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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (jn)

NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED03-149 DATE: October 30, 2003

PROJECT/ENTITLEMENT: Amendments to Sections 22.22.040, 22.22.150 and the Addition of Sections 22.22.152 and 22.22.154 of Title 22 of the San Luis Obispo County Code and Amendments to Section 23.04.024 and the Addition of Sections 23.04.037 and 23.04.038 of Title 23 of the San Luis Obispo County Code; G010014L

APPLICANT NAME: County of San Luis Obispo Department of Planning and Building
ADDRESS: County Government Center Room 310 San Luis Obispo, CA 93408
CONTACT PERSON: Kami Griffin **Telephone: 805/ 781-5600**

PROPOSED USES/INTENT: A request to amend Titles 22 and 23 of the San Luis Obispo County Code to implement Agriculture and Open Space Element Policies 21, 22, and 23 relative to minimum parcel size in the Agriculture land use category and Major and Minor Agricultural Cluster projects.

(ENDORSED)
FILED
SEP 22 2004
JULIE L. RODEWALD COUNTY CLERK
BY CHERIE AISPURO
DEPUTY CLERK

LOCATION: County of San Luis Obispo

LEAD AGENCY: County of San Luis Obispo, Department of Planning & Building, County Government Center Room 310, San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: California Coastal Commission

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 5 p.m. on 11/13/04
(Circle one) 20-DAY (30-DAY) PUBLIC REVIEW PERIOD begins at time of notice publication.

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County Board of Supervisors as ☒ *Lead Agency* ☐ *Responsible Agency* (approved) denied the above described project on 9/14/04, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Signature	Title	Date	Public Agency
John Wallace	Princ. Envr. Spec.	9-21-04	County of San Luis Obispo

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CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

PROJECT TITLE & NUMBER: Amendments to Title 22 and 23 of the County Code; G010014L

Project Applicant

Name:	County of San Luis Obispo Planning and Building Department
Address:	County Government Center Room 310
City, State, Zip Code:	San Luis Obispo, CA 93408
Telephone #:	(805) 781-5600

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

( ) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.

( ) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.

( ) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.

( ) The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No._____

(X) Other: *The proposed amendments to ordinance sections of Title 22 and 23 of the County Code are not anticipated to significantly impact any biological resources.*

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

for **Ellen Carroll**, Environmental Coordinator
County of San Luis Obispo

Date: 10/16/03

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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Amendments to Sections 22.22.040, 22.22.150 , and 23.04.024 and the Addition of Sections 22.22.152, 22.22.154, 23.04.024, 23.04.037 and 23.04.038; G010014L

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

❑ Aesthetics	❑ Geology and Soils	❑ Recreation
❑ Agricultural Resources	❑ Hazards/Hazardous Materials	❑ Transportation/Circulation.
❑ Air Quality	❑ Noise	❑ Wastewater
❑ Biological Resources	❑ Population/Housing	❑ Water
❑ Cultural Resources	❑ Public Services/Utilities	❑ Land Use

❑ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

■ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

❑ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

❑ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

❑ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

❑ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Morro Group, Inc. — Signature — 10-16-03
Prepared by(Print) — Signature — Date

JOHN NALL — John Nall — Ellen Carroll, Environmental Coordinator (for) — 10/16/03
Reviewed by(Print) — Signature — Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: - Proposal by the County of San Luis Obispo Department of Planning and Building to amend Titles 22 and 23 of the San Luis Obispo County Code to implement Agriculture and Open Space Element Policies 21, 22, and 23 relative to minimum parcel size in the Agriculture land use category and Major and Minor Agricultural Cluster projects in both the Agriculture and Rural Lands land use categories in San Luis Obispo County (refer to Exhibit C).

The existing ordinances regulating minimum parcel size in the Agriculture land use category and agricultural clustering projects within the inland portion of incorporated areas of San Luis Obispo County are currently inconsistent with the Agriculture and Open Space Element of the General Plan. The objective of the proposed amendments to Title 22 and 23 of the County Code is to bring the Land Use Ordinance and Coastal Zone Land Use Ordinance in compliance with Policies 21, 22, and 23 of the Agriculture and Open Space Element. Policy 21 recommends the minimum parcel size criteria for the division of agricultural lands based upon the existing and potential use of the land for cropland and grazing; Policy 22 recommends criteria for major agricultural cluster projects (inland only), and; Policy 23 recommends criteria for minor agricultural cluster projects (inland and coastal areas).

Implementation of these ordinances would redefine and clarify the minimum parcel size of a newly created Agriculture parcel, and set criteria and incentives for agricultural clustering projects in both inland and coastal areas within San Luis Obispo County. The overall goal of the ordinances is to protect and preserve agricultural land and open space and minimize incompatibility issues between residential and agricultural land uses.

The following discussion summarizes the amendments to Sections 22.22.040, 23.04.024, and 22.22.150 and new Sections 22.22.152, 22.22.154, 23.04.037, and 23.04.038.

Amended Section 22.22.040 (Minimum Parcel Size)

Proposed amendments to Section 22.22.040 of the Land Use Ordinance would regulate minimum parcel size for proposed land division projects in the Agriculture land use category within the inland portion of unincorporated areas of San Luis Obispo County. The purpose of the amendments is to ensure the long-term protection of agricultural resources, and provide an alternative to conventional lot split land divisions (i.e., contiguous cluster division). Both the existing and amended ordinance sections require that the minimum parcel size be determined by the following methods: 1) existing use; 2) land (soil) capability; and 3) Williamson Act agricultural preserve contract requirements. The existing ordinances allow an "averaging test" for both the existing use and land capability options; the averaging test allows the-

minimum parcel size to be determined based on the average size of abutting parcels, if the average size is larger than the sizes listed in the ordinance sections. The amended ordinances remove the averaging test requirement to ensure that the minimum parcel size is specific to the existing conditions on the parcel proposed for division. In addition, several of the minimum parcel sizes have been increased in the amended ordinance sections to allow for the meaningful preservation of agricultural land currently, or potentially, in production.

Amended Section 23.04.024 (Minimum Parcel Size)

The proposed amendments to Section 23.040.024 of the Coastal Zone Land Use Ordinance are the same as Section 22.22.024, and would apply to proposed land division projects in the Agriculture land use category within the coastal portion of unincorporated areas of San Luis Obispo County.

Amended Section 22.22.150 (Agricultural Clusters)

The existing ordinance Section 22.22.150 states that the number of parcels allowed in an agricultural cluster division shall be equivalent to the number of dwellings normally allowed in the Agriculture land use category (except where 20-acre parcels are allowed on the basis of Class I soils, the number of parcels shall be based on a ratio of one per 40 acres). Proposed amendments to this section include the introduction of two types of agricultural lands clustering projects (major and minor), and modifications to the environmental review requirements for agricultural clustering projects. The original ordinance requires preparation of an Environmental Impact Report (EIR) for all agricultural clustering projects. The amendments propose the EIR requirement be replaced by a regulation requiring the preparation of a California Environmental Quality Act (CEQA) Initial Study to determine the appropriate environmental review document (i.e., Negative Declaration or EIR). The initial study would include an analysis of the proposed project's effect on all environmental resources.

New Sections 22.22.152 (Major Clusters) and 22.22.154 (Minor Clusters)

New Section 22.22.152 establishes criteria for major agricultural lands clustering projects, and section 22.22.154 establishes criteria for minor agricultural lands clustering projects. Both minor and major agricultural clustering projects would be allowed within inland areas, and only minor agricultural clustering projects would be allowed in the Coastal Zone (refer to new Sections 23.04.037 and 23.04.038).

Major Agricultural Lands Clustering. For major agricultural lands clustering, the maximum allowed number of clustered parcels would equal the number of primary dwellings normally allowed on the parcels that would result from a conventional land division in the Agriculture land use category. The required area of open space must be equal to at least 95 percent of the parent parcel. In addition, a minimum lot size less than 2.5 acres is only allowed when community water is provided. The density of the major cluster is the sum of the base parcel number and the bonus parcel number. The base parcel number is equal to the number of parcels allowed by a conventional land division in the Agriculture land use category. The bonus parcel incentive ranges from 26 to 100 percent of the base parcel calculation. The maximum number of parcels cannot exceed the maximum number of residences allowed on the parent parcel, therefore, the parcel density may increase but the total number of dwellings would be equal.

Major agricultural clustering projects are only permitted in the vicinity of existing cities and communities in the County of San Luis Obispo. The existing ordinance sets minimum size and distance requirements as baseline criteria for approval of an agricultural clustering project application. The amended ordinance removes the size/distance requirements, and simply states that major agricultural lands clustering may be considered on lands within the Agriculture and Rural Lands land use categories that are in agricultural use at the time of application on properties that are at least partly within five miles of Urban Reserve Lines (URLs) of the cities of Arroyo Grande, Atascadero, San Luis Obispo, Paso Robles, and Santa Maria, and the communities of San Miguel, Nipomo, and Creston. Major agricultural lands clustering is not allowed within the Coastal Zone, or the Arroyo Grande, Cienega, and Oso Flaco valleys (as identified by the San Luis Bay and South County Area Plans).

Minor Agricultural Lands Clustering. For minor agricultural clustering projects, the maximum allowed number of clustered parcels would equal the base number of parcels in addition to a number of bonus parcels up to 25 percent of the base parcel calculation or one additional parcel. The required area of open space must be equal to at least 90 percent of the parent parcel. In addition, a minimum clustered lot size less than 5 acres is only allowed when community water is provided. The maximum number of parcels would exceed the number allowed by a conventional Agricultural land division; however the number of residences would be less (for inland minor agricultural cluster projects).

Minor agricultural lands clustering projects are allowed in the Agriculture and Rural Lands land use categories on land that is currently in agricultural use at the time of application anywhere in the unincorporated areas of the County, including the Coastal Zone, with the exception of the Arroyo Grande, Cienega, and Oso Flaco valleys (as identified by the San Luis Bay and South County Area Plans).

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Clusters)

Proposed new Sections 23.04.037 and 23.04.038 of the Coastal Zone Land Use Ordinance would allow minor agricultural clustering projects within the Coastal Zone of San Luis Obispo County. For minor agricultural clustering projects in the Coastal Zone, the criteria and regulations would be the same as proposed amendments to 22.22.150 and 22.22.154 discussed above. In the Coastal Zone, the maximum number of primary residences allowed on an Agricultural parcel is one; therefore, it is possible for the maximum number of parcels and residences to exceed the number allowed by a conventional Agricultural land division.

In summary, the intent of the proposed ordinance amendments and new ordinances is to preserve agricultural parcels in sizes adequate to ensure the long-term capability of the land, establish and preserve open space, and minimize incompatibility issues between residential and agricultural land uses. To encourage landowners to pursue either a major or minor agricultural cluster project over a conventional lot split, the amended ordinances offer "bonus parcels", which would increase the number of parcels created, and potentially the number of total primary dwellings allowed within the Coastal Zone, than if a piece of land was divided by a conventional lot split or agricultural cluster under the existing ordinances.

ASSESSOR PARCEL NUMBER(S): Not Applicable SUPERVISORIAL DISTRICT: All

B. EXISTING SETTING

PLANNING AREA:	All
LAND USE CATEGORY:	Agriculture, Rural Lands
COMBINING DESIGNATION(S):	Not Applicable
EXISTING USES:	Not Applicable
TOPOGRAPHY:	Not Applicable
VEGETATION:	Not Applicable
PARCEL SIZE:	Not Applicable

SURROUNDING LAND USE CATEGORIES AND USES:

North: Not Applicable *East:* Not Applicable

South: Not Applicable *West:* Not Applicable

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

1. AESTHETICS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Create an aesthetically incompatible site open to public view?*	☐	☐	■	☐
b) *Introduce a use within a scenic view open to the public?*	☐	☐	■	☐
c) *Change the visual character of an area?*	☐	☐	■	☐
d) *Create glare or night lighting which may affect surrounding areas?*	☐	☐	■	☐
e) *Impact unique geological or physical features?*	☐	☐	■	☐
f) *Other* _____	☐	☐	☐	☐

Setting/Impact.
Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not adversely impact aesthetic resources.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including aesthetic resources. Potential impacts resulting from the construction of future residences and associated development (i.e., roads, water tanks, fences, etc.) may include visibility from public roads, new development in scenic areas, and increased light or glare in currently undeveloped areas.

In addition, amended Section 22.22.150.B.5.b and new Section 23.04.037.b(5)(ii) require that approval of an Agricultural Cluster project shall not occur unless the following findings are made:

"The proposed project has been designed to....Minimize impacts of non-agricultural structures and roads on public views from public roads and public recreation areas; [and] cluster proposed residential structures to the maximum extent feasible so as to not interfere with agricultural production and to also be consistent with the goal of maintaining the rural character of the area."

New Sections 22.22.150.B.7.c and 23.04.037.b(7)(iii) state that: "roads and building sites shall be located to minimize site disturbance and visibility from public roads."

Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 95 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact aesthetic resources.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact aesthetic resources.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact aesthetic resources.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition to amended and proposed requirements protecting aesthetic resources as seen from public roads, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, and Local Coastal Plan. If a proposed project would result in significant impacts, an EIR may be required or if impacts can be readily mitigated, mitigation measures may include a redesign of the proposed project, strategic placement of open space areas, and height and/or design limitations on future residences. Therefore, no significant impacts to aesthetic resources would occur and no mitigation measures are necessary.

2. AGRICULTURAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Convert prime agricultural land to non-agricultural use?*	☐	☐	■	☐
b) *Impair agricultural use of other property or result in conversion to other uses?*	☐	☐	■	☐
c) *Conflict with existing zoning or Williamson Act program?*	☐	☐	■	☐
d) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The existing ordinances regulating minimum parcel size in the Agricultural land use category is currently inconsistent with the Agriculture and Open Space Element of the General Plan. The objective of the proposed amendments to Title 22 and 23 of the County Code is to bring the Land Use Ordinance and Coastal Zone Land Use Ordinance into compliance with Policy AGP 21 of the Agriculture and Open Space Element. Implementation of these ordinances would redefine and clarify the minimum parcel size of a created Agriculture parcel. The overall goal is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not adversely impact agricultural resources.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. The overall goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources and minimize incompatibility issues between residential and agricultural land uses in San Luis Obispo County by encouraging clustering as an alternative to a conventional lot split where an agricultural land division is proposed consistent with amended Sections 22.22.040 and 23.04.024, which regulate minimum parcel size in the Agriculture land use category. The amended ordinance Sections continue to protect lands under Williamson Act agricultural preserve contracts from development by prohibiting the location of clustered parcels within the contracted area. This requirement was also incorporated into new Section 23.04.037. In addition, amended Section 22.22.150.B.5 and 23.03.037.b.(5) maintains that the following findings are required prior to approval of any agricultural clustering project:

> "The proposed project will result in the continuation, enhancement and long-term preservation of agricultural operations consisting of the production of food and fiber on the subject site and in the surrounding area. The proposed project has been designed to: Locate proposed development to avoid and buffer all prime agricultural soils on the site, other agricultural production areas on the site, as well as agricultural operations on adjoining properties....cluster proposed residential structures, to the maximum extend feasible, so as to not interfere with agricultural production and to also be consistent with the goal of maintaining the rural character of the area....The proposed project will not result in any significant land use compatibility impacts affecting on-site or off-site agricultural operations, including but not limited to trespass, vandalism, and complaints about agricultural practices....The water resources and all necessary services are adequate to serve the proposed development, including residential uses, as well as existing and proposed agricultural operations on the subject site and in the site vicinity...[and] The proposed clustered development and the conditions, covenants and restrictions governing the Homeowners Association and/or individual lots are adequate to ensure permanent maintenance of the lands to remain in agricultural production and/or open space."

In addition to the amended ordinance regulations, all proposed agricultural clustering projects would be evaluated during preparation of a CEQA intimal study and reviewed for consistency with the Agriculture and Open Space Element by the County Agriculture Commissioner's Office. Implementation of the proposed amendments to Titles 22 and 23 would not adversely impact agricultural resources. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Based on the intent of the proposed ordinance to protect agricultural resources and the requirement for 95 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division and no significant impacts to agricultural resources would occur as a result of the proposed new ordinance. Implementation of the proposed new ordinance would not adversely impact agricultural resources.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Based on the intent of the proposed ordinance to protect agricultural resources and the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division and no significant impacts to agricultural resources would occur as a result of the proposed new ordinance. Implementation of the proposed new ordinance would not adversely impact agricultural resources.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Based on the intent of the proposed ordinance to protect agricultural resources and the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division and no significant impacts to agricultural resources would occur as a result of the proposed new ordinance. Implementation of the proposed new ordinance would not adversely impact agricultural resources.

Mitigation/Conclusion. Based on the intent of the proposed amendments to bring the Land Use Ordinance and Coastal Zone Land Use Ordinance into consistency with the General Plan, implementation of the proposed amendments would not adversely impact agricultural resources, and no mitigation is necessary.

3. AIR QUALITY - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*	☐	☐	■	☐
b) *Expose any sensitive receptor to substantial air pollutant concentrations?*	☐	☐	■	☐
c) *Create or subject individuals to objectionable odors?*	☐	☐	■	☐
d) *Be inconsistent with the District's Clean Air Plan?*	☐	☐	■	☐
e) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not significantly impact air quality.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not significantly impact air quality.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the intents of the proposed ordinance amendments is to minimize compatibility impacts (including air quality and the generation of objectionable odors) between agricultural and residential uses. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including air quality. Potential impacts resulting from construction of these residences and associated development may include increased ground disturbance and construction emissions, additional residences with operational emissions, and increased traffic trips resulting in additional emissions.

In addition to the required CEQA review, when a proposed project includes the use of equipment or activities that involve combustion or the storage or use of hydrocarbons or other air contaminants, Sections 22.10.030 and 23.06.080 require review by the San Luis Obispo County Air Pollution Control District (APCD). In addition, if the proposed project exceeds thresholds established by the APCD for air pollutants in the *CEQA Air Quality Handbook* (San Luis Obispo County APCD; April 2003), APCD review is required. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance, and would not increase the number of overall trips generated by the future occupants of the parent parcel. In addition, based on the requirement for 95 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Air quality impacts resulting from the new ordinance would be insignificant.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance, and would not increase the number of overall trips generated by the future occupants of the parent parcel. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Air quality impacts resulting from the new ordinance would be insignificant.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increased number of parcels and dwellings would result in an increase of approximately 10 daily trips per dwelling (rates provided by the Institute of Traffic Engineers). The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). This would result in approximately 20 additional daily trips. The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Based on the above discussion, air quality impacts resulting from the new ordinance would be insignificant.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, Local Coastal Plan and Clean Air Plan. If a proposed project would result in significant impacts, an EIR may be required or if impacts can be readily mitigated, mitigation measures may include dust control measures (i.e., use of water trucks to spray down dust, covered transport vehicles, and road sweepers), requirements for energy-efficient and low emission household appliances, and permits from APCD authorizing use of construction equipment. Therefore, no significant air quality impacts would occur and no mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Result in a loss of unique or special status species or their habitats?*	☐	☐	■	☐
b) *Reduce the extent, diversity or quality of native or other important vegetation?*	☐	☐	■	☐
c) *Impact wetland or riparian habitat?*	☐	☐	■	☐
d) *Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?*	☐	☐	■	☐
e) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in significant impacts to biological resources.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including biological resources. Potential impacts resulting from construction of these residences and associated development (i.e., driveways, water tanks, leach fields, utility lines, fences, etc.) may include impacts to special status plant and wildlife species and their habitat, removal and impacts to native vegetation including oak woodland, impacts to riparian and wetland habitats, and disruption to wildlife migratory corridors and breeding habits.

In addition, Sections 22.22.150.B.5.b and 23.04.037.b(5)(ii) require that approval of an Agricultural Cluster project shall not occur unless the following findings are made:

> "The proposed project has been designed to: Minimize to the maximum extent feasible the need for construction of new roads by clustering new development close to existing roads; [and] avoid placement of roads or structures on any environmentally sensitive habitat areas."

In addition, all future agriculture clustering projects would be subject to the requirements of the Land Use Ordinance and Coastal Zone Land Use Ordinance regulating development within Sensitive Resource Areas (Sections 22.14.100 and 23.07.160) and Environmentally Sensitive Habitats (Section 23.07.170) including the avoidance, protection, and minimized impact to biological resources.

Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 95 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact biological resources.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact biological resources.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre

minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact biological resources.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards including the preparation of comprehensive biological survey reports and habitat evaluations. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, Local Coastal Plan, the State and Federal Endangered Species Acts, California Department of Fish and Game Code, and Clean Water Act. If potentially significant impacts to biological resources are identified during the initial study process, an EIR may be required or if identified impacts can be readily mitigated, mitigation measures may include project redesign to avoid sensitive resources, strategic placement of open space areas to protect sensitive resources, implementation of protection measures during construction (i.e., protection fencing, sensitive areas delineated on project plans, crew training prior to site disturbance, and mitigation monitoring), and compensatory mitigation. Therefore, no significant impacts to biological resources would occur and no mitigation measures are necessary.

5. CULTURAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	☐	☐	■	☐
b) Disturb historic resources?	☐	☐	■	☐
c) Disturb paleontological resources?	☐	☐	■	☐
d) Other _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not adversely impact cultural resources.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including cultural resources. Potential impacts resulting from construction of future residences and associated development (i.e., driveways, water tanks, leach fields, utility lines, fences, etc.) may include increased disturbance of sensitive cultural resources sites.

Any cultural resources impacts identified during the initial study process would be analyzed and mitigated to the maximum extent feasible as required by CEQA. In addition to CEQA requirements, the protection of historic and archaeologically significant sites are regulated by Sections 22.10.040 and 22.14.080 of the Land Use Element, and Sections 23.05.140, 23.07.100, and 23.07.104 of the Coastal Zone Land Use Element. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 95 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact cultural resources.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact cultural resources.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not significantly impact cultural resources.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards, including the preparation of phased cultural resource surveys and record searches. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, and Local Coastal Plan. If significant cultural resources are present on the parcel proposed for subdivision, an EIR may be required or if impacts can be readily mitigated, mitigation measures potentially required would include project redesign to avoid sensitive resources, strategic placement of open space areas to protect sensitive resources, and the preparation and implementation of a Mitigation and Monitoring Plan. Therefore, no significant cultural resources impacts would occur and no mitigation measures are necessary.

6. GEOLOGY AND SOILS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	■	☐
b) Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?	☐	☐	■	☐
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	☐	☐	■	☐
d) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☐	■	☐
e) Include structures located on expansive soils?	☐	☐	■	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☐	■	☐
g) Involve activities within the 100-year flood zone?	☐	☐	■	☐
h) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?	☐	☐	■	☐
i) Preclude the future extraction of valuable mineral resources?	☐	☐	■	☐
j) Other _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in adverse geology or soils impacts.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an

application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including geology and soils. Potential impacts resulting from construction of these residences and associated development (i.e., driveways, water tanks, leach fields, utility lines, fences, etc.) may include increased ground disturbance, increased erosion and sedimentation, and the exposure of residences to geologic hazards including slope failure, ground shaking, liquefaction, or soil expansion.

In addition, Sections 22.22.150.B.5.b and 23.04.037.b(5)(ii) require that approval of an Agricultural Cluster project shall not occur unless the following findings are made:

> "The proposed project has been designed to: Minimize risks to life and property due to geologic, flood and...soil erosion."

In addition to CEQA and the revised ordinances, future development would be subject to the regulations and guidelines set forth in the County General Plan, Land Use Ordinance, Coastal Zone Ordinance, and California Public Resources Code regarding geologic hazards, development within flood hazard areas, and controlling drainage, erosion and sedimentation. Prior to development within Geologically Sensitive Areas defined by the County General Plan, a geology and soils report may be required to disclose geologic and soils hazards information and site specific engineered design standards to avoid or minimize risk to life and property (Sections 22.14.070 and 23.07.080). The preparation and implementation of grading, drainage, erosion and sedimentation control plans are regulated by Chapter 22.52 of the Land Use Element, and Chapter 5 of the Coastal Zone Land Use Ordinance to avoid or minimize a development's impacts on existing drainage patterns and avoid or reduce the amount of erosion and down-gradient sedimentation resulting from soil disturbance. Proposed projects within flood hazard areas are regulated by Sections 22.14.060 and 23.07.060, and proposed projects within mineral extraction areas are regulated by Sections 22.14.040, 22.14.050, and 23.07.040 to minimize the placement and effect of development in these areas. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 95 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not result in significant geology or soils impacts.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not result in significant geology or soils impacts.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre

minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. In addition, based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a standard lot division. Implementation of the proposed new ordinance would not result in significant geology or soils impacts.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan (including the Safety Element), Local Coastal Plan, Clean Water Act, and Uniform Building Code. If a proposed project would result in significant impacts, an EIR may be required or if impacts can be readily mitigated, mitigation measures may include strategic placement of building pads and open space areas, implementation of erosion and sediment control plans, implementation of a Storm Water Pollution Prevention Plan, and incorporation of engineered design standards to ensure geologic safety. Therefore, no significant geology or soils resources impacts would occur and no mitigation measures are necessary.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?*	☐	☐	■	☐
b) *Interfere with an emergency response or evacuation plan?*	☐	☐	■	☐
c) *Expose people to safety risk associated with airport flight pattern?*	☐	☐	■	☐
d) *Increase fire hazard risk or expose people or structures to high fire hazard conditions?*	☐	☐	■	☐
e) *Create any other health hazard or potential hazard?*	☐	☐	■	☐
f) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in impacts due to hazards or hazardous materials.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an

application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources including hazards and hazardous materials. Potential impacts resulting from construction of these residences and associated development (i.e., driveways, water tanks, leach fields, utility lines, fences, etc.) may include an increased number of residences with high fire hazard areas and the exposure of people to hazardous materials. In addition, Sections 22.22.150.B.5.b and 23.04.037.b(5)(ii) require that approval of an agricultural cluster project shall not occur unless the following finding is made:

> "The proposed project has been designed to: Minimize risks to life and property due to...fire hazard...."

Any hazards or hazardous materials impacts identified during the initial study process would be analyzed and mitigated for the maximum extent feasible as required by CEQA. In addition to CEQA review, any operational hazards including toxic or hazardous materials, explosives, and flammable and combustible liquids storage are regulated by Sections 22.10.050, 22.10.070, 23.06.120, 23.06.124, and 23.06.126. These sections regulate the storage and use of toxic and hazardous materials to avoid or minimize the risk to public safety and the environment. Sections 22.05.030 and 23.05.080 require the preparation of a Fire Safety Plan to minimize hazards to life and property in the event of a fire. In addition, all development resulting from an agricultural cluster project would be reviewed by the California Department of Forestry/County Fire Department, and would be required by state law to comply with the Uniform Fire Code. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance, and would not expose additional residences to a potential fire hazard. Implementation of the proposed new ordinance would not result in any significant impacts related to hazards or hazardous materials.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance, and would not expose additional residences to a potential fire hazard. Implementation of the proposed new ordinance would not result in any significant impacts related to hazards or hazardous materials.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. Implementation of the proposed new ordinance would not result in any significant impacts related to hazards or hazardous materials.

Mitigation/Conclusion. The proposed ordinance amendments relative to minimum parcel size and agricultural cluster projects implement Agriculture and Open Space Policies 21, 22, 23. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan (including the Safety Element), Local Coastal Plan, and Uniform Fire Code. If any significant hazards or hazardous materials impacts are identified, an EIR may be required or if impacts can be readily mitigated, possible mitigation measures may include project redesign to avoid hazards and incorporation of CDF/County Fire safety requirements. Therefore, no significant impacts resulting from hazards or hazardous materials would occur and no mitigation measures are necessary.

8. NOISE - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Expose people to noise levels which exceed the County Noise Element thresholds?*	☐	☐	■	☐
b) *Generate increases in the ambient noise levels for adjoining areas?*	☐	☐	■	☐
c) *Expose people to severe noise or vibration?*	☐	☐	■	☐
d) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in significant noise impacts.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including noise. Potential impacts resulting from construction of these residences and associated development (i.e., driveways, water tanks, leach fields, utility lines, fences, etc.) may include increased exposure to transportation generated, operational, and construction related noise, and increased generation of transportation related noise due to increased traffic trips.

In addition, one of the intents of the proposed ordinance amendments is to minimize compatibility impacts (including noise) between agricultural and residential uses.

Any noise impacts identified during the initial study process would be analyzed and mitigated for the maximum extent feasible as required by CEQA. In addition to CEQA review, all development resulting from agricultural cluster projects would be subject to noise level regulations stated in the Noise Element

of the General Plan and Sections 22.10.120 and 23.06.040 to minimize the effects of both construction noise during nighttime hours and operational noise during both day and nighttime hours. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. Therefore, there would not be an increase of residents potentially exposed to noise or an increase in the amount of noise generated by additional traffic. Implementation of the proposed new ordinance would not result in significant noise impacts.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. Therefore, there would not be an increase of residents potentially exposed to noise or an increase in the amount of noise generated by additional traffic. Implementation of the proposed new ordinance would not result in significant noise impacts.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. Therefore, there would not be a significant increase of residents potentially exposed to noise or a significant increase in the amount of noise generated by additional traffic. Implementation of the proposed new ordinance would not result in significant noise impacts.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards including preparation of a Noise Study. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan (including the Noise Element), and Local Coastal Plan. If significant noise impacts are identified, an EIR may be prepared or if impacts can be readily mitigated, possible mitigation measures may include project redesign, strategic placement of open space areas to minimize the effect of noise, and construction of noise buffers (i.e., noise walls, earthen berms). Therefore, no significant impacts resulting from noise would occur and no mitigation measures are necessary.

9. POPULATION/HOUSING - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?*	☐	☐	■	☐

9. POPULATION/HOUSING - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	■	☐
c) Create the need for substantial new housing in the area?	☐	☐	■	☐
d) Use substantial amount of fuel or energy?	☐	☐	■	☐
e) Other _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in any significant population or housing impacts.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. The existing ordinance Section 22.22.150 states that the number of parcels allowed in an agricultural cluster division shall be equivalent to the number of dwellings normally allowed in the Agriculture land use category (except where 20-acre parcels are allowed on the basis of Class I soils, the number of parcels shall be based on a ratio of one per 40 acres). The existing ordinance allows one residential unit per clustered parcel, except farm support housing may be authorized through the approval of the overall project land use permit. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. Major agricultural clustering projects are only permitted in the vicinity of existing cities and communities in the County of San Luis Obispo. The existing ordinance sets minimum size and distance requirements as baseline criteria for approval of an agricultural clustering project application. The amended ordinance removes the size/distance requirements, and simply states that major agricultural lands clustering may be considered on lands within the Agriculture and Rural Lands land use categories that are in agricultural use at the time of application on properties that are at least partly within five miles of Urban Reserve Lines (URLs) of the cities of Arroyo Grande, Atascadero, San Luis Obispo, Paso Robles, and Santa Maria, and the communities of San Miguel, Nipomo, and Creston. Major agricultural lands clustering is not allowed within the Coastal Zone, or the Arroyo Grande, Cienega, and Oso Flaco valleys (as identified by the San Luis Bay and South County Area Plans).

This criteria continues to encourage development in the vicinity of existing development while reducing sprawl, minimizing the creation of new roads, and preserving agricultural land and open space. Implementation of the proposed ordinance amendments would not significantly induce a substantial amount of growth, and any project-specific population or housing impacts identified during the initial study process would be analyzed and mitigated to the maximum extent feasible as required by CEQA.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. Minor agricultural lands clustering projects are allowed in the Agriculture and Rural Lands land use categories on land that is currently in agricultural use at the time of application anywhere in the unincorporated areas of the County, including the Coastal Zone, with the exception of the Arroyo Grande, Cienega, and Oso Flaco valleys (as identified by the San Luis Bay and South County Area Plans). Implementation of the proposed ordinance would minimize the creation of new roads, and preserve agricultural land and open space. Implementation of the proposed ordinance amendments would not significantly induce a substantial amount of growth, and any project-specific population or housing impacts identified during the initial study process would be analyzed by CEQA.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. Implementation of the proposed ordinance would minimize the creation of new roads, and preserve agricultural land and open space. Implementation of the proposed ordinance amendments would not significantly induce a substantial amount of growth, and any project-specific population or housing impacts identified during the initial study process would be analyzed by CEQA.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, and Local Coastal Plan. If a proposed project would result in significant impacts, an EIR may be required or if impacts can be readily mitigated, mitigation measures may include discretionary approval of a limited number of clustered parcels. Therefore, no significant population or housing impacts would occur and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - *Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Fire protection?*	☐	☐	■	☐
b) *Police protection (e.g., Sheriff, CHP)?*	☐	☐	■	☐
c) *Schools?*	☐	☐	■	☐
d) *Roads?*	☐	☐	■	☐
e) *Solid Wastes?*	☐	☐	■	☐
f) *Other public facilities?*	☐	☐	■	☐
g) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not adversely impact public services or utilities.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including impacts to public services and utilities. Potential impacts resulting from construction of these residences may include an increased demand on public services and utilities. In addition, Sections 22.22.150.B.5.d and 23.04.037.b(5)(iv) require that approval of an Agricultural Cluster project shall not occur unless the following finding is made:

> "The water resources and all necessary services are adequate to serve the proposed development, including residential uses, as well as existing and proposed agricultural operations on the subject site and in the vicinity."

Any public services or utilities impacts identified during the initial study process would be analyzed and mitigated to the maximum extent feasible as required by CEQA. In addition, the proposed amendments encourage major clustering development within five miles of existing cities, communities or village URL and VRL boundaries, and would not generate a substantial amount of growth resulting in a demand for public services or utilities significantly exceeding the demand anticipated to occur as a result of the existing agricultural clustering ordinance. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. Implementation of the proposed new ordinance would not significantly impact public services or utilities.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. Implementation of the proposed new ordinance would not significantly impact public services or utilities.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an

increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. Implementation of the proposed new ordinance would not significantly impact public services or utilities.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, and Local Coastal Plan. If a proposed project would result in significant impacts, an EIR may be required or if impacts can be readily mitigated, mitigation measures may include discretionary approval of a reduced number of allowed cluster parcels, payment of a project-specific in-lieu fee, or construction of needed infrastructure.

Any residential development, including an agricultural cluster project, would have a cumulative effect on police and fire protection, and schools. Public facility and school fee programs have been adopted by the County to address this impact and reduce cumulative public services impacts to a level of insignificance. Therefore, no significant impacts to public services or utilities would occur and no mitigation measures are necessary.

11. RECREATION - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Increase the use or demand for parks or other recreation opportunities?*	☐	☐	■	☐
b) *Affect the access to trails, parks or other recreation opportunities?*	☐	☐	■	☐
c) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not adversely impact recreational resources.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. Any recreation impacts identified during the initial study process would be analyzed and mitigated to the maximum extent feasible as required by CEQA. Potential impacts resulting from construction of future residences may include an increased demand for recreational resources in the vicinity of the proposed project. During the CEQA review process, if a recreational resource would be

affected by development, the proposed project would be referred to the County Department of General Services Parks and Recreation Division for comment. At that time, the level of impact to recreational resources would be determined and mitigation measures would be proposed. If an agricultural cluster project is proposed where the County Parks Division is proposing a trail, the developer may be required to incorporate the trail into the proposed project design. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. Therefore, the demand for recreational resources would not exceed the demand resulting from cluster projects under the existing ordinance. In addition, allowable uses within the required open space area include outdoor recreation. Implementation of the proposed new ordinance would not significantly impact recreation resources.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. Therefore, the demand for recreational resources would not exceed the demand resulting from cluster projects under the existing ordinance. In addition, allowable uses within the required open space area include outdoor recreation. Implementation of the proposed new ordinance would not significantly impact recreation resources.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. Therefore, the demand for recreational resources would not significantly exceed the demand resulting from cluster projects under the existing ordinance. In addition, allowable uses within the required open space area include outdoor recreation. Implementation of the proposed new ordinance would not significantly impact recreation resources.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, and Local Coastal Plan. If impacts to recreation resources are identified, an EIR may be prepared or if impacts can be readily mitigated, mitigation measures may include the incorporation of a trail or recreation facility into the project design, or contribution to a fee program. Therefore, no significant impacts to recreation would occur and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Increase vehicle trips to local or areawide circulation system?*	☐	☐	■	☐
b) *Reduce existing "Levels of Service" on public roadway(s)?*	☐	☐	■	☐
c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*	☐	☐	■	☐
d) *Provide for adequate emergency access?*	☐	☐	■	☐
e) *Result in inadequate parking capacity?*	☐	☐	■	☐
f) *Result in inadequate internal traffic circulation?*	☐	☐	■	☐
g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?*	☐	☐	■	☐
h) *Result in a change in air traffic patterns that may result in substantial safety risks?*	☐	☐	■	☐
i) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in any significant transportation or circulation impacts.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including impacts to transportation and circulation. Potential impacts resulting from construction of these residences may include increased traffic trips, the creation of new roads and intersections potentially resulting in unsafe traffic conditions, and congestion within internal traffic circulations systems. In addition, during the initial CEQA review, the County Department of Public Works, Airport Land Use Commission (if within Airport Review Area), and California Department of Transportation (if affected) would be contacted to review the proposed project and submit recommendations for design and any other mitigation measures.

The existing ordinance requires that all interior roads resulting from an agricultural cluster development be privately-owned and maintained for the life of the project. Amended ordinance Section 22.22.150.B.6 and new ordinance Section 23.04.037.b.(6) maintain this requirement, and add that agricultural clustering developments shall only be allowed on ownerships with access to an existing paved, county or state maintained road. In addition, Sections 22.22.150.B.5.b and 23.04.037.b(5)(ii) require that approval of an Agricultural Cluster project shall not occur unless the following finding is made:

> "The proposed project has been designed to...minimize, to the maximum extent feasible, the need for construction of new roads by clustering new development close to existing roads...."

Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. Therefore, implementation of the proposed ordinance amendment would not result in the generation of additional trips exceeding the amount that would be generated by a cluster development regulated by the current ordinance. Implementation of the proposed new ordinance would not result in significant transportation or circulation impacts.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. Therefore, implementation of the proposed ordinance amendment would not result in the generation of additional trips exceeding the amount that would be generated by a cluster development regulated by the current ordinance. Implementation of the proposed new ordinance would not result in significant transportation or circulation impacts.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. Therefore, implementation of the proposed ordinance amendment would not result in the generation of additional trips significantly exceeding the amount that would be generated by a standard lot split regulated by the current ordinance. Implementation of the proposed new ordinance would not result in significant transportation or circulation impacts.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards, including preparation of a Traffic Study Report. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan , and Local Coastal Plan. If significant transportation or circulation impacts are identified, an EIR may be prepared or if impacts can be readily mitigated, mitigation measures may include project redesign, strategic placement of access roads and intersections, and payment of traffic impact fees. Therefore, no significant transportation or circulation impacts would occur and no mitigation

measures are necessary.

13. WASTEWATER - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?*	☐	☐	■	☐
b) *Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?*	☐	☐	■	☐
c) *Adversely affect community wastewater service provider?*	☐	☐	■	☐
d) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in any significant wastewater impacts.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including wastewater impacts. Potential impacts resulting from construction of these residences and associated development (i.e., leach fields, utility lines, etc.) may include wastewater discharge violations (i.e., leach field lines located less than 100 feet from a riparian corridor), nitrogen-loading or daylighting resulting from compromising soil conditions (i.e., shallow depth to bedrock, poor percolation rates, or steep slopes), or discharge amounts exceeding the capabilities of the community wastewater service provider.

In addition, Sections 22.22.150.B.5.d and 23.04.037.b(5)(iv) require that approval of an Agricultural Cluster project shall not occur unless the following finding is made:

> "The water resources and all necessary services are adequate to serve the proposed development, including residential uses, as well as existing and proposed agricultural operations on the subject site and in the vicinity."

Any impacts resulting from the generation and treatment of wastewater, whether by a community wastewater service provider or individual septic and leach field systems, identified during the initial study process would be analyzed as required by CEQA. In addition, during the initial CEQA review, the County Department of Environmental Health and community service provider (if applicable) would be contacted to review the proposed project and assess the soils capability to support a leach field or engineered systems, or issue a will-serve letter indicating availability of service (if applicable). If the amount of

wastewater generated by a proposed development would exceed 2,500 gallons per day, the Regional Water Quality Control Board would be contacted for review and issuance of a Waste Discharge Permit. Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the existing ordinance. In addition, a minimum lot size of less than one acre may only be granted if the leaching capacity of the soils for septic tank use is zero to five minutes per inch, or if community sewer is provided to ensure that the parcel's capacity for septage absorption is not exceeded. Therefore, the proposed ordinance would not result in significant wastewater impacts.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. In addition, a minimum lot size of less than one acre may only be granted if the leaching capacity of the soils for septic tank use is zero to five minutes per inch, or if community sewer is provided to ensure that the parcel's capacity for septage absorption is not exceeded. Therefore, the proposed ordinance would not result in significant wastewater impacts.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. In addition, a minimum lot size of less than one acre may only be granted if the leaching capacity of the soils for septic tank use is zero to five minutes per inch, or if community sewer is provided to ensure that the parcel's capacity for septage absorption is not exceeded. Therefore, the proposed ordinance would not result in significant wastewater impacts.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, Clean Water Act, and Local Coastal Plan. If wastewater impacts are identified, an EIR may be prepared or if impacts can be readily mitigated, possible mitigation measures would include redesign of the proposed project or construction of an engineered wastewater treatment system. Therefore, no significant impacts resulting from wastewater discharge or treatment would occur and no mitigation measures are necessary.

14. WATER - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any water quality standards?*	☐	☐	■	☐
b) *Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?*	☐	☐	■	☐

14. WATER - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) *Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?*	☐	☐	■	☐
d) *Change the quantity or movement of available surface or ground water?*	☐	☐	■	☐
e) *Adversely affect community water service provider?*	☐	☐	■	☐
f) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The proposed ordinance amendments implement Agriculture and Open Space Policy AGP 21. The goal of this policy is to ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not adversely impact water resources.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The proposed ordinance amendments relating to agricultural clustering projects implement Agriculture and Open Space Policies 22 and 23. One of the goals of these policies, and the proposed ordinances, is to protect agriculture and open space resources in San Luis Obispo County. The existing ordinance requires the automatic preparation of an EIR for all proposed agricultural cluster projects. Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA; the initial study would determine whether an EIR or Negative Declaration shall be prepared for the proposed project. The initial study shall include an analysis of all environmental resources, including the availability of, and potential impacts on, resources such as water and other public services and facilities. Potential impacts resulting from construction of these residences and associated development (i.e., driveways, water tanks, leach fields, utility lines, etc.) may include increased possibility for discharge of sediment and pollutants into surface water and an increased demand for water resources. In addition, Sections 22.22.150.B.5.d and 23.04.037.b(5)(iv) require that approval of an Agricultural Cluster project shall not occur unless the following finding is made:

> "The water resources and all necessary services are adequate to serve the proposed development, including residential uses, as well as existing and proposed agricultural operations on the subject site and in the vicinity."

Any impacts resulting from the use or discharge of water, whether by a community water service provider or individual wells, identified during the initial study process would be analyzed as required by CEQA. In addition, during the initial CEQA review, the County Department of Environmental Health and community service provider (if applicable) would be contacted to review the proposed project and assess the capability and quality of the onsite well, or issue a will-serve letter indicating availability of service (if applicable). Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would not exceed the number allowed by a standard land division or the

existing ordinance. Therefore, the demand for water resources would not exceed the demand anticipated by cluster projects or conventional land divisions under the existing ordinance. In addition, a minimum lot size less than 2.5 acres is only allowed if community water is provided to ensure that the demand for water does not exceed the groundwater basin's capacity. Based on the requirement for 95 percent open space, clustering projects would likely result in less disturbance from development than a conventional lot division. Based on the above discussion, implementation of the proposed ordinance amendment would not significantly impact water resources.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Section 22.22.154 would potentially result in an increased number of parcels compared with the existing ordinance, which does not include a "bonus parcel" incentive. The actual number of residences would be less than the number allowed by a standard land division or the existing ordinance. Therefore, the demand for water resources would not exceed the demand anticipated by cluster projects or conventional land divisions under the existing ordinance. In addition, a minimum lot size less than 2.5 acres is only allowed if community water is provided to ensure that the demand for water does not exceed the groundwater basin's capacity. Based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a conventional lot division. Based on the above discussion, implementation of the proposed ordinance amendment would not significantly impact water resources.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed new ordinance Sections 23.04.037 and 23.04.038 would result in an increased number of parcels and primary dwellings compared with the existing ordinance, which does not allow agricultural clustering in the Coastal Zone. The increase in the number of parcels and residences would not exceed more than two bonus parcels (and two residences exceeding the amount allowed by a standard land division) unless the parent parcel is larger than 360 acres (assuming 30 acre minimum agricultural parcel size). The County reserves the discretion to limit the allowed bonus parcel amount to one parcel if potentially significant impacts would result from implementation of the full 25 percent bonus parcel incentive. Therefore, the demand for water resources would not significantly exceed the demand anticipated by conventional land divisions under the existing ordinance. In addition, a minimum lot size less than 2.5 acres is only allowed if community water is provided to ensure that the demand for water does not exceed the groundwater basin's capacity. Based on the requirement for 90 percent open space, clustering projects would likely result in less disturbance from development than a conventional lot division. Based on the above discussion, implementation of the proposed ordinance amendment would not significantly impact water resources.

Mitigation/Conclusion. Implementation of the proposed amendments would not affect the environmental review process or reduce environmental standards. In addition, all proposed agricultural clustering projects would be subject to environmental review under CEQA and regulatory review under the Land Use Ordinance, Coastal Zone Land Use Ordinance, County General Plan, Clean Water Act, and Local Coastal Plan. If any water resources impacts are identified, an EIR may be prepared or if impacts can be readily mitigated, possible mitigation measures may include project redesign to avoid surface water resources, strategic placement of open space areas, the preparation and implementation of a Storm Water Pollution Prevention Plan (for areas of disturbance exceeding 1.0 acre) or an erosion, sedimentation, and pollution prevention plan, mitigation monitoring during construction activities, and incorporation of "water-saving" appliances in the project design. Therefore, no significant impacts resulting from the use or discharge of water would occur and no mitigation measures are necessary.

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15. LAND USE - *Will the project:*	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) *Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?*	☐	☐	■	☐
b) *Be potentially inconsistent with any habitat or community conservation plan?*	☐	☐	■	☐
c) *Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?*	☐	☐	■	☐
d) *Be potentially incompatible with surrounding land uses?*	☐	☐	■	☐
e) *Other* _____	☐	☐	☐	☐

Setting/Impact.

Amended Sections 22.22.040 and 23.04.024 (Minimum Parcel Size)

The existing ordinances regulating minimum parcel size in the Agriculture land use category within the unincorporated areas of San Luis Obispo County is currently inconsistent with the Agriculture and Open Space Element of the General Plan. The objective of the proposed amendments to Title 22 and 33 of the County Code is to bring the Land Use Ordinance and Coastal Zone Land Use Ordinance in compliance with Policies 21. Implementation of these ordinances would redefine and clarify the minimum parcel size of a created Agriculture parcel and ensure protection of agricultural land resources for long-term crop production and grazing uses. Establishing larger areas for agricultural land would not result in any land use inconsistencies.

Amended Sections 22.22.150 and 23.04.037 (Agricultural Lands Clustering)

The existing ordinances regulating agricultural clustering projects within unincorporated areas of San Luis Obispo County is currently inconsistent with the Agriculture and Open Space Element of the General Plan. The objective of the proposed amendments to Title 22 and 33 of the County Code is to bring the Land Use Ordinance and Coastal Zone Land Use Ordinance in compliance with Policies 22 and 23 of the Agriculture and Open Space Element. Implementation of these ordinances would set criteria and incentives for agricultural clustering projects in both inland and coastal areas within San Luis Obispo County. The overall goal of the ordinances is to protect and preserve agricultural land and open space and minimize compatibility issues between residential and agricultural land uses.

Proposed amended Section 22.22.150.B.4 and new Section 23.04.037.b.(4) require that after acceptance of an application for an agriculture cluster development, an initial study shall be prepared in compliance with CEQA. The initial study shall include an analysis of land use consistency. In addition, Sections 22.22.150.B.5.c. and 23.04.037.b(5)(iii) require that approval of an Agricultural Cluster project shall not occur unless the following finding is made:

> "The proposed project will not result in any significant land use compatibility impacts affecting on-site or off-site agricultural operations, including but not limited to trespass, vandalism, and complaints about agricultural practices."

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Potential impacts resulting from major and minor agricultural cluster projects are discussed below.

New Section 22.22.152 (Major Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.152 would bring the County Land Use Ordinance into consistency with the Agriculture and Open Space Element. The intent of the proposed amended ordinance is to preserve agricultural land and open space, and minimize land use conflicts between agricultural and residential uses. No land use inconsistencies resulting from the proposed ordinance amendment were identified.

New Section 22.22.154 (Minor Agricultural Cluster Projects)

Implementation of proposed amendment 22.22.154 would bring the County Land Use Ordinance into consistency with the Agriculture and Open Space Element. The intent of the proposed amended ordinance is to preserve agricultural land and open space, and minimize land use conflicts between agricultural and residential uses. No land use inconsistencies resulting from the proposed ordinance amendment were identified.

New Sections 23.04.037 and 23.04.038 (Minor Agricultural Cluster Projects)

Implementation of proposed amendment 23.04.037 and 23.04.038 would bring the County Coastal Zone Land Use Ordinance into consistency with the Agriculture and Open Space Element. The intent of the proposed ordinance is to preserve agricultural land and open space, and minimize land use conflicts between agricultural and residential uses. No land use inconsistencies resulting from the proposed ordinance amendment were identified.

Mitigation/Conclusion. Based on the intent of the proposed amendments to bring the Land Use Ordinance and Coastal Zone Land Use Ordinance into consistency with the General Plan, implementation of the proposed amendments would not result in significant land use impacts, and no mitigation is necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*	☐	☐	■	☐
b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)*	☐	☐	■	☐
c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*	☐	☐	■	☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.slocoplanbldg.com" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an "X") and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
___	County Public Works Department	Not Applicable
___	County Environmental Health Division	Not Applicable
XX	County Agricultural Commissioner's Office	Personal Communications
___	County Airport Manager	Not Applicable
___	Airport Land Use Commission	Not Applicable
___	Air Pollution Control District	Not Applicable
___	County Sheriff's Department	Not Applicable
___	Regional Water Quality Control Board	Not Applicable
XX	CA Coastal Commission	None
___	CA Department of Fish and Game	Not Applicable
___	CA Department of Forestry	Not Applicable
___	CA Department of Transportation	Not Applicable
XX	All Community Advisory Councils	None
XX	Agricultural Liaison Advisory Board	Attached
XX	SLO County Cattlemen's Association	Attached

** "No comment" or "No concerns"-type responses are usually not attached*

The following checked ("✔") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

✔ Project File for the Subject Application

County documents

___ Airport Land Use Plans
✔ Annual Resource Summary Report
___ Building and Construction Ordinance
___ Coastal Policies
✔ Framework for Planning (Coastal & Inland)
✔ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  ✔ Agriculture & Open Space Element
  ✔ Energy Element
  ✔ Environment Plan (Conservation, Historic and Esthetic Elements)
  ✔ Housing Element
  ✔ Noise Element
  ___ Parks & Recreation Element
  ✔ Safety Element
✔ Land Use Ordinance
___ Real Property Division Ordinance
___ Trails Plan
___ Solid Waste Management Plan
XX All Area Plan and Update EIR
___ _____ Circulation Study

Other documents

___ Archaeological Resources Map
___ Area of Critical Concerns Map
___ Areas of Special Biological Importance Map
___ California Natural Species Diversity Database
✔ Clean Air Plan
___ Fire Hazard Severity Map
___ Flood Hazard Maps
___ Natural Resources Conservation Service Soil Survey for San Luis Obispo County
___ Regional Transportation Plan
___ Uniform Fire Code
✔ Water Quality Control Plan (Central Coast Basin - Region 3)
___ Other _____
___ Other _____

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In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

None Applicable

Exhibit B - Mitigation Summary Table

None Applicable