,000.00	11.00	1.57	\$ 611,464.97	\$ 87,272.73	7.006	N	Flat, level site next to US Highway 101
5	092-130-008		783 W. Telft	Nipomo/Co	Sep-04	RSF		\$ 2,400,000.00	16.00	4.73	\$ 507,399.58	\$ 150,000.00	3.383	Y	Sloping/not flat
6	004-931-042		2695 Meadow	SLO	Dec-04	R1		\$ 2,300,000.00	11.00	3.34	\$ 688,622.75	\$ 209,090.91	3.293	N	Sloping hillside parcel
7	060-365-023	now -025 to -031	1582 Nice	Grover Beach	Jan-05	R1		\$ 1,200,000.00	7.00	1.25	\$ 960,000.00	\$ 171,428.57	5.600	N	Level parcel
8	001-082-007	thru -017	San Luis Drive	SLO	Mar-05	R1	S	\$ 7,250,000.00	17.00	4.72	\$ 1,536,016.95	\$ 426,470.59	3.602	Y	Bulk sale of finished lots - in city
9	067-221-044		Valle Vista Place	SLO Co	Apr-05	R1		\$ 11,550,000.00	30.00	33.00	\$ 350,000.00	\$ 385,000.00	0.909	Y	Bulk sale of finished lots - in county
10	003-761-045		2570 Flora Street	SLO	Apr-05	R1		\$ 700,000.00	2.00	0.35	\$ 2,000,000.00	\$ 350,000.00	5.714	N	Lot split, price includes \$50,000 to clear lot
11	062-073-005	-062-075-041 to -046	1140 & 2501 25th	Oceanco	Jul-05	R1	RSF	\$ 4,670,000.00	46.00	6.37	\$ 733,124.02	\$ 101,521.74	7.221	Y	Clustered development on 4 acres to 11.50 units per acre
12	005-271-021		122 Highland	PB	Dec-06	RSL	RSL	\$ 18,000,000.00	68.00	17.50	\$ 1,028,571.43	\$ 264,705.88	3.886	Y	Sale of 50% interest; lot 68.98 acres gross
13	007-031-038	007-791-034	Corbett Canyon Rd	Arroyo Grande	Apr-07	R1	RS	\$ 970,000.00	8.00	5.08	\$ 190,944.88	\$ 121,250.00	1.575	N	Land sale from comparable file
14	090-051-035	-036 & -037	Thompson & Rancho	Nipomo/Co	Dec-07	R1	RSF/AG	\$ 2,500,000.00	46.00	88.49	\$ 28,251.78	\$ 54,347.83	0.520	N	Nipomo 1/2 zoned Agriculture and 1/2 zoned RSF
15	049-101-022		5310 Carizo Road	Atascadero	Apr-08L	R1		\$ 2,300,000.00	12.00	2.54	\$ 905,511.81	\$ 191,666.67	4.724	Y	Exist residence; 2 lots deed-restricted for affordable housing
16	030-292-065		Tecordia Avenue	Atascadero	Jun-08L	MF10		\$ 540,000.00	6.00	1.05	\$ 514,285.71	\$ 90,000.00	5.714	Y	
17	076-381-016		650 Tank Farm Rd	SLO Co	Jun-08L	RMF	BP	\$ 3,900,000.00		12.75	\$ 305,882.35	\$ -	-	N	Old MHP and RV storage yard - Airport Annexation Area (AAA)
18	010-152-003	-007 & -014	2900 Shell Beach	PB	Jun-06	PR		\$ 10,000,000.00	32.00	4.00	\$ 2,500,000.00	\$ 312,500.00	8.000	N	Oceanfront property, planned residential
19	002-343-038		1374-1386 Pismo	SLO	Oct-06	R2		\$ 750,000.00	2.00	0.35	\$ 2,155,172.41	\$ 375,000.00	5.747	Appeal	Level lot backing to creek, area shown is usable acreage
20	076-381-009	076-381-015	660 Tank Farm Rd	SLO Co	Apr-07	RMF	BP	\$ 970,000.00		1.37	\$ 708,029.20	\$ -	-	N	Old SFD and contractor's yard - AAA
21	004-583-029		3049 Broad	SLO	Jun-07	R2	CS	\$ 1,950,000.00		1.51	\$ 1,291,390.73	\$ -	-	N	1/2 zoned Residential; 1/2 zoned Commercial - commercial listed for \$1.5 million
22	004-582-005		520 Perkins	SLO	Jul-07	R2		\$ 265,000.00	2.00	0.23	\$ 1,157,205.24	\$ 132,500.00	8.734	Pend	Lot includes Conservation Open Space overlay
23	004-951-015		851 Humbert	SLO	Aug-05	M		\$ 3,500,000.00	80.00	4.27	\$ 819,672.13	\$ 43,750.00	18.735	N	Rezzone to High Density Residential
24	052-192-011		153-155 Stenner	SLO	Oct-05	R3		\$ 1,350,000.00	10.00	0.58	\$ 2,327,586.21	\$ 135,000.00	17.241	N	PUD near Cal Poly, no entitlements
25	053-231-024		3592 Broad	SLO	Nov-05	CSS		\$ 11,000,000.00	61.00	5.00	\$ 2,200,000.00	\$ 180,327.87	12.200	Y	Centex - interior Parcel, two fronts and tentative map
26	003-563-025		1771 Johnson Ave	SLO	May-07	R3		\$ 1,100,000.00	5.67	0.32	\$ 3,437,500.00	\$ 194,106.23	17.709	Y	9 units (seven 1,000-square-foot, 1-bedroom units and two 480-square-foot studios)
27	004-921-013		774 Caudill Street	SLO	Dec-07	R3		\$ 230,000.00	2.00	0.13	\$ 1,782,945.74	\$ 115,000.00	15.504	Pend	Currently zoned Mixed Use
28	077-051-050		189 Brisco Road	AG	Apr-05	R4		\$ 850,000.00	6.00	0.23	\$ 3,695,652.17	\$ 141,666.67	26.087	N	Tear-down house on-site, six units per MLS
29	068-201-007	-008	Main & Bonita	Morro Bay	Apr-05	R4		\$ 1,500,000.00	20.00	1.12	\$ 1,339,285.71	\$ 75,000.00	17.857	N	No approvals, but water and sewer allocated
30	003-053-024		1404-1440 Chorro	SLO	Feb-06	R4		\$ 1,100,000.00	4.00	0.38	\$ 2,902,374.67	\$ 275,000.00	10.554	N	Approved ARC
31	077-332-027		The Pike	Arroyo Grande	Aug-06	O-MU		\$ 1,800,000.00	40.00	1.27	\$ 1,417,322.83	\$ 45,000.00	31.496	N	10% must be affordable housing
32	053-061-046	-047 & -048	Orcutt Road	SLO	Dec-06	R4		\$ 18,200,000.00	178.00	10.65	\$ 1,708,920.19	\$ 102,247.19	16.714	Y	Tumbling Waters Village, approvals in hand
33	052-041-053		225 N. Chorro St	SLO	Sep-07	R4		\$ 1,350,000.00	16.00	0.50	\$ 2,710,843.37	\$ 84,375.00	32.129	N	Expired 16-unit Subdivision on-site (density bonus)
34	001-207-009		1130 Walnut St	SLO	Apr-08	R4		\$ 540,000.00	4.00	0.21	\$ 2,608,695.65	\$ 135,000.00	19.324	N	Existing infill single-family lot

Averages By Density Category

R1 Average \$/Acre	\$ 646,126.61	R1 Mean \$/Unit	\$ 171,686.89
R2 Average \$/Acre	\$ 1,562,359.52	R2 Mean \$/Unit	\$ 164,000.00
R3 Average \$/Acre	\$ 2,113,540.81	R3 Mean \$/Unit	\$ 133,636.82
R4 Average \$/Acre	\$ 2,340,442.09	R4 Mean \$/Unit	\$ 122,612.69

Residential Density Table Code

	Low Density Residential (R1)
	Medium Density Residential (R2)
	Medium - High Density Residential (R3)
	High Density Residential (R4)

PH2-39





Subdivision Land Sale Summary Table No. 2 - Ranked by Density

Land Sale#	APN	APNs	Address	Jurisdiction	Sale Date	Zoning	Add. Zoning	Sales \$	Proposed Units	Size Acres	\$/Acre	\$/Unit	Units Per Acre	Appv's Y/N	Comments
17	076-381-016		650 Tank Farm Rd	SLO Co	Jun-08L	RMF	BP	\$ 1,900,000.00	-	12.75	\$ 305,882.35	\$ -	-	N	Old MHP and RV storage yard - Airport Annexation Area (AAA)
20	076-381-009	076-381-015	660 Tank Farm Rd	SLO Co	Apr-07	RMF	BP	\$ 970,000.00	-	1.37	\$ 708,029.20	\$ -	-	N	Old SFD and contractor's yard - AAA
21	004-583-029		3049 Broad	SLO	Jun-07	R2	CS	\$ 1,950,000.00	-	1.51	\$ 1,291,390.73	\$ -	-	N	1/2 zoned Residential; 1/2 zoned Commercial - commercial listed
14	090-051-035	-036 & -037	Thompson & Rancho	Nipomo/Co	Dec-07	R1	RSF/AG	\$ 2,500,000.00	46.00	88.49	\$ 28,251.78	\$ 54,347.83	0.520	N	Nipomo 1/2 zoned Agriculture and 1/2 zoned RSF
9	067-221-044		Valle Vista Place	SLO Co	Apr-05	R1		\$ 11,550,000.00	30.00	33.00	\$ 350,000.00	\$ 385,000.00	0.909	Y	Bulk sale of finished lots - in county
3	002-352-018		Lizzie & Wilding	SLO	Jun-04	R1	S	\$ 6,050,000.00	23.00	15.00	\$ 403,333.33	\$ 263,043.48	1.533	Y	Overall parcel is 284 acres - only 15 acres developable
13	007-031-038	007-791-034	Corbett Canyon Rd	Arroyo Grande	Apr-07	R1	RS	\$ 970,000.00	8.00	5.08	\$ 190,944.88	\$ 121,250.00	1.575	N	Land sale from comparable file
6	004-931-042		2695 Meadow	SLO	Dec-04	R1		\$ 2,300,000.00	11.00	3.34	\$ 688,622.75	\$ 209,090.91	3.293	N	Sloping hillside parcel
5	092-130-008		783 W. Tefft	Nipomo/Co	Sep-04	RSF		\$ 2,400,000.00	16.00	4.73	\$ 507,399.58	\$ 150,000.00	3.383	Y	Sloping/not flat
8	001-082-007	thru -017	San Luis Drive	SLO	Mar-05	R1	S	\$ 7,250,000.00	17.00	4.72	\$ 1,536,016.95	\$ 426,470.59	3.602	Y	Bulk sale of finished lots - in city
2	053-022-013		N. of Prado Road	SLO	May-02	R1	CS	\$ 1,900,000.00	55.00	14.72	\$ 129,076.09	\$ 34,545.45	3.736	N	1/2 zoned Commercial (15 units); 1/2 zoned Residential (40 units)
12	005-271-021		122 Highland	PB	Dec-06	RSL	RSL	\$ 18,000,000.00	68.00	17.50	\$ 1,028,571.43	\$ 264,705.88	3.886	Y	Sale of 50% interest; lot 68.98 acres gross
15	049-101-022		5310 Carizo Road	Atascadero	Apr-08L	R1		\$ 2,300,000.00	12.00	2.54	\$ 905,511.81	\$ 191,666.67	4.724	Y	Exist residence; 2 lots deed-restricted for affordable housing
1	076-481-002		1355 Orcutt Road	SLO Co	Jan-02	R1	RSF	\$ 1,100,000.00	60.00	12.00	\$ 91,666.67	\$ 18,333.33	5.000		SLO - in county Orcutt Annexation Area (OAA)
7	060-365-023	now -025 to -031	1582 Nice	Grover Beach	Jan-05	R1		\$ 1,200,000.00	7.00	1.25	\$ 960,000.00	\$ 171,428.57	5.600	N	Level parcel
10	003-761-045		2570 Flora Street	SLO	Apr-05	R1		\$ 700,000.00	2.00	0.35	\$ 2,000,000.00	\$ 350,000.00	5.714	N	Lot split, price includes \$50,000 to clear lot
16	030-292-065		Tecordia Avenue	Atascadero	Jun-08L	MF10		\$ 540,000.00	6.00	1.05	\$ 514,285.71	\$ 90,000.00	5.714	Y	
19	002-343-038		1374-1386 Pismo	SLO	Oct-06	R2		\$ 750,000.00	2.00	0.35	\$ 2,155,172.41	\$ 375,000.00	5.747	Appeal	Level lot backing to creek, area shown is usable acreage
4	092-271-007		392 S. Oak Glen	Nipomo/Co	Jul-04	RSF		\$ 960,000.00	11.00	1.57	\$ 611,464.97	\$ 87,272.73	7.006	N	Flat, level site next to US Highway 101
11	062-073-005	-062-075-041 to -046	1140 & 2501 25th	Oceano	Jul-05	R1	RSF	\$ 4,670,000.00	46.00	6.37	\$ 733,124.02	\$ 101,521.74	7.221	Y	Clustered development on 4 acres to 11.50 units per acre
18	010-152-003	-007 & -014	2900 Shell Beach	PB	Jun-06	PR		\$ 10,000,000.00	32.00	4.00	\$ 2,500,000.00	\$ 312,500.00	8.000	N	Oceanfront property, planned residential
22	004-582-005		520 Perkins	SLO	Jul-07	R2		\$ 265,000.00	2.00	0.23	\$ 1,157,205.24	\$ 132,500.00	8.734	Pend	Lot includes Conservation Open Space overlay
30	003-053-024		1404-1440 Chorro	SLO	Feb-06	R4		\$ 1,100,000.00	4.00	0.38	\$ 2,902,374.67	\$ 275,000.00	10.554	N	Approved ARC
25	053-231-024		3592 Broad	SLO	Nov-05	CSS		\$ 11,000,000.00	61.00	5.00	\$ 2,200,000.00	\$ 180,327.87	12.200	Y	Centex - interior Parcel, two fronts and tentative map
27	004-921-013		774 Caudill Street	SLO	Dec-07	R3		\$ 230,000.00	2.00	0.13	\$ 1,782,945.74	\$ 115,000.00	15.504	Pend	Currently zoned Mixed Use
32	053-061-046	-047 & -048	Orcutt Road	SLO	Dec-06	R4		\$ 18,200,000.00	178.00	10.65	\$ 1,708,920.19	\$ 102,247.19	16.714	Y	Tumbling Waters Village, approvals in hand
24	052-192-011		153-155 Stenner	SLO	Oct-05	R3		\$ 1,350,000.00	10.00	0.58	\$ 2,327,586.21	\$ 135,000.00	17.241	N	PUD near Cal Poly, no entitlements
26	003-563-025		1771 Johnson Ave	SLO	May-07	R3		\$ 1,100,000.00	5.67	0.32	\$ 3,437,500.00	\$ 194,106.23	17.709	Y	9 units (seven 1,000-square-foot, 1-bedroom units and two 480-
29	068-201-007	-008	Main & Bonita	Morro Bay	Apr-05	R4		\$ 1,500,000.00	20.00	1.12	\$ 1,339,285.71	\$ 75,000.00	17.857	N	No approvals, but water and sewer allocated
23	004-951-015		851 Humbert	SLO	Aug-05	M		\$ 3,500,000.00	80.00	4.27	\$ 819,672.13	\$ 43,750.00	18.735	N	Rezone to High Density Residential
34	001-207-009		1130 Walnut St	SLO	Apr-08	R4		\$ 540,000.00	4.00	0.21	\$ 2,608,695.65	\$ 135,000.00	19.324	N	Existing infill single-family lot
28	077-051-050		189 Brisco Road	AG	Apr-05	R4		\$ 850,000.00	6.00	0.23	\$ 3,695,652.17	\$ 141,666.67	26.087	N	Tear-down house on-site, six units per MLS
31	077-332-027		The Pike	Arroyo Grande	Aug-06	O-MU		\$ 1,800,000.00	40.00	1.27	\$ 1,417,322.83	\$ 45,000.00	31.496	N	10% must be affordable housing
33	052-041-053		225 N. Chorro St	SLO	Sep-07	R4		\$ 1,350,000.00	16.00	0.50	\$ 2,710,843.37	\$ 84,375.00	32.129	N	Expired 16-unit Subdivision on-site (density bonus)

Averages By Density Category

R1 Average \$/Acre	\$ 646,126.61	R1 Mean \$/Unit	\$ 171,686.89
R2 Average \$/Acre	\$ 1,562,359.52	R2 Mean \$/Unit	\$ 164,000.00
R3 Average \$/Acre	\$ 2,113,540.81	R3 Mean \$/Unit	\$ 133,636.82
R4 Average \$/Acre	\$ 2,340,442.09	R4 Mean \$/Unit	\$ 122,612.69

Residential Density Table Code

	Low Density Residential (R1)
	Medium Density Residential (R2)
	Medium - High Density Residential (R3)
	High Density Residential (R4)

PH2-42





Subdivision Land Sale Summary Table No. 3 - Ranked by Number of Units

Land Sale	APN	APNs	Address	Jurisdiction	Sale Date	Zoning	Add'l Zoning	Sales \$	Proposed Units	Size Acres	\$/Acre	\$/Unit	Units Per Acre	App'l's Y/N	Comments
17	076-381-016		650 Tank Farm Rd	SLO Co	Jun-08L	RMF	BP	\$ 3,900,000.00	-	12.75	\$ 305,882.35	\$ -	-	N	Old MHP and RV storage yard - Airport Annexation Area (AAA)
20	076-381-009	076-381-015	660 Tank Farm Rd	SLO Co	Apr-07	RMF	BP	\$ 970,000.00	-	1.37	\$ 708,029.20	\$ -	-	N	Old SFD and contractor's yard - AAA
21	004-583-029		3049 Broad	SLO	Jun-07	R2	CS	\$ 1,950,000.00	-	1.51	\$ 1,291,390.73	\$ -	-	N	1/2 zoned Residential: 1/2 zoned Commercial - commercial listed
10	003-761-045		2570 Flora Street	SLO	Apr-05	R1		\$ 700,000.00	2.00	0.35	\$ 2,000,000.00	\$ 350,000.00	5.714	N	Lot split, price includes \$50,000 to clear lot
19	002-343-038		1374-1386 Pismo	SLO	Oct-06	R2		\$ 750,000.00	2.00	0.35	\$ 2,155,172.41	\$ 375,000.00	5.747	Appeal	Level lot backing to creek, area shown is usable acreage
22	004-582-005		520 Perkins	SLO	Jul-07	R2		\$ 265,000.00	2.00	0.23	\$ 1,157,205.24	\$ 132,500.00	8.734	Pend	Lot includes Conservation Open Space overlay
27	004-921-013		774 Caudill Street	SLO	Dec-07	R3		\$ 230,000.00	2.00	0.13	\$ 1,782,945.74	\$ 115,000.00	15.504	Pend	Currently zoned Mixed Use
30	003-053-024		1404-1440 Chorro	SLO	Feb-06	R4		\$ 1,100,000.00	4.00	0.38	\$ 2,902,374.67	\$ 275,000.00	10.554	N	Approved ARC
34	001-207-009		1130 Walnut St	SLO	Apr-08	R4		\$ 540,000.00	4.00	0.21	\$ 2,608,695.65	\$ 135,000.00	19.324	N	Existing infill single-family lot
26	003-563-025		1771 Johnson Ave	SLO	May-07	R3		\$ 1,100,000.00	5.67	0.32	\$ 3,437,500.00	\$ 194,106.23	17.709	Y	9 units (seven 1,000-square-foot, 1-bedroom units and two 480-
16	030-292-065		Tecordia Avenue	Atascadero	Jun-08L	MF10		\$ 540,000.00	6.00	1.05	\$ 514,285.71	\$ 90,000.00	5.714	Y	
28	077-051-050		189 Brisco Road	AG	Apr-05	R4		\$ 850,000.00	6.00	0.23	\$ 3,695,652.17	\$ 141,666.67	26.087	N	Tear-down house on-site, six units per MLS
7	060-365-023	now -025 to -031	1582 Nice	Grover Beach	Jan-05	R1		\$ 1,200,000.00	7.00	1.25	\$ 960,000.00	\$ 171,428.57	5.600	N	Level parcel
13	007-031-038	007-791-034	Corbett Canyon Rd	Arroyo Grande	Apr-07	R1	RS	\$ 970,000.00	8.00	5.08	\$ 190,944.88	\$ 121,250.00	1.575	N	Land sale from comparable file
24	052-192-011		153-155 Stenner	SLO	Oct-05	R3		\$ 1,350,000.00	10.00	0.58	\$ 2,327,586.21	\$ 135,000.00	17.241	N	PUD near Cal Poly, no entitlements
6	004-931-042		2695 Meadow	SLO	Dec-04	R1		\$ 2,300,000.00	11.00	3.34	\$ 688,622.75	\$ 209,090.91	3.293	N	Sloping hillside parcel
4	092-271-007		392 S. Oak Glen	Nipomo/Co	Jul-04	RSF		\$ 960,000.00	11.00	1.57	\$ 611,464.97	\$ 87,272.73	7.006	N	Flat, level site next to US Highway 101
15	049-101-022		5310 Carizo Road	Atascadero	Apr-08L	R1		\$ 2,300,000.00	12.00	2.54	\$ 905,511.81	\$ 191,666.67	4.724	Y	Exist residence; 2 lots deed-restricted for affordable housing
5	092-130-008		783 W. Tefft	Nipomo/Co	Sep-04	RSF		\$ 2,400,000.00	16.00	4.73	\$ 507,399.58	\$ 150,000.00	3.383	Y	Sloping/not flat
33	052-041-053		225 N. Chorro St	SLO	Sep-07	R4		\$ 1,350,000.00	16.00	0.50	\$ 2,710,843.37	\$ 84,375.00	32.129	N	Expired 16-unit Subdivision on-site (density bonus)
8	001-082-007	thru -017	San Luis Drive	SLO	Mar-05	R1	S	\$ 7,250,000.00	17.00	4.72	\$ 1,536,016.95	\$ 426,470.59	3.602	Y	Bulk sale of finished lots - in city
29	068-201-007	-008	Main & Bonita	Morro Bay	Apr-05	R4		\$ 1,500,000.00	20.00	1.12	\$ 1,339,285.71	\$ 75,000.00	17.857	N	No approvals, but water and sewer allocated
3	002-352-018		Lizzie & Wilding	SLO	Jun-04	R1	S	\$ 6,050,000.00	23.00	15.00	\$ 403,333.33	\$ 263,043.48	1.533	Y	Overall parcel is 284 acres - only 15 acres developable
9	067-221-044		Valle Vista Place	SLO Co	Apr-05	R1		\$ 11,550,000.00	30.00	33.00	\$ 350,000.00	\$ 385,000.00	0.909	Y	Bulk sale of finished lots - in county
18	010-152-003	-007 & -014	2900 Shell Beach	PB	Jun-06	PR		\$ 10,000,000.00	32.00	4.00	\$ 2,500,000.00	\$ 312,500.00	8.000	N	Oceanfront property, planned residential
31	077-332-027		The Pike	Arroyo Grande	Aug-06	O-MU		\$ 1,800,000.00	40.00	1.27	\$ 1,417,322.83	\$ 45,000.00	31.496	N	10% must be affordable housing
14	090-051-035	-036 & -037	Thompson & Rancho	Nipomo/Co	Dec-07	R1	RSF/AG	\$ 2,500,000.00	46.00	88.49	\$ 28,251.78	\$ 54,347.83	0.520	N	Nipomo 1/2 zoned Agriculture and 1/2 zoned RSF
11	062-073-005	-062-075-041 to -046	1140 & 2501 25th	Oceano	Jul-05	R1	RSF	\$ 4,670,000.00	46.00	6.37	\$ 733,124.02	\$ 101,521.74	7.221	Y	Clustered development on 4 acres to 11.50 units per acre
2	053-022-013		N. of Prado Road	SLO	May-02	R1	CS	\$ 1,900,000.00	55.00	14.72	\$ 129,076.09	\$ 34,545.45	3.736	N	1/2 zoned Commercial (15 units); 1/2 zoned Residential (40 units)
1	076-481-002		1355 Orcutt Road	SLO Co	Jan-02	R1	RSF	\$ 1,100,000.00	60.00	12.00	\$ 91,666.67	\$ 18,333.33	5.000		SLO - in county Orcutt Annexation Area (OAA)
25	053-231-024		3592 Broad	SLO	Nov-05	CSS		\$ 11,000,000.00	61.00	5.00	\$ 2,200,000.00	\$ 180,327.87	12.200	Y	Centex - interior Parcel, two fronts and tentative map
12	005-271-021		122 Highland	PB	Dec-06	RSL	RSL	\$ 18,000,000.00	68.00	17.50	\$ 1,028,571.43	\$ 264,705.88	3.886	Y	Sale of 50% interest; lot 68.98 acres gross
23	004-951-015		851 Humbert	SLO	Aug-05	M		\$ 3,500,000.00	80.00	4.27	\$ 819,672.13	\$ 43,750.00	18.735	N	Rezone to High Density Residential
32	053-061-046	-047 & -048	Orcutt Road	SLO	Dec-06	R4		\$ 18,200,000.00	178.00	10.65	\$ 1,708,920.19	\$ 102,247.19	16.714	Y	Tumbling Waters Village, approvals in hand

Averages By Density Category

R1 Average \$/Acre	\$ 646,126.61	R1 Mean \$/Unit	\$ 171,686.89
R2 Average \$/Acre	\$ 1,562,359.52	R2 Mean \$/Unit	\$ 164,000.00
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Residential Density Table Code

	Low Density Residential (R1)
	Medium Density Residential (R2)
	Medium - High Density Residential (R3)
	High Density Residential (R4)

PH2-41

City Council Resolution No. (2010 Series)

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN LUIS OBISPO CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE ORCUTT AREA SPECIFIC PLAN, ADOPTING THE ORCUTT AREA SPECIFIC PLAN, AND APPROVING GENERAL PLAN AMENDMENTS TO IMPLEMENT THE LAND USES APPROVED IN THE SPECIFIC PLAN (SP, ER 209-98)

WHEREAS, the City Council of the City of San Luis Obispo met in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California on March 2, 2010, for the purpose of considering a recommendation made by the Planning Commission to certify the Final Program Environmental Impact Report (EIR) for the Orcutt Area Specific Plan (OASP), adopt the OASP, and approve associated General Plan amendments to implement the land uses shown in the OASP; and

WHEREAS, the Planning Commission recommendation was based on public input received over the course of eight public hearings, and the advice and recommendations of other City advisory bodies including the Parks and Recreation Commission, the Bicycle Advisory Committee, the Cultural Heritage Committee and the Architectural Review Commission; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

WHEREAS, the potential environmental impacts of the project have been evaluated in accordance with the California Environmental Quality Act and the City's Environmental Review Guidelines; and

WHEREAS, development of the Orcutt Area is expected to occur over a twenty to thirty year horizon, and therefore requires an intergenerational look at infrastructure requirements and planning for long-term City goals; and

WHEREAS, development of the Orcutt Area will be better served by City infrastructure, including police, fire, water and sewer service, and City streets, and described in the OASP; and

WHEREAS, the City Council has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff presented at said meeting.

BE IT RESOLVED, by the Council of the City of San Luis Obispo as follows:

SECTION 1. EIR Certification. The City Council does hereby certify the EIR based on the *Findings of Fact and Statement of Overriding Considerations* included in Exhibit A, and

subject to a Mitigation Measure Monitoring Plan maintained on file in the Community Development Department.

SECTION 2. Adoption of the OASP. The City Council does hereby adopt the Planning Commission Draft of the Orcutt Area Specific Plan and directs the Community Development Director to begin implementation of the Plan by working with property owners to develop a boundary map for a one-time, City-sponsored annexation.

SECTION 3. General Plan Amendments. The City Council does hereby amend the General Plan Land Use Map to implement the land use designations approved as part of the Orcutt Area Specific Plan, as shown in Exhibit B. Figure 2 of the Land Use Element shall be revised amending the location of the Urban Reserve Line, as shown in Exhibit C. These General Plan amendments are approved based on the following findings:

1. The proposed amendments to the General Plan Land Use Map implement the Orcutt Area Specific Plan, by updating the General Plan with the land uses identified in the specific plan for Orcutt Area properties.

2. The land uses proposed for the Orcutt Area are consistent with the General Plan, which identifies the Orcutt Area as a residential expansion area.

3. The proposed amendments are necessary to implement the General Plan, which says that development in any part of the Orcutt Area may not occur until a specific plan has been adopted for the whole area.

4. The proposed Urban Reserve Line (URL) expansion is ^Sreasonably justified because the revised URL incorporates relatively flat land on the north side of Righetti Hill that is suitable for development, and excludes a similarly sized area on the upper slopes of the west side of Righetti Hill, which is not suitable for development.

Upon motion of _____, seconded by _____,
and on the following vote:

AYES:

NOES:

ABSENT:

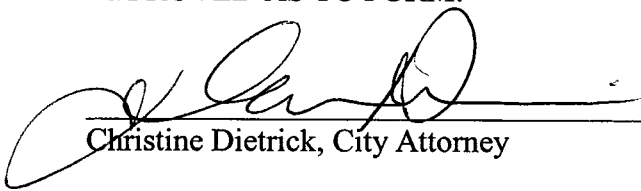
The foregoing resolution was adopted this 2nd day of March, 2010.

Mayor David F. Romero

ATTEST:

Elaina Cano, City Clerk

APPROVED AS TO FORM:



Christine Dietrick, City Attorney

PH2-44

SECTION 1. INTRODUCTION

The City of San Luis Obispo (City) has decided to approve the Orcutt Area Specific Plan (project). The City is the lead agency under the California Environmental Quality Act (CEQA) and has certified a program environmental impact report (EIR) for the project.

Section 15091 of the State CEQA Guidelines (14 California Code of Regulations [CCR]) and Section 21081 of the Public Resources Code require a lead agency to adopt findings for each significant environmental impact disclosed in an EIR. Specifically, for each significant impact, the lead agency must find that:

- *Changes or alterations have been incorporated into the project to avoid or substantially lessen the significant environmental effects identified in the EIR;*
- *Such changes or alterations are within the responsibility and jurisdiction of another public agency and should be adopted by that agency; or*
- *Specific economic, social, legal, technological, or other considerations make the mitigation measures or alternatives identified in the ER infeasible.*

In addition to making a finding for each significant impact, if the lead agency approves a project without mitigating all of the significant impacts, it must prepare a statement of overriding considerations, in which it balances the benefits of the project against the unavoidable environmental risks. The statement of overriding considerations must explain the social, economic, or other reasons for approving the project despite its environmental impacts (14 CCR 15093, Pub. Res. Code 21081).

This document contains the findings and statement of overriding considerations for the approval of the Orcutt Area Specific Plan and reflects the City's independent judgment. This document incorporates by reference the program EIR. The EIR, specific plan, and other portions of the administrative record are available for review at:

City of San Luis Obispo
Community Development Department
990 Palm Street
San Luis Obispo, CA 93401
Contact: Michael Codron
(805)781-7175

SECTION 2. PROJECT DESCRIPTION

A. PROJECT OBJECTIVES

As required by the City General Plan, the specific plan is intended to contain policies and standards that will facilitate appropriate development of land, protection of open space, and provision of adequate public facilities. The specific plan is more detailed than the general plan but less precise than subdivision maps or construction plans. The overall objective of the

project is to adopt a specific plan for the Orcutt area, pursuant to the City General Plan. Orcutt Area Specific Plan objectives include:

1. *Develop a new residential neighborhood to meet the City's housing needs and that designates sufficient land for neighborhood serving commercial uses to reduce vehicle trips and provide for the convenience of area residents.*
2. *Provide a variety of housing types and costs to meet the needs of renters and buyers with a variety of income-levels, including inclusionary affordable housing for residents with moderate, low and very-low income levels.*
3. *Protect and enhance Righetti Hill, creek/wetland habitats, and visual resources in open space areas.*
4. *Provide a variety of park and recreational facilities for residents of the Orcutt Area, such as parks, recreational facilities, public squares, plazas and green spaces.*
5. *Phase the proposed development so that public facilities are developed concurrently with each new phase in a rational and cost effective fashion.*
6. *Encourage the use of bicycles and walking within the Plan Area by including specific policies or development standards that will result in subdivision and building designs that facilitate bike use and pedestrian access. Incorporate all classes of bike lanes and include bike and pedestrian paths through the parks and open space areas.*
7. *Protect the new residents from railroad noise through a variety of measures consistent with Noise Element Policies 1.8.2, Mitigating Outdoor Noise Exposure, and 18.3 Mitigating Indoor Noise Exposure.*
8. *Create a regional detention system to facilitate drainage solutions for future subdivisions.*

B. PROPOSED PROJECT

The proposed project includes implementation of the goals and policies contained in the Orcutt Area Specific Plan. The Orcutt Area Specific Plan is a specific plan that would guide the annexation and development of the Plan Area. The Plan Area is 231 acres of property east of the southern portion of the City. The proposed Specific Plan designates the land for 113 acres of residential, 0.25 acres of neighborhood commercial, 81 acres of open space, 21 acres of parks, and a 5 acre school site. Urban infrastructure to support this development would also be included in the near term. Infrastructure requirements include roads, water and wastewater conveyance systems, and stormwater conveyance systems. The Specific Plan proposes an adjustment of the Urban Reserve Line (URL) to include the entire Plan Area within the City's Urban Reserve Area.

SECTION 3. ENVIRONMENTAL IMPACT REPORT

A. BACKGROUND

The program EIR was prepared in compliance with CEQA and State CEQA Guidelines. As such, the EIR contains analysis, at a program level, of the basic issues that will be used in conjunction with subsequent tiered environmental documents for specific projects related to the

Orcutt Area Specific Plan. Once the Orcutt Area Specific Plan is adopted by the City, the basic policy issues will not need to be revisited by subsequent (second-tier) documents.

The DEIR, dated December 2007, was circulated to appropriate public agencies, organizations, and interested groups and individuals for a period of 60 days (through February 28, 2008). Between February and June 2008, the Planning Commission held six public hearings to discuss the Public Hearing Draft of the Orcutt Area Specific Plan and the Draft EIR for the project. Based on comments received during this period, portions of the DEIR were revised to address technical issues raised in several letters. The City recirculated these portions of the Revised DEIR, which included the Agricultural Resources section, Water and Wastewater section, as well as the Executive Summary. The City extended the public review period through June 2008 and received several additional comments on the Revised DEIR.

B. IMPACT ANALYSIS

Three categories of impacts are identified in the Environmental Impact Report:

- Class I. Class I impacts are significant and unavoidable. To approve a project resulting in Class I impacts, the CEQA Guidelines require decision makers to make findings of overriding consideration that "*specific legal, technological, economic, social, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR*".
- Class II. Class II impacts are significant but can be mitigated to a level of insignificance by measures identified in this EIR and the project description. When approving a project with Class II impacts, the decision-makers must make findings that changes or alternatives to the project have been incorporated that reduce the impacts to a less than significant level .
- Class III. Class III impacts are adverse but not significant.

SECTION 4. FINDINGS FOR LESS THAN SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

The City Council has concluded that the following effects are not considered significant.

A. AGRICULTURE

1. **Impact AG-1** Although the proposed project would permanently convert soils that have been defined by the City as prime agriculture lands, the value of the Orcutt Area's agricultural land resources, as measured by the LESA Model, is not considered significant. Therefore, the project would result in Class III, *less than significant*, impacts related to agricultural conversion.
 - a. Mitigation: None

- b. Finding: The City finds that the impact is adverse, but less than significant.

B. AIR QUALITY

1. **Impact AQ-2** Specific Plan traffic generation, together with other cumulative traffic associated with foreseeable development would not result in CO "hotspots". Therefore, the Specific Plan's potential to generate CO "hotspots" is considered to be a **Class III, less than significant** impact.

- a. Mitigation: None

- b. Finding: The City finds that the impact is adverse, but less than significant.

C. BIOLOGICAL RESOURCES

1. **Impact B-1** Development under the proposed Specific Plan would result in the conversion of non-native annual grassland habitat to urban uses. This is considered a **Class III, less than significant** impact.

- a. Mitigation: None

- b. Finding: The City finds that the impact is adverse, but less than significant.

D. GEOLOGIC HAZARDS

1. **Impact G-1** Seismically induced ground shaking could destroy or damage structures and infrastructure developed for the project site, resulting in loss of property or risk to human health. This is considered a **Class III, less than significant** impact.

- a. Mitigation: None

- b. Finding: The City finds that the impact is adverse, but less than significant.

E. NOISE

1. **Impact N-2** Specific plan -generated traffic would incrementally increase noise levels along roads in the Specific Plan vicinity. The effect of this noise on off-site sensitive receptors in the area, and also within the Specific Plan area, is considered a **Class III, less than significant** impact.

- a. Mitigation: None

- b. Finding: The City finds that the impact is adverse, but less than significant.

2. **Impact N-3** Although noise associated with airport operations would affect sensitive receptors in the Plan Area, the impact would be considered **Class III, less than significant**.
 - a. **Mitigation:** None
 - b. **Finding:** The City finds that the impact is adverse, but less than significant.

F. PUBLIC SERVICES

1. **Impact PS-1** Annexation and development of the Orcutt Area would increase the number of residents served by the City of San Luis Obispo Police Department. Additional service needs would decrease the amount of patrol unit available time. This is considered a **Class III, less than significant** impact.
 - a. **Mitigation:** None
 - b. **Finding:** The City finds that the impact is adverse, but less than significant.

G. WATER AND WASTEWATER

1. **Impact W-1** The project would increase demand on City of San Luis Obispo potable water supplies by an estimated 260 AFY. Impacts to the City's water supply are considered **Class III, less than significant**, with payment of Water Impact Fees..
 - c. **Mitigation:** None
 - d. **Finding:** The City finds that the impact is adverse, but less than significant.
2. **Impact W-2** Buildout of the Orcutt Area Specific Plan would generate an estimated 162,856 gallons of wastewater per day, which would be treated by the City's Water Reclamation Facility. Because this facility has sufficient capacity to accommodate the proposed project, this impact is considered **Class III, less than significant**.
 - c. **Mitigation:** None
 - d. **Finding:** The City finds that the impact is adverse, but less than significant.

SECTION 5. FINDINGS FOR SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT THAT HAVE BEEN MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

This section presents the project's significant environmental impacts and feasible mitigation measures. Section 15091 of the State CEQA Guidelines (14 California Code of Regulations [CCR]) and Section 21081 of the Public Resources Code require a lead agency to make findings

for each significant environmental impact disclosed in an EIR. Specifically, for each significant impact, the lead agency must find that:

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

Each of these findings must be supported by substantial evidence in the administrative record. This section identifies impacts that can be fully avoided or reduced to a less-than-significant level through the incorporation of feasible mitigation measures into the project, as identified in the program EIR. The impacts identified in this section are considered in the same sequence in which they appear in the draft EIR.

A. AESTHETICS

1. **Impact AES-3:** Light and glare produced from the proposed project would extend the area of night light across the project site, altering the nighttime sky due to lighting and daytime glare associated with plaster-type walls and/or brightly painted surfaces. This may affect the residences in the vicinity of the site and views from local roadways. This is considered a **Class II, significant but mitigable** impact.

a. Mitigation: The proposed Specific Plan includes the following goals, policies and programs which are intended to address potential impacts associated with this issue: Goal 4.4, Policies 4.4.1 through 4.4.3, and Program 4.4.3a. Implementation of these provisions of the Specific Plan would reduce impacts to some extent. However, impacts would remain significant. The following mitigation measures are required to fully mitigate potential light and glare impacts.

- **Mitigation Measure AES-3(a) Minimize Lighting on Public Areas.** Lighting shall be shielded as shown in the Specific Plan and directed downward. Lighting shall not be mounted more than 16 feet high. Streetlights, where they are included, shall be primarily for pedestrian safety, and shall not provide widespread illumination unless necessary to comply with safety requirements, as determined by the Public Works Director. Street lighting should focus on intersections and should be placed between intersections only when it is necessary to comply with safety requirements, as determined by the Public Works Director. Trail lighting shall be at a scale appropriate for pedestrians, utilizing bollards, although overhead lighting may be used where vandalism of bollard lights is a concern. Prior to development of individual lots, proposed lighting shall be indicated on site plans and shall demonstrate that spill-over of lighting would not affect nearby residential areas.

- b. **Finding:** The City finds that the mitigation measure is feasible and has been adopted. Implementation of the applicable provisions of the Specific Plan, in combination with the proposed mitigation measure, would reduce project-specific impacts to a less than significant level.

B. AGRICULTURAL RESOURCES

1. **Impact AG-2:** Development may result in land use conflicts between existing residential uses and agricultural operations on-site as well as off-site on adjacent properties. This is considered a *Class II, significant but mitigable*, impact.

- a. **Mitigation:** The proposed Specific Plan incorporates the following provisions intended to help reduce agricultural impacts: Policy 3.2.25, Program 3.2.25a, and Program 3.2.25b. Implementation of the above provisions would reduce impacts between agriculture and adjacent planned residential uses, however the notification requirements specified in Program 3.2.25a would place an unnecessary burden on agriculture, rather than protecting it. The existing requirements of the County's Right-to-Farm Ordinance are more fair to agriculture, while still providing reasonable notice to future residents. The following mitigation measures are required to fully mitigate potential impacts related to this issue.

- **Mitigation Measure AG-2(a) Maintain 100-Foot Agricultural Buffer.** If adjacent land is still used for grazing purposes at the time of subdivision, a minimum 100-foot buffer between the Righetti family ranch home site. The buffer shall occur on any parcel proposed for development that is adjacent to the northern boundary of the Righetti home site (See Figure 4.2-3).
- **Mitigation Measure AG-2(b) Right-to-Farm Notification Requirements.** To prevent unnecessary burdening of agricultural operations, proposed Specific Plan Program 3.2.25a shall be revised as follows:

Program 3.2.25a. In accordance with the County Right to Farm Ordinance (No. 2050), upon the transfer of real property in the Specific Plan area, the transferor shall deliver to the prospective transferee a written disclosure statement that shall make all prospective homeowners in the proposed project aware that although potential impacts or discomforts between agricultural and non-agricultural uses may be lessened by proper maintenance, some level of incompatibility between the two uses would remain.

- b. **Finding** The City finds that the mitigation measures are feasible and have been adopted. With the implementation of the Specific Plan's proposed goals and policies, as well as the mitigation measures described above, agricultural-related land use compatibility impacts resulting would be reduced to a less than significant level.

C. AIR QUALITY

1. **Impact AQ-1:** Vehicular operations associated with development under the Specific Plan would result in the emission of levels of air pollutants that would exceed recommended significance thresholds and are therefore considered to have a **Class II, significant but mitigable**, impact.
 - a. **Mitigation:** The Specific Plan includes bikeways, pedestrian walkways, and access to public transit routes that will reduce the need for vehicle transportation and therefore reduce the amount of emissions (Specific Plan Goal 5.3 and associated policies and programs). The Specific Plan also encourages the use of solar energy sources for residential and commercial uses (Specific Plan Policies 4.7.1 and 4.7.2). Finally, bike lanes have been designed to provide continuous connections through the Specific Plan area, consistent with regional goals related to reducing dependence on motorized vehicle travel.

The following standard site design and discretionary energy efficiency mitigation measures are recommended:

- **Mitigation Measure AQ-1(a) Energy Efficiency.** The building energy efficiency rating shall be 10% above what is required by Title 24 requirements for all buildings within the Specific Plan Area. The following energy-conserving techniques shall be incorporated unless the applicant demonstrates their infeasibility to the satisfaction of City Planning and Building Department staff: increase walls and attic insulation beyond Title 24 requirements; orient buildings to maximize natural heating and cooling; plant shade trees along southern exposures of buildings to reduce summer cooling needs; use roof material with a solar reflectance value meeting the EPA/DOE Energy Star rating; build in energy efficient appliances; use low energy street lighting and traffic signals; use energy efficient interior lighting; use solar water heaters; and use double-paned windows.
- **Mitigation Measure AQ-1(b) Transit.** Bus turnouts and shelter improvements with direct pedestrian access shall be installed at all bus stops.
- **Mitigation Measure AQ-1(c) Shade Trees.** All parking lots shall include shade trees within the parking area. There shall be at least one shade tree for every six vehicle parking spaces.
- **Mitigation Measure AQ-1(d) Telecommuting.** All new homes within the Specific Plan area shall be constructed with internal wiring/cabling that allows telecommuting, teleconferencing, and telelearning to occur simultaneously in at least three locations in each home.
- **Mitigation Measure AQ-1(e) Pathways.** Where feasible, all cul-de-sacs and dead-end streets shall be links by pathways to encourage pedestrian and bicycle travel.

- **Mitigation Measure AQ-1(f) Pedestrian Signalization.** All new signalized intersections shall include signalization to accommodate pedestrian crossings. Pedestrian signalization shall allow pedestrians to call for a traffic signal change.

 - b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of the above mitigation would reduce impacts to a less than significant level.
2. **Impact AQ-3:** Development under the proposed Specific Plan has the potential to generate construction related emissions as the site develops. Although these emissions cannot be quantified at the Program EIR level, since San Luis Obispo County is currently non-attainment for PM₁₀, development under the Specific Plan would contribute to this existing significant condition. Therefore, construction related emissions are considered to be **Class II, significant but mitigable.**
- a. **Mitigation:** Because all construction projects can produce nuisance dust emissions, dust mitigation measures are required for all construction activities. The following mitigation measures are recommended to minimize emissions and to reduce the amount of dust that drifts onto adjacent properties. These measures would apply to both tract grading and development of individual lots.
 - **Mitigation Measure AQ-3(a) Application of CBACT.** The following measures shall be implemented to reduce combustion emissions from construction equipment where a project will have an area of disturbance greater than 1 acre, or for all projects, regardless of the size of ground disturbance, when that disturbance would be conducted adjacent to sensitive receptors.
 - Specific Plan applicants shall submit for review by the Community Development Department and APCD staff a grading plan showing the area to be disturbed and a description of construction equipment that will be used and pollution reduction measures that will be implemented. Upon confirmation by the Community Development Department and APCD, appropriate CBACT features shall be applied. The application of these features shall occur prior to Specific Plan construction.
 - Specific Plan applicants shall be required to ensure that all construction equipment and portable engines are properly maintained and tuned according to manufacturer's specifications.
 - Specific Plan applicants shall be required to ensure that off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, shall be fueled exclusively with CARB motor vehicle diesel fuel (non-taxed off-road diesel is acceptable).
 - Specific Plan applicants shall be required to install diesel oxidation catalysts on off-road construction equipment and on-road haul trucks projected to generate the greatest emissions. The number of catalysts required shall be determined in consultation with APCD prior to the start of construction. Installations must be prepared according to manufacturer's specifications.

- Maximize, to the extent feasible, the use of diesel construction equipment meeting ARB's 1996 and newer certification standard for off-road heavy-duty diesel engines.
 - Maximize, to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
 - All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and on job sites to remind drivers and operators of the 5 minute idling limit.
- **Mitigation Measure AQ-3(b) Dust Control.** The following measures shall be implemented to reduce PM10 emissions during all Specific Plan construction:
- Reduce the amount of the disturbed area where possible.
 - Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Water shall be applied as soon as possible whenever wind speeds exceed 15 miles per hour. Reclaimed (nonpotable) water should be used whenever possible.
 - All dirt-stock-pile areas shall be sprayed daily as needed.
 - Permanent dust control measures shall be identified in the approved Specific Plan revegetation and landscape plans and implemented as soon as possible following completion of any soil disturbing activities.
 - Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - All roadways, driveways, sidewalks, etc., to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - All trucks hauling dirt, sand, soil or other loose materials shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
 - Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.
- **Mitigation Measure AQ-3(c) Cover Stockpiled Soils.** If importation, exportation, or stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting material shall be tarped from the point of origin.

- **Mitigation Measure AQ-3(d) Dust Control Monitor.** On all projects with an area of disturbance greater than 1 acre, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress.
- b. **Finding:** The City finds that the above mitigation measures are feasible and have been adopted. Air quality impacts associated with construction of the Specific Plan would be adverse but not significant after mitigation measures are applied.

D. BIOLOGICAL RESOURCES

1. **Impact B-2:** Development under the proposed Specific Plan could potentially impact special-status plant species and plant communities of special concern within the Plan Area. This is considered a **Class II, significant but mitigable** impact.

- a. **Mitigation:** The proposed Specific Plan includes the following goals, policies, and programs, which are intended to address potential impacts associated with this issue: Goal 2.2a through Goal 2.2c. Implementation of these provisions of the Specific Plan would reduce impacts to some extent. However, the following mitigation measures are required to further reduce impacts to biological resources.

– **Mitigation Measure B-2(a) Seasonally-Timed Botanical Surveys.** When an applicant requests entitlements from the City under the Specific Plan, the City shall require the submittal of seasonally timed directed floral surveys based on the target list of plant species identified in Table 4.4-2 to be completed in the spring and summer to determine the presence or absence of these species. The following table lists each potential on-site special-status plant species and where to survey for the species:

<u>Special-status plant species</u>	<u>Habitat</u>
• Adobe sanicle	• grassland, isolated seeps on Righetti Hill
• Cambria morning-glory	• grassland
• Jones' layia	• grassland
• Marsh sandwort	• fresh water emergent wetland
• Obispo Indian paintbrush	• grassland
• Rayless ragwort	• rocky slopes of Righetti Hill, grassland where weeds are scarce
• Saline clover	• grassland, wetland
• San Luis Obispo sedge	• grassland, coastal scrub, isolated seeps on Righetti Hill

The survey shall be conducted by a qualified biologist verified by the City. Up to three separate survey visits may be required to capture the flowering period of the target species. The location and extent of any rare plant occurrences observed on the site should be documented in a report and accurately mapped onto site-specific topographic maps and aerial photographs. If special-status plants are identified, the development pursuant to the Specific Plan shall submit written proof that the CDFG has been contacted.

- **Mitigation Measure B-2(b) Special-Status Plant Buffer.** Where special-status plants are found, site development plans shall be modified to avoid such occurrences with a minimum buffer of 50 feet. The applicant seeking entitlement shall establish conservation easements for such preserved areas, prior to issuance of the first building permit for subsequent tracts. The Specific Plan shall be amended at that time to place these areas formally into open space, possibly as an overlay area.

If total avoidance is economically or technologically infeasible then plants shall be salvaged and relocated under direction of an approved botanist, in accordance with Mitigation Measures B-2(c) through B-2(f). If total avoidance can be achieved, Mitigation Measures B-2(c) through B-2(f) would not be required. (It should be noted that avoidance is likely to be more cost effective in the long run compared to mitigation in the form of salvage and relocation).

If total avoidance of special-status plant species can be achieved through Mitigation Measure B-2(b), Mitigation Measures B-2(c) through B-2(f) would not be required.

- **Mitigation Measure B-2(c) Incidental Take Permit.** In the event that state listed species are discovered, the applicant seeking entitlements shall submit to the City signed copies of an incidental take permit and enacting agreements from the CDFG regarding those species as necessary under Section 2081 of the California Fish and Game Code prior to the initiation of grading. If a plant species that is listed under the federal Endangered Species Act is discovered, the applicant seeking entitlements shall provide proof of compliance with the federal Endangered Species Act, inclusive as necessary of signed copies of incidental take permit and associated enacting agreements, to the City prior to the initiation of grading.
- **Mitigation Measure B-2(d) Special-Status Species CDFG-Approved Mitigation Plan.** If total avoidance of the species occurrences is economically or technologically infeasible, a mitigation program shall be developed by the City in consultation with CDFG as appropriate. A research study to determine the best mitigation approach for each particular species to be salvaged shall be conducted. The special-status plant species mitigation program may include the following:
 - The overall goal and measurable objectives of the mitigation and monitoring plan;
 - Specific areas proposed for revegetation and their size. Potential sites for mitigation would be any suitable site within proposed open space depending on the species that is appropriately buffered from development. For a list of suitable habitats for the mitigation of each species refer to the list in Mitigation Measure B-2(a).
 - Specific habitat management and protection concepts to be used to ensure long-term maintenance and protection of the special-status plant species to be included (i.e.: annual population census surveys and habitat assessments; establishment of monitoring reference sites; fencing of special-status plant species preserves and signage to identify the environmentally sensitive areas; a seasonally-timed weed abatement program; and seasonally-timed seed and/or

- topsoil collection, propagation, and reintroduction of special-status plant species into specified receiver sites);
 - Success criteria based on the goals and measurable objectives to ensure a viable population(s) on the project site in perpetuity;
 - An education program to inform residents of the presence of special-status plant species and sensitive biological resources on-site, and to provide methods that residents can employ to reduce impacts to these species/resources in protected open space areas;
 - Reporting requirements to ensure consistent data collection and reporting methods used by monitoring personnel; and
 - Funding mechanism.
- **Mitigation Measure B-2(e) Special-Status Plant Monitoring Frequency.** Monitoring shall occur annually and shall last at least five years to ensure successful establishment of all re-introduced or salvaged plants and no-net-loss of the species or its habitat. In the case of annual plants it is difficult to determine if there has been a net loss or gain in a five year period. Therefore an important component of the mitigation and monitoring plan shall be adaptive management. The adaptive management program shall address both foreseen and unforeseen circumstances relating to the preservation and mitigation programs. The plan shall include follow up surveys every five years in perpetuity or until a qualified biologist can demonstrate that the target special-status species has not experienced a net loss. It shall also include remedial measures to address negative impacts to the special-status plant species and their habitats (i.e.: removal of weeds, addition of seeding/planting efforts) if the species is suffering a net loss at the time of the follow up surveys.
- **Mitigation Measure B-2(f) Special-Status Species Habitat Replacement.** The primary goal of the mitigation and monitoring plan is to ensure a viable population and no-net-loss of special-status species habitat within the project site. To ensure the no-net-loss of a species, the applicant shall create two acres of occupied special-status species habitat for every one acre of habitat impacted by project development. If resource agencies require a higher replacement ratio than 2:1, their requirements would prevail. The creation of habitat can occur in conjunction with the mitigation/relocation of wildflower field habitat if the research study indicates that the wildflower field and specific special-status plant species can be relocated and cohabitate.
- **Mitigation Measure B-2(g) Bunchgrass Survey.** When an applicant requests entitlements from the City under the Specific Plan, the City shall require the submittal of a survey to identify any native perennial bunchgrass occurrences (this can be conducted simultaneously with special-status plant species surveys required in Mitigation Measure B-2(a) above). If occurrences of native perennial bunchgrass habitat of 0.5 acre or greater containing at least 10% or greater coverage of native perennial bunchgrass are found that area shall be placed in open space and a deed restriction placed over the area to protect it in perpetuity. If the area cannot be avoided for economical or technological reasons, then native grasses including

perennial bunchgrasses shall be incorporated into the landscaping plant palette and the erosion control plan to replace the lost habitat. The most effective areas to receive native grass seed are graded areas that will be revegetated adjacent to open space. The acreage ratio of lost native perennial bunchgrass habitat to habitat replaced shall be no less than 1:1. Native perennial bunchgrass material shall come from locally collected seed stock to avoid contamination of the local gene pool. Because perennial bunchgrasses grow slowly at first, a "nurse" crop consisting of Nuttall's fescue (*Vulpia microstachys*), California brome (*Bromus carinatus*), and pinpoint clover (*Trifolium gracilentum*) shall be added to the mix to stabilize any graded areas while the bunchgrasses become established. No non-native invasive plant species shall be used in landscaping. California Invasive Plant Council (Cal-IPC) maintains a list of the most important invasive plants to avoid. This list shall be used when creating a plant palette for landscaping. Planting equipment (i.e.: hydroseeding tank and dispensing mechanism) shall be cleaned of remaining seed from previous applications prior to use on-site. The hydroseed applicator shall be responsible for ensuring tanks have been properly cleaned of any seed that is not a part of the specified mix.

- b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of the above mitigation would reduce impacts to a less than significant level.
2. **Impact B-3:** Development under the proposed Specific Plan could affect locally-designated protected trees. This is considered a **Class II, significant but mitigable** impact.
- a. **Mitigation:** The proposed Specific Plan includes the following program, which is intended to address potential impacts associated with this issue: Program 4.3.4a. In addition to the above provisions indicated, the applicants under the Specific Plan will be required to comply with the City's Tree Regulations (City of San Luis Obispo, 1997). The following mitigation measure is also required to ensure compliance with the City's Tree Regulations and to reduce potential impacts to trees to a less than significant level.
 - **Mitigation Measure B-3(a) Construction Requirements.** Development under the Specific Plan shall abide by the requirements of the City Arborist for construction. Requirements shall include but not be limited to: the protection of trees with construction setbacks from trees; construction fencing around trees; grading limits around the base of trees as required; and a replacement plan for trees removed including replacement at a minimum 1:1 ratio.
 - b. **Finding:** The City finds that the mitigation measure is feasible and has been adopted. Implementation of the Specific Plan's program as described above along with the above mitigation measure would reduce impacts on trees to a less than significant level.
3. **Impact B-4:** Development under the proposed Specific Plan would affect riparian woodland and wetland habitat. This is considered a **Class II, significant but mitigable** impact.

- a. **Mitigation:** The Specific Plan has incorporated goals, policies, and programs to alleviate impacts to biological resources. The goals, policies, and programs are as follows: Goal 2.2a, Goal 2.2b, Policy 2.2.1, Policy 2.2.2, Program 2.2.2a-c, Policy 2.2.3, Program 2.2.3a, Program 2.2.3b, Policy 2.2.4, Program 2.2.4a, Program 2.2.4b, Policy 2.2.5, Program 2.2.5a, Program 2.2.5b, Policy 2.2.6, Goal 2.2c, Policy 2.2.7, Policy 2.2.8, Goal 2.2.d, Policy 2.2.9, Program 2.2.9a, Program 2.2.9b, Policy 2.2.10, Program 2.2.10a.

The following mitigation measures are required in addition to the above Specific Plan provisions to assure compliance with the City's Creek Setback Ordinance (Section 17.16.025 of the City's Zoning Regulations) and reduce impacts to riparian and wetland habitat to a less than significant level. Mitigation measures from the Drainage and Water Quality section below would further reduce potentially significant impacts to wetlands. Also refer to Mitigation Measures under Impact B-5 that apply to setbacks with respect to special-status species.

- **Mitigation Measure B-4(a) Trail Setbacks.** Trails shall be setback out of riparian habitat and out of the buffer area. The trail shall be a minimum distance of 20 feet from top of bank or from the edge of riparian canopy, whichever is farther. Trails shall be setback from wetland habitat at a minimum distance of 30 feet and shall not be within the buffer. Native plant species that will deter human disturbance shall be planted in the area between the trail and the wetland/riparian habitat including plants such as California rose (*Rosa californica*) and California blackberry (*Rubus ursinus*). No passive recreational use shall be allowed in the riparian or wetland habitats or drainage corridors.
- **Mitigation Measure B-4(b) Development Setbacks.** Development that abuts riparian and wetland mitigation areas shall also be setback at least 20 feet, and be buffered by an appropriately-sized fence and/or plants that deter human entry listed in B-4(a).
- **Mitigation Measure B-4(c) Riparian/ Wetland Mitigation.** If riparian and/or wetland habitat are proposed for removal pursuant to development under the Specific Plan, such development shall apply for all applicable permits and submit a Mitigation Plan for areas of disturbance to wetlands and/or riparian habitat. The plan shall be prepared by a biologist familiar with restoration and mitigation techniques. Compensatory mitigation shall occur on-site using regionally collected native plant material at a minimum ratio of 2:1 (habitat created to habitat impacted) in areas shown on figure 4.4-2 as directed by a biologist. The resource agencies may require a higher mitigation ratio. If the Orcutt Regional Basin is necessary as a mitigation site for waters of the U.S. and State it shall be designed as directed by a biologist taking into consideration hydrology, soils, and erosion control and using the final mitigation guidelines and monitoring requirements (U.S. Army Corps of Engineers, 2004). As noted above, the trail shall be setback out of the buffer area for riparian and wetland habitat.

The plan shall include, but not be limited to the following components:

- 1) Description of the project/impact site (i.e.: location, responsible parties, jurisdictional areas to be filled/impacted by habitat type);
- 2) goal(s) of the compensatory mitigation project (type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved, specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved);
- 3) description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site);
- 4) implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan);
- 5) maintenance activities during the monitoring period (activities, responsible parties, schedule);
- 6) monitoring plan for the compensatory mitigation-site (performance standards, target functions and values, target hydrological regime, target jurisdictional and non-jurisdictional acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
- 7) completion of compensatory mitigation (notification of completion, agency confirmation); and
- 8) contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

In addition, erosion control and landscaping specifications included in the mitigation plan shall allow only natural-fiber, biodegradable meshes and coir rolls, to prevent impacts to the environment and to fish and terrestrial wildlife.

- b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of the Specific Plan's goals, policies and programs, along with these required mitigation measures would reduce impacts to riparian woodland and wetland habitat to a less than significant level and ensure that the project is in compliance with the regulatory agencies and the Creek Setback Ordinance as contained in the Zoning Regulations (2004).

4. Impact B-5: Development under the proposed Specific Plan could potentially impact special-status wildlife species and their habitats within the Plan Area. This is considered a **Class II, significant but mitigable** impact.

- a. **Mitigation:** The Specific Plan establishes permanent open space for the creek area, and when combined with the buffering setbacks required by the City, impacts would be reduced substantially. Compliance with Federal and State regulations governing the wetland and riparian habitat types on-site (described in Impact B-3) would also reduce impacts to these important biological resources. Specific Plan policies would also require any development proposal pursuant to the Specific Plan that would remove riparian or wetland areas to mitigate for such impacts. However, the following additional mitigation measures are required to reduce impacts to all special-status wildlife species to a less than significant level.

- **Mitigation Measure B-5(a) Bird Pre-Construction Survey.** To avoid impacts to nesting special-status bird species and raptors including the ground-nesting burrowing owl, all initial ground-disturbing activities and tree removal shall be limited to the time period between September 15 and February 1. If initial site disturbance, grading, and tree removal cannot be conducted during this time period, a pre-construction survey for active nests within the limits of grading shall be conducted by a qualified biologist at the site no more than 30 days prior to the start of any construction activities (for ground-nesting burrowing owl survey see below). If active nests are located, all construction work must be conducted outside a buffer zone of 250 feet to 500 feet from the nests as determined in consultation with the CDFG. No direct disturbance to nests shall occur until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to the start of construction.
- **Mitigation Measure B-5(b) Burrowing Owl Survey.** When an applicant requests entitlements from the City under the Specific Plan a qualified biologist shall conduct surveys for burrowing owls during both the wintering and nesting seasons (unless the species is detected on the first survey) in potentially suitable habitats prior to construction in accordance with the guidelines described in the CDFG Staff Report on Burrowing Owl Mitigation (1995). Winter surveys shall be conducted on the entire project site between December 1 and February 1, and the nesting season survey shall be conducted between April 15 and July 15. If burrowing owls are detected within the proposed disturbance area, CDFG shall be contacted immediately to develop and implement a mitigation plan to protect owls and their nest sites.
- **Mitigation Measure B-5(c) Monarch Pre-Construction Survey.** If initial ground-breaking is to occur between the months of October and March a pre-construction survey for active monarch roost sites within the limits of grading shall be conducted by a qualified biologist at the site two weeks prior to any construction activities. If active roost sites are located no ground-disturbing activities shall occur within 50 feet of the perimeter of the habitat. Construction shall not resume within the setback until a qualified biologist has determined that the monarch butterfly has vacated the site.
- **Mitigation Measure B-5(d) VPFS Sampling Surveys.** Prior to development in areas shown as potential VPFS habitat on Figure 4.4-2, current USFWS protocol level sampling surveys shall be conducted in all such areas. A report consistent with current Federal, State, and local reporting guidelines shall be prepared to document the methods and results of surveys. If VPFS are found, the report shall include a map that identifies the VPFS locations. Should the presence of additional special-status wildlife species be determined including California linderiella, a map identifying locations in which these species were found shall be prepared and included in the report.

- **Mitigation Measure B-5(e) FESA Consultation and Mitigation Regarding VPFS.** If any VPFS individuals are located on-site pursuant to Mitigation Measure B-5(d), substantial setbacks from their identified habitat shall be implemented to avoid take of a Federally listed species. If complete avoidance is not economically or technically feasible, then Section 10 of the Federal Endangered Species Act (FESA) shall be used to authorize incidental take when no other Federal agency such as the Corps is involved. This process includes development of a Habitat Conservation Plan for protecting and enhancing the Federally listed species at a specific location in perpetuity. Species take can also be authorized under Section 7 of the FESA if a Federal agency is involved in the project (e.g., Corps Section 404 permitting for impacts to waters of the U.S. and/or Federal funding) and agrees to be the lead agency requesting Section 7 consultation. This consultation process takes at a minimum 135 days from the official request by the Federal lead agency.

The compensatory mitigation ratio shall be determined by the appropriate resource agencies. Suitable replacement habitat shall be constructed either within the site boundaries or off-site. Figure 4.4-2 identifies areas that could be appropriate for on-site VPFS mitigation. Figure 4.4-2 is not intended to preclude development but shall be used as a starting point for incorporating VPFS mitigation sites into the development plan. While the Orcutt Regional Basin included in the potential VPFS mitigation sites may need regular maintenance and may be seasonally flooded, depressions could be created on the upper edges of the terrace in such a manner that they are protected from flooding. VPFS mitigation areas shall be approved by a biologist familiar with VPFS habitat "creation" techniques. Enhancement of the on-site seasonal freshwater wetland habitat that is undisturbed by project activities may also be a part of the mitigation program. Alternatively, fairy shrimp cysts could be collected during the dry season from the existing habitat and placed into storage. Topsoil could also be removed and stored in conditions suitable to retain cysts. Wetland habitat could be enhanced/created in the areas shown on Figure 4.4-2 by grading depressions in the landscape and "top dressing" the depressions with the preserved topsoil. Preserved cysts would be added to the recreated wetlands in December or January, after sufficient ponding has occurred.

It is important to note that VPFS habitat mitigation is still considered experimental. VPFS habitat mitigation is ambitious as it is costly, labor intensive, and difficult to ensure success. Habitat may be "created" only in an existing vernal pool landscape that provides suitable soils and a number of other specific ecological factors (USFWS, 2004).

An alternative to on-site mitigation is the purchase of mitigation bank credits. Credits can be purchased by the acre as suitable mitigation for VPFS. There is currently no known mitigation bank with VPFS habitat occurring within San Luis Obispo County, however, mitigation banks may be available in the future.

- b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of the above mitigation measures would reduce impacts to special-status wildlife species and their habitats to a less than significant level.

5. **Impact B-6:** Development under the proposed Specific Plan would reduce the populations and available habitat of wildlife in general. The loss of wildlife habitat is considered a **Class II, significant but mitigable** impact.
- a. **Mitigation:** The following mitigation measures are required to fully reduce impacts to a less than significant level.
- **Mitigation Measure B-6(a) Minimized Roadway Widths.** Roadway widths adjacent to riparian and wetland habitats shall be reduced to the minimum width possible, while maintaining Fire Department Requirements for emergency access, with slower speed limits introduced. Posted speed limits should be 25 mph.
 - **Mitigation Measure B-6(b) Culvert Design.** Although closed culverts are to be the drainage conveyance method of last resort per the City Waterways Management Plan, where they are required, culverts connecting the Plan Area drainage corridors with upstream and downstream drainage corridors shall be evaluated during the suitability analysis pursuant to Mitigation Measure B-5(a) to determine their importance to wildlife who could use them to travel to and from the site. If culverts are found to be of importance to wildlife, the culverts shall be evaluated for their potential for improvement (i.e. retrofitting, maintenance, or specific improvements depending on the types of species using them). The development pursuant to the Specific Plan and the City shall develop a plan for the improvement of the culverts. Preservation of the wildlife corridors that are present on the project site can be achieved with sufficient setbacks from riparian and wetland habitats. Refer to B-4 for mitigation regarding riparian and wetland habitat setbacks.
 - **Mitigation Measure B-6(c) Educational Pet Brochure.** Any development pursuant to the Specific Plan shall prepare a brochure that informs prospective homebuyers and Home Owners Association (HOA) members about the impacts associated with non-native animals, especially cats and dogs, to the project site; similarly, the brochure must inform potential homebuyers and all HOA members of the potential for coyotes to prey on domestic animals.
 - **Mitigation Measure B-6(d) Landscaping Plan Review.** To ensure that project landscaping does not introduce invasive non-native plant and tree species to the region of the site, the final landscaping plan shall be reviewed and approved by a qualified biologist. The California Invasive Plant Council (Cal-IPC) maintains several lists of the most important invasive plants to avoid. The lists shall be used when creating a plant palette for landscaping to ensure that plants on the lists are not used. The following plants shall not allowed as part of potential landscaping plans pursuant to development under the Specific Plan:
 - African sumac (*Rhus lancea*)
 - Australian saltbush (*Atriplex semibaccata*)
 - Black locust (*Robinia pseudoacacia*)
 - California pepper (*Schinus molle*) and Brazilian pepper (*S. terebinthifolius*)

- Cape weed (*Arctotheca calendula*)
- Cotoneaster (*Cotoneaster pannosus*), (*C. lacteus*)
- Edible fig (*Ficus carica*)
- Fountain grass (*Pennisetum setaceum*)
- French broom (*Genista monspessulana*)
- Ice plant, sea fig (*Carpobrotus edulis*)
- Leafy spurge (*Euphorbia esula*)
- Myoporum (*Myoporum* spp.)
- Olive (*Olea europaea*)
- Pampas grass (*Cortaderia selloana*), and Andean pampas grass (*C. jubata*)
- Russian olive (*Elaeagnus angusticifolia*)
- Scotch broom (*Cytisus scoparius*) and striated broom (*C. striatus*)
- Spanish broom (*Spartium junceum*)
- Tamarix, salt cedar (*Tamarix chinensis*), (*T. gallica*), (*T. parviflora*), (*T. ramosissima*)
- Blue gum (*Eucalyptus globulus*)
- Athel tamarisk (*Tamarix aphylla*)

With the exception of poison oak, only those species listed in the Specific Plan's Suggested Plant List (Appendix E) shall not be planted anywhere on-site because they are invasive non-native plant species. Poison oak is a native plant species and could be used to deter human entrance to an area such as a mitigation/enhancement area.

- b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of the above mitigation measures would reduce impacts to wildlife habitat in general to a less than significant level.

E. CULTURAL RESOURCES

1. **Impact CR-1:** There is the potential that project construction will disturb previously unidentified buried archeological deposits and/or human remains. This is considered a **Class II, significant but mitigable** impact.

- a. **Mitigation:** The Specific Plan has incorporated the following goals, policies, and programs to alleviate impacts to cultural resources: Goal 2.5, Policy 2.5.1, Policy 2.7.1a, and Program 2.7.1a. In addition to these provisions incorporated in the Specific Plan, the following mitigation measures would further reduce impacts related to cultural resources to less than significant levels.

- **Mitigation Measure CR-1(a) Areas Not Surveyed.** All areas that were not surveyed by Conejo, as indicated in Figure 4.5-1, that will be subject to project-related earth disturbance shall be subject to archaeological survey prior to any such disturbances. This shall include APNs 076-481-014, 076-481-012, 076-491-003, 075-491-004, and 076-491-001, any planned trails or other developments within the areas designated as open space.

- **Mitigation Measure CR-1(b) Righetti Hill.** Even though it is located within an area designated as open space, the top of Righetti Hill should be subject to archaeological survey. The City is responsible for the survey as part of any project to create a trail system that would provide access to the top of the hill by the general public.
- **Mitigation Measure CR-1(c) Vegetation Clearance Monitoring.** Due to poor ground surface visibility, vegetation clearance/initial grading of the areas shown on Figure 4.5-2 should be monitored by an archaeologist. The archaeologist shall have the power to temporarily halt or redirect project construction in the event that potentially significant archaeological resources are exposed. Based on monitoring observations the lead archaeologist shall have the authority to refine the monitoring requirements as appropriate (i.e., change to spot checks, reduce the area to be monitored) in consultation with the lead agency. If potentially significant prehistoric or historic resources are exposed the lead archaeologist shall be responsible for evaluating the nature and significance of the find. If no archaeological resources are observed following the vegetation clearance/initial grading then no further monitoring shall be required. A monitoring report shall be provided to the City of San Luis Obispo and the CCIC.
- **Mitigation Measure CR-1(d) Archaeological Resource Construction Monitoring.** At the commencement of project construction, an orientation meeting shall be conducted by an archaeologist for construction workers associated with earth disturbing procedures. The orientation meeting shall describe the possibility of exposing unexpected archaeological resources and directions as to what steps are to be taken if such a find is encountered.

An archaeologist shall monitor construction grading within 50 meters (164 feet) of the two isolated finds. In the event that prehistoric or historic archaeological resources are exposed during project construction, all earth disturbing work within 50 meters (164 feet) of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated (e.g., curation, preservation in place, etc.), work in the area may resume. The City should consider retaining a Chumash representative to monitor any field work associated with Native American cultural material.

If human remains are exposed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98.

- b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of the Specific Plan's provisions and the required mitigation measures would reduce disturbance of archeological deposits and human remains to less than significant levels.

2. **Impact CR-2:** Project development will result in earth disturbance at several locations considered sensitive for archaeological resources. This is considered a **Class II, significant but mitigable** impact.

a. **Mitigation:** The following mitigation measures would reduce potential impacts related to identified archaeological resources to a less than significant level.

– **Mitigation Measure CR-2(a) Subsurface Archaeological Testing.** If avoidance of an archaeological site(s) is not possible, a Subsurface Archaeological Resource Evaluation (SARE) shall be completed prior to issuance of a Land Use Permit. A SARE should be undertaken for Orcutt-1 with the following goals:

- a) Determine if there are intact subsurface deposits associated with this site;
- b) Determine the site's boundaries;
- c) Assess the site's integrity, i.e., is it intact or highly disturbed; and
- d) Evaluate the site's importance or significance.

The City should consider retaining a Chumash representative to monitor any subsurface testing/excavation at Orcutt-1. Results of the Phase 2 Evaluation will determine the need or lack thereof for additional data recovery and/or construction monitoring in the archaeological site area. When feasible, avoidance of impacts through project redesign is the preferred method for mitigating impacts to significant archaeological resources.

The archaeological excavation(s) shall be based on a written explicit research design that includes a statement of research objectives and a program for carrying out these objectives. All cultural materials collected shall be curated at a qualified institution that has proper facilities and staffing for insuring research access to the collections.

– **Mitigation Measure CR-2(b) Construction Monitoring.** An archaeologist should monitor construction grading in the vicinity of the two isolated finds.

b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Impacts would be reduced to less than significant with implementation of proposed mitigation.

3. **Impact CR-3:** Implementation of the proposed project could result in indirect impacts to identified archaeological resources. This is considered a **Class II, significant but mitigable** impact.

a. **Mitigation:** The following mitigation measure would reduce potential indirect impacts related to identified archaeological resources to a less than significant level.

– **Mitigation Measure CR-3(a) Prohibition of Archaeological Site Tampering.** Off-road vehicle use, unauthorized collecting of artifacts, and other activities that could destroy or damage archaeological or cultural sites shall be prohibited. Signs shall be

posted on the property to discourage these types of activities and warn of trespassing violations and imposed fines.

- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. Impacts would be reduced to less than significant with implementation of proposed mitigation.

4. **Impact CR-4**: Implementation of the proposed project could result in indirect impacts to historical resources. This is considered a **Class II, significant but mitigable** impact.

- a. Mitigation: The following mitigation measure would reduce potential indirect impacts related to historical resources to a less than significant level.

– *Mitigation Measure CR-4(a) Historical Evaluation*. Prior to development, a qualified historian should be retained to conduct a historical evaluation of the 50+ year old structures within the Orcutt Area using the City's Historic Preservation Program Guidelines. Any structure determined to be an important/significant historic resource shall be mitigated as appropriate prior to its demolition or relocation. The historic structure evaluation should include the history of the Skinner/Righetti Ranch and the ranch complex should be recorded on appropriate DPR forms. Finally, the historian shall determine if project development will have any significant direct or indirect impacts on the Bettencourt/Rodriguez Adobe, a city historic landmark located immediately adjacent to the Orcutt Area.

- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. Impacts would be reduced to less than significant with implementation of proposed mitigation.

F. DRAINAGE AND WATER QUALITY

1. **Impact D-1**: During construction of the proposed project, the soil surface would be disrupted and potentially become subject to erosion, with potential off-site sedimentation and pollutant discharges. Alterations in drainage patterns and grading during the construction period could result in construction-related erosion problems. This is considered a **Class II, significant but mitigable** impact.

- a. Mitigation: The following mitigation measures address the above requirements for construction and post-construction scenarios:

– *Mitigation Measure D-1(a) Erosion Control Plan*. Prior to issuance of the first Grading Permit or approval of improvement plans, the applicant shall submit to the Directors of Community Development and Public Works for review and approval a detailed erosion control plan (ECP) to mitigate erosion and sedimentation impacts during the construction period. The detailed ECP shall be accompanied by a written narrative and be approved by the City Engineer. At a minimum, the ECP and

written narrative should be prepared according to the guidelines outlined in the DDM and should include the following:

- A proposed schedule of grading activities, monitoring, and infrastructure milestones in chronological format;
 - Identification of critical areas of high erodibility potential and/or unstable slopes;
 - Soil stabilization techniques such as short-term biodegradable erosion control blankets and hydroseeding should be utilized. Silt fences should be installed downslope of all graded slopes. Straw bales should be installed in the flow path of graded areas receiving concentrated flows, as well as around storm drain inlets;
 - Description of erosion control measures on slopes, lots, and streets;
 - Contour and spot elevations indicating runoff patterns before and after grading;
 - Filter systems at catch basins (drop inlets) in public streets as a means of sediment control; and
 - The post-construction inspection of all drainage facilities for accumulated sediment, and the clearing of these drainage structures of debris and sediment.
- **Mitigation Measure D-1(b) Storm Water Pollution Prevention Plan.** The applicant shall comply with NPDES General Construction Activities Storm Water Permit Requirements established by the CWA. Pursuant to the NPDES Storm Water Program, an application for coverage under the statewide General Construction Activities Storm Water Permit (General Permit) must be obtained for project development. It is the responsibility of the project applicant to obtain coverage prior to site construction.

The applicant can obtain coverage under the General Permit by filing a Notice of Intent (NOI) with the State Water Resource Control Board's (SWRCB) Division of Water Quality. The filing shall describe erosion control and storm water treatment measures to be implemented during and following construction and provide a schedule for monitoring performance. These BMPs will serve to control point and non-point source (NPS) pollutants in storm water and constitute the project's SWPPP for construction activities. While the SWPPP will include several of the same components as the ECP, the SWPPP will also include BMPs for preventing the discharge of other NPS pollutants besides sediment (such as paint, concrete, etc.) to downstream waters.

- **Notice of Intent.** Prior to beginning construction, the applicant shall file a Notice of Intent (NOI) for discharge from the proposed development site.
- **Storm Water Pollution Prevention Plan.** The applicant shall require the building contractor to prepare and submit a SWPPP to the City forty-five (45) days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the project site in excess of one acre. The SWPPP shall include specific BMPs to control the discharge of material

from the site. BMP methods may include, but would not be limited to, the use of temporary detention basins, straw bales, sand bagging, mulching, erosion control blankets, silt fencing, and soil stabilizers. Additional BMPs should be implemented for any fuel storage or fuel handling that could occur on-site during construction. The SWPPP must be prepared in accordance with the guidelines adopted by the State Water Resources Control Board (SWRCB). The SWPPP shall be also submitted to the City along with grading/development plans for review and approval.

- **Notice of Completion of Construction.** The applicant shall file a notice of completion of construction of the development, identifying that pollution sources were controlled during the construction of the project and implementing a closure SWPPP for the site.

b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of an Erosion Control Plan and Stormwater Pollution Prevention Plan would reduce impacts from construction erosion to less than significant levels.

2. **Impact D-2:** Increased runoff on-site could deteriorate on-site streambank conditions, leading to long-term erosion on-site. Impacts are considered **Class II, significant but mitigable**.

a. **Mitigation:** The proposed Specific Plan includes the following goals, policies, and programs, which are intended to address potential impacts associated with this issue: Policy 2.2.4, Program 2.2.4a, and Program 2.2.4b. The following mitigation measures are recommended.

– **Mitigation Measure D-2(a) Vegetative and Biotechnical Approaches to Bank Stabilization.** Vegetative or biotechnical (also referred to as soil bioengineering) approaches to bank stabilization are preferred over structural approaches. Bank stabilization design must be consistent with the SLO Creek Stream Management and Maintenance Program Section 6. Streambank stabilization usually involves one or a combination of the following activities:

- Regrading and revegetating the streambanks to eliminate overhanging banks and create a more stable slope;
- Deflecting erosional water flow away from vulnerable sites;
- Reducing the steepness of the channel bed through installation of grade stabilization structures;
- Altering the geometry of the channel to influence flow velocities and sediment deposition;
- Diverting a portion of the higher flow into a secondary or by-pass channel;
- Armoring or protecting the bank to control erosion, particularly at the toe of slopes.

The bank stabilization design will:

- Be stable over the long term;
 - Be the least environmentally damaging and the “softest” approach possible;
 - Not create upstream or downstream flooding or induce other local stream instabilities;
 - Minimize impacts to aquatic and riparian habitat;
 - Specify that only natural-fiber, biodegradable meshes and coir rolls be used, to prevent impacts to the environment and to fish and terrestrial wildlife.
- **Mitigation Measure D-2(b) Constructed Natural Channel.** Where the creeks within the Orcutt Plan Area may need to be modified to create sufficient conveyance capacity and mitigate geomorphic instability, (i.e. floodable terraces within the proposed linear park), design guidelines from Section 5.3 of the SLO Creek Drainage Design Manual shall be applied. The waterways are to be designed in accordance with all provisions of the design criteria applicable to Constructed Natural Channels. Typically, this would include construction of a compound channel utilizing an in-channel bench or terrace whenever feasible, considerations of stable channel planform geometry, use of setbacks and buffer strips at top of bank, planting using native plants, and slope stabilization using biotechnical erosion control methods.
- **Mitigation Measure D-2(c) Riparian Zone Planting.** The OASP proposes riparian enhancement of creek corridors. Section 11 guidelines of the SLO Creek Drainage Design Manual shall be followed for riparian areas that are modified, created and/or managed for flood damage reduction, stream enhancement, and bank repair. Linear park terrace vegetation, streambank repair and channel maintenance projects may require stream channel modifications that include shaping, widening, deepening, straightening, and armoring. Many channel management projects also require building access roads for maintenance vehicles and other equipment. These construction activities can cause a variety of impacts to existing sensitive riparian and aquatic habitat that, depending on the selected design alternative, range from slight disturbances to complete removal of desirable woody vegetation and faunal communities. In urban areas within the SLO creek watershed, riparian vegetation often provides the only remaining natural habitat available for wildlife populations.
- b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. Implementation of the mitigation measures above will ensure appropriate bank stabilization, channel modification, and riparian revegetation methods to mitigate the contribution of on-site sediments to the detention basin system.
3. **Impact D-3:** Regional detention basin storage has the potential to have downstream erosion impacts from longer durations of downstream flows. This impact is considered a **Class II, significant but mitigable** impact.
- a. **Mitigation:** The Specific Plan incorporated the following design criteria for the proposed basins within the Plan area:
- Reduce 100-year post development peak runoff to 25-year pre-development rate.
 - Reduce 50-year post development peak runoff to 20 year pre-development rate.

- Limit 10-year post development peak runoff to 10-year pre-development rate.
- Limit 2-year post development peak runoff to within 5 percent of the 2 year pre-development rate.

In addition to the above criteria proposed, the following mitigation measure is recommended to further reduce impacts caused by downstream flow and erosion:

– **Mitigation Measure D-3(a) Payment of Fair Share Fees for Area Drainage Improvements.** The City/Zone 9 Waterway Management Plan (WMP, Questa, 2002) provides for imposition of a Drainage Impact Fee on new development projects that would result in adverse hydrological impacts. The Drainage Impact Fee can only be used to pay for drainage improvements made necessary by the hydrologic impacts of a project. The applicant shall pay their “fair share” of any mitigation fee established by the City of San Luis Obispo for drainage improvements made necessary by cumulative project development. These fair share fees may be used to fund components of the City’s Storm Drain Master Plan (Boyle Engineering, 2000), or other improvements as identified by the City. Components of the City’s Storm Drain Master Plan preferred alternative downstream of the Orcutt Plan Area include:

- A new concrete box culvert at Broad Street on Orcutt Creek,
- A new concrete slab bridge at Santa Fe Road on the East Branch of SLO Creek, and
- A modified channel for improved conveyance capacity from Santa Fe to Buckley Road on the East Branch of SLO Creek.

b. **Finding:** The City finds that the mitigation measure is feasible and has been adopted. In association with the Specific Plan’s design criteria, implementation of the proposed mitigation measure would reduce impacts to less than significant levels.

4. **Impact D-4:** Development of the proposed project could result in an increase in peak discharges at downstream locations. This impact is considered a **Class II, significant but mitigable** impact.

a. **Mitigation:** The following mitigation measures are recommended to ensure proper design and safety of detention facilities:

– **Mitigation Measure D-4(a) Compliance with City’s Drainage Design Manual.** All drainage improvements must be constructed in accordance with Section 9 of the City’s Drainage Design Manual. Either subregional facilities shall be constructed with the first phase of development or interim (on-site) drainage control shall be constructed. Interim facilities can be abandoned once regional facilities are available. The applicant shall submit a detention system plan to the Director of Public Works for review and approval.

The detention basins shall be designed to comply with applicable City drainage design standards and at a minimum have the following features:

- Each basin should include an outlet structure to allow the basin to drain completely within 48 hours. The amount of outflow can be regulated with a fixed outfall structure. Such a structure must include an outfall pipe of a size and length that will give positive control on the outfall head. The principal outlet regulates the design discharge from the watershed above at a water level in the basin that does not exceed a certain maximum elevation.
- Regional, or larger on-site facilities can pose significant hazards to public safety in the event of failure. In addition to the outlet control structure, an emergency overflow spillway (secondary overflow) must be provided. This spillway must satisfy the following requirements:
 - The spillway must be designed to pass the 100-year design storm event if the outlet works fail or if a runoff event exceeds the design event. The spillway design will be based on peak runoff rates for developed site conditions, assuming that the basins fill to the crest of the spillway prior to the beginning of the design event.
 - The spillway must be located so overflow is conveyed safely to the downstream channel.
- Each basin shall be designed with an emergency spillway that can pass the 100-year storm event with 2-foot freeboard between the design water surface elevation and the top of the embankment. At a minimum the basin must contain the 10-year flow without release to emergency spillway. If flows over the emergency spillway do occur, provisions must be made or be in place that will convey such flows safely.
- The design volume of the basin must be sized to include the capacity for a five (5) year accumulation of sediment. Generally, the basin should be cleared out when it is half-full, as determined on a marked staff in the bottom of the basin, or a mark on a riser pipe. The amount of potential sedimentation in the basin shall be determined by a soils engineer or hydrologist, using the procedures such as those outlined in the Association of Bay Area Government's (ABAG) Manual of Standards for Erosion and Sediment Control (May 1995) or as approved by the City Engineer or County Public Works Director.
- The basin and its outfall must be sized so that approximately 85% of the total stormwater storage, excluding sediment storage in the basin, can be recovered within twenty-four hours of the peak inflow. A basin overflow system must provide controlled discharge (emergency spillway) for the 100-year design event without overtopping the basin embankment and maintain adequate freeboard. The design must provide controlled discharge directly into the downstream conveyance system or safe drainage way. The principal outlet must be able to drain the detention facility within 48 hours of the end of the 100-year storm by gravity flow through the principal outlet.
- Any detention basin design must be accompanied by a soils report. This report should address allowable safe basin slopes with respect to liquefaction, rapid draw down, wave action and so forth. Additionally, the report should also address sedimentation transport from areas above the basin and allowable

bearing pressures where structures are to be placed. The soils report must address the level of the water table and the effects of the basin excavation on the water table.

- **Mitigation Measure D-4(b) Final Drainage Detention System Verification.** Final detention basin system designs for project-specific EIRs within the Orcutt Plan Area shall be submitted to the Public Works Department. Per the Wastewater Management Plan, the project shall not cause more than a 5% increase of peak run off rates for the 2-, 50-, and 100-year 24 hour storm event. Final basin designs shall provide stage-storage-outflow curves and outfall structure details for all detention basins. The San Luis Obispo SLO/Zone 9 HEC-HMS hydrology model may be used to model final detention basin system cumulative downstream impacts should specific projects propose substantial changes to conceptual design, at the discretion of the City Engineer.

- b. **Finding:** The City finds that the mitigation measures are feasible and have been adopted. In association with the Specific Plan's design criteria, implementation of the proposed mitigation measure would reduce impacts to less than significant levels. While the proposed detention system is not predicted to have significant downstream impacts on peak discharge rates, the current design of detention structures is still conceptual for the OASP. The implementation of Mitigation Measure D-4(a) would ensure that project impacts associated with proposed OASP development would be less than significant.

- 5. **Impact D-5:** During long-term operation of the proposed project, runoff from the site could affect the water quality in creeks within the Specific Plan Area. Project development could result in an increase in non-point source (NPS) pollutants to receiving waters. Impacts are considered Class II, *significant but mitigable*.

- a. **Mitigation:** The following mitigation measures are recommended:

- **Mitigation Measure D-5(a) Biofilters.** The applicant shall submit to the Director of Community Development for review and approval a plan that incorporates grassed swales (biofilters) into the project drainage system where feasible for runoff conveyance and filtering of pollutants. A preferred alternative to concrete drainage swales to transport the runoff to roadside ditches, these swales shall be lined with grass or appropriate vegetation to encourage the biofiltration of sediment, phosphorus, trace metals, and petroleum from runoff prior to discharge into the formal drainage network. General design guidelines relevant to optimizing the pollutant removal mechanisms of grassed swales are: 1) a dense, uniform growth of fine-stemmed herbaceous plants for optimal filtering of pollutants; 2) vegetation that is tolerant to the water, climatological, and soil conditions of the project site is preferred; 3) grassed swales that maximize water contact with the vegetation and soil surface have the potential to substantially improve removal rates, particularly of soluble pollutants; and 4) pollutant removal efficiency is increased as the flow path length is increased. General maintenance guidelines for biofilters are discussed in Mitigation Measure D-5(b).

A Best Management Practice (BMP) filter device shall be installed to intercept water flowing off of proposed parking lot and roadway surfaces. Water quality BMPs shall be those identified in the California Stormwater Quality association's BMP handbook. Whenever feasible, the preferred approach to treating surface runoff will be the use of drainage swales rather than mechanical devices. The chosen method for treating runoff shall be a proven and documented pollution prevention technology device that removes oil and sediment from stormwater runoff, and retains the contaminants for safe and easy removal. The chosen device shall possess design features to prevent re-suspension of previously collected contaminants and materials, and contain a built-in diversion structure to divert intense runoff events and prevent scouring of the previously collected sediments. The filter devices shall be designed and sized to treat the run-off from the first 25 mm (1 inch) of rainfall. The storm water quality system must be reviewed and approved by the City Director of Public Works.

– **Mitigation Measure D-5(b) SWPPP Maintenance Guidelines.** Prior to issuance of the first grading permit or approval of improvement plans, the applicant shall submit to the Director of Community Development and Director of Public Works for review and approval a long-term storm water pollution prevention plan (SWPPP) to protect storm water quality after the construction period. The SWPPP shall include the following additional BMPs to protect storm water quality:

- Proper maintenance of parking lots and other paved areas can eliminate the majority of litter and debris washing into storm drains and thus entering local waterways. Regular sweeping is a simple and effective BMP aimed at reducing the amount of litter in storm drain inlets (to prevent clogging) and public waterways (for water quality). The project applicant shall enter into an agreement with the City of San Luis Obispo to ensure this maintenance is completed prior to approval of improvement plans or final maps.
- Proper maintenance of biofilters is essential to maintain functionality. The maintenance of biofilters on the project site will be the responsibility of a homeowner's association for the proposed project. Biofilter maintenance would include: 1) Regular mowing to promote growth and increase density and pollutant uptake (vegetative height should be no more than 8 inches, cuttings must be promptly removed and properly disposed of); 2) Removal of sediments during summer months when they build up to 6 inches at any spot, cover biofilter vegetation, or otherwise interfere with biofilter operation; and 3) Reseeding of biofilters as necessary, whenever maintenance or natural processes create bare spots.
- Proper maintenance of detention basins is necessary to ensure their effectiveness at preventing downstream drainage problems and promoting water quality. Necessary detention basin maintenance includes: 1) regular inspection during the wet season for sediment buildup and clogging of inlets and outlets; 2) regular (approximately every 2-3 years) removal of basin sediment; and 3) if an open detention basin is used, mowing and maintenance of basin vegetation (replant or reseed) as necessary to control erosion. A maintenance plan must be developed and provided along with the design documents. Long-term detention basin

- maintenance plans must clearly delineate and assign maintenance and monitoring responsibilities for local and regional detention basins. Maintenance reports shall be submitted annually to City's Public Works Department.
- For basins greater than 5,000 m³ (4 ac-ft) storage (i.e. the Upper Fork regional detention basin), vehicular access for maintenance of the basin and outlet works, removal of sediment, and removal of floating objects during all weather conditions must be provided. An access road must be provided to the basin floor of all detention facilities. This road must have a minimum width of 3.7 m (12 ft) and a maximum grade of 20%. Turnarounds at the control structure and the bottom of the basin must have a 12-m (40-ft) minimum outside turning radius.
 - The applicant shall prepare informational literature and guidance on residential BMPs to minimize pollutant contributions from the proposed development. This information shall be distributed to all residences at the project site. At a minimum the information should cover: 1) general information on biofilters and detention basins for residents concerning their purpose and importance of keeping them free of yard cuttings and leaf litter; 2) proper disposal of household and commercial chemicals; 3) proper use of landscaping chemicals; 4) clean-up and appropriate disposal of yard cuttings and leaf litter; and 5) prohibition of any washing and dumping of materials and chemicals into storm drains.
 - The stormwater BMP devices shall be inspected, cleaned and maintained in accordance with the manufacturer's maintenance specifications. The devices shall be cleaned prior to the onset of the rainy season (i.e. November 1st) and immediately after the end of the rainy season (i.e. May 1st). All devices will be checked after major storm events. The results of the inspection and maintenance report shall be submitted to the City of San Luis Obispo Public Works Department.
- **Mitigation Measure D-5(c) Pervious Paving Material.** Consistent with Land Use Element Policy 6.4.7, the applicant shall be encouraged to use pervious paving material to facilitate rainwater percolation. Parking lots and paved outdoor storage areas shall, where feasible, use pervious paving to reduce surface water runoff and aid in groundwater recharge.
- **Mitigation Measure D-5(d) Low Impact Development Practices.** In addition to the low impact development (LID) practices described in the above measures, the Specific Plan shall incorporate the following as requirements of future development within the area, to the extent appropriate for type and location of development:
- Reduced and disconnected impervious surfaces
 - Preservation of native vegetation where feasible
 - Use of tree boxes to capture and infiltrate street runoff
 - Roof leader flows shall be directed to planter boxes and other vegetated areas
 - Soil amendments shall be utilized in landscaped areas to improve infiltration rates of clay soils.
 - Incorporate rain gardens into landscape design

These LID practices shall be utilized wherever feasible and appropriate to ensure that the pre-development stormwater runoff volume and pre-development peak runoff discharge rate are maintained, and that the flow frequency and duration of post-development conditions are identical (to the extent feasible) to those of pre-development conditions. LID practices are subject to the review and approval of the Regional Water Quality Control Board, as part of the City's National Pollution Discharge Elimination System Permit compliance.

- b. Finding: The City finds that the mitigation measures are feasible and have been adopted. Implementation of the identified mitigation measures would reduce project impacts associated with NPS pollutants to a less than significant level.
6. **Impact D-6**: During long-term operation of the proposed project, runoff from the site could affect the water quality of creeks downstream of the Orcutt Plan Area. Project development could result in an increase in non-point source (NPS) pollutants to receiving waters. Impacts are considered **Class II, significant but mitigable**.
- a. Mitigation: The following mitigation measure is recommended:
- **Mitigation Measure D-6(a) Wetland Habitat Function**. A wetland habitat enhancement project is proposed as a feature of the linear park/regional detention basin. The wetland habitat would function as a permanent pond within the detention basin. Therefore:
 - The volume of the permanent pond shall not be counted towards the total storage volume of the regional detention basin;
 - Basin outlets shall be located above the desired permanent water surface, to prevent the basin from draining completely;
 - Mitigation Measure D-5(b) requires regular maintenance and monitoring of detention basin sediment accumulation.
- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. The mitigation measure above would ensure that proposed detention basins would have less-than- significant impacts on water quality downstream in the long-term.

G. GEOLOGIC HAZARDS

1. **Impact G-2**: Seismic activity could produce sufficient ground shaking to result in liquefaction at the project site. This is considered a **Class II, significant but mitigable** impact.
- a. Mitigation: The proposed Specific Plan includes the following program which is intended to reduce potential impacts associated with liquefaction for the Plan area: Program 3.4.1a. To clarify this policy, the following mitigation measure is required, which is intended to more fully address methodologies that could be implemented to reduce liquefaction impacts.

– **Mitigation Measure G-2(a) Geotechnical Study Parameters.** As stated in Program 3.4.1.a. of the proposed Specific Plan, a geotechnical study shall be prepared by a State-registered engineering geologist for the project site prior to site development. This report shall include an analysis of the liquefaction potential of the underlying materials according to the most current liquefaction analysis procedures. This study shall also:

- evaluate the potential for soil settlement beneath the project site;
- evaluate the potential for expansive soils beneath the project site; and
- assess the stability of all slopes in the areas where construction is to occur. This evaluation shall determine the potential for adverse soil stability and discuss appropriate mitigation techniques. Appropriate set backs from unstable slopes and areas below potential rockfall zones shall be implemented. No development of residential structures is to occur in areas where rockfall hazards could damage buildings.

The following suitable measures to reduce liquefaction impacts could include but need not be limited to:

- specialized design of foundations by a structural engineer;
- removal or treatment of liquefiable soils to reduce the potential for liquefaction;
- drainage to lower the groundwater table to below the level of liquefiable soil;
- in-situ densification of soils or other alterations to the ground characteristics; or
- other alterations to the ground characteristics.

b. **Finding:** The City finds that the mitigation measure is feasible, and has been adopted. Implementation of the Specific Plan's policies and related mitigation measure in project design would address impacts related to seismically induced liquefaction to the extent of industry standards; therefore impacts would be less than significant.

2. **Impact G-3:** The Specific Plan area is located in an area defined as having a high potential for settlement. This is considered a **Class II, significant but mitigable** impact.

a. **Mitigation:** The following measures would reduce settlement hazard impacts to less than significant levels:

– **Mitigation Measure G-3(a) Soil Settlement Engineering.** If the project site is identified to be in a high potential for settlement zone (through the Geotechnical Study required in Mitigation Measure G-2(a)) the building foundations, transportation infrastructure and subgrades shall be designed by a structural engineer to withstand the existing conditions, or the site shall be graded in such a manner as to address the condition.

Suitable measures to reduce settlement impacts could include but need not be limited to:

- excavation and recompaction of on-site or imported soils;
 - treatment of existing soils by mixing a chemical grout into the soils prior to recompaction; or
 - foundation design that can accommodate certain amounts of differential settlement such as posttensional slab and/or ribbed foundations designed in accordance with Chapter 18, Division III of the Uniform Building Code(UBC).
- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. Implementation of the above measure would ensure that impacts related to soil settlement would be reduced to a less than significant level.
3. **Impact G-4**: The Specific Plan area is located in an area defined as having moderate to high potential for the expansion or contraction of soils. This is considered a **Class II, significant but mitigable** impact.
- a. Mitigation: The following measure would reduce soil expansion/contraction hazard impacts to a less than significant level:
- **Mitigation Measure G-4(a) Expansive Soils Grading**. If the project site is identified as having expansive soils (through the Geotechnical Study required in Mitigation Measure G-2(a)), the foundations and transportation infrastructure shall be designed by a structural engineer to withstand the existing conditions, or the site shall be graded in such a manner as to address the condition.
- Suitable measures to reduce impacts from expansive soils could include but need not be limited to:
- excavation of existing soils and importation of non-expansive soils; and
 - foundation design to accommodate certain amounts of differential expansion such as posttensional slab and/or ribbed foundations designed in accordance with Chapter 18, Division III of the UBC.
- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. Implementation of the above measure would ensure that impacts related to soil expansion would be reduced to a less than significant level.
4. **Impact G-5**: Soil stability conditions contributing to landslides, debris flows, or rock falls exist within the Plan Area. This is considered a **Class II, significant but mitigable** impact. Development near areas of rockfall are considered a **Class II, significant but mitigable** impact.
- a. Mitigation: Implementation of the following measure is required.
- **Mitigation Measure G-5(a) Slope Engineering**. If the Specific Plan area is identified as having unstable slopes within the development envelope (through the Geotechnical Study required in Mitigation Measure G-2(a)), either the development

envelope shall be modified so as to avoid these unstable slopes, or the slopes will have to be engineered so as to no longer be unstable. The design of slopes to withstand any unstable conditions shall be performed by a Geotechnical Engineer or Engineering Geologist, and the mitigation must be approved by the City of San Luis Obispo building department before the issuance of grading permits.

- b. **Finding:** The City finds that the mitigation measure is feasible and has been adopted. Areas having unstable slopes shall be engineered so as to remove or recontour the slopes and stabilize the slopes prior to grading. This mitigation is designed to reduce potential effects to a less than significant level.
5. **Cumulative Impacts:** Cumulative impacts related to fault rupture, seismically related ground shaking, liquefaction, expansive soils, and soil compaction would be similar to what is described for project-specific impacts, and would be dealt with on a project by project basis.
- a. **Mitigation:** The Specific Plan contains goals and policies (listed above) which would reduce cumulative impacts related to geologic hazards. In addition, implementation of Mitigation Measures G-2(a), G-3(a), G-4(a), and G-5(a) would ensure that project-specific impacts remain less than significant. No other mitigation measures are necessary to address cumulative impacts.
 - b. **Finding:** The City finds that the mitigation measures proposed above are feasible and have been adopted to reduce the proposed project's contribution to cumulative geologic impacts. With incorporation of the above measures, cumulative impacts relating to geologic hazards would be less than significant.

H. NOISE

1. **Impact N-1:** Construction under the Specific Plan would temporarily generate high noise levels on-site. Because noise could exceed thresholds in the City General Plan Noise Element, impacts are considered **Class II, significant but mitigable**.
 - a. **Mitigation:** Implementation of the following policy and programs included in the Specific Plan would reduce impacts to noise generated from temporary construction: Goal 4.5, Program 4.5.1.f, Policy 4.5.2, and Program 4.5.2d.

In addition to the policies and programs identified above, the following mitigation measures are required to reduce construction noise impacts on nearby residences:

- **Mitigation Measure N-1(a) Compliance with City Noise Ordinance.** Construction hours and noise levels shall be compliant with the City Noise Ordinance [Municipal Code Chapter 9.12, Section 9.12.050(6)]. Methods to reduce construction noise can include, but are not limited to, the following:

- **Equipment Shielding.** Stationary construction equipment that generates noise can be shielded with a barrier.
 - **Diesel Equipment.** All diesel equipment can be operated with closed engine doors and equipped with factory-recommended mufflers.
 - **Electrical Power.** Whenever feasible, electrical power can be used to run air compressors and similar power tools.
 - **Sound Blankets.** The use of sound blankets on noise generating equipment.
- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. With implementation of the provisions within the Specific Plan and the required mitigation above, noise impacts due to construction would be reduced to less than significant levels.
2. **Impact N-4:** The proposed Specific Plan would place additional sensitive receptors in the vicinity of the Union Pacific Railroad tracks, exposing them to noise levels that could potentially exceed City noise standards. This is considered a **Class II, significant but mitigable**, impact.
- a. Mitigation: The Orcutt Area Specific Plan includes goals, policies, and programs that are intended to reduce noise impacts caused by the nearby railroad, as follows: Goal 4.5, Policy 4.5.1, and Programs 4.5.1a through Program 4.5.1e. In addition to the provisions proposed in the Specific Plan, the following mitigation measures are required to reduce UPRR noise impacts on nearby residences:
- **Mitigation Measure N-4(a) Specific Plan Revision.** The Specific Plan shall be revised to meet the noise standards of the City General Plan Noise Element. Policy 4.5.1a shall be revised to require that outdoor noise levels for residences not exceed 60 dB (Ldn) and indoor noise levels for residences and schools not exceed 45 dB (Ldn). Program 4.5.2a shall also be revised to ensure that these standards are met. Indoor noise levels can be reduced using the design and materials techniques described in Specific Plan Programs 4.5.1a, 4.5.1b, 4.5.1c, 4.5.1d, 4.5.1e, 4.5.1f, 4.5.2a, 4.5.2b, and 4.5.2c. Outdoor noise levels can be reduced in the following ways:
 - 1) Locate all proposed residential and school development outside of the 60 Ldn contour line (352 feet from the centerline of the railroad); or
 - 2) For any residential or school development located within 352 feet of the railroad centerline, a combination of barrier methods specified in the Noise Element must be implemented. Residential or school project applicants in this area shall demonstrate to the satisfaction of the Community Development Department that proposed development will not be exposed to outdoor noise levels that exceed Noise Element standards. Because of the varying topography of the site relative to the railroad tracks, and the fact the development design has not been determined, the specific attenuation methods cannot be definitively determined. Options could include one or more of the following approaches:

- Berm or wall along the railroad right-of-way, which would likely vary in height from about 8 to 20 feet, based on preliminary noise models included in this EIR;
- Design of individual homes such that structures block the line-of-sight from useable backyards to the railroad tracks;
- For homes with backyards not blocked by intervening structures, backyard fencing of sufficient height to block line-of sight to railroad tracks.

The design of noise barriers and backyard layouts and walls shall be examined by an approved noise consultant, to determine if they provide sufficient mitigation to comply with Noise Element standards related to outdoor noise exposure.

- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. With implementation of the programs contained in the Specific Plan and the above mitigation measures, impacts would be less than significant.

I. PUBLIC SAFETY

1. **Impact S-1:** Development under the Specific Plan has the potential to expose residents to potentially harmful electric or magnetic fields. This is a **Class II, significant but mitigable** impact.
- a. Mitigation: The City Safety Element includes policies intended to reduce the exposure of people to EMFs. Since the proposed Specific Plan includes residential uses adjacent to the exiting transmission line easement the following mitigation is also required.
- *Mitigation Measure S-1(a) EMF Exposure.* State or Federal electric or magnetic exposure levels, if established, are to be followed. In the absence of these exposure standards, no residential structures or residential yards, schools, active parks, or recreational facilities are to be built within the utility corridor right-of-way or easement.
- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. Proposed mitigation would reduce potential impacts related to the exposure to electric and magnetic fields generated by the transmission lines to a less than significant level.
2. **Impact S-2:** Development under the Orcutt Area Specific Plan would increase activity levels in the vicinity of the San Luis Obispo Airport Planning Area. The draft Specific Plan is inconsistent with certain safety-related provisions of the Airport Land Use Plan. Revisions to the Specific Plan and density adjustments from the Airport Land Use Commission are required to make the Specific Plan consistent. If the Airport Land Use Commission determines that the Orcutt Area Specific Plan is consistent with the Airport Land Use Plan, this would be considered a **Class II, significant but mitigable** impact.
- a. Mitigation: Adherence to State requirements for new school sites and Zoning Regulation would reduce the ALUP inconsistencies and associated safety. The

following goals, policies, programs and performance standards are derived from the Orcutt Area Specific Plan and would reduce impacts created by or produced by the San Luis Obispo County Airport. They are as follows: Goal 3.5, Policy 3.5.1, Policy 3.5.2, Policy 3.5.3, and Performance Standards 3.5.2a-h. In addition to the policies and programs described above, the following mitigation measures are required related to airport safety impacts.

- **Mitigation Measure S-2(a) Residential Density.** Prior to Specific Plan approval by the City Council, the proposed project must be referred to the ALUC for a consistency determination with the ALUP. The ALUC must determine that the proposed residential density is consistent with the ALUP; or, the applicant shall submit a revised Specific Plan that shows a reduction in proposed residential density, consistent with ALUP requirements.
- **Mitigation Measure S-2(b) Disclosure.** Prior to recordation of final map, the applicant shall develop Covenants, Codes, and Restrictions (CC&R's) that disclose to potential buyers or lessees that aircraft over-flights occur, and that such flights may result in safety hazard impacts should an aircraft accident occur. In addition, prior to recordation of final map, aviation easements shall be recorded over the entire project site for the benefit of the SLO County Regional Airport.
- **Mitigation Measure S-2(c) Special Function Land Uses.** Prior to Specific Plan approval by the City Council, the project must be referred to the ALUC for a consistency determination with the ALUP. The ALUC must determine that the proposed Special Function Land Use is consistent with the ALUP; or, the applicant shall submit revised plans showing that the proposed school has been eliminated from the proposal.

b. **Finding:** The City finds that the mitigation measures above are feasible, and have been adopted. Implementation of the above measures along with adherence to State requirements for new school sites and Zoning Regulation would mitigate airport safety impacts to a less than significant level.

3. **Impact S-3:** The Union Pacific Railroad corridor adjacent to potential development under the Specific Plan could create a public safety hazard because of the possibility of accidents. This is a *Class II, significant but mitigable* impact.

a. **Mitigation:** Transport of hazardous materials on the railway will be required to comply with all federal, state, and local laws pertaining to the handling of hazardous materials. In addition, any school developed pursuant to the Specific Plan would require compliance with Department of Education safety study requirements. This analysis, however, would be conducted through separate review outside the CEQA process. To reduce the potential safety hazard of trespassers on the railroad tracks the following mitigation measures are recommended:

- **Mitigation Measure S-3(a) Pedestrian/Bicycle Passage.** A safe and accessible pedestrian/bicycle crossing shall be provided across the UPRR between Orcutt Road

and Tank Farm Road. This crossing shall be connected with the proposed bicycle and pedestrian path, and integrated into the bicycle path and sidewalk system. This crossing shall be designed to allow pedestrians and bicyclists to safely travel across the tracks from the Plan Area to the neighborhood on the west side of the tracks. The crossing shall be approved by the City Engineer.

- **Mitigation Measure S-3(b) Signage.** Signage that directs people to the pedestrian/bicycle railroad crossing shall be placed in obvious and appropriate locations along the western edge of the Plan Area and along the bike path that runs parallel to the railroad tracks on the west side of the Plan Area.
- **Mitigation Measure S-3(c) Fencing.** The Specific Plan shall be revised to include fencing along the western boundary of the Specific Plan area, adjacent to the railroad tracks. Coordination with the UPRR and the City is required to determine the appropriate height and type of fencing. This fencing can be integrated with barriers that are required to meet noise attenuation standards (See impact N-4 above).

b. **Finding:** The City finds that the above mitigation measures are feasible and have been adopted. Implementation of the above measures would reduce impacts to a less than significant level.

4. **Impact S-4:** Suspect recognized environmental conditions that may pose a risk to human health and safety have been observed on portions of the Orcutt Area. This is considered a **Class II, significant but mitigable** impact.

a. **Mitigation:** The Orcutt Area Specific Plan has identified the following goals, polices, programs, and performance standards, which are intended to reduce public safety impacts to less than significant levels: Goal 3.4, Policy 3.4.2, Program 3.4.2a, Program 3.4.2b, and Performance Standard 3.5.2d. In addition to the above stated policy and programs within the Specific Plan, the following proposed mitigation would further ensure less than significant impacts related to public safety.

- **Mitigation Measure S-4(a) Areas not surveyed.** Prior to development in areas not surveyed for the Limited Phase 1 Environmental Site Assessment (Rincon Consultants, Inc., 2004) a Phase 1 Environmental Site Assessment shall be conducted to identify the presence of recognized environmental conditions associated with soil and groundwater contamination at the site. If recognized conditions are encountered then a Phase II Environmental Site Assessment shall be performed to determine if soil or groundwater have been affected.
- **Mitigation Measure S-4(b) Righetti Hill Abandoned Mine.** Prior to allowing public access in the vicinity of the abandoned mine, soils samples shall be taken around the entrance and down gradient and analyzed for heavy metals by CCR Title 22 metals.
- **Mitigation Measure S-4(c) Farmhouses.** Prior to issuance of any entitlement for development that will require the demolition of farmhouses identified in Figure 4.9-1, a qualified Environmental Scientist shall enter the farmhouses and determine if

there may have been any hazardous material releases associated with the storage or use of hazardous materials. If it is determined that there may have been hazardous materials release, a Phase II Environmental Site Assessment shall be performed to determine if soil or groundwater has been affected.

- **Mitigation Measure S-4(d) 55-Gallon Drums.** Prior to development on the property where 55-Gallon drums were identified as shown in Figure 4.9-1, soils samples shall be taken in the vicinity of the drums and analyzed for total extractable petroleum hydrocarbons (TEPH) by EPA method 8015, heavy metals by CCR Title 22 metals, and solvents by EPA method 8260B. If levels of contaminants are found to exist in concentrations that exceed regulatory thresholds, further sampling may be needed to determine the extent of contamination. Once the extent of contamination is delineated, an appropriate remediation method should be implemented according to the size of the area contaminated and the contaminant involved.
- b. **Finding:** The City finds that the above mitigation measures are feasible and have been adopted. Impacts would be less than significant with implementation of the Specific Plan provisions and the required mitigation measures.

J. PUBLIC SERVICES

1. **Impact PS-2:** The project would increase the number of residents served by the San Luis Obispo Fire Department. The increase would affect the personnel, equipment and organization of the Fire Department by increasing the burden on Fire Department services and potentially placing residences outside of the target four minute response time. This would be considered a **Class II, significant but mitigable**, impact.
- a. **Mitigation:** The following mitigation measures are required.
 - **Mitigation Measure PS-2(a) Road Widths, Fire Hydrants.** Road widths and internal circulation, as well as the placement of fire hydrants, shall be designed with the guidance of the Fire Department. A road system that allows unhindered Fire Department access and maneuvering during emergencies shall be provided. The San Luis Obispo Fire Department shall review all improvement plans for proposed development in the Orcutt Area to ensure compliance with City standards and the Uniform Fire Code.
 - **Mitigation Measure PS-2(b) Non-combustible exteriors.** Buildings that are in areas of moderate fire hazard and which are close to areas of high or extreme fire hazard shall have non-combustible exteriors.
 - **Mitigation Measure PS-2(c) Defensible Space.** Accessible space free of highly combustible vegetation and materials shall be provided in the area 30 feet around all structures located within the moderate wildland fire hazard areas.

- b. Finding: The City finds that the above mitigation measures are feasible and have been adopted. With proposed mitigation measures, impacts would be reduced to a less than significant level.
2. **Impact PS-3**: The project would increase the number of residents served by the SLCUSD. The increase would result in a **Class II, significant but mitigable** impact to the school system.
 - a. Mitigation: The following mitigation measures are intended to reduce project related impacts:
 - **Mitigation Measure PS-3(a) Buildout Date Notification**. The applicant shall notify the San Luis Coastal Unified School District of the expected buildout date of each phase of the project to allow the District time to plan in advance for new students.
 - **Mitigation Measure PS-3(b) Statutory School Fees**. The applicant shall pay the statutory school fees in effect at the time of issuance of building permits to the appropriate school districts.
 - b. Finding: The City finds that the above mitigation measures are feasible and have been adopted. Mitigation Measure PS-3(b) would require the full development fees be charged to a developer by the school districts. Currently the mitigation fee is \$2.63 per square foot of residential development and \$0.42 per square foot of commercial or industrial development. These fees would contribute funding for new school facilities for the students potentially generated by the project. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or developed of real property, or any change in governmental organization or reorganization." Therefore, subsequent to payment of statutory fees, school impacts would be considered less than significant.

K. TRANSPORTATION AND CIRCULATION

1. **Impact T-1**: The addition of traffic generated by the Specific Plan to Baseline traffic volumes would cause one study roadway segment and one intersection to operate at unacceptable levels during peak hours. This would result in a **Class II, significant but mitigable**, impact.
 - a. Mitigation: The Specific Plan includes the following goals, policies and programs, which are intended to address safe and efficient circulation within the Specific Plan area: Goal 5.1, Goal 5.2, Policy 5.1.a, Program 5.1.2, Program 5.1.3, and Policies 5.1.b-e. In addition to these Specific Plan provisions, the following mitigation measures are also required to further reduce impacts to roadway segments and intersections.
 - **Mitigation Measure T-1(a) Orcutt Road/Tank Farm Road**. The additional traffic generated by the Specific Plan will degrade operations at this intersection to an

unacceptable level (LOS E), and the peak-hour signal warrant will be met. The addition of a 200' right-turn lane on the southbound approach would mitigate this impact, reducing overall delay to 14.8 seconds (LOS B). With the new right turn lane, the southbound approach would experience a delay of 25.5 seconds (LOS D). The vehicle delay for the northbound approach would be 28.2 seconds (LOS D).

Prior to issuance of occupancy permits, the applicants shall complete the improvements identified within this mitigation measure subject to review, inspection and permit issuance by the City.

- b. Finding: The City finds that the above mitigation is feasible and has been adopted. With implementation of the provisions within the Specific Plan and the required mitigation, impacts to roadways and intersection operations would be reduced to less than significant levels.
2. **Impact T-2**: The addition of traffic generated by the Specific Plan to Buildout traffic volumes would cause one study roadway segment and five intersections to operate at unacceptable levels during peak hours. This would result in a **Class II, significant but mitigable**, impact.

- a. Mitigation: The following mitigation measures are required to reduce impacts to roadway segments and intersections to a less than significant level.

- **Mitigation Measure T-2(a) Broad Street/South Street-Santa Barbara Road**. In order to mitigate Buildout level traffic conditions the intersection will need to be widened to provide a 100 foot southbound right-turn lane. Alternatively, acceptable operations could be achieved by improving the westbound approach to include two left turn lanes and a shared through/right turn lane. Either of these two improvements may result in secondary right-of-way impacts.

This specific plan is currently not included in the City's TIF program. The applicant shall be responsible for paying a "fair share" mitigation fee as determined by the Director of Public Works, associated with the estimated intersection improvements.

- **Mitigation Measure T-2(b) Broad Street/Tank Farm Road**. The addition of a second southbound left-turn lane and a second northbound left-turn lane is necessary to mitigate Buildout level traffic conditions. This improvement may result in secondary right-of-way impacts.

This specific plan is currently not included in the City's TIF program. The applicant shall be responsible for paying a "fair share" mitigation fee as determined by the Director of Public Works, associated with the estimated intersection improvements.

- **Mitigation Measure T-2(c) Orcutt Road/Johnson Avenue**. The installation of a single-lane roundabout is necessary to mitigate Buildout level traffic conditions. Installation of a single-lane roundabout would improve intersection operations to

LOS A. This improvement would be needed as soon as the southwestern portion of the Specific Plan is developed.

This specific plan is currently not included in the City's TIF program. The applicant shall be responsible for paying a "fair share" mitigation fee as determined by the Director of Public Works, associated with the estimated intersection improvements.

- **Mitigation Measure T-2(d) Orcutt Road/Tank Farm Road.** The additional traffic generated by the Buildout of the General Plan will trigger the need for a traffic signal at this intersection. Installation of a traffic signal will improve intersection operations to LOS C.

This specific plan is currently not included in the City's TIF program. The applicant shall be responsible for paying a "fair share" mitigation fee as determined by the Director of Public Works, associated with the estimated intersection improvements.

- **Mitigation Measure T-2(e) Broad Street/Prado Road Extension.** The additional traffic generated by the Buildout of the General Plan will trigger the need for a second northbound left-turn lane. Prior to issuance of occupancy permits, specific plan applicants shall make "fair share" contributions to the City's Orcutt Area Specific Plan mitigation fee program for the addition of a second northbound left-turn lane at the intersection of Broad Street and Prado Road.

- b. **Finding:** The City finds that the above mitigation measures are feasible and have been adopted. With implementation of these improvements, roadways and intersections would operate at acceptable levels. Therefore, impacts would be less than significant.

- 3. **Impact T-3:** If improperly designed, site access and internal circulation roads can result in safety hazards for all users including bicyclists, pedestrians, and transit patrons. The Specific Plan includes site access, emergency access, and internal access road standards to accommodate Specific Plan traffic. **Class II, significant but mitigable,** impacts would result.

- a. **Mitigation:** The proposed Specific Plan includes the following goals, policies, and programs, which are intended to address potential impacts associated with site access and circulation: Policy 5.2.a, Policy 5.2.b, Programs 5.2.1 through 5.2.8, and Policies 5.3.a through 5.3.c. The Specific Plan includes the following goals and programs to create safe and efficient bicycle facilities in the Specific Plan area: Goal 5.3, Program 5.1.1, and Program 5.3.1. The Specific Plan includes the following goal, policy and program concerning transit facilities: Goal 5.4, Policy 5.4.a, and Program 5.4.1.

Implementation of the above policies and programs would reduce impacts to some extent. However, implementation of the following mitigation measure is required to reduce impacts related to vehicle and transit facilities to less than significant levels. (No additional mitigation is required for bicycle and pedestrian facilities).

- **Mitigation Measure T-3(a) Vehicle Facilities.** The proposed specific plan will have a potentially significant impact on vehicle facilities due to the potential for excessive

on-site vehicle speeds. The typical street cross-sections should be adjusted as follows: Bullock Lane - Remove the southbound (west) parking lane (on the UPRR side). Other collector roadways - Traffic control, such as all-way stops, should be implemented at intersections where cross traffic volumes are large enough to warrant installation. Local roadways should be configured in an interconnected pattern with short block lengths. The Project, in coordination with the City, will identify appropriate locations and relevant traffic calming treatments and install the necessary devices. This mitigation measure may require modification of proposed Specific Plan Program 5.2.6 to accommodate these provisions.

- **Mitigation Measure T-3(b) Transit Facilities.** Bus stops locations and amenities should be developed in consultation with the City to mitigate potential Specific Plan impacts. Additional bus stops may be required in or adjacent to the specific plan area, and bus stop locations may need to be moved to accommodate development patterns and new bus routings. In addition, special paving, bus bays, benches, and shelters may be necessary at some locations. The specific plan, in coordination with the City and SLO Transit, will plan and construct future bus stop locations and amenities.

A service plan for the project site should be developed as part of the City's Short-Range Transit Plan (SRTP) update process. With either option presented above or a routing plan developed as part of the SRTP process, bus stops should be located approximately every one-quarter mile. The primary on-site bus stop(s) will be located near the intersection of "A" and "B" Streets.

- **Mitigation Measure T-3(c) Bicycle Path Connection.** The Class I bicycle path along the UPRR tracks should be maintained across the creek to provide consistency with the City's bicycle plan, and the path should connect to existing facilities at Orcutt Road and Tank Farm Road even though the streets are outside of the project site. The potentially significant impacts would be mitigated if the specific plan is developed with the proposed facilities in place, a continuous Class I facility along the UPRR tracks, and connections to existing facilities.
- **Mitigation Measure T-3(d) Site Access.** The adequacy of vehicular on-site circulation needs to be reviewed when a plan showing all roadway locations has been prepared. The locations of the proposed collector streets appear adequate. Based on the projected traffic volumes, a one-lane roundabout will be adequate at the Bullock Lane/"B" Street/"C" Street intersection. As described above, the bicycle network is adequate. Pedestrian circulation needs to be reviewed when a plan showing all local residential streets has been prepared. Pedestrian paths may be required in some locations, dependent upon the connectivity of the proposed roadway network.

- b. **Finding:** The City finds that the above mitigation measures are feasible and have been adopted. With implementation of the Specific Plan's identified provisions and the required mitigation measures, impacts to public transportation would be reduced to less than significant levels.

L. LAND USE AND PLANNING

1. **Impact LU-1:** The Specific Plan includes establishing open space and low density residential land uses outside of the current City Urban Reserve Line (URL). Development under City jurisdiction outside of the URL would be potentially inconsistent with the growth management goals of preserving open space and agriculture on land surrounding the City. However, these impacts are considered **Class II, significant but mitigable**.
 - a. **Mitigation:** The following mitigation measure would be needed, primarily to achieve consistency with several General Plan policies.
 - **Mitigation Measure LU-1(a) General Plan Amendment.** The City shall amend its General Plan to include a revised Urban Reserve Line that contains all of the property proposed for development within the Orcutt Specific Plan Area
 - b. **Finding:** The City finds that the above mitigation is feasible and has been adopted. The implementation of the above mitigation measures would reduce impacts to a less than significant level.
2. **Impact LU-2:** The Specific Plan includes land use designations that potentially allow for 750 to 1,000 dwelling units, 50 to 300 units more than is planned for the Orcutt Area in the General Plan. This impact is considered **Class II, significant but mitigable**.
 - a. **Mitigation:** The following mitigation measure is required.
 - **Mitigation Measure LU-2(a) General Plan Amendment.** The City shall amend its General Plan to reflect the increased buildout potential of the Orcutt Area and decreased potential of the Margarita Area. The estimated buildout for Orcutt shall be between 500 and 1,000 dwelling units and, for Margarita, between 800 to 1,200 dwelling units.
 - b. **Finding:** The City finds that the above mitigation measure is feasible and has been adopted. Implementation of the above mitigation measure would reduce impacts to a less than significant level.
3. **Impact LU-3:** The proposed development would be potentially inconsistent with City urban design goals described in to the City's Community Design Guidelines, and could result in compatibility issues between certain commercial and residential uses. This is considered a **Class II, significant but mitigable, impact**.
 - a. **Mitigation:** The following design-oriented mitigation would be required to ensure consistency with City policies:

- **Mitigation Measure LU-3(a) Modified Design Elements.** The Specific Plan shall include one or more of the following approaches to achieve consistency with the City's Community Design policies:
 - The Specific Plan can be modified to include more commercial area that is not allowed to be converted to housing.
 - Provide a pedestrian and bicycle underpass below the railroad tracks (or a bridge over the tracks) that connect the Orcutt Area to the western end of Industrial Way. This will allow residents of the Orcutt Area to reach Marigold Center via Industrial Way, making the distance approximately 0.5 mile from the railroad track underpass.
- **Mitigation Measure LU-3(b) Mixed Use Incompatibility.** Individual uses in the Mixed Use zone such as nail salons, cleaners, or coffee roasters that may generate substantial odors shall be carefully evaluated for compatibility with nearby residential uses at the discretion of the Community Development Director, prior to issuance of an APCD use permit.
- b. **Finding:** With the implementation of the mitigation measure listed above, impacts related to mixed use incompatibility and consistency with the Community Design Guidelines will be reduced to less than significant. It should be noted that establishing a pedestrian right-of-way under the railroad track, if this approach is used, should be done in such a manner to preclude the possibility of further right-of-way acquisition so that no roadway could be extended through this area. This would avoid potential impacts related to traffic and land use that could otherwise result from a roadway extension at this location.
- 4. **Impact LU-4:** The proposed Specific Plan would permit development that is potentially inconsistent with the ALUP. This is considered a **Class II, significant but mitigable**, impact.
 - a. **Mitigation:** Mitigation measures S-2(a), S-2(b), S-2(c), and S-2(d), from the Public Safety section above, would be required.
 - b. **Finding:** The City finds that the above mitigation measures are feasible and have been adopted. Mitigation measures S-2(a), S-2(b), S-2(c), and S-2(d) would make the Specific Plan consistent with the ALUP, reducing impacts to a less than significant level.

M. GROWTH INDUCING IMPACTS

1. **Impact:** Growth Inducement resulting from development anticipated by the General Plan would be **significant but mitigable**.
 - a. **Mitigation:** Mitigation measure LU-1(a) (above) requires the City to adjust the URL to include all of the area proposed for development in the Specific Plan, therefore, with implementation of this measure, impacts would be reduced to less than significant.

- b. Finding: The City finds that the above mitigation measure is feasible and has been adopted. With the proposed mitigation measure, the URL would be adjacent to open space within the City Limits and no growth inducing impacts would occur.
2. **Impact**: Growth inducement resulting from road extensions proposed by the project would be *significant and unavoidable*.
 - a. Mitigation: No feasible mitigation is available that would reduce the project's potential to induce growth due to roadway extensions.
 - b. Finding: The City finds that no feasible mitigation is available, and that this impact is significant and unavoidable. A statement of overriding considerations for this impact is made in Section 6.

N. GLOBAL CLIMATE CHANGE

1. **Impact**: The proposed OASP would result in *significant but mitigable* impacts to global climate change. Determination of the significance of operational GHG emissions impacts is predicated upon a project's consistency with a GHG reduction plan or, in the absence of such a plan, compliance with AB 32 [refer to Section 7.3(a) of the EIR]. Because the Climate Action Plan has not yet been completed for San Luis Obispo County, the following mitigation measures are required:
 - a. Mitigation
 - **GCC-1(a) GHG Emissions Reduction Planning**. To ensure that future development under the Specific Plan meets the GHG emissions reduction requirements in AB 32 and SB 375, the following policies shall be added to the Specific Plan:
 - The City shall participate in regional planning efforts with SLOCOG and the APCD to reduce basin-wide GHG emissions in compliance with SB 375.
 - The City's participation in regional planning efforts to reduce basin-wide GHG emissions is anticipated to include City assistance in developing a GHG emissions inventory, and identifying reduction measures related to site design, energy conservation, and trip reduction.
 - Once the Resource Agency adopts guidelines for the mitigation of GHG emissions pursuant to SB 97, all projects under the Specific Plan shall mitigate GHG emissions as required.
 - **GCC-1(b) Consideration of Project Greenhouse Gas Emissions Reduction Measures**. Through the CEQA environmental review process for discretionary permit applications, development under the Specific Plan shall consider all feasible GHG emissions reduction measures to reduce direct and indirect emissions associated with project vehicle trip generation and energy consumption.

- b. Finding: The City finds that the above mitigation measures are feasible and have been adopted. The above mitigation measures would ensure compliance with regional efforts to meet GHG emissions targets in AB 32. Determining the significance of the impact of the project on global climate is still speculative. Nonetheless, the project's contribution to the problem of global climate change would be reduced with implementation of OASP policies and programs, and applicable mitigation measures listed in Tables 7.3 and 7.4 of the EIR, respectively. The project also must be carried out in a manner consistent with the goals, policies and programs of the City's Conservation Open Space Element. In addition, the recommended project design features suggested above can be incorporated into the OASP to further reduce the GHG emissions at build-out. Mitigation measures GCC-1(a) and GCC-1(b) would ensure less than significant impacts.

SECTION 6. SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT FOR WHICH SUFFICIENT MITIGATION IS NOT AVAILABLE

This section presents the project's significant environmental impacts and feasible mitigation measures. Section 15091 of the State CEQA Guidelines (14 California Code of Regulations [CCR]) and Section 21081 of the Public Resources Code require a lead agency to make findings for each significant environmental impact disclosed in an EIR. Specifically, for each significant impact, the lead agency must find that:

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

Each of these findings must be supported by substantial evidence in the administrative record. This section identifies impacts that can be reduced, but not to a less-than-significant level, through the incorporation of feasible mitigation measures into the project, and which therefore, remain significant and unavoidable, as identified in the program EIR:

The impacts identified in this section are considered in the same sequence in which they appear in the draft EIR. Where adoption of feasible mitigation measures is not effective in avoiding an impact or reducing it to a less-than-significant level, the feasibility of adopting alternatives to the proposed project is considered in Section 7 of this document.

A. AESTHETICS

1. **Impact AES-1:** The proposed development would affect the aesthetic character of the site vicinity through alteration of viewsheds from Orcutt and Tank Farm Roads. This is considered a **Class I, significant and unavoidable** impact.
 - a. **Mitigation:** The proposed Specific Plan includes the following goals, policies, and programs, which are intended to address potential impacts associated with this issue: Goal 2.4, Policy 2.4.1, and Programs 2.4.1a through 2.4.1e. No other mitigation measures are feasible.
 - b. **Finding:** The City finds that no feasible mitigation is available. Implementation of these provisions of the Specific Plan would reduce impacts to some extent. However, impacts to the character of the site due to the change from rural to urban development will remain significant and unavoidable. A statement of overriding considerations for this impact is made in Section 8.

2. **Impact AES-2:** The proposed development would affect the aesthetic character of the Specific Plan Area and impede views of Righetti Hill. This is considered a **Class I, significant and unavoidable** impact.
 - a. **Mitigation:** There are no feasible mitigation measures that are consistent with the objectives of the proposed project.
 - b. **Finding:** The City finds that no feasible mitigation is available, and that impacts to the character of the site due to the change from rural to urban development will remain significant and unavoidable. A statement of overriding considerations for this impact is made in Section 8.

3. **Cumulative Impacts:** New development in and around the City will affect the aesthetic character of the City by adding new urban elements such as streets, buildings, signs, and landscaping, as well as light sources. This is especially true for new development in rural areas around the City edge. As the City grows at its edges, greenbelt and rural areas surrounding the City are lost. In addition to the proposed project, the City is currently reviewing Specific Plans for the Margarita and Airport Areas which include proposed development of currently rural areas. Cumulative development of these proposed developments would result in a significant cumulative loss of open space and would irrevocably alter the character of these areas throughout the City from rural to urban. Implementation of the proposed Specific Plan would incrementally contribute to this change in aesthetic character of the site and the surrounding areas. Cumulative aesthetic impacts are therefore considered **Significant and Unavoidable** (Class I).
 - a. **Mitigation:** The Specific Plan contains goals and policies which would reduce cumulative aesthetic impacts. In addition, implementation of Mitigation Measure AES-3(a), would further reduce impacts. No other feasible mitigation is available that would meet the project objectives.

- b. Findings: The City finds that no additional feasible mitigation is available for cumulative aesthetic impacts, which would remain significant and unavoidable. A statement of overriding considerations for this impact is made in Section 8.

B. AIR QUALITY

1. **Impact AQ-4:** The proposed Specific Plan is consistent with population assumptions of the General Plan and San Luis Obispo County Clean Air Plan (CAP). However, the Specific Plan proposes low density residential development outside of the current Urban Reserve Line (URL) which will require an adjustment of the URL to be consistent with the General Plan. The 2001 CAP encourages development to occur within the URL of cities, therefore, the Specific Plan is inconsistent with the 2001 Clean Air Plan (CAP). This is considered to be a **Class I, significant and unavoidable** impact.
- a. Mitigation: The incorporation of Mitigation Measures AQ-1(b) through AQ-1(f), and T-3(b) through T-3(d), are recommended to improve consistency with the CAP. The following additional measure is also required:
- *Mitigation Measure AQ-4(a) Development and Distribution of Alternative Transportation Information.* The applicant shall create a Multi-Modal Access Guide, which includes maps and other information on how to walk and cycle to nearby destinations. In addition, the applicant shall provide an on-site bulletin board specifically for the posting of bus schedules and notices of availability for car-pooling and/or shall distribute such information to property owners upon occupancy. The applicant shall be responsible for maintaining this board and updating it every two months.
- b. Finding: The City finds that the mitigation measure is feasible and has been adopted. However, short of limiting growth to within the current URL boundaries, this inconsistency cannot be fully mitigated. A statement of overriding considerations for this impact is made in Section 8.
2. **Cumulative Impacts:** The OASP is inconsistent with the CAP policy of containing urban development within the URL of cities and exceeds the SLOAPCD Tier II thresholds of significance. As a result, the OASP is considered to be potentially inconsistent with long-term regional air quality planning efforts, and the Specific Plan is expected to have **significant and unavoidable** impacts on air quality.
- a. Mitigation: The Specific Plan contains goals and policies which would reduce cumulative agricultural impacts. In addition, implementation of Mitigation Measures AG-1(a-f), AQ-3(a-d) and AQ-4(a), would further reduce impacts. No other feasible mitigation is available that would meet the project objectives.
- b. Finding: The City finds that no additional feasible mitigation is available for cumulative air quality impacts, which would remain significant and unavoidable. A statement of overriding considerations for this impact is made in Section 8.

C. NOISE

1. **Impact N-5:** The proposed Specific Plan, in combination with cumulative development at General Plan buildout would add to roadway corridor noise levels already above the 60 dBA Ldn City threshold. This is considered a **Class I, significant and unavoidable** impact.
 - a. **Mitigation:** As discussed under Impact N-2 above, the Specific Plan contains goals, policies, and programs that will reduce noise exposure of new sensitive receptors within the Orcutt Area to meet City standards. In addition, implementation of the following measure would further reduce cumulative noise impacts for the Specific Plan area and other development areas to a feasible extent.
 - **Mitigation Measure N-5(a) Fair Share of Cumulative Noise Improvements.** Applicants under the Specific Plan must contribute their fair financial share, as determined by the City, to the implementation of one or more of the mitigation approaches listed in policy 9 of the Noise Element (refer to Appendix E of the EIR). The Specific Plan has been revised to include a specific program to contribute to mitigating cumulative impacts. Implementation of the program must occur prior home occupancy for development pursuant to the Specific Plan.
 - b. **Finding:** The City finds that the mitigation measure is feasible and has been adopted. Use of such techniques on all new development in the area and the retrofitting of existing development would reduce cumulative impacts to the extent feasible. However, implementation of these techniques would not necessarily ensure that cumulative noise experienced at sensitive receptors would be reduced to less than significant levels at all locations. No additional mitigation measures are feasible due to economic and physical constraints. Therefore, impacts would remain significant and unavoidable. A statement of overriding considerations for this impact is made in Section 8.

SECTION 7. FINDINGS FOR ALTERNATIVES TO THE PROPOSED PROJECT

A. INTRODUCTION

As identified in Section 6 of this document, the proposed project will cause the following significant and unavoidable environmental impacts to occur:

- Impact AES-1: Aesthetic character and alteration of viewsheds from Orcutt and Tank Farm Roads
- Impact AES-2: Aesthetic character and impact to views of Righetti Hill
- Cumulative aesthetic impacts
- Cumulative impacts to agricultural resources
- Impact AQ-4: Clean Air Plan (CAP) consistency
- Cumulative air quality impacts
- Impact N-5: Cumulative roadway noise
- Growth Inducement

Because the proposed project will cause significant and unavoidable environmental impacts to occur as identified above, the City must consider the feasibility of any environmentally superior alternatives to the project, as proposed. The City must evaluate whether one or more of these alternatives could substantially lessen or avoid the unavoidable significant environmental effects.

As such, the environmental superiority and feasibility of each alternative to the project is considered in this section. Specifically, this section evaluates the effectiveness of these alternatives in reducing the significant and unavoidable impacts of the proposed project.

B. DESCRIPTION OF THE ALTERNATIVES

The program EIR for the project evaluates the following four alternatives to the project: (1) a no project alternative; (2) an alternative neighborhood center design; (3) an alternative that incorporates all mitigation required for the proposed Specific Plan; and (4) a project with reduced residential density.

1. **Alternative 1: No-Project.** As required by CEQA, this EIR evaluates the environmental consequences of not proceeding with the project. This alternative assumes that the Specific Plan is not adopted, and that the site remains in its current state of farm and ranchlands, single-family homes and storage, although it would not preclude future development that may be proposed under the County's subdivision ordinance. This site is zoned and designated under the General Plan as Residential Single Family and Agricultural (AG).
2. **Alternative 2: Neighborhood Center.** This alternative would result in development clustered toward the center of the site and around a commercial core. The intensity of development in the Plan Area is similar to the proposed project but the Neighborhood

Center alternative includes potential for a greater amount of commercial uses than the proposed project. This alternative is substantially similar to the proposed project in that the overall number of dwelling units and expected population under this alternative are the same. The development pattern places a higher density of people in a concentrated area but also leaves more area as open space. This alternative, like the proposed Specific Plan includes development outside of the current URL.

3. **Alternative 3: Mitigated Project.** The Mitigated Project Alternative would include a Specific Plan revised to incorporate mitigation measures that are recommended for the proposed Specific Plan. The Mitigated Project Alternative would include the same number of residences but at slightly higher densities than in the proposed Specific Plan. This is because there would be an increased amount of parkland, a potential fire station site, and there would not be any development outside of the current Urban Reserve Line (URL).
4. **Alternative 4: Reduced Project.** This alternative considers a development area that would be the same as the proposed project but with lesser residential density within that area. The development pattern, circulation, and open space areas would be similar to the proposed project. This alternative would accommodate up to 650 new dwelling units (about 330 fewer than under the proposed project) and a school in the same site as in the proposed Specific Plan. The commercial development potential would remain the same as the proposed project.

C. EFFECTIVENESS OF ALTERNATIVES IN AVOIDING SIGNIFICANT PROJECT IMPACTS

This section evaluates the effectiveness of the alternatives in reducing the significant and unavoidable impacts of the proposed project.

1. **Significant and Unavoidable Aesthetic Impacts.** The proposed project would result in significant and unavoidable impacts related to the aesthetic character of the site, and blockage of scenic views. Alternative 1 (No Project) is the only alternative that would avoid both of the significant impacts related to aesthetic character and view blockage. Alternatives 2, 3, and 4 would result in changes to the existing aesthetic character of the site similar to the proposed project. Under Alternative 2, views from Orcutt Road on the east side of the Orcutt Area would not be impacted to the extent that they would with the proposed project, however impacts would remain significant. Alternative 3 would reduce the impact to scenic views to a less than significant level by requiring a 50' setback from the Orcutt Road and Tank Farm Road right-of-ways. However, under Alternative 3, the impacts to visual character could be greater than the proposed project due to higher residential densities and the addition of a fire station. Although the overall density of development under Alternative 4 would be less, impacts to aesthetic character and view blockage would remain significant.
2. **Significant and Unavoidable Cumulative Air Quality Impacts.** The proposed project would result in significant and unavoidable impacts related to Clean Air Plan (CAP) inconsistency, which is considered a cumulative air quality impact. Under Alternative 1

(No Project), no additional vehicle trips would be generated, and no development would be allowed outside of the ULL, therefore cumulative air quality impacts would be substantially reduced. Under Alternative 2, additional vehicle trips would result in increased emissions compared to the proposed project, which would cumulatively impact air quality. Because Alternatives 2 and 4 would allow development outside of the Urban Limit Line (ULL), impacts related to CAP consistency would be similar to the proposed project. Alternative 3 would not allow development outside of the existing ULL, and would therefore be consistent with the CAP. The pedestrian/bicycle underpass proposed in Alternative 3 would also result in fewer vehicle trips and associated cumulative vehicle emissions. Alternative 4 would also result in fewer trips and emissions, and includes less dwelling units and expected population than the proposed project; however, the significant cumulative impacts would not be avoided.

3. **Significant and Unavoidable Cumulative Noise Impacts.** The proposed project would contribute to significant and unavoidable cumulative roadway noise impacts caused by the addition of vehicle trips. Alternative 1 would not add additional vehicle trips to the roadway network, and therefore, would avoid the cumulative impact relating to roadway noise. Alternative 2 would result in a greater number of vehicle trips and therefore have greater roadway noise impacts than the proposed project. The bicycle/pedestrian overpass proposed in Alternative 3 may reduce vehicle trips associated with the project. However, the addition of a fire station within the specific plan may result in periodic increases in roadway noise, although trips would be infrequent, and associated noise is unlikely to exceed the City's thresholds. The fire station would be subject to subsequent project-level environmental review. Alternative 4 would result in fewer vehicle trips and associated roadway noise than the proposed project, and with implementation of mitigation measure N-5(a) *Fair Share of Cumulative Noise Improvements*, the contribution to the cumulative roadway noise impacts would be reduced to a less than significant level.
4. **Significant and Unavoidable Growth Inducing Impacts.** The proposed project includes roadway extensions that would result in significant and unavoidable growth inducing impacts. Alternative 1 (No Project) would avoid this impact. Extension of the roadways within the Specific Plan area under Alternatives 2, 3, and 4 would result in growth inducement.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE AND FEASIBILITY OF PROJECT ALTERNATIVES

1. **Finding:** Alternative 1 (No Project) is environmentally superior overall, since no development would occur under the City jurisdiction and any new development would be required to be consistent with the County General Plan and Zoning Ordinance which allows residential development at a much lesser density. However, the existing Land Use Element establishes the Orcutt Area as a City Expansion Area and requires that a Specific Plan be adopted prior to urban development. Alternative 1 fails to meet the City's objectives for the project area, and thus is infeasible as a means of satisfying those objectives. The City, therefore, finds this alternative to be infeasible to implement.

2. **Finding:** Alternative 2 (Neighborhood Center) would be inferior to the proposed Specific Plan. With a more compact and higher density design, this alternative requires less disturbed area but it includes more disturbance for roads in riparian areas. The amount of commercial area proposed would exceed the demand from the local neighborhood and would draw traffic from outside the plan area. In addition, the density proposed is inconsistent with the residential density limitations of the Airport Land Use Plan. Alternative 2 does not avoid any of the Class I impacts associated with the proposed project. The City, therefore, finds that since this alternative is not environmentally superior to the proposed project, a feasibility determination is not necessary.
3. **Finding:** Alternative 3 (Mitigated Project) is considered environmentally superior to the Specific Plan for several issues. Alternative 3 also avoids the Class I impacts related to scenic view blockage, CAP consistency and cumulative roadway noise. However, this alternative would result in greater impacts to the visual character of the site. In addition, the proposed fire station may periodically increase roadway noise, due to the sirens associated with emergency vehicles, although this project component would be subject to subsequent environmental review. The City, therefore, finds that this alternative is not entirely superior to the proposed project; therefore, a feasibility determination is not necessary.
4. **Finding:** Alternative 4 (Reduced Project) is also superior to the proposed Specific Plan in most environmental issue areas since there are fewer residents on the site that could be impacted. Alternative 4 avoids the Class I impact related to cumulative roadway noise. However, Alternative 4 would not fully satisfy the project objectives of 1) provision of a variety of housing types for all income levels or 2) provision of new jobs. Alternative 4 would result in fewer total residential units than the proposed project (330 vs. 1000) and with less housing overall, would be inferior to the proposed project in terms of its ability to provide a variety of housing types for all income levels. In addition, with less residential development compared to the proposed project, Alternative 4 would provide fewer construction-related jobs, and would create less of a demand for goods and services in the area. The City, therefore, finds that Alternative 4 is inferior to the proposed project, and therefore infeasible to implement.

SECTION 8. STATEMENT OF OVERRIDING CONSIDERATIONS

A. INTRODUCTION

The program EIR for the project identifies the following significant and unavoidable impacts of the project:

1. The proposed development would affect the aesthetic character of the site vicinity through alteration of viewsheds from Orcutt and Tank Farm Roads.
2. The proposed development would affect the aesthetic character of the Specific Plan Area and impede views of Righetti Hill.

3. Cumulative development of these proposed developments would result in a significant cumulative loss of open space and would irrevocably alter the character of these areas throughout the City from rural to urban. Implementation of the proposed Specific Plan would incrementally contribute to this change in aesthetic character of the site and the surrounding areas.
4. The proposed Specific Plan is consistent with population assumptions of the General Plan and San Luis Obispo County Clean Air Plan (CAP). However, the Specific Plan proposes low density residential development outside of the current Urban Reserve Line (URL) which will require an adjustment of the URL to be consistent with the General Plan. The 2001 CAP encourages development to occur within the URL of cities, therefore, the Specific Plan is inconsistent with the 2001 Clean Air Plan (CAP).
5. The OASP is inconsistent with the CAP policy of containing urban development within the URL of cities and exceeds the SLOAPCD Tier II thresholds of significance. As a result, the OASP is considered to be potentially inconsistent with long-term regional air quality planning efforts, and the Specific Plan is expected to have significant and unavoidable impacts on air quality.
6. The proposed Specific Plan, in combination with cumulative development at General Plan buildout would add to roadway corridor noise levels already above the 60 dBA Ldn City threshold.
7. Extensions of the roadways proposed by the Specific Plan may have significant impacts related to growth inducement.

For projects which would result in significant environmental impacts that cannot be avoided, CEQA requires that the lead agency balance the benefits of these projects against the unavoidable environmental risks in determining whether to approve the projects. If the benefits of these projects outweigh the unavoidable impacts, those impacts may be considered acceptable (CEQA Guidelines Section 15093[a]). CEQA requires that, before adopting such projects, the public agency adopt a Statement of Overriding Considerations setting forth the reasons why the agency finds that the benefits of the project outweigh the significant environmental effects caused by the project. This statement is provided below.

B. REQUIRED FINDINGS

The City has incorporated all feasible mitigation measures into the project. Although these measures will significantly lessen the unavoidable impacts listed above, the measures will not fully avoid these impacts.

The City has also examined a reasonable range of alternatives to the project and has incorporated portions of these alternatives into the project in order to reduce impacts. The City has determined that none of these alternatives, taken as a whole, is both environmentally superior and more feasible than the project.

Alternative 1 (No Project) would avoid all of the significant impacts of the project, but is not considered feasible. Alternative 2 is considered to be environmentally inferior to the proposed project. Alternative 3 would be superior to the project in some aspects, but would result in greater impacts to the visual character of the site. Alternative 4 is superior to the proposed

project in that it avoids the Class I impact related to cumulative roadway noise. However, Alternative 4 is inferior to the proposed project in terms of its ability to meet all of the project objectives, including 1) Provision of a Variety of Housing Types for all Income Levels or 2) Provision of New Jobs.

In preparing this Statement of Overriding Considerations, the City has balanced the benefits of the proposed project against its unavoidable environmental risks. For the reasons specified below, the City finds that the following considerations outweigh the proposed project's unavoidable environmental risks:

1. **Provision of new Residential and Commercial Uses.** The Orcutt Area Specific Plan will develop a new residential neighborhood to meet the City's housing needs and that designates sufficient land for neighborhood serving commercial uses to reduce vehicle trips and provide for the convenience of area residents.
2. **Provision of a Variety of Housing Types for all Income Levels.** The Orcutt Area Specific Plan provides a variety of housing types and costs to meet the needs of renters and buyers with a variety of income-levels, including inclusionary affordable housing for residents with moderate, low and very-low income levels.
3. **Open Space and Natural Resource Protection:** Implementation of the proposed project would result in the creation of 47 acres of permanently-protected open space on Righetti Hill, and 34 acres of creek and wetland corridors and setback areas. The Specific Plan would protect and enhance Righetti Hill, creek/wetland habitats, and visual resources in open space areas.
4. **Provision of Park and Recreational Facilities.** The Orcutt Area Specific Plan will provide parks, recreational facilities, public squares, plazas and green spaces for residents of the Orcutt Area.
5. **Well-Planned Neighborhood Would Reduce Vehicle Trips:** The Orcutt Area Specific Plan would develop a new residential neighborhood to meet the City's housing needs and that designates sufficient land for neighborhood serving commercial uses to reduce vehicle trips and provide for the convenience of area residents. In addition, the Specific Plan encourages the use of bicycles and walking within the Plan Area by: (a) including specific policies and development standards that will result in subdivision and building designs that facilitate bike use and pedestrian access; (b) incorporating all classes of bike lanes and include bike and pedestrian paths through the parks and open space areas; and (c) providing parks, recreational facilities, public squares, plazas and green spaces for residents of the Orcutt Area.
6. **Provision of New Jobs:** The project would create new construction-related and permanent jobs in the project area. Planned commercial development would provide new jobs that are needed to support a household within the City.

7. Implementation of the General Plan: As required by the City General Plan, the Orcutt Area Specific Plan contains policies and standards that will facilitate appropriate development of land, protection of open space, and provision of adequate public facilities.

Accordingly, the City finds that the project's adverse, unavoidable environmental impacts are outweighed by these considerable benefits.

Dated: _____, 2010




David F. Romero
Mayor, City of San Luis Obispo





Proposed General Plan Designation

Exhibit B



City Limit Land Use Designations

-  City Limit
-  Open Space
Mostly undeveloped land or bodies of water
-  Park
Public park-land
-  Community Commercial
Shopping centers serving the community

-  Low Density Residential (7 d.u./acre)
Detached homes with private outdoor yard space
-  Medium Density Residential (12 d.u./acre)
Compact detached homes, or attached units, and smaller yards
-  Medium-High Density Residential (18 d.u./acre)
Primarily attached units, two- and three-story buildings, common outdoor space
-  High Density Residential (24 d.u./acre)
Primarily attached units, two- and three-story buildings, common outdoor space



Attachment 6

city of san luis obispo
SLO GIS
DEPARTMENT OF PUBLIC WORKS



P4-103

