# STAFF REPORT "EXHIBIT C"

# CEQA REQUIRED FINDINGS FOR THE LOPERENA MINOR USE PERMIT/ COASTAL DEVELOPMENT PERMIT ENVIRONMENTAL IMPACT REPORT

# 1.0 ENVIRONMENTAL DETERMINATION

The Environmental Impact Report (EIR) was prepared, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §21000 et seq.), to evaluate the environmental impacts resulting from approval of the Loperena Minor Use Permit / Coastal Development Permit (MUP/CDP) (project). The County of San Luis Obispo (County) is the CEQA Lead Agency for the project.

The EIR addresses the potential environmental effects associated with the project. A number of federal, state, and local governmental agencies require an environmental analysis of the proposed project consistent with the requirements of CEQA in order to act on the project. These agencies include the California Coastal Commission.

The findings and recommendations set forth below (Findings) are adopted by the County ~~Planning Commission~~Board of Supervisors as the County's findings under CEQA and the CEQA Guidelines (California Code of Regulations [CCR] Title 14, §15000 et seq.) relating to the project. The Findings provide the written analysis and conclusions of this commission regarding the project's environmental impacts, mitigation measures, and alternatives to the project.

## 1.1 PROCEDURAL BACKGROUND

Pursuant to CEQA and the CEQA Guidelines, the County determined that an EIR would be required for the project. On August 7, 2009, the County issued a Notice of Preparation (NOP) for the EIR which was circulated to responsible agencies and interested groups and individuals for review and comment. A copy of the NOP is included in Appendix A of the Loperena MUP/CDP EIR.

The Draft EIR was available for public review and comment from June 14, 2013, through August 5, 2013, and was filed with the State Office of Planning & Research under State Clearinghouse No. 2007081044.

The County prepared written responses to the comments received during the comment period and included these responses in the Final EIR, which was published by the County on December 12, 2013. The Final EIR with responses was made available to all commenters.

~~**PROJECT DESCRIPTION**~~

~~The applicant, Mr. Jack Loperena (landowner) and architect, Mr. James Maul, request a Minor Use Permit / Coastal Development Permit (MUP/CDP) to allow for the construction of a single-family residence. A description of the project location, project history, and project elements are discussed in the sections below.~~

# 2.0 PROJECT DESCRIPTION

The applicant, Mr. Jack Loperena (landowner) and architect, Mr. James Maul, request a Minor Use Permit / Coastal Development Permit (MUP/CDP) to allow for the construction of a single-family residence. A description of the project location, project history, and project elements are discussed in the sections below.

## 2.1 GENERAL BACKGROUND

### 2.1.1 Project Location

The project site is located in the unincorporated community of Cayucos, within San Luis Obispo County, California. The project site is located adjacent to State of California Department of Parks and Recreation (State Parks) property on the northern end of Studio Drive, approximately 250 feet south of the intersection of Studio Drive and Highway 1. The project site consists of a single 3,445-square-foot parcel (Assessor Parcel Number 064-253-007).

### 2.1.2 Project Background

The applicant submitted an application for a MUP/CDP in May of 2006. At the time, the environmental document prepared and issued by the County was a Mitigated Negative Declaration (MND) (August 9, 2007). A Planning Department Hearing was scheduled for August 17, 2007, to consider the proposed project and MND. At the hearing, staff requested a continuance until September 21, 2007 because the MND had been re-issued and re-noticed, and required a 30-day public review period. On August 23, 2007, County staff received a Request for Review of the MND, and requested that the project be continued off calendar to address issues raised in the Request for Review. Based on the comments included in the Request for Review, County staff consulted with County experts in geology, cultural resources, emergency services, air quality, and public works and drainage. Information and data obtained from County experts were incorporated into an amended MND, which was re-circulated for public review (April 2, 2009). A Planning Department Hearing was scheduled for May 15, 2009. A Request for Review of the amended MND was received by County staff on April 16, 2009, and County staff requested that the project be continued off calendar a second time.

Based on the issues raised in the April 2009 Request for Review, the County Environmental Coordinator determined that a fair argument was raised regarding the significance of potential environmental impacts. Upon consideration of these issues, the applicant proposed that an EIR be prepared for the proposed project.

The project application along with the Final EIR were scheduled and noticed for the Planning Commission on January 23, 2014. The Planning Commission discussed the project and opened public comment however the Commission elected to continue the project to their April 10, 2014 meeting in order for the applicant to bring back a reduced/revised project. The

reduced project was then reviewed and approved at the April, 10 2014 Planning Commission hearing. The Planning Commission decision was subsequently appealed to the County Board of Supervisors and scheduled on the June 3, 2014 hearing.

## 2.2 PROJECT OBJECTIVES

The objectives of the project are to:

- Develop a single-family residence on Studio Drive, within an existing, developed, single-family residential neighborhood;
- Allow development consistent with the County General Plan and Local Coastal Program
- Provide coastal access

In addition, the applicant provided the following project objectives:

- Reduce visual impacts by design;
- Avoid development on the sandy beach and minimize site grading and disruption of the natural contours; and,
- Incorporate green building considerations into the design, and maximize exposure for solar panels.

## 2.3 PROPOSED PROJECT EVALUATED FOR THE EIR

The project evaluated in the EIR includes a proposeal to grade for and construct a 3,097-square-foot residence, including approximately:

- 1,097 square feet of main floor living space
- 1,040-square-foot basement
- 338-square-foot mezzanine
- 242-square-foot garage and 200 square foot carport; and,
- 180-square-foot covered deck.

The residence would consist of one main floor and a basement. The footprint of the house would be 1,040 square feet. The maximum width of the structure would be 18 feet, and the maximum length would be 95 feet. A paved driveway would provide access from Studio Drive. The maximum height of the residence would be 15 feet above the centerline elevation of Studio Drive. The basement would be located below the elevation of Studio Drive. The applicant proposes a cantilevered design, which would be elevated above the sandy beach. This portion would include approximately 325 square feet of living space and a covered deck.

The residence would be constructed on a structural mat slab supported on deepened/deadman footings and/or drilled piers. The footing on the east side of the residence would extend the full width of the structure (18 feet), and be 6 to 8 feet deep and 18 feet long. The purpose of the deadman footings will be to resist the cantilever loading of the west side of the residence, which would extend 28 feet over the sand. The mat slab would be located at basement level (15 feet above mean sea level). Cuts varying from approximately 5 feet on the north side of the pad to 12 feet on the south side are anticipated. Temporary excavation support would be provided by steel soldier beams installed in drilled holes filled with lean concrete. The soldier beams would

be lagged with steel plates to provide support during construction. The soldier beams and lagging would be removed once the excavated area is backfilled. The exterior walls of the structure would be concrete and would retain soils along the southern, eastern, and northern sides of the residence. Retaining walls will also be constructed adjacent to Studio Drive with continuous footings extending into the underlying bedrock materials.

A photovoltaic system would provide electricity for the residence, including 1,400 square feet of solar panels to be located on the south-facing slopes of the roof. Light tubes would be installed to allow outside light to filter through to the basement.

### 2.3.1 Grading Estimates

Grading activities would disturb approximately 3,000 square feet of the 3,445-square-foot parcel, including 400 cubic yards of cut (foundation) and 150 cubic yards of fill (driveway). The average depth of cut would be 5 feet (minimum 1 foot, maximum 12 feet). Approximately 250 cubic yards of soil would be exported offsite.

### 2.3.2 Drainage Plan

Proposed drainage plans include removal of an existing overside drain and construction of a new storm drain system including an overside drain with a fossil filter, stormwater inlet, and stormwater outlet with energy dissipators. Stormwater would flow from the outlet in a northwesterly direction offsite.

A concrete deck would be constructed over the new pipe system to allow entry to the property. Rainfall from the roof would be collected by a gutter system and facilitated to an underground holding tank below the driveway grade. Captured runoff would be used as gray water for toilet flushing and landscape watering. Runoff would be piped and directed westward to exit onto the beach.

### 2.3.3 Services and Utilities

An existing high pressure gas main would be re-routed so that no structures are located over the top of the pipeline. The proposed residence would be served by the County Service Area 10A for water supply and Cayucos Sanitary District for wastewater collection, treatment, and disposal. Cayucos Fire would provide fire protection.

## 2.4 REVISED PROJECT

Based on direction from the Planning Commission, the applicant revised the project which reduced the size of the proposed project from what was evaluated in the EIR. The revised project includes a home that is approximately 16 feet shorter in living area from the proposed project and has an approximate total length of 70 feet which includes an attached deck on the west side. The original 2,917 square foot home had a length of approximately 90 feet. The revised project is approximately 2,374 square feet which includes all interior area and the single car garage (approximately 543 square feet smaller then the original proposed project). The height of the revised project is not changing from the original proposed project. The revised project includes:

- 841 square feet of main floor living space
- 814 square foot basement
- 280 square foot mezzanine

- 239 square foot garage and 200 square foot car port

All other aspects to the revised project such as the foundation and proposed site preparation are similar to the original proposed project, but are slightly smaller in size or area, and are set back farther from the beach at a higher elevation then the original design due to the shorter footprint (the basement went from an elevation of 15 feet to 16 feet at the lowest corner). The foundation will no longer need a 6' deep foundation to support the long cantilevered portion of the original design, but will include a 2' deep mat foundation. The site preparation will remain as outlined in the geotechnical recommendations in the EIR. This revised project is consistent with the project that was evaluated in the EIR and will not contain any additional impacts that were not already evaluated. This revised project will comply with the County Green Building Ordinance and while solar panels are not shown with this design on the plans, the proejct is not precluded from allowing solar panels within the new pitched roofline.

~~GENERAL FINDINGS~~

# 3.0 GENERAL FINDINGS

## 3.1 CEQA GENERAL FINDINGS

A. The County ~~Planning Commission~~Board of Supervisors finds that changes or alterations have been incorporated into the project to eliminate or substantially lessen all significant impacts where feasible. These changes or alterations include mitigation measures and project modifications outlined herein and set forth in more detail in the Loperena Minor Use Permit/Coastal Development Permit EIR.

B. The County ~~Planning Commission~~Board of Supervisors finds that the project, as approved, includes an appropriate Mitigation Monitoring Program. This mitigation monitoring program ensures that measures that avoid or lessen the significant project impacts, as required by CEQA and the State CEQA Guidelines, will be implemented as described.

C. Per CEQA Guidelines §15126.4(a)(1)(B), the proposed project includes performance-based conditions relating to environmental impacts and include requirements to prepare more detailed plans that will further define the mitigation based on the more detailed plans to be submitted as a part of the construction phase. Conditions and mitigation measures contain performance-based standards and therefore avoid the potential for these conditions or measures to be considered deferred mitigation under CEQA.

## 3.2 LEAD AGENCY AND RESPONSIBLE AGENCY USE OF THE FINAL EIR AND FINDINGS

The County, as the CEQA lead agency, is responsible for administering the preparation of the EIR and certifying the Final EIR. The ~~Commission~~ Board of Supervisors will use the Final EIR as an informational document to assist in the decision-making process, ultimately resulting in the approval, denial, or assignment of conditions to the project.

The CEQA Guidelines authorizes lead agencies (public agencies that have principal responsibility for carrying out or approving a project and for implementing CEQA) to approve a project with significant effects if there is no feasible way to lessen or avoid the significant effects and the project's benefits outweigh these effects. Responsible agencies (public agencies other than the lead agency that have responsibility for carrying out or approving a project and for complying with CEQA) have a more limited authority to require changes in the project to lessen or avoid only the effects, either direct or indirect, of that part of the project which the agency will be called on to carry out or approve (PRC §21104(c), §21153(c); CEQA Guidelines §15041(b), §15042).

## 3.3 THE RECORD

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP and all other public notices issued by the County in conjunction with the proposed project;

- The Final EIR for the proposed project which consists of the Draft EIR, the technical appendices, and the Response to Comments;
- The Draft EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review and comment period on the Draft EIR;
- All written and verbal public testimony presented during noticed public hearings for the proposed project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The documents, reports, and technical memoranda included or referenced in the technical appendices of the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft and Final EIR;
- The Ordinances and Resolutions adopted by the County in connection with the proposed project, and all documents incorporated by reference therein;
- Matters of common knowledge to the County, including but not limited to federal, state, and local laws, regulations, and policy documents;
- Written correspondence submitted to the County in connection with the project;
- All documents, County Staff Reports, County studies, and all written or oral testimony provided to or by the County in connection with the project;
- The County's Local Coastal Plan, General Plan, and related ordinances;
- All testimony and deliberations received or held in connection with the project; and,
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e) (excluding privileged materials).

## 3.4 CERTIFICATION OF THE LOPERENA MUP/CDP EIR

The County ~~Planning Commission~~Board of Supervisors makes the following findings with respect to the Loperena MUP/CDP Final EIR:

A. The ~~Planning Commission~~County Board of Supervisors has reviewed and considered the documents and other information listed in Section 2.7~~3.3~~ above.

B. The Final EIR has been completed in compliance with CEQA.

C. The ~~Planning Commission~~County Board of Supervisors has considered the information contained in the Final EIR, the public comments and responses currently and previously submitted, and the public comments and information presented at the public hearings.

D. All information was considered by the ~~Planning Commission~~Board of Supervi~~o~~sors before taking an action on the project.

E. The ~~Planning Commission~~Board of Supervisors hereby finds and determines that:

1. All significant effects that can be feasibly avoided have been eliminated or substantially lessened as determined through the findings and supporting evidence set forth in Sections 7.0, 8.0, and 9.0.

2. Based on the Final EIR and other documents in the record, specific environmental, economic, social, legal, and other considerations make infeasible other project alternatives identified in the Final EIR.

3. Should approval of the Loperena MUP and CDP have the potential to result in adverse environmental impacts that are not anticipated or addressed by the Final EIR, subsequent environmental review shall be required in accordance with CEQA Guidelines §15162(a).

# 4.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR has identified and discussed significant effects that will occur as a result of the proposed project. With the implementation of the mitigation measures identified in the Final EIR, these effects can be mitigated to a level of insignificance. Therefore, no statement of Overriding Consideration is required.

**IMPACT ANALYSIS:** Impacts of the proposed project and alternatives have been classified using the categories Class I, II, III, and IV as described below:

- **Class I:** Class I impacts are significant and unavoidable. To approve a project resulting in Class I impacts, the CEQA Guidelines require decision makers to make findings and a statement of overriding considerations that discusses as applicable the economic, legal, social, technical and other benefits of the proposed project against the unavoidable environmental risks. The proposed project has not resulted in any Class I impacts.

- **Class II:** Class II impacts are significant but can be mitigated to a level of insignificance by measures identified in the Final EIR and the project description. When approving a project with Class II impacts, the decision-makers must make findings that;

    1. Changes or alternatives to the project have been incorporated that reduce the impacts to a less than significant level, or

    2. That such changes or alternatives are within the responsibility and jurisdiction of another governmental agency and not the Lead Agency making the finding, and that such other governmental agency can and should adopt the required project changes or alternatives.

- **Class III:** Class III impacts are adverse but not significant. Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.

- **Class IV:** Class IV impacts would have a beneficial environmental impact.

# 5.0 FINDINGS FOR IMPACTS IDENTIFIED AS LESS THAN SIGNIFICANT

The findings below are for Class III impacts. Class III impacts are impacts that are adverse, but not significant. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the ~~Planning Commission~~Board of Supervisors finds that each of the following effects have been avoided or will have a less than significant impact, as identified in the Final EIR. The less than significant effects (Impacts) are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

## A. Agricultural Resources (Insignificant Impact/Not Applicable)

1. **Convert Prime Agricultural Land to Non-Agricultural Use.** The project is located in a non-agricultural area with no agricultural activities occurring at or adjacent to the project site. The project site is classified as Urban and Built-Up Land by the DOC, Division of Land Resource Protection's Farmland Monitoring and Mapping Program (DOC 2008). No important farmland would be converted to non-agricultural use; therefore, there would be no impact.

2. **Impair Agricultural Use of Other Property or Result in Conversion to Other Uses.** No agricultural uses occur in the immediate vicinity of the project site. Based on the location of the project, it would not impair agricultural use of other properties in the region or result in conversion to non-agricultural uses. Therefore, there would be no impact.

3. **Conflict with Existing Zoning or Williamson Act Program.** The project site is within the residential land use category, and is not under Williamson Act contract. No parcels in the project vicinity are within the agricultural land use category or are subject to a Williamson Act contracts. No significant impacts to agricultural resources would to occur.

## B. Aesthetics (Class III)

1. **Create an Aesthetically Incompatible Site Open to Public View.** From surrounding viewing locations, the overall height of the project would appear visually consistent with the heights of existing houses lining Studio Drive, and particularly the existing houses closest to the site. It is anticipated that as seen from most viewpoints, the height of the project would not be unexpected at this residential location.

   The project evaluated in the EIR ~~proposes~~ includes a building with a distinctly modern-style, architecture, and form. This style of architecture is seen regularly in the Studio Drive neighborhood and throughout the community. Although residential buildings often associated with the coastal community aesthetic tend to be beach bungalow style, modern style architecture is also part of the eclectic vernacular. These mid-century style buildings often employ simple forms, and flat rooflines with clerestory windows, similar to the proposed project evaluated in the EIR. This neighborhood consists of a variety of post modern, modern, and beach bungalow design styles constructed over time. The Planning Commission revised project includes additional traditional beach bungalow features such as wood or wood appearing siding, pitched roofline, and articulated walls as required by the Small Scale Neighborhood standards of the Estero Area Plan. This revised design which is

before the Board of Supervisors for approval is consistent with the character of this neighborhood and is compatible with the neighboring development.

Because of the existing residential setting, and the proposed structure's general consistency with the scale and architecture of the Studio Drive neighborhood, the project would be aesthetically compatible with the area, and potential impacts to public views is considered to be *less than significant* (CEQA Class III).

2. **Introduce a Use within a Scenic View Open to Public View.** Because of its location on the bluff, the project would be visible from many public viewpoints and from many viewing directions. The project's proximity to the beach and Studio Drive allows for up-close viewing opportunities by the public. The greatest number of potential viewers would be traveling on Highway 1, from where the project would occupy a portion of the mid-ground view, with the Pacific Ocean in the background. From Highway 1, the project would be more noticeable from the southbound lanes, since views from the northbound lanes would be mostly blocked by adjacent development. As seen from all areas on Highway 1, the lowest portion of the building and associated retaining walls would have limited visibility. The upper part of the residence would block a portion of the existing ocean view, from both the northbound and southbound lanes of Highway 1. From the southbound lanes, blue-water ocean views and the horizon line would be blocked a minor amount. As seen from the northbound lanes, blue-water views would also be briefly blocked, however views of the horizon and of the distant coastline hills would not be affected.

   Although the project would block a portion of the ocean, the effect on the viewing experience would be minor. As seen from the highway it is estimated that the project would only block an insignificant percentage of the existing available ocean view. No views of unique, historic, or singularly memorable coastal resources would be affected. The existing residential development along Studio Drive currently limits views of the ocean and beach from Highway 1. It is anticipated that to most viewers, the project's small incremental effect on the scenic vista would just appear as an extension of the existing neighborhood condition. The high quality of the scenic vista would not be affected, and the extent of view loss would be minor or even un-noticed in the context of the remaining scenic viewshed.

   As seen from southbound Studio Drive, the visual effect of the project would be similar to that from Highway 1; only a small portion of the total available ocean view would be affected, and the majority of the project would be seen within the visual silhouette of the adjacent development. From northbound Studio Drive south of the project, views of the ocean are blocked by existing homes. From the northbound direction, coastal views begin to open up as the viewer approaches the project site and begins to see around the northernmost residence. With construction of the project, existing coastal view blockage in the northbound direction and directly in front of the project would be extended a distance of approximately 150 feet along the street frontage. Outside of this 150-foot section, northbound views along Studio Drive would not be affected. Because existing coastal views along the approximately one mile length of Studio Drive are currently blocked, and there is approximately 300 feet of protected ocean views to the north of the site and extending to the Old Creek parking area, the additional 150 feet of affected view would be minor. The visual affect as seen from a vehicle would be approximately one second. Because of the short length, viewing durations from pedestrian and bicyclist viewpoints would also

be very brief. Similar to the views from Highway 1, the project's small incremental effect on the scenic vista would likely appear as an extension of the existing neighborhood condition. The high quality of the existing scenic vista would be unaffected, and the extent of view loss would be minor or even un-noticed in the context of the remaining scenic viewshed.

Viewpoints from the beach toward the project would be generally oriented inland and away from the ocean. From these viewing areas, scenic coastal resources such as the hills east of the highway are somewhat compromised by existing residential areas as well as the highway. The uppermost portions of the hills however are undeveloped and can be seen from much of the beach area. Because of the existing homes along the Studio Drive bluff, public viewers closer to the base of the bluff can see less of the hills across the highway to the east. From most beach viewpoints northwest of the project, the proposed residence would not extend beyond the visual silhouette of the adjacent development behind it. As seen from certain viewpoints directly west and southwest of the project, the upper portion of the new building would block a portion of the hillside to the northeast. From some closer viewpoints, the residence would block brief views of the ridgeline as well. Although a portion of the hillside views would be blocked by the project, the overall effect on the scenic vista would be minor. Views to the hills would not be blocked as seen from the majority of the beach area. No unique rock outcroppings or other memorable features are present within affected hillside areas. In addition, other hillside views would remain in the viewshed. The project and its subsequent effect on hillside views would appear to most viewers as an extension of the existing visual condition. Scenic ocean views from the neighborhood east of the highway would not be affected because the proposed residence would be consistent with the heights of the existing adjacent homes along Studio Drive.

Because the project would affect only a minor percentage of the available ocean and hillside views as seen from Highway 1 or from public roadways in the surrounding neighborhood or public beach, and because what would be affected would appear as an incremental extension of the existing visual condition along Studio Drive, the project's effect on scenic views is considered to be *less than significant* (CEQA Class III).

***Specific Scenic Resources as Seen from the State Scenic Highway.*** As discussed in the previous section, the greatest number of potential viewers would be traveling on Highway 1, an Officially Designated State Scenic Highway and a National Scenic Byway. The upper part of the residence would block a portion of the existing ocean view, from both the northbound and southbound lanes of Highway 1. From the southbound lanes, blue-water ocean views and the horizon line would be blocked a minor amount. As seen from the northbound lanes, blue-water views would also be briefly blocked, however views of the horizon and of the distant coastline hills would remain.

Although the project would block a portion of the ocean, the effect on the viewing experience would be minor. As seen from the highway it is estimated that the project would only block an insignificant percentage of the existing available ocean view. No views of unique, historic, or singularly memorable coastal resources would be affected. The existing residential development along Studio Drive currently limits views of the ocean and beach from Highway 1. It is anticipated that to most viewers,

the project's small incremental effect on the scenic vista would just appear as an extension of the existing neighborhood condition. The high quality of the scenic vista would not be affected, and the extent of view loss would be minor or even un-noticed in the context of the remaining scenic viewshed.

As a result, the project would have no adverse effect on scenic resources as seen from Officially Designated State Scenic Highway 1. Because the project would affect only a minor percentage of the available ocean and hillside views as seen from Highway 1 and because what would be affected would appear as an incremental extension of the existing visual condition along Studio Drive, the project's effect on scenic vistas is considered to be *less than significant* (CEQA Class III).

3. **Change the Visual Character of an Area.** The project site occupies one of the more visible residential locations in the community. The proximity to Highway 1 and Morro Strand State Beach greatly increases the potential number of viewers of the project. The volume of traffic on Highway 1 in the vicinity of the project averages approximately 11,000 vehicles per day (Caltrans 2008). Because of this large number of viewers and highly visible location, the appearance of the project would have an influence on the visual character of the neighborhood. Any development of the site would include an inherent alteration of visual character. The change in character brought about by this project would be most noticeable it terms of its height, form, and architecture.

   The project site itself is mostly covered with non-native vegetation such as iceplant and ornamental plantings. The visual context of the site is one of a residential beach neighborhood. Although the site's topography provides some visual interest to the setting, it is not memorable or unique. The exposed rock area along western portion of the site is a relatively insignificant portion of a larger, continuous rock face extending south along the bluffs. As noted above, the height of the project would not be unexpected at this residential location and the proposed architecture is aesthetically compatible with the character of the existing residences in the Studio Drive neighborhood.

   Because of the existing residential setting, and the proposed structure's general consistency with the scale and architecture of the Studio Drive neighborhood, the effect of the project on visual character and quality of the site is considered to be *less than significant* (CEQA Class III).

4. **Impact Unique Geological or Physical Features.** As mentioned previously, the visual context of the site is one of a residential beach neighborhood. The project site is mostly covered with non-native vegetation such as iceplant and ornamental plantings. Although the site's topography provides some visual interest to the setting, it is not memorable or unique. The exposed rock area along western portion of the site is a relatively insignificant portion of a larger, continuous rock face extending north-south along the bluffs. Furthermore, the project would not block or adversely affect views of any unique off-site geological or physical features. As a result, the effect of the project on unique geological or physical features is considered to be *less than significant* (CEQA Class III).

## C. Air Quality (Class III)

1. **Violate Air Quality Standard or Exceed Emission Threshold.** As proposed, the project would result in the disturbance of approximately 3,000 square feet, including driveways, walkways, the residential structure coverage, and landscaping. This would result in the creation of construction dust, as well as short-term vehicle emissions. Long-term operational impacts would include an increase in vehicle emissions on surrounding roads. Based on the CEQA Air Quality Handbook, the project would result in less than 10 pounds per day of pollutants, which is below the threshold warranting mitigation. Therefore, potential impacts would be *less than significant* (Class III).

2. **Create or Subject Individuals to Objectionable Odors.** The project consists of a residence, which will not require the storage or use of any materials or equipment that would generate objectionable odors. Therefore, potential impacts would be *less than significant* (Class III).

3. **Clean Air Plan Consistency.** The project is consistent with the general level of development anticipated and projected in the CAP, including promotion of residential infill in proximity to essential services and alternative transportation services. Therefore, potential impacts would be *less than significant* (Class III).

4. **Generate GHG Emissions.** The proposed project would result in an increased use of vehicles and electricity, each of which generate small amounts of $CO_2$, $N_2O$, and HFCs. The APCD provided comments on the project that indicated through URBEMIS modeling that the project would result in approximately 84 pounds per day of $CO_2$ in the summer and 102 pounds per day in the winter (APCD Comment Letter dated December 23, 2008).

   Based on *Table 1-1: Operational Screening Criteria for Project Air Quality Analysis* (SLOAPCD 2012), construction and operation of one single-family residence would not exceed 1,150 MT of $CO_2e$/year threshold. In addition, the project includes elements that will reduce GHG emissions, including compliance with current Title 24 Energy requirements and Green Building Orrdinance (electricity reduction for cooling/heating) ~~, use of solar panels to reduce demand from GHG-emitting power plants~~, location within a garbage service area that is recycling over 50% of its wastes (electricity reduction), and requirement to recycle at least 50% of its construction wastes.

   Because the project proposes only one single-family residence in an existing residential neighborhood, and is consistent with land use components necessary to meet the goals of AB32 and set forth in the Clean Air Plan, this increase in GHGs is not considered significant. Therefore, no significant adverse GHG impacts would occur as a result of the proposed project, and no mitigation measures are necessary (Class III).

5. **Conflict with Applicable Plan, Policy, or Regulation.** The proposed project is consistent with the APCD's CEQA Handbook and County's EnergyWise Plan because it consists of a residential development within an urban area, in proximity to recreational resources and opportunities for alternative transportation, such as walking and bicycling. As noted above, the project includes energy-efficiency measures, including ~~incorporation of solar energy~~compliance with the County's

Green Building Ordinance and Title 24 energy requirements. Potential impacts would be *less than significant* (Class III).

**D. Cultural Resources (Class III)**

1. **Pre-historic Resources.** The project site is located within a culturally sensitive region; however, the field studies and background research conducted by the applicant's consultant and EIR archaeologist did not identify the presence of any significant cultural resources within the project site. As with any ground disturbing activities, the potential for encountering previously undocumented cultural resources exists. In the event of inadvertent discovery, compliance with Section 23.05.140 of the CZLUO will be required. Potential impacts to pre-historic resources would be *less than significant* (Class III).

2. **Historic Resources**. No historic resources are located within the project site or within 0.5-mile. No impacts to historic resources are anticipated, therefore, no mitigation measures are required. No significant impact to historic resources would occur.

3. **Paleontological Resources.** The proposed project would be located within formations that are not known to contain significant paleontological resources. Impacts to paleontological resources would be *less than significant* (Class III). No mitigation is required.

**E. Hazards and Hazardous Materials (Insignificant Impact/Not Applicable)**

**1. Risk of Explosion, Release, or Exposure to Hazardous Substances.** The project does not propose the use or storage of hazardous materials; therefore, the risk of explosion or release of hazardous substances is not likely. The project would not result in the routine transport, use, or disposal of hazardous materials and does not create the potential for the release of hazardous materials through upset and/or accident conditions. Therefore, no hazards associated with the handling of hazardous materials would result. The project site is not located within 0.25 mile of an existing or proposed school, and is not included on the Cortese List or any other list of hazardous materials sites and would not create associated risks to the public or environment. No impacts due to hazards or hazardous materials would occur.

**2. Interfere with Emergency Response or Evacuation Plan.** Although it places residential uses within an area covered by the Dam and Levee Failure Evacuation Plan, Cities Nuclear Power Plant Emergency Response Plan, and Tsunami Response Plan, the proposed use is suitable for the location and within the general level of development projected in the response plans. The proposed project would not inhibit emergency alert, evacuation or response actions and would not conflict with any regional evacuation plan, because it is located with an existing residential lot, on a paved roadway (Studio Drive). No impacts to emergency response or evacuation plans will occur.

**3. Airport Flight Patterns.** The project site is not located within any airport review area and would not expose people to safety risks associated with airport flight patterns, therefore no impacts will occur.

**4. High Fire Risk.** The project is not located within a high fire hazard zone and does not present a significant fire safety risk, therefore no impacts will occur.

**5. Other Hazards.** The County Office of Emergency Services prepares for catastrophic (though highly unlikely) worst case scenario events that would include a 50 foot tsunami wave run-up. However, based on review by the County Geologist and the project consultant geologist, a 9.5 foot wave run-up is considered more appropriate for a 100-year tsunami event. The project has been designed and conditioned to avoid impacts from a 100-year tsunami event and potential impacts related to wave run-up and tsunami hazards for the proposed development will be taken into account through the foundation design and finished floor elevations of the proposed residence.

An in depth analysis of tsunami and/or wave run-up hazards associated with the proposed project is included in Section 4.3, Geology and Soils. Refer to that section for additional information. No other significant adverse impacts would occur as a result of the proposed project, and no mitigation measures are necessary (Class III).

## F. Geology and Soils (Class III)

1. **Exposure to or Production of Unstable Earth Conditions.** Seismic ground shaking associated with a large earthquake on one of several nearby and regional faults (the Oceanic, Hosgri, Los Osos, and San Luis Range faults) is considered to be a high potential hazard for the project area. Peak ground accelerations up to 0.35g could potentially affect structures at the site in the future. The project site was positioned on the USGS Seismic Hazard Maps for a 2% probability of exceedance in 50 years to determine the maximum considered earthquake spectral response accelerations. The Code-required design acceleration coefficients for short periods (SDS) and at one-second (SD1) would be 0.980g and 0.491g, respectively; therefore, a site class C is recommended for structure design (GSI Soils, Inc. 2011).

   Mitigation of seismic hazards due to strong ground motion is addressed through proper structural design in accordance with the applicable building codes (presently the 2009 International Building Code [IBC] and 2010 California Building Code [CBC] documents related to Earthquake Loads) at the time of building permit application. Seismically-induced ground failure mechanisms include: landsliding, liquefaction, lurching, differential compaction, lateral spreading, and dry sand settlement.

   ***Landslides.*** The central coast region of California has not yet been mapped by the California Geological Survey under the Seismic Hazards Mapping Act program. No landslides have been mapped or found on the property. A large earthflow landslide terminates approximately 400 feet northeast of the site across Highway 1. The landslide and the project site are separated by over 400 feet of very low gradient topography that is overall flatter than 15:1 (horizontal:vertical). Significant portions of that horizontal distance are nearly level (e.g., the width of Highway 1). Consequently the potential for risk of landslides adversely impacting the site is considered to be low. Potential impacts related to landslides are *less than significant* (Class III), and no mitigation measures are necessary.

***Earthquakes.*** As noted in Section 4.3.1.1 Existing Conditions, Regional Setting, Geologic Setting, fault systems are present in the region; however, no known active faults trend through the property. No topographic anomalies in the area are suggestive of faulting, and the potential for surface faulting and ground rupture at the site to be low. Therefore, potential impacts would be *less than significant* (Class III), and no mitigation measures beyond compliance with the CBC are necessary.

***Earthquake-Induced Landsliding.*** The only significant slope that would exist at the site upon completion of the project is the fill slope descending from Studio Drive to the property; however, the plans indicate this slope will be filled over and supported by retaining walls; hence the potential for seismically-induced landsliding is low. Therefore, potential impacts would be *less than significant* (Class III), and no mitigation measures are necessary.

***Lateral Spreading.*** Conditions that typically induce lateral spreading include liquefaction of a subsurface layer or layers of soil, and site topography that contains an open topographic face which exposes the soil profile overlying the liquefiable layer(s). Both conditions potentially exist at the site but require further review by the project applicant's consultants. Based on the proposed foundation design, site grading, and confined condition of the sands near the center of the building pad, the potential for lateral spreading displacements would be negligible (GSI Soils, Inc. 2011). Therefore, based on the design of the project, potential impacts would be *less than significant* (Class III), and no mitigation beyond compliance with the CBC is necessary.

***Dry Sand Settlement.*** Due to the limited depth of sand (approximately 6 feet) within the building pad area, dry settlements of these sands during seismic ground shaking is expected to be less than 0.5 inch. With the proposed grading, these settlements are anticipated to be less than 0.25 inch (GSI Soils, Inc. 2011). Therefore, potential impacts would be *less than significant* (Class III), and no mitigation beyond compliance with the CBC is necessary.

**Land Subsidence.** Land subsidence occurs when large amounts of groundwater have been excessively withdrawn from an aquifer. Water supply in Cayucos is provided by the Whale Rock Reservoir and Nacimiento Water Project. There is no identified Level of Severity for water supply in the Cayucos area (County of San Luis Obispo 2012), and the project site is not located within a designated groundwater basin. There is no evidence of land subsidence on or in the vicinity of the project site, and implementation of the project would not create a demand for water supply that would result in land subsidence. Therefore, no significant impact would occur.

2. **"Alquist-Priolo" Earthquake Fault Zone.** The project site is not located within an Alquist-Priolo Earthquake Fault Zone as defined by maps prepared by the California Geological Survey. Therefore, no significant impact would occur.

3. **Soil Erosion, Topographic Changes, Loss of Topsoil, and Instability**

***Soil Erosion* – Long Term.** In the long term, the project would not create any changes that would result in significant soil erosion. The proposed drainage plan includes stormwater diffusers to slow down runoff during rain events and minimize the potential for storm-related beach erosion. Therefore, potential long-term impacts

would be *less than significant* (Class III), and no mitigation beyond compliance with existing regulations is necessary. Long-term erosion related to sea level rise and wave runup is discussed below under Coastal Hazards.

4. **Change Rates of Soil Absorption or Runoff.** As noted above, the project includes a drainage plan that would replace the existing County drain pipe with a new stormwater system. This system would change the direction of surface runoff from the street onto the beach, but would not be significantly different than the current situation. The project would create additional area of impervious surface, ~~and includes a rain barrel~~ and a stormwater management system, consistent with the County's regulations and policies for Low Impact Development (LID). Based on the location, size, and design of the project, it would not significantly change the rates of soil absorption or amount and direction of surface runoff. Therefore, potential impacts would be *less than significant* (Class III), and no mitigation beyond compliance with existing regulations is necessary.

5. **100 year Flood Zone.** The project site is not located within a 100-year flood hazard zone, and the area proposed for development is located above and outside the AE/VE hazard zone which has a 100-year flood elevation of 10 feet (NGVD29), which is approximately equivalent to elevation 12.92 feet NAVD88. The proposed basement finish floor elevation of the Planning Commission revised project is~~15~~ 16 feet NAVD88 and is approximately ~~2~~3.08 feet higher than the AE/VE flood elevation. Therefore, no significant impact would occur.

6. **County's Safety Element Consistency**. Applicable geology and soils-related goals and policies identified in the County's Safety Element include the following:

*Geologic and Seismic Hazards, Goal S-5*: Minimize the potential for loss of life and property resulting from geologic and seismic hazards.

Based on compliance with the CBC, County Code, and incorporation of recommendations identified in the Updated Geotechnical Investigation (GSI Soils, Inc.), dated December 27, 2011, and Engineering Evaluation (Shoreline Engineering), dated January 2012, the project would be consistent with this goal.

*Geologic and Seismic Hazards, Policy S-21*: Slope Instability. The County acknowledges that areas of known landslide activity are generally not suitable for residential development. The County will avoid development in areas of known slope instability or high landslide risk when possible, and continue to encourage that developments on sloping ground use design and construction techniques appropriate for those areas.

The project site is not located within an area of high landslide risk; however, short-term slope instability may occur during construction. Based on incorporation of recommendations identified in the Updated Geotechnical Investigation and Engineering Evaluation, which include use of a temporary shoring system to stabilize cut slopes during excavation and construction, the project would be consistent with this policy.

*Geology and Seismic Hazards, Policy S-23:* Coastal Bluffs. Development shall not be permitted near the top of eroding coastal bluffs.

The project site is unique in that the underlying geology consists of a fluvial bluff, which has been buried under artificial fill. The Technical Analysis (Cotton Shires and Associates 2011), which is included in Appendix C (Geology and Soils Background Information) and incorporated by reference in this EIR section, included an assessment of potential coastal erosion hazards, and did not identify any significant adverse effects or safety hazards related to coastal erosion. Therefore, the project is consistent with the intent of this policy.

*Geology and Seismic Hazards, Program S-63:* Require coastal bluff erosion studies to determine the rate or erosion and the resulting safe distance from the top of the bluff for development, in accordance with the LCP.

Preparation of the EIR included a comprehensive analysis of potential erosion hazards, both short- and long-term. Based on the analysis, the project would not result in a safety issue related to erosion, thus meeting the intention of this Program.

*Geologic and Seismic Hazards, Implementation Measures, Standard S-56*: For developments in areas of known slope instability, landslides, or slopes steeper than 20 percent, the stability of slopes shall be addressed by registered professionals practicing in their respective fields of expertise.

The applicant submitted technical reports and plans completed by registered engineers, and independently peer reviewed during the EIR analysis, consistent with this implementation measure.

*Geologic and Seismic Hazards, Implementation Measures, Standard S-59:* Development proposals will be required to mitigate the impacts that their projects contribute to landslides and slope instability hazards on neighboring property, and appurtenant structures, utilities, and roads; such as emergency ingress and egress to the property, and loss of water, power or other lifeline facilities.

Based on incorporation of recommendations identified in the Updated Geotechnical Investigation and Engineering Evaluation, which include use of a temporary shoring system to stabilize cut slopes during excavation and construction, the project would be consistent with this implementation measure and would not destabilize areas adjacent to Studio Drive and the neighboring developed property to the south.

*Geologic and Seismic Hazards, Implementation Measures, Standard S-60*: Enforce current building code requirements and applicable ordinances and sections of the General Plan that pertain to development on sloping ground.

The County requires compliance with the CBC, Estero Area LUE and LCP, and CZLUO, consistent with this implementation measure. Based on the technical reports peer reviewed and incorporated by reference into this EIR analysis, the project would be consistent with the Safety Element, and no significant impacts would occur.

7. **Valuable Mineral Resource:** The project site is not located in an area designated for mineral extraction, and no valuable minerals are known to occur onsite. Therefore, no significant impacts would occur.

8. **Coastal Hazards.** The potential coastal hazards associated with the proposed residential development include shoreline erosion, wave runup, and coastal flooding.

*Draft and Final EIR Analysis:* The following erosion hazard, oceanographic flooding hazard, breaking wave elevation, and wave run-up hazard analyses are based on data provided in the Draft and Final EIR.

*Erosion Hazard*

The shoreline in front of the subject property has been relatively stable over the long term (USGS 2006). On the basis of the USGS study, aerial photograph review spanning 39 years, the elevation of the proposed development, and the presence of hard rock material between the shoreline and the proposed residence:

- there has been very little erosion or retreat of the shoreline over the last four decades;
- a 2.5-foot rise in sea level will likely not result in a significant impact on the erosion rate or the proposed residence; and,
- there is no potential significant marine erosion hazard at the site over the next 100 years.

Therefore, the potential for significant erosion due to sea level rise would not be significant in this location.

*Oceanographic Flooding Hazard*

The primary hazard due to flooding from ocean waters is storm surge. The highest recorded water elevation on record in the vicinity of Cayucos (Port San Luis) is 7.57 feet NAVD88 and includes all oceanographic effects on sea level except for long-term sea level rise predictions (NOAA 2011). Incorporating a potential sea level rise of 2.5 feet in the next 100 years, the future design maximum sea level would be 10.1 feet NAVD88, which is considered to be in excess of a 100-year recurrence interval water level. The proposed residence would be located at and above an elevation of 16.0 feet NAVD88; therefore, the site would not be adversely affected by flooding from the ocean over the next 100 years.

*Breaking Wave Elevation*

The project incorporates a cantilevered design. The proposed first floor would be located at elevation +26 feet NAVD88, and will extend ~~a significant distance~~ ocean-ward beyond the basement floor; therefore, the Coastal Hazards and Wave Runup report (GeoSoils, Inc. 2011, 2012) evaluated the potential maximum breaking wave crest elevation. The breaking wave elevation analysis calculated that the maximum wave crest elevation at the project site is approximately +14.5 feet NAVD88, which is well below the proposed cantilevered first floor elevation of +26 feet NAVD88. Therefore, the cantilevered portion of the structure would not be adversely affected by breaking wave forces.

*Wave Runup Hazard*

A wave runup analysis was performed under extreme (worst-case) design oceanographic conditions including storm surge, sea level rise of 2.5 feet over the next 100 years, and scour of the beach in front of the rock outcropping down to elevation 3.1 feet NAVD88, utilizing a design wave height of 5.5 feet. In this worst-case scenario, the maximum wave runup would be at elevation +22.7 feet NAVD88, and may reach the basement of the proposed residence at +15.0 feet NAVD88 over the next 100 years (GeoSoils, Inc. 2011). However, the runup is characterized as a pulse of water reaching the basement wall rather than a continuous or sustained flow over time. Based on calculations, the depth of the water overtopping the rock outcrop and reaching the residence would be approximately 0.14 foot deep. The runup analysis indicates that the velocity of the wave runup bore will not be sufficient to cause damage to the structure, assuming the basement wall is constructed of steel-reinforced concrete; however, the structure will be subject to spray and splash from wave runup striking the rock outcropping. The rock outcropping at its average elevation of 17 feet NAVD88 would be overtopped by the design wave (5.5 feet) at a rate of about 0.27 cubic feet/second-feet. Based on this low height of water (0.14 foot) and relatively low velocity, the proposed project would not be adversely affected. In addition, based the initial low velocity, and reduction in wave height and velocity following potential contact with the proposed basement wall, any wave refraction would not adversely affect the adjacent property.

In addition to wave runup, the analysis considered exposure to tsunami. Based upon review of historical data and tsunami forecast modeling by the University of Southern California Tsunami Research Center, a 6.5-foot-high tsunami wave occurring at the project site would be a 500-year recurrence interval event. The wave runup analysis used a design wave height of 5.5 feet, which also represents a suitable site-specific tsunami runup at the site.

As proposed, the basement would be located at elevation 15 feet NAVD88, and basement concrete would be reinforced with steel; therefore, wave runup will not adversely impact the proposed residence over the next 100 years. An extreme tsunami may reach as high as the basement, but, for the reasons stated above, a tsunami will not adversely impact the residence. Based on the analysis presented above, and incorporated by reference from the coastal hazards and wave runup analysis report (GeoSoils, Inc. 2011, 2012), no significant impacts related to coastal hazards, including sea level rise, shoreline erosion, wave runup, and coastal flooding would occur, and the proposed residence would neither create nor contribute to erosion, geologic instability, or destruction of the site or adjacent area.

*Supplemental Analysis:* The following information with regards to coastal hazards is provided as supplemental information supplied during the public hearing, however does not alter the conclusions identified in the Final EIR.

In response to public comments and questions from the San Luis Obispo County Planning Commission, the County's consultant (SWCA and GeoSoils, Inc.) conducted a supplemental analysis, which was included in the Planning Commission Staff Report (April 10, 2014) and public record. The results of the analysis provide clarification, and

support the impact determination identified in the Final EIR. The results of the supplemental analysis are summarized below.

A supplemental *Sea Level Rise and Coastal Hazards Discussion* (GeoSoils, Inc., March 12, 2014) and response to public comment (GeoSoils, Inc., April 4, 2014) were prepared, including a wave runup analysis, which considered extreme (worst-case) design oceanographic conditions including sea level rise (up to 5.5 feet based on California Coastal Commission Draft Sea-Level Rise Guidance), very high tide, storm surge, and scour of the beach down to bedrock. Based on this supplemental analysis, t~~T~~he wave height at the toe of the rock outcrop would be 7.7 feet.

The still water elevation (including 5.5 feet of sea level rise and 7.6-foot very high tide) would be 13.1 feet NAVD88. Wave runup as result of storm surge would be 12.9 feet. Under these extreme conditions, the maximum wave runup would be 26 feet NAVD88 if the bedrock outcropping was not present. In this worst-case scenario, the height of the water overtopping the bedrock outcropping would be 1.06 feet, and the velocity would be 4.76 feet per second. The overtopping rate would be 3.4 cubic feet/second-foot, and would be a pulse of water, not a sustained flow or water elevation. The water would overtop the bedrock outcropping and reach the basement wall at a height of approximately one foot. This condition would occur over a period of one hour during the high tide under the extreme storm surge plus sea water rise estimates.

The velocity of the wave runup bore would not be sufficient to cause damage to the structure, assuming the basement wall is constructed of steel-reinforced concrete, and the foundation set in the underlying bedrock (as proposed by the applicant). Additional features proposed by the applicant include storm/marine windows and doors. In addition, based on the velocity and reduction in wave height following contact with the basement wall, wave refraction would not adversely affect the adjacent property.

Based on review of historical data and tsunami forecast modeling by the University of California Tsunami Research Center, a 6.5-foot high tsunami wave occurring at the project site would be a 500-year recurrence interval event. The County of San Luis Obispo Local Hazard Mitigation Plan (Draft December 2013) identifies tsunami run-up ranging from 9.5 feet to 24.2 feet (100-year and 500-year events, respectively). This run-up estimate includes “astronomical high tides”. If a tsunami occurred during a meteorological high tide (storm surge), the runup values would increase to 24 feet to 39 feet above mean sea level (100-year and 500-year events). The plan notes that the probability of this occurring is low.

The analysis considered a design wave height of 7.7 feet, which represents a suitable site-specific tsunami runup at the site. As proposed, the basement would be located at elevation 15 feet NAVD88, and basement concrete would be reinforced with steel and founded in underlying bedrock; therefore, wave runup would not adversely impact the structural integrity of the residence over the next 100 years. An extreme tsunami would reach the residence; however, for the reasons noted above, it would not adversely affect the structure.

Based on the analysis presented above and incorporated by reference from the coastal hazards and wave runup analysis (GeoSoils, Inc.; 2011, 2012, 2014), no significant impacts related to coastal hazards, including sea level rise, shoreline erosion, wave runup, and coastal flooding would occur, and the proposed residence would neither

create nor contribute to erosion, geologic instability, or destruction of the site or adjacent area.

**G. Noise (Class III)**

1. **Generate Increases in the Ambient Noise Level.** The project proposes construction of one single-family residence in an existing neighborhood. The project would result in the addition of some vehicle trips on local roads (approximately 9.6 per day), but the traffic noise associated with a single residence is not considered significant. Therefore, the project would not generate significant increases in the ambient noise levels for adjoining areas.

   The project would also generate construction-related noise and vibration associated with construction and development of the structure. However, the project does not propose any significant sources of man-made vibration (i.e., sonic booms, blasting, pile driving, pavement breaking, and demolition). Per the County's Land Use Ordinance, §23.06.042d, construction noise between the hours of 7:00 a.m. and 9:00 p.m. on Mondays through Fridays, and 8:00 a.m. and 5:00 p.m. on Saturdays and Sundays, is exempt from control or mitigation. This type of noise is considered a short-term impact and *less than significant* (Class III). Therefore, the project is not expected to expose people to severe noise or vibration, or to result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity.

2. **Severe Noise or Vibration.** The proposed project is not located within any airport land use plan or two miles of a public or private airstrip, and would not expose people to excessive noise levels, therefore no impacts are expected to occur.

H. **Public Services and Utilities**

1. **Effect or Result in the Need for New/Altered Public Services**. The proposed project would potentially result in additional demand on public services, including emergency protection, schools, roads, solid waste disposal, parks, water supply and wastewater treatment systems. However, development is limited to one single-family residence and it is not likely that any public service or utility would be significantly impacted by the slight increase in service demand. The project applicant would pay all applicable school and public facility fees which would reduce these impacts to a less then significant level.

   The proposed project is not located within a high fire severity zone, and response times are generally two to three minutes. Although the Cayucos Fire Protection District and County Sheriff's Office are considered understaffed for the populations they serve, the addition of a single residence within an existing neighborhood would not have a significant effect upon fire or police protection, and no new or altered emergency services would be required. Area schools, roads and parks are operating at acceptable levels of service, and the project will be served by private solid waste disposal, water, and wastewater systems, all of which have sufficient capacity to accommodate the proposed residential use. Therefore, no significant impact on these services would result from the project.

All stormwater would be handled onsite, either collected and used as gray water for toilet flushing and landscaping or directed westward onto the beach. Therefore, no new stormwater drainage facilities or expansion of existing facilities would be required. County landfills have sufficient permitted capacity to accommodate the small increase in solid waste resulting from the proposed project. Applicable water service providers and wastewater treatment facilities are capable of supporting the proposed development and no new entitlements, new facilities or expansion of existing facilities would be required. The project would comply with all statutes and regulations related to solid waste. The project would not adversely affect a community water service provider or community wastewater service provider, therefore no impacts are expected to occur.

2. **Wastewater.** The project would connect to the existing sewer system managed by the Cayucos Sanitary District, and would not require an onsite system subject to the Central Coast Basin Plan. The Cayucos Sanitary District is currently operating at acceptable levels and can accommodate the proposed project (one residence).

   No significant adverse impacts would occur as a result of the proposed project, and no mitigation measures are necessary**.**

**I. Recreation (Class III)**

1. **Increase Use of Recreational Resources.** The project proposes the development of one single-family residence in an existing developed residential area, and would not create a significant increase in the use or demand of recreational areas or facilities. The project applicant will pay all applicable public facility fees to address increased demand on area recreational facilities. Therefore, potential impacts would be *less than significant* (Class III).

2. **Affect Access to Recreation**. Beach access is provided directly adjacent to the project site, and lateral access would be provided from the toe of the rock outcropping to the westward property line ~~on the sandy portion of the lot~~. Access to trails, parks or other recreational opportunities would not be impacted by the proposed development. The future Morro Bay to Cayucos connector bike path would be located along Studio Drive, and development of the project would not affect this project, because it is limited to the existing residential parcel boundaries. The project does not include any components for the development of recreational facilities that may have an adverse physical effect on the environment. No significant adverse impacts would occur as a result of the proposed project, and no mitigation measures are necessary.

**J. Transportation, Circulation, and Traffic (Class III)**

1. **Increase Vehicle Trips / Level of Service.** The project proposes one single-family residence within an existing residential area with all roads operating at acceptable levels. While the project would add trips to the local circulation system (approximately 9.6 per day), all roads in the area are operating at acceptable levels and are capable of accommodating the small increase in trips. A referral was sent to the County Department of Public Works requesting their review of the project. They had no comments related to traffic concerns associated with the proposed project other than that an encroachment permit would be required for the new driveway.

Therefore, no significant increase to local or areawide circulation systems is anticipated, and potential impacts would be *less than significant* (Class III).

2. **Unsafe Conditions.** The project includes a private driveway, which would connect to Studio Drive. Based on review by the County Department of Public Works, a standard Encroachment Permit will be required. The project does not include any features that would result in unsafe traffic conditions; therefore, potential impacts would be *less than significant* (Class III).

3. **Emergency Access.** The project consists of a single-family residence on an existing lot. The site is accessible to emergency services by Studio Drive, which connects to Highway 1, and occupants have clear access out of the area. Potential impacts related to emergency access would be *less than significant* (Class III).

4. **Parking Capacity.** Sufficient parking for the proposed residential development is proposed at the project site, including a private driveway, carport, and garage. Therefore, potential impacts related to parking capacity would *be less than significant* (Class III).

5. **Internal Traffic Circulation.** The project is a single-family residence; therefore this threshold does not apply and no impact would occur.

6. **Alternative Transportation Policies Plans, and Programs**. Transportation and circulation policies relevant to the proposed project exist in local and state documents. These documents generally encourage the development of alternative transportation as a means to reduce traffic congestion and increase safety, among other things. The policy documents reviewed as part of this EIR section include the County's Estero Area Plan and Bikeways Plan. The proposed project is *consistent* with these plans because it consists of a single-family residence located within an existing residential neighborhood, with access to pedestrian and bicycle paths.

7. **Air Traffic Patterns.** The project is not located within two miles of a public or private airport or airstrip, and is not located at an elevation that would affect air traffic patterns. Modern solar panel technology incorporates anti-glare coatings that absorb, rather than reflect, sunlight. Therefore, the project would not affect air traffic, and potential impacts would be *less than significant* (Class III).

**K. Water Resources (Class III)**

1. **Change the Quality of Groundwater**. The project site is not located in an area where development would affect the quality of groundwater resources; therefore, no impact would occur.

2. **Change the Quantity or Movement of Surface or Groundwater.** The project would not create a demand of water exceeding the capacity of the water service provider, and would not require a significant level of additional groundwater pumping by the provider to serve the project. Therefore, the project would not change the quantity or movement of groundwater.

   As noted above, the project includes improvements to the existing stormwater drain onsite. The project has been reviewed by the County Department of Public Works, and the proposed plan has been approved at a preliminary level by County staff.

Stormwater currently flows into a County drain, and onto the beach via the stormwater system or surface flow. The proposed system would direct water through the project site and onto the beach. Energy dissipaters are included to slow down storm water flow and minimize the potential for erosion at the outlet. Based on the proposed plan, and compliance with existing regulations identified in the County CZLUO, potential impacts would be *less than significant* (Class III).

3. **Adversely Affect Community Water Service Provider.** Long-term use of a single-family residence is expected to require approximately 0.270 afy, or 4,375.8 gallons/month (City of Santa Barbara 1989; County of San Luis Obispo 2011). As noted above, the project would be served by CSA 10A, which has adequate water supply to serve the project. A preliminary will-serve letter was issued for the project in 2006. Therefore, potential impacts would be *less than significant* (Class III).

# 6.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGABLE (CLASS II)

Pursuant to §15091(a)(1) of the CEQA Guidelines, the ~~Planning Commission~~Board of Supervisors finds that, for each of the following significant effects as identified in the Final EIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the project which avoid or substantially lessen each of the significant environmental effects as identified in the Final EIR. The significant effects (impacts) and mitigation measures are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

## 6.6 AESTHETIC RESOURCES

| **AES Impact 1** | |
|---|---|
| Visibility of night lighting would affect views resulting in a direct long-term impact. | |
| ***Mitigation*** | **AES/mm-1** Prior to issuance of the building permit, the applicant shall submit interior and exterior lighting plans to the Department of Planning and Building for review and approval consistent with the following:<br>a. The point source of all exterior lighting shall be shielded from off-site views, including beach areas.<br>b. All required security lights shall utilize motion detector activation.<br>c. Light trespass from exterior lights shall be minimized by directing light downward and utilizing cut-off fixtures or shields.<br>d. Lumination from exterior lights shall be the lowest level allowed by public safety standards. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The EIR analysis assumes that exterior lighting would be included as part of the project. Because of the project's configuration and its proximity to public roadways and the beach, night lighting would be seen from the surrounding area. Unshielded light sources or bright-lights reflected on exterior walls would result in potential impacts. Fog is a common atmospheric condition of the area and increases the "glow-effect" as potentially seen from great distances. Although existing night lighting can be seen in the adjacent neighborhood, the project would increase the visibility of night lighting in the area. |

## 6.7 AIR QUALITY

| **AQ Impact 1** | |
|---|---|
| Construction of the proposed project would generate fugitive dust, which could become a nuisance to local residents and businesses in proximity to the construction site. | |
| ***Mitigation*** | AQ/mm-1 Prior to initiation of construction, the project applicant shall implement the following dust control measures:<br>a. Reduce the amount of the disturbed area where possible;<br>b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible; |

| AQ Impact 1 | |
|---|---|
| | c. All dirt stockpile areas should be sprayed daily as needed; and<br>d. All roadways, driveways, sidewalks, etc., to be paved should be completed as soon as possible, and building pads should be lain as soon as possible after grading unless seeding or soil binders are used. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The project is located in proximity to sensitive surrounding land uses, and homeowners in the vicinity of the proposed project have expressed concern related to the impacts construction activities would have on surrounding properties. Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in proximity to the project site. Dust complaints could result in a violation of the APCD's 402 Nuisance Rule. In addition, operation of construction equipment, including equipment idling, generates diesel particulate matter, which can have an adverse effect on sensitive receptors. |

| AQ Impact 2 | |
|---|---|
| Use of construction equipment would generate diesel particulate matter, potentially resulting in an adverse effect to sensitive receptors within 1,000 feet of the project site. | |
| ***Mitigation*** | **AQ/mm-2** Prior to issuance of construction permits, the applicant shall include the following measures on applicable grading and building plans:<br><br>**Idling Restrictions near Sensitive Receptors for Both On and off-Road Equipment**<br>a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;<br>b. Diesel idling within 1,000 feet of sensitive receptors is not permitted;<br>c. Use of alternative fueled equipment is recommended whenever possible; and,<br>d. Signs that specify the no idling requirements must be posted and enforced at the construction site.<br>**Idling Restrictions for On-road Vehicles**<br>a. Section 2485 of Title 13, the California Code of Regulations limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:<br>1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,<br>2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.<br>Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5 minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following web site: www.arb.ca.gov/msprog/truck-idling/2485.pdf.<br>**Idling Restrictions for off-Road Equipment**<br>a. Off-road diesel equipment shall comply with the 5 minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.<br>b. Signs shall be posted in the designated queuing areas and job sites to remind off- |

| AQ Impact 2 | |
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| | road equipment operators of the 5 minute idling limit. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The project is located in proximity to sensitive surrounding land uses, and homeowners in the vicinity of the proposed project have expressed concern related to the impacts construction activities would have on surrounding properties. Construction activities can generate exhaust from equipment, which could be a nuisance to residents and businesses in proximity to the project site. In addition, operation of construction equipment, including equipment idling, generates diesel particulate matter, which can have an adverse effect on sensitive receptors |

## 6.8 BIOLOGICAL RESOURCES

| BR Impact 1 | |
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| Construction of the project may have an adverse impact on special-status species and their habitats, including off-site use of equipment, storage of materials, and inadvertent transport of debris or discharge of oils, fuels, and other pollutants into the beach area. | |
| ***Mitigation*** | **BR/mm-1** Prior to issuance of construction permits, the applicant shall submit documentation verifying designation of a qualified environmental monitor for all measures requiring environmental mitigation to ensure compliance with Conditions of Approval and EIR mitigation measures. The monitor shall be responsible for: (1) ensuring that procedures for verifying compliance with environmental mitigations are followed; (2) lines of communication and reporting methods; (3) daily and weekly compliance reporting; (4) construction crew training regarding environmentally sensitive areas; (5) authority to stop work; and (6) action to be taken in the event of non-compliance. Monitoring shall be at a frequency and duration determined by the affected natural resource agencies (e.g., USACE, CDFW, RWQCB, California Coastal Commission, USFWS, and the County).<br><br>**BR/mm-2** Prior to the initiation of construction, the environmental monitor shall conduct environmental awareness training for all construction personnel. The environmental awareness training shall include discussions of sensitive habitats and animal species in the immediate area. Topics of discussion shall include: general provisions and protections afforded by the Endangered Species Act; measures implemented to protect special-status species; review of the project boundaries and special conditions; the monitor's role in project activities; lines of communications; and procedures to be implemented in the event a special-status species is observed in the work area.<br><br>**BR/mm-3** At the time of application for construction permits all grading plans shall clearly show the location of project delineation fencing, including protection fencing surrounding the Monterey cypress tree on the southern property boundary.<br><br>**BR/mm-4** Prior to the initiation of construction, the applicant's contractors and the environmental monitor shall coordinate the placement of project delineation fencing throughout the work areas. The environmental monitor shall field fit the placement of the project delineation fencing to minimize impacts to sensitive resources. The project delineation fencing shall remain in place and functional throughout the duration of the project. During construction, no project related work activities shall occur outside of the delineated work area.<br><br>**BR/mm-5** At the time of application for grading permits, all applicable plans shall clearly show stockpile and staging areas. Stockpiles and staging areas shall not be placed in |

| BR Impact 1 | |
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| | areas that have potential to experience significant runoff during the rainy season. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction. The staging areas shall conform to standard BMPs applicable to attaining zero discharge of storm water runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Maintenance, cleaning, and refueling of equipment and vehicles shall not be permitted onsite, within adjacent beach areas, or on Studio Drive.<br><br>**BR/mm-6** Prior to issuance of construction permits, the applicant shall submit a detailed sediment and erosion control plan for approval, which shall address both temporary and permanent measures to control erosion and reduce sedimentation. Erosion and soil protection shall be provided on all cut and fill slopes. Revegetation shall be facilitated by mulching, hydro-seeding or other methods, and shall be initiated as soon as possible after completion of grading, and prior to the onset of the rainy season (October 15). Permanent revegetation and landscaping shall emphasize native shrubs, and trees, to improve the probability of slope and soil stabilization without adverse impacts to slope stability due to irrigation infiltration and long-term root development. All plans shall show that sedimentation and erosion control measures are installed prior to any other ground disturbing work. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The project site is located on beachfront property, immediately west of Studio Drive. The site is covered with common iceplant on the upper slope, and sea rocket (invasive weed) on the beach sands. The site does not include any features suitable for aquatic species. The sandy beach area provides foraging habitat for a variety of birds, including western snowy plover (*Charadrius alexandrinus*), California black rail (*Laterallus jamaicensis coturniculus*), California brown pelican (*Pelecanus occidentalis*), and California least tern (*Sterna antillarum browni*). The mature cypress tree (to remain) and adjacent pine (to be removed) along the southern property boundary may provide tree nesting opportunities for birds. Due to the location of the project site and presence of suitable habitat in the area, precautionary measures are recommended to ensure impacts to snowy plover and other bird species are avoided.<br><br>The project site provides suitable habitat for coast horned lizard and other common reptiles. Grading activities could result in direct take of coast horned lizard and other reptiles if present. Direct take may include being struck by equipment, entrapped in stockpiled materials or trenches, or trampled or collected by construction personnel.<br><br>Old Creek provides habitat for a variety of special-status species noted above. The project is located approximately 600 feet from the creek, and would not directly affect the ESHA or special-status species within the creek. Inadvertent impacts to special-status species may occur including use of equipment and storage of materials outside the property boundary, and leaks, spills, and debris adversely affecting the beach areas surrounding the parcel. Degradation of habitat would have an adverse effect on special-status species, and other wildlife in the area. |

| BR Impact 2 | |
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| Construction activities conducted during the nesting season (March through September) could directly or indirectly impact nesting western snowy plover and other bird and bat species. | |
| ***Mitigation*** | **BR/mm-7** Upon application for construction permits, the following measure shall be included on all applicable plans: The applicant shall avoid ground disturbing activities |

| BR Impact 2 | |
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| | conducted during the snowy plover nesting season to the extent feasible. If work activities must occur during the nesting season the following measures shall be taken:<br>a. Prior to installation of the project delineation fencing and the commencement of site grading, a qualified biologist shall conduct a series of pre-construction nesting bird surveys for western snowy plover. Surveys shall be conducted every other day for two weeks prior to any project related disturbances.<br>b. Surveys for snowy plovers shall include walking through all potential nesting and foraging habitat within 300 feet of the site on each survey day. The survey area shall include all available snowy plover nesting habitat within 300 feet of anticipated project activities.<br>c. The number of snowy plover individuals observed and their activities (e.g. nesting, foraging, resting, etc.) shall be documented. All documented occurrences would be reported to USFWS and documented on the CNDDB.<br>d. If nesting activity is identified, all project activities within 300 feet of the nest shall be delayed until the nesting activity has ceased.<br>e. During construction, the environmental monitor shall conduct snowy plover surveys twice a week (preferably two to three days apart).<br><br>**BR/mm-8** Upon application for construction permits, the following measure shall be included on all applicable plans: If commencement of construction begins between March and September, the environmental monitor shall conduct pre-construction nesting bird surveys. If nesting activity is identified, the following measures shall be implemented:<br>a. If active nest of common passerine or shorebird species' are observed in the work area or within 100 feet of the work area, construction activities shall be modified and or delayed as necessary to avoid direct take or indirect disturbance of the nests, eggs, or young.<br>b. If active nest sites of raptors or other special-status species are observed within the work area or 300 feet of the work area, the environmental monitor shall establish a suitable buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest and achieved independence.<br>c. Active raptor or special-status species nests should be documented by a qualified biologist and a letter report should be submitted to the County, USFWS, and CDFW, documenting project compliance with the MBTA and applicable project mitigation measures. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The sandy beach area provides foraging habitat for a variety of birds, including western snowy plover (*Charadrius alexandrinus*), California black rail (*Laterallus jamaicensis coturniculus*), California brown pelican (*Pelecanus occidentalis*), and California least tern (*Sterna antillarum browni*). The mature cypress tree (to remain) and adjacent pine (to be removed) along the southern property boundary may provide tree nesting opportunities for birds. Due to the location of the project site and presence of suitable habitat in the area, precautionary measures are recommended to ensure impacts to snowy plover and other bird species are avoided. |

| BR Impact 3 | |
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| The proposed project could result in direct take of coast horned lizard during project grading and construction. | |
| ***Mitigation*** | **BR/mm-9** Upon application for construction permits, the following measure shall be included on all applicable plans: Prior to site grading, the environmental monitor shall conduct a survey for coast horned lizard and other reptiles. The surveyor shall utilize hand |

| BR Impact 3 | |
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| | search methods in areas of disturbance where coast horned-lizards are expected to be found (e.g., under shrubs, other vegetation, or debris). Any lizards located during this survey should be safely removed from the construction area and placed in suitable habitat. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The project site provides suitable habitat for coast horned lizard and other common reptiles. Grading activities could result in direct take of coast horned lizard and other reptiles if present. Direct take may include being struck by equipment, entrapped in stockpiled materials or trenches, or trampled or collected by construction personnel.<br><br>Old Creek provides habitat for a variety of special-status species noted above. The project is located approximately 600 feet from the creek, and would not directly affect the ESHA or special-status species within the creek. Inadvertent impacts to special-status species may occur including use of equipment and storage of materials outside the property boundary, and leaks, spills, and debris adversely affecting the beach areas surrounding the parcel. Degradation of habitat would have an adverse effect on special-status species, and other wildlife in the area. |

| BR Impact 4 | |
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| Construction of the project may impact the root zone or result in inadvertent disturbance of a mature cypress tree. | |
| ***Mitigation*** | Implement **BR/mm-3** and **BR/mm-4**. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | One cypress tree is located adjacent to the project site, which is considered an important native species along the California coastline. This tree would remain. One small pine tree would be removed; however, this species is not considered native or important vegetation in this location. No other native or important vegetation would be directly affected by the project. Mitigation is recommended to ensure protection of the cypress tree. |

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## ~~6.10~~6.9 GEOLOGY AND SOILS

| GS Impact 1 | |
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| The proposed residence would be exposed to the effects of liquefaction during a ground-shaking event. | |
| ***Mitigation*** | **GS/mm-1** Prior to issuance of a construction permit, the applicant shall submit grading and construction plans, which incorporate the recommendations identified in the Engineering Evaluation (Shoreline Engineering 2012) and Updated Geotechnical Investigation (GSI Soils, Inc.) dated December 27, 2011, specifically the recommendations identified in Section 5.2 – Preparation of the Building Pad, Section 5.3 – Structural Fill, Section 5.4 – Drilled Piers, Section 5.5 – Conventional Deepened Foundation, Section 5.6 – Slab Construction, and Section 5.9 – Surface and Subsurface Drainage. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |

| GS Impact 1 | |
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| ***Supportive Evidence*** | Soil liquefaction is a phenomenon in which a saturated, cohesionless, near-surface soil layer loses strength during cyclic loading (such as typically generated by earthquakes). During the loss of strength, the soil acquires "mobility" sufficient to permit both horizontal and vertical ground movements. Soils that are most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands that are generally located within 50 feet depth beneath the ground surface. Gravels with similar characteristics and non-plastic clays and silts have also been shown to be susceptible to liquefaction. Based on the potential presence of perched water conditions during wet winter months in the upper 5 feet of soils above the dense bedrock materials, the current potential for liquefaction is moderate to high.<br><br>This potentially significant impact can be successfully addressed and mitigated via implementation of typical geotechnical recommendations for site processing, grading, and/or foundation design. Therefore, the resulting liquefaction potential at the project site would be low, and would generally result in minor to cosmetic damage to the proposed structure, and total settlements would be approximately 0.5 inch (GSI Soils, Inc. 2012). This amount of settlement is considered tolerable for the proposed project, and is indicative of liquefaction in the negligible category. Therefore, potential impacts can be mitigated to a *less than significant* level (Class II). |

| GS Impact 2 | |
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| The proposed residence would be exposed to the effects of ground lurching and differential compaction during a ground-shaking event. | |
| ***Mitigation*** | **GS/mm-2** Prior to issuance of a construction permit, the applicant shall submit grading and construction plans, which incorporate the recommendations identified in the Updated Geotechnical Investigation (GSI Soils, Inc.) dated December 27, 2011, and specifically the following:<br>a. All surface and subsurface deleterious materials shall be removed from the proposed building area and disposed of offsite. This includes, but is not limited to, any buried utility lines, loose fills, debris, building materials, and any other surface and subsurface structures.<br>b. Voids left from site clearing shall be cleaned and backfilled as recommended for structural fill.<br>c. Once the site has been cleared, the exposed ground surface shall be stripped to remove surface vegetation and organic soil. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The potential for lurching and differential compaction (densification) of the existing undocumented fill is considered to be high due to the generally loose nature of the soil. This potential impact can be mitigated by removal and/or removal and backfilling as structural fill (GSI Soils, Inc. 2011). Based on compliance with these project-specific recommendations, potential impacts can be mitigated to *less than significant* (Class II). |

| GS Impact 3 |
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| Grading and excavation required for the construction of the project would result in significant, short-term, adverse impacts related to erosion and down-gradient sedimentation. |

| GS Impact 3 | |
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| ***Mitigation*** | *Implement **BIO/mm-4**, **BIO/mm-5**, and **BIO/mm-6**.* |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | Implementation of the project will require grading and removal of sand, soil, and vegetation. Grading activities would disturb approximately 3,000 square feet of the 3,445-square-foot parcel, including 400 cubic yards of cut (foundation) and 150 cubic yards of fill (driveway). The average depth of cut would be 5 feet (minimum 1 foot, maximum 12 feet). Approximately 250 cubic yards of soil would be exported offsite. During construction, exposed soils may result in erosion during rain events, or wave runup. Compliance with the County CZLUO and implementation of project-specific erosion-control measures are necessary to retain soils onsite and avoid down-gradient sedimentation into the Pacific Ocean. Based on compliance with existing regulations, and recommended mitigation measures, potential short-term impacts would be mitigated to a *less than significant* level (Class II). |

| GS Impact 4 | |
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| The creation of steep cut slopes during site preparation and grading associated with construction of the proposed residence would result in short-term slope instability. | |
| ***Mitigation*** | GS/mm-3 Prior to issuance of a construction permit, the applicant shall submit grading and construction plans, which incorporate the following: recommendations for slope stability identified in the Updated Geotechnical Investigation (GSI Soils, Inc.), dated December 27, 2011, specifically the recommendations identified in Section 5.10 – Temporary Excavations and Slopes; and Shoring Detail prepared by Shoreline Engineering (January 2012, updated September 20, 2012). Plans shall demonstrate how construction would be conducted such that no activity would compromise the neighboring structure. Construction of all site preparation and shoring activities shall be monitored by the project Engineer of Record, and daily monitoring reports shall be prepared and submitted to the County Department of Planning and Building on a weekly basis. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | Construction cuts for basement retaining walls may exceed 12 feet in depth on the south and east sides of the proposed residence. The potential for instability of temporary (construction) slopes is a significant concern, and there is a moderate to high potential for temporary slope instability impacting the project site and the adjacent property. To address this issue, the applicant proposes to retain temporary slopes with a shoring system consisting of soldier piles and steel plate lagging. The shoring system would be removed following permanent stabilization of the slope. Based on implementation of this strategy, and compliance with the recommendations presented in the *Updated Geotechnical Investigation* (GSI Soils, Inc. 2011), potential short-term impacts would be *less than significant* (Class II). |

| GS Impact 5 | |
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| Beach sand scour caused by heavy surf may periodically and temporarily create unstable slopes adjacent to the proposed residence. | |
| ***Mitigation*** | **GS/mm-4** Prior to issuance of a construction permit, the applicant shall submit grading and construction plans, which include the use of deepened pier foundations |

| GS Impact 5 | |
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| | identified in the Engineering Evaluation (Shoreline Engineering, Inc.), dated January 2012, and Updated Geotechnical Investigation (GSI Soils, Inc.), dated December 27, 2011, specifically the recommendations identified in Section 5.2 – Preparation of Building Pad, Section 5.4 – Drilled Piers, and Section 5.5 – Conventional Deepened Foundation. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | Construction of the proposed driveway will result in structural fill placement against the existing 2:1 gradient fill slope of Studio Drive, with the fill being supported by retaining walls. Upon completion of the project, no significant slopes will exist that could pose a slope instability hazard to the property. Significant scour of beach sand due to heavy surf may temporarily create a steep bedrock slope ocean-ward of the existing bedrock outcropping. Provided the proposed residence is constructed on deepened pier foundations as proposed, temporary beach scour should not pose a slope instability hazard to the residence. |

| GS Impact 6 | |
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| The proposed residence would be constructed on soils with a high expansion potential, resulting in a potentially significant long-term impact. | |
| ***Mitigation*** | **GS/mm-5** Prior to issuance of a construction permit, the applicant shall submit grading and construction plans, which incorporate the recommendations identified in the Updated Geotechnical Investigation (GSI Soils, Inc.), dated December 27, 2011, specifically the recommendations identified in Section 5.1 – Clearing and Stripping, Section 5.2 – Preparation of Building Pad, and Section 5.3 – Structural Fill. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | A single expansion index test was conducted by GSI Soils, Inc. (2007) on a sandy clay sample from Boring B-2 at 6 feet. The reported expansion index was 92, which indicates a high expansion potential. The material in B-2 at this depth is likely weathered mudstone bedrock. Based on the geotechnical report, onsite sand soils free of organic and deleterious material are suitable for use as non-structural fill below the select fill cap. Structural fill using onsite inorganic soil or approved imported soil should be placed in layers, conditioned, and compacted, pursuant to engineer's specifications. Therefore, potentially significant impacts related to expansive soil can be mitigated to *less than significant* (Class II). |

| GS Impact 7 | |
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| The proposed stormwater drainage plan may result in erosion down-gradient of the proposed drain outlet. | |
| ***Mitigation*** | **GS/mm-6** Prior to issuance of grading and construction permits, the applicant shall submit a drainage plan for review and approval by the County Department of Public Works. The drainage plan shall be coordinated with the sedimentation and erosion control plan, be consistent with CZLUO §23.050.036 and 040, and specifically include engineered energy dissipators and controls that would limit peak runoff to pre-development levels. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |

| GS Impact 7 | |
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| ***Supportive Evidence*** | The applicant's proposed site drainage improvements would convey both Studio Drive runoff and driveway runoff to a drainage exit structure, which would outlet into a natural drainage swale. The natural drainage channel consists of highly erodible sands, and erosion in the channel has been accelerated by foot traffic from people accessing Morro Strand State Beach from Studio Drive. The swale would incorporate bollard style energy dissipators and a gravel/cobble invert, which are intended to reduce stormwater flow velocity and erosion potential. Rainfall from the residence roof is proposed to be collected by a roof gutter system and held in a cistern for gray water use and landscape irrigation.<br><br>Construction of the proposed impermeable concrete driveway would result in an increase in surface runoff onsite, which increases the potential for erosion in the natural drainage swale. This impact can be mitigated through appropriate civil engineering drainage design. CZLUO §23.05.050 requires a Drainage Plan for development located on a site adjacent to any coastal bluff, or if the project may change the offsite drainage pattern. Based on the location of the project on the beach-side of Studio Drive, and proposed changes to the existing stormwater system, a Drainage Plan would be required, which would be based on the preliminary drainage plan summarized above. The proposed project would not result in substantial onsite or offsite flooding, because stormwater would continue to flow west towards the Pacific Ocean (similar to existing conditions, which do not result in flooding), and would be filtered and dissipated by the proposed system. Based on review of the preliminary drainage plan, compliance with the CZLUO, and incorporation of mitigation identified below, potential long-term impacts would be mitigated to a *less than significant* level (Class II). |

## ~~6.11~~6.10 NOISE

| N Impact 1 | |
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| Construction of the proposed project would potentially expose people to transportation-related noise levels that exceed the County Noise Element thresholds. | |
| ***Mitigation*** | **N/mm-1** Upon application for building permits, the project applicant shall include in the project design the following standard mitigation measures for interior noise mitigation provided in the Noise Element for levels in the 60-65 dBA range:<br>a. Air conditioning or a mechanical ventilation system;<br>b. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cubic feet per minute or less, per American National Standards Institute [ANSI] specifications); and,<br>c. Solid core exterior doors with perimeter weather stripping and threshold seals. |
| ***Findings*** | After implementation of the mitigation measure, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The project proposes a noise sensitive use within the vicinity of Highway 1. Per the County Noise Element, 60 dBA is considered the maximum acceptable exterior noise exposure level for residential uses and 45 dBA is the maximum acceptable exposure level for interior uses. Uses within this range will not require mitigation. The eastern boundary of the project site is located approximately 160 feet from the centerline of Highway 1. The topography between the highway and the site consist of generally flat areas to Studio Drive, and then the property slopes down several feet (approximately 5 to 8 feet) from Studio Drive to the beach. According to the County Noise Element contour maps, the 65 dBA range extends from the centerline of the highway 209 feet west. Therefore the easternmost 50 feet of the project site is located within the 65 dBA range, and the remainder is located within the 60 dBA range.<br><br>The project has been designed to provide a noise buffer between Highway 1 and the |

| N Impact 1 | |
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| | proposed living space. The project proposes a driveway and parking garage on the eastern portion of the site, which are not considered outdoor uses subject to the 60 dBA limit. The living area is also proposed below the grade of the highway by approximately 8 to 10 feet. Because the topography of the subject lot is below the street elevation, the ground will buffer most of the noise from Highway 1, thereby allowing for a minimal impact from noise to the livable areas of the home. In addition, the project would conform to the latest edition of the Uniform Building Code (UBC); normal construction practices in the Code would provide a noise level reduction of approximately 15 dBA (County of San Luis Obispo 1992), potentially bringing resultant noise levels within the interior 45 dBA threshold.<br><br>However, because a portion of the project site is located in an area that currently exceeds Noise Element thresholds, and normal construction practices and natural buffers may be insufficient to bring noise levels within acceptable ranges, some mitigation may be necessary. The County Noise Element recommends standardized mitigation measures for reducing interior noise levels in the 60-65 dBA range. These measures are referenced in the FEIR and County Noise Element. |

## ~~6.12~~6.11 WATER RESOURCES

| WAT Impact 1 | |
|---|---|
| The project would include construction activities that would require ground disturbance and use of heavy equipment, which may result in the discharge of sediment and other pollutants, potentially affecting surface water quality. | |
| ***Mitigation*** | **WAT/mm-1** Upon application for construction permits, the applicant shall submit grading and construction plans showing BMPs, and shall implement BMPs during grading and construction activities. Best Management Practices (BMP's) shall include, but not be limited to, the following:<br>a. Erosion control barriers shall be applied, such as silt fences, hay bales, drain inlet protection, and gravel bags;<br>b. Disturbed areas shall be stabilized with vegetation or hard surface treatments upon completion of construction in any specific area.<br>c. All inactive disturbed soil areas are required to be stabilized with both sediment and temporary erosion control prior to the onset of the rainy season (October 15 to April 15).<br><br>**WAT/mm-2** Prior to issuance of grading and construction permits, the applicant shall submit a copy of the Regional Water Quality Control Board (RWQCB)-issued stormwater construction permit. The permit shall be on-site during all major grading and construction activities.<br><br>Implement **BR/mm-1**, **BR/mm-5**, and **BR/mm-6**. |
| ***Findings*** | After implementation of the mitigation measures, the proposed project impacts would be *not significant with mitigation* (Class II). |
| ***Supportive Evidence*** | The Clean Water Act has established a regulatory system for the management of storm water discharges from construction, industrial and municipal sources. The State Water Resources Control Board (SWRCB) has adopted a National Pollutant Discharge Elimination System (NPDES) Storm Water General Permit, which requires the implementation of a Storm Water Prevention Pollution Plan (SWPPP) for discharges regulated under the SWRCB program. Currently, construction sites of 1 acre and greater may need to prepare and implement a SWPPP that focuses on controlling storm water runoff. The RWQCB, the local |

| WAT Impact 1 | |
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| | extension of the SWRCB, currently monitors these SWPPPs. Based on review by the RWQCB, the applicant will be required to obtain a stormwater construction permit due to the project's proximity to surface waters (Pacific Ocean).<br><br>Proposed grading activities would disturb soil and sand, and potentially result in off-site sedimentation. Standard erosion and sedimentation control measures would be required, including staking or flagging the development footprint; use of fiber rolls and silt fencing to retain soil and sand on-site; covering soil stockpiles; and restoration and revegetation of disturbed soils. Implementation of these measures would ensure avoidance of adverse effects to water quality.<br><br>The project includes removal of the existing County storm drain, and construction of a new storm water management system, including an inlet with a filter and outlet with energy dissipaters. Stormwater would continue to flow onto the beach area to the northwest. Discharge of sediment, hydrocarbons, and other pollutants from the roadway into stormwater and drainage infrastructure (which eventually discharge into surface waters) would affect water quality. Implementation of BMPs and Low Impact Design (LID) techniques consistent with CZLUO §23.05.050.e(1) (Water Runoff, Best Management Practices – Residential development) would avoid or minimize the project's contribution to water quality issues affecting the Pacific Ocean. Additional mitigation is included under the Biological Resources analysis, including BR/mm-5 (stockpile and staging areas, management of hazardous materials, and implementation of BMPs) and BR/mm-6 (erosion and sedimentation control). In addition, an environmental monitor would be present to verify and document compliance with mitigation measures related to the protection of biological resources, including aquatic habitat and surface waters (BR/mm-1).<br><br>The project includes a preliminary drainage plan, which has been reviewed and approved by the County Department of Public Works. In the long-term, the project would not result in any significant impacts to water quality, because the proposed stormwater system includes energy dissipaters that would allow stormwater to continue flowing onto the beach in a non-erosive manner. |

# 7.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT AND UNAVOIDABLE

No significant and unavoidable impacts (Class I) were identified for the proposed project.

# 8.0 CUMULATIVE AND GROWTH INDUCING IMPACTS

## ~~6.13~~8.1 CUMULATIVE IMPACTS

State CEQA *Guidelines* §15355 defines cumulative impacts as

> *"two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts". Further, "the cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time."*

The Guidelines require the discussion of cumulative impacts to reflect the severity of the impacts and their likelihood of occurrence. However, the discussion need not be as detailed as the analysis of impacts associated with the project, and should be guided by the rule of reason. Cumulative impacts associated with this project are discussed in the topical analysis sections provided in Chapter 4 of the Final EIR.

### ~~6.13.1~~8.1.1 Air Quality (Class III)

The cumulative study area for air quality impacts is the South Central Coast Air Basin (SCCAB). The project would contribute criteria pollutants during project construction and long-term operational use, including ozone precursors and particulate matter. No major projects are proposed in the immediate vicinity of the project site; however, a number of large development projects are currently under review by the County, and cities within the county, including mixed-use, residential, commercial, and solar energy projects. These projects may be under construction simultaneously with the project and, in the long term, would be generating similar air emissions due to use of construction equipment, increased traffic trips, and energy use.

Depending on construction schedules and actual implementation of projects in the air basin, generation of fugitive dust and pollutant emissions during construction could result in short-term increases in air pollutants. Analysis conducted specifically for this project concluded that implementation of the proposed project would not significantly contribute to cumulative long-term operational air quality impacts because it would not exceed the daily ROG+$NO_x$ threshold. GHG impacts, including those described above, all contribute cumulatively with those produced worldwide, to affect climate change. Compliance with identified air quality, energy efficiency, and water conservation mitigation measures would reduce the project's contribution to cumulative GHG emissions, and subsequent climate change. Cumulative effects would be *less than significant* (Class III).

### ~~6.13.2~~8.1.2 Biological Resources (Class III)

No major projects are scheduled to be constructed during a similar timeframe as the project. The closest known project is the Morro Bay to Cayucos Connector, which would run along Studio Drive adjacent to the project site, within the paved area. The timing for construction of that project is currently undetermined. Based on the location and size of the project, and implementation of recommended mitigation measures, the project would not have any significant residual direct or indirect adverse impacts to sensitive biological resources, including special-status species, habitats, and wildlife. The site is not within a designated Environmentally Sensitive Habitat Area (ESHA). The project would not significantly contribute to the loss of

species or sensitive habitat. Therefore, potential cumulative impacts would be *less than significant* (Class III).

### ~~6.13.3~~8.1.3 Cultural Resources (Class III)

The destruction of cultural resources can have the potential for significant cumulative impacts as they are inherently important to the descendants of native peoples and make the study of pre-historic and historic life unavailable for study by scientists. Given the prevalence of cultural resource sites in San Luis Obispo, and the number of construction activities that involve disturbance of archaeologically sensitive areas that are not regulated, it is likely that significant pre-historic and historic resources are often not identified and are permanently lost. For the proposed project, no prehistoric archaeological resources were identified with the project site, and implementation of the proposed project would not contribute to the cumulative degradation of significant cultural resources in the County. Based on lack of significant resources at the project site, and compliance with the CZLUO, potential cumulative impacts resulting from the proposed project are considered *less than significant* (Class III). No additional mitigation is required.

### ~~6.13.4~~8.1.4 Geology and Soils (Class III)

Implementation of the pending and approved projects listed in the cumulative development scenario would increase development in the immediate area. No projects requiring grading or construction would occur in the immediate vicinity of the project, and no existing adverse geologic or drainage conditions are present on or adjacent to the project site.

Additional development, including the proposed project, would increase the number of people and structures exposed to a variety of geologic and soils hazards within the County, including liquefaction, ground shaking, and temporary exposure to sea level rise and storm surge. Potential impacts related to geologic, soils, and seismic hazards are all site-specific, and mitigation measures are applied to each project to minimize the potential for significant geologic impacts. All development projects are required to comply with State and local regulations regarding grading and construction; therefore, no cumulative impacts related to these issues have been identified. Implementation of mitigation measures identified above, and compliance with existing regulations would mitigate impacts to *less than significant* (Class III), and no additional measures are necessary.

### ~~6.13.5~~8.1.5 Hazards and Hazardous Materials (Class III)

Due to the type of project proposed, and lack of hazards or hazardous materials within or near the project site, construction and operation of the project would not contribute to environmental impacts related to hazards. Cumulative impacts would be *less than significant (Class III)*. No additional mitigation is required.

### ~~6.13.6~~8.1.6 Recreation (Class IV)

As with any new residential development, the project has the potential to result in a cumulative effect on recreational resources, by adding demand on public parks, trails, and recreational areas. However, the project's cumulative impacts are within the general assumptions of allowed use for the subject property. Adequate public facility fee programs have been adopted to address these impacts. Impacts to the area recreational resources and facilities will be mitigated through the payment of appropriate fees prior to issuance of a building permit for the proposed project. The future Morro Bay to Cayucos connector bike path is proposed to run along Studio Drive directly adjacent to the project site, which will create a *beneficial impact* (Class IV) on

recreational resources by providing additional pedestrian and biking trails in the project vicinity and connecting other recreational opportunities in the city of Morro Bay and community of Cayucos.

### ~~6.13.7~~8.1.7 Transportation and Circulation (Class III)

Population and tourism in the areas surrounding the proposed project are expected to slowly and steadily increase in the future, resulting in a corresponding steady increase in traffic, parking demands, and safety conflicts in the Cayucos area. The proposed project would contribute to cumulative traffic volumes in the area; however, because it is not resulting in an increase in residential density, the increase would be minor, and at a level anticipated in by the Estero Area Circulation Element. Therefore, potential cumulative impacts would be *less than significant* (Class III).

### ~~6.13.8~~8.1.8 Water Resources (Class III)

Water demand for the proposed use represents a small percentage of total water demand in the Cayucos area, and the boundaries of CSA 10A (approximately 0.6%). As previously discussed, CSA 10A has available water to serve this project, in addition to others within the service area. Therefore, potential cumulative impacts would be *less than significant* (Class III).

## ~~6.14~~8.2 GROWTH-INDUCING IMPACTS

CEQA Guidelines §15126.2(d) requires an EIR to discuss the growth inducing impacts of a proposed project, including the ways in which the project would foster economic or population growth, encourage the construction of additional housing, or remove an obstacle to population growth in the surrounding environment, either directly or indirectly. The goal of the growth inducing impacts section of the EIR is to address the effects the proposed project may have on surrounding facilities and activities by assessing the ways in which a project could encourage population or economic growth, increase employment opportunities or employment growth in support of an industry, or stimulate the construction of new housing or service facilities.

Based on the CEQA Guidelines criteria outlined above, the proposed project was evaluated in order to determine if any part of the project demonstrates the potential to result in growth inducing impacts. The project proposes one single-family residence on one of the few undeveloped lots in an existing developed neighborhood. The use is consistent with the general level of development currently existing along Studio Drive and anticipated under the Residential Single Family (RSF) land use designation. Other than temporary employment associated with construction of the residence, the project would not create new jobs or facilitate employment growth. Given its small scale and limited function, the project would not induce population or economic growth in the area. Impacts would be *less than significant*.

# 9.0 ALTERANTIVES

CEQA, §15126.6(a), requires an EIR to "describe a reasonable range of alternatives to a project, or to the location of a project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives". Through the scoping process, if an alternative was found to be infeasible, as defined above, then it was dropped from further consideration. In addition, CEQA states that alternatives should "□ attain most of the basic objectives of the project..." Please refer to Chapter 5, Alternatives Analysis, of the EIR for a detailed discussion of the alternatives. The following alternatives were selected for more detailed review.

## ~~6.14.1~~9.1.1 No Project Alternative

The No Project Alternative would include none of the components of the proposed project. If a project is not built at this time, a residential project may be proposed in the future.

## ~~6.14.2~~9.1.2 Design Alternative A – Reduced Project, Pilings

The project site is located on the beachside of Studio Drive, and would be exposed to coastal hazards including sea level rise, wave-up, and storm surge. Independently, these conditions would not adversely affect the proposed structure; under extreme conditions, ocean water may reach the 22.2-foot elevation, and may overtop the existing rock outcrop and splash against the basement wall.

An alternative to this would be to eliminate the basement and construct the residence on steel-reinforced concrete pilings. This would allow ocean water to flow under the structure entirely before receding back. Under this alternative, the main floor and mezzanine, including the cantilevered portion, would remain.

This alternative consists of an approximately 1,857-square-foot residence including:

- 1,097 square feet of main floor living space
- 338-square-foot mezzanine
- 242-square-foot garage and 200-square-foot carport
- 180-square-foot covered deck
- Solar panels installed on the south-facing slopes of the roof

The residence would consist of one main floor supported on pilings. The maximum width of the structure would be 18 feet, and the maximum length would be 95 feet. A paved driveway would provide access from Studio Drive. The maximum height of the residence would be 15 feet above the centerline elevation of Studio Drive. It is expected that retaining walls would be necessary adjacent to Studio Drive, and along a portion of the southern and northern sides of the residence, with continuous footings extending into the underlying bedrock materials.

## ~~6.14.3~~9.1.3 Design Alternative B – Reduced Project, Traditional Design

This design alternative incorporates a more traditional design, as opposed to the modern structure proposed by the applicant. It does not include the extended cantilevered main floor, or a substantial reduction in the extension, and provides sloped roofs. This alternative is

considered a reduced design option, and consists of an approximately 2,572-square-foot residence including:

- 772 square feet of main floor living space
- 1,040-square-foot basement
- 338-square-foot mezzanine
- 242-square-foot garage and 200-square-foot carport
- 180-square-foot covered deck
- Solar panels installed on the south-facing slopes of the roof

The residence would consist of one main floor and a basement. The footprint of the house would be 1,040 square feet. The maximum width of the structure would be 18 feet, and the maximum length would be 70 feet. A paved driveway would provide access from Studio Drive. The maximum height of the residence would be 15 feet above the centerline elevation of Studio Drive. The basement would be located below the elevation of Studio Drive.

The exterior walls of the structure would be concrete and would retain soils along the southern, eastern, and northern sides of the residence. Retaining walls will also be constructed adjacent to Studio Drive with continuous footings extending into the underlying bedrock materials.

### ~~6.14.4~~9.1.4 Design Alternative C – Vegetation and Articulation

As noted above, no significant aesthetic resource impacts were identified; however, a reasonable alternative to the project includes additional features to articulate the design and blend it into the beach landscape. This includes incorporation of native, low-growing shrubs and vegetation along the northern and western aspects, and the use of native (or simulated native) rocks along the driveway retaining wall. This alternative would consist of the same size, footprint, width, and height, as the proposed project.

### 9.1.5 Planning Commission-Approved Project Alternative

Based on direction from the Planning Commission, the applicant revised the project which reduced the size of the proposed project from what was evaluated in the EIR. The revised project is a reduced project with a traditional architectural style and reduced cantilever. This revised project is approximately 543 square feet smaller than the proposed project and the large cantilevered portion has been significantly reduced by approximately 16 feet shorter in living area.

## ~~6.15~~9.2 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the alternatives section of an EIR to describe a reasonable range of alternatives to the project that avoid or substantially lessen any of the significant effects identified in the EIR analysis while still attaining most of the basic project objectives. The alternative that most effectively reduces impacts while meeting project objectives should be considered the "environmentally superior alternative." In the event that the No Project Alternative is considered the environmentally superior alternative, the EIR should identify an environmentally superior alternative among the other alternatives.

In this EIR, the No Project Alternative results in the fewest environmental impacts, although it does not meet any of the project objectives, including the primary objective to build a single-family residence.

As proposed, and with incorporation of recommended mitigation measures, the proposed project would not result in any significant, unavoidable environmental effects, and would meet project objectives. All proposed alternatives would meet the project objectives, and would not result in any significant, adverse, and unavoidable (Class I) impacts upon implementation of mitigation measures similar to those identified for the proposed project.

The proposed Reduced Project and Design Alternatives (A, B, and C) provide some variation in size and project design in response to public comment, and include alternatives to the proposed basement, cantilevered living space, and exterior design elements. Design Alternative A – Reduced Project, Pilings, would marginally reduce the intensity of identified geology and soils impacts, primarily related to coastal hazards, and would still require substantial engineered design and incorporation of design-specific mitigation measures. Design Alternative B – Reduced Project, Traditional Design does not include the cantilevered portion of the residence, which may be more consistent with Small Scale Neighborhood Standards. Alternatives A, B, and C (Vegetation and Articulation) may reduce the perceived mass of the structure as seen from Studio Drive and the beach area, and may be more consistent with County Plans and Policies related to visual resources.

The Planning Commission -approved Project is consistent with the EIR alternatives discussed and is consistent with EIR Alternative B. The Planning Commission approved project is reduced in size and scale from the original project evaluated in the Final EIR (approximately 16 feet shorter). This shorter design includes less coverage of the lot and therefore less of a visual impact from the original project (even though the original design did not contain a significant visual impact). Additionally, the amended project design is traditional in style versus the original modern design. The traditional architectural style is in keeping with the majority of the smaller traditional beach bungalow style residences in this neighborhood. The roofline is now pitched similar to the neighboring residences rather than a flat roof and the proposed colors and materials blend into the environment with darker browns, tans and wood appearing materials. Overall this revised project is consistent with many of the design comments supplied by members of the community and will improve the look of the neighborhood.

Based strictly on an analysis of the relative environmental impacts, the proposed project, with adoption and incorporation of recommended mitigation measures, is considered the Environmentally Superior Alternative. The decision-making body will consider the whole of the record when considering the approved project including, but not limited to, public comment and testimony related to the size and design of the residence. The decision-making body may select the project as proposed, an Alternative, or a specified combination of particular elements identified in the Alternatives, as the approved project. In all scenarios, the Mitigation and Monitoring Program (MMRP) would be applied to the approved project.

~~Based on direction from the Planning Commission, the applicant revised the project which reduced the size of the proposed project from what was evaluated in the EIR. The revised project is a reduced project with a traditional architectural style and reduced cantilever. This revised project is approximately 543 square feet smaller than the proposed project and the large cantilevered portion has been significantly reduced by approximately 16 feet shorter in living area. This revised project is consistent with the EIR alternatives discussed and is consistent with EIR Alternative B.~~

# 10.0 MITIGATION AND MONITORING PROGRAM

PRC §21081.6 requires the lead agency, when making the findings required by PRC §21081(1)(a), to adopt a reporting or monitoring program for the changes to the project that it has adopted, in order to ensure compliance during project implementation. The County is the lead agency responsible for the adoption of the reporting or monitoring program. A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared that requires the County to monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to further reduce environmental impacts that are less than significant.

The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures within the jurisdiction of the County. Implementation of the mitigation measures specified in the Final EIR and the MMRP will be accomplished through administrative controls over project planning and implementation. Monitoring and enforcement of these measures will be accomplished through verification in periodic Mitigation Monitoring Reports and periodic inspection by appropriate County personnel. The County reserves the right to make amendments to and/or substitutions of mitigation measures if, in the exercise of discretion of the County, it is determined that the amended or substituted mitigation measure will mitigate the identified significant environmental impact to at least the same degree of significance as the original mitigation measure it replaces, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment that cannot be mitigated.

As lead agency for the Loperena MUP/CDP EIR, the County hereby certifies that the MMRP set forth in Chapter 7 of the Final EIR, which has been designed to ensure compliance during construction of the proposed project and includes all of the mitigation measures identified in the Final EIR and adopted and incorporated into the project, is adequate to ensure the implementation of the mitigation measures described herein.