

**CITY OF SAN LUIS OBISPO
PLANNING COMMISSION AGENDA REPORT**

ITEM # 1

FROM: Kim Murry, Deputy Director *KM*

MEETING DATE: August 26, 2009

Prepared By: Michael Codron, Housing Programs Manager

FILE NUMBER: SP/ER 209-98

PROJECT ADDRESS: Orcutt Area

SUBJECT: Review changes made to the Public Hearing Draft of the Orcutt Area Specific Plan (OASP) to date, and review Section 10, Response to Comments, of the Draft EIR.

SUMMARY RECOMMENDATION

Review and discuss the proposed OASP document changes and Response to Comments, and provide staff with direction on any additional changes desired.

BACKGROUND

Situation

Between February and June, 2008, the Planning Commission held six public hearings to discuss the Public Hearing Draft of the Orcutt Area Specific Plan (OASP) and the Draft EIR (DEIR) for the project. The Commission discussed and provided direction to staff on changes to Chapters One through Seven of the plan. The applicant's consultant and City staff have prepared updated OASP pages based on the direction provided by the Commission during these public hearings (Attachments 1 and 2). The Planning Commission is being asked to review these changes and determine if they are adequate or if additional changes are needed before a recommendation on the OASP can be forwarded to the City Council.

The OASP Draft EIR was published in December 2007 and was circulated for a period of 60 days, through February 28, 2008. The comment period was subsequently extended through June 2008 while the Planning Commission reviewed the specific plan. During the comment period, the City received 11 letters from members of the public and other public agencies. The City's EIR consultant, Rincon Consultants, has now prepared responses to these comments for the Planning Commission to review. If the Commission is satisfied with the responses, the consultant can move forward with preparation of the Final EIR. Copies of the Response to Comments are provided for the Commission in their agenda packets and are available to the public at the Community Development Department counter and on the City's website.

Status Report

On August 4, 2009, City staff sent an open letter to all Orcutt Area property owners (Attachment 3). The letter summarizes the key issues that have slowed progress on the OASP over the past year and charts a way forward that is possible because of compromises made by all of the property owners in the Orcutt Area. The main issue areas discussed include the Public Facilities Financing Plan, school site constraints relative to airport compatibility and other State

Department of Education criteria, and regional drainage solutions. Although consensus on every issue may not be possible, the open letter describes approaches that balance the goals of property owners with City goals, and the physical and environmental constraints of the area.

This agenda report includes a summary of the key changes now proposed to the OASP, in particular the changes proposed to the Public Facilities Financing Plan. Past agenda reports and meeting minutes can be downloaded from the OASP information page on the City's website, located at the following URL:

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

DISCUSSION

The staff presentation during the public hearing will follow the order that each issue area is presented below. Staff recommends that the Planning Commission discussion also follow this order. If there is not sufficient time to cover all issue areas, then the remaining discussion items can be continued to a subsequent meeting.

OASP Document Changes

Attachment 1 includes a seven-page table listing all of the changes directed by the Planning Commission during their review of Chapters 1-7 of the OASP, including input from other City advisory bodies. Attachment 2 includes the revised OASP text, and updated maps and graphics. A color version of this document is provided for each Commissioner in their agenda packet. The major changes are briefly summarized below.

Minimum Lot Size Reduced to 4,500 Square Feet

Development in the Orcutt Area is expected to take advantage of smaller lot sizes to achieve the density targets established in the specific plan. Smaller lot sizes also result in smaller, more affordable homes and allow for a more efficient development pattern. Other strategies, such as alley access, shared driveways, reduced setbacks and allowances for attached homes and zero lot-line development will further contribute to the efficiency of subdivisions proposed in the future.

In addition to the reduced lot-size change directed by the Planning Commission, staff has added a section to Chapter 3 addressing density calculations in the Orcutt Area. The proposed changes are necessary to ensure compatibility between the City's normal method for calculating density and the reduced lot sizes allowed in the Orcutt Area. These changes will also ensure that the unit targets established for each property in the specific plan can be achieved, unless physical constraints or the presence of biological resources make the targeted development levels for a given property impractical, infeasible or undesirable.

These changes begin on Page 3-1 of the revisions provided in Attachment 2.

Elimination of the School Site

The revised OASP eliminates the school site previously located adjacent to the Neighborhood Park. The school site was removed from the OASP based on direction provided by the San Luis Coastal Unified School District (SLCUSD) Board after a detailed study ranked the proposed site poorly due to hazards associated with proximity to the railroad tracks and aircraft overflight. The Airport Land Use Commission also indicated their opposition to the proposed location because of overflight concerns.

In lieu of the school site being shown graphically in the plan, staff has provided a discussion of the various potential sites within and adjacent to the Orcutt Area. The school site study is incorporated into the OASP by reference and will be kept on file in the Community Development Department. The two top-ranked sites according to the study include the Garay property and the Righetti property at the corner of Orcutt Road and Tank Farm Road. Although the Garay property is considered the best site, the Garay family has consistently declined to participate in the OASP planning process.

As a result, SLCUSD is currently pursuing acquisition of the Righetti property. Development of a school at this site will require future amendments to the OASP because the site is currently designated Conservation/Open Space and is located outside of the City's Urban Reserve Line and cannot be served by City utilities. Amendments are not proposed now because they would be speculative and inconsistent with existing City policy. Consideration of such changes to the OASP now is outside the scope of the current planning and environmental review processes. SLCUSD staff has been informed of the City's concerns regarding development of a school in an area designated Conservation/Open Space. SLCUSD does not anticipate developing a school in the Orcutt Area for another 20 years, and options for a more acceptable school site may become available during this time period.

These changes begin on Page 3-9 of the revisions provided in Attachment 2.

Affordable Housing

Another area where a change was made in the OASP relates to low income housing, required by ordinance to be 5% of total dwellings, or approximately 50 units. Initially, the OASP included an in-lieu fee, which would have contributed to acquisition of a designated site that would be dedicated to the Housing Authority to develop the affordable housing. The cost of the site acquisition was incorporated into the Public Facilities Financing Plan as a per unit fee. However, the proposed fee (\$3,610 per single-family home and \$1,353 per multi-family unit) was considered too high by many property owners.

Landowners in the Orcutt Area have stated that it makes more financial sense for them to build the required low income housing on their own land than to reimburse another property owner at current market value for land that would be allocated to the Housing Authority. This alternative is supported by staff because it will result in a better distribution of low income housing throughout the Orcutt Area. Moderate income affordable housing (10% of the total, or 100 units) is also planned to be distributed throughout the Orcutt Area in the same manner.

These changes begin on Page 3-10 of the revisions provided in Attachment 2.

Small-Lot Design Guidelines

Chapter 4, Community Design, has been extensively updated with new small-lot design guidelines, based on the City of Fremont's example. The new guidelines address the various site plan configurations possible with alley access, shared driveways and corner-lot conditions. The guidelines reference the City-wide Design Guidelines whenever possible, but include additional direction where it is specific to development in the Orcutt Area.

Draft EIR Response to Comments

The Planning Commission previously asked to review the public comments on the Draft EIR, and the consultant's responses, prior to publication of the Final EIR. The Response to Comments is part of the Final EIR, which will be distributed after the responses are determined to be adequate by the Planning Commission.

The City received 11 comments during the public review period, which is now closed. These comments have resulted in changes to the DEIR in the following issue areas: Agricultural Resources, Air Quality, Biological Resources, Drainage and Water Quality, Land Use and Planning, and Global Climate Change.

The most substantive changes to the DEIR come in the area of Drainage and Water Quality. These changes are consistent with, and serve to reinforce, certain property owners' desires to reduce the need for off-site detention and the cost associated with the regional detention basin as much as possible. As recommended by the Regional Water Quality Control Board (RWQCB) the following mitigation measure has been added to the DEIR:

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 greatest extent possible) 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.

The City's EIR consultant will make a presentation to the Planning Commission on the comments received during public review period and will be available to answer any questions that the Commission may have on the responses and proposed DEIR changes.

Public Facilities Financing Plan Revisions

As detailed in Attachment 3, the City has extended the scope of work with its consultant to complete revisions to the Public Facilities Financing Plan (PFFP). The revisions are intended to reduce fees specific to development in the Orcutt Area by providing more options to property owners with respect to providing facilities or paying in-lieu fees. The revised PFFP will be presented to the Planning Commission during a subsequent meeting, currently scheduled for September 23, 2009, but only after Orcutt Area property owners have had sufficient time to review the proposed changes.

The revised document will include a matrix, as requested by the Planning Commission, that will illustrate the costs associated with each infrastructure project on a per unit basis and indicate whether the facility is required mitigation or a component of the plan for some other purpose, such as to meet existing City policy. Any subsequent changes to line-item infrastructure costs can be easily incorporated into the final version of the PFFP, which will become Chapter 8 of the OASP.

Conclusion

In conclusion, the Planning Commission should provide staff with direction on any additional changes that need to be made to Chapters 1-7 of the OASP before a *Planning Commission Draft* is produced. In addition, the Planning Commission should direct staff to make any necessary changes to the DEIR so that the Final EIR can be published. The next steps in the process will be for the Commission to review the revised PFFP, and then to make a formal recommendation to the City Council.

ATTACHMENTS

1. Table of OASP *Public Hearing Draft* Changes
2. Revised *OASP Public Hearing Draft* Pages
3. Open Letter to Orcutt Area Property Owners Summarizing the Status of the OASP

PROVIDED FOR THE COMMISSION

OASP – Public Hearing Draft Changes (color version with 11x17 maps)
OASP EIR – Section 10.0: Response to Comments

Additional Background Information:

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

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	<p>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.</p> <p>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.</p> <p>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.</p>	<p>Done: see pages 1-4 - no additional info supplied by Chumash Council.</p> <p>No relationship between J. Orcutt and Righetti: pp 1-4</p>
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 <u>4,500-15,000 SF</u>	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 <u>Chapter 8</u>	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 <u>land owner</u>	Done
4/23	PC	p. 2-9, 1 st sent.	Recreation resources a neighborhood park, <u>one or more pocket parks</u> , 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 <u>two-story portion of the building</u> is set back from the <u>residential property line adjacent edge of the right of way</u> by at least 50 feet...	Done: New page 2-17

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 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 <u>4,500-15,000 SF</u>	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: <u>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.</u>	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

4/23	PC	End of p.3-4	<p>Delete last paragraph and add the following text: <u>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:</u></p> <ol style="list-style-type: none"> (1) <u>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.</u> (2) <u>The two plazas planned for the corner of “A” Street and “B” Street have been developed and are serving their intended function.</u> (3) <u>Additional demand for neighborhood services for residents in the Orcutt Area has been demonstrated and can be accommodated by the proposed project.</u> (4) <u>The proposed uses are not regional draws and will not increase traffic from other parts of the City into the Orcutt Area.</u> 	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: <u>...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...</u>	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.

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: <u>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.</u>	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: <u>...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.</u>	Done: page 4-2 Program 4.2.4c
5/5	ARC	p. 4-9	Add Policy 4.4.4 as follows: <u>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.</u>	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: <u>Public art should be integrated into the Orcutt Area and not limited to designated locations.</u>	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. <u>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.</u>	Done: page 5-1 Section 5.1

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. <u>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.</u>	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. 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 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

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 case basis during the subdivision review process to exceptions for reduced width streets. Street 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 side 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 figure 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

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 accommodate 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 intersection 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 Specific Plan area borders the Union Pacific Railroad tracks to the west, residential subdivisions within the Edna-Isly 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 electrical 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 recent scientific studies which indicate that this would be true for the 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 released 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 accident and hazardous materials recovery procedures are enforced by the state and followed by private transportation companies, the site is at relatively high risk because 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 the tracks.

1.6 SPECIFIC PLAN FEATURES

The major features of the Specific Plan include 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

DRAFT ORCUTT AREA SPECIFIC PLAN
2 Conservation, Open Space and Recreation

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.

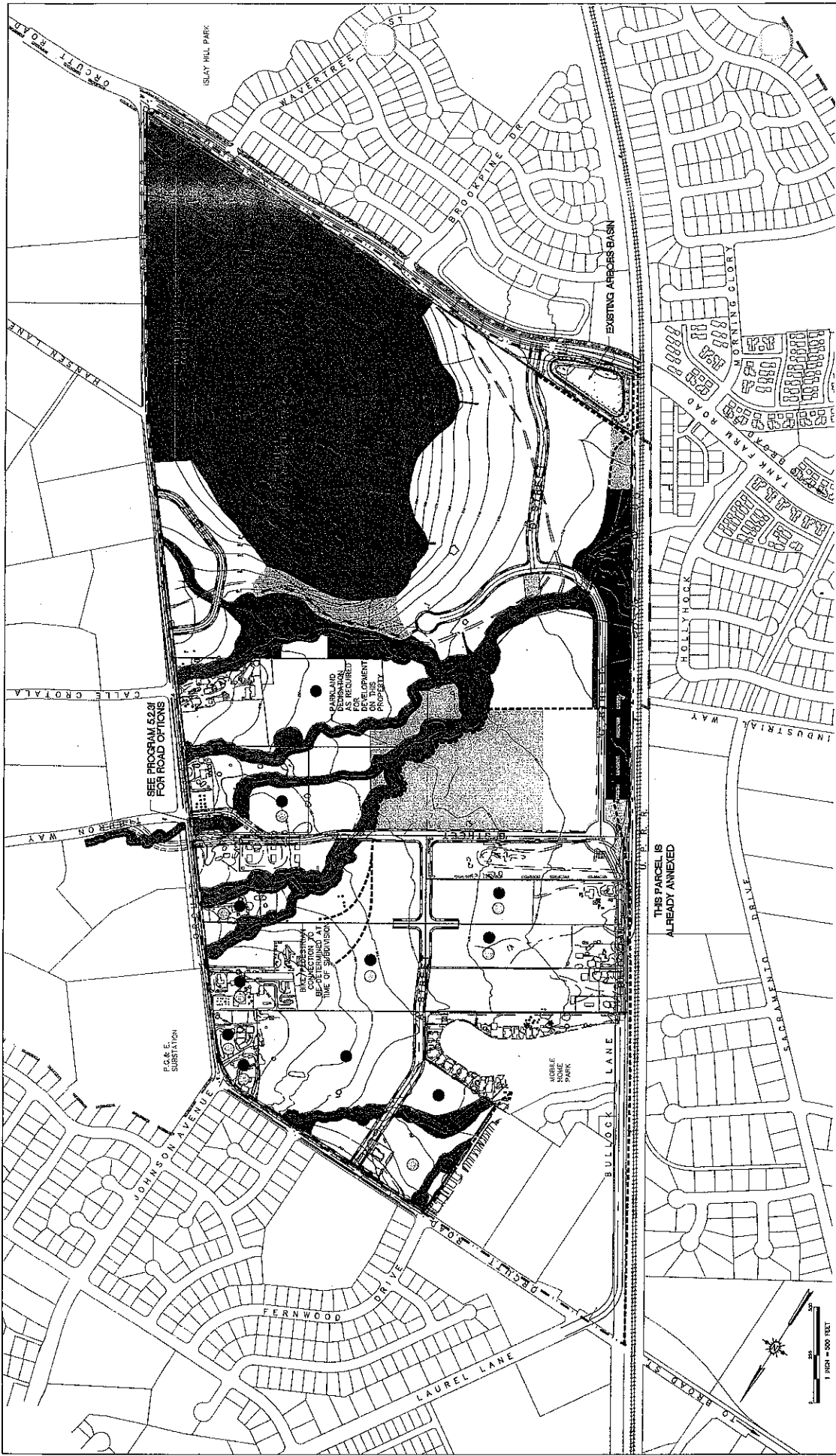
Program 2.2.9b: The City will provide and maintain public access to Righetti Hill, including the existing unpaved access road, and preserve the aesthetic values and biological resources on the hill. Prior to allowing public access to the top of the hill, the City will develop a management plan for the 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.

Attachment 2

FIGURE 4
OPEN SPACE AND PARKS PLAN



- LEGEND**
- OPEN SPACE
 - ▨ PARKLAND
 - OPTION FOR LOCAL PARKLAND DEDICATION
 - DETENTION BASIN
 - ▨ EXISTING ARBORS BASIN
 - OPTION FOR LOCAL DETENTION BASIN
 - RECREATION TRAIL
 - CLASS I BIKE PATH
 - CLASS II BIKE LANE
 - RICHETTI HILL TRAIL

AUGUST 2009

ORCUTT EXPANSION AREA
SPECIFIC PLAN

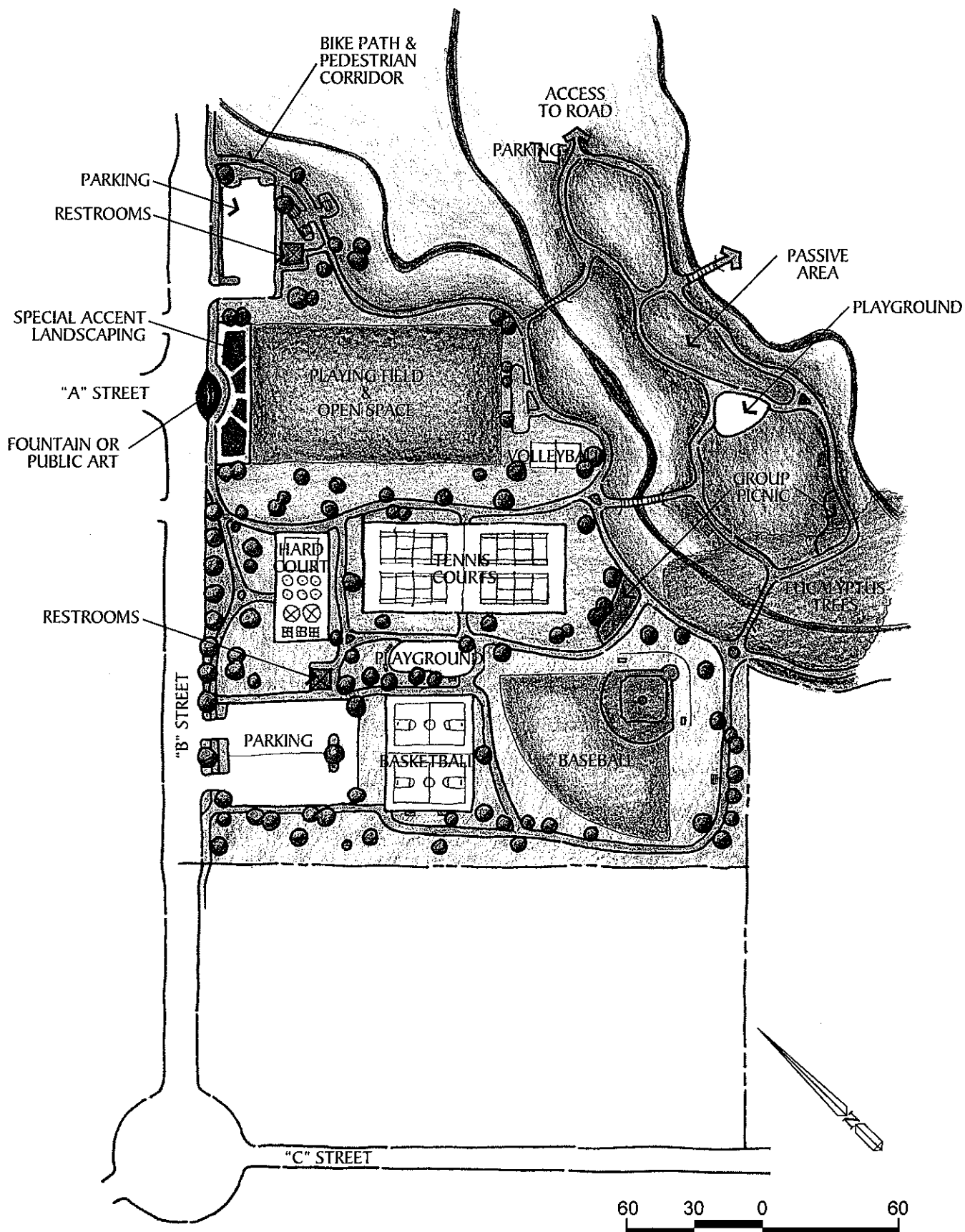


FIGURE 2.5 NEIGHBORHOOD PARK PLAN

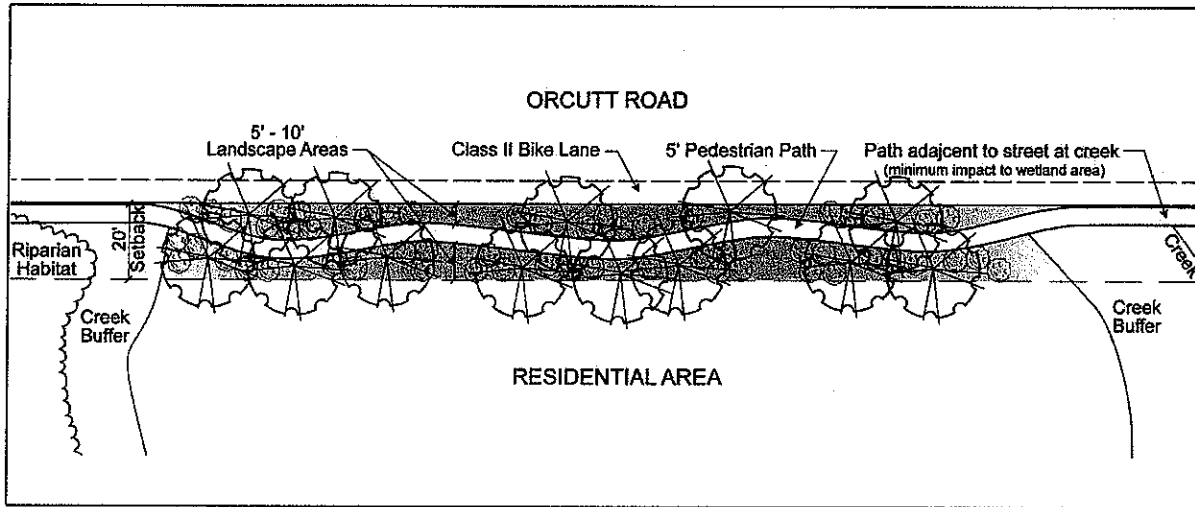


FIGURE 2.8 SEPARATED PEDESTRIAN PATH WITH LANDSCAPE BUFFER

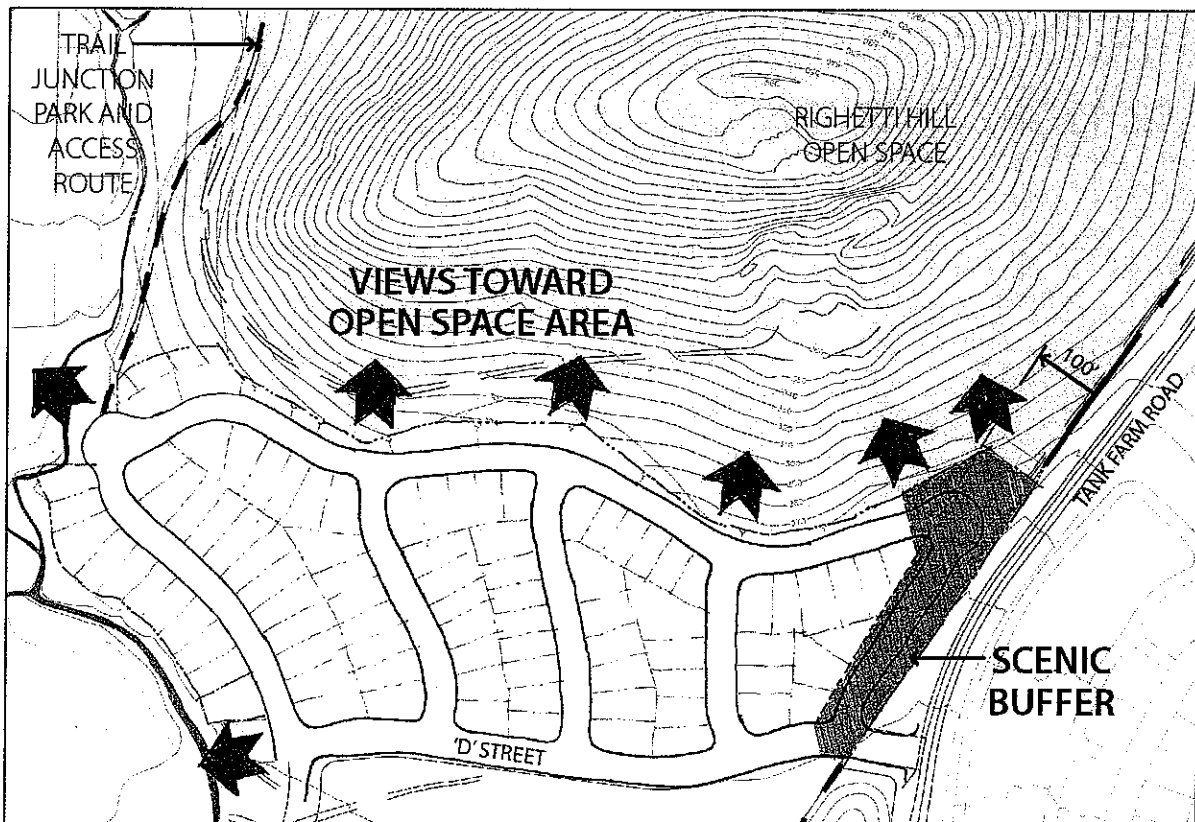


FIGURE 2.9 PRESERVATION OF SCENIC VIEWS: RIGHETTI HILL

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 2.4.1e: 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.

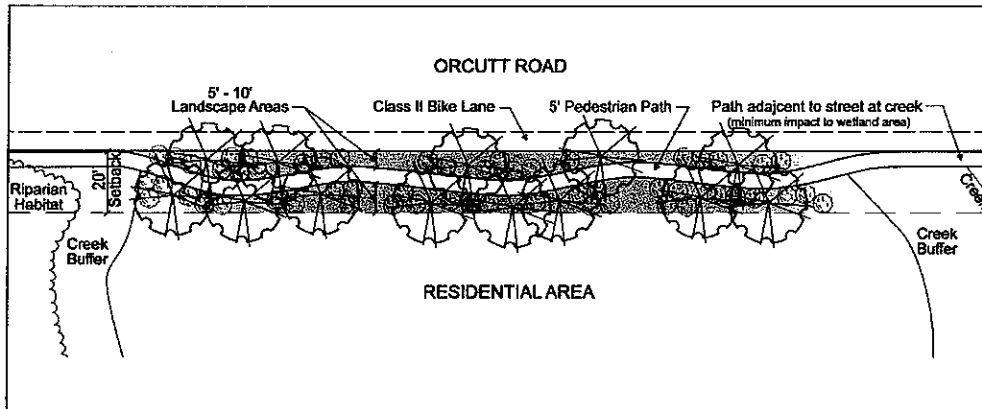


FIGURE 2.8 SEPARATED PEDESTRIAN PATH WITH LANDSCAPE BUFFER

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.

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 be 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 infrastructure is in place to serve the facility. The five sites evaluated by SLCUSD are shown in Figure 3.1 and include:

- Site A & E: 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 **Figures 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 4.1.1c 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 crosswalks 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 than 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 façade 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 Orcutt 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 palettes 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

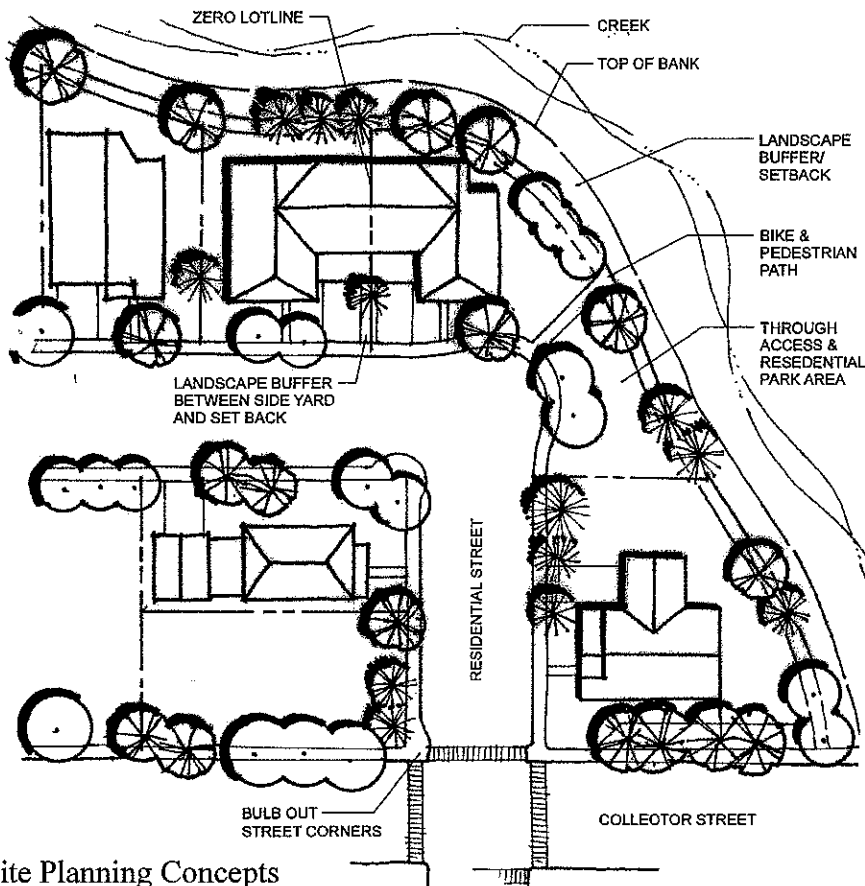


Figure 4.1a Site Planning Concepts

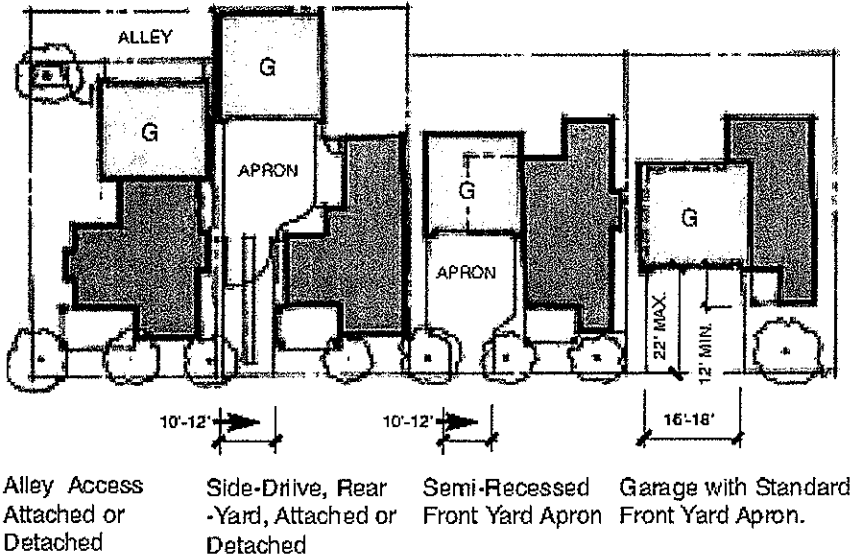


Figure 4.1b Typical Garage and Driveway Locations

FIGURE 4.1 R-1 SITE DESIGN CONCEPTS

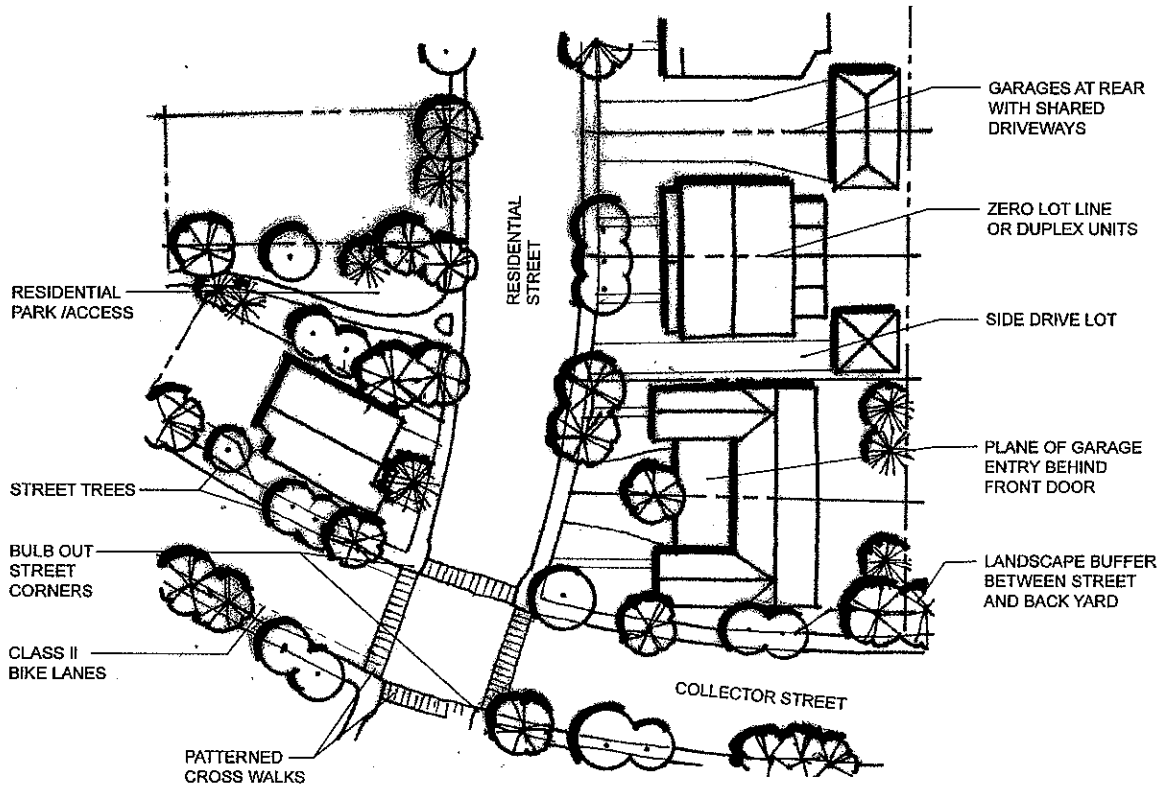


Figure 4.2a Site Planning Concepts

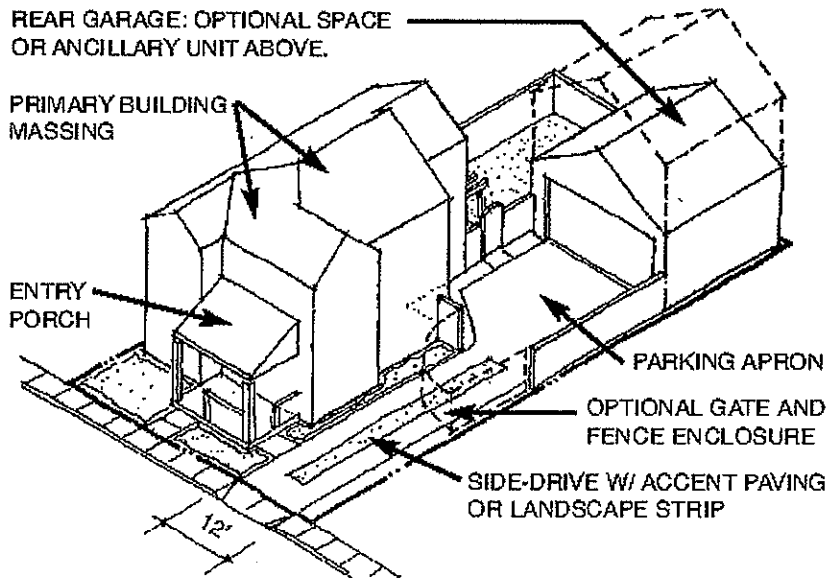


Figure 4.2b Example Side-Drive Lot Configuration

FIGURE 4.2 R-2 DESIGN CONCEPTS

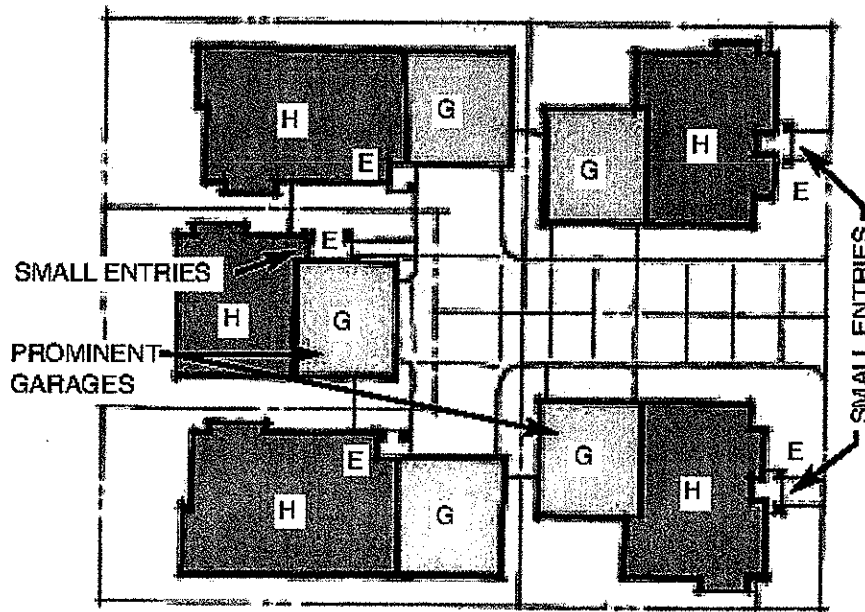


Figure 4.3a Undesirable Parking Court

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.

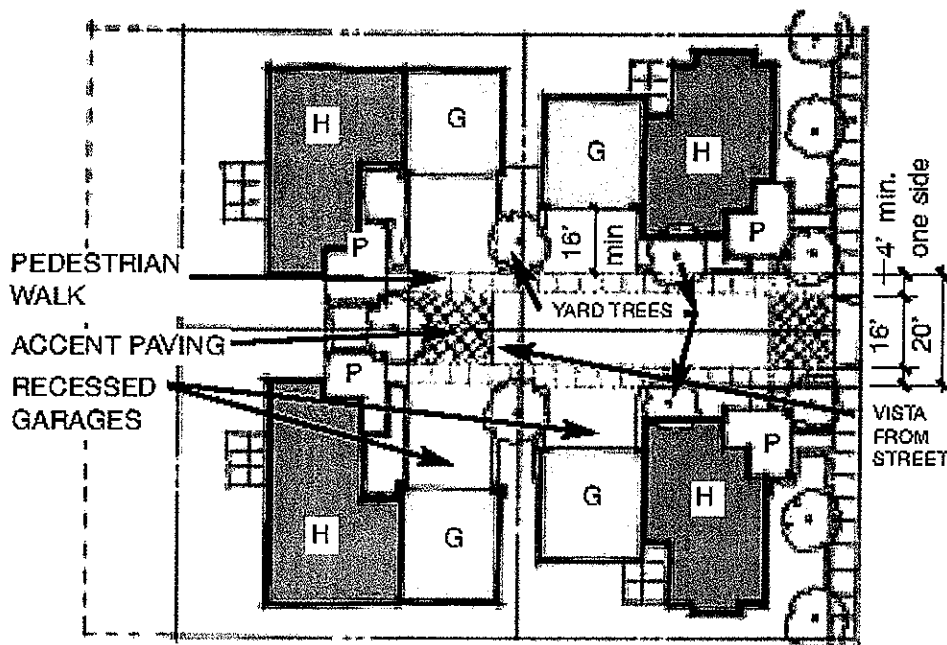


Figure 4.3b Desirable: Parking Court Emphasizing Entries

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

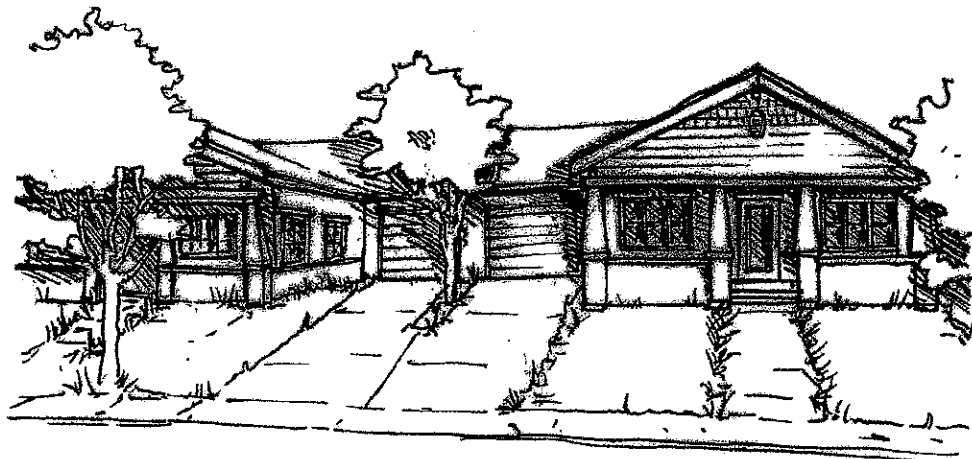


Figure 4.4b California Bungalow



Figure 4.4c California Mission

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

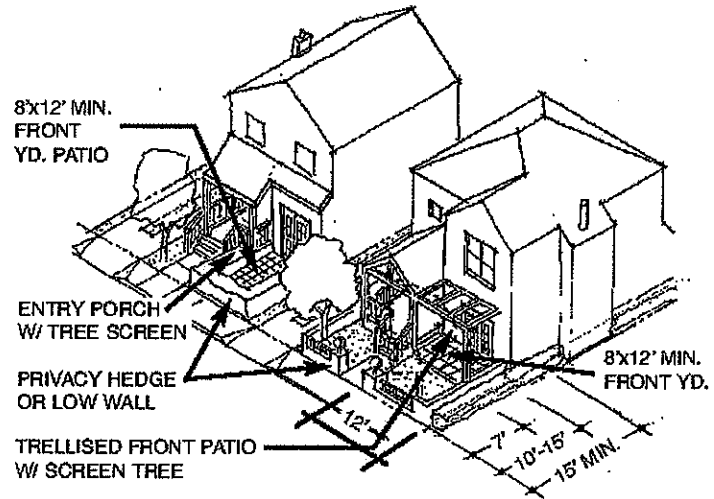


Figure 4.5a Front Porches and Yards

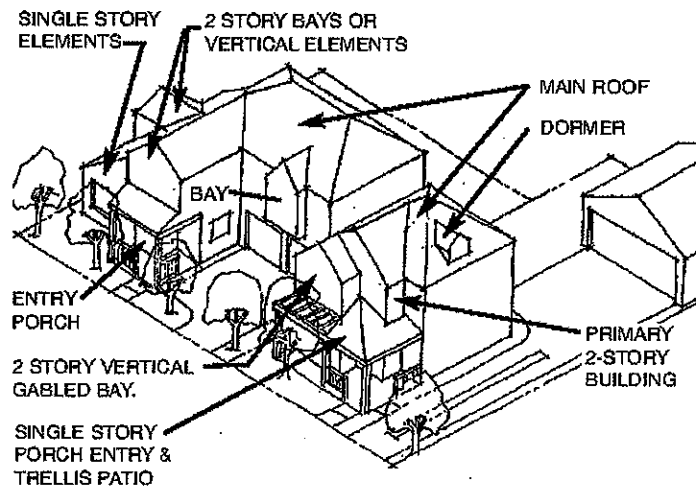


Figure 4.5b Reduction of Building Mass

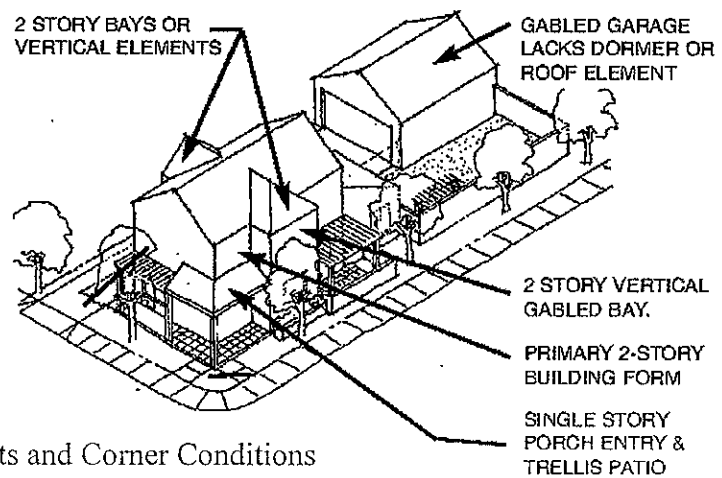


Figure 4.5c Vertical Design Elements and Corner Conditions

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 (UFESLO) 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 UFESLO 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 it 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.

DRAFT ORCUTT AREA SPECIFIC PLAN

6 Public Utilities

The lower portion of the UFEBLSLO 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-swailes, 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.

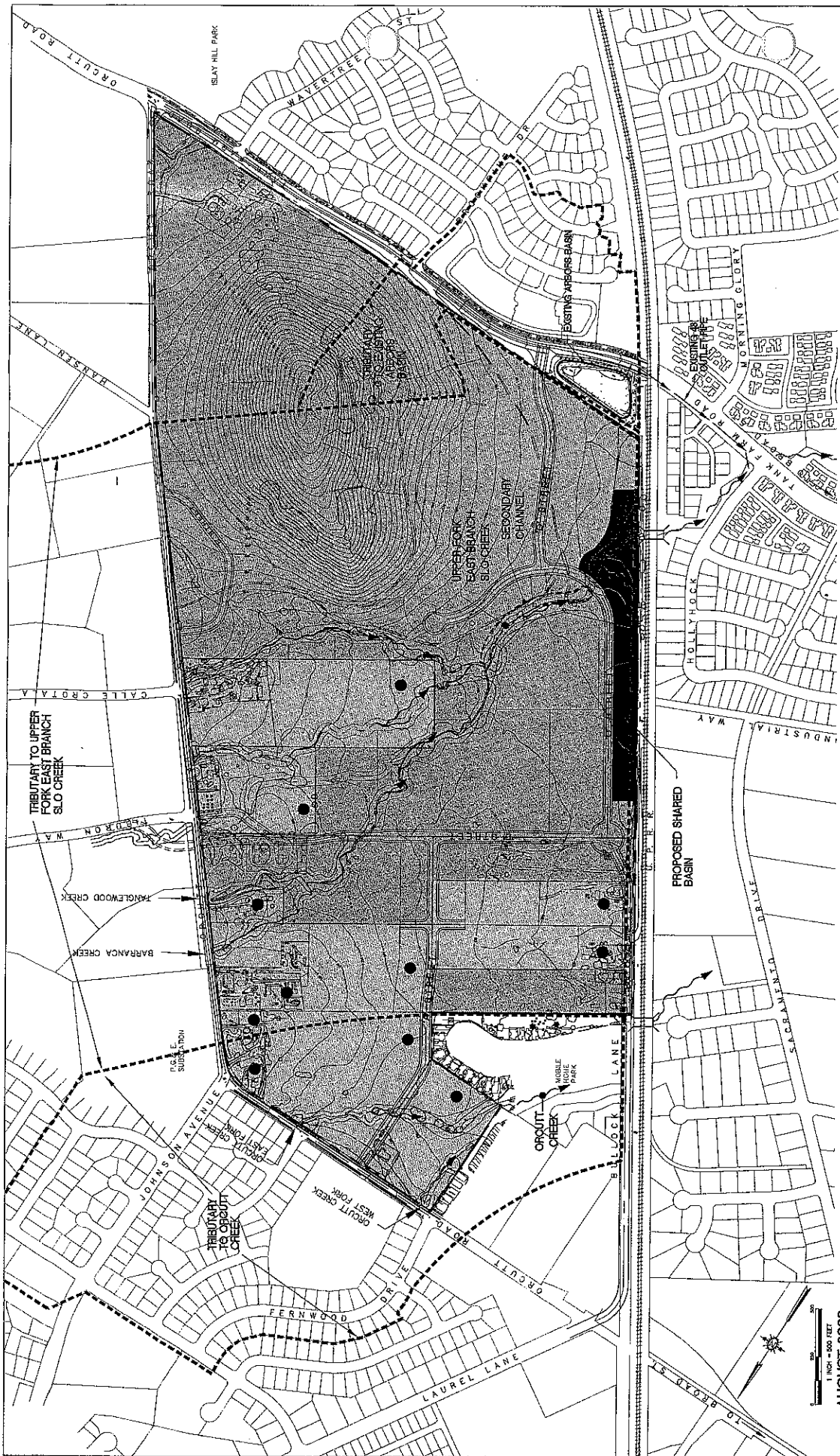
The DEIR analyzed the regional impact of the proposed basins designed to the above standards, and used analysis methodology consistent with the City's adopted WMP. The DEIR concluded that the detention basins provided sufficient mitigations such that there we no significant impacts to downstream receiving 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 UFEBLSLO 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 UFEBLSLO. 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.

FIGURE 6
DRAINAGE PLAN



- LEGEND**
- LIMITS OF WATERSHED AREAS
 - - - - - ORCUTT AREA BOUNDARY
 - ▬ TRIBUTARY CHANNELS
 - ▭ EXISTING CULVERT
 - ▨ PROPERTY SEPARATELY MITIGATING DRAINAGE
 - ▩ PROPERTY PARTICIPATING IN THE SHARED BASIN
 - ▭ ORCUTT REGIONAL BASIN
 - ▭ EXISTING ARBORIS BASIN
 - POTENTIAL NEW INDIVIDUAL BASIN LOCATION
- ORCUTT EXPANSION AREA
SPECIFIC PLAN

AUGUST 2009
1" = 400 FEET

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 of research objectives and a program for carrying out these objectives. All cultural materials collected shall be curated at a qualified institution that has proper facilities and staffing for insuring research access to the collections.

- 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.

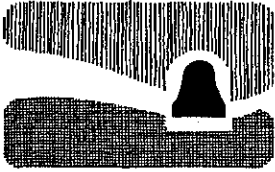
The Orcutt Area Specific Plan includes goals, policies, and programs that are intended to reduce noise impacts caused by the nearby railroad.

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.



City of San Luis Obispo

Community Development Department • 919 Palm Street, San Luis Obispo, CA 93401-3218

August 4, 2009

Open Letter to Orcutt Area Property Owners On the Subject of the Orcutt Area Specific Plan; Recent Changes and Public Hearing Schedule

Dear Orcutt Area Property Owners:

The purpose of this letter is to provide uniform information to all owners regarding the status of the City's review of the Orcutt Area Specific Plan (OASP) and the schedule for future meetings with the Planning Commission.

The Planning Commission last met to discuss the OASP on December 17, 2008, to receive an update on the project. At the time, public hearings were delayed to address some key issues that needed resolution before additional decisions could be made. The key issues presented to the Commission included:

- 1) *The Public Facilities Financing Plan*
- 2) *The School Site and the Airport Land Use Commission*
- 3) *Water Quality Requirements and the Regional Detention Basin*

The issues associated with these three topics have been resolved to the point that public hearings on the OASP can now proceed. **The next Planning Commission hearing is scheduled for August 26, 2009.** Staff expects that there will be a total of three additional Planning Commission hearings before a recommendation for approval is forwarded to the City Council. City Council hearings are expected to begin in January 2010.

The following provides an overview of issues associated with the three topics listed above. Please review this information carefully and contact City staff with any comments or questions that you may have. A complete staff report will be available on August 21, 2009. The first meeting is expected to include a review of changes to the OASP that have been made to date and a review of the Draft EIR response to comments, which was recently prepared by the EIR consultant.

Public Facilities Financing Plan

The purpose of a Public Facilities Financing Plan (PFFP) is to ensure that the costs of infrastructure needed to serve new development are appropriately distributed to the users of those facilities. The OASP PFFP identifies costs associated with street improvements,



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bike paths, parks and recreation, drainage, affordable housing and plan preparation. The PFFP distributes these costs to users in the Orcutt Area through a per-unit fee on residential development.

The City is now working with its contractor, Goodwin Consulting Group, to revise the Public Facilities Financing Plan (PFFP) that was published on May 21, 2008. The revisions will reflect cost reductions for parkland, affordable housing, the regional detention system, and the bicycle/pedestrian bridge at Industrial Way. The phasing of these infrastructure improvements will also be revised in the updated PFFP. Each of these issues are discussed more fully below.

1. Parkland Costs

Changes to parkland costs and allocation options are detailed in Attachment 1. The cost per acre will be reduced from \$500,000 to \$300,000 for most property owners. In addition, the OASP will be revised to allow property owners to meet the parkland requirement by developing additional parks on their own property instead of paying a fee. This change provides more flexibility for property owners so that the decision to create additional parkland or pay the in-lieu fee can be made at the time a subdivision is proposed.

2. Affordable Housing Fees

The fee associated with securing the land for a low-income affordable housing development was eliminated from the fee program to give property owners the flexibility to either provide low-income housing on their properties at the time of development, or coordinate with other Orcutt Area property owners to meet the low-income affordable housing requirement. The change also improves consistency with City policy because it will allow the low-income units to be distributed throughout the Orcutt Area, instead of located on a single site as previously proposed. The total number of low-income affordable units required by City ordinance is 5% (approximately 50 units total for the Orcutt Area at build-out). The total number of moderate-income affordable units required is 10% (approximately 100 units total at build-out). Significant financial incentives are also available for owners that build more than the minimum number of required affordable units.

3. Regional Detention System Fees

The regional detention system fee will be eliminated from the PFFP, providing property owners with more flexibility for managing storm water on their property. Property owners who choose to use the regional system as a resource for their subdivision will be able to negotiate with the owner of the basin based on how much capacity they need. This encourages property owners to reduce their off-site detention requirements by using new best-practice techniques for Low-Impact Development (LID) that are encouraged by OASP policies for managing storm-water flows. These best-practice methods are recommended by the Regional Water Quality Control Board (RWQCB) and will help to reduce the size of any on-site detention basins that are required.

4. Bicycle/Pedestrian Bridge

The cost of the bridge estimated in the current PFFP is \$3.85 million. This estimate was based on the cost of the City's Jennifer Street Bridge (\$2.5 million) with a 4% annual cost escalator applied from 1998 to the current day. More recently, the City received a cost estimate from Dokken Engineering for a bridge over the railroad to connect the South Broad Street Corridor plan area and Sinsheimer Park. Staff has discussed this cost estimate with Dokken and has made adjustments for the specifics of the Orcutt Area site, and added environmental review, design, and construction management costs to the construction costs. The total revised estimate is now \$1.76 million, as detailed in Attachment 2. This lower cost will be reflected in the lower per-unit impact fees to be detailed in the revised PFFP.

5. Phasing of Infrastructure Improvements

The PFFP will be revised to better match the cost of required facilities with fees available to pay for those facilities. For example, Table 14 of the current document shows the parkland dedication for the Neighborhood Park occurring in the first year of development at a cost of \$6.6 million. However, total revenues in the first year from impact fees are only slightly more than \$2 million. The result is a "gap" that must be financed through a program, such as a combination of fee credits and reimbursement agreements, that would compensate the property owner allocating the parkland needed to serve future development of other properties in the Orcutt Area. The size of the gap and the wording of Chapter 5 of the PFFP led property owners to be concerned about the possibility that the City would require owners to form a Community Facilities District (CFD) to finance these costs over time through the imposition of a new property tax surcharge. The proposed changes to the PFFP will clarify that a CFD is considered infeasible because a CFD can only be established by the property owners. In addition, there are no CFD's in the City currently and the City does not expect owners to participate in one for the Orcutt Area. Revisions to the Table 14 phasing plan will reduce the "gaps" between costs and fees to improve the feasibility and likelihood that other financing methods (pay-as-you-go, fee credits and reimbursement agreements) will provide sufficient funding for required infrastructure.

The School Site and the ALUC

As many of you know, the Airport Land Use Commission (ALUC) was not able to approve the OASP with the school site in the proposed location, adjacent to the Neighborhood Park. As a result, San Luis Coastal Unified School District commissioned a study of four alternative sites, three within the OASP and one outside of the plan boundary. A copy of the study is on file in the Community Development Department for public review.

The four sites evaluated include the Neighborhood Park site (Site E), the Garay property (Site B), the Righetti Ranch House property on the southeast corner of Tank Farm and Orcutt (Site C), and the Wixom Ranch property on the northeast corner of Tank Farm and Orcutt (Site D). The top-ranked site is Site B and the next best option evaluated in the study is Site C. After reviewing the study and receiving a recommendation from School

District staff, the School Board directed its staff to pursue development of a school site on Site C.

The decision to pursue Site C, even though Site B is ranked higher, is based largely on the fact that the owners of Site B have not been participating in the development of the OASP. The owners of Site C have been willing to discuss acquisition of the site by the School District, however, Site C is located outside of the City's Urban Reserve Line (URL) and is designated Conservation/Open Space.

At this time, City staff and School District staff have agreed that the best approach is not to move the school to the new location in the draft OASP. The location outside of the URL conflicts with City policy, and the additional environmental review required would slow the entire process down indefinitely. The School District is not expected to move forward with development of a new school until a significant number of new dwellings are constructed in the Margarita Area and Orcutt Area, possibly 20 years in the future. As a result, it is expected that the City will be asked to consider a specific plan amendment at the time that the larger Righetti property is subdivided. Both School District and City staff agree that the top priority in everyone's best interest is to move forward towards adoption of the OASP without identifying a specific school site.

The OASP map will be modified to eliminate the current school site, and a written discussion regarding school site options will be included to guide decisions on a future School District proposal.

Water Quality and the Regional Detention Basin

As previously discussed, the cost of the regional detention basin will be eliminated from the fee program in the PFFP and property owners will be encouraged to manage storm water within their proposed subdivisions using a variety of LID practices. Attachment 3 includes a map that identifies locations on each property that would be feasible for an on-site detention basin, if an owner chooses not to pursue access to the regional basin and if LID practices do not completely eliminate the need for storm-water detention. The location and sizes of these potential basins are purely schematic.

The OASP will be amended to encourage owners to negotiate with the developer of the basin for capacity because on-site basins could reduce development potential. However, small-lot development and other land-efficient subdivision design methods are encouraged in the OASP to allow property owners to achieve the established unit targets. Detailed review of drainage plans will occur on a project by project basis when subdivision plans are submitted. The City is currently working with RWQCB on new City-wide drainage regulations, which will apply to development in the Orcutt Area when they are adopted.

Conclusion

In conclusion, the proposed changes to the PFFP and the proposed resolutions to the other outstanding issues are put forward in an effort to address the concerns that were voiced to City staff in writing, during public testimony and through individual

Letter to Orcutt Area Property Owners
Page 5

conversations with City staff. Staff believes that these are workable solutions that represent good-faith efforts on the parts of all interested parties to move forward with adoption of the specific plan as the first step towards incorporating the Orcutt Area into the City of San Luis Obispo.

The most important thing for property owners to remember is that development in the OASP is expected to occur on a "pay-as-you-go" basis. In other words, property owners will not be obligated to make expenditures on public improvements or pay the impact fees identified in the specific plan before they are ready to move forward with development.

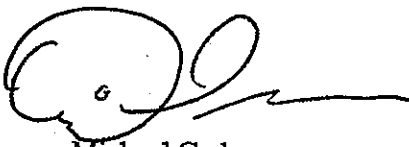
The revised PFFP will be available to review by property owners before it is made public and forwarded to the Planning Commission for consideration. City staff is looking forward to an open discussion with property owners regarding the costs of development in the Orcutt Area. The changes proposed have been based on the input of all property owners and we believe these revisions will be a significant step towards improving the financial feasibility of future development.

City staff would like to invite each of the owners to ask questions and make comments about the OASP and the PFFP. We are happy to meet with owners individually or in groups as the public hearing dates near. Your input is essential to the success of the plan and we greatly appreciate your comments and concerns.

Thank you for taking the time to read through this important information.

Best regards,


Kim Murry
Deputy Community Development Director


Michael Codron
Housing Programs Manager

Attachments:

1. OASP Park Dedication Acreage/In-Lieu Fee Plan
2. Bicycle/Pedestrian Bridge Revised Estimate
3. OASP Drainage Exhibit

Background Information: www.slocity.org/communitydevelopment/oasp.asp

OASP Park Dedication Acreage (Draft March 11, 2009)

Landowner and description	Acres Dedicated (Note 1)	Total Ded. Acres (Note 2)	In Lieu Fees (Note 3)	In Lieu Rate/acre (Note 4)	In Lieu Acres (Note 5)
Righetti					
R-1 Western Sector	4.9				
R-2 Eastern Sector (near creek)	4.5				
R-3 School Site	1.3				
R-4 Sector east of Creeks	<u>0.8</u>				
Subtotal-prime Residential Land		11.5			
Detention Basin Park	1				
Trail Junction Park	2.12				
Subtotal - other lands		<u>3.12</u>			
Total Righetti		14.62			
Pratt					
P-1 sector adjacent to traffic circle	0.2	0.2			
P-2: 2.6 acres for in lieu contribution			\$ 1,040,000	400,000	2.6
Jones: 1.1 acres for in lieu contribution			440,000	400,000	1.1
Midstate: 1.4 acres for in lieu contribution			420,000	300,000	1.4
Anderson: 1.6 acres or in lieu contribution			480,000	300,000	1.6
Evans: 1.6 acres or in lieu contribution			480,000	300,000	1.6
Farrior: 0.2 acres or in lieu contribution			60,000	300,000	0.2
Fiala: 0.1 acres or in lieu contribution			30,000	300,000	0.1
Hall: 0.2 acres or in lieu contribution			60,000	300,000	<u>0.2</u>
Imel: 0.4 acres or in lieu contribution			120,000	300,000	<u>0.4</u>
Maddalena: 1.8 acres or in lieu contribution			540,000	300,000	1.8
Muick: 1.9 acres or in lieu contribution			<u>570,000</u>	300,000	<u>1.9</u>
Total In Lieu fees / acres under consideration			\$ 4,240,000		12.9
Garay: 0.9 acres (dedication at development)	0.9	0.9			

Note 1: Location and size of required dedications (also see map)

Note 2: Summary of acres by dedicating landowner

Note 3: Potential amount of in lieu fees paid if there is no dedication of parkland within owner's parcel

Note 4: In lieu fees come at a standard rate of \$300,000/ acre except for Jones and Pratt who get additional benefits for stormwater runoff on Righetti land. Their in lieu rate is therefore \$400,000/acre

Note 5: See Attachment A for derivation of acreage based upon units provided.

Appendix A: Orcutt Area Specific Plan Park land allocations by Property Owner

The following are approximations of the number of units based upon 937 units total for the Orcutt Area as utilized in the EIR. The resulting population and park acreage requirements are identified by property owner. This appendix identifies a general magnitude of the park allocations that would be required if each owner were to develop independently prior to any park consolidation or payment of in lieu fees.

<u>Land ownership</u>	<u>% Units</u>	<u>Approx Pop.</u>	<u>Park Acreage</u>
Anderson	7.7	157	1.6
Evans	8.0	163	1.6
Farrior	0.8	16	0.2
Fiala	0.4	8	0.1
Garay	4.5	92	0.9
Hall	1.1	22	0.2
Imel	1.7	36	0.4
Jones	5.6	114	1.1
Maddalena	8.9	182	1.8
Mid-State	6.8	139	1.4
Muick	9.2	188	1.9
Righetti	31.4	641	6.4
Pratt	<u>13.7</u>	<u>281</u>	<u>2.8</u>
Totals	99.8*	2,040 persons	20.4 acres

* discrepancy due to rounding to nearest 10th of a percent

Note: The number of units was calculated on the zoning density as follows: R-1 = 6 units/acre; R-2 = 12 units/acre; R-3 = 18 units/ acre and R-4 = 24 units/acre. These numbers were adjusted downward somewhat to be realistic since 100% zoning efficiencies are seldom achieved on any specific piece of land.

Attachment B: Summary of Righetti Land Interests Requirement (Draft March 11)

Righetti Land Interests are making the following land dedication

• Base requirements	6.40 acres
• Supplemental dedication	8.22 acres
Total Dedication	14.62 acres

As reimbursement for dedicating the supplemental acres to cover park location and configuration requirements as well as incorporating land allocated to Jones and Pratt for storm water runoff facilitation, a reimbursement of \$2,550,000 shall be paid from in lieu fees by the other owners.

Information on in lieu fee funds

If all owners pay in lieu fees per table the

- | | |
|-----------------------------|------------------|
| • total income to the City: | \$ 4,240,000 |
| • less payment to Righetti: | <u>2,550,000</u> |

Net balance in City park in lieu fund: \$1,690,000



SAN LUIS OBISPO BICYCLE BRIDGE OVER UPR

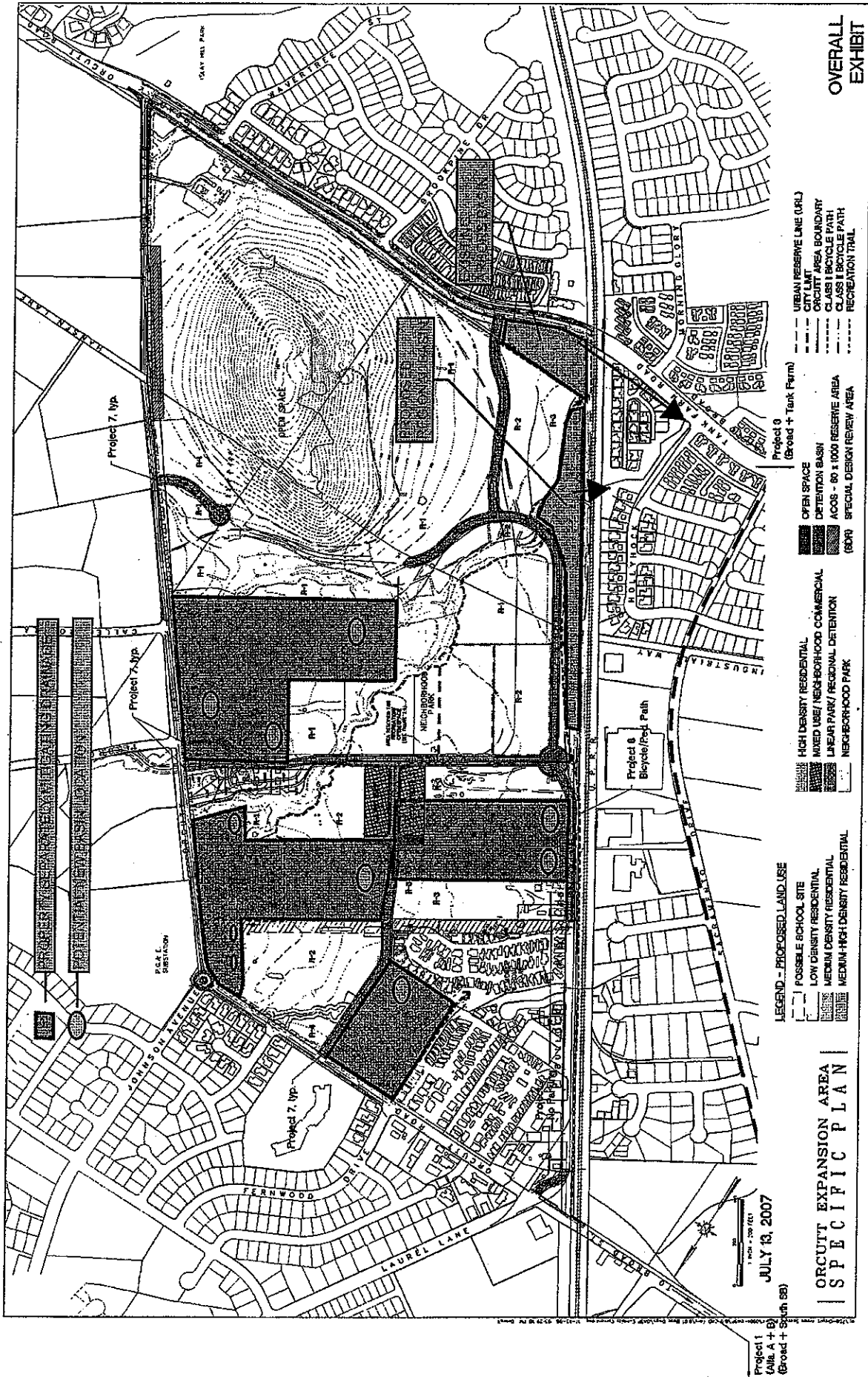
PLANNING STUDY OPTION COST COMPARISON

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

Width: 10 ft

LOCATION OPTION	West Approach 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
<i>Reference estimates:</i>											
Francis:	112	\$ 22,400	249	\$ 323,700	260	\$ 520,000	0	\$ -	311	\$ 62,200	\$ 900,000
Humbert:	200	\$ 40,000	154	\$ 200,200	205	\$ 410,000	167	\$ 217,100	125	\$ 25,000	\$ 900,000
Lawrence: A	72	\$ 14,400	180	\$ 234,000	200	\$ 400,000	298	\$ 335,400	106	\$ 21,200	\$ 1,000,000
B	125	\$ 25,000	109	\$ 141,700	200	\$ 400,000	258	\$ 335,400	106	\$ 21,200	\$ 900,000

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



Project 1
(Cada. A + B)
(Broad + Tank Farm)

ORCUTT EXPANSION AREA SPECIFIC PLAN

LEGEND - PROPOSED LAND USE

- POSSIBLE SCHOOL SITE
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM-HIGH DENSITY RESIDENTIAL

- HIGH DENSITY RESIDENTIAL
- MIXED USE/ NEIGHBORHOOD COMMERCIAL
- LINEAR PARK/ REGIONAL DETENTION
- NEIGHBORHOOD PARK

- OPEN SPACE
- DETENTION BASIN
- ACOS - 80 ± 1000 RESERVE AREA
- (SD) SPECIAL DESIGN REVIEW AREA

- URBAN RESERVE LINE (URL)
- CITY LIMIT AREA BOUNDARY
- CLASS I BICYCLE PATH
- CLASS II BICYCLE PATH
- RECREATION TRAIL

OVERALL EXHIBIT