

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT GSA - Parks	(2) MEETING DATE 12/18/2012	(3) CONTACT/PHONE Curtis Black 781-5204	
(4) SUBJECT Request for Nipomo Community Park Master Plan Final Program Environmental Impact Report Certification and Master Plan Adoption. District 4			
(5) RECOMMENDED ACTION It is recommended that the Board: 1) Certify the Nipomo Community Park Master Plan Final Program Environmental Impact Report (FPEIR) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., 2) Adopt the Nipomo Community Park Master Plan (NCPMP).			
(6) FUNDING SOURCE(S)	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT { } Consent { } Presentation <b>{X}</b> Hearing (Time Est. <u>60 minutes</u> ) { } Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <b>{X}</b> Resolutions { } Contracts { } Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5th's Vote Required { } N/A	
(14) LOCATION MAP  Attached	(15) BUSINESS IMPACT STATEMENT?  No	(16) AGENDA ITEM HISTORY  { } N/A Date: Sept. 9, 2003, April 21, 2009, November 6, 2012	
(17) ADMINISTRATIVE OFFICE REVIEW Vincent Morici			
(18) SUPERVISOR DISTRICT(S) District 4 -			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services Agency / Curtis Black  
781- 5204

DATE: 12/18/2012

SUBJECT: Request for Nipomo Community Park Master Plan Final Program Environmental Impact Report Certification and Master Plan Adoption. District 4

## **RECOMMENDATION**

It is recommended that the Board:

- 1) Certify the Nipomo Community Park Master Plan Final Program Environmental Impact Report (FPEIR) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.,
- 2) Adopt the Nipomo Community Park Master Plan (NCPMP).

## **DISCUSSION**

Over the previous ten years County staff has worked with the Nipomo community and various public agencies and consultants to create a Master Plan for Nipomo Community Park. On November 6, 2012 the Board of Supervisors heard a report on this Master Plan and its related Final Program Environmental Impact Report (PEIR), received public comments and continued this item to December 18, 2012 for final determination. See Attachment 4 (Clerk's File) for the complete report and attachments.

The Nipomo Community Park Master Plan (Master Plan) proposes new recreational facilities including multi-use sport fields, a community center, skate park and other recreational facilities along with additional trails and habitat enhancements in the 95-acre open space areas of the park. Implementation of the Master Plan will result in a total development of approximately 31 percent of the park site in the next 20 years.

Over several days prior to the November 6, 2012 hearing, the County received many comments and letters regarding the Master Plan and the PEIR. Due to the amount of input both pro and con, and the brief period prior to the public hearing, a decision was made to postpone action on this item until County staff had the opportunity to review the information and provide the Board related information.

County Staff has reviewed all concerns received as of November 30, 2012 and grouped them into seven subject categories. Below is a summary of staffs' response to these recent comments. A complete response to these topics can be found in Attachment 2.

### 1. Is there a Need for Additional Recreation Facilities in Nipomo?

Nipomo has grown to nearly 17,000 people, many residents' park and recreation needs are unmet. According to the formula on page 18 of the Park and Recreation Element, that determines how well a community's recreation needs are met, Nipomo should have 50-acres of neighborhood and community park land. Although Nipomo Community Park is 137-acres only 15-acres are active recreation facilities that are typically located in community parks (sport fields, skatepark, tennis courts, pool). The balance of the site is undeveloped with volunteer trails running through it. Nipomo Community Park is the only park in Nipomo, verifying that Nipomo is currently underserved in recreational facilities. As this Master Plan intends to provide guidance for the coming twenty-years we will see the population continue to grow and recreational needs will grow with it requiring new recreational facilities as outlined in the Master Plan.

2. How did County Parks Determine the Recreational Need?

The Parks and Recreation Element assigns an acreage goal needed to meet the recreational needs of a community. However, it allows the community to define what recreation uses are desired by the community. To obtain public input a community survey and four public workshops were conducted. The survey found that, for the recreation opportunities currently provided, people wanted more walking trails, park restrooms, playgrounds, picnic areas, parking, and sports fields. When asked what new recreation facilities they wanted, a majority favored a community recreation center, swimming pool, amphitheater, and skateboard park. These recreation facilities are included in the Master Plan. The Park and Recreation Element also has Capital Project Rating Criteria. Parks staff has rated the need for the Nipomo Community Park Master Plan as 4th out of 17 priority projects throughout the County. This high rating is a reflection of the need in Nipomo for recreation facilities.

3. Does the Master Plan Comply with the County General Plan and Land Use Ordinance Standards?

The Master Plan is consistent with general goals and policies of the General Plan as detailed in the Land Use section of the PEIR. The park site is designated within the Recreation land use category. The Master Plan does not inhibit development of other neighborhood parks and recreational facilities in the County, or Nipomo area specifically. The Park is designated as a community park in the Park and Recreation Element of the General Plan and the proposed recreational facilities fall within the defined uses in a community park. The Master Plan is a County project, consistent with the intention and interpretation of the Land Use Ordinance (LUO) as a "public works project", and exempt from the Land Use Ordinance requirements to obtain a land use permit, construction permit, and grading permit.

4. Has the Program Environmental Impact Report Addressed Water Concerns?

Water remains a concern in Nipomo. Use of water for the implementation and maintenance of a public park is considered a reasonable and beneficial use of water. The provision of diverse recreational opportunities by the County is in the best interest of the people, and overall public welfare. The County acknowledges the Level of Severity III designation for the Nipomo Mesa Area water supply as noted in the PEIR, baseline conditions. The PEIR considers both the adequacy of the water supply (the baseline) and the amount of water to be used (the project's effect on the environment). Because of the baseline conditions, and the determination that the project would result in additional demand for water services, mitigation is provided to address this impact and ensure that implementation of the project would not require the use of additional potable water supply beyond existing conditions. Expansion of water-intensive uses like the multi-use sports field is conditional and based on the substantial reduction of existing water use in the park. Analyzing the effects of seawater intrusion, unsustainable yields, and disruption of existing local water supplies are outside of the scope of the EIR, because implementation of the project would not result in these effects. As this process has spanned ten years, County Parks has already begun water conservation efforts reducing water use at the park from over 25,000 hundred cubic feet (ccf) per year to just over 17,000 ccf per year in FY 2011-12. Additional steps are planned to reduce water use and provide some capacity to meet the conditions as stated in the PEIR.

5. Does the Master Plan result in Loss of Open Space, Trails and Oak Woodlands?

The Park is 137-acres, 15-acres are currently developed and the Master Plan will create another 27.5 acres of recreational facilities. The new facilities are strategically placed in areas that are not currently wooded. The proposed Master Plan would develop a total of 31 percent of the 137-acre site, leaving 94.5-acres of open space and Oak woodlands. This is supported by public input and is a reasonable balance of open space and active recreational use of the park.

The Master Plan increases equestrian and walking trails for the park. The Master Plan will add approximately three acres of multi-use trails including equestrian use trails and leaves most of the existing volunteer trails through the Oak woodland area of the park untouched. Approximately two acres of existing dirt trails, mostly around the perimeter of the park, will be replaced with multi-use trails. This is a net gain of approximately one acre of trails to the park.

No Oak trees are to be removed for the proposed recreational facilities as they were designed to avoid the Oak woodlands. More than 50 acres of Oak woodland run through the center of the Park. One-acre of Oak woodland (approximately 20 trees) will be impacted mostly from the widening of Osage Street. All of these trees would be replaced on site. The temporary loss of oak woodland, and associated carbon sequestration, is not identified as a significant impact in the EIR because the temporary loss is negligible, and will be reasonably offset by the planting of new trees and the conservation of over 50 acres of oak woodland onsite.

## 6. Should the Community Center be placed inside the Park?

A great deal of interest is focused on whether the proposed location of the community center inside the park is better than a location along Tefft Street. The proposed location is best because:

- Placing the community center inside the park will protect area residents from noise from special events because it will be buffered by the surrounding trees and slopes before it can reach surrounding neighborhoods.
- Placing the community center inside the park allows all visitors to enter the park at a signalized intersection thereby avoiding traffic delays if cars were stopping to enter/exit a center located along a major thoroughfare without the benefits of signals.
- Placing the community center inside the park allows visitors to move easily among the various recreational activities. If kids have opening day photos and activities at the ball fields, they and parents could easily move to the center for other activities. Similarly, activities of the center could move outside to the park easily.
- Placing the center inside the park allows the County Parks Camp Host to provide 24 hour and 7 days a week observation of the facility. This provides immediate knowledge if local alarms are tripped and provides some protection against minor acts of vandalism.
- Placing the center inside the park allows it to be constructed to community desired size with adequate adjacent parking. The land along Tefft Street slopes down into the park very quickly and would not allow placement of both the proposed center and parking in the relatively flat area.
- Placing the center inside the park provides the Sheriff's Office the ability to drive through the park road and observe the facility at any time that it is in operation. That is, the park road gates would be open at all times that the Community Center is in operation. This is important as County Sheriff's Office provided written input during the Master Plan design (2006) and the PEIR process (2009). In these letters the Sheriff's Office provided many comments about design and implementation of the Center to ensure that it would be a safe facility at this proposed location inside the park. The letters of 2006 and 2009 did not recommend locating the center anywhere other than that proposed by the Master Plan.

## 7. Adequacy of the Program EIR and Implementation of the Master Plan.

As noted in the Master Plan PEIR, preparation of a Program EIR allows assessment of the whole of the action, which in this case consists of series of park improvements and infrastructure. Prior to implementation of any action, the County is required by CEQA to review the PEIR and make a determination whether further CEQA documentation is necessary. The County anticipates that minor actions, such as construction of a new restroom building will likely be consistent with the PEIR, and major actions, such as construction of the multi-use sports fields or community center, will require additional environmental review to assess additional information. Consistent with the proposed mitigation measures, the County will also conduct additional public input meetings to involve the public regarding the design of major facilities, such as the community center, skatepark, pool and multi-use sports fields.

The County is required by CEQA to comply with the Mitigation, Monitoring, and Reporting Plan. It is not atypical for the County to be responsible for verifying and enforcing mitigation measures for County projects because the County is both the Lead Agency and the project proponent. The County will comply with CEQA, and will not arbitrarily ignore or change mitigation measures that have been reviewed and certified as part of the Final EIR by the Board of Supervisors. In order to ensure the public and decision makers have a clear understanding how the Mitigation, Monitoring, and Reporting Plan relates to implementation of the Master Plan, the County has prepared an Implementation Plan (see Exhibit A to Resolution) for the Master Plan facilities. This Implementation Plan clearly identifies each component of the Master Plan, which mitigation measures are applicable to specific actions, and how further public involvement will be conducted.

### **Remaining Process**

This is a Master Plan, a 20-year plan to expand Nipomo Community Park. Recreational facilities proposed in this plan will be developed when funding opportunities become available and operations resources are identified.

**OTHER AGENCY INVOLVEMENT/IMPACT**

Review of the Environmental Impact Report included: County Air Pollution Control Board, County Agricultural Commission, County Environmental Health, County Planning and Building, County Public Works, County Sherriff, Cal Fire, Department of Fish and Game, Regional Water Quality Control Board, the Nipomo Community Service District, and the County Parks and Recreation Commission.

**FINANCIAL CONSIDERATIONS**

This master plan and EIR is funded with Quimby fees. Future capital improvements for implementation of the Master Plan would likely be funded with various funding sources including Quimby, Parks Public Facilities Fees, and grants.

**RESULTS**

The Nipomo Community Park Master Plan will provide a safe community, a healthy community, a livable community, a prosperous community, and a well governed community by providing Nipomo citizens a variety of recreation facilities within their community.

**ATTACHMENTS**

Attachment 1 – Resolution with Exhibits A, B, and C

- Exhibit A Master Plan including Implementation Plan
- Exhibit B CEQA Findings
- Exhibit C Master Plan Findings

Attachment 2 -- Detailed Response to Recently Received Comments

Attachment 3 – Vicinity Map

Attachment 4 -- Clerk's File: November 6, 2012 Board of Supervisors staff report with attachments and the Final Nipomo Community Park Master Plan Program Environmental Impact Report