**CITY OF SAN LUIS OBISPO**
**PLANNING COMMISSION AGENDA REPORT** **ITEM # 1**

**FROM:** Kim Murry, Deputy Director KM **MEETING DATE:** December 10, 2009

**Prepared By:** Michael Codron, Housing Programs Manager

**FILE NUMBER:** SP/ER 209-98 (Orcutt Area Specific Plan)

**PROJECT ADDRESS:** Orcutt Area – Between Railroad, Orcutt Road and Tank Farm Road

**SUBJECT:** The Orcutt Area Specific Plan and Final Program Environmental Impact Report, including General Plan Amendments, rezoning, and annexation pre-zoning necessary to implement the specific plan.

## SUMMARY RECOMMENDATION

Adopt the following resolutions, recommending approval of the Orcutt Area Specific Plan (OASP), the project's Environmental Impact Report (EIR) and related implementation measures to the City Council:

1) Adopt a resolution recommending City Council certification of the Final Program EIR for the OASP, based on findings and subject to a Mitigation Monitoring and Reporting Plan (Attachment 1).

2) Adopt a resolution recommending City Council adoption of the Planning Commission Draft of the OASP (Attachment 2).

3) Adopt a resolution recommending City Council approval of amendments to the General Plan Land Use Map and Land Use Element Figure 2, establishing new land use designations for the Orcutt Area and amending the location of the Urban Reserve Line as shown in the OASP (Attachment 3).

4) Adopt a resolution recommending the City Council rezone property located on 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 (CC-SP) (Attachment 4).

5) Adopt a resolution recommending City Council approval of annexation pre-zoning for land in the Orcutt Area, consistent with the OASP (Attachment 5).

## BACKGROUND

Situation

The Planning Commission has reviewed and provided direction on the Draft OASP and EIR over the course of nine public hearings between February 2008 and October 2009. On October 28, 2009, the Planning Commission directed staff to return to the Commission with recommendations to the City Council for certification of the Final Program EIR and adoption of

the OASP. Staff has prepared and attached the necessary resolutions, as listed under the Summary Recommendation heading above.

In addition to the Planning Commission, several other City advisory bodies have reviewed the Draft OASP, including the Architectural Review Commission, the Cultural Heritage Committee, the Parks and Recreation Commission and the Bicycle Advisory Committee. The recommendations made by these advisory bodies have been reviewed by the Planning Commission and incorporated into the Draft OASP where appropriate.

Public Facilities Financing Plan (PFFP)

During the October 28, 2009, Planning Commission meeting, the Commission approved the current draft of the PFFP and directed staff to report back on the final cost and associated fees for parkland. The following table highlights the total project-specific costs for development in the Orcutt Area, including the updated parkland fee information.

**TABLE ES-1**
**TOTAL PROJECT-SPECIFIC INFRASTRUCTURE PLUS CITY-WIDE AND OTHER FEES**

| | Project-Specific Impact Fees | | | | | City-Wide Impact Fees | | | | Other Impact Fees | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Land Use | Trans-portation | Pedestrian and Bicycle Paths | Parks & Recreation | Parkland | Total Project-Specific Impact Fees | Trans-portation Impact Fee | Water Impact Fee | Sewer Impact Fee | Total City-Wide Fees | Specific Plan and EIR Fee | Total Other Fees | Total Gross Fees per Unit | Total Gross Fees per Net Acre |
| 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 |

During the past several weeks, key revisions have been accomplished, resulting in a lower parkland impact fee. The details regarding the revised parkland fees are included for the Commission's consideration in Attachment 2, Exhibit C.

In summary, a revised staff recommendation allows for the PFFP to move forward with lower costs based on Orcutt Area development providing 16.3 acres of improved parkland, instead of 20.72 acres, as would normally be required by the City's "1 acre per 1,000 residents" parkland policy. The City's Parks and Recreation Director supports the lower parkland requirement for the Orcutt Area because the remaining four-plus acres of parkland are expected to be provided as part of a joint-use facility to be developed along with a proposed elementary school. The School District's staff anticipates development of a new school in or near the Orcutt Area after substantial build-out of the Orcutt Area and Margarita Area has occurred. Although it is not counted toward meeting the parkland requirement, the revised recommendation also recognizes the value of the 4-acre trail system that is proposed for the Righetti Hill Open Space Area.

The compromise position supported by staff lowers parks and recreation costs for all Orcutt Area property owners by eliminating a previously proposed fee intended to mitigate the parkland deficiency. In the first draft of the PFFP, this deficiency was addressed by a Parkland Mitigation Fee, which would have been used by the City to purchase and/or improve parkland in other parts of the City. In the second draft of the PFFP, the mitigation fee was replaced by an in-lieu fee, allowing for some property owners to dedicate additional parkland to avoid the fee. However,

this second solution was not optimal because the location and amount of parkland that would be created under the in-lieu fee proposal was uncertain. Feedback from property owners indicates that the new proposal is acceptable because it lowers costs and provides developers with more certainty regarding parkland requirements going forward.

## EVALUATION

The following evaluation includes a brief summary of background issues related to each of the resolutions recommended by staff for approval by the Planning Commission.

Resolution #1 - Recommending Certification of the EIR

The Draft OASP EIR was published in December, 2007, after approximately 3 years of work on the environmental document. As the EIR was developed and new information became available, updates were made to the OASP to insure consistency between the documents. All of the mitigation measures identified in the Draft OASP EIR have either been incorporated directly into the text of the OASP, or are listed in OASP Appendix C to insure ongoing consistency between the specific plan and EIR.

On April 9, 2008, the Planning Commission held a public hearing to review the Draft EIR for the OASP, and to accept public comment on the document. The City continued to accept public comment on the Draft EIR over the next year as additional updates were made. Once the public comment period was closed, the City's EIR consultant prepared responses to the public comments received, which were presented to the Planning Commission and approved on August 26, 2009.

Attachment 1 includes a resolution recommending that the City Council certify the Final OASP EIR. The resolution includes findings (Exhibit A), indicating that all impacts have been mitigated to less than significant levels. For those impacts that can't be mitigated to less than significant levels (aesthetics, air quality and noise), findings of overriding consideration are recommended. Attachment 1 also includes a Mitigation Monitoring and Reporting Plan (Exhibit B), which identifies each mitigation measure from the EIR and indicates when it will be implemented and by whom.

Resolution #2 - Recommending Adoption of the OASP

Attachment 2 includes a resolution directing staff to prepare the *Planning Commission Draft of the OASP,* and recommending its approval to the City Council. This final draft of the OASP will incorporate all of the changes made by the Planning Commission during their review of the specific plan. The *Planning Commission Draft* will be based on the December 2007 Public Hearing Draft, and will be updated with the content included in three exhibits. Specifically, Exhibit A includes all of the changes approved by the Planning Commission to date. Exhibit B includes the revised PFFP, which will be incorporated into Chapter 8 of the OASP. Exhibit C includes the recent revisions to parkland costs and fees, which will also be incorporated into Chapter 8 of the final document.

Resolution #3 - Recommending General Plan Amendments to Implement the OASP

Attachment 3 includes a resolution with map exhibits recommending that the City Council approve two major General Plan Amendments to implement the OASP. The first amendment updates the General Plan Land Use Map to show the new land uses for the Orcutt Area. The second amendment revises the Urban Reserve Line (Land Use Element, Figure 2), as shown in the OASP.

The proposed change to the Urban Reserve Line was supported by the Planning Commission because it redirects development from an environmentally sensitive hillside area to a flat area more suitable for single-family home construction.

Recommendation #4 - Recommending Rezoning of 3750 Bullock Lane

Attachment 4 includes a recommendation to the City Council to adopt an ordinance rezoning 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 (CC-SP). This is the only Orcutt Area property that is currently located within the City limits. The property was annexed during the 1970's and is currently zoned Conservation/Open Space to prevent development prior to adoption of the OASP.

Recommendation #5 - Recommending Annexation Pre-Zoning

Attachment 5 includes a recommendation to the City Council to adopt pre-zoning for the Orcutt Area. The proposed pre-zoning reflects the actual zoning designations that would apply to each property in the Orcutt Area if annexation is approved in the future. At this time, staff is recommending pre-zoning for the entire Orcutt Area, consistent with the land uses identified in the OASP. However, the boundaries of the future annexation have not been determined at this time. Staff intends to work closely with area property owners and the Local Agency Formation Commission, which has jurisdiction over annexations, regarding the boundaries and timing of future annexations.

**ATTACHMENTS**

1. Resolution Recommending City Council Certification of the OASP EIR.
2. Resolution Recommending City Council Adoption of the OASP.
3. Resolution Recommending City Council Approval of General Plan Amendments Implementing the OASP.
4. Resolution Recommending Rezoning of 3750 Bullock Lane.
5. Resolution Recommending City Council Approval of Annexation Pre-Zoning for the Orcutt Area.

**Additional Background Information:**

http://www.slocity.org/communitydevelopment/oasp.asp

# Attachment 1

**Planning Commission Resolution No.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO RECOMMENDING CITY COUNCIL CERTIFICATION OF THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE ORCUTT AREA SPECIFIC PLAN (ER 209-98)**

WHEREAS, the Planning Commission of the City of San Luis Obispo met in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California on December 10, 2009, for the purpose of considering a recommendation to the City Council on the Final Program Environmental Impact Report (EIR) for the Orcutt Area Specific Plan (OASP); and

WHEREAS, the Planning Commission had previously held public hearings to discuss the EIR and receive public comment on April 9, 2008, and again on August 26, 2009; 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, the Planning Commission 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 Planning Commission of the City of San Luis Obispo as follows:

**SECTION 1. Environmental Determination.** The Planning Commission hereby recommends that the City Council of the City of San Luis Obispo certify the Final Program EIR for the Orcutt Area Specific Plan, based on findings and subject to mitigation measures as outlined in Section 2. and Section 3., below.

**SECTION 2. Findings.** As further detailed in Exhibit A, the Planning Commission recommends that the City Council make the following findings in support of the project:

1. The Final EIR was prepared in compliance with the California Environmental Quality Act (CEQA) and was considered by the City prior to any approvals of the project.

2. The Final EIR reflects the independent judgment of the City.

3. The OASP incorporates all of the required mitigation measures identified in the EIR, either directly in the body of the document, or as listed in OASP Appendix C.

4. For each significant effect identified in the Final EIR under the categories of Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources,

Drainage and Water Quality, Geology, Public Safety, Public Services, Transportation and Traffic, and Water and Wastewater, the approved mitigation measures contained in the EIR have been incorporated into the project and will avoid or substantially lessen the identified adverse environmental impacts to a less-than-significant level.

5. The significant effects identified in the Aesthetics, Air Quality and Noise sections of the EIR will not be fully mitigated to a degree of insignificance with the incorporation of all of the identified mitigation measures included in the EIR. However, the Planning Commission recommends the City Council find the adverse environmental effects are acceptable and makes a statement of overriding considerations for those significant and unavoidable environmental impacts as detailed in Section 8 of Exhibit A.

**Section 3. Mitigation Monitoring.** The Planning Commission recommends that the City Council adopt Exhibit B, Mitigation Monitoring and Reporting Program, to ensure that the project complies with required mitigation measures.

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

The foregoing resolution was passed and adopted this 10th day of December, 2009.

_____
Doug Davidson, Secretary
Planning Commission by:

# 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 $PM_{10}$, 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:

| Special-status plant species | Habitat |
|---|---|
| • 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, polices, 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 or 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 leasers 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, avigation 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) though 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 A ir 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

# MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in this Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program (MMRP).

In order to implement this MMRP, the City of San Luis Obispo shall designate a Project Mitigation Monitoring and Reporting Coordinator ("Coordinator"). The coordinator shall be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. Further, the coordinator will distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure shall not in any way prevent the lead agency from implementing the proposed project.

The following table shall be used as the coordinator's checklist to determine compliance with required mitigation measures.

| Mitigation Measure/Condition of Approval | Action Required | Monitoring Requirements | Responsible Agency or Party | Compliance Verification | | |
|---|---|---|---|---|---|---|
| | | | | Initial | Date | Comments |
| ***AESTHETICS*** | | | | | | |
| **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. | Proposed lighting shall be indicated on site plans | Prior to the development of individual lots, SLOCDD would review the lighting specifications on proposed site plans | SLOCDD; SLOPWD | | | |
| ***AGRICULTURAL RESOURCES*** | | | | | | |
| **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 and any habitable structures proposed in the Plan Area shall be maintained. 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). | This provision shall be noted on the applicant's site plan. | SLOCDD staff shall approve a site plan that conforms to this requirement prior to the commencement of construction | SLOCDD | | | |
| **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:<br><br>***Program 3.2.25a.*** *In accordance with the* | Program 3.2.25a shall be modified as shown, prior to Plan adoption. | Future development shall comply with the provisions of this Program. | SLOCDD | | | |

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| | | | | Initial | Date | Comments |
| *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. ~~This notification shall include disclosure of potential nuisances associated with on-site agricultural uses, including the frequency, type, and technique for pesticide spraying, the type and number of grazing animals, dust, and any other agriculture practices that may present potential health and safety effects. Should agriculture practices change substantially (e.g., through the use of new agricultural chemicals or application techniques), notification shall be provided to existing and prospective Orcutt Area residents.~~* | | | | | | |
| ***AIR QUALITY*** | | | | | | |
| **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 | The applicant shall incorporate all of the listed provisions into building plans or shall submit proof of infeasibility prior to issuance of grading permits. | SLOCDD shall site inspect to ensure development is in accordance with approved plans prior to occupancy clearance. | SLOCDD | | | |

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|---|---|---|---|---|---|---|
| | | | | Initial | Date | Comments |
| and traffic signals; use energy efficient interior lighting; use solar water heaters; and use double-paned windows. | | | | | | |
| **AQ-1(b) Transit.** Bus turnouts and shelter improvements with direct pedestrian access shall be installed at all bus stops. | This provision shall be included on the applicant's site plan. | SLOCDD shall site inspect to ensure development is in accordance with approved plans prior to occupancy clearance. | SLOCDD, SLORTA | | | |
| **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. | This provision shall be included on the applicant's site plan. | SLOCDD staff shall approve a site plan that conforms to this requirement prior to the commencement of construction. | SLOCDD | | | |
| **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. | The applicant shall incorporate this provision into building plans. | SLOCDD staff shall ensure that the listed provisions are incorporated into building plans prior to issuance of grading permits. | SLOCDD | | | |
| **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. | This provision shall be included on the applicant's site plan. | SLOCDD staff shall ensure that the listed provisions are incorporated into site plans prior to issuance of grading permits. | SLOCDD | | | |
| **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. | This provision shall be included on the applicant's site plan. | SLOCDD staff shall ensure that the listed provisions are incorporated into site plans prior to issuance of grading permits. | SLOCDD; SLOPWD | | | |

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|---|---|---|---|---|---|---|
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| **AQ-3(a) Application of CBACT.** he 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.<br><br>• 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.<br>• 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.<br>• 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).<br>• 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 | Applicant shall prepare a grading plan that incorporates these provisions, in consultation with SLOAPCD. | In consultation with SLOAPCD, SLOCDD staff shall review and approve grading plan that conforms to this requirement, prior to the issuance of grading permits. | SLOCDD; SLOAPCD | | | |

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|---|---|---|---|---|---|---|
| | | | | Initial | Date | Comments |
| determined in consultation with APCD prior to the start of construction. Installations must be prepared according to manufacturer's specifications.<br>• 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.<br>• 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.<br>• 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. | | | | | | |
| **AQ-3(b) Dust Control.** The following measures shall be implemented to reduce PM10 emissions during all Specific Plan construction:<br><br>• Reduce the amount of the disturbed area where possible.<br>• 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.<br>• All dirt-stock-pile areas shall be sprayed daily as needed.<br>• 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.<br>• Exposed ground areas that are planned to be reworked at dates greater than one month after | SLOCDD shall review grading and building plans for all project components prior to grading and construction. | Permit Compliance inspectors shall perform periodic spot checks during construction to ensure compliance with requirements. SLOAPCD inspectors shall respond to nuisance complaints. | SLOCDD; SLOAPCD | | | |

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| initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.<br>• 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.<br>• 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.<br>• Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.<br>• 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.<br>• Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.<br>• 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. | | | | | | |
| **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. | SLOCDD shall review grading and building plans for all project components prior to grading and construction. | Permit Compliance inspectors shall perform periodic spot checks during construction to ensure compliance with requirements. | SLOCDD | | | |
| **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 | Applicant shall incorporate these provisions into the grading plan (Measure | SLOCDD shall ensure that these requirements are included in the | SLOCDD | | | |

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| 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. | AQ-3(a)) | grading plan prior to approval. Permit Compliance inspectors shall perform periodic spot checks during construction to ensure compliance. | | | | |
| **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. | Applicant shall prepare the Multi-Modal Access Guide that incorporates these provisions. | SLOCDD and SLOPWD staff shall review and approve the Guide that conforms to this requirement, prior to the issuance of occupancy clearance. | SLOCDD; SLOPWD | | | |
| ***BIOLOGICAL RESOURCES*** | | | | | | |
| **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:<br><br>***Special-status plant species*** — ***Habitat***<br>• *Adobe sanicle* — • *grassland, isolated seeps on Righetti Hill*<br>• *Cambria morning-glory* — • *grassland* | The applicant shall hire a City-approved biologist to conduct the necessary surveys, and submit documentation to SLOCDD. CDFG shall be contacted if special-status plants are identified. | SLOCDD, in consultation with CDFG, shall review documentation of surveys that conform to these requirements, prior to the issuance of grading permits. | SLOCDD; CDFG | | | |

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| • *Jone's layia* • *grassland*<br>• *Marsh sandwort* • *fresh water emergent wetland*<br>• *Obispo Indian paintbrush* • *grassland*<br>• *Rayless ragwort* • *rocky slopes of Righetti Hill, grassland where weeds are scarce*<br>• *Saline clover* • *grassland, wetland*<br>• *San Luis Obispo sedge* • *grassland, coastal scrub, isolated seeps on Righetti Hill*<br><br>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. | | | | | | |
| **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.<br><br>If total avoidance is economically or technologically infeasible then plants shall be salvaged and relocated under direction of an approved botanist, | Following completion of Measure B-2(a), Applicant shall submit revised site plans that include these provisions. | SLOCDD, in consultation with CDFG, shall review and approve revised site plans that conform to these requirements, prior to the issuance of grading permits. | SLOCDD; CDFG | | | |

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| 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.)<br><br>*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.* | | | | | | |
| **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. | If Measure B-2(a) cannot be achieved, the applicant shall obtain the specified permits from CDFG, and submit to SLOCDD for review. | SLOCDD, in consultation with CDFG, shall ensure that permitting requirements are met, prior to the issuance of grading permits. | SLOCDD; CDFG | | | |
| **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: | If Measure B-2(a) cannot be achieved, the City shall prepare a Mitigation Plan that incorporates the provisions of Measures B-2(d) thru B-2(f) for submittal to CDFG. | CDFG shall approve the Mitigation Plan that conform to these requirements, prior to issuance of grading permits. | SLOCDD; CDFG | | | |

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| • The overall goal and measurable objectives of the mitigation and monitoring plan;<br>• 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).<br>• 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);<br>• Success criteria based on the goals and measurable objectives to ensure a viable population(s) on the project site in perpetuity;<br>• An education program to inform residents of the presence of special-status plant species and sensitive biological resources onsite, and to provide methods that residents can employ to reduce impacts to these species/resources in protected open space areas;<br>• Reporting requirements to ensure consistent data collection and reporting methods used by monitoring personnel; and<br>• Funding mechanism. | | | | | | |

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| **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. | These requirements shall be specified in the Mitigation Report (see B-2(d)). City staff or approved biologist shall monitor special-status plant mitigation efforts as described. | City staff or approved biologist shall monitor special-status plant mitigation efforts as described. | SLOCDD | | | |
| **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. | These requirements shall be specified in the Mitigation Report (see B-2(d)). | City staff or approved biologist shall monitor special-status plant mitigation efforts as described in Measure B-2(e) and (f). | SLOCDD | | | |

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| **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 | The applicant shall hire a City-approved biologist to conduct the survey, and submit documentation to SLOCDD. | SLOCDD shall review documentation of survey that conforms to these requirements, prior to the issuance of grading permits. | SLOCDD | | | |

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| 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-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. | The applicant shall submit grading and building plans to SLOCDD that incorporate these provisions. | SLOCDD shall review plans for compliance with City Arborist's specifications prior to issuance of grading permits, and shall periodically monitor during construction. | SLOCDD, City Arborist | | | |
| **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. | This provision shall be included on the applicant's site plan. | SLOCDD staff shall ensure that the listed provisions are incorporated into site plans prior to issuance of grading permits. | SLOCDD | | | |
| **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). | This provision shall be included on the applicant's site plan. | SLOCDD staff shall ensure that the listed provisions are incorporated into site plans prior to issuance of grading permits. | SLOCDD | | | |
| **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 | The applicant shall submit a Mitigation Plan prepared by a City-approved biologist, | SLOCDD staff shall review and approve the Mitigation Plan, in consultation with | SLOCDD; CDFG; USACE | | | |

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| 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.<br><br>The plan shall include, but not be limited to the following components:<br><br>1) Description of the project/impact site (i.e.: location, responsible parties, jurisdictional areas to be filled/impacted by habitat type);<br>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);<br>3) description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site);<br>4) implementation plan for the compensatory mitigation-site (rationale for expecting | that incorporates these provisions. | CDFG and/or USACE if necessary, prior to issuance of grading permits. | | | | |

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| implementation success, responsible parties, schedule, site preparation, planting plan);<br>5) maintenance activities during the monitoring period (activities, responsible parties, schedule);<br>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);<br>7) completion of compensatory mitigation (notification of completion, agency confirmation); and<br>8) contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).<br><br>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-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 | The applicant shall hire a City-approved biologist to complete the survey, and submit documentation to SLOCDD prior to commencement of construction. | SLOCDD shall review the documentation, and monitor construction activities to ensure that these provisions are met. | SLOCDD | | | |

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| 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 | | | | | | |
| **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. | The applicant shall hire a City-approved biologist to complete the survey, and submit documentation to SLOCDD prior to commencement of construction. | SLOCDD shall review the documentation, and monitor construction activities to ensure that these provisions are met. | SLOCDD | | | |
| **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. | The applicant shall hire a City-approved biologist to complete the survey, and submit documentation to SLOCDD prior to commencement of construction. | SLOCDD shall review the documentation, and monitor construction activities to ensure that these provisions are met. | SLOCDD | | | |

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| **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. | The applicant shall hire a City-approved biologist to complete the survey, and submit documentation to SLOCDD prior to commencement of construction. | SLOCDD shall review the documentation, and monitor construction activities to ensure that these provisions are met. | SLOCDD | | | |
| **B-5(e) FESA Consultation and Mitigation Regarding VPFS.** If any VPFS individuals are located onsite 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.<br><br>The compensatory mitigation ratio shall be | Following completion of Measure B-5(d), Applicant shall submit revised site plans that include these provisions, or shall have an HCP prepared (as described) by a City-approved biologist, and obtain all necessary permits. | SLOCDD shall review and approve revised site plans that conform to these requirements, prior to the issuance of grading permits. If avoidance is not feasible, SLOCDD shall ensure that all requirements of HCP are met, and any permits obtained prior to issuance of grading permits. | SLOCDD; USACE | | | |

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| determined by the appropriate resource agencies. Suitable replacement habitat shall be constructed either within the site boundaries or offsite. Figure 4.4-2 identifies areas that could be appropriate for onsite 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 onsite 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.<br><br>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). | | | | | | |

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| An alternative to onsite mitigation is the purchase of mitigation bank credits. Credits can be purchase 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-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. | This provision shall be included on the applicant's site plan. | SLOCDD staff, in consultation with SLOFD, shall ensure that the listed provisions are incorporated into site plans prior to issuance of grading permits. | SLOCDD; SLOFD | | | |
| **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 D-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. | SLOCDD staff or approved biologist shall evaluate the proposed culvert design, as described. | SLOCDD shall ensure that these requirements are met, prior to the issuance of grading permits. | SLOCDD | | | |

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| **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. | Applicant shall prepare the brochure, and submit to HOA members and potential homebuyers. | SLOCDD staff shall review and approve the brochure that meets these provisions, prior to issuance of occupancy clearance. | SLOCDD; HOA | | | |
| **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:<br><br>• African sumac *(Rhus lancea)*<br>• Australian saltbush *(Atriplex semibaccata)*<br>• Black locust *(Robinia pseudoacacia)*<br>• California pepper *(Schinus molle)* and Brazilian pepper *(S. terebinthifolius)*<br>• Cape weed *(Arctotheca calendula)*<br>• Cotoneaster *(Cotoneaster pannosus), (C. lacteus)*<br>• Edible fig *(Ficus carica)*<br>• Fountain grass *(Pennisetum setaceum)*<br>• French broom *(Genista monspessulana)*<br>• Ice plant, sea fig *(Carpobrotus edulis)*<br>• Leafy spurge *(Euphorbia esula)*<br>• Myoporum *(Myoporum* spp.*)* | The applicant shall submit a landscaping plan that includes these provisions, to the SLOCDD. | SLOCDD shall review and approve a landscaping plan that meets these provisions, prior to the issuance of grading permits. | SLOCDD | | | |

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| • Olive *(Olea europaea)*<br>• Pampas grass *(Cortaderia selloana)*, and Andean pampas grass *(C. jubata)*<br>• Russian olive *(Elaeagnus angusticifolia)*<br>• Scotch broom *(Cytisus scoparius)* and striated broom *(C. striatus)*<br>• Spanish broom *(Spartium junceum)*<br>• Tamarix, salt cedar *(Tamarix chinensis), (T. gallica), (T. parviflora), (T. ramosissima)*<br>• Blue gum *(Eucalyptus globulus)*<br>• Athel tamarisk (*Tamarix aphylla*)<br><br>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. | | | | | | |
| ***CULTURAL RESOURCES*** | | | | | | |
| **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. | Applicant shall hire a City-approved archaeologist to survey the areas described, and submit documentation to SLOCDD | SLOCDD shall review documentation, and ensure that all recommended measures are met prior to issuance of grading permits. | SLOCDD | | | |
| **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. | The City shall prepare the required survey | SLOCDD shall ensure that any future development, including trails, avoids sensitive areas identified in the survey. | SLOCDD | | | |

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| **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. | The applicant shall hire a City-approved archaeologist to monitor construction activities in the designated areas. | City staff shall periodically site inspect to confirm that monitoring of designated areas occurs during construction. | SLOCDD | | | |
| **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.<br><br>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 | This condition shall be printed on all building and grading plans. Applicant is responsible for facilitating orientation meetings, and hiring a City-approved archaeologist to conduct monitoring. | SLOCDD shall check plans prior to approval of grading permits and shall spot check in the field. | SLOCDD | | | |

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| 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.<br><br>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. | | | | | | |
| **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;<br><br>a) Determine if there are intact subsurface deposits associated with this site;<br>b) Determine the site's boundaries;<br>c) Assess the site's integrity, i.e., is it intact or highly disturbed; and<br>d) Evaluate the site's importance or significance.<br><br>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. | SLOCDD shall review proposed site plans to ensure that sensitive sites are avoided, or direct the applicant to prepare an SARE that complies with these provisions. | SLOCDD staff shall approve site plans that avoid sensitive areas. If avoidance is not feasible, SLOCDD shall review the SARE, and monitor any excavation activities, prior to issuance of grading permits. | SLOCDD | | | |

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| The archaeological excavation(s) shall be based on a written explicit research design that includes a statement or 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. | | | | | | |
| **CR-2(b) Construction Monitoring.** An archaeologist should monitor construction grading in the vicinity of the two isolated finds. | The applicant shall hire a City-approved archaeologist to monitor construction as specified. | SLOCDD shall periodically spot-check in the field to ensure compliance. | SLOCDD | | | |
| **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. | Applicant shall post the required signage. | SLOCDD shall field-verify, prior to issuance of occupancy clearance. | SLOCDD | | | |
| **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. | Applicant shall hire a City-approved archaeologist to prepare the evaluation, as described, and submit documentation to SLOCDD | SLOCDD shall review documentation, and ensure that all recommended measures are met prior to issuance of grading permits. | SLOCDD | | | |

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| ***DRAINAGE AND WATER QUALITY*** | | | | | | |
| **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:<br><br>• A proposed schedule of grading activities, monitoring, and infrastructure milestones in chronological format;<br>• Identification of critical areas of high erodibility potential and/or unstable slopes;<br>• 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;<br>• Description of erosion control measures on slopes, lots, and streets;<br>• Contour and spot elevations indicating runoff patterns before and after grading;<br>• Filter systems at catch basins (drop inlets) in public streets as a means of sediment control; and<br>• The post-construction inspection of all drainage facilities for accumulated sediment, and the clearing of these drainage structures of debris and sediment. | The applicant shall submit an ECP that incorporates these provisions, to the SLOCDD and SLOPWD Directors. | SLOCDD and SLOPWD shall review and approve an ECP that meets these requirements, prior to issuance of grading permits. | SLOCDD and SLOPWD | | | |

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| **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.<br><br>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.<br><br>• **Notice of Intent**. Prior to beginning construction, the applicant shall file a Notice of Intent (NOI) for discharge from the proposed development site.<br>• **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 | The applicant shall obtain a General Permit from the SWRCB, file an NOI, prepare a SWPPP that incorporates these provisions, and file and NOC, as specified. | SLOCDD and the SWRCB shall review copies of required permit and notices, and review the SWPPP prior construction and periodically conduct field checks during all components of the project. | SLOCDD; SWRCB | | | |

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| 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.<br>• **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. | | | | | | |
| **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:<br><br>• Regrading and revegetating the streambanks to eliminate overhanging banks and create a more | The applicant shall include these specifications with the site plans submitted to SLOCDD. | SLOCDD shall review and approve site plans that meet these provisions, prior to the issuance of grading permits. | SLOCDD | | | |

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| stable slope;<br>• Deflecting erosional water flow away from vulnerable sites;<br>• Reducing the steepness of the channel bed through installation of grade stabilization structures;<br>• Altering the geometry of the channel to influence flow velocities and sediment deposition;<br>• Diverting a portion of the higher flow into a secondary or by-pass channel;<br>• Armoring or protecting the bank to control erosion, particularly at the toe of slopes.<br><br>The bank stabilization design will:<br><br>• Be stable over the long term;<br>• Be the least environmentally damaging and the "softest" approach possible;<br>• Not create upstream or downstream flooding or induce other local stream instabilities;<br>• Minimize impacts to aquatic and riparian habitat.<br>• Specify that only natural-fiber, biodegradable meshes and coir rolls be used, to prevent impacts to the environment and to fish and terrestrial wildlife. | | | | | | |
| **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 | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD. | SLOCDD shall review drainage plans for compliance with existing design guidelines, prior to issuance of grading permits. | SLOCDD | | | |

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| 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. | | | | | | |
| **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. | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD. | SLOCDD shall review construction and planting plans for compliance with Section 11 guidelines of the SLO Creek Drainage Design Manual, prior to issuance of grading permits, and shall spot check during construction activity in riparian areas. | SLOCDD | | | |
| **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 | The applicant shall pay the required Drainage Impact Fee, as determined by the SLOPWD. | SLOCDD shall ensure that the Drainage Impact Fees have been paid prior to issuance of grading permits. | SLOCDD, SLOPWD | | | |

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| 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:<br><br>• A new concrete box culvert at Broad Street on Orcutt Creek,<br>• A new concrete slab bridge at Santa Fe Road on the East Branch of SLO Creek, and<br>• A modified channel for improved conveyance capacity from Santa Fe to Buckley Road on the East Branch of SLO Creek. | | | | | | |
| **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.<br><br>The detention basins shall be designed to comply with applicable City drainage design standards and at a minimum have the following features:<br><br>• 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 | The applicant shall submit a detention system plan to the Director of Public Works for review and approval, and shall incorporate these provisions into the site plans submitted to SLOCDD. | SLOPW shall review and approve a detention system plan that meets these provisions. SLOCDD shall ensure that the site plans meet these provisions, prior to the issuance of grading permits. | SLOPW, SLOCDD | | | |

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| 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.<br>• 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:<br>- 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.<br>- The spillway must be located so overflow is conveyed safely to the downstream channel.<br>• 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.<br>• 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 | | | | | | |

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| 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.<br>• 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.<br>• 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. | | | | | | |
| **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 | The applicants of specific projects shall submit detention system designs to the Director of Public | SLOPW and the City Engineer shall ensure that the proposed detention system designs meet these | SLOPW, City Engineer, SLOCDD | | | |

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| 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. | Works for review and approval, and shall incorporate these provisions into the site plans submitted to SLOCDD. | provisions, prior to the issuance of grading permits. | | | | |
| **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).<br><br>A Best Management Practice (BMP) filter device | The applicant shall submit a Drainage Plan that incorporates biofilters to the SLOCDD Director. | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of grading permits. | SLOCDD | | | |

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| 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 resuspension 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. | | | | | | |
| **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:<br><br>• 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 | The applicant shall submit a SWPPP that meets these provisions to the SLOCDD Director | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of grading permits | SLOCDD | | | |

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| 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.<br>• 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.<br>• 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 | | | | | | |

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| basins. Maintenance reports shall be submitted annually to City's Public Works Department.<br>• For basins greater than 5,000 $m^3$ (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.<br>• 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.<br>• 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 | | | | | | |

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| events. The results of the inspection and maintenance report shall be submitted to the City of San Luis Obispo Public Works Department. | | | | | | |
| **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. | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD. | SLOCDD shall review site plans for compliance with existing LUE Policy 6.4.7, prior to issuance of grading permits. | SLOCDD | | | |
| **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:<br><br>• Reduced and disconnected impervious surfaces<br>• Preservation of native vegetation where feasible<br>• Use of tree boxes to capture and infiltrate street runoff<br>• Roof leader flows shall be directed to planter boxes and other vegetated areas<br>• Soil amendments shall be utilized in landscaped areas to improve infiltration rates of clay soils.<br>• Incorporate rain gardens into landscape design<br><br>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 | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD. | SLOCDD shall review site plans for compliance with LID Practices, at permitting and construction stages. | SLOCDD | | | |

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| 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. | | | | | | |
| **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:<br>• The volume of the permanent pond shall not be counted towards the total storage volume of the regional detention basin;<br>• Basin outlets shall be located above the desired permanent water surface, to prevent the basin from draining completely;<br>• Mitigation Measure D-5(b) requires regular maintenance and monitoring of detention basin sediment accumulation. | The applicant shall incorporate these provisions into the detention system plan described in Mitigation Measure D-4(a). | SLOCDD shall ensure that the detention system plan submitted to SLOPW meets these provisions, prior to issuance of grading permits. | SLOCDD, SLOPW | | | |
| ***GEOLOGY*** | | | | | | |
| **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:<br>• *evaluate the potential for soil settlement beneath the project site*<br>• *evaluate the potential for expansive soils beneath the project site* | The applicant shall have the required Geotechnical Study prepared, and shall submit to SLOCDD with proposed plans. | SLOCDD shall approve site plans that conform with the requirements of a Geotechnical Study that meets these provisions. | SLOCDD | | | |

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| • *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.*<br><br>The following suitable measures to reduce liquefaction impacts could include but need not be limited to:<br><br>• *specialized design of foundations by a structural engineer;*<br>• *removal or treatment of liquefiable soils to reduce the potential for liquefaction;*<br>• *drainage to lower the groundwater table to below the level of liquefiable soil;*<br>• *in-situ densification of soils or other alterations to the ground characteristics; or other alterations to the ground characteristics.* | | | | | | |
| **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.<br><br>Suitable measures to reduce settlement impacts could include but need not be limited to:<br><br>• excavation and recompaction of on-site or | The applicant shall have the required Geotechnical Study prepared, and shall modify site plans as described | SLOCDD shall approve site plans that conform with the requirements of the Geotechnical Study that meets these provisions. | SLOCDD | | | |

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| imported soils;<br>• treatment of existing soils by mixing a chemical grout into the soils prior to recompaction; or<br>• 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). | | | | | | |
| **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.<br><br>Suitable measures to reduce impacts from expansive soils could include but need not be limited to:<br><br>• excavation of existing soils and importation of non-expansive soils; and<br>• 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. | The applicant shall have the required Geotechnical Study prepared, and shall modify site plans as described | SLOCDD shall approve site plans that conform with the requirements of the Geotechnical Study that meets these provisions. | SLOCDD | | | |
| **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 | The applicant shall have the required Geotechnical Study prepared, and shall modify site plans as described | SLOCDD shall approve site plans that conform with the requirements of the Geotechnical Study that meets these provisions. | SLOCDD | | | |

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| Engineering Geologist, and the mitigation must be approved by the City of San Luis Obispo building department before the issuance of grading permits. | | | | | | |
| ***GLOBAL CLIMATE CHANGE*** | | | | | | |
| **GHG-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:<br>• The City shall participate in regional planning efforts with SLOCOG and the APCD to reduce basin-wide GHG emissions in compliance with SB 375.<br>• 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.<br>• 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. | These policies shall be added to the Final Specific Plan, prior to adoption. | SLOCDD shall ensure that the GHG Reduction policies are incorporated into the Final Specific Plan. | SLOCDD | | | |
| **GHG-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. | Future development proposed in the Specific Plan area shall incorporate GHG emissions reduction measures, prior to obtaining a permit from SLOCDD. | SLOCDD shall confirm that reduction measures have been incorporated into the project design, during the permitting, construction, and inspection phases. | SLOCDD | | | |

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| ***LAND USE*** | | | | | | |
| **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. | The ULL shall be amended, prior to adoption of the Specific Plan. | SLOCDD shall ensure that the General Plan is revised, pursuant to the proposed Specific Plan. | SLOCDD | | | |
| **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. | The General Plan buildout potential shall be amended, prior to adoption of the Specific Plan. | SLOCDD shall ensure that the General Plan is revised, pursuant to the proposed Specific Plan. | SLOCDD | | | |
| **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:<br>• The Specific Plan can be modified to include more commercial area that is not allowed to be converted to housing.<br>• 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. | One or more of these approaches shall be incorporated into the Final Specific Plan, prior to adoption. | SLOCDD shall ensure that these requirements are met, prior to adoption of the Final Specific Plan. | SLOCDD | | | |
| **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. | The Community Development Director shall have approval authority over proposed land uses that may generate nuisance odors. These uses shall be | Monitoring for potential odor impacts shall occur during the permitting stage for proposed projects. | SLOCDD | | | |

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| | evaluated, prior to issuance of development permits. | | | | | |
| | | ***NOISE*** | | | | |
| **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:<br><br>• **Equipment Shielding.** Stationary construction equipment that generates noise can be shielded with a barrier.<br>• **Diesel Equipment.** All diesel equipment can be operated with closed engine doors and equipped with factory-recommended mufflers.<br>• **Electrical Power.** Whenever feasible, electrical power can be used to run air compressors and similar power tools.<br>• **Sound Blankets.** The use of sound blankets on noise generating equipment. | Construction scheduling shall comply with these provisions, which shall be indicated on proposed plans. | SLOCDD shall confirm that site plans include these provisions, and Permit Compliance Inspectors shall periodically monitor construction activities and respond to any noise complaints. | SLOCDD | | | |
| **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:<br><br>1) Locate all proposed residential and school | The applicant shall revise the Orcutt Area Specific Plan as described, and submit to SLOCDD. | SLOCDD shall ensure that the revised Specific Plan meets these provisions, prior to adoption. | SLOCDD | | | |

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| development outside of the 60 Ldn contour line (352 feet from the centerline of the railroad); or<br>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:<br>• 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;<br>• Design of individual homes such that structures block the line-of-sight from useable backyards to the railroad tracks;<br>• For homes with backyards not blocked by intervening structures, backyard fencing of sufficient height to block line-of sight to railroad tracks.<br><br>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. | | | | | | |
| **N-5(a) Fair Share of Cumulative Noise Improvements.** Applicants under the Specific Plan must contribute their fair financial share, as | Applicant shall pay fair share fees as determined by | SLOCDD shall collect fees, and ensure that the revised Specific | SLOCDD | | | |

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| 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 this EIR). The Specific Plan shall be 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. | SLOCDD, and shall modify Specific Plan as described, and submit to SLOCDD | Plan meets these provisions, prior to adoption. | | | | |
| ***PUBLIC SAFETY*** | | | | | | |
| **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. | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of grading permits | SLOCDD | | | |
| **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. | Specific Plan shall be submitted to ALUC for a consistency determination with the Airport Land Use Plan, and revised if necessary | ALUC shall provide a consistency determination with the Airport Land Use Plan, prior to adoption of the Specific Plan | ALUC, SLOCDD | | | |
| **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 leasers 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, avigation easements shall be recorded over the entire project site for the benefit of the SLO County Regional Airport. | CC&R's shall be submitted to SLOCDD with final plans for approval, and shall be provided to potential homebuyers during each transfer of property. SLOCDD shall record avigation easements over the Specific Plan area. | SLOCDD shall approve CC&R's that meet these provisions prior to the recordation of final map. | SLOCDD, ALUC | | | |
| **S-2(c) Special Function Land Uses.** Prior to Specific Plan approval by the City Council, the project | Specific Plan shall be submitted to ALUC for | ALUC shall provide a consistency | ALUC, SLOCDD | | | |

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| 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. | a consistency determination with the Airport Land Use Plan, and revised if necessary | determination with the Airport Land Use Plan, prior to adoption of the Specific Plan | | | | |
| **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. | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD, in consultation with the City Engineer | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of occupancy permits | SLOCDD, City Engineer | | | |
| **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. | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD, in consultation with the City Engineer | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of occupancy permits | SLOCDD, City Engineer | | | |
| **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 in Section 4.8, *Noise*). | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD, in consultation with the City and UPRR | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of occupancy permits | SLOCDD, City Engineer, UPRR | | | |
| **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 | Applicant shall prepare a Phase I ESA, and subsequent studies required to address Recognized Environmental | SLOCDD shall review ESA documentation and confirm that RECs are mitigated prior to issuance of grading permits for | SLOCDD, RWQCB, DTSC | | | |

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| 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. | Conditions (RECs). Should hazardous quantities be found, applicant shall comply with RWQCB & DTSC recommendations. Documentation shall be submitted to SLOCDD with proposed development plans. | un-surveyed areas | | | | |
| **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. | Applicant shall be responsible for required soil sampling, and shall submit documentation to SLOCDD with proposed plans | SLOCDD shall ensure that soil contaminates are within acceptable levels, prior to issuance of occupancy clearance | SLOCDD | | | |
| **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. | Applicant shall hire a City-approved Environmental Scientist to perform the required testing, and prepare any subsequent studies necessary to address Recognized Environmental Conditions (RECs). Should hazardous quantities be found, applicant shall comply with RWQCB & DTSC recommendations. Documentation shall be submitted to SLOCDD with proposed development | SLOCDD shall review ESA documentation and confirm that RECs are mitigated prior to issuance of any entitlement for development | SLOCDD, RWQCB, DTSC | | | |

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| | plans. | | | | | |
| **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. | Applicant shall hire a City-approved Environmental Scientist to perform the required testing, and prepare any subsequent studies necessary to address Recognized Environmental Conditions (RECs). Should hazardous quantities be found, applicant shall comply with RWQCB & DTSC recommendations. Documentation shall be submitted to SLOCDD with proposed development plans. | SLOCDD shall review ESA documentation and confirm that RECs are mitigated prior to issuance of any entitlement for development on the suspect property | SLOCDD, RWQCB, DTSC | | | |
| ***PUBLIC SERVICES*** | | | | | | |
| **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. | Applicant shall prepare circulation plans in consultation with the SLOFD. | SLOFD shall review all plans to ensure compliance with City standards and the Uniform Fire Code, prior to issuance of building permits. | SLOFD, SLOCDD | | | |
| **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. | Applicant shall incorporate these provisions into the site plans submitted to | SLOCDD shall approve a plan that meets these provisions, prior to the | SLOCDD, SLOFD | | | |

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| | SLOCDD, in consultation with the SLOFD | issuance of building permits. | | | | |
| **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. | Applicant shall incorporate these provisions into the site plans submitted to SLOCDD, in consultation with the SLOFD | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of building permits. | SLOCDD, SLOFD | | | |
| **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. | Applicant shall provide SLCUSD with required notification, and submit documentation to the SLOCDD along with project plans. | SLOCDD shall ensure that the required notification has been provided to the SLCUSD, prior to issuance of building permits for each phase of the project | SLOCDD, SLCUSD | | | |
| **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. | The applicant shall pay the statutory school fees in effect at the time of issuance of building permits to the appropriate school districts. | SLOCDD shall ensure that the required fees are paid, prior to the issuance of building permits. | SLOCDD, SLCUSD | | | |
| ***TRANSPORTATION AND CIRCULATION*** | | | | | | |
| **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). | The applicants shall complete the improvements identified within this mitigation measure subject to review, inspection and permit issuance by the City. | SLOCDD shall ensure that the required improvements have been made, prior to the issuance of occupancy permits. | SLOCDD, SLOPW | | | |

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| Mitigation Measure/Condition of Approval | Action Required | Monitoring Requirements | Responsible Agency or Party | Compliance Verification | | |
|---|---|---|---|---|---|---|
| | | | | Initial | Date | Comments |
| 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. | | | | | | |
| **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.<br><br>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. | Applicant shall pay the required mitigation fees, as determined by SLOPW. | SLOCDD shall ensure that required fees have been paid, prior to issuance of occupancy clearance | SLOPW, SLOCDD | | | |
| **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.<br><br>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. | Applicant shall pay the required mitigation fees, as determined by SLOPW. | SLOCDD shall ensure that required fees have been paid, prior to issuance of occupancy clearance | SLOPW, SLOCDD | | | |
| **T-2(c) Orcutt Road/Johnson Avenue.** The installation of a single-lane roundabout is necessary to mitigate Buildout level traffic conditions. | Applicant shall pay the required mitigation fees, as determined by | SLOCDD shall ensure that required fees have been paid, prior | SLOPW, SLOCDD | | | |

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| | | | | Initial | Date | Comments |
| Installation of a single-lane roundabout would improve intersection operations to LOS A.<br><br>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. This improvement would be needed as soon as the southwestern portion of the Specific Plan is developed. | SLOPW. | to issuance of building permits | | | | |
| **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.<br><br>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. | Applicant shall pay the required mitigation fees, as determined by SLOPW. | SLOCDD shall ensure that required fees have been paid, prior to issuance of occupancy clearance | SLOPW, SLOCDD | | | |
| **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. | Applicant shall pay the required mitigation fees, as determined by SLOPW. | SLOCDD shall ensure that required fees have been paid, prior to issuance of occupancy clearance | SLOPW, SLOCDD | | | |
| **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 | Applicant shall incorporate the required provisions into project plans, in consultation with SLOPW, and shall | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of building permits. | SLOCDD, SLOPW | | | |

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| 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. | modify Specific Plan Program 5.2.6, as necessary. | | | | | |
| **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.<br><br>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. | Applicant shall incorporate the required provisions into project plans, in consultation with SLOPW, and SLO Transit, and shall modify Specific Plan Program 5.2.6, as necessary. | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of building permits. | SLOCDD, SLOPW | | | |
| **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 | Applicant shall incorporate the required provisions into project plans | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of occupancy clearance | SLOCDD | | | |

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|---|---|---|---|---|---|---|
| | | | | Initial | Date | Comments |
| 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. | | | | | | |
| **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. | Applicant shall submit final drafts of the circulation plans to SLOCDD and SLOPW for review and approval. | SLOCDD shall approve a plan that meets these provisions, prior to the issuance of grading permits. | SLOCDD, SLOPW | | | |

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# Attachment 2

**Planning Commission Resolution No.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENTS IMPLEMENTING THE ORCUTT AREA SPECIFIC PLAN (ER 209-98)**

WHEREAS, the Planning Commission of the City of San Luis Obispo met in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California on December 10, 2009, for the purpose of considering a recommendation to the City Council on the Orcutt Area Specific Plan (OASP); and

WHEREAS, the Planning Commission had previously held eight public hearings to discuss the OASP and receive public comment on between February 27, 2008, and October 28, 2009; and

WHEREAS, the Planning Commission recommendation takes into account the recommendations, comments and other input received by the Planning Commission from the City's Architectural Review Commission, Cultural Heritage Committee, Parks and Recreation Commission and Bicycle Transportation Committee; 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, the Planning Commission 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 Planning Commission of the City of San Luis Obispo as follows:

**SECTION 1. Planning Commission Draft of the Orcutt Area Specific Plan.** The Planning Commission does hereby direct staff to prepare a Planning Commission Draft of the Orcutt Area Specific Plan, consisting of the December 2007, *Public Hearing Draft of the Orcutt Area Specific Plan* (incorporated by reference hereto), along with the changes identified below:

1. The Planning Commission Draft of the Orcutt Area Specific Plan shall include all of the edits identified in the document, "Public Hearing Draft Changes," dated August 26, 2009, and attached as Exhibit A.

2. The Planning Commission Draft of the Orcutt Area Specific Plan shall include the Administrative Draft of the Public Facilities Financing Plan, dated September 23, 2009, and attached as Exhibit B, as updated with the revised parkland information included in Exhibit C.

**SECTION 1. Recommendation.** The Planning Commission does hereby recommend that the City Council adopt the Planning Commission Draft of the Orcutt Area Specific Plan, subject to all of the mitigation measures outlined and required by the Final Program Environmental Impact Report for the project.

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

AYES:

NOES:

REFRAIN:

ABSENT:

The foregoing resolution was passed and adopted this 10th day of December, 2009.

_____
Doug Davidson, Secretary
Planning Commission by:

Exhibit "A"
Attachment 2

# Orcutt Area
# Specific Plan

# PUBLIC HEARING
# DRAFT CHANGES

**In response to**
**Planning Commission comments**
**Other commission comments**
**Owner requests and**
**Changes in RWQCB requirements**

**August 26, 2009**

# Attachment 2 **Exhibit "A"**

## OASP – Public Hearing Draft Changes (August 15, 2009)

| Date | Who | Location | Text | |
|---|---|---|---|---|
| 4/28 All comments Received During 2008 | CHC (CHC rec's approved by PC on 5/14) | p. 1-2 | Two new narratives are required under Section 1.5 Planning Area Character. The first will include an introduction to the "living history of the California Native American culture." The text for this section is being prepared by the Northern Chumash Tribal Council in conjunction with the City and other jurisdictions for incorporation into local planning documents. If the language is available before the next draft is printed, it should be incorporated.<br><br>Second is a brief overview of the history of the Orcutt Area, with a discussion of Jacob H. Orcutt and the Righetti Ranch House complex.<br><br>Attachments to this document include a biography of Jacob H. Orcutt and a list of suggested corrections proposed by the Northern Chumash Tribal Council for incorporation into the OASP. | Done: see pages 1-4 - no additional info supplied by Chumash Council.<br><br>No relationship between J. Orcutt and Righetti: pp 1-4 |
| 5/14 | PC | p. 1-4 | Section 1.5, include two new headings, one will incorporate safety discussion regarding UPRR from DEIR; the second will incorporate EMF discussion from DEIR. | Done See page 1-5 |
| 4/23 | PC | Table 1.1 | Change Low Density Residential to 4,500-15,000 SF | Done: Also see page 3-1 |
| 4/23 | PC | p.2-1 | Change the reference for the Open Space definition: Conservation Open Space Element, ~~Section 8.15~~ Chapter 8 | Done |
| 4/23 | PC | p.2-4, 2.2.9b | Add after first sentence: Prior to allowing public access to the top of the hill, the City will develop a management plan for the open space resource consistent with the Conservation and Open Space Element. The management plan will be based on an archeological study, as required by EIR mitigation measure CR-1(b) (see Appendix C). | Done: see page 2-4 |
| 4/23 | PC | p. 2-4, 2.2.10a | Change Righetti family to land owner | Done |
| 4/23 | PC | p. 2-9, 1st sent. | Recreation resources a neighborhood park, one or more pocket parks, a linear park… | Done |
| 5/14 | PC | p. 2-13, 2-16 | Revised figures 2.5 and 2.8 approved as proposed. | Done: New Fig 2.9 |
| 5/14 | PC | p. 2-16 | Program 2.4.1.d: …unless the two-story portion of the building is set back from the residential property line ~~adjacent edge of the right of way~~ by at least 50 feet… | Done: New page 2-17 |

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| 5/14 | PC | p. 2-16 | Add Program 2.4.1.f: Architectural Review of house plans, or adoption of comprehensive design guidelines, shall be required of sensitive parcels along view corridors within the Orcutt Area as part of the Subdivision Review process. | Done: New page 2-17 |
| 5/14 | PC | p. 2-16 | Add Program 2.4.1.g: Homes developed along 'E' Street shall not be visible looking northerly from the Orcutt/Tank Farm gateway into the City. | Done: new page 2-17 |
| 4/23<br>4/28 | CHC | p. 2-16 | Update with a discussion of the historical significance of the Righetti Ranch House complex. | Done: new page 2-19 |
| 4/28 | CHC | p. 2-18 | Add new Policy 2.5.2: Incorporate, by reference, Section 4.30 of the Archeological Resource Preservation Guidelines, Mitigation Methods, and Avoidance. | Done: new page 2-19 |
| 5/14 | PC | Figure 2.4 | Rezone A Street frontage at Parsons to R-3, consistent with property across the street. | Done (not Parsons but Jones) see also map |
| 4/23 | PC | Table 1.1 | Change Low Density Residential to 4,500-15,000 SF | Page 3.1 to implement table 1.1 densities |
| 4/23 | PC | p. 3-2 | Delete policy 3.2.6 because the maximum lot size is 15,000 SF | Done |
| 4/23 | PC | p. 3-2 | Policy 3.2.16 shall be re-written as follows: All common outdoor areas within multiplexes, mobile home parks and multi-family apartment projects shall be privately maintained by a homeowner's association or other method acceptable to the Community Development Department. | Done: now Policy 3.2.15 |
| 5/14 | PC | p. 3-3 | Policy 3.2.18: delete last sentence regarding reconditioned or used mobile homes. | Done |
| 5/14 | PC | p. 3-3 | Policy 3.2.18: Allow mobile home parks in "all zones." | Done |

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| 4/23 | PC | End of p.3-4 | Delete last paragraph and add the following text: If there is a greater demand for ground-floor commercial uses than can be accommodated in the designated C-C-MU zone, then similar commercial uses may be established at the storefront level upon approval of a Planning Commission Use Permit. Properties in the "special design coordination zone" along "A" Street will be zoned with a Special Considerations overlay to specify the required findings that would need to be made as part of the Use Permit. The Use Permit may establish any setback or building requirements that are necessary to approve a compatible building design. The findings for Use Permit approval will include:<br>(1) The project is designed in a manner consistent with the Orcutt Area Specific Plan community design criteria and is contiguous to existing mixed-use development to the south on "A" Street.<br>(2) The two plazas planned for the corner of "A" Street and "B" Street have been developed and are serving their intended function.<br>(3) Additional demand for neighborhood services for residents in the Orcutt Area has been demonstrated and can be accommodated by the proposed project.<br>(4) The proposed uses are not regional draws and will not increase traffic from other parts of the City into the Orcutt Area. | Done: see new text pages 3-4 & 3-5 |
| 4/23 | PC | p.3-6 | Delete Policy 3.2.23 | done |
| 4/23 | PC | p. 3-6, Section 3.2.24 | Add a third sentence to the first paragraph as follows: …for most agricultural activities. Historic usage patterns and recent experience has shown that water availability for agricultural uses in the Orcutt Area is limited. The plan area does not… | done |
| 4/23 | PC/ SLCUSD | p. 3-7, Section 3.2.5 and related policies | Section 3.2.5 will need to be revised depending on the result of the airport planning process, alternative sites are now being considered by the School District. | Done: see new section 3.2.6 with City drafted text p. 3-8 plus Fig 3.1 deletion of school site. |
| 5/14 | PC | p. 3-7 | Section 3.3 #5: Add manufactured housing to this list. | done |
| 5/14 | Property Owners | p. 3-8 | Revisions pending additional discussion and direction based on owner desire to eliminate in-lieu fee for low-income housing. | Done: see new City generated text. Pp 3-9,10 |
| 5/14 | PC | p. 3-8 | Policy 3.3.4: direction regarding timing of dedication (not later than Phase II) pending resolution of program. | See new City generated text 3-10. |

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| 5/14 | PC | p. 3-9 | Policy 3.3.5: calculate potential loss in affordable housing (based on acreage in commercial zones) and propose method to make this unit count up in other areas if appropriate. | Equals less than 1.5 units. 0.45 unit low and 0.9 moderate. No new program proposed. Too small. |
| 5/28 | PC | p. 4-1 | Section 4.1 Design Quality and Character: Add more detail and clarity to the Community Design discussion, using examples from the Fremont Small-Lot Design Guidelines and other resources. | See complete rewrite of the residential design section pp 4-1 to 10 |
| 5/28 | PC | p. 4-1 | Program 4.1.1.b: Residential R-1 ~~and R-2~~ development is encouraged to observe the design guidelines. | Done: Program 4.1.1b |
| 5/28 | PC | p. 4-2 | Clarify that porches are encouraged and that entries facing the street are required; include a preferred design for open fencing. | Done: Program 4.1.1b DS-2, also DG3.5 (4-3) |
| 5/5 | ARC (ARC rec's approved by the PC on 5/28) | p. 4-2 | Add new Policy 4.1.3: Development along the lower slopes of Righetti Hill shall respect existing elevation contours and shall be designed consistent with Section 7.2, Hillside Development, of the Community Design Guidelines. | Done: Page 4-5 |
| 5/5 | ARC | p. 4-2 | Add a sentence to the end of the first paragraph under Section 4.2 as follows: …Orcutt Area community. However, the design of these buildings should not replicate downtown, rather they should key of designs and themes used in the surrounding residential neighborhood, and building design and materials should reflect the site context. | Done: page 4-2 Program 4.2.4c |
| 5/5 | ARC | p. 4-9 | Add Policy 4.4.4 as follows: Pedestrian scale lighting should be used to reinforce a pedestrian scale in the Community-Commercial center, but the lighting should be different than the Downtown lighting standard. | Done: page 4-10 |
| 5/28 | PC | p. 4-11 | Program 4.5.1.f and 4.5.2.d: replace double glazed windows with "special noise-attenuating windows" in both programs. | Done: throughout section 4.5, page 4-13 |
| 5/28 | PC | p. 4-12 | Policy 4.6.2: Include the school in the list of locations appropriate for public art. | Done: page 4-14, Policy 4.6.3 |
| 5/5 | ARC | p. 4-12 | Add Policy 4.6.3 as follows: Public art should be integrated into the Orcutt Area and not limited to designated locations. | Done: page New page 4-14 |
| 5/28 | PC | p. 5-1 | Section 5.1: ~~Based upon preliminary traffic studies only, a minor increase in volumes on Orcutt Road is expected.~~ Based on the traffic study prepared for the Program EIR, development of the Orcutt Area is expected to add 628 Average Daily Trips (ADT) to Orcutt Road between Johnson and Tank Farm at buildout. | Done: page 5-1 Section 5.1 |

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| 5/28 | PC | p. 5-1 | Section 5.1: ~~Based on a preliminary traffic study prepared by the City, traffic volumes are expected to increase a moderate amount on Tank Farm Road as a result of the new development.~~ Based on the traffic study prepared for the Program EIR, traffic volumes are expected to increase by 2,378 ADT on Tank Farm Road at buildout as a result of the new development. | Done: page 5-1 Section 5.1 |
| 5/28 | PC | p. 5.2 | Policy 5.1.e: Delete the final two sentences of this policy as follows: ~~For those improvements that are project specific, applicants for projects within the Specific Plan area shall pay fees, prepare, and submit necessary plan specifications for improvements in compliance with City standards. Projects funded by the TIF program include Orcutt Road widening between Broad Street and Laurel Lane, a grade separated crossing at the UPRR just west of Laurel Lane, Broad and South Street intersection, Broad Street and Tank Farm Road intersection, Orcutt Road and Johnson Avenue intersection and Orcutt Road and Tank Farm Road intersection.~~ | Done: page 5-2 Policy 5.1.e |
| 5/28 | PC | Figure 5.1 and p. 5-13 | New Program 5.3.3: "E" Street may be developed with a loop configuration instead of a cul-de-sac, subject to a detailed evaluation of the intersection locations with Orcutt Road during the Subdivision Review process. | Done: map also adjusted |
| 5/28 | PC | p. 5-13 | Program 5.3.1: "E" Street should have Class III bike lanes. The addition of Class II bike lanes onto this local street would require the street to be unnecessarily wide. | Done: page 5-13 |
| 5/28 | PC | p. 5-13 | Add new policy 5.3.c: Alleys are encouraged to facilitate access to residential lots and to improve the appearance of local streets.<br>Add new Program 5.3.2: Where private alleys are desirable to improve access to residential lots, allow the area of alley to count towards net site area for determining allowable density. | Done: page 5-13, policy 5.3.d<br><br>Done: page 5-13 |
| 5/28 | PC | p. 5-16 | Policy 5.5.8: This policy should be numbered 5.5h. | Done: page 5-16 |
| 5/28 | PC | p. 5-16 | Program 5.5.3: The last sentence of this policy should be deleted. The draft OASP includes a bridge over the railroad tracks at Industrial Way that would also be used by bicyclists and pedestrians to access Broad Street and Marigold Center. | Done: page 5-16 |

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| 5/28 | PC | p. 5-16 | Section 5.6: This section should be modified to include policy support for reduced width streets, where acceptable to the Fire Marshall and Public Works Director, to insure that the density of development anticipated in the specific plan can be achieved. Modifications to City standards could be approved on a case by ease basis during the subdivision review process to exceptions for reduced width streets. Strect width can be reduced by removing on-street parking, using Class III instead of Class II bike lanes, using alleys to access on-site parking, reducing sidewalk and parkway widths and by creating private streets. | Done: page 5-16, Section 5.6 and Policy 5.6 |
| 3/27 | BAC (BAC rec's approved by PC on 5/28) | Figure 5.1 | The BAC recommended that the east/west Class I bike path should not intersect Orcutt Road at a mid-block location. The Planning Commission provided direction to the applicant to include a note that the final alignment of the path will be determined at the time of future subdivisions. The Commission approved the concept of having a separate bike path connecting new subdivisions to the Neighborhood Park. | Done on map |
| 3/27 | BAC | Figure 5.1 | The BAC recommended a new alignment for the Class 1 bike path between "C" Street and the neighborhood park. The path should follow an alignment along the back of the school site and shared park/school facility so that it intersects "C" Street along a strait-away, as opposed to on a curve as is now shown on Figure 5.1. | Done on map. School site not shown per discussion. |
| 3/27 | BAC | Figure 5.1 | The BAC recommended eliminating the Class II bike lane designation (Figure 5.1) from the traffic circle, because traffic circles do not accommodate bike lanes. | Done on map |
| 5/28 | PC | Figure 5.2A and 5.2B | Amend figures so that the bike path shown on the right-hand sidc of the diagram is located on the opposite side of the 8' parking lane, as it is correctly shown on the left-hand side of the diagram. | Done: Figure 5.2A |
| 5/28 | PC | Figure 5.6 | This figure references Figure 3.1 as it relates to the street section for the mixed-use area at the "A"/"B" Street intersection. The reference to Figure 3.1 should be eliminated because the figurc does not provide any detailed information on the street section in this area. A new figure should be added into Chapter 5 to provide guidance on the street section in the mixed-use area. | Done: See Figure 5.8b |

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| 5/28 | PC | Chapter 6 | The Planning Commission accepted the changes recommended by the Utilities Department, presented as Attachment 6 to the 5/28 agenda report. | Incorporated: pp 6-5, 6, 7. Also identifying changing requirements by RWCB. New text added regarding detention basin to accommodatc owners options. page. 6-7 |
| 5/28 | PC | p. 7-1 | Section 7.2: The last sentence should be deleted because the City Fire Department manages engine company resources City-wide to insure safe and effective emergency services. No different standard or service would be provided to the Orcutt Area, so there should be no specific direction in the draft OASP regarding the size of engine companies. | Done: page 7-1 |
| 5/28 | PC | p. 7-1 | Policy 7.2.1: The Safety Element defines defensible space as "accessible space free of highly combustible vegetation and materials." ~~(Policy S-2.2 D, General Plan Digest Numbering)~~ (Safety Element Policy 3.1). | Done: page 7-1 |
| 4/23 | PC | Table 9.1 | Amend to reflect Righetti Hill dedication per Policy 2.2.9 | Table 9.1 deleted, dedication covered in PFFP, Chapter 8 |
| 4/23 | PC | Appendix B | Phasing schedule to include note, "This table is amended from time to time. Contact City staff for the most current schedule." | Done: Additional text from City |
| 4/23 | PC | Appendix C | Update with current/correct EIR mitigation measures. | Done: Attached |
| 4/23 | PC | Throughout | Change Mine Hill to Righetti Hill | Done throughout |
| 4/23 | PC | Throughout | Revise Specific Plan (Figure 1.3) and other references to show the designated school site and secondary park site as R-2, which allows all three potential uses, school, park and residential. | Done: R-2 land shown. No school site designated |
| 4/23 | PC | Throughout | Change references to 4,500 SF minimum lot size. | Done: throughout |
| 5/14 | PC | Throughout | Research and use correct term for manufactured housing consistently throughout document | Done: throughout "manufactured housing" is correct |

*Settings and Uses in the Area*

*Pre-historic and Historic Settings*
The project area lies within the historic territory of the Native American Indian group known as the Chumash. The archeological record indicates that sedentary populations occupied the coastal regions of California more than 9,000 years ago with the peak of their development occurring 800 to 150 years before the present time. The Chumash way of life changed forever with the Spanish colonization of California. By the end of the Mission Period in 1834, the Chumash population had been decimated by disease and declining birthrates. A more complete development of the Chumash is provided in Appendix F: Cultural Resources Background. The 2004 archaeological survey, based upon information visible at that time indicated that the site was mostly utilized for hunting and gathering and was not a major village site.

The general area after settlement by emigrants of European descent consisted of cattle grazing. The Orcutt Area during the Spanish and Mexican eras (1772 through 1848 with the passing of California from Mexico to the United States) was relatively undeveloped. There were adjacent lands dedicated to the Rancho Pecho Y Islay and the Rodreiguez Adobe. This latter structure while not important enough to be declared a national landmark, has been incorporated into the Arbors Development to the south of the Orcutt area. The area was partially utilized for grazing and there is written record of at least one Mission adobe residence located at the outskirts of what later became the City of San Luis Obispo. Based upon early histories the adobe appears to have been located in the general area of Orcutt Road and Bullock lane near the interseetion Laurel Lane.

The first private ranch in the area was owned by the Peter McMillan family which extended all the way to present day Broad Street (McMillan Lane was named after them). The next known reference is to Major Jackson who decided to stay in San Luis Obispo "... and Walter Murray located him on 160 acres where a big old adobe house stood, that had been owned by the Mission. Later he bought forty acres more. This land he sold in 1875 to J.H. Orcutt, and it was known for forty years as Laurel Ranch, or the J.H. Orcutt ranch." (History of San Luis Obispo County by Annie L. Morrison - Pages 85, 86, 87 and 95.) Jacob Orcutt expanded his landholdings up to 500 acres which apparently covered most of the OASP area (230 acres) as well as much of the adjacent area around the present day Laurel Lane. He and his wife maintained a dairy, developed orchards, and planted many of the eucalyptus trees visible today along the numerous small creeks in the area.

*Land Use*

The Specific Plan area's current land uses include a few scattered single-family residences on large parcels, primarily in the western and northeastern sections of the site, and agriculture-related uses, mostly cattle grazing on the southern and eastern portions of the Plan Area. The properties in the Orcutt Plan Area are in the County and are designated by the County's General Plan Land Use Element as Residential Single Family and Agricultural lands. The City's General Plan designates the area as an annexation area and the City's Land Use Element shows the Orcutt Area as Residential Neighborhood and Open Space. Prior to the development of urban uses, the general area was utilized for grazing or for dry-farming for the purposed of producing hay. The shortage of water limited development of irrigated crops. Other uses on properties in the Orcutt area include single-family homes, manufactured housings and commercial storage.

The Specifie Plan area borders the Union Pacific Railroad tracks to the west, residential subdivisions within the Edna-Islay area to the south, rural residential development in the County to the east, and residential development to the north, including three existing mobile home/manufactured housing parks. The Specific Plan includes provisions that would allow for expansion of the Willow Creek Mobile Home

Park into the Orcutt Area, which is one of many plan features that would help integrate the Orcutt Area into the surrounding community.

The existing land area contains two constructed features that may affect public safety in the area. First is the PG&E high voltage transmission line which runs east and west in an easement across the site connecting to the substation at the intersection of Orcutt Road and Johnson Avenue. This line will generate some level of electromagnetic force (EMF). As with electrieal fields, the strength of the magnetic field decreases as the distance from the source increases. Magnetic fields on the ground measured under electrical transmission lines are usually smaller than the magnetic fields associated with electrical appliances. While there has been concern raised about the health hazards of EMF, there are no reeent scientific studies which indicate that this would be true for thc conditions within the Orcutt Area Specific Plan. In June of 1999, the National Institute of Environmental Health Science completed a research program which concluded that the probability of exposure to EMF being a health hazard was small.

The second feature of concern is the location of the Union Pacific Railroad which lies along the west boundary of the Specific Plan area. Trains (and trucks) commonly carry a variety of hazardous materials, including gasoline and various crude oil derivatives, and other chemicals known to cause human health problems. When properly contained these substances present no hazard to the community. However, under accident conditions such as a derailment, such materials may be releases either in liquid or gas form. In the year 2000 nationwide, there were rail accidents that caused enough damage to 75 rail cars that releases of hazardous materials were the result. There was one fatality as a direct result of an accident and 82 injuries. The EIR evaluation concludes that " Although standard aecident and hazardous materials recovery procedures are enforced by the state and followed by private transportation companies, the site is at relatively high risk bccause of its location along the rail corridor." There is also concern about trespasser casualties (deaths or injuries) since there are currently no effective barriers to trespassers crossing thc tracks.

## 1.6 SPECIFIC PLAN FEATURES

The major features of the Specific Plan inelude hillside and creek open space areas with bike and pedestrian paths, and a public park with a potential school site in the center of the Plan Area surrounded by residential neighborhoods. A modest community commercial retail and office zone is also proposed. The Orcutt Area Plan is designed to protect the natural resources of the site through generous reservations of open space including the upper slopes of Righetti Hill, wetlands, creeks, and riparian corridors. Residential neighborhoods will be developed around the natural features of the landscape, incorporating the creeks, riparian areas, and hills into the site plan while respecting the sensitivity of the resources. A centrally located park, surrounded by creek open space with trails, unites the residential areas to create a cohesive neighborhood atmosphere and provides a large common area for recreation. A community commercial mixed-use area near the park further enhances the social interactions focused around the park. A linear park with pedestrian/bicycle paths, located along the western boundary of the Plan Area, connects to the City's bicycle path system along the UPRR right-of-way. The pedestrian and bicycle paths provide internal connectivity of the neighborhoods with the Plan Area as well as connectivity of the Plan Area to existing neighborhoods and commercial areas.

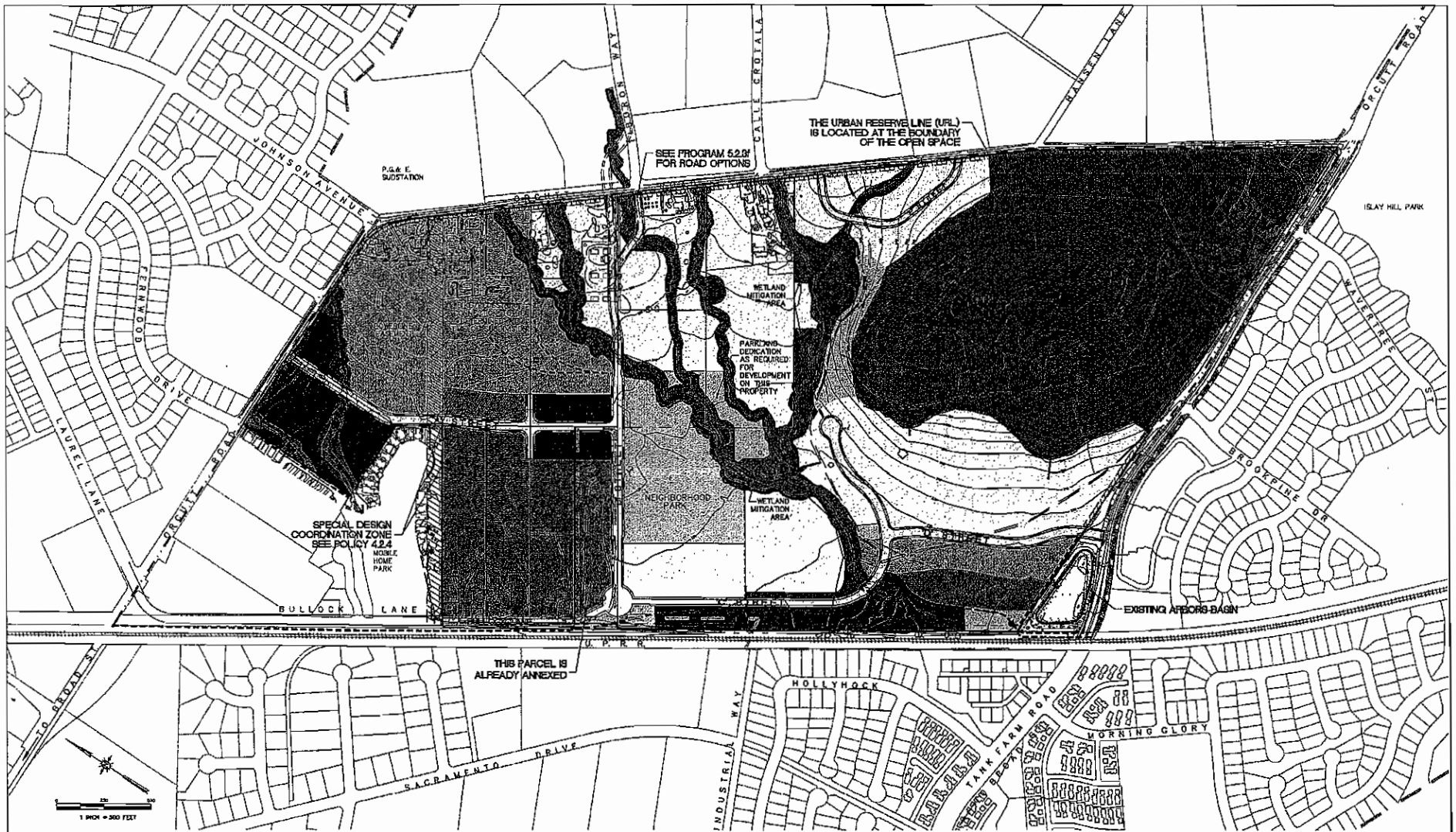
The Specific Plan calls for a balanced mix of housing types including single-family and multi-family residential areas, and two sites for public or low-income housing developments. The mixture of housing will provide a range of housing densities and types appropriate for renters and buyers with various income-levels and lifestyles. A network of biking and walking paths linking the residential areas, the centrally located park, and the mixed-use/neighborhood commercial area will help facilitate social

and combustible structures, including wood fencing and sheds. Landscape plantings in the fire-safety setbacks will be low growing and not fire prone. To allow natural plant communities to regenerate, livestock grazing on the hill will be prohibited.

Program 2.2.9b: The City will provide and maintain public access to Righetti Hill, including the existing unpaved access road, and preserve the aesthetic values and biological resources on the hill. Prior to allowing public access to the top of the hill, the City will develop a management plan for the open space resource consistent with the Conservation and Open Space Element. The management plan will incorporate the archeological study required by EIR mitigation measure CR-1(b) (See Appendix C).

*Policy 2.2.10:* ***The east flanks of the hill, with the Righetti family ranch home, shall be designated as Open Space. A conservation easement will be granted to the City for this 15.3-acre parcel and ownership and access will remain private. No further subdivision of this parcel will be permitted. Allowable uses on this parcel include agriculture, farmhouse and secondary dwelling, recreational horse ranch, and other passive or active recreational uses. The purpose of this easement is to allow the Righetti family home site to remain in private ownership while limiting development of the parcel.***

Program 2.2.10a: The land owner maintains the right to the existing number of structures onsite (two independent residential units, outbuildings, and related structures) and will manage the parcel in accordance with City standards for Open Space areas. The creek habitats in the southeast corner of this parcel will be enhanced with native plantings and the removal of non-native vegetation.




AUGUST 2009

LEGEND - PROPOSED LAND USE

- R-1: LOW DENSITY RESIDENTIAL
- R-2: MEDIUM DENSITY RESIDENTIAL
- R-3: MEDIUM-HIGH DENSITY RESIDENTIAL
- R-4: HIGH DENSITY RESIDENTIAL
- MIXED USE/ NEIGHBORHOOD COMMERCIAL
- PARKLAND
- OPEN SPACE
- WETLAND MITIGATION AREA
- DETENTION BASIN
- EXISTING ARBORS BASIN
- URBAN RESERVE LINE (URL)
- CITY LIMIT
- ORCUTT AREA BOUNDARY
- CLASS I BICYCLE PATH
- CLASS II BICYCLE PATH
- RECREATION TRAIL

ORCUTT EXPANSION AREA
SPECIFIC PLAN

FIGURE 1.3
SPECIFIC PLAN

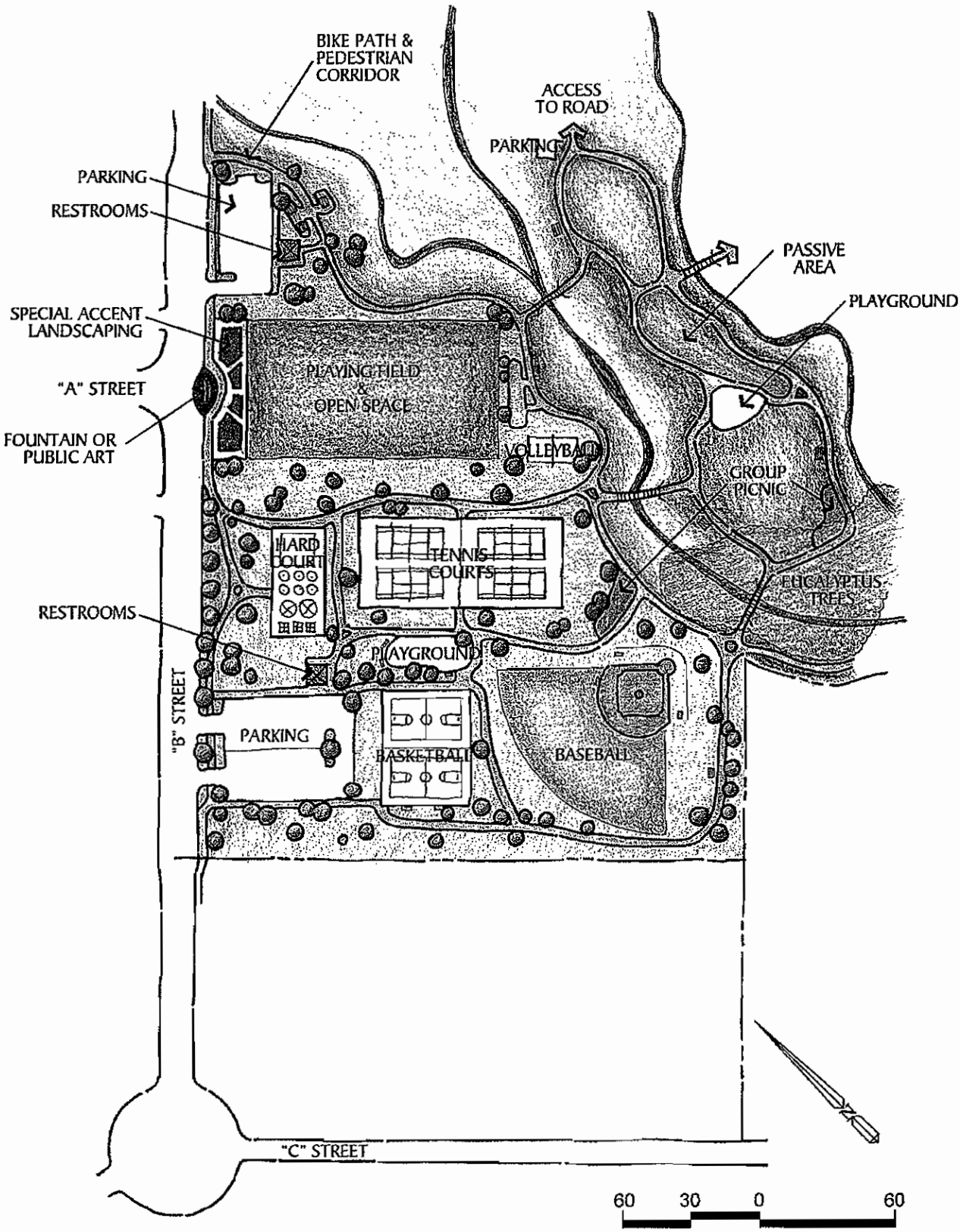



**FIGURE 2.5 NEIGHBORHOOD PARK PLAN**

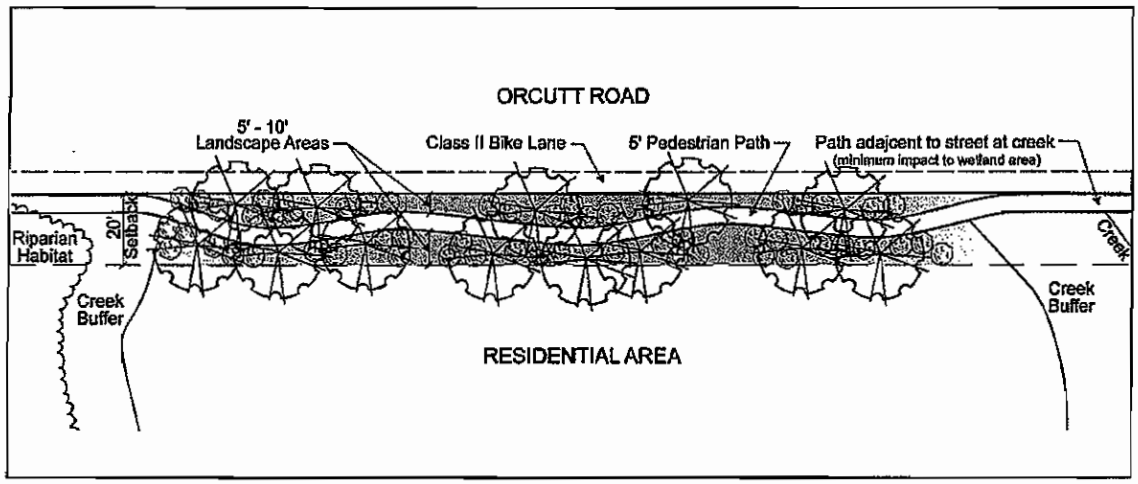



**FIGURE 2.8 SEPARATED PEDESTRIAN PATH WITH LANDSCAPE BUFFER**

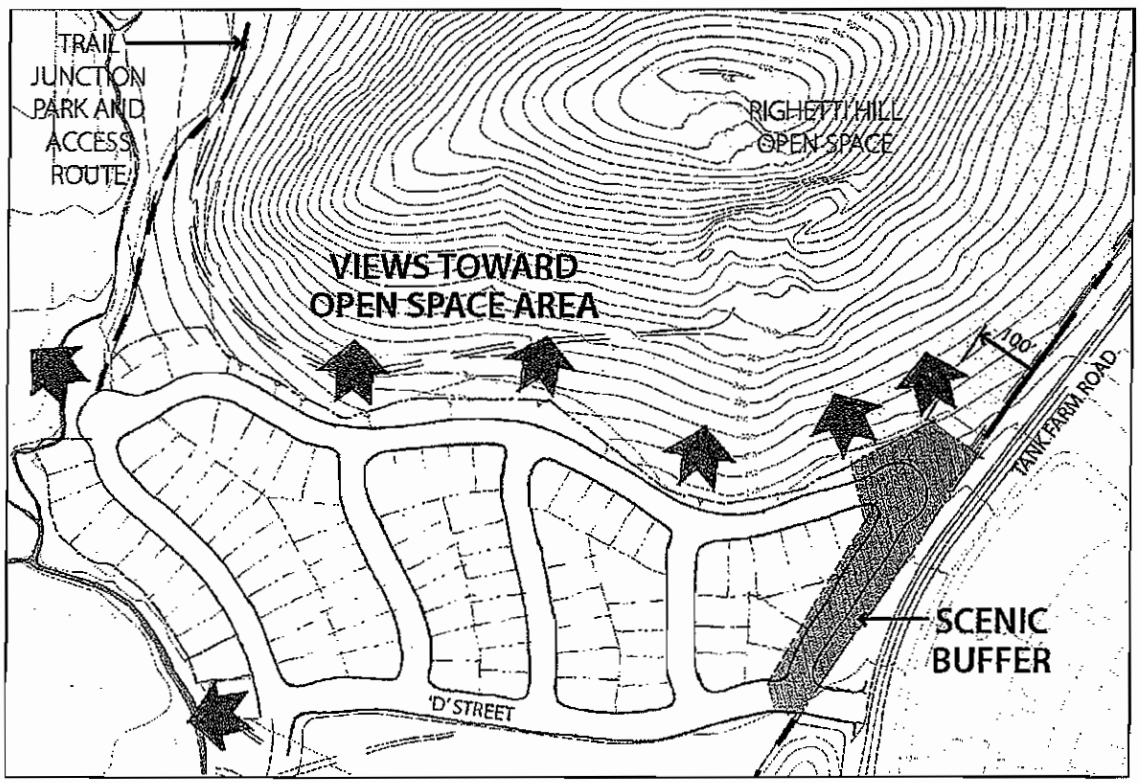



**FIGURE 2.9 PRESERVATION OF SCENIC VIEWS: RIGHETTI HILL**

achieved under the supervision of a qualified arborist or landscape architect, in consultation with the City Arborist.

Program 2.4.1d: Buildings on 'sensitive' parcels adjacent to Orcutt Road and Tank Farm Road shall not include a second story unless the two-story portion of the building is set back from the residential property line by at least 50 feet to maintain views of Righetti Hill and other important visual resources.

Program 2.4.1c: During the Subdivision Review process, the Planning Commission shall consider the overall size, width, depth, and orientation of lots within 'sensitive' parcels adjacent to Tank Farm Road east of Brookpine and Orcutt Road along the northern boundary of the plan area to insure that buildings can be adequately spaced apart and set back from the roadway to maintain views of important visual resources.

Program 2.4.1f Design of Residential units along the Tank Farm and Orcutt Road (Johnson to Tank Farm) scenic view corridor frontages shall be reviewed by the ARC for height, character and layout to provide optimum compatibility with the adjacent units across the streets and reduce visual impacts from these roadways to Righetti Hill.

Program 2.4.1g Residences along "E" Street shall not be visible from the Orcutt/Tank Farm Road intersection viewing north toward Johnson Avenue.

Program 2.4.1h Street design in the R-1 subdivision at the west base of Righetti Hill shall generally conform to Figure 2.9 to preserve optimum views from the "D" Street area toward Righetti Hill.

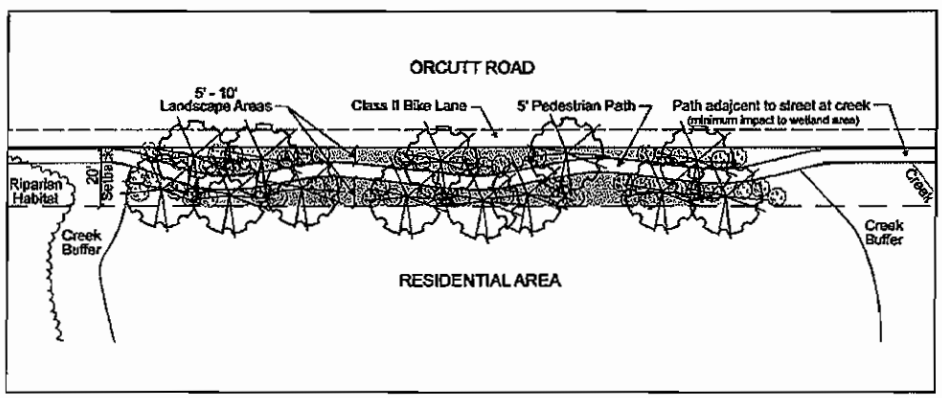



**FIGURE 2.8 SEPARATED PEDESTRIAN PATH WITH LANDSCAPE BUFFER**

## 2.5 ARCHAEOLOGICAL AND HISTORIC RESOURCES

In the early part of the 20th century the Jacob Orcutt's 500 acre Laurel Ranch land was divided into smaller components. 114 acres covering much of the present Righetti Ranch was purchased by John Jacobson in 1906. This land was transferred to his son, Nis Jacobson, upon his death. In 1939 this property was sold to the Righetti family, parents of one of the present owners. Originally there was a house and some out buildings located in the area of the pepper trees (south side of Righetti Hill near the present day Tank Farm Road). These structures burned down, apparently some time in the 1920s or early 1930s. After the fire, a new house, barn and out-buildings were built by the Jacobson's at the present location located lower down the hillside near the present day intersection of Orcutt and Tank Farm Roads. These are the buildings that existed at the time of the Righetti purchase. An additional 30 acres was purchased from the Perozzi family in 1949 to complete the present Righetti Ranch of 144 acres. The history of ownership demonstrates that the existing farm structures at the intersection of Tank Farm and Orcutt Roads have no relationship to the historic Orcutt or Skinner families.

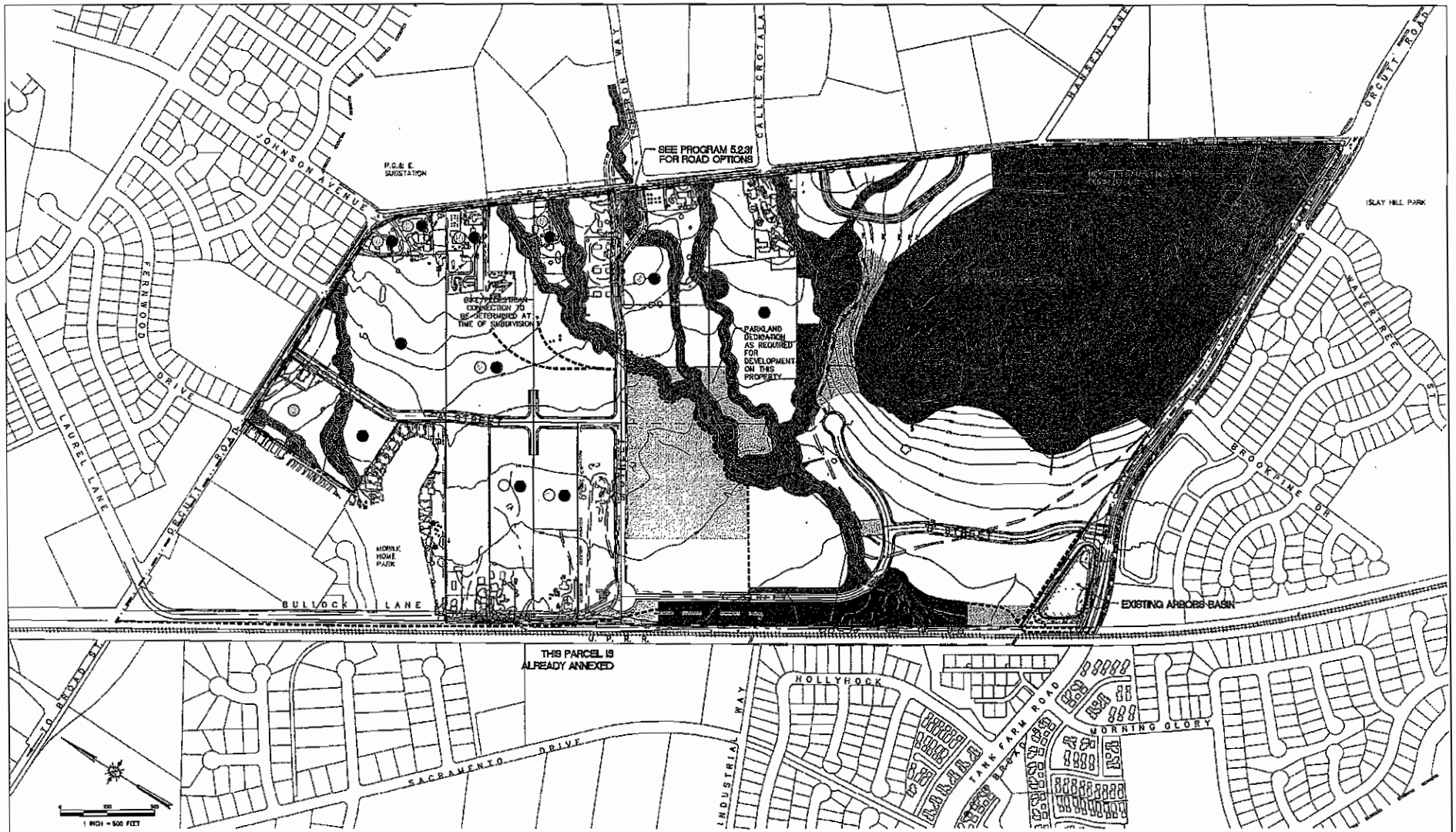
Conejo Archeological Consultants' conducted a cultural records search and a limited archaeological survey in the plan area. The team identified one prehistoric site (Orcutt-1) and two isolates (Isolate 1 and 2) and two isolated prehistoric finds in the Orcutt Plan Area. Given the presence of an archaeological site, isolated artifacts, and historic ranch operations on the site, there is potential for buried archaeological deposits to occur within the project site.

**Goal 2.5:** **Long-term protection of cultural resources.**

*Policy 2.5.1:* *Provide for the protection of both known and potential archaeological* resources.

Program 2.5.1a Implement mitigation measures included in **Appendix C** as appropriate when entitlements in the Orcutt Plan Area are requested from the City.

*Policy 2.5.2:* *Section 4.30 of the City of San Luis Obispo's Archeological Resource Preservation Guidelines, Mitigation Methods, and Avoidance, are hereby included by reference.*




ORCUTT EXPANSION AREA
SPECIFIC PLAN

FIGURE 2.4
OPEN SPACE AND PARKS PLAN

# 3 LAND USE AND DEVELOPMENT STANDARDS

## 3.0 INTENT

The City's General Plan Land Use Map designates the Orcutt Area as a major residential expansion area in the City's Sphere of Influence and anticipates annexation of this area into the City. This section contains the land use goals, policies and standards applicable to the Orcutt Area, and describes the overall development program.

The Orcutt Area is projected to provide approximately 1,000 units of housing in a wide variety of housing types, along with protection and preservation of open space features such as Righetti Hill and the extensive creek corridor within the area. Provisions are made to establish a community commercial district at the center of the neighborhood where two of the residential collector streets adjoin the neighborhood park. Land is also earmarked for a potential school site, which would include joint use of park and school facilities for recreation. The land use plan also identifies the location of the spine system of essential streets and stormwater drainage and detention basins, which support development in the plan area.

## 3.1 DENSITY

Appendix A, Table A-2, includes an estimate of residential development potential for each owner's property within the Orcutt Area. The table includes ranges that are based on an estimate of "net site area" for each property, which excludes creek corridors and land dedicated for street right-of-way. Achieving development within the range identified in Table A-2 is important for the overall feasibility of the specific plan area, because the fee program outlined in Chapter 8 relies on these unit counts to estimate the fees available to pay for area infrastructure, such as streets, bike paths and park improvements. In addition, the Orcutt Area is envisioned as an urban neighborhood within the City of San Luis Obispo, as reflected by residential development standards that allow for small lots, zero-lot line development and other land-efficient methods of residential development. The following goal and policies are intended to maintain this urban development pattern over time as land is subdivided and developed in the Orcutt Area.

Goal 3.1a: Development of the Orcutt Area as an urban neighborhood with multiple housing types, lot patterns and densities to make efficient use of land that is committed to urban development, while maintaining appropriate open space and park areas for the enjoyment of all City residents.

*Policy 3.1b: Density in the Orcutt Area will be calculated as prescribed by Section 17.16.010 of the Zoning Regulations except that dwellings with two or more bedrooms shall account for 1.0 density unit.*

*Policy 3.1c: Within new subdivisions, the City will calculate allowable density based on the net site area of the property prior to the subdivision. Density shall not be calculated on a lot by lot basis to accommodate the small lots allowed within the Orcutt Area (See Table 3.1 for minimum lot sizes).*

*Policy 3.1d: New subdivisions shall be designed to achieve at least the low range of units identified in Appendix A, Table A-2, unless the Community Development Director determines that physical constraints or the presence of biological resources make development of this number of units impractical, infeasible or undesirable.*

A viable commercial area in San Luis Obispo requires two major components in addition to adequate access: a realistic determination of the commercial mix and sustainable floor areas and a quality design setting. The Specific Plan seeks to establish the general parameters for both these components. The use and permitting aspects are considered here and the design issues are addressed in Chapter 4. While the mathematics of spending for retail uses indicate that the approximately 2,200 residents in the Specific Plan area would support around 65,400 square feet of various types of retail in the San Luis Obispo urban area, obviously deductions must he made for shopping in downtown and the other nearby centers identified in the paragraph above. An additional consideration is that while there will be support for supermarkets and food outlets, these stores come in large increments to be competitive; for example the Vons at Marigold Center is 60,000 square feet and is so competitive and nearby, that a supermarket would not survive in the Specific Plan area.

Within this context, this plan identifies potentially suitable types of tenants in the community commercial area. **Table 3.2** includes a typical range of categories and their suitability in the Orcutt Area. As indicated, many commercial uses are either inappropriate, do not meet access standards (related to an arterial street) or are too small to meet the threshold of size criteria.

There is the potential that at the time of development, market conditions or tenant availability may not support full development of the retail and office components of the community commercial area as identified below. In this event, at the time of project review the developer may present convincing information, including economic factors, to the City reviewing body which may approve an Administrative Use Permit to allow residential development on the ground floor. The design intent of the pedestrian-friendly street and plaza system at the intersection of "A" and "B" streets shall apply in any case.

If there is a greater demand for ground-floor commercial uses than can be accommodated in the designated C-C-MU zone, then similar commercial uses may be established at the storefront level upon approval of a Planning Commission Use Permit. Properties in the "special design coordination zone" along "A" Street will be zoned with a Special Considerations overlay to specify the required findings that would need to be made as part of the Use Permit. The Use Permit may establish any setback or building requirements that are necessary to approve a compatible building design. The findings for Use Permit approval will include:

(1) The project is designed in a manner consistent with the Orcutt Area Specific Plan community design criteria and is contiguous to existing mixed-use development to the south on "A" Street.
(2) The two plazas planned for the corner of "A" Street and "B" Street have been developed and are serving their intended function.
(3) Additional demand for neighborhood services for residents in the Orcutt Area has been demonstrated and can be accommodated by the proposed project.
(4) The proposed uses are not regional draws and will not increase traffic from other parts of the City into the Orcutt Area.

### 3.2.5 Public Facilities/Special Function Uses (PF-SP)

The Public Facility zone in the Specific Plan Area is intended to provide for public recreation and education uses on public property.

*Policy 3.2.5:* *Authorized uses in the PF-SP zone include park/playgrounds, public elementary schools, and active public recreation facilities, such as public soccer and baseball fields or tennis courts.*

*Policy 3.2.6* *Development in the PF-SP zone is subject to the City's PF Property Development Standards included in the City's Zoning Regulations (Section 17.36.020).*

*Policy 3.2.7:* *Schools shall be allowed within the Specific Plan Area with a conditional use permit in addition to applicable state approvals or permits.*

### 3.2.6 Elementary School

The San Luis Coastal Unified School District (SLCUSD) is the primary provider of educational services for the City of San Luis Obispo as well as other smaller communities along the coast such as Morro Bay and Los Osos. As a K-12 unified district, SLCUSD operates ten elementary schools (including two magnet schools), two middle schools, and three high schools. The Orcutt Area Specific Plan is designed to accommodate a new elementary school site. The school's location was initially planned adjacent to the neighborhood park, however, proximity to the railroad tracks and aircraft over-flight reduces the feasibility of this location. To facilitate the decision-making process regarding the school site location, SLCUSD prepared a study of four locations with the Orcutt Area, and one location just outside the specific plan's boundaries. The study was prepared by Oasis Associates and completed on April 28, 2008, and is on file in the Community Development Department.

SLCUSD has indicated that a new school would not be needed until significant portions of the Orcutt Area and Margarita Area are developed. However, early planning for the site is needed to facilitate its development and ensure that appropriate infrastrueture is in place to serve the facility. The five sites evaluated by SLCUSD are shown in Figure 3.1 and include:

Site A & B: Two different locations are identified adjacent to the Neighborhood Park
Site B: 3811 Orcutt Road (Garay)
Site C: Righetti Ranch House Site (outside of Urban Reserve Line)
Site D: Wixom Ranch (outside of OASP and Urban Reserve Line)

The top-ranked site evaluated by SLCUSD is Site B. The site is designated Low-Density Residential (R-1) and schools are a conditionally allowed use in this zone. Site C is considered the next best option in terms of locating a school, but is located on land designated Conservation/Open Space outside of the City's Urban Reserve Line. SLCUSD is a superior agency to the City of San Luis Obispo and is encouraged, but not required, to go through the City's entitlement process prior to establishing a school site. In general, the City's preference is to locate the school site within the street network that will be established by future OASP development. This would facilitate walking and biking to school by children living in the Orcutt Area and would be consistent with the original concept of locating the school near the Neighborhood Park.

## 3.3 AFFORDABLE HOUSING

The City's General Plan Land Use Element requires that specific plans for major residential expansion areas include sites suitable for affordable and low-income rental and owner-occupied housing. Such sites shall be integrated within neighborhoods of market rate housing and shall be architecturally compatible

with the neighborhood. The specific plans will designate sufficient areas at appropriate densities to accommodate a range of dwelling types, including detached and attached single-family dwellings, "sweat-equity" housing, duplexes, apartments and condominiums, manufactured housing parks, group housing, graduated care facilities, and creative housing cooperatives. To meet this requirement, the City will solicit and support new housing developments that include one or more of the following features:

1. Subdivisions designed to integrate various housing types, densities, and costs.
2. Affordable "Starter" housing consisting of small (approximately 1,150-1,450 square feet) homes on lots of 5,000 square feet or less.
3. Duplexes and "garden homes" which provide the desirability and appearance of single-family housing while allowing higher density and lower housing costs.
4. Self-help housing development of approximately 20-30 small, single-story detached homes.
5. Medium Density and Medium-High Density apartments, condominiums or manufactured housing.
6. Special needs housing designed for seniors, handicapped persons, farm workers, large families, graduated care facilities, or others with special physical needs and low incomes.

Developers may choose to build one or more housing types, and to work with housing non-profits such as Peoples' Self-Help Housing Corporation, the San Luis Obispo Housing Authority, Habitat for Humanity, or other agencies or individuals to cooperatively plan, develop, and market affordable housing within their developments.

City of San Luis Obispo Inclusionary Housing Policy

San Luis Obispo has adopted an inclusionary housing program that requires that all new development projects include affordable housing units, dedicate land for affordable housing, or pay an in-lieu fee to increase affordable housing opportunities Citywide. In residential annexation areas like the Orcutt Area, at least 5 percent of the new housing must be rented or sold at prices affordable to low income households. Another 10 percent of the new housing must be available for moderate income households.

New housing in San Luis Obispo must address the community's urgent need for affordable housing. For housing to qualify as "affordable," the housing developer must guarantee that the housing units will be developed and maintained in a manner consistent with the City's Affordable Housing Standards, which are updated annually with maximum sales prices and income limits for potential purchasers of affordable homes.

As laid out in the following policies and programs, all of the required affordable housing will be constructed within the Orcutt Area. The affordable housing requirement will be met either by dedicating land in new subdivisions to the San Luis Obispo Housing Authority, or other City recognized low-income housing developer, or by building affordable units as part of the project. Property owners may also work together to coordinate development of the required number of affordable units (5% low and 10% moderate). When land is dedicated in-lieu of providing the affordable housing units, all frontage improvements and off-site improvements required to serve the affordable housing development shall be installed by the market-rate housing developer.

Orcutt Area Affordable Housing

**Goal 3.3:** **Multiple housing types of varying cost that attract a variety of homeowners and renters, with incomes ranging from very-low to high.**

*Policy 3.3.1:* *The City's inclusionary housing requirements shall be met by building the affordable units within the Orcutt Specific Plan Area.*

*Policy 3.3.2:* *Each development project within the Orcutt Area shall construct a minimum 10 percent of moderate income affordable dwelling units (ADU) and 5% low income*

*ADU's at the time of development, or dedicate land for affordable housing consistent with Policy 3.3.4.*

*Policy 3.3.3:* *To promote reasonable efficiency a project developer may coordinate with an adjacent property owner or developer to provide the required affordable dwelling units when the units proposed are less than 10.*

Policy 3.3.4: Land dedication in-lieu of building affordable housing: Developers of residential subdivisions may dedicate land to the Housing Authority, or other City recognized low-income housing developer, in-lieu of constructing the required affordable housing units. Land that is dedicated for the purpose of developing affordable housing must be of sufficient size to construct at least the number of low and/or moderate income units required by the Inclusionary Housing Ordinance for the project, plus 25% to accommodate the allowed density bonus. When land is provided to meet the affordable housing requirement, all frontage improvements and required off-site improvements shall be installed by the market-rate housing developer. In general, land dedicated for affordable housing shall be dispersed throughout subdivisions, instead of clustered. The requirement to disperse affordable housing shall not be construed to prevent dedication of land suitable for an affordable apartment project. The decision to accept land dedication in-lieu of building affordable housing in a subdivision is under the discretion of the City Council at the time of Tentative Subdivision Map review. These Low Income units are exempt from growth management requirements.

.Program 3.3.4a: Provisions of state law allow a minimum 25 percent density bonus for providing affordable housing above and beyond the required percentages (5 percent lower-income and 10 percent moderate-income) when state-mandated standards are met.

The City's Affordable Housing Incentives (SLOMC 17.90) provide additional incentives for affordable housing. The City will support the development of affordable housing in the Orcutt Area through State of California and City incentives.

*Policy 3.3.5:* *Community Commercial Mixed Use development projects are exempt from the inclusionary housing requirements.*

*Policy 3.3.6:* *Encourage an extension of the existing manufactured housing park, south of the existing Willow Creek Mobile Home Park in the R-3 zone which could accommodate approximately 75 units of low-income and moderate-income housing.*

*Policy 3.3.7:* *Encourage Creative Living Environments. In residential expansion areas, City policies call for specific plans to incorporate opportunities for individuals or small groups, other than the specific plan developer, to build homes or create personalized living environments suited to individuals, families, and small groups or to accommodate those with special needs. Cooperatives or co-housing developments and community land trusts are ways residents can create personal living space supported by group dining, meeting, recreation facilities, and services. The City encourages land dedication to promote this housing option.*

## 3.4 PUBLIC SAFETY

The residents of San Luis Obispo and the Orcutt Plan Area may be subject to natural and human-caused hazards during their lifetime. Natural processes such as earthquakes, landslides, flooding, and

# 4 COMMUNITY DESIGN (AUGUST 4, 2009 UPDATE)

## 4.1 DESIGN QUALITY AND CHARACTER

San Luis Obispo's downtown and residential areas reflect varied architectural styles and a creative design character, which gives our city a unique architectural flavor among the central coast communities. However, within some of the individual residential areas, there are examples of either too much homogeneity of design or incompatible combinations of architectural extremes. In an effort to promote a compatible but diverse character for the Orcutt Area, an emphasis has been placed upon the Craftsman, California Bungalow and California Mission Revival styles. The architectural characteristics of these styles highlight the historic aspects of the area while allowing flexible design, which can be adapted to the rural nature of the site.

Creative design should incorporate elements that harmonize with, and take advantage of the Mediterranean climate of the Central Coast, including the indoor-outdoor relationship of the residence to the adjacent landscape, as well as principles of sustainable design and energy efficiency, including "green building." Cookie-cutter type repetition should be avoided through individual variation and alternation of unit design that respect the views and shape of the lots. It is expected that individual subdivisions and planned developments will be used to implement the general densities identified within the Specific Plan to allow greater flexibility in lot layout and unit design such as zero lot-line units, garages in the rear of units and harmonious massing of units along residential streets.

While this Chapter incorporates many standards and guidelines, it is emphasized that guidelines are designed to focus attention on the special features desired in the implementation of the Orcutt Area Specific Plan. Given the character of the potential development in the Specific Plan, almost all projects will be reviewed by the City's Architectural Review Commission (ARC). As such this plan seeks to avoid replication of the information, standards, guidelines and processing information contained in the ARC Guidelines.

**Goal 4.1:** **New development in the Orcutt Area that is well designed, internally compatible and enhances San Luis Obispo's unique sense of place.**

*Policy 4.1.1:* *Encourage a compatible mix of residence designs.*

Program 4.1.1a: The architectural styles of Craftsman, California Bungalow, and California Mission architectural themes are strongly encouraged in the Orcutt Area as illustrated in **Fignres 4.1.**

Program 4.1.1b Design Standards for R-1 and R-2 districts. Zoning design and building development standards are identified in **Table 3.1** and include some modifications to City standards that are unique to the Orcutt Area Specific Plan for the R-1 and R-2 zoning districts. These design standards (DS) shall apply to all R-2 development; R-1 development is encouraged to observe them as well.

- DS-1 Refer to **Table 3.1** for R-1 and R-2 development standards
- DS-2 All residences are required to have entries that front the street unless a parking court configuration is utilized.
- DS-3 All residential lots adjacent to creek/riparian corridors must use open fencing, if any.
- DS-4 Inter neighborhood connectivity: Project site designs shall incorporate road, pedestrian and bicycle connections into the adjacent neighborhoods

(especially important as there are so many individual land owners) and provide future connection points to development in future phases.

Program 4.1.1e Design Guidelines for R-1 and R-2 districts. These design guidelines (DG) supplement the mandatory elements and standards identified in other chapters of this document. In addition these design guidelines also supplement the City's standard ARC Guidelines to clearly define for owners, builders, architects and designers the desired character of the Orcutt Area residential neighborhood.

Section 1: Site Planning

DG 1.1 Encourage pedestrian connections to "A" street retail: Projects adjacent to "A" and "B" streets should provide supplemental pedestrian and bike access to these streets to facilitate non-automobile access to retail and office uses located there.

DG 1.2 Pedestrian and bicycle connections are encouraged to connect to the creek trail system and the identified bicycle route system as identified on Figure 2.4. These routes should be designed to encourage short cuts to desirable locations to make walking and biking more convenient.

DG 1.3 Internal street layout should provide loop circulation in preference to dead end cul-de-sacs.

DG 1.4 Streets and paths should incorporate views of local vistas or landmarks and reasonably direct connect to amenity features such as parks, creek path systems and community areas.

DG 1.5 Neckdown curbs (bulbouts) at intersections and decorative paving at cross-walks at primary intersections, entries and at parks or recreation areas are encouraged. See Figure 4.2a and 5.8.

DG 1.6 Public alleys: Alleys are encouraged where developments face major streets or where alternative parking solutions to conventional street driveways are desired. They also can allow homes to face parks, creek areas or vistas by relaxing automobile access to the front of the residential unit. If utilized, alleys should follow design principles below:

- Alley should be straight from one end to the other to facilitate visibility and safety.
- Dead-end alleys should be less than 300' long.
- Landscaping should be consistent with the rest of the development with a 4' minimum parkway strip and one street tree per lot.
- Each lot should provide light from a fixture mounted on either a structure or a pavement pedestal.

Section 2: Lot Site Design and Building Configuration

DG 2.1 Driveways: Shared driveways/curb cuts are encouraged with zero lot line garages/houses and landscape planters. (Figure 4.2 plan and Figure 4.4-b California Bungalow example)

DG 2.2 Garage Location: A major factor affecting the character of the streetscape is the location of the garage. To minimize the potential negative visual impact of garages and parking aprons, the following actions are identified subject to individual project review by City:

- Alternatives to the standard 18' driveway curb cut are encouraged. The desired goal is to limit standard 18' driveways to 60% or less in any project greater than eight units in the R-1 or R-2 zones.
- Other alternatives include single lane driveways to a garage at the rear of the residential unit, shared driveways for two units, recessed garages which allow a necked down/landscaped apron and alley access. These options are shown in Figure 4.1-b: Typical garage locations and proportions.
- Where standard driveways are included, there should be no more that two in an adjacent or consecutive lot configuration.

DG 2.3 Side-Drive or Alley Accessed Garages: Side-drive designs with rear yard garages and parking aprons provide design variety and reduced visual emphasis on garages from the street are a preferred alternative to the standard garage location. Examples of this approach are shown in Figure 4.2-b.

DG 2.4 Parking Courts: This design approach has the advantages of increasing density and reducing the impact of curb cuts. However there is the potential disadvantage of minimizing the visibility of residential entries and maximizing views of garage doors as seen from the street. To reduce these potential impacts the following actions are identified (see Figure 4.3):

- Garages should be recessed behind the homes' main façade similar to the guidelines for standard lot homes increasing the visibility of the entry and reducing the impact of garage doors and apron parking.
- Parking courts should have accent paving which emphasizes the pedestrian route to the entry as well as breaking up the visual expanse of concrete or asphalt paved area.
- Landscape areas, including trees, are encouraged to break up paving expanse and views of garages.

DG 2.5 Position of Structure: Where feasible, the longest portion of any structure is encouraged to face within 32 degrees of south for improved solar access.

Section 3: Building Design; Elements, Colors and Materials

DG 3.1 Design Themes: Architectural variations within general residential themes shall be encouraged through the use of Craftsman, California Bungalow or California Mission styles. (Figure 4.4)

DG 3.2 Landscape Character: A unifying residential landscape character is encouraged through open or low fencing and utilization of native plant species.

DG 3.3 Driveway Materials: Alternative paving materials are recommended for driveways and other residential paths such as stamped/colored concrete, paving stones, tiles, bricks, or City approved permeable paving materials. Use of mid-driveway landscape strips is encouraged.

DG 3.4 Porches: All residences are encouraged to have covered porches. These porches may project up to 7 feet from the front property line with design review by the City. (Figures 4.4 and 4.5-a)

DG 3.5 Front Yards: Residences are encouraged to provide small patios or lawn play areas with consistent landscaping. Patios with low fence walls, open fences or hedges, and trellis coverings are preferred. (Figure 4.5-a)

DG 3.6 Mix of Residential Heights: In predominantly 2-story projects which exceed 20 units, 20% of the homes should be single story scattered throughout the project. In order to reduce the building mass facing the street, the second story portion should generally be located in the rear of the unit (defined as being set back 20 from the front main façade of the unit), or to one side or in two story bays. (Figure 4.5-b)

DG 3.7 Façade Elements: It is desirable to create multiple elements in the façadc of two story structures to reduce the visual mass. The residential design should break the structure into three to four distinct elements such as entry, main structure, single story element and the roof. Two story vertical gabled bays and roof dormers can also add variety. (Figure 4.5-b and 4.5-c)

DG 3.8 Roof Overhangs: A variety of hips and gables should be used, particularly on the front/street façade to further break up the mass of the structure. Roofs extended over windows for shading and associated brackets are encouraged.

DG 3.9 Surface Materials: In developments of more than four homes a minimum of two material pallets are encouraged each with a different primary material. (A primary material is the material used on a minimum of 67% of the building façade; e.g. stucco, wood.) An alternative is to have some of the homes utilize two materials wherein the second material must cover at least 40% of the visible façade.

DG 3.10 Roofing Materials: In developments of more than four homes a minimum use of two primary roof materials such as concrete shake, Spanish tile or composition shingles is encouraged.

DG 3.11 Color Palettes: In developments of over four homes, it is strongly encouraged to have a minimum of two colors from different color families for each primary body material, such as stucco and/or wood. A minimum of two trim colors shall be selected for each primary color (but not necessarily used on each house). Within an individual building, color variety should relate to a change in materials (stucco to wood) or body material to trim material.

DG 3.12 A solar energy source such as solar panels or solar roofing is encouraged per conservation/open space policies.

Program 4.1.1d: The following design standards shall apply to all R-3 and R-4 development in the Oreutt Specific Plan Area:

DS-5 R-3 and R-4 standards set forth in the City Zoning Ordinance shall apply in addition to the standards and guidelines provided in this section.

DS-6 Parking Rear Setback: 0-5 ft

DS-7 All ground floor units will have covered porches/entries in the front (door facing common areas) of the unit.

DS-8 All units adjacent to creek/riparian corridors must use open fencing, if any.

Program 4.1.1e: Residential R-3 and R-4 development is encouraged to observe the following guidelines in addition to the adopted ARC Community Design Guidelines:

DG 4.1 Position of Structure: Where feasible, the longest portion of any structure is encouraged to face within 32 degrees of south for improved solar access.

DG 4.2 Paving Materials: Alternative paving is recommended for driveways and other residential paths such as stamped/colored concrete, paving stones, tiles, and bricks.

DG 4.3 Scale: Projects over eight units should be broken up into multiple structures. Facades over 150 feet in length should be avoided.

DG 4.4 Façade Elements: Creation of multiple elements in the façade of two and three story structures to reduce the visual mass is strongly encouraged. The architectural design should break the structure into three to four distinct elements such as entry, main structure, single story element and the roof. Vertical gabled bays and roof dormers can also add variety. (See also Figures 4.5-a and 4.5-b for examples of multiple façade elements.)

DG 4.5 Roof Overhangs: A variety of hips and gables should be used, particularly on the front/street façade to further break up the mass of the structure. Roofs extended over windows for shading and associated brackets are encouraged. Secondary hipped or gabled roofs covering the entire mass of a building are preferable to mansard roofs or segments of pitched roof at the edge of the structure.

DG 4.6 Surface and Roofing Materials: In developments of more than four units a minimum of two material pallets are encouraged. See DG 3.8 and DG 3.9 for detailed language.

DG 4.7 Color Palettes: In developments of over six units, it is strongly encouraged to have a minimum of two colors from different color families for each primary body material, such as stucco and/or wood. A minimum of two trim colors shall be selected for each primary color (but not necessarily used on each unit). Within an individual building, color variety should relate to a change in materials (stucco to wood) or body material to trim material.

DG 4.8 Solar Panels: A solar energy source such as solar panels or solar roofing is recommended per conservation/open space policies.

DG 4.9 Manufactured Housing Foundations: Foundations shall be enclosed or skirted.

*Policy 4.1.2:* *Foster neighborhood connectivity*

Program 4.1.2a: Residential development design should use local streets configured to enhance neighborhood atmosphere and limit through traffic. Where cul-de-sacs back up to parks or open space, pedestrian/bicycle paths shall be provided to connect the cul-de-sac to the park or open space area.

Program 4.1.2b: Design features such as front porches, front yards along streets and entryways facing public walkways, should also be incorporated into residential design to strengthen neighborhood atmosphere.

Program 4.1.2c Universally accessible entries are encouraged for all buildings, including single-family houses.

*Policy 4.1.3:* *Development along the lower slopes of Righetti Hill shall respect existing elevation contours and shall be designed consistent with Section 7.2, Hillside Development, of the Community Design Guidelines*

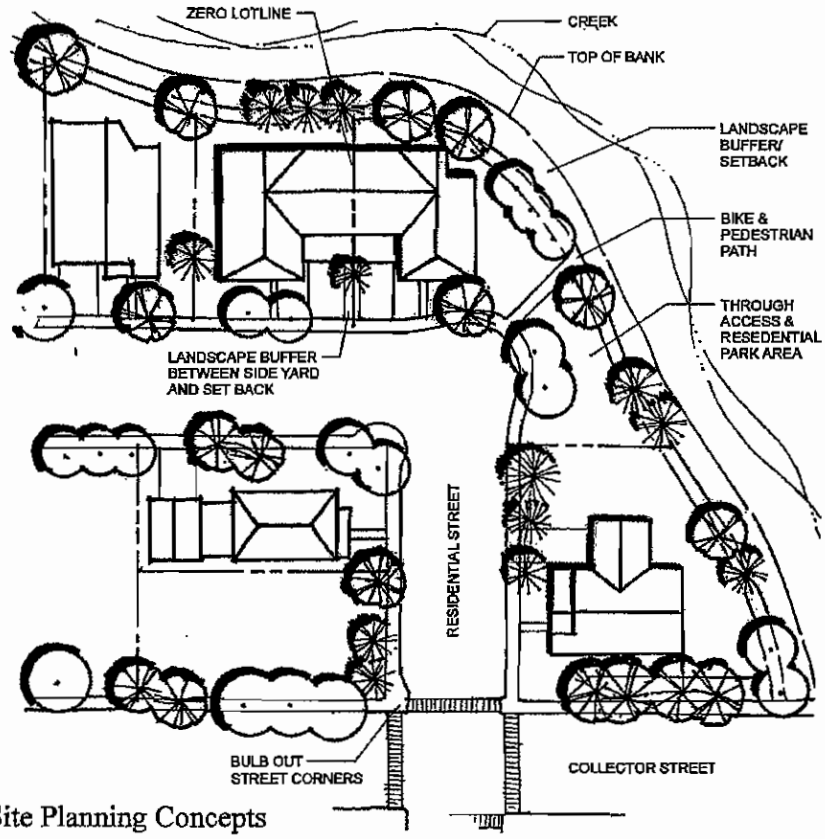



**Figure 4.1a** Site Planning Concepts

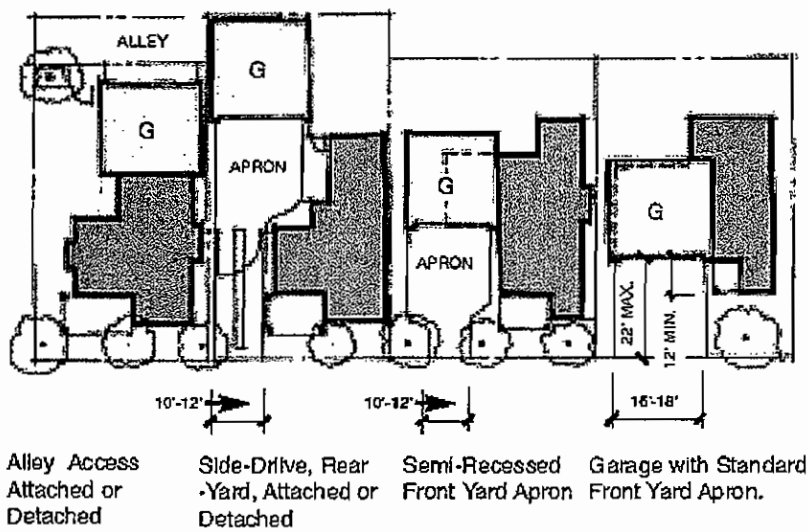



**Figure 4.1b** Typical Garage and Driveway Locations

**FIGURE 4.1 R-1 SITE DESIGN CONCEPTS**

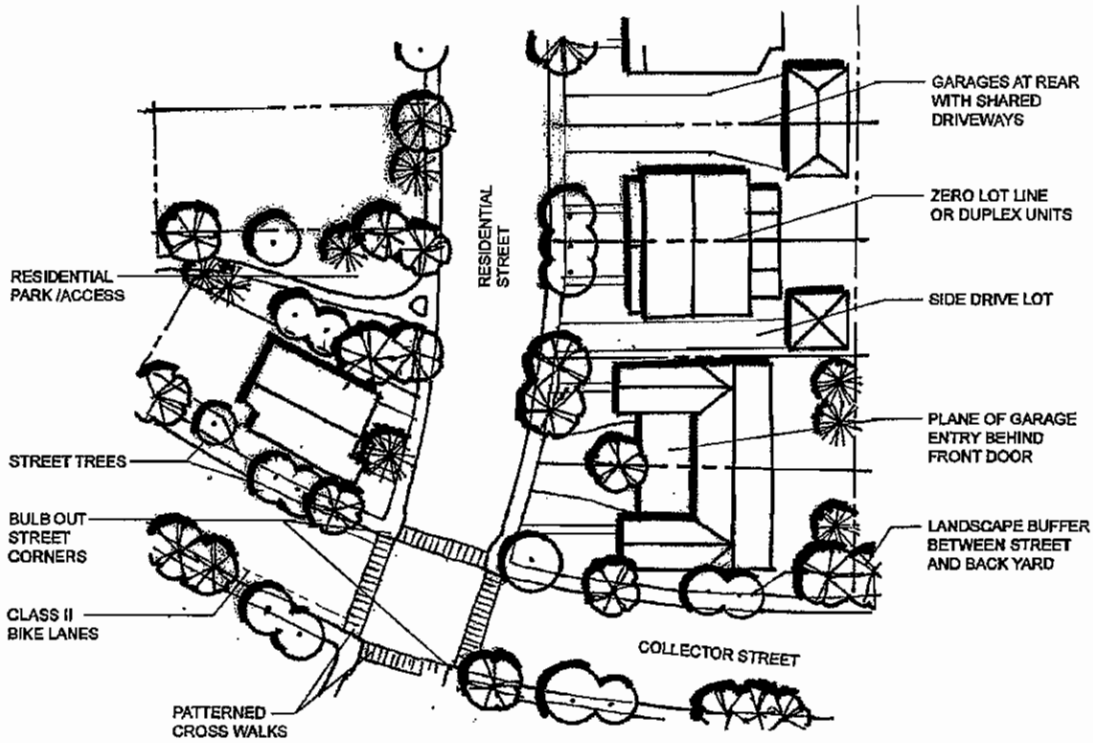



**Figure 4.2a** Site Planning Concepts

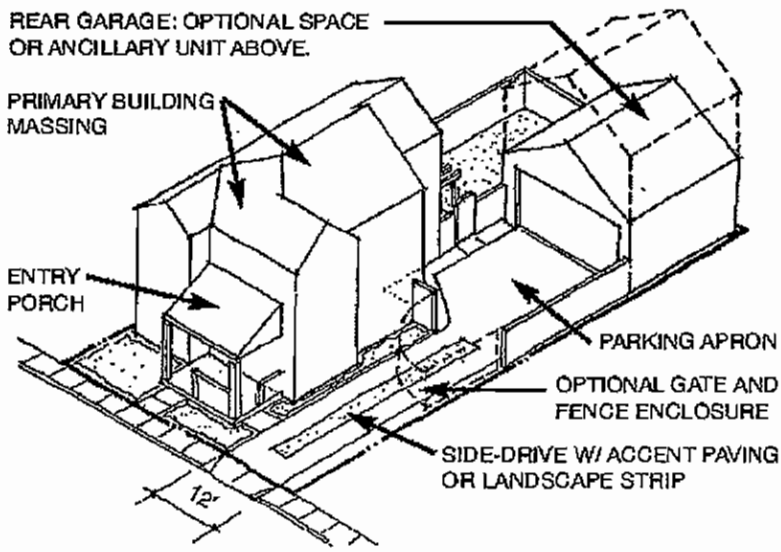



**Figure 4.2b** Example Side-Drive Lot Configuration

**FIGURE 4.2 R-2 DESIGN CONCEPTS**

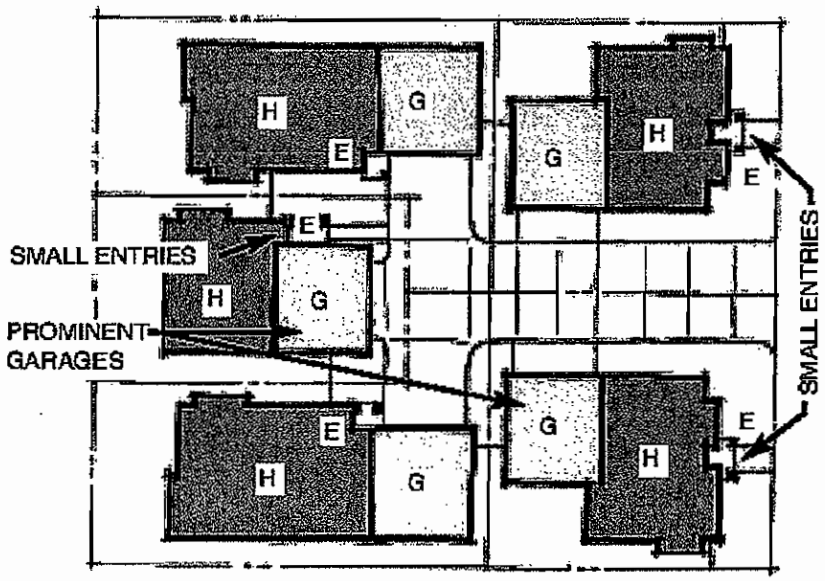



**Figure 4.3a** Undesirable Parking Court

Parking courts with an odd number of lots creates a garage at the end vista of the court as viewed from the street. This typical layout also pushes entries to the back corners, minimizing their impact.

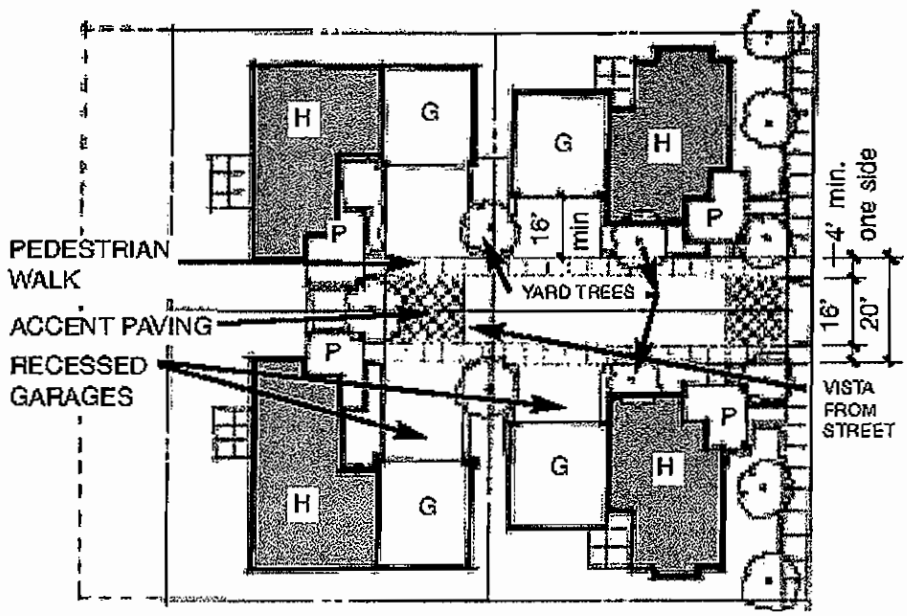



**Figure 4.3b** Desirable: Parking Court Emphasizing Entries

Preferred Parking Courtyard Design Elements and Configuration. Garages are recessed and entries are enlarged to accent corners and interior vista.

**FIGURE 4.3 PARKING COURTS**

**Figure 4.4a** Craftsman

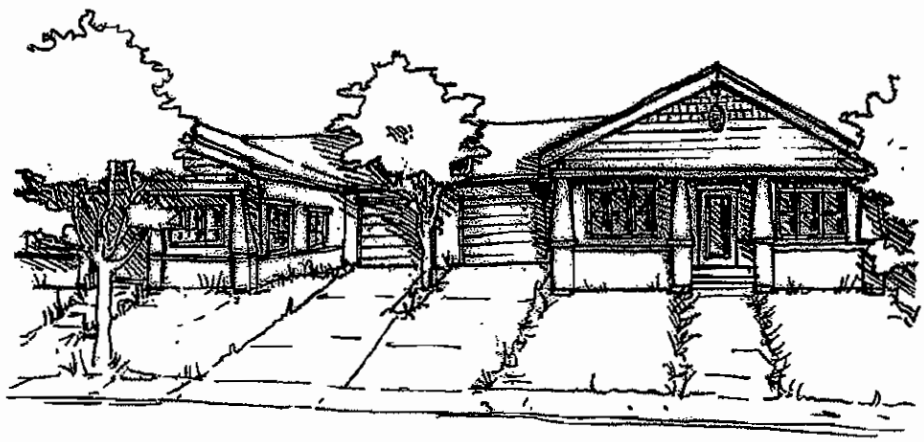


**Figure 4.4b** California Bungalow

**Figure 4.4c** California Mission

**FIGURE 4.4 ARCHITECTURAL DESIGN CONCEPTS (R-1 AND R-2 ZONES)**

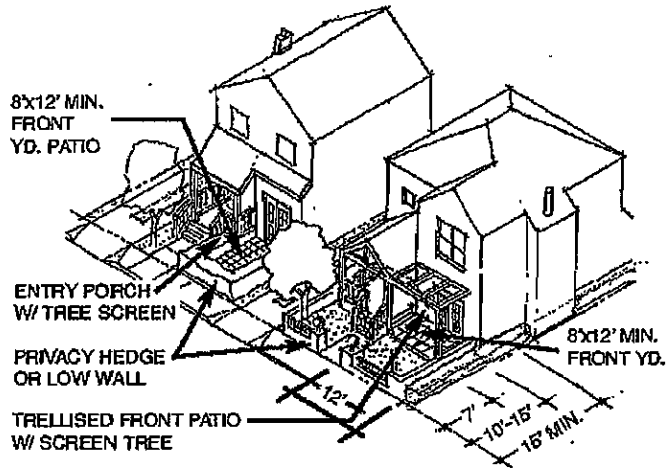



**Figure 4.5a** Front Porches and Yards

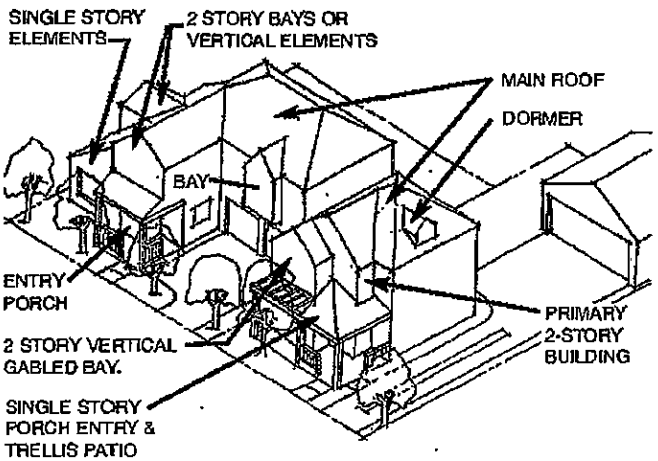



**Figure 4.5b** Reduction of Building Mass

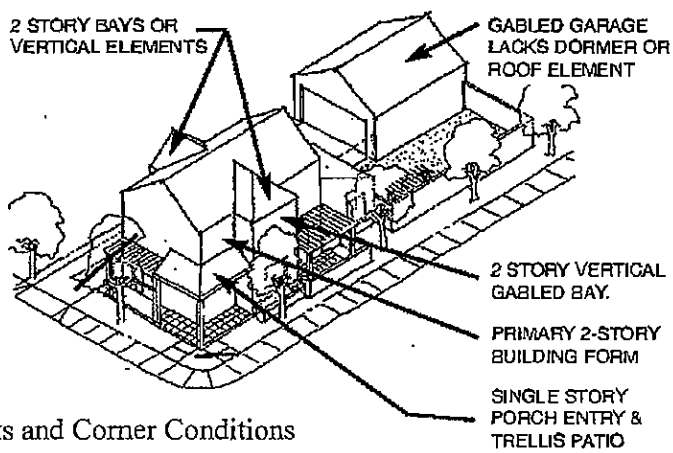



**Figure 4.5c** Vertical Design Elements and Corner Conditions

**FIGURE 4.5 R-2 RESIDENTIAL DESIGN CONCEPTS**

## 6.2 WASTEWATER FACILITIES

Individual septic tanks currently provide wastewater treatment for the majority of properties in the Orcutt Area. Wastewater from the area covered by this specific plan will be conveyed to a new sewer that will cross under the railroad at Industrial Way. Wastewater will then be conveyed down Industrial Way to a new 10" sewer in Broad Street. See **Figure 6.2** for existing and proposed sewer service lines in the Orcutt Area. Alternatives to this configuration may be considered by the City in order to avoid a new railroad crossing, if it can be demonstrated that adequate capacity is available in existing sewer mains near the Orcutt Area. The completed development will generate an estimated 149,000 gallons/day of wastewater from the residential area and 2,000 to 3,200 gallons/day from the mixed-use area. This estimate is based on the City's standard wastewater generation rate of 190 and 120 gallons per day/unit for single-family and multi-family residential uses, respectively and 0.20 gallons per day/square foot of commercial space. The City's wastewater treatment plant is nearing capacity, and planning has begun on an upgrade project that will meet the needs of General Plan build-out. It is expected that the capacity improvements will be in place prior to any demand for that additional capacity. Depending on the timing of needed improvements relative to the pace of development and construction in the City, however, a temporary resource deficiency could occur. If any particular project results in a demand that would exceed available capacity at the wastewater treatment plant, building permits could be delayed until the needed capacity is available. The current project schedule indicates that improvements for build-out capacity at the City's Water Reclamation Facility will be completed by 2010. The cost of providing the additional capacity will be incorporated into the City's Wastewater Impact Fee structure. A pre-annexation agreement will establish criteria for when any existing buildings will be required to connect to the sewer system and pay the associated Wastewater Impact Fee.

## 6.3 STORM WATER FACILITIES

The Orcutt Planning Area is located within the watershed of the East Branch of San Luis Obispo Creek. Drainage features on the site include seven small perennial streams, five of which join together mid-site into one channel. The site has two distinct drainage sub-areas. The Upper Fork East Branch San Luis Obispo Creek Watershed (UFEBSLO) includes the southeastern 155.3 acres of the Specific Plan area and drains to the southwest into the east branch of the San Luis Obispo Creek. The Orcutt Creek Watershed includes the northwestern 10.4 acres of the Specific Plan area and drains to the southwest into Orcutt Creek. Both creeks ultimately are tributary to San Luis Obispo Creek. A review of the Federal Flood Insurance Rate Map (FIRM) showing floodplains and flood hazard classifications indicated that the Orcutt Area has no Flood Zone 'A' or 'B' areas ('A' indicates the areas of 100-year inundation).

The proposed Drainage Master plan for the Orcutt Area meets the City's existing requirements for storm water management in new developments and complies with the City's Waterway Management Plan (WMP). The project also incorporates best management practices for stormwater quality control.

The San Luis Obispo Waterway Management Plan (WMP) sets forth criteria for drainage design for projects tributary to San Luis Obispo Creek. The drainage plan proposed for the Orcutt Area includes detention basins to detain storm water generated by development within UFEBSLO Creek and Orcutt Creek watersheds. The largest basin serves several of the ownership areas and the cost and maintenance will be shared accordingly. The Shared Basin is immediately adjacent to an existing basin serving the existing Arbors development project across Tank Farm Road. The drainage plan includes an option of combining t with the existing Arbors Basin as discussed in more detail below. The drainage plan is shown on **Figure 6.3**. Major features of the plan are discussed below.

The lower portion of the UFEBSLO as shown in **Figure 6.3** is categorized as a "Secondary Waterway" according to watershed size criteria in the WMP. All other channels within the Specific Plan are categorized as Minor Channels. The grading plans and creek plans that affect the Secondary Channel will adhere to the WMP recommendations to establishing a constructed natural channel. These criteria are intended to result in a creek channel that has increased habitat value as well as adequate hydraulic capacity and stability.

Storm water runoff quality will be addressed for both Construction and Post-Construction phases of the project. Sediment control during construction will be important and a detailed Storm water Pollution Protection Plan (SWPPP) will be prepared for each grading project over 1 acre in disturbance. Construction Phase impacts will be addressed by the implementation of Best Management Practices (BMP's) during construction , by the preparation and implementation of Stormwater Pollution Prevention Plans (SWPPP's) and erosion control plans.

The Specific Plan also will utilize BMP's for post construction stormwater quality. The primary method of treating stormwater quality will utilize bio-filtration. Bio-filtration is the most effective long-term method for improving stormwater runoff quality. These facilities will be located where the soil conditions are appropriate and locate to treat runoff containing pollutants (i.e. oils and or sediments) where the site design is compatible. Types of facilities that may be used in different site locations include bio-swales, detention basin forebays (which may also be designed to function as a floodable terrace). Runoff from parking lots and outdoor storage areas should be treated as close to the source as possible. Bio-filtration facilities should be located near these sources of runoff, or the site should include pervious surfaces so that runoff and pollutants are minimized. Buffers on streams and wetlands will also be designed to optimize infiltration and minimize flooding impacts.

After development, much of the Orcutt Area will remain in open space and parks and storm water runoff from those areas will be relatively unchanged. However, development areas will generate additional surface runoff during storms. The WMP indicates that storm water detention should be used in areas where there are downstream capacity limitations, and where detention analysis indicates that it would be beneficial. Storm water detention basins are proposed for the Orcutt Area, consistent with the surrounding Edna/Islay developments and the recommendations of the *1999 Airport Area Storm Drainage Master Plan (AASPDMP).*

Detention basin requirements are typically stated in terms of reducing the peak rate of runoff from a certain post-development storm, to the rate of a certain pre-development storm. Further, the Regional Water Quality Control Board (RWQCB) is considering future policies that may involve the allowed rate of release and volume of release. Within the surrounding area, detention standards have varied over time and are summarized as follows:

| | |
|---|---|
| Edna/Islay: | Reduce 50-year post development runoff to 2-year pre-development rate. |
| Airport Area: | Reduce 100-year post development runoff to 10-year pre-development rate. |
| City WMP: | Detain if necessary to avoid impacts to problem areas for a range of storms 2 through 100 yr. |
| Future: | RWQCB consideration of hydromodification polices may result in detention standards. |

Considering the above, the basins proposed in the Specific Plan utilize the following criteria to be consistent with the WMP, the hydrological study, and to be compatible with the surrounding area drainage, applied at the basin outlet.:

- 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.

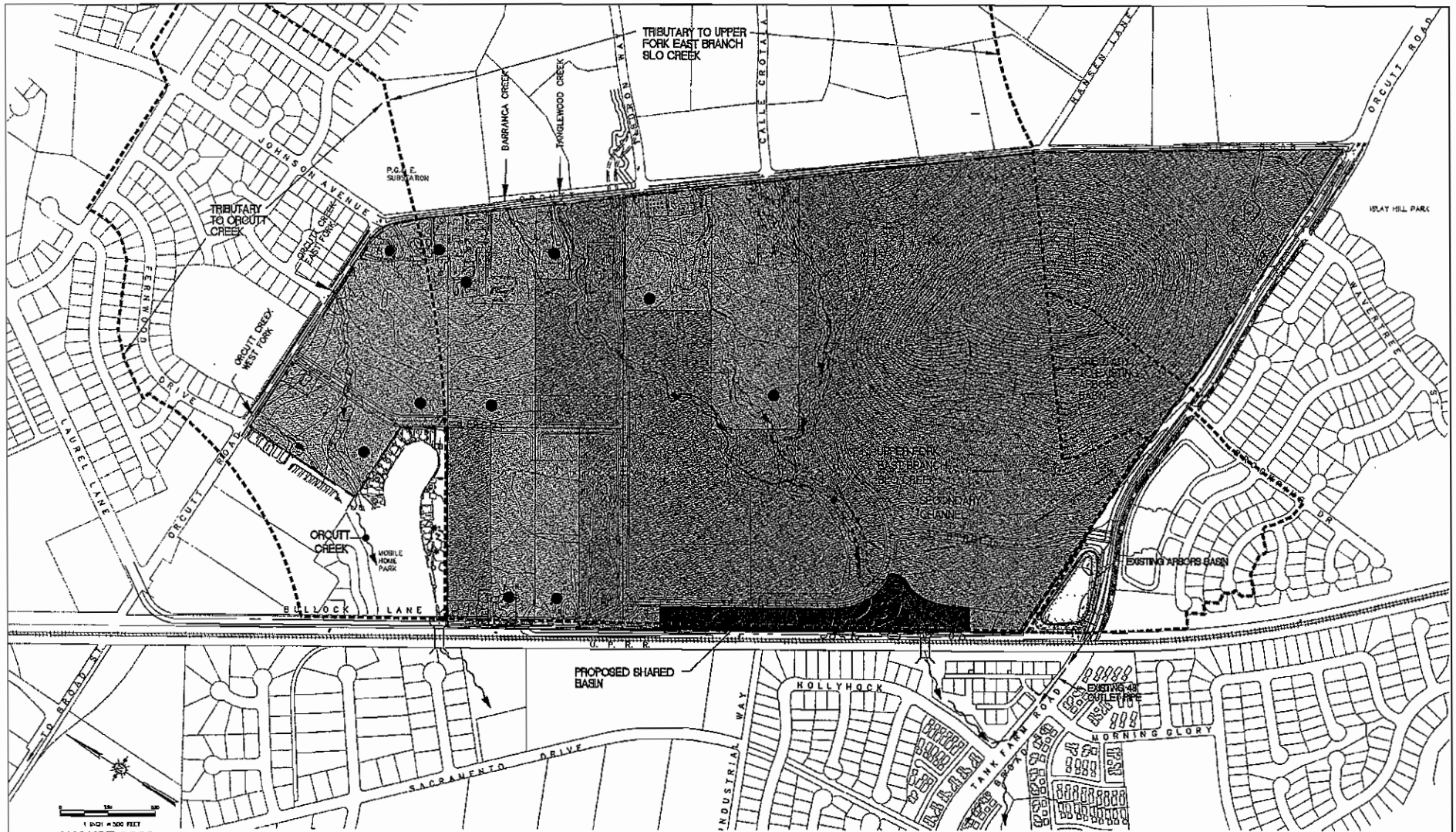
- Limit 10-year post development peak runoff to 10-year pre-development rate.
- Limit 2-year post development peak runoff to within 5 percent of the 2-year pre-development rate.

The DEIR analyzed the regional impact of the proposed basins designed to the above standards, and used analysis methodology consistent with the City's adopted WMP. The DEIR concluded that the detention basins provided sufficient mitigations such that there we no significant impacts to downstream receiving streams. Final design of the basins should utilize the City HEC-HMS hydrology model, as used in the hydrological study analysis.

The proposed drainage plan includes a Shared Basin that provides detention for several subareas within the Specific Plan. Subareas not participating in the Shared Basin will be required to provide their own detention facilities. The Shared Basin is designed to incorporate concepts and strategies proposed on the UFEBSLO and will consist of a linked series of floodable terraces along the western boundary of the Orcutt Area covering approximately 7.0 acres. The floodable terrace system will have a capacity of approximately 30.0 acre-feet for detaining storm water. During design, the volume will be confirmed by detailed analysis based on the City HEC-HMS model and the criteria listed above. The Shared Basin is located at the low point of the Orcutt Area and is incorporated into the linear park system and the railroad buffer to provide a recreational amenity.

The Shared Basin may, as an alternative, be combined with the existing Arbors Basin. The Arbors basin was originally designed with this in mind and has a 48-inch outlet pipe sized for this purpose. Combining the basins would offer advantages such as more efficient utilization of land, the flexibility and redundancy of two outlet pipes, and flexibility in phasing the project drainage system. Combining the basins would be subject to acceptance by the existing Arbors Homeowners' Association. Subareas within the Orcutt Creek watershed will require detention basins that release within the same watershed.

Smaller basins serving properties that are not participating in the Shared Basin will be located within the watersheds of Orcutt Creek and UFEBSLO. Figure 6.3 shows schematically the anticipated locations of these basins. The actual location of the basins may vary according to the detailed site design involved. The design of each areas basin shall adhere to the criteria above for detention and stromwater quality.




ORCUTT EXPANSION AREA
SPECIFIC PLAN

FIGURE 6.3
DRAINAGE PLAN

# APPENDIX C - MITIGATION MEASURES FOR CLASS II IMPACTS

**The following mitigation measures are required for the implementation of the Specific Plan and are direct quotes from the Environmental Impact Report. All figure references are from the Environmental Impact Report. Note that numbering may not always be sequential as some impacts are either not mitigable (Class I) or less than significant (Class III).**

## AIR QUALITY

**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.

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 Section 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:

**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 Environmental Protection Agency/Department of Energy 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.

**AQ-1(b)** **Transit.** Bus turnouts and shelter improvements with direct pedestrian access shall be installed at all bus stops.

**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.

**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.

**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.

**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.

**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.

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.

**AQ-3(a)** **Application of CBACT (Best Available Control Technology for construction related equipment).** 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.

- Specific Plan applicants shall submit for review by the Community Development Department and Air Pollution Control District (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 a diesel oxidation catalyst on each of the two pieces of equipment projected to generate the

greatest emissions. Installations must be prepared according to manufacturer's specifications.

**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.

**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.

**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.

## BIOLOGICAL RESOURCES

**B-3** Development under the proposed Specific Plan could affect locally-designated protected trees. This is considered a Class II, significant but mitigable impact.

The proposed Specific Plan includes a program which is intended to address potential impacts associated with this issue. In addition, 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.

**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-4** Development under the proposed Specific Plan would affect riparian woodland and wetland habitat. This is considered a Class II, significant but mitigable impact.

The Specific Plan has incorporated goals, policies, and programs to alleviate impacts to biological resources. The following mitigation measures are also required 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 Section 4.6, Drainage and Water Quality, 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

**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.

**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).

**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.

**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.

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.

**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 two weeks prior to 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 200 feet to 500 feet from the nests as determined in consultation with the (California Department of Fish and Game (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.

**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.

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.

B-5(d) **VPFS Sampling Surveys.** Prior to development in areas shown as potential vernal pool fairy shrimp (VPFS) habitat on Figure 4.4-2, current United States Federal Wildlife Service (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.

B-5(e) **FESA Consultation and Mitigation Regarding VPFS.** If any VPFS individuals are located onsite 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 offsite. Figure 4.4-2 identifies areas that could be appropriate for onsite 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 onsite 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 onsite mitigation is the purchase of mitigation bank credits. Credits can be purchase 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-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.

The following mitigation measures are required to fully reduce impacts to a less than significant level.

**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.

**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.

**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.

**B-6(c)** **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 be 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 D) 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.

## CULTURAL RESOURCES

**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.

In addition to the provisions incorporated in the Specific Plan, the following mitigation measures would further reduce impacts related to cultural resources to less than significant levels.

**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.

**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.

**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.

**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.

**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.

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

**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 or 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.

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

**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

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

**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.

**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.

**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.

## NOISE

**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.

Implementation of the policy and programs included in the Specific Plan would reduce impacts to noise generated from temporary construction. In addition to the policies and programs, the following mitigation measure is required to reduce construction noise impacts on nearby residences:

**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.

**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.

The Orcutt Area Specific Plan includes goals, policies, and programs that are intended to reduce noise impacts caused by the nearby railroad.

In addition to the provisions proposed in the Specific Plan, the following mitigation measures are required to reduce UPRR noise impacts on nearby residences:

**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:

a) Locate all proposed residential and school development outside of the 60 Ldn contour line (352 feet from the centerline of the railroad); or
b) 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.

Attachment 2

Exhibit "B"

GCG

GOODWIN CONSULTING GROUP

# ORCUTT AREA SPECIFIC PLAN
# SAN LUIS OBISPO, CALIFORNIA

## PUBLIC FACILITIES FINANCING PLAN

*Administrative Draft*

**SEPTEMBER 23, 2009**

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# *Orcutt Area Specific Plan*
# *San Luis Obispo, California*
# *Public Facilities Financing Plan*

## *Table of Contents*

# EXECUTIVE SUMMARY

## *A. Project Description and Purpose of Report*

The Orcutt Area Specific Plan ("OASP" or "Project") is a primarily residential development project that is located in a currently unincorporated area of San Luis Obispo County, immediately southeast of the City of San Luis Obispo city limits. Approximately 892 to 979 housing units, and 16,500 square feet of non-residential land uses, are anticipated to be developed within the OASP by build-out of the Project. This Public Facilities Financing Plan (PFFP) describes the public facilities required to serve future development in the OASP area and identifies the total one-time burdens (impact fees) to be collected from each land use to fund these facilities on a pay-as-you go basis. Furthermore, estimated annual impact fee revenues are compared with estimated annual facility costs to determine if possible gaps in funding exist. Implementation procedures that must be enacted by the City are also described in this PFFP.

## *B. Summary of Impact Fees*

Various transportation, pedestrian and bicycle path, and park improvements are required. These Project-specific improvements were designed and sized to serve the residential development in the OASP. The total cost for these improvements is estimated to be $12.2 million. In addition to paying impact fees for Project-specific costs, future development in the OASP is also expected to participate in the existing City-wide development impact fee programs for transportation, water, and sewer facilities. Lastly, the OASP will be subject to other impact fees for parkland mitigation and Specific Plan and EIR preparation costs, as calculated in this analysis.

Table ES-1 at the end of the executive summary shows the Project-specific, City-wide, and other fees for each residential land use within the OASP. Total impact fees per unit are summarized below:

| | **Total Impact Fees** |
|---|---|
| Single Family | $41,700 |
| Multi-Family | $32,000 |

These figures do not include parkland in-lieu fees. OASP property owners have the option of paying a parkland in-lieu fee, providing parkland on their property, or combining the two for purposes of mitigating their parkland obligation. The fees for each property owner, assuming no parkland dedication, have been calculated by the City and are provided separately in Table 9 of Appendix A.

It is also important to note that the one-time burdens for the OASP are in addition to in-tract improvements that are expected to be privately funded by the OASP developers; in-tract improvements are not addressed in this report.

### *C. Project Cash Flow*

An estimated absorption schedule for the Project was created based on information from the City and the Specific Plan. Based on this schedule and facility phasing information also provided by the City, the Project's cash flow shows that impact fee revenue, generated on a pay-as-you-go basis, will be sufficient to fund each item of Project-specific infrastructure as it is needed. It is estimated that there will be positive cash flows in some years and negative cash flows in others; however, there will be a total cumulative surplus in each year except for two, in which the revenues and costs will break even.

# TABLE ES-1
# TOTAL PROJECT-SPECIFIC INFRASTRUCTURE PLUS CITY-WIDE AND OTHER FEES

| | Project-Specific Impact Fees | | | | City-Wide Impact Fees | | | | Other Impact Fees | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Land Use | Trans-portation | Pedestrian and Bicycle Paths | Parks & Recreation | Total Project-Specific Impact Fees | Trans-portation Impact Fee | Water Impact Fee | Sewer Impact Fee | Total City-Wide Fees | Parkland In-Lieu | Specific Plan and EIR Fee | Total Other Fees | Total Gross Fees per Unit | Total Gross Fees per Net Acre |
| Single Family | $6,218 | $3,270 | $5,352 | **$14,840** | $3,220 | $15,919 | $6,946 | **$26,085** | [1] | $737 | **$737** | **$41,662** | **$249,361** |
| Multi-Family | $4,344 | $2,284 | $3,983 | **$10,611** | $2,858 | $12,735 | $5,557 | **$21,150** | [1] | $276 | **$276** | **$32,037** | **$511,700** |

[1] OASP property owners have the option of paying this fee, providing parkland on their property, or combining the two for purposes of mitigating their parkland obligation. The parkland in-lieu fees for each property owner have been calculated by the City and are provided in Table 9 of Appendix A.

Chapter 1

# INTRODUCTION

## *A. Objective*

This report analyzes the public facilities burden that must be carried by the land uses proposed in the Orcutt Area Specific Plan ("OASP" or "Project") and presents a financing strategy to fund that burden. The burden consists of infrastructure and related costs necessary to serve the Project plus development impact fees that would be imposed on the Project for other City-wide capital improvements. The burden does not include in-tract improvements for the OASP; it is expected that these costs will be privately funded by the OASP developers.

In summary, this Public Facilities Financing Plan (PFFP) does the following:

- Summarizes the proposed land uses in the OASP
- Describes public facilities required to serve future development in the OASP area
- Presents the costs of required public facilities and allocates the costs to the proposed land uses
- Identifies the total one-time burdens (impact fees) to be collected within the Project area to fund facilities on a pay-as-you-go basis
- Outlines the phasing of public facilities needed to keep pace with projected development
- Projects annual cash flows comparing revenues (impact fees) against expenses (public facilities)
- Summarizes the implementation measures that must be enacted by the City

## *B. Project Description*

The Orcutt Area Specific Plan encompasses approximately 231 acres and is situated in the County of San Luis Obispo immediately southeast of the City of San Luis Obispo city limits. The Specific Plan area is bounded by Tank Farm Road to the south, Orcutt Road to the east and north, and the Union Pacific Railroad to the west. Righetti Hill, one of the City's natural landmarks, is situated in the southern portion of the area. There are currently 13 property owners within the OASP and a total of 21 parcels, one of which has already been annexed into the City. A location map from the Specific Plan dated June 2006 is shown on the following page.

At build-out, the OASP is expected to develop between 892 and 979 residential units, which will produce approximately 2,000 residents, and 16,500 square feet of non-residential land uses on a total of 114 acres. The Project is predominantly residential and will include low density

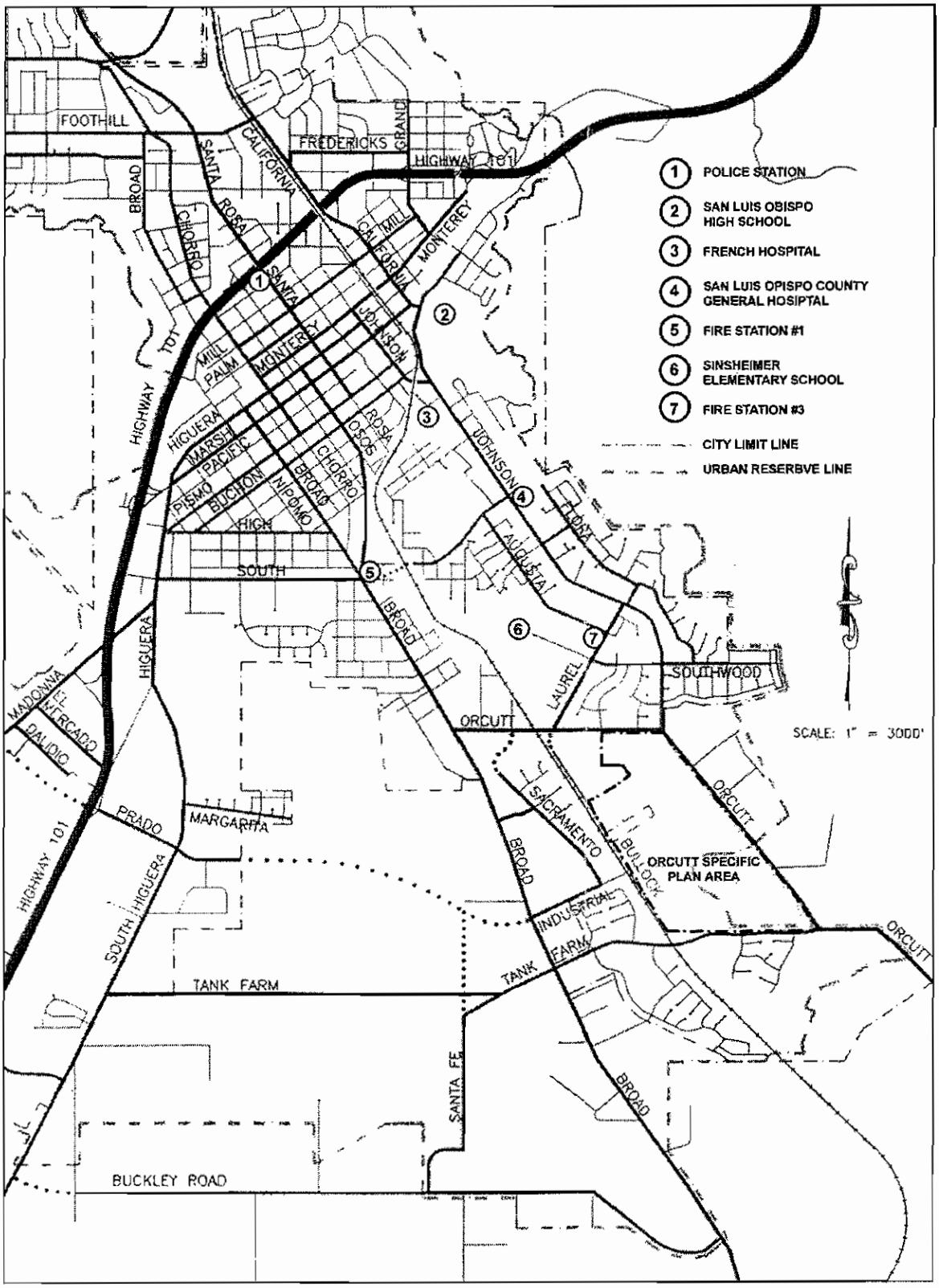


**FIGURE 1.1 SITE LOCATION MAP**

residential (R-1), medium density residential (R-2), medium high density residential (R-3), and high density residential (R-4) units. For purposes of this analysis, low and medium density units are categorized as single family residential, and medium high and high density units are categorized as multi-family residential. Regarding non-residential land uses, approximately half an acre is designated for a pedestrian-oriented shopping area that will provide a range of retail sales, personal service establishments, and selective office uses. An additional 103 acres of parks, open space, and detention ponds, as well as 14 acres of arterial, collector, and major local roads, are anticipated in the Project. Table 1 of Appendix A summarizes the OASP land uses that are factored into the analysis presented in this PFFP.

The infrastructure required to serve the Project, as described in this report, was sized based on the maximum amount of housing units. However, for purposes of calculating the facilities burden, this report uses the approximate mid-point of 937 units to account for the fact that residential properties may not be developed at their maximum densities.

Chapter 2

# FACILITY NEEDS AND COST ESTIMATES

The Orcutt Area Specific Plan describes in detail the water, wastewater, storm drainage, roads, parks, and miscellaneous improvements proposed to meet the needs of the community. The City currently has a development impact fee program in place that will fund the water and wastewater improvements and some of the road improvements for the Project. These City-wide fees will be discussed in more detail in Chapter 3 of this report, where the Project-specific fee program and other fees are covered. For storm drainage, individual land owners are anticipated to utilize individual onsite detention basins, which are considered in-tract improvements, or participate in a combined detention basin with other owners. Owners requesting participation in a combined basin will enter into a separate cost sharing agreement with the other participating owners. The remaining Project-specific costs for roads, bridges, pedestrian and bicycle paths, and parks and recreation that are not covered by existing development impact fees or other funding mechanisms are the focus of this study and are presented in Appendix B of this report. The total cost for these improvements required for the OASP is estimated to be $12.2 million.

Table 2 of Appendix A summarizes the cost information for each facility category. Certain infrastructure items within the transportation and pedestrian and bicycle path categories are regional in nature and will serve other future development areas outside the OASP. Both the gross costs and net costs allocated to the OASP are shown. A summary of the net infrastructure costs to serve the OASP development is presented in the following table.

**TABLE A**
**INFRASTRUCTURE COST ESTIMATES**

| Improvement | Total Cost |
|---|---|
| Transportation | $5,050,000 |
| Pedestrian and Bicycle Paths | $2,656,000 |
| Parks and Recreation | $4,448,000 |
| **Total** | **$12,154,000** |

## *A. Transportation Improvements and Pedestrian and Bicycle Paths*

The circulation plan for the Project provides direct connections between the existing arterials (Orcutt Road and Tank Farm Road) and the new roads within the OASP. Bicycle and pedestrian circulation routes will provide access throughout the interior of the Project and will connect to the existing pedestrian and bicycle network outside the Orcutt area. The following is a list of circulation system projects required to serve the OASP:

- Orcutt Road / Tank Farm Road improvements
- Broad Street / South Street – Santa Barbara Road improvements
- Broad Street / Tank Farm Road second southbound left turn lane and a second northbound left turn lane
- Orcutt Road / Johnson Avenue improvements

- Broad Street / Prado Road extension and second northbound left turn lane
- Orcutt Road widening – Broad to Laurel
- Bullock Lane realignment
- Relocation of Hanson Road or reducing the grade on Orcutt at Hanson Road
- Transit stops (5)
- Orcutt expansion area bridges – A, B, and C
- Pedestrian and bicycle paths
- Pedestrian / bike overpass
- Bike path extension over Tank Farm Road

The total cost for street and bridge improvements is estimated to be approximately $6.6 million and the Project's fair share of these improvements is estimated to be $5.1 million. An additional $2.7 million is anticipated for the OASP's fair share of pedestrian and bicycle paths, which are estimated to cost a total of $2.9 million. Costs include site preparation, earthwork, hardscape, traffic markings, and miscellaneous improvements.

### *B. Parks and Recreation Improvements*

The Orcutt Area Specific Plan provides for approximately 14.3 acres of parkland. A proposed neighborhood park located at the center of the Project will serve as a community gathering place for casual recreation and sporting events by providing a variety of active recreation facilities. In addition, a linear park is proposed that will serve a dual purpose as both an area wide detention basin and a recreation area, and a smaller pocket park is planned within the low and medium density residential neighborhoods. The following list summarizes the parks and recreation projects planned to serve the Project:

- Central Neighborhood Park – 12.6 Acres
- Pocket Park – 0.5 Acre
- Linear Park System – 1.2 Acres

The total cost of park and recreation improvements to be funded by the Project is estimated to be approximately $4.4 million. This amount does not include costs for land; it is anticipated that acreage for the parks will be acquired through dedications to the City, charging in-lieu fees, or most likely, a combination of both. Table 9 of Appendix A presents parkland in-lieu fees by property owner, as calculated by the City, assuming no parkland is dedicated.

Chapter 3

# OASP FEE PROGRAM AND OTHER FEES

Assembly Bill 1600 (herein "AB 1600"), which was enacted by the State of California in 1987, created Section 66000 et seq. of the Government Code. In order to establish, increase, or impose a fee as a condition of approval of a development project, AB 1600 (also known as the Mitigation Fee Act) requires a public agency to specifically identify the public facilities funded by the impact fees, and determine how there is a reasonable relationship, or "nexus," between the type of development project and the need for the facilities, the cost of the facilities, and the need to impose a fee.

Development impact fees are monetary exactions (as opposed to taxes or special assessments) that are charged by local agencies in conjunction with approval of a development project. The fees are paid by builders or developers, typically at the time a building permit is issued. Impact fees are levied for the purpose of defraying all or a portion of the costs of a public facility, improvement, or amenity that benefits the project. The collection of impact fees does not require formation of a special district; an impact fee program is implemented by a public agency's adoption of a resolution or ordinance.

Impact fees will be an important component of this PFFP. Once the Project area is completely annexed into the City, a fee ordinance must be adopted by the City and the City's existing public facilities fee program must be updated prior to development of the Orcutt Area Specific Plan; the fee program may also be updated and revised as part of future development phases.

## *A. Proposed Orcutt Area Specific Plan Fee Program*

The primary source of funding for Project-specific improvements will be the proposed Orcutt Area Specific Plan Fee Program. In order to fairly allocate facility costs funded by the fee program among land uses within the OASP, it is necessary to use factors that relate the amount of benefit a land use will derive from a given capital facility relative to that of other land uses. Table 3 of Appendix A outlines the appropriate benefit unit classification used for each facility, along with the individual factors associated with the different land uses. The individual factors for transportation and pedestrian and bicycle path improvements are consistent with those documented in the OASP draft transportation impact analysis. Park and recreation improvements are allocated to the residential land uses based on the number of residents served.

As previously mentioned, the public facilities identified in this analysis were designed and sized to serve the residential development in the OASP since the proposed commercial uses are such a minor part of the total Project, representing less than one-half of 1% of the net developable acreage. Although a very small amount of non-residential development is also anticipated, the cost of public facilities is not allocated to these commercial land uses since they may be developed only as a result of the demand created by the residential development.

Tables 4 through 6 of Appendix A show the cost allocation process for each infrastructure category. For example, Table 4 shows the cost allocation process for transportation

improvements. The benefit unit, expressed as daily trips, is multiplied by the number of residential dwelling units for each residential category, producing the total number of trips per land use. The percentage of trips for each land use relative to the total is calculated and used to allocate the total facility cost among the land uses. For example, single family residential development accounts for 64.4% of the total trips. This percentage is multiplied by the total cost of $5.1 million for transportation improvements in the OASP to produce a total burden of $3.3 million for single family residential. Dividing this total burden by the quantity of land use (523 units) produces a cost of $6,218 per dwelling unit for single family residential development, and the amount per unit for multi-family residential development is also shown in Table 4. Similar calculations are shown for pedestrian and bicycle paths, and parks and recreation costs in Tables 5 and 6.

A summary of the Project-specific costs calculated in Tables 4 through 6 is provided in Table 7. Table 7 shows the total facility cost for the OASP along with the burden allocated to each land use. The table below summarizes the gross Project-specific fees per single family and multi-family unit.

**TABLE B**
**PROJECT-SPECIFIC COST SUMMARY**

| Land Use | Gross Project-Specific Fee |
|---|---|
| *Residential (per unit)* | |
| Single Family | $14,800 |
| Multi-Family | $10,600 |

### *B. Existing Development Impact Fee Programs*

Development in the OASP is expected to participate in the existing City-wide development impact fee programs for transportation, water, and sewer facilities. These fees are in addition to the gross Project-specific fees discussed above and will fund the Project's fair share of City-wide public facility costs. Note that there is no transportation infrastructure incorporated into the Project-specific fees that is duplicated in the City-wide fees.

The City-wide development impact fees for each land use category are shown in Table 8 of Appendix A. A summary of the City-wide fees applied to a single family unit is provided below:

**TABLE C**
**CITY-WIDE FEES PER SINGLE FAMILY UNIT**

| Facility Type | Fee per Single Family Unit |
|---|---|
| Transportation | $3,200 |
| Water | $15,900 |
| Wastewater | $6,900 |
| **Total City Fees** | **$26,000** |

The wastewater facility fee shown in Table C includes two components: (i) the City-wide wastewater fee; plus (ii) an area-specific add-on fee related to wastewater infrastructure designed specifically to serve the OASP.

### *C. Parkland In-Lieu Fee*

As previously mentioned, OASP property owners have the option of paying a parkland in-lieu fee, providing parkland on their property, or combining the two for purposes of mitigating their obligation to the City. The full parkland in-lieu fees for each property owner have been calculated by the City and are provided in Table 9 of Appendix A. Supporting documentation for the individual fees is provided in Appendix B.

### *D. Specific Plan and EIR Fee*

New development in the Orcutt Area Specific Plan will also be subject to a fee that will be used to reimburse the City and certain land owners for Specific Plan and EIR preparation costs. The total cost of $500,000 is spread equally to the residential land uses on a per-acre basis, resulting in a fee of $4,413 per acre. This amount is translated into a fee per residential unit based on the density assumptions shown in Table 1 of Appendix A. The Specific Plan and EIR fees for each land use designation are shown in Table 8 of Appendix A.

### *E. Summary of Impact Fees*

The Project-specific, City-wide, and other fees are presented in Table 10 of Appendix A and are added together to show the total gross burden by land use on a per-unit and per-acre basis. A portion of the OASP has the potential to develop as a school instead of residential. The fees for residential are shown both per unit and per acre to (i) ensure that the amount of expected fee revenue will be maintained and (ii) to document the school's infrastructure obligation, or burden, so that it can be considered in a possible land sale transaction between the school district and the land owner. The table below summarizes the total gross burden by land use for the OASP.

**TABLE D**
**TOTAL GROSS FEES PER UNIT OR NET ACRE**

| Land Use | Gross Fees per Unit | Gross Fees per Net Acre |
|---|---|---|
| *Residential* | | |
| Single Family | $41,700 | $249,400 |
| Multi-Family | $32,000 | $511,700 |

Chapter 4

# FACILITY PHASING AND PROJECT CASH FLOW

## *A. Absorption Assumptions*

Development in the OASP is anticipated to occur in three phases. Based on information provided in the Specific Plan and input from the City, an estimated absorption schedule that is also consistent with the City's Growth Management Phasing Schedule for the Orcutt area was created. Phase 1 of the Project is assumed to have a five-year absorption horizon, and both Phases 2 and 3 are assumed to develop over the subsequent three-year time periods.

While actual absorption rates will vary, these projections provide a useful schedule to estimate the timing of fee revenue and facility phasing. The annual and cumulative absorption assumptions are presented in Tables 11 and 12 of Appendix A.

## *B. Facility Phasing*

Facilities will be required at various stages of Project development. The majority of the facility phasing is linked to residential development; for example, the Orcutt Road/Tank Farm Road transportation improvements are required to be completed prior to the development of the 371$^{st}$ unit. A limited number of facilities will need to be installed during the first years of development, including construction of the Orcutt expansion area Bridge A, and two transit stops. Other facilities, such as the Broad Street/Prado Road extension, will be constructed as impact fee revenues become available, which is not expected to occur until the last few years of Project development.

A conscious effort was made during the design of these phasing assumptions to ensure funding would be available for these improvements on a pay-as-you-go basis. As noted in the cash flow section below, no cumulative funding gaps are projected as a result of these phasing assumptions; therefore, lump-sum financing with bonds or other mechanisms can be avoided.

Table 13 of Appendix A delineates the phasing assumptions for the OASP facility costs and Table 14 presents the annual costs based on those assumptions.

## *C. Project Cash Flow*

Table 15 of Appendix A compares the phasing of facility costs to the timing of fee revenues for each cost category and in total. Based on the absorption and phasing assumptions discussed above, there will be positive cash flows in some years and negative cash flows in others; however, it is estimated that there will be a total cumulative surplus in each year except for two, in which the revenues and costs will break even. In the last three years of development, fee revenues will be available for the Broad Street/Prado Road extension, the pedestrian and bicycle paths, and for reimbursements to Orcutt Associates, LLC for the Orcutt Road widening project, without causing a cumulative net deficit to occur.

Chapter 5

# IMPLEMENTATION PLAN

The Orcutt Area Specific Plan identifies a program for significant residential growth, and limited non-residential growth, within the City of San Luis Obispo and will be subject to updates and revisions in future years as development applications are submitted and processed.

The Specific Plan and the PFFP are based on assumptions of land use, facility demands, facility standards and design, and cost estimates. Each of these assumptions may be subject to change in future years; therefore, the PFFP may also be revised to reflect these changes. The ongoing implementation of the PFFP will be parallel to the continued monitoring of the Specific Plan, and will require the same degree of time and effort to keep it current and useful. In this manner, the PFFP will guide the overall funding of community infrastructure required to serve the Specific Plan. Following is a summary of many of the tasks associated with implementation of the PFFP.

## *A. Updates and Revisions*

As noted above, changes are likely to occur in facility plans, land use plans, or cost estimates. When these items are revised, there will be a corresponding change in the fair share cost allocation to each land use in the OASP. Land use and facility changes will result in revisions to the benefit analysis and corresponding cost allocation to each land use. To the extent some projects in the OASP will have been developed and will have paid their fair share as defined at the time they were built, revisions will apply only to future new development. If facility costs are determined to be higher than estimated in the PFFP, the City will need to increase fees in future years and, if applicable, call on developers to fund the extra expenses through the provisions of an acquisition agreement.

As the City will adopt new ordinances or update existing ordinances on an ongoing basis, fees will be adjusted based on actual costs realized after construction bids have been received for public facilities. If actual costs are higher than expected, again, the City will have to increase fees and/or rely on the terms of an acquisition agreement to avoid a financing deficit in future years.

## *B. Action Items*

Prior to commencement of development in the Specific Plan, the City will need to adopt a fee ordinance or resolution implementing a Specific Plan fee program for each type of capital facility. The initial ordinance will reflect fees based on information available at that time. Fees will be adjusted annually or on a more frequent basis to reflect actual costs and current cost estimates.

Pursuant to Section 66006 of the Government Code, the City will establish a separate Specific Plan capital facility account and a unique fund for each type of public facility for which fees are collected. Establishment of this account will prevent commingling of the Specific Plan fees with other City revenues and funds. Interest income earned by fee revenues in this account will be

deposited in the account and applied to facility construction costs. Within one hundred eighty (180) days of the close of each fiscal year, the City will make information pertaining to the account [as required by Section 66006 (b)(1)] available to the public and will review this information at a regularly scheduled public hearing.

In order to maximize the efficiency of the capital improvements program, the City may borrow money from one fund within the Specific Plan account to pay for facilities financed by another fund within the account. This borrowing will occur when one type of facility is needed immediately, while another type is not needed for a number of years. The City will monitor such borrowing on an ongoing basis and will repay funds from which fee revenues were borrowed in a timely manner and in an amount equal to the original amount borrowed plus the interest that would have accrued had the money not been borrowed from the fund.

# APPENDIX A

# PUBLIC FACILITIES FINANCING PLAN TABLES

**Table 1**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Land Use and Demographic Assumptions**

| Land Use | Net Acres [1] | Units per Acre | Total Units [2] | Persons/ Household [3] | Total Population |
|---|---|---|---|---|---|
| Single Family | 87.4 | 6 | 523 | 2.46 | 1,287 |
| Multi-Family | 25.9 | 16 | 414 | 1.83 | 758 |
| Total | 113.3 | | 937 | | 2,044 |

[1] Net acres excludes the acreage of arterials, collectors, and major local roads. The net acreage includes mixed use residential.

[2] The projected number of units for the OASP is between 892 and 979 units. The mid-point of this range is used in this analysis.

[3] The population per household assumptions in the Specific Plan have been adjusted to reflect a weighted average of 2.18, which is consistent with the CA Department of Finance's estimate for the City of San Luis Obispo as of January 2007.

*Sources: Orcutt Area Specific Plan (Draft, June 2006); City of San Luis Obispo; CA Department of Finance; Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 2**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Summary of Project-Specific Infrastructure Costs**

| Item | Gross Total Cost | OASP Fair Share Percentage | Net Total Cost |
|---|---|---|---|
| **Transportation** | | | |
| *Street Improvements* | | | |
| Orcutt Road/Tank Farm Road | $927,978 | 100.0% | $927,978 |
| Broad Street/South St-Santa Barbara Road | $1,500,000 | 25.4% | $381,000 |
| Broad Street/Tank Farm Rd | $444,808 | 50.0% | $222,404 |
| Orcutt Road/Johnson Ave | $300,004 | 100.0% | $300,004 |
| Broad Street/Prado Road Extension Second Northbound Left Turn Lane | $135,905 | 100.0% | $135,905 |
| Orcutt Road Widening | $1,250,000 | 89.9% | $1,123,750 |
| Bullock Lane Realignment | $355,796 | 70.0% | $249,057 |
| Relocating Hanson Rd or Reducing the Grade on Orcutt at Hanson Rd | $50,000 | 100.0% | $50,000 |
| Transit Stops | $50,000 | 100.0% | $50,000 |
| Subtotal Street Improvements | $5,014,491 | | $3,440,098 |
| *Orcutt Expansion Area Bridges* | | | |
| Bridge A | $680,000 | 100.0% | $680,000 |
| Bridge B | $420,000 | 100.0% | $420,000 |
| Bridge C | $510,000 | 100.0% | $510,000 |
| Subtotal Orcutt Expansion Area Bridges | $1,610,000 | | $1,610,000 |
| **Total Transportation** | **$6,624,491** | | **$5,050,098** |
| **Pedestrian and Bicycle Paths** | | | |
| Pedestrian and Bicycle Paths | $648,200 | 100.0% | $648,200 |
| Pedestrian/Bike Overpass | $1,760,000 | 100.0% | $1,760,000 |
| Bike Path Extension Over Tank Farm Road | $495,109 | 50.0% | $247,555 |
| **Total Pedestrian and Bicycle Paths** | **$2,903,309** | | **$2,655,755** |
| **Parks & Recreation** | | | |
| Central Neighborhood Park - Main Portion South of Creeks | $3,628,000 | 100.0% | $3,628,000 |
| Central Neighborhood Park - Phase 2 Portions North of Creeks | $500,000 | 100.0% | $500,000 |
| Pocket Park | $220,000 | 100.0% | $220,000 |
| Linear Park System | $100,000 | 100.0% | $100,000 |
| **Total Parks & Recreation** | **$4,448,000** | | **$4,448,000** |
| Total **Project-Specific Infrastructure Costs** | **$13,975,800** | | **$12,153,853** |

*Sources: The Wallace Group; City of San Luis Obispo; Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 3**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Capital Facility Benefit Units**

| | Capital Facility: | Transportation [1] | Pedestrian and Bicycle Paths | Parks & Recreation |
|---|---|---|---|---|
| Land Use | Benefit Unit: | Daily Trip Rate | Daily Trip Rate | Residents Served |
| Single Family | | 9.09 per unit | 9.09 per unit | 2.46 per unit |
| Multi-Family | | 6.35 per unit | 6.35 per unit | 1.83 per unit |

[1] Includes street improvements and bridges.

*Sources: Draft Transportation Impact Analysis (Fehr & Peers, June 2007); Goodwin Consulting Group, Inc.*

*9/23/2009*

**Table 4**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Cost Allocation Table**

***Transportation***

| Land Use | | Units | Net Acres | Daily Trip Rate | Total Trips | Percent Allocation | Total Costs | Cost per Unit |
|---|---|---|---|---|---|---|---|---|
| **Cost** | **$5,050,098** | | | | | | | |
| | | | | *per Unit* | | | | |
| Single Family | | 523 | 87.4 | 9.09 | 4,754 | 64.39% | $3,251,878 | $6,218 |
| Multi-Family | | 414 | 25.9 | 6.35 | 2,629 | 35.61% | $1,798,220 | $4,344 |
| Total | | 937 | 113.3 | | 7,383 | 100.00% | $5,050,098 | |

*Source: Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 5**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Cost Allocation Table**

***Pedestrian and Bicycle Paths***

| Land Use | | Units | Net Acres | Daily Trip Rate | Total Trips | Percent Allocation | Total Costs | Cost per Unit |
|---|---|---|---|---|---|---|---|---|
| **Cost** | **$2,655,755** | | | | | | | |
| | | | | *per Unit* | | | | |
| Single Family | | 523 | 87.4 | 9.09 | 4,754 | 64.39% | $1,710,103 | $3,270 |
| Multi-Family | | 414 | 25.9 | 6.35 | 2,629 | 35.61% | $945,651 | $2,284 |
| Total | | 937 | 113.3 | | 7,383 | 100.00% | $2,655,755 | |

*Source: Goodwin Consulting Group, Inc.*

*9/23/2009*

**Table 6**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Cost Allocation Table**

***Parks & Recreation***

| Land Use | | Units | Net Acres | Residents Served | Total Residents Served | Percent Allocation | Total Costs | Cost per Unit |
|---|---|---|---|---|---|---|---|---|
| **Cost** | **$4,448,000** | | | | | | | |
| | | | | *per Unit* | | | | |
| Single Family | | 523 | 87.4 | 2.46 | 1,287 | 62.93% | $2,799,090 | $5,352 |
| Multi-Family | | 414 | 25.9 | 1.83 | 758 | 37.07% | $1,648,910 | $3,983 |
| Total | | 937 | 113.3 | | 2,044 | 100.00% | $4,448,000 | |

*Source: Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 7**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Project-Specific Infrastructure Cost Allocation Summary**

| Capital Facility: | Transportation | Pedestrian and Bicycle Paths | Parks & Recreation | Total Cost Allocation | Total Facility Costs |
|---|---|---|---|---|---|
| **Benefit Unit:** | **Daily Trip Rate** | **Daily Trip Rate** | **Residents Served** | | |
| **Capital Costs:** | $5,050,098 | $2,655,755 | $4,448,000 | | $12,153,853 |
| | *Cost per Unit* | | | ***per Unit*** | |
| Single Family | $6,218 | $3,270 | $5,352 | **$14,840** | **$7,761,072** |
| Multi-Family | $4,344 | $2,284 | $3,983 | **$10,611** | **$4,392,781** |
| **Total** | | | | | **$12,153,853** |

*Source: Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 8**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**City-Wide and Other Fees**

| | City-Wide Development Impact Fees | | | Other Fees | | |
|---|---|---|---|---|---|---|
| Land Use | Transportation Impact Fee [1] | Water Impact Fee | Wastewater Impact Fee [2] | Parkland In-Lieu Fee | Specific Plan and EIR Fee [3] | Total City-Wide and Other Fees |
| Single Family | $3,220 per unit | $15,919 per unit | $6,946 per unit | [4] per unit | $737 per unit | $26,822 per unit |
| Multi-Family | $2,858 per unit | $12,735 per unit | $5,557 per unit | [4] per unit | $276 per unit | $21,426 per unit |

[1] The transportation impact fee includes the project's fair share of the grade separated crossing on Orcutt.

[2] The wastewater impact fee includes a City-wide component plus an area-specific add-on fee for the OASP.

[3] Specific Plan and EIR preparation costs of $500,000 are spread equally on a per acre basis. Costs per residential unit are calculated based on the density assumptions shown in Table 1.

[4] OASP property owners have the option of paying this fee, providing parkland on their property, or combining the two for purposes of mitigating their parkland obligation. The parkland in-lieu fees for each property owner have been calculated by the City and are provided in Table 9.

*Sources: City of San Luis Obispo; Goodwin Consulting Group, Inc.*

*9/23/2009*

**Table 9**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Parkland In-Lieu Fee [1]**

| Property Owner | Total In-Lieu Fee | Property Acreage | Total In-Lieu Fee per Acre |
|---|---|---|---|
| Pratt | $1,040,000 | 10.96 | $94,891 |
| Jones | $440,000 | 11.63 | $37,833 |
| Midstate | $420,000 | 11.75 | $35,745 |
| Anderson | $480,000 | 5.35 | $89,720 |
| Evans | $480,000 | 5.62 | $85,409 |
| Farrior | $60,000 | 0.76 | $78,947 |
| Fiala | $30,000 | 0.95 | $31,579 |
| Hall | $60,000 | 1.13 | $53,097 |
| Imel | $120,000 | 6.55 | $18,321 |
| Maddalena | $540,000 | 6.66 | $81,081 |
| Muick | $570,000 | 11.98 | $47,579 |

[1] Refer to Appendix B in the report for supporting documentation.

*Sources: City of San Luis Obispo; Orcutt Area Specific Plan, Table A-2 (Draft, June 2006); Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 10**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Total Project-Specific Infrastructure plus City-Wide and Other Fees**

| Land Use | Project-Specific | City-Wide | Other Fees [1] | Total Gross Fees per Unit | Total Gross Fees per Net Acre | Total Costs and Fees |
|---|---|---|---|---|---|---|
| | *Cost per Unit* | | | | | |
| Single Family | $14,840 | $26,085 | $737 | $41,662 | $249,361 | $21,789,140 |
| Multi-Family | $10,611 | $21,150 | $276 | $32,037 | $511,700 | $13,263,268 |
| **Total** | | | | | | **$35,052,408** |

[1] Does not include the parkland in-lieu fees as shown in Table 9.

*Source: Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 11**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Annual Absorption Assumptions**

| | | Phase 1 | | | | | Phase 2 | | | Phase 3 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **Total** | **2009** | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Single Family | 523 | 55 | 55 | 41 | 42 | 42 | 77 | 53 | 51 | 37 | 36 | 34 |
| Multi-Family | 414 | 30 | 30 | 25 | 25 | 25 | 52 | 64 | 63 | 63 | 37 | 0 |
| **Total** | **937** | **85** | **85** | **66** | **67** | **67** | **129** | **117** | **114** | **100** | **73** | **34** |

*Sources: Orcutt Area Specific Plan (Draft, June 2006); City of San Luis Obispo Growth Management Phasing Schedule (General Plan Annual Report, 2006); City of San Luis Obispo; Goodwin Consulting Group, Inc.*

*9/23/2009*

**Table 12**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Cumulative Absorption Assumptions**

| | | Phase 1 | | | | | Phase 2 | | | Phase 3 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **Total** | **2009** | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Single Family | 523 | 55 | 110 | 151 | 193 | 235 | 312 | 365 | 416 | 453 | 489 | 523 |
| Multi-Family | 414 | 30 | 60 | 85 | 110 | 135 | 187 | 251 | 314 | 377 | 414 | 414 |
| **Total** | **937** | **85** | **170** | **236** | **303** | **370** | **499** | **616** | **730** | **830** | **903** | **937** |

*Sources: Orcutt Area Specific Plan (Draft, June 2006); City of San Luis Obispo Growth Management Phasing Schedule (General Plan Annual Report, 2006); City of San Luis Obispo; Goodwin Consulting Group, Inc.*

*9/23/2009*

**Table 13**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Phasing Assumptions for Facility Costs**

| Cost Category | Cost Phasing Assumptions |
|---|---|
| **Transportation** | |
| Orcutt Road/Tank Farm Road | Prior to 371 Units |
| Broad Street/South St-Santa Barbara Rd. | Prior to 304 Units |
| Broad Street/Tank Farm Rd | Prior to 304 Units |
| Orcutt Road/Johnson Ave | Prior to 617 Units |
| Broad Street/Prado Road Extension | As Fee Revenue Becomes Available [1] |
| Orcutt Road Widening | As Fee Revenue Becomes Available (Reimburse to Orcutt Associates, LLC) [1] |
| Bullock Lane Realignment | Prior to 500 Units |
| Relocating Hanson Rd | Prior to 731 Units |
| Transit Stops | One Stop per Year, Beginning in Year One |
| Bridge A | 100% in Year Two |
| Bridge B | 100% in Year Six |
| Bridge C | 100% in Year Three |
| **Pedestrian and Bicycle Paths** | |
| Pedestrian and Bicycle Paths | As Fee Revenue Becomes Available [1] |
| Pedestrian/Bike Overpass | Prior to 831 Units |
| Bike Path Extension Over Tank Farm Rd. | Prior to 500 Units |
| **Parks & Recreation** | 75% Spread Evenly Over Five Years, Beginning in Year Three; 25% Spread Evenly Over Two Years, Beginning in Year Eight |

[1] These infrastructure items and reimbursements are anticipated to occur in the three years of Phase 3 (see Table 14), in which the costs do not cause a cumulative net deficit to occur (see Table 15).

*Sources: City of San Luis Obispo; Goodwin Consulting Group, Inc.* *9/23/2009*

**Table 14**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Annual Facility Cost Phasing**

| Item | Total | Phase 1 | | | | | Phase 2 | | | Phase 3 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
| **Transportation** | | | | | | | | | | | | |
| Orcutt Road/Tank Farm Road | $927,978 | $0 | $0 | $0 | $0 | $927,978 | $0 | $0 | $0 | $0 | $0 | $0 |
| Broad Street/South St-Santa Barbara Rd. | $381,000 | $0 | $0 | $0 | $381,000 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| Broad Street/Tank Farm Rd | $222,404 | $0 | $0 | $0 | $222,404 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| Orcutt Road/Johnson Ave | $300,004 | $0 | $0 | $0 | $0 | $0 | $0 | $300,004 | $0 | $0 | $0 | $0 |
| Broad Street/Prado Road Extension | $135,905 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $135,905 | $0 |
| Orcutt Road Widening | $1,123,750 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $476,497 | $647,253 | $0 |
| Bullock Lane Realignment | $249,057 | $0 | $0 | $0 | $0 | $0 | $249,057 | $0 | $0 | $0 | $0 | $0 |
| Relocating Hanson Rd | $50,000 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $50,000 | $0 | $0 | $0 |
| Transit Stops | $50,000 | $10,000 | $10,000 | $10,000 | $10,000 | $10,000 | $0 | $0 | $0 | $0 | $0 | $0 |
| Bridge A | $680,000 | $0 | $680,000 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| Bridge B | $420,000 | $0 | $0 | $0 | $0 | $0 | $420,000 | $0 | $0 | $0 | $0 | $0 |
| Bridge C | $510,000 | $0 | $0 | $510,000 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| Subtotal Transportation Improvements | $5,050,098 | $10,000 | $690,000 | $520,000 | $613,404 | $937,978 | $669,057 | $300,004 | $50,000 | $476,497 | $783,158 | $0 |
| **Pedestrian and Bicycle Paths** | | | | | | | | | | | | |
| Pedestrian and Bicycle Paths | $648,200 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $648,200 |
| Pedestrian/Bike Overpass | $1,760,000 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $1,760,000 | $0 | $0 |
| Bike Path Extension Over Tank Farm Rd. | $247,555 | $0 | $0 | $0 | $0 | $0 | $247,555 | $0 | $0 | $0 | $0 | $0 |
| Subtotal Pedestrian and Bicycle Paths | $2,655,755 | $0 | $0 | $0 | $0 | $0 | $247,555 | $0 | $0 | $1,760,000 | $0 | $648,200 |
| **Parks & Recreation** | $4,448,000 | $0 | $0 | $667,200 | $667,200 | $667,200 | $667,200 | $667,200 | $556,000 | $556,000 | $0 | $0 |
| **Total Infrastructure Costs** | **$12,153,853** | **$10,000** | **$690,000** | **$1,187,200** | **$1,280,604** | **$1,606,178** | **$1,583,812** | **$967,204** | **$606,000** | **$2,792,497** | **$783,158** | **$648,200** |

*Sources: City of San Luis Obispo; Goodwin Consulting Group, Inc.*

*9/23/2009*

**Table 15**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Revenue vs Costs - Project-Specific Infrastructure**

| | | Phase 1 | | | | | Phase 2 | | | Phase 3 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Improvement | Total | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
| **Transportation** | | | | | | | | | | | | |
| Revenues | $5,050,098 | $472,282 | $472,282 | $363,516 | $369,733 | $389,733 | $704,629 | $607,526 | $590,747 | $503,699 | $384,549 | $211,403 |
| Costs | ($5,050,098) | ($10,000) | ($690,000) | ($520,000) | ($613,404) | ($937,978) | ($669,057) | ($300,004) | ($50,000) | ($476,497) | ($783,158) | $0 |
| Net | $0 | $462,282 | ($217,718) | ($156,484) | ($243,671) | ($568,245) | $35,572 | $307,522 | $540,747 | $27,202 | ($398,609) | $211,403 |
| Cumulative Net | | $462,282 | $244,563 | $88,079 | ($155,592) | ($723,837) | ($688,265) | ($380,743) | $160,004 | $187,206 | ($211,403) | $0 |
| **Pedestrian and Bicycle Paths** | | | | | | | | | | | | |
| Revenues | $2,655,755 | $248,364 | $248,364 | $191,166 | $194,436 | $194,436 | $370,552 | $319,487 | $310,663 | $264,886 | $202,227 | $111,173 |
| Costs | ($2,655,755) | $0 | $0 | $0 | $0 | $0 | ($247,555) | $0 | $0 | ($1,760,000) | $0 | ($648,200) |
| Net | $0 | $248,364 | $248,364 | $191,166 | $194,436 | $194,436 | $122,997 | $319,487 | $310,663 | ($1,495,114) | $202,227 | ($537,027) |
| Cumulative Net | | $248,364 | $496,728 | $687,895 | $882,331 | $1,076,767 | $1,199,764 | $1,519,251 | $1,829,914 | $334,800 | $537,027 | $0 |
| **Parks & Recreation** | | | | | | | | | | | | |
| Revenues | $4,448,000 | $413,846 | $413,846 | $319,003 | $324,355 | $324,355 | $619,213 | $538,559 | $523,873 | $448,945 | $340,038 | $181,968 |
| Costs | ($4,448,000) | $0 | $0 | ($667,200) | ($887,200) | ($667,200) | ($667,200) | ($867,200) | ($556,000) | ($558,000) | $0 | $0 |
| Net | $0 | $413,846 | $413,846 | ($348,197) | ($342,845) | ($342,845) | ($47,987) | ($128,641) | ($32,127) | ($107,055) | $340,038 | $181,968 |
| Cumulative Net | | $413,846 | $827,691 | $479,495 | $136,850 | ($206,195) | ($254,182) | ($382,823) | ($414,950) | ($522,006) | ($181,968) | $0 |
| **Total** | | | | | | | | | | | | |
| Revenues | $12,153,853 | $1,134,491 | $1,134,491 | $873,685 | $888,525 | $888,525 | $1,694,394 | $1,465,572 | $1,425,282 | $1,217,529 | $926,814 | $504,544 |
| Costs | ($12,153,853) | ($10,000) | ($690,000) | ($1,187,200) | ($1,280,604) | ($1,605,178) | ($1,583,812) | ($987,204) | ($606,000) | ($2,792,497) | ($783,158) | ($648,200) |
| Net | $0 | $1,124,491 | $444,491 | ($313,515) | ($392,079) | ($716,653) | $110,582 | $498,368 | $819,282 | ($1,574,988) | $143,656 | ($143,656) |
| Cumulative Net | | $1,124,491 | $1,568,983 | $1,255,468 | $883,388 | $146,735 | $257,317 | $755,685 | $1,574,968 | $0 | $143,656 | $0 |

*Source: Goodwin Consulting Group, Inc.*

*9/23/2009*

# APPENDIX B

# OASP FACILITY COST ESTIMATES

# SUMMARY

## ORCUTT AREA SPECIFIC PLAN
## PUBLIC IMPROVEMENT PROJECTS
## PRELIMINARY OPINION OF PROBABLE COST

| | | TOTAL COST | OASP FAIR SHARE PERCENTAGE | OASP COST |
|---|---|---|---|---|
| PROJECT 1 - ORCUTT RO/TANK FARM RD | | $928,000 | 100% | $928,000 |
| PROJECT 2 - BROAD ST / SOUTH ST-SANTA BARBARA RO IMPROVEMENTS<br>Cost provided by City of SLO per Conversation over phone with Tim Bochum on 8/24/07. | | $1,500,000 | 25.40% | $381,000 |
| PROJECT 3 - BROAD ST / TANK FARM RO SECOND SOUTHBOUND LEFT TURN LANE AND A SECOND NORTHBOUND LEFT TURN LANE | | $445,000 | 50.00% | $222,500 |
| PROJECT 4 - ORCUTT RD/JOHNSON AVE | | $300,000 | 100% | $300,000 |
| PROJECT 5 - BROAD ST / PRADO RD EXTENSION SECOND NORTHBOUND LEFT TURN LANE | | $136,000 | 100% | $136,000 |
| PROJECT 6 - PEDESTRIAN AND BICYCLE PATHS | | $649,000 | 100% | $649,000 |
| PROJECT 7 - TANK FARM ROAD WIDENING | CITY STAFF DISCUSSION TO DETERMINE FAIR SHARE | | 100% | $0 |
| PROJECT 8 - ORCUTT ROAD WIDENING<br>BROAD TO LAUREL - DEVELOPER'S SIDE + 12 FT.<br>Cost provided by City of SLO per Conversation over phone with Tim Bochum on 8/24/07. | | $1,250,000 | 89.90% | $1,123,750 |
| PROJECT 9 - ORCUTT RD WIDENING<br>JOHNSON TO TANK FARM - DEVELOPER'S SIDE + 12 FT. | COST BORN BY OASP OWNERS | | 100% | $0 |
| PROJECT 10 - ORCUTT RD WIDENING<br>LAUREL TO FERNWOOD - DEVELOPER'S SIDE + 12 FT. | COST BORN BY OASP OWNERS | | 100% | $0 |
| PROJECT 11 - ORCUTT RD WIDENING<br>FERNWOOD TO JOHNSON - DEVELOPER'S SIDE + 12 FT. | COST BORN BY OASP OWNERS | | 100% | $0 |
| PROJECT 12 - GRADE SEPARATED CROSSING ON ORCUTT<br>Cost provided by City of SLO | CITY OF SLO TO PROVIDE | $12,000,000 | 45% | $5,400,000 |
| PROJECT 13 - PEDESTRIAN / BIKE OVERPASS | | $3,850,000 | 100% | $3,850,000 |
| PROJECT 14 - BULLOCK LANE REALIGNMENT (400 lf) | | $356,000 | 70% | $249,200 |
| PROJECT 15 - RELOCATING HANSON RD OR REDUCING THE GRADE ON ORCUTT AT HANSON RD | | $50,000 | 100% | $50,000 |
| PROJECT 16 - BIKE PATH EXTENSION OVER TANK FARM ROAD | | $437,000 | 50.00% | $218,500 |
| **TOTAL CONSTRUCTION ESTIMATE** | | **$21,901,013** | | $13,507,950 |

# PROJECT 1

**ORCUTT AREA SPECIFIC PLAN**
**PUBLIC IMPROVEMENT PROJECTS - *ORCUTT RD/TANK FARM RD***
**PRELIMINARY OPINION OF PROBABLE COST**

| | UNIT COST | QUANTITY PROJECT 1 | UNITS | ESTIMATE PROJECT 1 |
|---|---|---|---|---|
| **MOBILIZATION/DEMOLITION** | | | | |
| **SITE PREPARATION:** | | | | |
| Sawcut & remove portion of existing pavement | $5.00 | 2250.00 | LF | $11,250 |
| Grind existing pavement markings | $1.50 | 800.00 | LF | $1,200 |
| | | | **SUBTOTAL** | $12,450 |
| **EARTHWORK:** | | | | |
| Roadway Ex | $82.00 | 1314.00 | CY | $107,748 |
| Assumed depth is the structural section of 6.5" AC, 11" Cl II Base, 12" Cl III Base per City of SLO Std.7110 - Unphased New Collector / Arterial | | | | |
| | | | **SUBTOTAL** | $107,748 |
| **HARDSCAPE** | | | | |
| **ROAD:** | | | | |
| Asphalt Concrete Type B (Assume 6.5 in) | $90.00 | 555.00 | TON | $49,950 |
| Class II Aggregate Base (Assume 11 in) | $27.00 | 953.00 | TON | $25,731 |
| Class III Aggregate Base (Assume 12 in) | $25.00 | 1039.00 | TON | $25,975 |
| Type A AC Dike | $0.95 | 1250.00 | LF | $1,188 |
| | | | **SUBTOTAL** | $102,844 |
| **TRAFFIC MARKINGS:** | | | | |
| Standard Street Sign per SLO Co. Std. Dwg M-6 (With Stop Sign) | $400.00 | 1.00 | EA | $400 |
| Paint Traffic Markings - Type I (3.05m) Arrow per CalTrans Std A24A | $350.00 | 3.00 | EA | $1,050 |
| Paint Traffic Markings - 12" White Limit Line per CalTrans Std. A24E | $150.00 | 4.00 | EA | $600 |
| Paint Marking Words - 'STOP' per CalTrans Std. Plan A24D | $350.00 | 6.00 | EA | $2,100 |
| Paint Stripe - 4" White Edge Line | $3.00 | 1120.00 | LF | $3,360 |
| Signal Arm & Head - Includes footing, Control Box and Signal Loops | $62,500.00 | 4.00 | EA | $250,000 |
| | | | **SUBTOTAL** | $257,510 |
| **MISCELLANEOUS:** | | | | |
| Erosion Control - Type D (Hydroseeding) | $0.09 | 24000.00 | SF | $2,160 |
| Remove PG&E poles | $6,000.00 | 4.00 | EA | $24,000 |
| Relocate PG&E Vault | $4,000.00 | 1.00 | EA | $4,000 |
| Relocate Street Light | $1,800.00 | 1.00 | EA | $1,800 |
| Underground Dry Utilities | $110.00 | 940.00 | LF | $144,198 |
| | | | **SUBTOTAL** | $176,158 |
| **UNDERGROUND** | | | | |
| **STORM DRAIN:** | | | | |
| Culvert Extension (1 @ 30 lf) | $40.00 | 30.00 | LF | $1,200 |
| Headwall | $2,100.00 | 1.00 | EA | $2,100 |
| Overside drains | $1,200.00 | 2.00 | EA | $2,400 |
| Rip Rap outfalls (Assume 4' x 6' x 1') | $18.00 | 24.00 | SF | $432 |
| | | | **SUBTOTAL** | $6,132 |

| | |
|---|---|
| **CONSTRUCTION ESTIMATE** | **$662,842** |
| 10% CONTINGENCY | $66,284 |
| 30% DESIGN, ENVIRONMENTAL, PERMITTING | $198,852 |
| **TOTAL CONSTRUCTION ESTIMATE** | **$927,978** |

NOTE:
1. THIS ESTIMATE WAS PREPARED WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
2. THIS PRELIMINARY OPINION OF PROBABLE COSTS IS NOT TO BE CONSTRUED AS A GUARANTEE FOR COSTS. WALLACE GROUP HAS NO CONTROL OVER THE COSTS OF LABOR, MATERIALS, EQUIPMENT, FUTURE MARKET CONDITIONS OR CONTRACTOR'S BIDDING METHODS. THE ACTUAL COST OF CONSTRUCTION MAY VARY FROM THE ESTIMATES AND/OR THE PROJECT BUDGET.
3. LAND ACQUISITION, R.O.W. OR LEGAL COSTS NOT INCLUDED.
4. UNIT PRICING INCLUDES TRAFFIC CONTROL / FLAGGING COSTS.

# PROJECT 3

**ORCUTT AREA SPECIFIC PLAN**
**PUBLIC IMPROVEMENT PROJECTS - *BROAD ST/TANK FARM RD***
**PRELIMINARY OPINION OF PROBABLE COST**

| | | QUANTITY | UNITS | ESTIMATE |
|---|---|---|---|---|
| | UNIT COST | PROJECT 3 | | PROJECT 3 |
| **MOBILIZATION/DEMOLITION** | | | | |
| **SITE PREPARATION:** | | | | |
| 1 Sawcut & remove portion of existing pavement | $5.00 | 1080.00 | LF | $5,400 |
| 2 Grind existing pavement markings | $1.50 | 1080.00 | LF | $1,620 |
| 3 Demo existing 5' sidewalk | $4.00 | 3000.00 | SF | $12,000 |
| 4 Demo existing curb and gutter | $10.00 | 800.00 | LF | $8,000 |
| | | | **SUBTOTAL** | $27,020 |
| **EARTHWORK:** | | | | |
| 5 Roadway Ex | $82.00 | 1180.00 | CY | $96,760 |
| Assumed depth is the structural section of 6.5" AC, 11" Cl II Base, 12" Cl III Base per City of SLO Std.7110 - Unphased New Collector / Arterial | | | | |
| | | | **SUBTOTAL** | $96,760 |
| **HARDSCAPE** | | | | |
| **ROAD:** | | | | |
| 6 Asphalt Concrete Type B (Assume 6.5 in) | $90.00 | 500.00 | TON | $45,000 |
| 7 Class II Aggregate Base (Assume 11 in) | $27.00 | 855.00 | TON | $23,085 |
| 8 Class III Aggregate Base (Assume 12 in) | $25.00 | 935.00 | TON | $23,375 |
| 9 6-in Curb/18-in Gutter per SLO Co. Std. Dwg. C-1 (Type A) | $18.50 | 1080.00 | LF | $19,980 |
| 10 5' Sidewalk | $5.00 | 5400.00 | SF | $27,000 |
| | | | **SUBTOTAL** | $138,440 |
| **TRAFFIC MARKINGS:** | | | | |
| 11 Paint Traffic Markings - Type I (3.05m) Arrow per CalTrans Std A24A | $350.00 | 8.00 | EA | $2,800 |
| 12 Paint Traffic Markings - 12" White Limit Line per CalTrans Std. A24E | $150.00 | 4.00 | EA | $600 |
| 13 Paint Stripe - 3" Double Yellow Left Edge Line per CalTrans Std. A20B (Detail 27) | $3.00 | 540.00 | LF | $1,620 |
| 14 Paint Stripe - 3" White Lane Line | $3.00 | 2160.00 | LF | $6,480 |
| | | | **SUBTOTAL** | $11,500 |
| **MISCELLANEOUS:** | | | | |
| 16 Utility Pole Relocation | $9,000.00 | 4.00 | EA | $36,000 |
| 17 Signalization Modification | $15,000.00 | 1.00 | LS | $15,000 |
| | | | **SUBTOTAL** | $44,000 |
| | | | **CONSTRUCTION ESTIMATE** | **$317,720** |
| | | | 10% CONTINGENCY | $31,772 |
| | | | 30% DESIGN, ENVIRONMENTAL, PERMITTING | $95,316 |
| | | | **TOTAL CONSTRUCTION ESTIMATE** | **$444,808** |

1. THIS ESTIMATE WAS PREPARED WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
2. THIS PRELIMINARY OPINION OF PROBABLE COSTS IS NOT TO BE CONSTRUED AS A GUARANTEE FOR COSTS. WALLACE GROUP HAS NO CONTROL OVER THE COSTS OF LABOR, MATERIALS, EQUIPMENT, FUTURE MARKET CONDITIONS OR CONTRACTOR'S BIDDING METHODS. THE ACTUAL COST OF CONSTRUCTION MAY VARY FROM THE ESTIMATES AND/OR THE PROJECT BUDGET.
3. LAND ACQUISITION, R.O.W. OR LEGAL COSTS NOT INCLUDED.
4. UNIT PRICING INCLUDES TRAFFIC CONTROL / FLAGGING COSTS.

# PROJECT 4

**ORCUTT AREA SPECIFIC PLAN**
**PUBLIC IMPROVEMENT PROJECTS - *ORCUTT RD/JOHNSON AVE***
**PRELIMINARY OPINION OF PROBABLE COST**

| | UNIT COST | QUANTITY PROJECT 4 | UNITS | ESTIMATE PROJECT 4 |
|---|---|---|---|---|
| **MOBILIZATION/DEMOLITION** | | | | |
| **SITE PREPARATION:** | | | | |
| Sawcut | $2.00 | 450.00 | LF | $900 |
| Grind out existing AC pavement (Assume 4" thick) | $2.00 | 11310.00 | SF | $22,620 |
| Dispose existing AC pavement | $50.00 | 140.00 | CY | $7,000 |
| | | | **SUBTOTAL** | $30,520 |
| **EARTHWORK:** | | | | |
| Roadway Ex | $82.00 | 1030.00 | CY | $84,460 |
| Assumed depth is the structural section of 6.5" AC, 11" Cl II Base, 12" Cl III Base | | | | |
| per City of SLO Std.7110 - Unphased New Collector / Arterial | | | | |
| | | | **SUBTOTAL** | $84,460 |
| **HARDSCAPE** | | | | |
| **ROAD:** | | | | |
| Asphalt Concrete Type B (Assume 6.5 in) | $90.00 | 279.00 | TON | $25,110 |
| Class II Aggregate Base (Assume 11 in) | $27.00 | 478.00 | TON | $12,906 |
| Class III Subbase (Assume 12 in) | $25.00 | 521.00 | TON | $13,025 |
| Concrete Apron (8' wide x 6" thick) | $7.50 | 1609.00 | SF | $12,068 |
| Pavers | $10.00 | 2465.00 | SF | $24,650 |
| | | | **SUBTOTAL** | $87,759 |
| **TRAFFIC MARKINGS:** | | | | |
| "One Way" Sign per CalTrans R10 | $400.00 | 3.00 | EA | $1,200 |
| "Yield" Sign per CalTrans R1-2 | $400.00 | 3.00 | EA | $1,200 |
| Roundabout Warning Sign | $400.00 | 3.00 | EA | $1,200 |
| Paint Traffic Markings - Type I (3.05m) Arrow per CalTrans Std A24A | $350.00 | 3.00 | EA | $1,050 |
| Paint Traffic Markings - 12" White Limit Line per CalTrans Std. A24E | $150.00 | 3.00 | EA | $450 |
| Paint Marking Words - 'YIELD' per CalTrans Std. Plan A24D | $350.00 | 3.00 | EA | $1,050 |
| Paint Traffic Markings - 8" White Channelizing Line per CalTrans Std. A20D | $5.00 | 900.00 | LF | $4,500 |
| Paint Stripe - 3" Double Yellow Left Edge Line per CalTrans Std. A20B (Detail 27) | $3.00 | 300.00 | LF | $900 |
| | | | **SUBTOTAL** | $11,550 |

| | |
|---|---|
| **CONSTRUCTION ESTIMATE** | **$214,289** |
| 10% CONTINGENCY | $21,429 |
| 30% DESIGN, ENVIRONMENTAL, PERMITTING | $64,287 |
| **TOTAL CONSTRUCTION ESTIMATE** | **$300,004** |

1. THIS ESTIMATE WAS PREPAREO WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
2. THIS PRELIMINARY OPINION OF PROBABLE COSTS IS NOT TO BE CONSTRUED AS A GUARANTEE FOR COSTS. WALLACE GROUP HAS NO CONTROL OVER THE COSTS OF LABOR, MATERIALS, EQUIPMENT, FUTURE MARKET CONDITIONS OR CONTRACTOR'S BIDDING METHODS. THE ACTUAL COST OF CONSTRUCTION MAY VARY FROM THE ESTIMATES AND/OR THE PROJECT BUDGET.
3. LAND ACQUISITION, R.O.W. OR LEGAL COSTS NOT INCLUDED.
4. UNIT PRICING INCLUDES TRAFFIC CONTROL / FLAGGING COSTS.

# PROJECT 5

**ORCUTT AREA SPECIFIC PLAN**
**PUBLIC IMPROVEMENT PROJECTS - *BROAD ST/PRADO RD 2ND NORTHBOUND LEFT TURN LANE***
**PRELIMINARY OPINION OF PROBABLE COST**

| | UNIT COST | QUANTITY PROJECT 5 | UNITS | ESTIMATE PROJECT 5 |
|---|---|---|---|---|
| **MOBILIZATION/DEMOLITION** | | | | |
| **SITE PREPARATION:** | | | | |
| Sawcut & remove portion of existing pavement | $5.00 | 400.00 | LF | $2,000 |
| Grind existing pavement markings | $1.50 | 400.00 | LF | $600 |
| Demo existing 5' sidewalk | $4.00 | 2000.00 | SF | $8,000 |
| Demo existing curb and gutter | $10.00 | 400.00 | LF | $4,000 |
| | | | **SUBTOTAL** | $14,600 |
| **EARTHWORK:** | | | | |
| Roadway Ex | $82.00 | 225.00 | CY | $18,450 |
| Assumed depth is the structural section of 6.5" AC, 11" Cl II Base, 12" Cl III Base per City of SLO Std.7110 - Unphased New Collector / Arterial | | | | |
| | | | **SUBTOTAL** | $18,450 |
| **HARDSCAPE** | | | | |
| **ROAD:** | | | | |
| Asphalt Concrete Type B (Assume 6.5 in) | $90.00 | 100.00 | TON | $9,000 |
| Class II Aggregate Base (Assume 11 in) | $27.00 | 175.00 | TON | $4,725 |
| Class III Aggregate Base (Assume 12 in) | $25.00 | 200.00 | TON | $5,000 |
| 6-in Curb/18-in Gutter per SLO Co. Std. Dwg. C-1 (Type A) | $18.50 | 400.00 | LF | $7,400 |
| 5' Sidewalk | $5.00 | 2000.00 | SF | $10,000 |
| | | | **SUBTOTAL** | $36,125 |
| **TRAFFIC MARKINGS:** | | | | |
| Paint Traffic Markings - Type I (3.05m) Arrow per CalTrans Std A24A | $350.00 | 4.00 | EA | $1,400 |
| Paint Traffic Markings - 12" White Limit Line per CalTrans Std. A24E | $150.00 | 2.00 | EA | $300 |
| Paint Stripe - 3" Double Yellow Left Edge Line per CalTrans Std. A20B (Detail 27) | $3.00 | 400.00 | LF | $1,200 |
| Paint Stripe - 3" Yellow Center Line | $3.00 | 200.00 | LF | $600 |
| Paint Stripe - 3" Solid White Lane Line | $3.00 | 800.00 | LF | $2,400 |
| | | | **SUBTOTAL** | $5,900 |
| **MISCELLANEOUS:** | | | | |
| Utility Pole Relocation | $9,000.00 | 2.00 | EA | $18,000 |
| Signalization Modification | $15,000.00 | 1.00 | LS | $4,000 |
| | | | **SUBTOTAL** | $22,000 |

| | |
|---|---|
| **CONSTRUCTION ESTIMATE** | **$97,075** |
| 10% CONTINGENCY | $9,708 |
| 30% DESIGN, ENVIRONMENTAL, PERMITTING | $29,123 |
| **TOTAL CONSTRUCTION ESTIMATE** | **$135,905** |

NOTE:
1. THIS ESTIMATE WAS PREPARED WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
2. THIS PRELIMINARY OPINION OF PROBABLE COSTS IS NOT TO BE CONSTRUED AS A GUARANTEE FOR COSTS. WALLACE GROUP HAS NO CONTROL OVER THE COSTS OF LABOR, MATERIALS, EQUIPMENT, FUTURE MARKET CONDITIONS OR CONTRACTOR'S BIDDING METHODS. THE ACTUAL COST OF CONSTRUCTION MAY VARY FROM THE ESTIMATES AND/OR THE PROJECT BUDGET.
3. LAND ACQUISITION, R.O.W. OR LEGAL COSTS NOT INCLUDED.
4. UNIT PRICING INCLUDES TRAFFIC CONTROL / FLAGGING COSTS.

# PROJECT 6

**ORCUTT AREA SPECIFIC PLAN**
**PUBLIC IMPROVEMENT PROJECTS - *PEDESTRIAN AND BICYCLE PATHS***
**PRELIMINARY OPINION OF PROBABLE COST**

| | UNIT COST | QUANTITY PROJECT 6 | UNITS | ESTIMATE PROJECT 6 |
|---|---|---|---|---|
| **EARTHWORK:** | | | | |
| Roadway Ex | $82.00 | 2965.00 | CY | $243,130 |
| Assume 2' DG shoulder, 12' AC Ped/Bike Path, 2' DG shoulder | | | | |
| | | | **SUBTOTAL** | $243,130 |
| **HARDSCAPE** | | | | |
| **ROAD:** | | | | |
| Asphalt Concrete Type B (Assume 3" thick) | $90.00 | 1065.00 | TON | $95,850 |
| Class II Aggregate Base (Assume 8" thick) | $27.00 | 720.00 | TON | $19,440 |
| DG Shoulder (Assume 6" thick) | $25.00 | 2880.00 | TON | $72,000 |
| | | | | |
| | | | **SUBTOTAL** | $187,290 |
| **MISCELLANEOUS:** | | | | |
| Erosion Control - Type D (Hydroseeding) | $0.09 | 40000.00 | SF | $3,600 |
| Paint Stripe - 3" Solid Yellow Center Line | $2.00 | 10000.00 | LF | $20,000 |
| Yield Symbols | $100.00 | 20.00 | EA | $2,000 |
| Misc Signage | $250.00 | 10.00 | EA | $2,500 |
| 24" CMP Culvert (4 @ 28 lf each) | $40.00 | 112.00 | LF | $4,480 |
| | | | | |
| | | | **SUBTOTAL** | $32,580 |

| | |
|---|---|
| **CONSTRUCTION ESTIMATE** | **$463,000** |
| 10% CONTINGENCY | $46,300 |
| 30% DESIGN, ENVIRONMENTAL, PERMITTING | $138,900 |
| **TOTAL CONSTRUCTION ESTIMATE** | **$648,200** |

NOTE:
1. THIS ESTIMATE WAS PREPARED WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
2. THIS PRELIMINARY OPINION OF PROBABLE COSTS IS NOT TO BE CONSTRUED AS A GUARANTEE FOR COSTS. WALLACE GROUP HAS NO CONTROL OVER THE COSTS OF LABOR, MATERIALS, EQUIPMENT, FUTURE MARKET CONDITIONS OR CONTRACTOR'S BIDDING METHODS. THE ACTUAL COST OF CONSTRUCTION MAY VARY FROM THE ESTIMATES AND/OR THE PROJECT BUDGET.

DOKKEN ENGINEERING
www.dokkenengineering.com

# *SAN LUIS OBISPO BICYCLE BRIDGE OVER UPR*

## PLANNING STUDY OPTION COST COMPARISON

**Constants:** Costs:

| | |
|---|---|
| Approach = | $20 /ft$^2$ |
| Ramp Structure = | $130 /ft$^2$ |
| Bridge Structure = | $200 /ft$^2$ |

Width: 10 ft

| LOCATION OPTION | West Approach length, ft | West Approach cost | West Ramp length, ft | West Ramp cost | Bridge Structure length, ft | Bridge Structure cost | East Ramp length, ft | East Ramp cost | East Approach length, ft | East Approach cost | STRUCTURE/ RAMP COST |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Industrial Way** | 180 | $ 36,000 | 220 | $ 286,000 | 200 | $ 400,000 | 300 | $ 390,000 | 300 | $ 60,000 | $ 1,200,000 |
| ***Reference estimates:*** | | | | | | | | | | | |
| **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/Environ-mental/Permitting | $300,000 |
| Construction Management | $100,000 |
| Contingency 10% | $160,000 |
| **Total** | **$1,760,000** |

# PROJECT 14

**ORCUTT AREA SPECIFIC PLAN**
**PUBLIC IMPROVEMENT PROJECTS - *BULLOCK LANE REALIGNMENT (300 lf)***
**PRELIMINARY OPINION OF PROBABLE COST**

| | UNIT COST | QUANTITY PROJECT 14 | UNITS | ESTIMATE PROJECT 14 |
|---|---|---|---|---|
| **SITE PREPARATION:** | | | | |
| 1 Sawcut & remove portion of existing pavement | $2.00 | 50.00 | LF | $100 |
| 2 Grind existing pavement markings | $1.50 | 6000.00 | LF | $9,000 |
| | | | **SUBTOTAL** | $9,100 |
| **EARTHWORK:** | | | | |
| Roadway Ex | $82.00 | 1385.00 | CY | $113,570 |
| Assumed depth is the structural section of 6.5" AC, 11" Cl II Base, 12" Cl III Base per City of SLO Std.7110 - Unphased New Collector / Arterial | | | **SUBTOTAL** | $113,570 |
| **ROAD:** | | | | |
| Asphalt Concrete Type B (Assume 6.5 in) | $90.00 | 554.00 | TON | $49,860 |
| Class II Aggregate Base (Assume 11 in) | $27.00 | 950.00 | TON | $25,650 |
| Class III Aggregate Base (Assume 12 in) | $25.00 | 1036.00 | TON | $25,900 |
| 18" C&G | $18.50 | 600.00 | LF | $11,100 |
| 5' Sidewalk | $5.00 | 3000.00 | SF | $15,000 |
| | | | **SUBTOTAL** | $127,510 |
| **TRAFFIC MARKINGS:** | | | | |
| Standard Street Sign per SLO Co. Std. Dwg M-6 (With Stop Sign) | $400.00 | 1.00 | EA | $400 |
| Paint Traffic Markings - 12" White Limit Line per CalTrans Std. A24E | $150.00 | 1.00 | EA | $150 |
| Paint Marking Words - 'STOP' per CalTrans Std. Plan A24D | $350.00 | 1.00 | EA | $350 |
| Paint Stripe - 3" Yellow Center Line | $3.00 | 300.00 | LF | $900 |
| Paint Stripe - 4" White Edge Line | $3.00 | 600.00 | LF | $1,800 |
| | | | **SUBTOTAL** | $3,600 |
| **MISCELLANEOUS:** | | | | |
| Erosion Control - Type D (Hydroseeding) | $0.09 | 4000.00 | SF | $360 |
| | | | **SUBTOTAL** | $360 |

| | |
|---|---|
| **CONSTRUCTION ESTIMATE** | **$254,140** |
| 10% CONTINGENCY | $25,414 |
| 30% DESIGN, ENVIRONMENTAL, PERMITTING | $76,242 |
| **TOTAL CONSTRUCTION ESTIMATE** | **$355,796** |

NOTE:
1. THIS ESTIMATE WAS PREPARED WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
2. THIS PRELIMINARY OPINION OF PROBABLE COSTS IS NOT TO BE CONSTRUED AS A GUARANTEE FOR COSTS. WALLACE GROUP HAS NO CONTROL OVER THE COSTS OF LABOR, MATERIALS, EQUIPMENT, FUTURE MARKET CONDITIONS OR CONTRACTOR'S BIDDING METHODS. THE ACTUAL COST OF CONSTRUCTION MAY VARY FROM THE ESTIMATES AND/OR THE PROJECT BUDGET.
3. LAND ACQUISITION, R.O.W. OR LEGAL COSTS NOT INCLUDED.
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# PROJECT 15

## ORCUTT AREA SPECIFIC PLAN
## PUBLIC IMPROVEMENT PROJECTS - *REDUCING GRADE ON ORCUTT & HANSON*
## PRELIMINARY OPINION OF PROBABLE COST

| | UNIT COST | QUANTITY PROJECT 15 | UNITS | ESTIMATE PROJECT 15 |
|---|---|---|---|---|
| **MOBILIZATION/DEMOLITION** | | | | |
| **EARTHWORK:** | | | | |
| Grind out existing AC pavement (Assume 4" thick) | $2.00 | 36500.00 | SF | $73,000 |
| Dispose existing AC pavement | $25.00 | 470.00 | CY | $11,750 |
| Export excess soils (Assume lowering roadway 4' avg.) | $20.00 | 5410.00 | CY | $108,200 |
| Fine Grade Subgrade | $0.15 | 51875.00 | SF | $7,781 |
| | | | **SUBTOTAL** | $200,731 |
| **HARDSCAPE** | | | | |
| **ROAD:** | | | | |
| Asphalt Concrete Type B (Assume 6.5 in) | $90.00 | 1995.00 | TON | $179,550 |
| Class II Aggregate Base | $27.00 | 3425.00 | TON | $92,475 |
| Class III Aggregate Base (Assume 12 in) | $25.00 | 3735.00 | TON | $93,375 |
| (Assumed structural section of 6.5" AC, 11" Cl II Base, 12" Cl III Base | | | | |
| per City of SLO Std.7110 - Unphased New Collector / Arterial) | | | | |
| | | | **SUBTOTAL** | $365,400 |
| **TRAFFIC MARKINGS:** | | | | |
| Paint Traffic Markings - 12" White Limit Line per CalTrans Std. A24E | $150.00 | 1.00 | EA | $150 |
| Paint Marking Words - 'STOP' per CalTrans Std. Plan A24D | $350.00 | 1.00 | EA | $350 |
| Paint Traffic Markings - Type I (3.05m) Arrow per CalTrans Std A24A | $350.00 | 1.00 | EA | $350 |
| Paint Stripe - 3" Yellow Center Line | $3.00 | 750.00 | LF | $2,250 |
| Paint Stripe - 4" Solid White Lane Line | $3.00 | 1500.00 | LF | $4,500 |
| Paint Stripe - 3" Yellow | $3.00 | 1600.00 | LF | $4,800 |
| Relocate stop sign | $150.00 | 1.00 | EA | $150 |
| | | | **SUBTOTAL** | $12,550 |
| **MISCELLANEOUS:** | | | | |
| Standard Street Sign per SLO Co. Std. Dwg M-6 (With Stop Sign) | $400.00 | 1.00 | EA | $400 |
| Utility Pole Relocation (3 on Hansen Rd & 1 on Orcutt Rd) | $9,000.00 | 4.00 | EA | $36,000 |
| Erosion Control - Type D (Hydroseeding) | $0.09 | 12000.00 | SF | $1,080 |
| | | | **SUBTOTAL** | $37,480 |

| | |
|---|---|
| **CONSTRUCTION ESTIMATE** | **$616,161** |
| 10% CONTINGENCY | $61,616 |
| 30% DESIGN, ENVIRONMENTAL, PERMITTING | $184,848 |
| **TOTAL CONSTRUCTION ESTIMATE** | **$862,626** |

NOTE:

1. THIS ESTIMATE WAS PREPARED WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
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# PROJECT 16

**ORCUTT AREA SPECIFIC PLAN**
**PUBLIC IMPROVEMENT PROJECTS - *PEDESTRIAN / BIKE OVERPASS AT TANK FARM RD.***
**PRELIMINARY OPINION OF PROBABLE COST**

| | | QUANTITY | | ESTIMATE |
|---|---|---|---|---|
| | UNIT COST | PROJECT 16 | UNITS | PROJECT 16 |
| **BRIDGE DESCRIPTION** | | | | |
| 170' x 10' Pedestrian / Bike bridge adjacent to the railroad bridge on Tank Farm Road. Estimate includes construction of abutments / foundations and cast in place reinforced concrete deck. The bridge will have weathered steel finish and use "H" section diagonal trusses. | $300,000.00 | 1.00 | LS | $300,000 |
| | | | **SUBTOTAL** | $300,000 |
| **EARTHWORK:** | | | | |
| Import Fill Material | $60.00 | 540.00 | CY | $32,400 |
| Roadway Ex | $82.00 | 142.00 | CY | $11,644 |
| Assume 2' DG shoulder, 12' AC Ped/Bike Path, 2' DG shoulder | | | | |
| | | | **SUBTOTAL** | $11,644 |
| **HARDSCAPE** | | | | |
| **ROAD:** | | | | |
| Asphalt Concrete Type B (Assume 3" thick) | $90.00 | 55.00 | TON | $4,950 |
| Class II Aggregate Base (Assume 8" thick) | $27.00 | 140.00 | TON | $3,780 |
| DG Shoulder (Assume 6" thick) | $25.00 | 35.00 | TON | $875 |
| | | | **SUBTOTAL** | $9,605 |

| | |
|---|---|
| **CONSTRUCTION ESTIMATE** | **$311,644** |
| 10% CONTINGENCY | $31,164 |
| 30% DESIGN, ENVIRONMENTAL, PERMITTING | $93,493 |
| **TOTAL CONSTRUCTION ESTIMATE** | **$436,302** |

NOTE:
1. THIS ESTIMATE WAS PREPARED WITHOUT THE BENEFIT OF COMPLETE GRADING AND IMPROVEMENT PLANS.
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3. LAND ACQUISITION, R.O.W. OR LEGAL COSTS NOT INCLUDED.
4. UNIT PRICING INCLUDES TRAFFIC CONTROL / FLAGGING COSTS.

# MEMORANDUM

WALLACE GROUP

CIVIL ENGINEERING
CONSTRUCTION MANAGEMENT
LANDSCAPE ARCHITECTURE
MECHANICAL ENGINEERING
PLANNING
PUBLIC WORKS ADMINISTRATION
SURVEYING / GIS SOLUTIONS
WATER RESOURCES
WALLACE SWANSON INTERNATIONAL

TO: Brad Brechwald

FROM: Tony Hopkins

DATE: May 15, 2007

SUBJ: Orcutt Expansion Area Bridge Cost Estimate

Per our conversation, here are reasonable estimates based upon the spans and widths of these bridges as shown in the draft Specific Plan Documents.

Orcutt Expansion Area Bridges:

Bridge A
75' L x 27' W = 2025 sf @ $335.00/sf = $678,375.00 (Use $680k)

Bridge B
52' L x 24' W = 1248 sf @ $335.00/sf = $418,080.00 (Use 420k)

Bridge C
58' L x 26' W = 1508 sf @ $335.00/sf = $505,180.00 (Use 510k)

Note: these cost breakdowns are based upon the following research:

1. Bridge over Cayucos Creek on Picachio Rd.
   65' L x 25' W = 1,625 sf.
   Avg. Bid = $1,234,477.20

   Therefore, the average square foot price = $760.00
   Please note that this bridge has a lot of bells and whistles such as sheet piling in the creek bed and preformed, pre-stressed panels for the decking in lieu of cast in place decking.

2. Per Dave Carter of Applied Engineering, the average square foot price is $250.00

Using the a weighted average [5($250) + 1($760)] / 6, the cost per square foot is estimated at $335.00

WALLACE GROUP
A California Corporation

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Attachment 2

EXHIBIT C

***B. Parks and Recreation, Land and Improvements***

*Parkland Description*

The Orcutt Area Specific Plan provides for approximately 16.3 acres of improved parkland. A proposed neighborhood park located at the center of the Project will serve as a community gathering place for casual recreation and sporting events by providing a variety of active recreation facilities. In addition, a linear park is proposed that will serve a dual purpose as both an area-wide detention basin and a recreation area, and a smaller pocket park is planned within the low and medium density residential neighborhoods. A 2.5 acre "trail junction" park will provide passive parkland adjacent to trailheads at the base of Righetti Hill. The following list summarizes the parks and recreation projects planned to serve the Project:

- Central Neighborhood Park – 11.13 Acres
- Garay Portion of Neighborhood Park (if Garay property is developed) - 0.87 Acres
- Pocket Park – 0.26 Acre
- Linear Park System – 1.54 Acres
- Trail Junction Park – 2.50 Acres

In addition to the parkland listed above, the San Luis Coastal Unified School District is expected to develop an elementary school within the Orcutt Area, or nearby, to serve future residents. It is normal for the City to enter into Joint-Use Agreements with the School District, which would provide additional parkland benefits to City residents. The amount of parkland listed above, plus future recreation facilities that would be developed with a new elementary school, fully satisfy the parkland requirements for the Orcutt Area.

*Land and Improvement Costs*

The total cost of park and recreation improvements to be funded by the Project is estimated to be approximately $4.45 million. The parks will be improved with a wide range of features, including tennis courts, a soccer field, perimeter paths, creek enhancements, public art, restrooms, and parking.

The total land cost will be $3,678,000, or $300,000 per acre for the Neighborhood Park and the Pocket Park. There are improvement costs associated with Linear Park System and the Trail Junction Park that are included in the total parks and recreation fee, but that land is being provided by the property owner for parkland purposes at no cost to the City.

## TABLE ES-1
## TOTAL PROJECT-SPECIFIC INFRASTRUCTURE PLUS CITY-WIDE AND OTHER FEES

| | Project-Specific Impact Fees | | | | | City-Wide Impact Fees | | | | Other Impact Fees | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Land Use | Trans-portation | Pedestrian and Bicycle Paths | Parks & Recreation | Parkland | Total Project-Specific Impact Fees | Trans-portation Impact Fee | Water Impact Fee | Sewer Impact Fee | Total City-Wide Fees | Specific Plan and EIR Fee | Total Other Fees | Total Gross Fees per Unit | Total Gross Fees per Net Acre |
| 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** |

Attachment 2
EXHIBIT C

Attachment 2

**Table 2**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Summary of Project-Specific Infrastructure Costs**

EXHIBIT C

| Item | Gross Total Cost | OASP Fair Share Percentage | Net Total Cost |
|---|---|---|---|
| **Transportation** | | | |
| *Street Improvements* | | | |
| Orcutt Road/Tank Farm Road | $927,978 | 100.0% | $927,978 |
| Broad Street/South St-Santa Barbara Road | $1,500,000 | 25.4% | $381,000 |
| Broad Street/Tank Farm Rd | $444,808 | 50.0% | $222,404 |
| Orcutt Road/Johnson Ave | $300,004 | 100.0% | $300,004 |
| Broad Street/Prado Road Extension Second Northbound Left Turn Lane | $135,905 | 100.0% | $135,905 |
| Orcutt Road Widening | $1,250,000 | 89.9% | $1,123,750 |
| Bullock Lane Realignment | $355,796 | 70.0% | $249,057 |
| Relocating Hanson Rd or Reducing the Grade on Orcutt at Hanson Rd | $50,000 | 100.0% | $50,000 |
| Transit Stops | $50,000 | 100.0% | $50,000 |
| Subtotal Street Improvements | $5,014,491 | | $3,440,098 |
| *Orcutt Expansion Area Bridges* | | | |
| Bridge A | $680,000 | 100.0% | $680,000 |
| Bridge B | $420,000 | 100.0% | $420,000 |
| Bridge C | $510,000 | 100.0% | $510,000 |
| Subtotal Orcutt Expansion Area Bridges | $1,610,000 | | $1,610,000 |
| **Total Transportation** | **$6,624,491** | | **$5,050,098** |
| **Pedestrian and Bicycle Paths** | | | |
| Pedestrian and Bicycle Paths | $648,200 | 100.0% | $648,200 |
| Pedestrian/Bike Overpass | $1,760,000 | 100.0% | $1,760,000 |
| Bike Path Extension Over Tank Farm Road | $495,109 | 50.0% | $247,555 |
| **Total Pedestrian and Bicycle Paths** | **$2,903,309** | | **$2,655,755** |
| **Parks & Recreation** | | | |
| Central Neighborhood Park - Main Portion South of Creeks | $3,628,000 | 100.0% | $3,628,000 |
| Central Neighborhood Park - Phase 2 Portions North of Creeks | $500,000 | 100.0% | $500,000 |
| Pocket Park | $220,000 | 100.0% | $220,000 |
| Linear Park System | $100,000 | 100.0% | $100,000 |
| **Total Parks & Recreation** | **$4,448,000** | | **$4,448,000** |
| **Parkland** | **$3,678,000** | 100.0% | **$3,678,000** |
| **Total Project-Specific Infrastructure Costs** | **$17,653,800** | | **$15,831,853** |

*Sources: The Wallace Group; City of San Luis Obispo; Goodwin Consulting Group, Inc.* *12/2/2009*

**Table 7**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Cost Allocation Table**

***Parkland***

| Land Use | | Units | Net Acres | Residents Served | Total Residents Served | Percent Allocation | Total Costs | Cost per Unit |
|---|---|---|---|---|---|---|---|---|
| **Cost** | **$3,678,000** | | | | | | | |
| | | | | *per Unit* | | | | |
| Single Family | | 523 | 87.4 | 2.46 | 1,287 | 62.93% | $2,314,535 | $4,425 |
| Multi-Family | | 414 | 25.9 | 1.83 | 758 | 37.07% | $1,363,465 | $3,293 |
| Total | | 937 | 113.3 | | 2,044 | 100.00% | $3,678,000 | |

*Source: Goodwin Consulting Group, Inc.*

*12/2/2009*

Attachment 2
EXHIBIT C

**Table 8**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Project-Specific Infrastructure Cost Allocation Summary**

| Capital Facility: | Transportation | Pedestrian and Bicycle Paths | Parks & Recreation | Parkland | Total Cost Allocation | Total Facility Costs |
|---|---|---|---|---|---|---|
| **Benefit Unit:** | **Daily Trip Rate** | **Daily Trip Rate** | **Residents Served** | **Residents Served** | | |
| **Capital Costs:** | $5,050,098 | $2,655,755 | $4,448,000 | $3,678,000 | | $15,831,853 |
| | *Cost per Unit* | | | | ***per Unit*** | |
| Single Family | $6,218 | $3,270 | $5,352 | $4,425 | **$19,265** | **$10,075,607** |
| Multi-Family | $4,344 | $2,284 | $3,983 | $3,293 | **$13,904** | **$5,756,246** |
| **Total** | | | | | | **$15,831,853** |

*Source: Goodwin Consulting Group, Inc.*

*12/2/2009*

EXHIBIT C

Attachment 2

**Table 9**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**City-Wide and Other Fees**

| | City-Wide Development Impact Fees | | | Other Fees | |
|---|---|---|---|---|---|
| Land Use | Transportation Impact Fee [1] | Water Impact Fee | Wastewater Impact Fee [2] | Specific Plan and EIR Fee [3] | Total City-Wide and Other Fees |
| Single Family | $3,220 per unit | $15,919 per unit | $6,946 per unit | $737 per unit | $26,822 per unit |
| Multi-Family | $2,858 per unit | $12,735 per unit | $5,557 per unit | $276 per unit | $21,426 per unit |

[1] The transportation impact fee includes the project's fair share of the grade separated crossing on Orcutt.
[2] The wastewater impact fee includes a City-wide component plus an area-specific add-on fee for the OASP.
[3] Specific Plan and EIR preparation costs of $500,000 are spread equally on a per acre basis. Costs per residential unit are calculated based on the density assumptions shown in Table 1.

*Sources: City of San Luis Obispo; Goodwin Consulting Group, Inc.* *12/2/2009*

Attachment 2
EXHIBIT C

**Table 10**
**City of San Luis Obispo**
**Orcutt Area Specific Plan Public Facilities Financing Plan**
**Total Project-Specific Infrastructure plus City-Wide and Other Fees**

| Land Use | Project-Specific | City-Wide | Other Fees | Total Gross Fees per Unit | Total Gross Fees per Net Acre | Total Costs and Fees |
|---|---|---|---|---|---|---|
| | *Cost per Unit* | | | | | |
| Single Family | $19,265 | $26,085 | $737 | $46,087 | $275,849 | $24,103,675 |
| Multi-Family | $13,904 | $21,150 | $276 | $35,330 | $564,303 | $14,626,733 |
| **Total** | | | | | | **$38,730,408** |

*Source: Goodwin Consulting Group, Inc.* *12/2/2009*

Attachment 2
EXHIBIT C

# Attachment 3

**Planning Commission Resolution No.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENTS IMPLEMENTING THE ORCUTT AREA SPECIFIC PLAN (ER 209-98)**

WHEREAS, the Planning Commission of the City of San Luis Obispo met in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California on December 10, 2009, for the purpose of considering a recommendation to the City Council on the Orcutt Area Specific Plan (OASP); and

WHEREAS, the Planning Commission had previously held eight public hearings to discuss the OASP and receive public comment on between February 27, 2008, and October 28, 2009; and

WHEREAS, the Planning Commission recommendation takes into account the recommendations, comments and other input received by the Planning Commission from the City's Architectural Review Commission, Cultural Heritage Committee, Parks and Recreation Commission and Bicycle Transportation Committee; 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, the Planning Commission 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 Planning Commission of the City of San Luis Obispo as follows:

**SECTION 1. Findings.** The Planning Commission makes the following findings in support of the recommended General Plan amendments.

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 reasonably 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.

**SECTION 1. General Plan Land Use Map.** The Planning Commission does hereby recommend that the General Plan Land Use Map designations for the Orcutt Area shown in Exhibit A, be amended consistent with the Orcutt Area Specific Plan, as shown in Exhibit B.

**SECTION 2. Urban Reserve Line (Land Use Element, Figure 2).** The Planning Commission does hereby recommend that the City Council amend the Urban Reserve Line, as shown in Exhibit C.

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

AYES:

NOES:

REFRAIN:

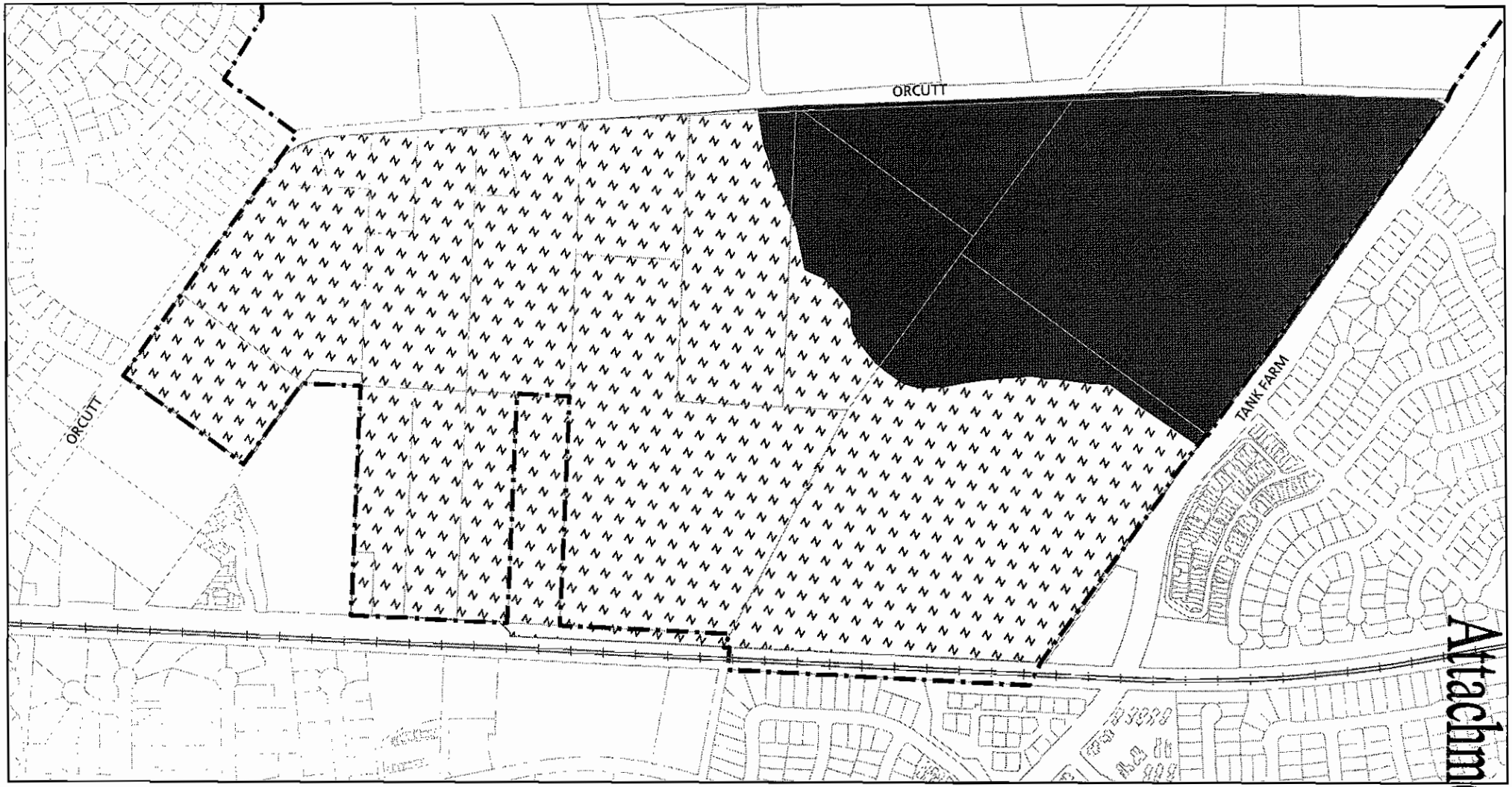
ABSENT:

The foregoing resolution was passed and adopted this 10th day of December, 2009.

_____
Doug Davidson, Secretary
Planning Commission by:

# Current General Plan Designation

*Exhibit* A




0 250 500 1,000 1,500 Feet

## Land Use Designations

**Residential Neighborhood**
Land designated for residential development, including services

**Open Space**
Mostly undeveloped land or bodies of water

**City Limit**

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Attachment 3

# Proposed General Plan Designation

*Exhibit B*


0 250 500 1,000 1,500 Feet

**City Limit**

## Land Use Designations

**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 3

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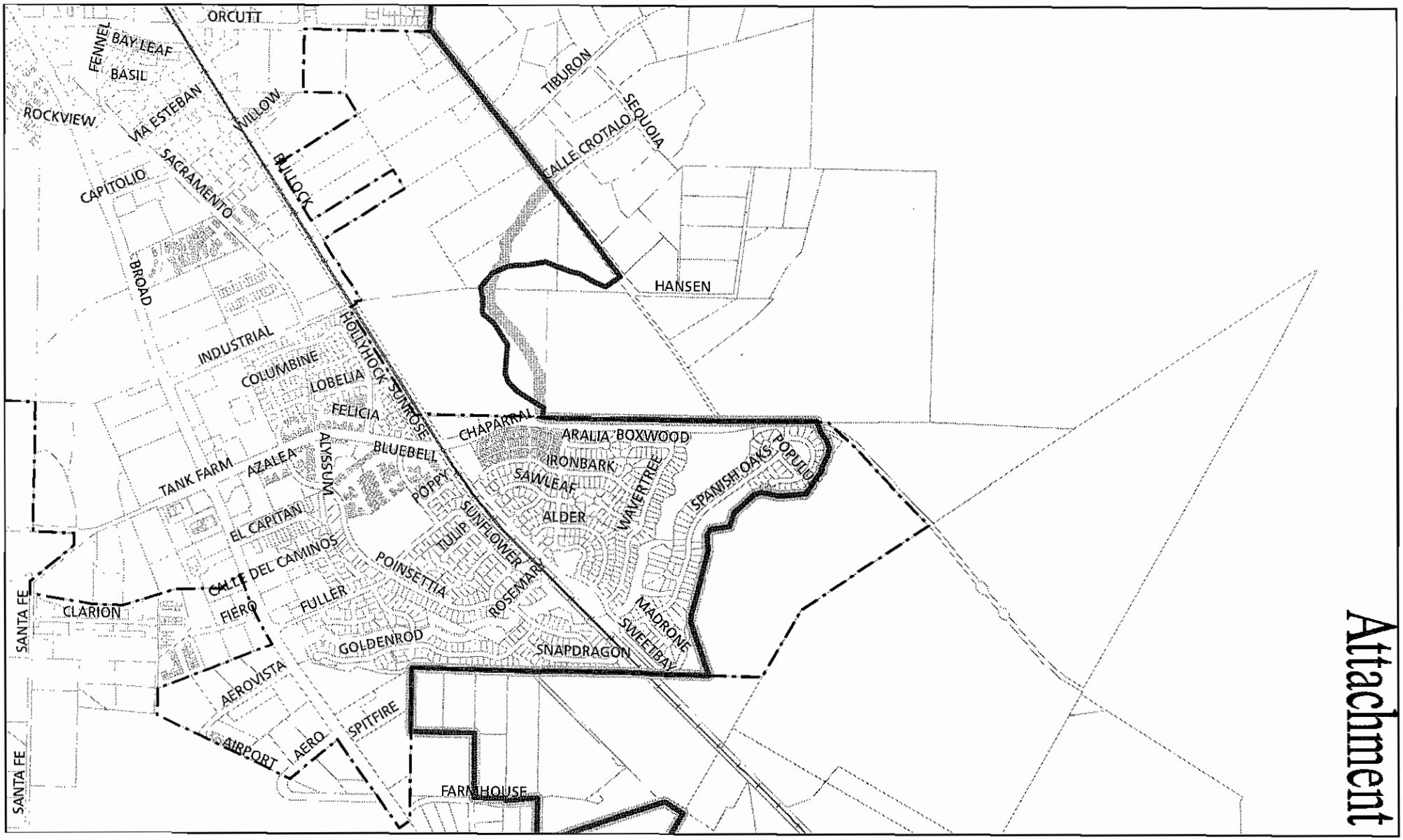
DEPARTMENT OF PUBLIC WORKS

N

# Urban Reserve Line

*Exhibit C*



**Planning Commission Resolution No.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO RECOMMENDING CITY COUNCIL ADOPTION OF AN ORDINANCE TO REZONE PROPERTY LOCATED ON 3750 BULLOCK LANE (ER 209-98)**

WHEREAS, the Planning Commission of the City of San Luis Obispo met in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California on December 10, 2009, for the purpose of considering a recommendation to the City Council on the Orcutt Area Specific Plan (OASP); and

WHEREAS, the Planning Commission had previously held eight public hearings to discuss the OASP and receive public comment on between February 27, 2008, and October 28, 2009; and

WHEREAS, the Planning Commission recommendation takes into account the recommendations, comments and other input received by the Planning Commission from the City's Architectural Review Commission, Cultural Heritage Committee, Parks and Recreation Commission and Bicycle Transportation Committee; 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, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff presented at said meeting and has determined that the proposed rezoning is necessary to implement the OASP.

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

**SECTION 1. Recommendation.** The Planning Commission does hereby recommend that the City Council adopt an ordinance to rezone property located on 3750 Bullock Lane from from Conservation/Open Space/Special (C/OS-S), to Medium-High Density Residential-Specific Plan (R-3-SP) and Community Commercial-Specific Plan (CC-SP), as shown in Exhibit A.

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

AYES:

NOES:

REFRAIN:

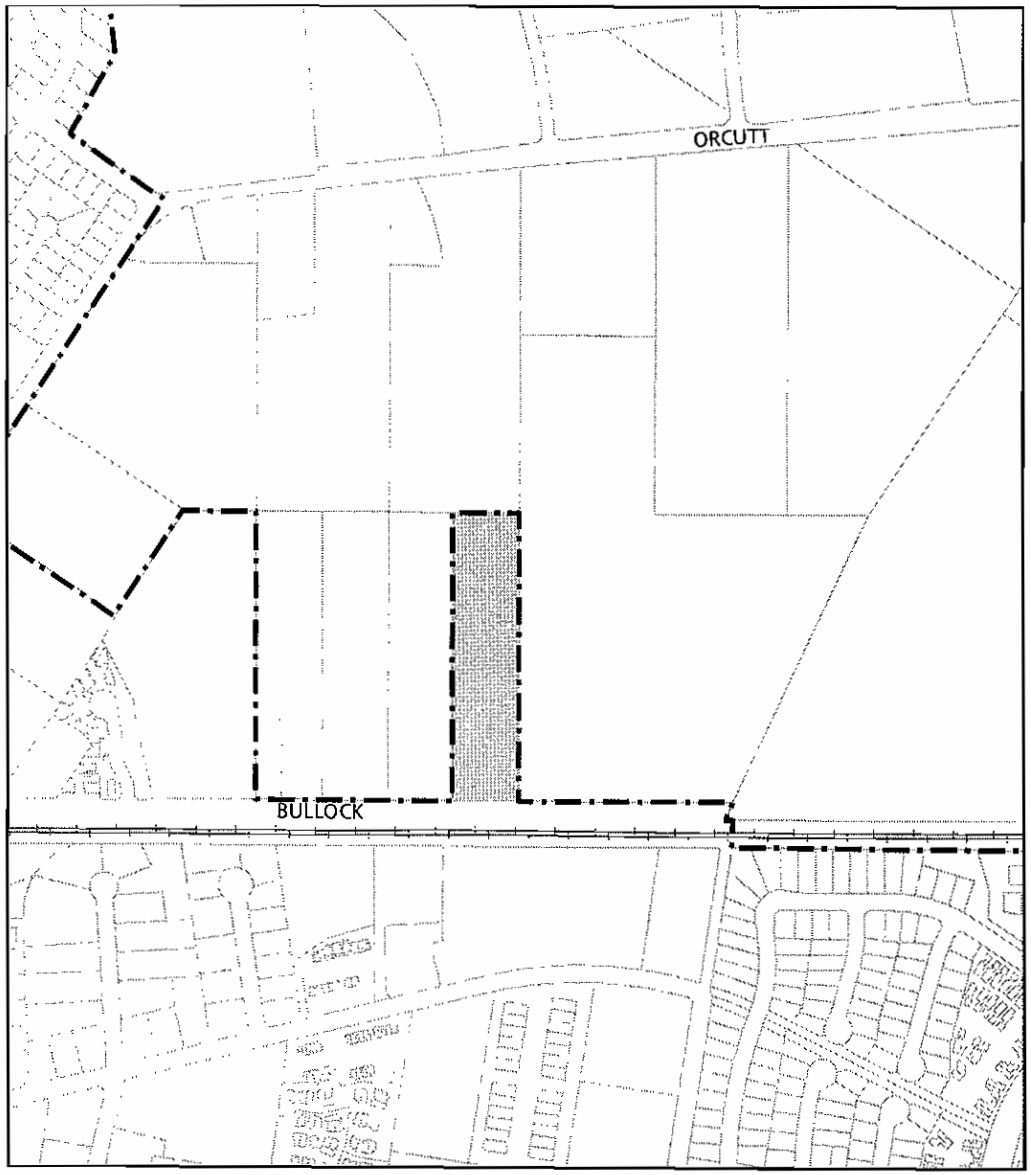
ABSENT:

The foregoing resolution was passed and adopted this 10th day of December, 2009.

_____

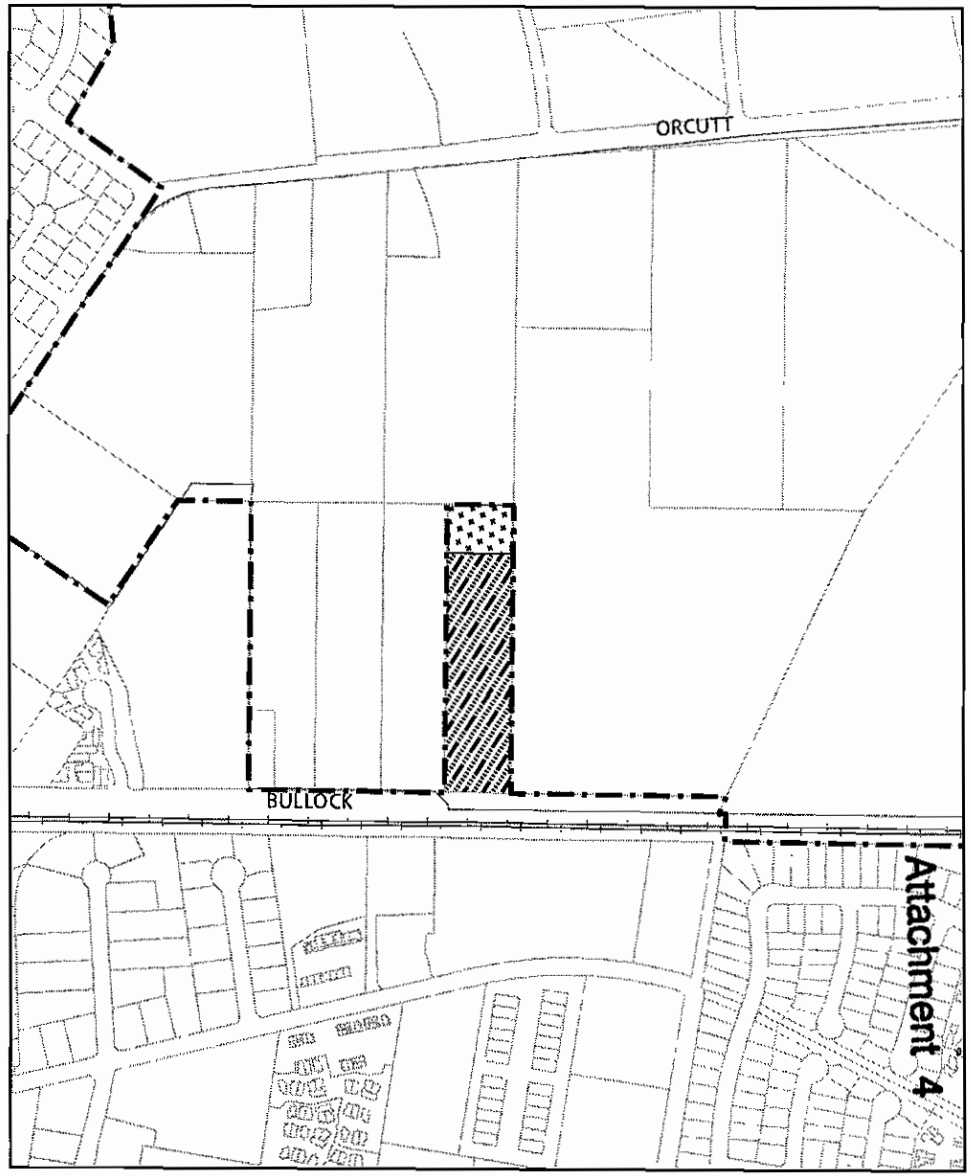
Doug Davidson, Secretary
Planning Commission by:

# Current Zoning Designation




# Parcel Rezoning

*Exhibit* A




Attachment 4

**Zoning**

- Conservation/Open Space (C/OS)
- Community Commercial (C-C-SP)
- Medium-High Density Residential (R-3-SP)
- City Limit

0 260 520 1,040 1,560 Feet

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**Planning Commission Resolution No.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO RECOMMENDING CITY COUNCIL APPROVAL OF PRE-ZONING DESIGNATIONS TO TAKE EFFECT UPON ANNEXATION OF PROPERTY LOCATED WITHIN THE ORCUTT AREA SPECIFIC PLAN (ER 209-98)**

WHEREAS, the Planning Commission of the City of San Luis Obispo met in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California on December 10, 2009, for the purpose of considering a recommendation to the City Council on the Orcutt Area Specific Plan (OASP); and

WHEREAS, the Planning Commission had previously held eight public hearings to discuss the OASP and receive public comment on between February 27, 2008, and October 28, 2009; and

WHEREAS, the Planning Commission recommendation takes into account the recommendations, comments and other input received by the Planning Commission from the City's Architectural Review Commission, Cultural Heritage Committee, Parks and Recreation Commission and Bicycle Transportation Committee; and

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

WHEREAS, the proposed pre-zoning designations are consistent with the General Plan and Zoning designations outlined in the Orcutt Area Specific Plan; 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, the Planning Commission 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 Planning Commission of the City of San Luis Obispo as follows:

**SECTION 1. Recommendation.** The Planning Commission does hereby recommend that the City Council approve pre-zoning designations for property located in the Orcutt Area Specific Plan, as shown in Exhibit A.

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

AYES:

NOES:

REFRAIN:

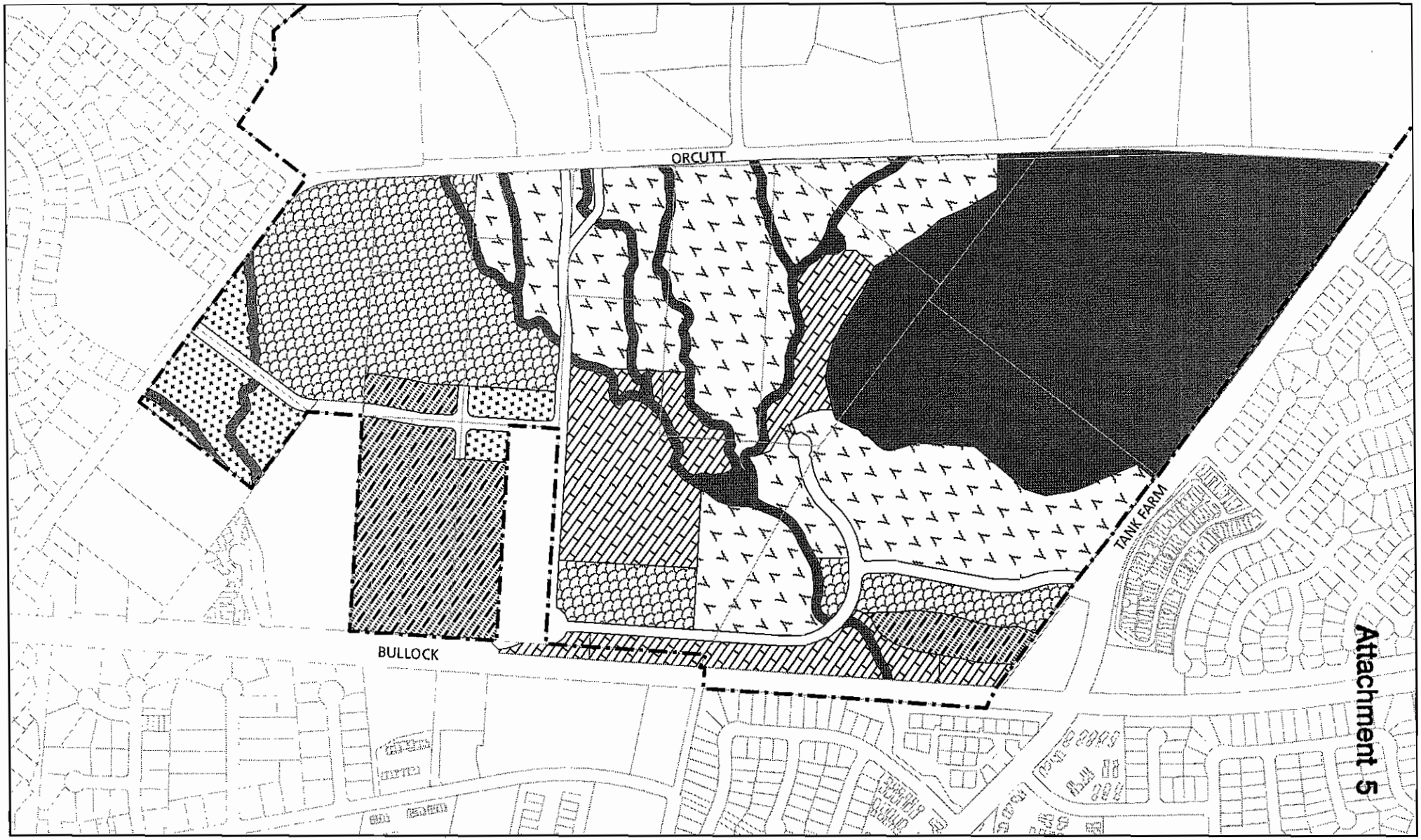
ABSENT:

The foregoing resolution was passed and adopted this 10th day of December, 2009.

_____
Doug Davidson, Secretary
Planning Commission by:

# Prezone Designation

*Exhibit* A




**Zoning Catagories**

- Public Facility (PF-SP)
- Community Commercial (C-C-SP)
- Conservation/Open Space (C/OS-SP)
- Low Density Residential (R-1-SP)
- Medium Density Residential (R-2-SP)
- Medium-High Density Residential (R-3-SP)
- High Density Residential (R-4-SP)
- City Limit

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