Previously Adopted Mitigated Negative Declaration

COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (JMc)

(MITIGATED) NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED01-322 DATE: May 23, 2003

PROJECT/ENTITLEMENT: Morabito/Burke Tract Map & Conditional Use Permit; TR2368, S000007U

APPLICANT NAME: A.P. Morabito, et al, & R. Burke Corporation
ADDRESS: 214 Higuera St., San Luis Obispo, CA 93406
CONTACT PERSON: C.M. Florence, Oasis Associates, Inc. Telephone: 805/541-4509

PROPOSED USES/INTENT: A request for a Tract Map and Conditional Use Permit to allow for 1) a commercial planned unit development, and 2) the 58 acre area to be divided into 26 lots (23 developable lots and three lots for infrastructure use only)for the sale and/or development of each proposed lot. The maximum building square footage for the entire development shall be no more than 500,000 square feet. The proposed 23 lots range in size from 1.02 to 3.48 acres each (gross).

LOCATION: The subject properties are located on the northwest side of Highway 227 at Farmhouse Lane, approximately 400 feet south of Airport Drive, south of the City of San Luis Obispo

LEAD AGENCY: County of San Luis Obispo

OTHER POTENTIAL PERMITTING AGENCIES: Regional Water Quality Control Board, Air Pollution Control District

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

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 5 p.m. on June 6, 2003
(Circle one) 20-DAY (30-DAY) PUBLIC REVIEW PERIOD begins at the time of notice publication

Notice of Determination State Clearinghouse No.

This is to advise that the San Luis Obispo County ..... as Lead Agency ..... has approved/denied the above described project on ..... and has made the following determinations regarding the above described project:

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

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

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

County of San Luis Obispo

Signature Title Date Public Agency

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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Morabito/Burke Tract Map & Conditional Use Permit; ED01-322, TR2368, S000007U

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

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

■ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

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

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

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

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

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

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

John McKenzie — Prepared by(Print) — Signature — 5/20/03 Date

John Nall — Reviewed by(Print) — Signature — Ellen Carroll, Environmental Coordinator (for) — 5/23/03 Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: - Proposal by Angelo Morabito/Robert Burke (Oasis - Carol Florence) for a Tract Map and Conditional Use Permit to allow for 1) a commercial planned unit development, and 2) the 58 acre area to be divided into 26 lots (23 developable lots and three lots for infrastructure use only). The maximum building square footage for the entire development shall be no more than 500,000 square feet. The proposed 23 lots range in size from 1.02 to 3.48 acres each (gross). The subject properties are located on the northwest side of Highway 227 at Farmhouse Lane, approximately 400 feet south of Airport Drive, south of the City of San Luis Obispo

ASSESSOR PARCEL NUMBER(S): 076-511-010 SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: San Luis Obispo, San Luis Obispo Fringe

LAND USE CATEGORY: Commercial Service

COMBINING DESIGNATION(S): Airport Review

EXISTING USES: Construction storage yard; undeveloped

TOPOGRAPHY: Gently to moderately sloping

VEGETATION: Grasses, forbs

PARCEL SIZE: 2 parcels totaling 58 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture (scattered residences)

East: Agriculture (vineyards, scattered residences, railroad)

South: Industrial, Agriculture (construction equipment storage, vineyards)

West: Public Facilities, City of San Luis Obispo - commercial (decorative rock storage and sales, SLO Co. airport, Highway 227)

C. ENVIRONMENTAL ANALYSIS

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

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

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

Setting. The project is located just within the urban fringe that is a part of one of the southern transition/gateway areas between the City of San Luis Obispo and a rural section of the county that is largely in agriculture or undeveloped. The development will be visible to the heavily used Highway 227. This area's visual quality is ranked as moderate to high due to its transitional nature between urban and rural uses and the scenic backdrop of the Santa Lucia Mountains. The existing vegetation in the area consists mainly of grassland and smaller shrubs with vineyards to the south. The area's topography is gently to moderately sloping.

Impacts. As proposed, the project will potentially result in numerous structures on 23 lots, totaling 500,000 square feet. At this time no structures are being proposed as a part of the tract map. Maximum structure height will be 35 feet. Given the proposed smaller parcel sizes, future buildings could be staggered such that the scenic backdrop of the Santa Lucia Hills could be fully blocked. The northbound views from Highway 227 are looking towards the urbanized City of San Luis Obispo, and this type of development will blend from this vantage. Southbound traffic currently enjoys a relative unobstructed view of the rural Edna Valley.

Mitigation. The applicant has agreed to the following to reduce visual impacts to less than significant levels: provide "view corridors" for southbound traffic; provide initial planting of trees along Highway 227 and along proposed internal streets; make all efforts to design drainage basins to avoid the use of fencing; future structures as seen from Highway 227 and the railroad shall achieve a 50% vegetative screening, with parking areas, water tanks and outdoor storage to receive 100% screening; use of a mix of darker exterior colors, which will also reduce the massing of the structure when combined with the other elements already discussed; and exterior lighting shall be minimized and directed into each future development.

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

Agricultural Resource Impacts - The soils on the site include Cropley clay and Tierra sandy loam, which are considered Class II (irrigated) and Class III (irrigated) soils, respectively. Subsequent to the change to the Commercial Services land use category as a part of the 1996 Area Plan update, this property has been left fallow.

Commercial agricultural activities are found immediately to the south and east of the subject properties, which are primarily vineyards. Comments were received from the Ag Commissioner's Office on potential conflicts from the surrounding agriculture. They identified potential conflicts as well as mitigation measures to reduce the impacts to acceptable levels. These measures include: establishing a solid windrow of evergreen vegetation along the southeastern edge of the project as new development is proposed; requiring at least a Minor Use Permit for all future development on the southeastern lots (Lots 14, 15, 16) to allow for future review of potential conflicting uses, building locations or additional mitigation measures to reduce agricultural conflicts; and include the most current "right to farm" notification for each new development.

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

Setting/Impacts. In 1989, the State Air Resources Board designated San Luis Obispo County a non-attainment area for exceeding the State's air quality standards set for ozone and dust (small particulate matter). Based on the latest APCD Annual Air Quality Report (2001), the trend in air quality is mixed where unacceptable ozone levels were not exceeded countywide in 2000 (down from previous year), and 27 times for dust (up from the previous year).

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of

the pollutants responsible for ozone formation. Dust, or particulate matter less than ten microns (PM 10), can be emitted directly from a source, and can also be formed in the atmosphere through chemical transformation of gaseous pollutants. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants sometimes contribute towards this chemical transformation into PM10.

As proposed, the project can be divided into two components, tract improvements and future development on each proposed lot. Tract improvements will include grading for new internal roads, drainage basins, water tanks, and utility lines. APCD has reviewed the proposed project and identified standard construction control measures are appropriate at both the tract improvement stage, as well as for each future development. In addition, the applicant has agreed to work with SLORTA and/or Public Works/ Environmental Division to locate appropriate stops for future transit service along proposed internal roads and/or Highway 227 (Caltrans approval, as necessary). Sufficient right-of-way shall be provided for transit stop(s) on the final map.

Mitigation/Conclusion - The project will be required to comply with the following standard construction or operational mitigation measures, as described in APCD's response or CEQA Air Quality Handbook: subject to ***construction measures*** such as, reducing area of disturbance, use of water or establishing vegetation for dust suppression, limiting construction vehicle speeds, covering haul vehicles during material transport; incorporate ***operational emission*** reductions by including several measures to increase efficiency above minimum state requirements, creation of a trip reduction program and improve means to use less polluting alternative transportation modes. The applicant has agreed to incorporate these measures into the project (see Exhibit B). Therefore, upon implementation of these measures, air quality impacts will be reduced to less than significant levels. Each future development on each proposed parcel will likely be subject to a discretionary permit. At such time a specific project is proposed, APCD will be contacted to address any project-specific air quality issues.

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

Biological Resources. A botanical report was prepared (Holland, March, 2000) for the 58 acre area. No significant biological resources were encountered. Vegetation on the gently to moderately sloping site consists mostly of a non-native grassland habitat. Therefore, potential biological resource impacts are considered less than significant.

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

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

Cultural Resource Impacts. The project is located in an area historically occupied by the Obispeno Chumash. A phase I surface was prepared (Gibson; March, 2000) and no resources were encountered. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. No evidence of cultural materials were noted on-site and no impacts are anticipated.

No older structures are present and no paleontological resources are known to exist in the area. Impacts to historic or paleontological resources are not expected.

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

6. GEOLOGY AND SOILS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
j) Other _____	❑	❑	❑	❑

Setting/Impacts - *Geology/Soils.* The topography of the project ranges from nearly gently to moderately sloping. The area proposed for development is outside of the Geologic Study Area designation. The countywide mapping on landslide potential identifies this area as having a "high risk". However, based on the gently to moderate sloping topography the potential for landslide risk is not considered significant. The liquefaction potential during a ground-shaking event is considered low to moderate. No active faulting is known to exist on or near the subject property. The Uniform Building Code includes numerous provisions to ensure structures are designed and built to withstand ground shaking events. Due to the high shrink-swell nature of the Cropley clay soil that is found on a portion of the subject property, building foundations will need to be designed to withstand this process.

Drainage. The project drains to an unnamed tributary that eventually reaches San Luis Obispo Creek, which is found west and south of the property. The project is outside of the 100-year Flood Hazard designation. As described in the NRCS Soil Survey, the property soils drain very poorly.

Future development on the subject property will be required to prepare a drainage plan (per County Land Use Ordinance, Sec. 22.52.080) that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows. The current proposal would create shallow basins that are also proposed for use as the project's parking areas.

Flooding problems are frequently experienced throughout the watershed of San Luis Obispo creek. A number of agricultural operations either in the lower lying areas or containing the more significant tributaries to the creek have regularly expressed concerns over the cumulative increase of surface flows and additional flooding from upstream urban development. In an effort to address this regional issue, the Stream Management and Maintenance Program for the San Luis Obispo Creek watershed is being prepared. As a part of this program, a Watershed and Waterway Design Manual will be prepared, which will guide development to drainage designs that will mitigate their impacts and contribute to overall improvement for the area. At such time that specific development is proposed, drainage measures will need to be considered that would be compatible with or recommended by this Management Program to reduce some of the cumulative effects.

Sedimentation and Erosion. The soil types include: Cropley clay and Tierra sandy loam. As described in the NRCS Soil Survey, the soil surface is considered moderately erodible and has a low to high shrink-swell characteristic. Project grading will create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Approximately 10 acres of area are proposed for disturbance.

Erosion of graded areas and discharge of sediment down gradient will likely result, if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading. If not properly mitigated, these impacts both on the project site and within surrounding areas may be significant.

A sedimentation and erosion control plan shall be prepared (per County Land Use Ordinance, Sec. 22.52.090) and incorporated into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.

The Clean Water Act has established a regulatory system for the management of storm water discharges from construction, industrial and municipal sources. The California State Water Resources Control Board (SWRCB) has adopted a National Pollution Discharge Elimination System (NPDES) Storm Water General Permit which requires the implementation of a Storm Water Pollution Prevention Plan (SWPPP) for discharges regulated under the SWRCB program. Currently, construction sites of one acre and greater may need to prepare and implement a SWPPP which focuses on controlling storm water runoff. Municipal and industrial sources are also regulated under separate NPDES general permits. The Regional Water Quality Control Board is the local extension of the SWRCB, who currently monitors these SWPPPs. This project is disturbing more than one acre and will therefore be subject to the NPDES program.

Mitigation/Conclusion. Based on the proposed project and implementation of standard requirements (including the proposed mitigation measures) geological, drainage, and sedimentation/ erosion impacts will be reduced to less than significant levels.

In addition, standard construction practices are expected to adequately address seismic safety concerns and any unfavorable soil conditions (e.g., shrink-swell potential).

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

Hazards & Hazardous Materials Impacts - The project is not located in an area of known hazardous material contamination. On-site water quality was tested for synthetic and volatile organic compounds, which could have been present due to previous agricultural and current airport activities. While some constituents were present, they are currently within acceptable levels and no mitigation is currently required. Water quality will be periodically monitored by the Environmental Health Division, and if problems are found, the applicant will be required to remedy to the satisfaction of the Environmental Health Division. No significant fire safety risk was identified. No significant impacts as a result of hazards or hazardous materials are anticipated.

Since specific uses or tenants are not known at this time, it is unknown if hazardous materials will be used on-site as a part of future uses. Prior to the storage or use of fuel or other hazardous chemicals CDF/County Fire and the Environmental Health Division will need to review and approve such storage/ usage. As appropriate, these agencies would recommend specific measures for safe storage of these materials as well as recommended specific fire safety measures including sprinklers and on-site

suppression equipment appropriate for the specific chemicals (e.g. foam). Such measures would reduce the safety impacts to a level of insignificance.

Airport. The project is within the Airport Review combining designation, and is within Zones 3, 4, and 5 as shown in the San Luis Obispo Regional Airport Land Use Plan (ALUP). The Airport Manager of SLO Regional Airport (McChesney) and the Airport Land Use Commission have reviewed and recommend approval of the proposed parcel configuration (which would include the following measures discussed to mitigate potential impacts). All future uses shall be those that are allowed within each of these zones, as specified in the ALUP. Exterior building materials should not be highly reflective to aircraft. Exterior lighting shall not conflict with airport lightingAn avigation easement will be required as a part of project approval and for subsequent development.

A portion of the project falls within the "runway obstruction zone" (Federal Aviation Administration, Part 77), which is a projection of 1,700 feet beyond the end of the Runway 25 centerline (see attached Figure 13). The intent of defining this area is to minimize obstructions and limit land uses to reduce hazards to human health in the event of aircraft accidents during landings and take-offs. The applicant has provided an analysis that shows the height of future structures and landscaping will not exceed what is allowed by the ALUP and Land Use Ordinance, which will minimize the safety risk for existing airport flight patterns. As described in Exhibit B, and shown on the attached figure, the project includes features (e.g., larger parcels with building envelopes/setbacks, internal road alignment, etc.) to minimize this potential impact to acceptable levels. Future development will also be subject to a number of requirements to minimize airport compatibility impacts.

The proposed drainage basins will need to be designed to minimize the attraction of waterfowl (e.g. steep banks).

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

Setting. The topography of the site from Highway 227 gently rises then drops away. Residences exist to the north and east of the proposed development. The remaining surrounding uses include light to moderate industrial uses, vehicle storage and agriculture. The project is directly below the flight path of the lesser-used Runway 25 of the San Luis Obispo Regional Airport for smaller aircraft. The County's Noise Element estimates that the future buildout 60 db noise contour will be approximately 292 feet from Highway 227 centerline.

Impacts. Most allowed uses within the Commercial Service category are not considered noise sensitive receptors. Certain uses allowed within this category could be considered loud noise generators. Six of the 26 lots proposed are within the 292 feet 60 db estimate. Two of these are for drainage basins. Since it is unknown at this time what the future uses will be and where future structures will be located on each proposed parcel, a noise study will be required for proposed lots 1-12 and Lot 25 to evaluate any proposed sensitive noise uses, as well as potential impacts to surrounding sensitive noise receptors. Aircraft noise is expected to be loud enough to require special

building design considerations that would provide for acceptable interior noise levels. Per the Noise Element, any interior or exterior equipment will be required to meet a 50 dB level at the property boundary that is adjacent to existing residences. Due to the proximity of the flight line of Runway 25, additional acoustical treatment to the proposed buildings will likely be necessary to provide for acceptable interior noise levels of 45 dB.

Mitigation. The proposed tract does not include the establishment of any noise receptive or generating uses. Since it is unknown at this time what the future uses will be and where future structures will be located on each proposed parcel, a noise study will be required for proposed lots 1-12 and Lot 25, which are closest to either Highway 227 or existing residences. Specific measures will be required at the time specific development is proposed for each lot. Per the Noise Element, any interior or exterior equipment will be required to meet a 50 dB level at the property boundary if it is adjacent existing residences. Due to the proximity of the flight line of Runway 25, additional acoustical treatment to the proposed buildings will likely be necessary to provide for acceptable interior noise levels of 45 dB.

9. POPULATION/HOUSING - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	■	☐
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☐	■
c) Create the need for substantial new housing in the area?	☐	■	☐	☐
d) Use substantial amount of fuel or energy?	☐	☐	■	☐
e) Other _____	☐	☐	☐	☐

Population and Housing Impacts - The addition of up to 500,000 square feet of light industrial/ commercial use will increase the number of employees in the area. Housing opportunities are limited within the City of San Luis Obispo.

There is very little nearby zoning within the unincorporated urban portions to support higher-density, affordable housing. The closest such density is mainly within the City of San Luis Obispo. In the County's efforts to provide for affordable housing, it currently administers a Community Development Block Grant program, which provides grants to projects relating to affordable housing throughout the county.

In addition, the county will be considering an Inclusionary Housing Ordinance during FY 2003/2004. While the outcome is uncertain, should the ordinance be approved, future commercial development would likely be required to pay a fee towards securing affordable housing. Should this be in place at the time of building permits, the proposed and future projects would be subject to these fees.

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

Public Services/Utilities. The project area is served by the County Sheriffs Department and CDF/ County Fire as the primary emergency responders. A cooperative aid agreement exists between CDF and the City of San Luis Obispo Fire Department to respond to fire-related emergencies. The nearest sheriff station is located at the Los Osos substation. The project is located in the San Luis Coastal Unified School District. No significant tract-related impacts to utilities or public services were identified. Please refer to the Transportation section for a discussion on road impacts and required mitigation measures. Each subsequent discretionary application for specific development on each proposed parcel will be reviewed for impacts to these public services, including how solid waste will be handled.

This project, along with numerous others in the area will have a cumulative effect on police and fire protection, and schools. Public facility and school fee programs have been adopted to address this impact and will reduce the cumulative impact to a level of insignificance.

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

Recreation Impacts - The project was referred to the County's Parks and Recreation Division as it relates to the County's Trails Plan and the need for any trail improvements along Highway 227. The project propose to install a multi-use trail along Highway 227 for the portions fronting the highway. Future development will be subject to the Public Facility fee, of which a portion goes towards the acquisition and improvement of parks.

12. TRANSPORTATION/ CIRCULATION - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	■	☐	☐

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

Setting/Impacts - The proposed project will use Broad Street (Highway 227) for access. The recently completed "Route 227 Corridor Study" (Caltrans; Aug., 2002) identifies existing deficiencies at several nearby roads intersecting Highway 227. Given the increasing congestion on Highway 101, diversion of south-bound commuting traffic will continue to increase on Highway 227 to reach southern destinations (e.g., Arroyo Grande). This report identifies that the 2020 "buildout" scenario will bring unacceptable levels of road service at many intersections, such as an LOS "F" at Airport Drive/ Highway 227. Providing improvements, such as installing more signals at key locations and widening to four lanes, would substantially reduce these impacts. In an effort to address these cumulative impacts, either the county or Caltrans will be collecting a "fair share" fee for cumulative effects or comparable improvements with similar financial costs will be required of the development (see Exhibit B).

Based on traffic reports (Penfield & Smith; July-2000, April-2002) submitted by the applicant, the 500,000 square foot development has been estimated to generate approximately 3,480 daily trips with 445 a.m. peak hour trips and 460 p.m. peak hour trips. Without the above-referenced mitigation, this additional traffic will substantially add to the cumulative degradation of the intersections discussed in the Caltrans Study.

As proposed, the project will be served by two access roads onto Highway 227. The northern access will be the primary access with eventual signalization and future alignment with Airport Drive. This northern access will also serve the Senn/Glick development to the north.

The Airport is currently completing its Master Plan design and will include realignment of its new southern Highway 227 access to line up directly across from the proposed project's primary access (eliminating a potential road offset traffic safety concern). Although it is not known when this realignment effort would be completed, in the interim, while an approximate 300 foot offset exists (this separation does not provide for adequate left-turn queuing into both developments (Airport and Senn/Morabito) as they build out), at the point it is determined by Caltrans or the county that this

becomes problematic, the Airport Manager has agreed to modify the Airport Drive/south airport entrance to become a "right-turn in and out only" until the realignment is completed.

The project will be required to work with the City and the San Luis Obispo Regional Transit Authority to determine the need and appropriate location of a transit stop. Future development on each parcel will be subject to discretionary review. At that time, alternative travel modes will be evaluated on a case-by-case basis.

On air traffic issues, the proposed building height and landscaping will conform with acceptable heights, as established by the FAA to avoid the need of modifying any air traffic patterns. This item was brought before the Airport Land Use Commission who approved the configuration currently proposed.

The project also includes an access provision for the property immediately to the south of the subject development fronting Highway 227, as well as to the Commercial Service property to the east. The intent of this for the Highway 227 property would allow future development traffic from this parcel to reach a signalized intersection for left turns and reduce potential safety impacts to Highway 227.

Mitigation/Conclusion - Per Exhibit B, the applicant has agreed to numerous measures to reduce traffic impacts to less than significant levels. In addition, the project will be required to complete standard frontage road improvements.

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

Setting/Impact. Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil types are Cropley clay and Tierra sandy loam. Soil percolation in this area is generally considered poor. The project proposes to use individual septic systems. Percolation testing has been conducted for each parcel. This testing generally indicates that, with deeper trenches, acceptable soil percolation rates can be achieved, as well as adequate separation from any high groundwater. However, siting of such systems will need to be carefully considered given the 200-foot separation that will be required from the numerous on-site mutual water company potable water wells. Non-potable or individual wells will need a 100-foot separation. Due to the potential commercial development, all future uses will be required to avoid the introduction of harmful substances draining into the septic system.

The project will be required to install "dry" sewer lines below the proposed internal roads with the eventual expectation the property will be annexed by the City of San Luis Obispo.

Mitigation/Conclusion. All septic systems will need to meet the requirements of the Central Coast Basin Plan. Per Exhibit B, the applicant has agreed to provide additional information to minimize the possibility of future systems failing or contaminating the groundwater basin. Incorporation of these measures will reduce impacts to less than significant levels.

14. WATER - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	☐	☐	■	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	☐	■	☐	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	■	☐	☐
d) Change the quantity or movement of available surface or ground water?	☐	■	☐	☐
e) Adversely affect community water service provider?	☐	■	☐	☐
f) Other _____	☐	☐	☐	☐

Water Usage. The project proposes to use on-site wells that are a part of the East Airport Area Mutual Water Company. In an effort to determine the significance of the project's water impact on the groundwater basin, staff has determined that if the project can stay at or below the regional recharge rate (plus project specific components), the impacts would be less than significant.

The applicant has provided water reports (Katherman: undated; March, 2001; December, 2001) that provide information on expected water usage, recharge capabilities of the aquifer, potential well interference, and effects from drought conditions. Mr. Katherman has assumed that about 1,000 employees could exist within the proposed development and has applied a water usage rate based on information provided by the applicant on a nearby similar development (Creekside). With these assumptions, water usage has been calculated to be up to about 12 acre-feet per year (AFY) and outdoor irrigation needs of approximately 2.0 AFY. The allowed uses for this project will include many that are considered much less employee-intensive than Mr. Katherman's estimates.

Another source commonly used to estimate water usage for projects comes from the "City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide'" (Aug., 1989)". Using the 1,000 employee estimate, and applying a worst case scenario that the entire development could be a lower-density "offices" type development (one employee per 360 square feet). Based on these factors, as shown below, a reasonable "worst case" indoor water usage estimate (that has applied standard water conservation measures) using this report would likely be about (10.8) acre-feet/year (afy):

500,000 square feet of General Office (@ 0.06AF/1,000 sf) = 30 afy

Other less water intensive uses allowed that are in this report include:

Industrial Assembly and Manufacturing @ 0.050 /1000 sf for 500,000 sf = 25 afy
Warehouse/Industrial Storage @ 0.040 /1000 sf for 500,000 sf = 20 afy

While the overall applicant's estimate is lower than the above-reference estimate, provisions are in place to keep usage balanced with the estimated recharge rate discussed below.

Based on the Katherman reports, and given that the general area may be subject to limited water availability (SLO Area Plan), the following methodology was used to establish upper water use limits for this airport area project in an effort to provide balance between water usage and groundwater recharge. The following is also based upon these reports concluding that the aquifer serving the

project will recharge quickly after "average" to "good" rain years.

Per Katherman's report, a conservative estimate for the basin's overall "average" rainfall recharge is 0.25 afy per acre and a creek/stream recharge of 0.04 afy per acre. Other "project-specific" factors proposed for consideration include leach field recharge (0.024 afy) and landscape irrigation recharge (0.007 afy). The following table summarizes these estimates for "average" and "drought" recharge rates.

OVERALL "AVERAGE-YEAR" RECHARGE (AFY per acre)

Rainfall	Leach field	Irrigation	Creek/Stream	Subtotal	Property Size (acres)	TOTAL
0.25	0.024	0.007	0.04	0.321	58	18.62 AFY

OVERALL "DROUGHT-YEAR" RECHARGE (AFY per acre)

Rainfall	Leach field	Irrigation	Creek/Stream	Subtotal	Property Size (acres)	TOTAL
0.18	0.024	0.006	0.027	0.237	58	13.75 AFY

The estimated 18.62 afy recharge amount exceeds the projected usage amount of about 14 afy. Therefore, water impacts are considered less than significant.

The adjacent property is currently proposing similar type development (Senn/Glick development (180,000 square feet of commercial/light industrial uses on 10 acres) as would be occurring on the proposed project. Due to a proposed higher density then with the proposed project, once the estimated water usage is compared to the recharge rate, an additional 2.5 afy was determined necessary. Given that the proposed project is projected to have about 4 ½ acre feet of "reserve" when the recharge is compared to projected usage, the Senn/Glick project proposes to use 2.5 afy of this reserve, reducing the Morabito/Burke total "available estimate" to 16.12 afy.

The project will also prepare a "Drought-Year" Water Management Plan showing what triggers will be applied for the tract and subsequent development near the beginning of a potential "drought-year" and what measures shall be employed to be able to reduce water consumption to the "drought-year" rate.

To successfully monitor water usage, meters will need to be installed throughout the development, as well as on the wells to be used. The water company will need to continue monitoring to provide the information needed to insure usage stays within the established maximum amounts.

Environmental Health has reviewed the project and has determined that there is preliminary evidence that the proposed wells can produce sufficient quantities of water to serve the proposed project, and that based on preliminary water analysis, there should not be any significant pumping interference to or from nearby wells.

The 2002 Resource Management System Annual Resource Summary Report (RMS) is the county's tool to provide a cumulative areawide assessment of water resources. Based on available water information, the report recommends that the SLO ground water basin should be considered for a Level of Severity II designation. It is important to note this is a staff recommendation based only on preliminary evidence. To verify that this condition really exists, typically a Resource Capacity Study is completed. No such report has been completed to date. If such a study were approved by the Board of Supervisors, and that a Level II condition was found to exist, it would mean that the projected water demand over the next seven years equals or exceeds the estimated dependable supply.

Mitigation. Mitigation shown in Exhibit B require that the project incorporate a number of measures to

provide for sufficient water quantity and quality. These measures relate to water usage for each lot, usage monitoring (including water company providing information), pipe leakage, landscaping, low-flow water fixtures, prepare and implement drought water management plan. By applying these measures, staff has determined that a balance will be achieved between water usage and basin recharge, therefore not resulting in potentially significant local or cumulative effects on water availability.

Also, to conserve water, the project (and future development) will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240), which requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute (see additional measure below); spas and hot tubs shall use recirculating systems; and water supply piping shall be installed so each building may be served by a separate water meter.

Per Section 22.04.182 of the County's Land Use Ordinance, the project is required to prepare a Landscape Plan. As a part of that plan (per LUO Secs. 22.04.184-186), water efficient landscape methods and materials shall be used to reduce water consumption to the extent possible.

Over time, the main water pipes will likely begin leaking for a variety of reasons. The required water meters between the wells and the buildings and ongoing monitoring will provide an excellent means to alert and fix this potential problem.

Water Quality - Setting/Impacts. The nearest water course is an unnamed tributary to San Luis Obispo Creek that is approximately 500 feet north of the proposed project. The topography of the site is gently to moderately sloping.

The project proposes to disturb portions of the 58 acre area. Features of the project that will have potential impacts to surface water quality include: grading, additional runoff from new impermeable surfaces, work during the rainy season, establishing large paved areas.

A water quality analysis has been completed for the proposed tract. All constituents tested were found to be within acceptable ranges. At the time specific project development is proposed for each lot, it must also show that water quality serving the development will be able to meet the tests established by the Environmental Health Division. Remedial measures would be required by Environmental Health if any measured constituent is found to be outside of the levels determined by the state to be safe.

Mitigation/Conclusion. The project will be subject to the following standard ordinance requirements to substantially reduce construction-related surface water quality impacts:

Drainage Plan - compliance with this plan (per LUO Section 22.52.080) will direct surface flows in a non-erosive manner through the site. (In addition, due to the additional runoff created, a detention basin will be required, to slowly meter the additional project-related runoff in a non-erosive manner out to the watershed.)

Sedimentation and Erosion Control Plan - compliance with this plan (per LUO Section 22.52.090) will minimize project's potential short-term construction and long-term erosion and sedimentation impacts to down-gradient drainages through design and/or installation or use of one or sedimentation and erosion control devices (e.g., silt fencing, straw bales, etc.).

Stormwater Pollution Prevention Plan - Future development on this property will be subject to a "Stormwater Pollution Prevention Plan" permit through the Regional Water Quality Control Board, which would further reduce potential surface water impacts.

Environmental Health will determine the need for periodic supplemental water quality testing for volatile or synthetic organic compounds.

Incorporation and implementation of these standard mitigation measures at the time specific development occurs and compliance with the Central Coast Basin Plan will reduce potential surface and ground water quality impacts to a less than significant level.

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

Setting/Impacts - The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to several agencies to review for various policy consistencies (e.g., APCD on Land Use Strategies of the Clean Air Plan), The project was found to be consistent with these documents.

The proposed project is not within or adjacent to a Habitat Conservation Plan area.

The surrounding uses are as follows: North - Scattered single family residences; South - vacant, agricultural crops; East - Scattered single family residences; West - decorative rock sales and storage, wholesale plumbing facility. With the required mitigation measures listed in other sections (e.g., noise), the proposed project is compatible with these surrounding uses.

Mitigation/Conclusion - No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*	☐	■	☐	☐

b)	*Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)*	☐	■	☐	☐
c)	*Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*	☐	■	☐	☐

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

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Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
X	County Public Works Department	Attached
X	County Environmental Health Division	Attached
X	County Agricultural Commissioner's Office	Attached
X	County Airport Manager	Attached
X	Airport Land Use Commission	In file
X	Air Pollution Control District	Attached
___	County Sheriff's Department	Not Applicable
X	County Parks & Recreation	Attached
X	Regional Water Quality Control Board	Attached
___	CA Coastal Commission	Not Applicable
___	CA Department of Fish and Game	Not Applicable
X	CA Department of Forestry	Attached
X	CA Department of Transportation	Attached
___	_____ Community Service District	Not Applicable
X	Other City of San Luis Obispo	Attached

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

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

✔ Project File for the Subject Application

County documents

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

Other documents

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

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

Traffic Impact Analysis (Penfield & Smith; July, 2000; April & May, 2002; May 29, 2002)

Traffic Signal Warrants (Orosz Engineering Group; Jan, 2003)
Route 227 Corridor Study (Caltrans, August, 2002)
Applicant's Project Description (w/ Appendices on water wells, hydrology/drainage report, percolation feasibility, traffic, botanical (Holland, 3/00; supplement done 8/00), archaeological report (Gibson, 3/00)
Applicant's Visual Resource Analysis & Airport Compatibility Analysis (1/01)
Water Reports (Katherman, undated; March, 2001; July, 2001; Jan, 2002)
Percolation Tests Report (Earth Systems Pacific; Sept., 2000; May, 2001)

Exhibit B - Mitigation Summary Table

Aesthetics

V-1 Prior to recordation of the map:

A. "Building and landscape corridors" will be established, which will cluster future development in a manner to provide for and maximize at least two unobstructed view corridors of distant scenic views as observed from southbound Highway 227 traffic, with the intent of providing 50% retention of the distant views of the Santa Lucia Hills. Landscaping within these view corridors shall not include any vegetation that would block these long distance views;

B. As a part of Highway 227 frontage improvements, tract improvement plans shall provide for "gateway" features at focal points, such as the project entry points and along Highway 227. This would include one or more of the following elements: inclusion of specimen trees, intensified landscaped areas, and/or special treatments for sidewalks, trails or paved surfaces;

C. Where feasible, drainage basins shall be created to be shallow enough to avoid the need for fencing. Also if possible, curvilinear design shall be used to create a more natural appearing feature. Basin design shall be reviewed and approved by the County prior to approval of tract improvements;

D. All cut and fill areas shall be sufficiently "rounded" to provide a natural appearance. These areas shall be replanted as soon as possible after the grading has been completed.

V-2 Upon submittal of a discretionary application for new development of any lot:

A. All future structures shall show they will be landscaped to provide a 50% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant. As applicable, this shall be reviewed and approved by the county prior to approval of tract improvements, or when a specific use permit application is submitted;

B. All parking areas and outside storage areas shall be landscaped to provide a 100% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant. All fencing should be minimized, but when needed shall use attractive materials. Where possible, structures (on-site or surrounding) shall be used to help screen parking areas from Highway 227 and the railroad primarily, with secondary consideration given to screening from internal streets;

C. Visibility of the exterior of all buildings or structures (e.g., water tanks, etc.) shall be subdued with darker colors (preferably with a majority of colors with a chroma and value of no greater than "6", as found in the Munsell's Book of Color) that blend with colors of the natural environment. Specific development colors shall be reviewed at the time of specific use permits are submitted for approval;

D. No portion of any structure, including roof-mounted equipment, shall exceed 35 feet. All roof-mounted equipment shall not be visible as viewed from Highway 227 and the Union Pacific Railroad, and, as needed, shall be architecturally screened (e.g. roof parapets, etc.); all efforts will be made during building design to make the structure as low profile as possible and in a manner that maximizes views of the surrounding hills.

E. For any lot fronting Highway 227, it shall locate structures as far from Highway 227

as is possible, and no closer than 50 feet from the edge of Highway 227;

F. The structures on the first lots most visible from Highway 227 (Tentative Tract Map Lots 1, 2, 15, 16, 17, 21, 22, 24, 25) shall be low profile and include a variety of architectural features (e.g., vary exterior planes and depths and roof heights, articulated surfaces, use a variety of materials, etc.) to reduce massing. As a gateway to the City of San Luis Obispo, these lots shall consider those gateway components provided in the City's Airport Area Specific Plan that would be applicable to the development, recognizing the rural nature and Edna Valley wine country influences;

G. Building design and materials shall utilize to the extent possible, features that recognize and are harmonious with the surrounding agricultural and rural character of the area;

H. Buildings shall be well articulated which provide for human scale, visual interest, and distinctive qualities;

I. All monument signage shall be low profile and no more than four feet in height. Building or other signage shall not be "backlit";

J. The following areas will be fully screened from Highway 227 and the railroad: loading, service, storage, trash, recycling collection areas, utilities. Where appropriate, landscaping shall be used to "soften" or enhance the screened area.

K. All landscaping not needed for buildings or other structures shall be "low profile", where long distance views through the site are maximized.

V-3 All water tanks, as applicable, shall be low profile and landscaped to provide a 100% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant.

A. All fencing should be minimized, but when needed shall use attractive materials.

B. All exterior lighting shall be shielded and directed downwards into the development. The height of light standards shall be no higher than determined absolutely necessary for its specific application. Light intensity shall be no more than determined necessary for safety purposes. Light sources shall be of energy efficient design (e.g. sodium-based, metal halide, etc.). Any lighting proposed as a part of tract improvements shall be reviewed and approved by the County prior to approval of tract improvements. As a part of any specific use permit application submittal, a lighting plan shall be submitted that incorporates the above measures.

Agricultural Resources

AG-1 For tentative tract map Lots 14, 15 and 16:

A. At the time specific development is proposed, a landscape plan shall be included with application submittal which will provide a solid landscaped buffer along the southeastern edge of the lot (closest to the agricultural operations to the southeast) within 5 years. Plant materials shall consist of a mix of trees and shrubs that are evergreen, fast-growing in clay soils, and drought tolerant;

B. Due to potential agricultural compatibility concerns with certain allowed uses, a Minor Use Permit (or higher level of discretionary review if required otherwise) shall be obtained to establish any use (referrals shall be sent to Ag. Department to determine use compatibility). Only uses that are determined compatible with

nearby agricultural activities shall be allowed. Establishing compatibility may include incorporation of an agricultural setback buffer for structures or certain outdoor activities;

C. Disclose to all owners, potential purchasers, occupants and potential occupants of the existing agricultural operation to the southeast, as well as provide the most current "Right to Farm" ordinance.

Air Quality

AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) and ozone control measures. These measures shall be shown on the tract improvement plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

A. Reduce the amount of disturbed area where possible;
B. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
C. All dirt stock pile areas should be sprayed daily as needed;
D. Permanent dust control measures, such as implementation of approved landscape plans, shall be implemented as soon as possible following completion of any soil disturbing activities.
E. Exposed ground areas that are planned to be reworked at dates greater then one month after initial grading should be sown with a fast germinating non-aggressive grass seed (e.g., native, barley) and watered until vegetation is established;
F. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD that will not have a negative impact to downstream creeks;
G. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible;
H. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114 (This measure has the potential to reduce PM10 (particulate matter) emissions from this source by 7 to 14%);
I. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site (This measure has the potential to reduce PM10 emissions from this source 40 to 70%);
J. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible (This measure has the potential to reduce PM10 emissions from this source 25 to 60%);
K. Maintain equipment in tune per manufacturer's specifications;
L. Limit the cut and fill process to less than 2,000 cubic yards per day.

AQ-2 Prior to approval of tract improvements, the applicant shall work with SLORTA and/or

Public Works/ Environmental Division to locate appropriate stops for future transit service along proposed internal roads and/or Highway 227 (Caltrans approval, as necessary). Sufficient right-of-way shall be provided for transit stop(s) on the final map. Prior to commencement of tract improvements, the applicant shall obtain a response from SLORTA which shall identify what, if any, transit improvements shall be installed as a part of tract improvements.

AQ-3 At the time specific development is proposed:

A. Parking areas should include the planting of trees that will provide shade for vehicles to reduce latent emissions from hot vehicle engines;
B. Provide for attractive and desirable on-site eating areas;
C. Determine if the location and/or amount of proposed development would warrant the need for an additional transit stop, and as appropriate, include in the project design.

Geology and Soils

GS-1 To the extent possible, all tract improvements shall drain into the proposed drainage basins. Each basin shall include properly sized hydrocarbon separators/filters. For all portions of roads where drainage will not be directed into a basin, prior to leaving the road, it shall be first intercepted by properly sized hydrocarbon separators/filters. Prior to map recordation, a commercial property owner's association shall be established to include a provision and financial means to keep these separators/filters maintained on a regular basis and in good working order. These measures shall be shown on all applicable improvement plans and approved by the county prior to commencement of tract improvements. Individual lots shall be reviewed for the appropriateness of additional separators/ filters at the time specific development is proposed.

GS-2 As a part of tract improvement plan submittal, to minimize potential sedimentation to downstream resources, a sedimentation and erosion control plan shall be prepared for all tract-related improvements and grading.

GS-3 Any disturbed areas shall be restored as soon as possible.

GS-4 Prior to commencement of tract improvements, applicant shall develop and implement a Storm Water Pollution Prevention Plan (approved by Regional Water Quality Control Board) that includes Best Management Practices. These measures shall be incorporated into the tract improvement plans.

Noise

N-1 For tentative tract map Lots 1 - 12 and 25: at the time specific development is proposed, the application shall include all proposed indoor and outdoor uses, as well as any loud, noise generating equipment to be used. Should any of these uses or equipment have the potential to generate noise that may exceed Noise Element thresholds (including potential impacts to residences to the north and east), a noise study shall be submitted evaluating these items and determine what measures can be implemented to reduce noise impacts to less than significant levels.

Public Services

FIRE SAFETY

PS-1 Per CDF's correspondence (6/25/02), the following measures, in addition to standard fire safety measures shall be incorporated into the project: provide for a "secondary fire access" along the southern edge of proposed lots 21 and 23 (one-way 12-foot wide all weather road would be acceptable); providing a future connection with existing access along southern edge of property (Lots 14-16) or eventually to Buckley Road is encouraged; adequate measures (per CDF approval) shall be placed over water reservoir to keep debris out.

PS-2 Prior to final approval of tract improvements:

A. Water system infrastructure shall be designed and installed to be able to provide sufficient dedicated fire water and water flows for each subsequent project-specific development where at least 1500 gpm water flows for at least 2 hours will be available for each lot; all efforts will be made to design for future linkage to other surrounding commercial projects;
B. A community water storage system shall be installed that provides (in addition to potable/ irrigation water needs) sufficient fire water storage to comply with Appendix 3A of the Uniform Fire Code for all future buildings and their allowed uses.
C. Fire hydrants shall be installed every 300 feet along proposed roadways;
D. Provide for a "secondary fire access" along the southern edge of proposed lots 21 and 23 (one-way 12-foot wide all weather road would be acceptable;
E. All commercial buildings over 5,000 feet shall install an automated sprinkler system (which shall be regularly monitored);
F. Adequate measures (meeting CDF approval) shall be placed over water reservoir to keep debris out that might otherwise clog sprinkler system;
G. Provide vertical access to any roof exceeding 16 feet in height from at least two points; providing a future connection with existing access along southern edge of property (Lots 14-16) or eventually to Buckley Road is encouraged;
H. All buildings shall be within 150 feet from a fire access road.

PS-3 As a part of future project application submittal, each subsequent project-specific development will need to:

A. Identify what, if any, hazardous materials or wastes could result from the proposed use. In addition, the application will identify how any such materials or wastes will be handled or stored on-site;
B. Work with CDF on the need for additional fire hydrants if development is more than 150 feet from streets.

Transportation/Circulation

TR-1 Pre-realignment of Airport Drive west of Highway 227 - Should specific development within the tract be approved prior to the County Airport realigning Airport Drive with the tract's northern access road, the applicant shall install a median (or functional equivalent) along Highway 227, meeting Caltrans approval and design standards, to prevent left turns to or from Airport Drive onto Highway 227, prior to occupancy of the first development.

TR-2 Prior to occupancy or final building permit inspection, whichever occurs first, the following traffic measures shall be completed:

A. Highway 227 widened to complete the project side of an A-2 (urban) section

fronting the property. Cross-section elements on the project side shall include an 8-foot paved shoulder/bike lane, two 12-foot travel lanes, a 2-foot paved inside shoulder, and a 14-foot center median/turn lane as determined by Caltrans; retaining one 12-foot lane and an 8-foot paved shoulder/bike lane on the opposite side. Frontage improvements shall also include a 6-foot sidewalk and a 6-foot landscaped parkway.

B. Other stock conditions as specified in Public Works memo (Mikel Goodwin, November 2000).

C. Installation of electrical conduit for future signalization of Highway 227/Airport Drive (realigned location) intersection.

D. The applicant shall enter into an "Agreement for Pro-Rata Share for Improvements" with Caltrans, in which the applicant agrees to deposit $75,000, plus an inflation factor based on Caltrans Highway Construction Cost Index, toward the signalization of the Highway 227/access road intersection, or pay an equivalent amount into a County Road Improvement Fee program, if one has been established for this area.

E. A signed Memorandum of Understanding between the Airport, Tract 2368 and the Senn development shall be submitted to the County; it shall include a provision that specifies the location of the intersection, which must align with the final map.

F. Installation of right-turn-in deceleration lane and right-turn-out acceleration lane on Highway 227 at both access road intersections to the satisfaction of Caltrans.

G. Install a multi-purpose trail along Highway 227, to the satisfaction of County Parks and Recreation.

H. Widen/restripe the eastbound approach on Tank Farm Road at Highway 227 to provide two left-turn lanes, one through lane and one right-turn lane.

I. To address the cumulative effects of the project, the applicant shall do one of the following:

   i. Payment of Road Improvement Fees to County Public Works, if an impact fee program for this area has been established under the authority of the Mitigation Fee Act and County Ordinance No. 2379. Any capital improvements constructed by the applicant, which are included in the calculation of the fees, or reports prepared by the applicant which are related to the implementation of the impact fee program, shall be considered an "in-kind" contribution and credited against the amount that would otherwise be owed; or
   ii. Enter into an "Agreement for Pro-Rata Share for Improvements" with Caltrans, in which the applicant agrees to deposit $190,000, plus an inflation factor based on Caltrans Highway Construction Cost Index, toward improvements as specified in Table 8 of the Traffic Impact Analysis prepared for the project, or additional improvements listed in #21.I.iii below. Applicant shall provide receipt or other written documentation from Caltrans that the funds have been deposited. Any capital improvements constructed by the applicant, or reports prepared by the applicant, which are related to the implementation of the cumulative mitigation measures, shall be considered an "in-kind" contribution

and credited against the amount that would otherwise be owed; or

iii. Construct one or more of the following improvements and document that the total value of improvements constructed equals or exceeds $190,000, plus an inflation factor based on Caltrans Highway Construction Cost Index:
   a. Southbound right-turn deceleration lane on Highway 227 at Crestmont Drive.
   b. Two-way left-turn lane on Highway 227 between Crestmont Drive and Los Ranchos Road.
   c. Extend the southbound right-turn deceleration lane on Highway 227 at Los Ranchos Road.

   Any capital improvements constructed by the applicant, or reports prepared by the applicant, which are related to the implementation of the cumulative mitigation measures, shall be considered an "in-kind" contribution and credited against the amount that would otherwise be owed.

J. Offer for dedication a 50-foot right-of-way that will connect the property to the southwest along Highway 227 (APN 076-511-015) to the nearest proposed internal project road. No improvements are required as long as the property remains in the Agriculture land use category.

TR-3 Prior to installing any road improvements affecting Highway 227, an encroachment permit shall be obtained from Caltrans.

TR-4 At the time any construction permit is submitted for approval (involving the establishment of new buildings or outdoor use areas), a cumulative summary of all previously approved and pending applications shall be submitted for the 68 acres known as the Senn/Glick development (D000336D)and the Morabito/Burke development (Tract 2368 - see Figure 1). If the cumulative total (including the proposed use) of approved and pending uses is greater than 450,000 square feet of gross floor area, a traffic signal warrant analysis shall be conducted by the applicant for review by the County and Caltrans. When the warrants for the installation of the traffic signal are met, the signal shall be installed at the Highway 227/project access road/Airport Drive (realigned location) intersection prior to occupancy or final inspection (whichever occurs first) of the proposed building(s). All monies previously collected by Caltrans/ MOU for this purpose shall be provided to help offset the costs of the traffic signal.

TR-5 At the time specific development is proposed:

A. Pedestrian access shall be provided between the main building entrance and the primary street serving the development; pedestrian access shall also be provided to adjacent development, where appropriate;
B. Parking lot design shall consider and design for where feasible, connection to adjacent property parking lots.

AIRPORT SAFETY

TR-6 The applicant shall incorporate all of the components identified in the attached "Airport Compatibility Analysis" as it relates to tract design and improvements, as well as all subsequent development. All applicable measures shall be shown on a "Second Sheet" of the tract map.

TR-7 The "extended centerline of Runway 25" shall be shown on all applicable tract

improvement plans, as well as for all applicable construction or discretionary plans of tract lots proposing development in the future that are within 250 feet of the centerline.

TR-8 As a part of any specific development application submittal:
A. All applicable plans shall locate the Airport "Zone(s)" that is (are) on the property;
B. No buildings shall be allowed within 50 feet of the "extended centerline of Runway 25";
C. No more than 50% of the area between the runway centerline and 250 feet from the centerline shall be considered "usable" for structures or concentrations of people. The remaining "non-building" area can be used for non-habitable uses, such as parking lots, landscaping, leach fields, etc. Where practical, surrounding approved or built structures shall be considered when placing new structure(s) with the goal to provide extended "non-habitated" areas that are parallel with the runway centerline;
D. All uses shall discuss its electrical needs and discuss how each use will not interfere with navigation signals or radio communications between aircraft and the airport. If the use could interfere with this communication it shall not be allowed;
E. All roof materials will be non-reflective;
F. All uses, as a part of its application submittal, shall show how all exterior lighting will not conflict with airport lighting;
G. No portion of the structure, including roof mounted equipment, shall exceed 35 feet in height;
H. No landscaping, at maturity, shall exceed 40 feet in height;
I. All future development shall meet and maintain the requirements of FAR 77 "Objects Affecting Navigable Airspace";
J. A noise analysis shall be included, by a qualified expert, that would include all necessary measures to achieve a 45 dB CNEL interior noise level. All applicable construction plans shall show installation of these noise measures;
K. No uses shall be permitted that are not allowed in the most current Airport Land Use Plan.

TR-9 Prior to map recordation or occupancy of any structure, an avigation easement shall be executed and recorded for each lot, and/or amended as needed. This document shall be disclosed to all owners, potential purchasers, occupants, potential occupants of the presence of the San Luis Obispo County Regional Airport and its associated airport operation impacts prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property within this tract.

TR-10 At the time specific development is proposed, plans shall clearly show what zone(s) overlay the property. Proposed uses shall comply with the most current San Luis Obispo County Airport Land Use Compatibility Use Matrix for Zones 3, 4 and 5, as applicable.

Wastewater

WW-1 Wastewater will be handled through individual septic systems until such time the city sewer is available.

WW-2 Upon submittal of a discretionary application for new development of any lot,
A. plans shall show location of leach lines and all wells within 250 feet of these leach lines. Wells shall be identified as being a potable or non-potable water

source, as has been previously-approved through Environmental Health Division. No leach line shall be proposed within 200 feet of a potable community or "private" well (includes any "backup" well), or 100 feet from non-potable sources;

B. plans shall show location of "dry" sewer lines (for future connection to city services);

C. The applicant shall list all hazardous materials or wastes that could result from any proposed use, and how it will be handled to keep out of the on-site septic system and groundwater.

WW-3 Prior to map recordation,

A. Supplemental percolation tests shall be provided, as necessary, for future leach line areas of each lot that are sufficiently setback from existing on- and off-site wells. These tests shall show that acceptable percolation rates can be achieved using standard septic system designs. As determined necessary by the Environmental Health Division, soil borings at the proper time of year shall be taken at leach line areas to show that there will be sufficient separation from any perched or high groundwater;

B. If any lot is shown not able to provide adequate percolation, it shall merge with an adjacent lot that does have adequate percolation rates.

WW-4 As a part of tract improvements and prior to final inspection, dry main sewer lines shall be installed (for future hook-up between lots and the (future) city main line). Improvement plans shall show location of "dry" wastewater lines with pipe sizing based on the proposed project's 500,000 square foot maximum limit and estimated indoor water use. The applicant shall work with the City of San Luis Obispo to determine appropriate location(s) and any related infrastructure requirements to maximize compatibility with city systems.

Water

W-1. Prior to map recordation,

a. The applicant shall provide sufficient evidence to the Environmental Health Division that an acceptable water purveyor has been established to serve the development;

b. Water meters shall be installed at all water wells providing water to the proposed development (potable and non-potable uses).

W-2. The water purveyor shall take monthly readings for each well and provide to the county (Planning Dept. and Environmental Health Division) a yearly summary which would include the following:

a. Monthly water levels reading from all water purveyor wells and pumpage consumed from all wells and each approved development, including water used for irrigation or any water filtering system(s) (e.g., reverse osmosis including brine, etc.);

b. Provide the areal extent of the mutual water company's boundaries (in acres).

c. Testing for certain volatile and synthetic organic compounds shall be conducted at intervals determined appropriate by the Environmental Health Division;

d. Determine on a yearly basis that the leakage/loss within the water piping system is not greater than 15%. If the loss exceeds 15%, then the leaky section of pipe will be found and repaired within 60 days of detection;

e. Monthly readings shall be made available upon request of the county or other prospective developments within the tract.

W-3. Based on the tentative tract map, the wells to be used for community potable water will be as follows: #1, #5, #6 & #7. Two existing private on-site community wells (#3 & #9) are proposed for off-site use (Senn development). All other wells existing at tentative map approval (e.g., #2 & #4) shall be for non-potable uses.

W-4 Further well drilling for potable use shall be at least 200' from existing or future (undeveloped or partially developed properties where percolation testing has been done [with acceptable rates] for future leach lines) leach line areas.

W-5 All landscaping shall be drought tolerant and considered low water users. Prior to approval of tract improvements, or as a part of specific future development application submittal , the applicant shall show how the landscaping will have low-water requirements. As applicable, at a minimum the following shall be used:

a. all common area irrigation shall employ low water use techniques (e.g., drip irrigation);
b. landscaping be drought-tolerant and having low water requirements (e.g. use of native vegetation); and
c. all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

W-6 At the time a specific development is proposed, all uses shall be specified and water usage and extraction quantified using accepted "industry" averages (e.g., UPC, County Master Water Plan, etc.), or based on similar project-specific water data that has been adequately verified for accuracy, as available. Use(s) shall be compared to the proportional estimate for the entire development (see below), based on annual "drought year " project total of 11.42 afy and "average year" total of 16.06 afy. Prior to specific development approval, the proposed use must clearly show how the project can achieve drought water usage levels during a "severe" drought, which will go into effect at the point a "severe drought" is identified (see Item #7a). The maximum water usage amount to be allowed for a project will be its proportional share of the "average recharge" estimate.(16.06 afy) Proportional water estimates will be based on the following formulas:

"Drought Year Estimate" - [(58 acres X 0.24 acre feet/year) - 2.5 afy (Senn)] X project acreage/ 54.33("adjusted" acreage) = estimated water usage for parcel*
Example: 1.5 acres = 0.315 afy
"Average Year Estimate" - [(58 acres X 0.32 acre feet/year) - 2.5 afy (Senn)] X project acreage/ 54.33("adjusted" acreage) = estimated water usage for parcel*
Example: 1.5 acres = 0.42 afy
recharge rate based on Katherman reports (Undated; Dec., 2001)

W-7 Upon submittal of application for subsequent development and tract landscaping, a master "Drought Water Management Program" shall be prepared by the applicant and submitted to the county for approval. The master "Drought Water Management Plan" shall provide guidelines on how all future uses will be managed during "severe" drought. These measures would go into effect during periods of "severe"drought. This plan shall include, but is not necessarily limited to:

a. the definition of a "severe" drought year (as defined by NOAA's Palmer Drought Severity method or other similarly recognized methodology);
b. identification of general measures available to reduce indoor water usage (to be refined as needed for each use approved);

c. identification of specific measures to be applied for landscape watering;
d. determination of appropriate early triggers to determine when "severe" drought conditions exist and process for initiating additional water conservation measures.

Once it is determined that a "severe" drought condition exists, restricted (drought) water usage measures shall remain in effect until it is shown satisfactorily to the county that the "severe" drought condition no longer exists.

W-8 As a part of each individual development application submittal:

A. The summary information specified in item #2 shall be obtained and submitted as a part of any new development application. Should the water usage summary information on existing and previously approved development, combined with the proposed project, show that more than its proportional share of water is being used, additional groundwater analysis shall be provided (prepared by a qualified hydrogeologist) to determine what additional measures can be incorporated into the project to achieve the proportional amount, such as considering additional water conservation measures or use/size limitations on the proposed development;
B. All water fixtures installed (including showers) that are not specified in the Uniform Plumbing Code shall be of "ultra low" flow design, where applicable;
C. Identify on all applicable plans the location of project water meters for potable and non-potable water sources that include all indoor and outdoor water uses. Prior to final building permit or occupancy, these meters shall be installed.
D. If any water filtering system (e.g., reverse osmosis, etc.) is used or needed to provide potable water, the resulting "waste" water (e.g., brine) shall be included as a part of the project's water usage estimate (i.e., if it takes 1.5 afy of untreated water to create 1.0 afy of potable water, water usage is 1.5 afy). All efforts will be made to incorporate the re-use of the "waste" water into the project design (e.g., second line installed for non-potable uses). Any such secondary system will include the necessary components to avoid cross-contamination with potable supply.

DATE: April 30, 2003

DEVELOPER'S STATEMENT FOR MORABITO-BURKE TRACT MAP
& CONDITIONAL USE PERMIT; ED01-322 (S000007U/TR 2368)

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

PROJECT DESCRIPTION

A. The project's 58 acres will be divided into 23 developable lots and three lots for infrastructure use only. The developable lots will comprise approximately 54.33 acres.

B. Based on technical reports relating to overall water, wastewater and traffic impacts, the maximum building square footage for the entire development shall be no more than 500,000 square feet. The propose 23 lots range in size from 1.02 to 3.48 acres each (gross). Maximum building square footage for each lot shall be based on the following formula:

Individual lot acreage (gross)/"project" acreage (54.33 acres) X 500,000 square feet = maximum building square footage for individual lot.
(e.g. 1 acre lot/54.33 acres X 500,000 sf = 9,203 sf)

Outdoor uses shall not be included in this building square footage limitation if they are clearly shown to be incidental to building uses, and not have substantial water, wastewater, visual or traffic impacts. Additional building square footage may be requested if additional technical reports on cumulative impacts are completed and the additional development is shown to not have a significant effect.

C. Grading shall be limited to tract improvements only. Individual lot grading shall be completed as a part of each subsequent development and reviewed for potential impacts at that time.

WATER

1. **Prior to map recordation,**
   a. The applicant shall provide sufficient evidence to the Environmental Health Division that an acceptable water purveyor has been established to serve the development;
   b. Water meters shall be installed at all water wells providing water to the proposed development (potable and non-potable uses).

2. The water purveyor shall take monthly readings for each well and provide to the county (Planning Dept. and Environmental Health Division) a yearly summary which would include the following:
   a. Monthly water levels reading from all water purveyor wells and pumpage consumed from all wells and each approved development, including water used for irrigation or any water filtering system(s) (e.g., reverse osmosis including brine, etc.);
   b. Provide the areal extent of the mutual water company's boundaries (in acres).
   c. Testing for certain volatile and synthetic organic compounds shall be conducted at intervals determined appropriate by the Environmental Health Division;

d. Determine on a yearly basis that the leakage/loss within the water piping system is not greater than 15%. If the loss exceeds 15%, then the leaky section of pipe will be found and repaired within 60 days of detection;

e. Monthly readings shall be made available upon request of the county or other prospective developments within the tract.

3. Based on the tentative tract map, the wells to be used for community potable water will be as follows: #1, #5, #6 & #7. Two existing private on-site community wells (#3 & #9) are proposed for off-site use (Senn development). All other wells existing at tentative map approval (e.g., #2 & #4) shall be for non-potable uses.

4. Further well drilling for potable use shall be at least 200' from existing or future (undeveloped or partially developed properties where percolation testing has been done [with acceptable rates] for future leach lines) leach line areas.

5. All landscaping shall be drought tolerant and considered low water users. **Prior to approval of tract improvements, or as a part of specific future development application submittal** , the applicant shall show how the landscaping will have low-water requirements. As applicable, at a minimum the following shall be used:

a. all common area irrigation shall employ low water use techniques (e.g., drip irrigation);

b. landscaping be drought-tolerant and having low water requirements (e.g. use of native vegetation); and

c. all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

6. **At the time a specific development is proposed,** all uses shall be specified and water usage and extraction quantified using accepted "industry" averages (e.g., UPC, County Master Water Plan, etc.), or based on similar project-specific water data that has been adequately verified for accuracy, as available. Use(s) shall be compared to the proportional estimate for the entire development (see below), based on annual "drought year " project total of **11.42 afy** and "average year" total of **16.06 afy**. **Prior to specific development approval,** the proposed use must clearly show how the project can achieve drought water usage levels during a "severe" drought, which will go into effect at the point a "severe drought" is identified (see Item #7a). The maximum water usage amount to be allowed for a project will be its proportional share of the "average recharge" estimate.(16.06 afy) Proportional water estimates will be based on the following formulas:

"Drought Year Estimate" - [(58 acres X 0.24 acre feet/year*) - 2.5 afy (Senn)] X project acreage/ 54.33("adjusted" acreage) = estimated water usage for parcel

Example: 1.5 acres = 0.315 afy

"Average Year Estimate" - [(58 acres X 0.32 acre feet/year*) - 2.5 afy (Senn)] X project acreage/ 54.33("adjusted" acreage) = estimated water usage for parcel

Example: 1.5 acres = 0.42 afy

**recharge rate based on Katherman reports (Undated; Dec., 2001)*

7. **Upon submittal of application for subsequent development and tract landscaping,** a master "Drought Water Management Program" shall be prepared by the applicant and submitted to the county for approval. The master "Drought Water Management Plan" shall provide guidelines on how all future uses will be managed during "severe" drought. These measures would go into effect during periods of "severe"drought. This plan shall include, but is not necessarily limited to:

a. the definition of a "severe" drought year (as defined by NOAA's Palmer Drought Severity method or other similarly recognized methodology);
b. identification of general measures available to reduce indoor water usage (to be refined as needed for each use approved);
c. identification of specific measures to be applied for landscape watering;
d. determination of appropriate early triggers to determine when "severe" drought conditions exist and process for initiating additional water conservation measures.

Once it is determined that a "severe" drought condition exists, restricted (drought) water usage measures shall remain in effect until it is shown satisfactorily to the county that the "severe" drought condition no longer exists.

8. **As a part of each individual development application submittal:**

A. The summary information specified in item #2 shall be obtained and submitted as a part of any new development application. Should the water usage summary information on existing and previously approved development, combined with the proposed project, show that more than its proportional share of water is being used, additional groundwater analysis shall be provided (prepared by a qualified hydrogeologist) to determine what additional measures can be incorporated into the project to achieve the proportional amount, such as considering additional water conservation measures or use/size limitations on the proposed development;
B. All water fixtures installed (including showers) that are not specified in the Uniform Plumbing Code shall be of "ultra low" flow design, where applicable;
C. Identify on all applicable plans the location of project water meters for potable and non-potable water sources that include all indoor and outdoor water uses. **Prior to final building permit or occupancy**, these meters shall be installed.
D. If any water filtering system (e.g., reverse osmosis, etc.) is used or needed to provide potable water, the resulting "waste" water (e.g., brine) shall be included as a part of the project's water usage estimate (i.e., if it takes 1.5 afy of untreated water to create 1.0 afy of potable water, water usage is 1.5 afy). All efforts will be made to incorporate the re-use of the "waste" water into the project design (e.g., second line installed for non-potable uses). Any such secondary system will include the necessary components to avoid cross-contamination with potable supply.

Monitoring- Water measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator, and/or Environmental Health Division.

WASTEWATER

9. Wastewater will be handled through individual septic systems until such time the city sewer is available.
10. **Upon submittal of a discretionary application for new development of any lot,**
A. plans shall show location of leach lines and all wells within 250 feet of these leach lines. Wells shall be identified as being a potable or non-potable water source, as has been previously-approved through Environmental Health Division. No leach line shall be proposed within 200 feet of a potable community or "private" well (includes any "backup" well), or 100 feet from non-potable sources;
B. plans shall show location of "dry" sewer lines (for future connection to city services);

C. The applicant shall list all hazardous materials or wastes that could result from any proposed use, and how it will be handled to keep out of the on-site septic system and groundwater.

11. **Prior to map recordation,**
   A. Supplemental percolation tests shall be provided, as necessary, for future leach line areas of each lot that are sufficiently setback from existing on- and off-site wells. These tests shall show that acceptable percolation rates can be achieved using standard septic system designs. As determined necessary by the Environmental Health Division, soil borings at the proper time of year shall be taken at leach line areas to show that there will be sufficient separation from any perched or high groundwater;
   B. If any lot is shown not able to provide adequate percolation, it shall merge with an adjacent lot that does have adequate percolation rates.

12. **As a part of tract improvements and prior to final inspection,** dry main sewer lines shall be installed (for future hook-up between lots and the (future) city main line). Improvement plans shall show location of "dry" wastewater lines with pipe sizing based on the proposed project's 500,000 square foot maximum limit and estimated indoor water use. The applicant shall work with the City of San Luis Obispo to determine appropriate location(s) and any related infrastructure requirements to maximize compatibility with city systems.

Monitoring - Wastewater measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Health Division.

DRAINAGE, SEDIMENTATION & EROSION

13. To the extent possible, all tract improvements shall drain into the proposed drainage basins. Each basin shall include properly sized hydrocarbon separators/filters. For all portions of roads where drainage will not be directed into a basin, prior to leaving the road, it shall be first intercepted by properly sized hydrocarbon separators/filters. **Prior to map recordation,** a commercial property owner's association shall be established to include a provision and financial means to keep these separators/filters maintained on a regular basis and in good working order. These measures shall be shown on all applicable improvement plans and approved by the county prior to commencement of tract improvements. Individual lots shall be reviewed for the appropriateness of additional separators/ filters at the time specific development is proposed.

14. **As a part of tract improvement plan submittal,** to minimize potential sedimentation to downstream resources, a sedimentation and erosion control plan shall be prepared for all tract-related improvements and grading.

15. Any disturbed areas shall be restored as soon as possible.

16. **Prior to commencement of tract improvements,** applicant shall develop and implement a Storm Water Pollution Prevention Plan (approved by Regional Water Quality Control Board) that includes Best Management Practices. These measures shall be incorporated into the tract improvement plans.

Monitoring - Drainage measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

AIR QUALITY

17. **During construction/ground disturbing activities,** the applicant shall implement the following

particulate (dust) and ozone control measures. These measures shall be shown on the tract improvement plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

A. Reduce the amount of disturbed area where possible;
B. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
C. All dirt stock pile areas should be sprayed daily as needed;
D. Permanent dust control measures, such as implementation of approved landscape plans, shall be implemented as soon as possible following completion of any soil disturbing activities.
E. Exposed ground areas that are planned to be reworked at dates greater then one month after initial grading should be sown with a fast germinating non-aggressive grass seed (e.g., native, barley) and watered until vegetation is established;
F. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD that will not have a negative impact to downstream creeks;
G. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible;
H. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114 (This measure has the potential to reduce PM10 (particulate matter) emissions from this source by 7 to 14%);
I. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site (This measure has the potential to reduce PM10 emissions from this source 40 to 70%);
J. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible (This measure has the potential to reduce PM10 emissions from this source 25 to 60%);
K. Maintain equipment in tune per manufacturer's specifications;
L. Limit the cut and fill process to less than 2,000 cubic yards per day.

Monitoring-Emission measures: All particulate (dust) mitigation measures will be shown on the grading and building plans. In addition, the contractor/ builder shall designate a person or persons to implement the dust control program. Compliance will be verified by the APCD in consultation with the Department of Planning and Building.

18. **Prior to approval of tract improvements,** the applicant shall work with SLORTA and/or Public Works/ Environmental Division to locate appropriate stops for future transit service along proposed internal roads and/or Highway 227 (Caltrans approval, as necessary). Sufficient right-of-way shall be provided for transit stop(s) on the final map. Prior to commencement of tract improvements, the applicant shall obtain a response from SLORTA which shall identify what, if any, transit improvements shall be installed as a part of tract improvements.

19. **At the time specific development is proposed:**

A. Parking areas should include the planting of trees that will provide shade for vehicles to reduce

latent emissions from hot vehicle engines;

B. Provide for attractive and desirable on-site eating areas;

C. Determine if the location and/or amount of proposed development would warrant the need for an additional transit stop, and as appropriate, include in the project design.

Monitoring - Transit measure: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator, APCD and/or SLORTA.

CIRCULATION

20. ***Pre-realignment of Airport Drive west of Highway 227*** - Should specific development within the tract be approved prior to the County Airport realigning Airport Drive with the tract's northern access road, the applicant shall install a median (or functional equivalent) along Highway 227, meeting Caltrans approval and design standards, to prevent left turns to or from Airport Drive onto Highway 227, **prior to occupancy of the first development**.

21. **Prior to occupancy or final building permit inspection**, whichever occurs first, the following traffic measures shall be completed:

A. Highway 227 widened to complete the project side of an A-2 (urban) section fronting the property. Cross-section elements on the project side shall include an 8-foot paved shoulder/bike lane, two 12-foot travel lanes, a 2-foot paved inside shoulder, and a 14-foot center median/turn lane as determined by Caltrans; retaining one 12-foot lane and an 8-foot paved shoulder/bike lane on the opposite side. Frontage improvements shall also include a 6-foot sidewalk and a 6-foot landscaped parkway.

B. Other stock conditions as specified in Public Works memo (Mikel Goodwin, November 2000).

C. Installation of electrical conduit for future signalization of Highway 227/Airport Drive (realigned location) intersection.

D. The applicant shall enter into an "Agreement for Pro-Rata Share for Improvements" with Caltrans, in which the applicant agrees to deposit $75,000, plus an inflation factor based on Caltrans Highway Construction Cost Index, toward the signalization of the Highway 227/access road intersection, or pay an equivalent amount into a County Road Improvement Fee program, if one has been established for this area.

E. A signed Memorandum of Understanding between the Airport, Tract 2368 and the Senn development shall be submitted to the County; it shall include a provision that specifies the location of the intersection, which must align with the final map.

F. Installation of right-turn-in deceleration lane and right-turn-out acceleration lane on Highway 227 at both access road intersections to the satisfaction of Caltrans.

G. Install a multi-purpose trail along Highway 227, to the satisfaction of County Parks and Recreation.

H. Widen/restripe the eastbound approach on Tank Farm Road at Highway 227 to provide two left-turn lanes, one through lane and one right-turn lane.

I. To address the cumulative effects of the project, the applicant shall do one of the following:

i. Payment of Road Improvement Fees to County Public Works, if an impact fee program for this area has been established under the authority of the Mitigation Fee Act and County Ordinance No. 2379. Any capital improvements constructed by the applicant, which are included in the calculation of the fees, or reports prepared by the applicant which are related to the implementation of the impact fee program, shall be considered an "in-kind" contribution and credited against the amount that would otherwise be owed; or

ii. Enter into an "Agreement for Pro-Rata Share for Improvements" with Caltrans, in which the applicant agrees to deposit $190,000, plus an inflation factor based on Caltrans Highway Construction Cost Index, toward improvements as specified in Table 8 of the Traffic Impact Analysis prepared for the project, or additional improvements listed in #21.I.iii below. Applicant shall provide receipt or other written documentation from Caltrans that the funds have been deposited. Any capital improvements constructed by the applicant, or reports prepared by the applicant, which are related to the implementation of the cumulative mitigation measures, shall be considered an "in-kind" contribution and credited against the amount that would otherwise be owed; or

iii. Construct one or more of the following improvements and document that the total value of improvements constructed equals or exceeds $190,000, plus an inflation factor based on Caltrans Highway Construction Cost Index:

a. Southbound right-turn deceleration lane on Highway 227 at Crestmont Drive.

b. Two-way left-turn lane on Highway 227 between Crestmont Drive and Los Ranchos Road.

c. Extend the southbound right-turn deceleration lane on Highway 227 at Los Ranchos Road.

Any capital improvements constructed by the applicant, or reports prepared by the applicant, which are related to the implementation of the cumulative mitigation measures, shall be considered an "in-kind" contribution and credited against the amount that would otherwise be owed.

J. Offer for dedication a 50-foot right-of-way that will connect the property to the southwest along Highway 227 (APN 076-511-015) to the nearest proposed internal project road. No improvements are required as long as the property remains in the Agriculture land use category.

22. **Prior to installing any road improvements affecting Highway 227**, an encroachment permit shall be obtained from Caltrans.

23. **At the time any construction permit is submitted for approval** (involving the establishment of new buildings or outdoor use areas), a cumulative summary of all previously approved and pending applications shall be submitted for the 68 acres known as the Senn/Glick development (D000336D)and the Morabito/Burke development (Tract 2368 - see Figure 1). If the cumulative total (including the proposed use) of approved and pending uses is greater than 450,000 square feet of gross floor area, a traffic signal warrant analysis shall be conducted by the applicant for review by the County and Caltrans. When the warrants for the installation of the traffic signal are met, the signal shall be installed at the Highway 227/project access road/Airport Drive (realigned location) intersection prior to occupancy or final inspection (whichever occurs first) of the proposed building(s).

All monies previously collected by Caltrans/ MOU for this purpose shall be provided to help offset the costs of the traffic signal.

24. **At the time specific development is proposed:**

A. Pedestrian access shall be provided between the main building entrance and the primary street serving the development; pedestrian access shall also be provided to adjacent development, where appropriate;

B. Parking lot design shall consider and design for where feasible, connection to adjacent property parking lots.

Monitoring - Traffic measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator, County Public Works and/or Caltrans.

AESTHETICS

25. **Prior to recordation of the map:**

A. "Building and landscape corridors" will be established, which will cluster future development in a manner to provide for and maximize at least two unobstructed view corridors of distant scenic views as observed from southbound Highway 227 traffic, with the intent of providing 50% retention of the distant views of the Santa Lucia Hills. Landscaping within these view corridors shall not include any vegetation that would block these long distance views;

B. As a part of Highway 227 frontage improvements, tract improvement plans shall provide for "gateway" features at focal points, such as the project entry points and along Highway 227. This would include one or more of the following elements: inclusion of specimen trees, intensified landscaped areas, and/or special treatments for sidewalks, trails or paved surfaces;

C. Where feasible, drainage basins shall be created to be shallow enough to avoid the need for fencing. Also if possible, curvilinear design shall be used to create a more natural appearing feature. Basin design shall be reviewed and approved by the County prior to approval of tract improvements;

D. All cut and fill areas shall be sufficiently "rounded" to provide a natural appearance. These areas shall be replanted as soon as possible after the grading has been completed.

26. **Upon submittal of a discretionary application for new development of any lot:**

A. All future structures shall show they will be landscaped to provide a 50% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant. As applicable, this shall be reviewed and approved by the county prior to approval of tract improvements, or when a specific use permit application is submitted;

B. All parking areas and outside storage areas shall be landscaped to provide a 100% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant. All fencing should be minimized, but when needed shall use attractive materials. Where possible, structures (on-site or surrounding) shall be used to help screen parking areas from Highway 227 and the railroad primarily, with secondary consideration given to screening from internal streets;

C. Visibility of the exterior of all buildings or structures (e.g., water tanks, etc.) shall be subdued

with darker colors (preferably with a majority of colors with a chroma and value of no greater than "6", as found in the Munsell's Book of Color) that blend with colors of the natural environment. Specific development colors shall be reviewed at the time of specific use permits are submitted for approval;

D. No portion of any structure, including roof-mounted equipment, shall exceed 35 feet. All roof-mounted equipment shall not be visible as viewed from Highway 227 and the Union Pacific Railroad, and, as needed, shall be architecturally screened (e.g. roof parapets, etc.); all efforts will be made during building design to make the structure as low profile as possible and in a manner that maximizes views of the surrounding hills.

E. For any lot fronting Highway 227, it shall locate structures as far from Highway 227 as is possible, and no closer than 50 feet from the edge of Highway 227;

F. The structures on the first lots most visible from Highway 227 (Tentative Tract Map Lots 1, 2, 15, 16, 17, 21, 22, 24, 25) shall be low profile and include a variety of architectural features (e.g., vary exterior planes and depths and roof heights, articulated surfaces, use a variety of materials, etc.) to reduce massing. As a gateway to the City of San Luis Obispo, these lots shall consider those gateway components provided in the City's Airport Area Specific Plan that would be applicable to the development, recognizing the rural nature and Edna Valley wine country influences;

G. Building design and materials shall utilize to the extent possible, features that recognize and are harmonious with the surrounding agricultural and rural character of the area;

H. Buildings shall be well articulated which provide for human scale, visual interest, and distinctive qualities;

I. All monument signage shall be low profile and no more than four feet in height. Building or other signage shall not be "backlit";

J. The following areas will be fully screened from Highway 227 and the railroad: loading, service, storage, trash, recycling collection areas, utilities. Where appropriate, landscaping shall be used to "soften" or enhance the screened area.

K. All landscaping not needed for buildings or other structures shall be "low profile", where long distance views through the site are maximized.

27. All water tanks, as applicable, shall be low profile and landscaped to provide a 100% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant.

28. All fencing should be minimized, but when needed shall use attractive materials.

29. All exterior lighting shall be shielded and directed downwards into the development. The height of light standards shall be no higher than determined absolutely necessary for its specific application. Light intensity shall be no more than determined necessary for safety purposes. Light sources shall be of energy efficient design (e.g. sodium-based, metal halide, etc.). Any lighting proposed as a part of tract improvements shall be reviewed and approved by the County **prior to approval of tract improvements**. As a part of any specific use permit application submittal, a lighting plan shall be submitted that incorporates the above measures.

Monitoring - Aesthetic measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

FIRE SAFETY

30. Per CDF's correspondence (6/25/02), the following measures, in addition to standard fire safety

measures shall be incorporated into the project: provide for a "secondary fire access" along the southern edge of proposed lots 21 and 23 (one-way 12-foot wide all weather road would be acceptable); providing a future connection with existing access along southern edge of property (Lots 14-16) or eventually to Buckley Road is encouraged; adequate measures (per CDF approval) shall be placed over water reservoir to keep debris out.

31. **Prior to final approval of tract improvements**:
   A. Water system infrastructure shall be designed and installed to be able to provide sufficient dedicated fire water and water flows for each subsequent project-specific development where at least 1500 gpm water flows for at least 2 hours will be available for each lot; all efforts will be made to design for future linkage to other surrounding commercial projects;
   B. A community water storage system shall be installed that provides (in addition to potable/ irrigation water needs) sufficient fire water storage to comply with Appendix 3A of the Uniform Fire Code for all future buildings and their allowed uses.
   C. Fire hydrants shall be installed every 300 feet along proposed roadways;
   D. Provide for a "secondary fire access" along the southern edge of proposed lots 21 and 23 (one-way 12-foot wide all weather road would be acceptable;
   E. All commercial buildings over 5,000 feet shall install an automated sprinkler system (which shall be regularly monitored);
   F. Adequate measures (meeting CDF approval) shall be placed over water reservoir to keep debris out that might otherwise clog sprinkler system;
   G. Provide vertical access to any roof exceeding 16 feet in height from at least two points; providing a future connection with existing access along southern edge of property (Lots 14-16) or eventually to Buckley Road is encouraged;
   H. All buildings shall be within 150 feet from a fire access road.

32. As a part of future project application submittal, each subsequent project-specific development will need to:
   A. Identify what, if any, hazardous materials or wastes could result from the proposed use. In addition, the application will identify how any such materials or wastes will be handled or stored on-site;
   B. Work with CDF on the need for additional fire hydrants if development is more than 150 feet from streets.

Monitoring - Fire Safety measures: Compliance will be verified by the CDF/San Luis Obispo County Fire, in consultation with the Planning and Building Department.

AIRPORT SAFETY

33. The applicant shall incorporate all of the components identified in the attached "Airport Compatibility Analysis" as it relates to tract design and improvements, as well as all subsequent development. **All applicable measures shall be shown on a "Second Sheet" of the tract map.**

34. The "extended centerline of Runway 25" shall be shown on all applicable tract improvement plans, as well as for all applicable construction or discretionary plans of tract lots proposing development in the future that are within 250 feet of the centerline.

35. **As a part of any specific development application submittal**:
   A. All applicable plans shall locate the Airport "Zone(s)" that is (are) on the property;
   B. No buildings shall be allowed within 50 feet of the "extended centerline of Runway 25";

C. No more than 50% of the area between the runway centerline and 250 feet from the centerline shall be considered "usable" for structures or concentrations of people. The remaining "non-building" area can be used for non-habitable uses, such as parking lots, landscaping, leach fields, etc. Where practical, surrounding approved or built structures shall be considered when placing new structure(s) with the goal to provide extended "non-habitated" areas that are parallel with the runway centerline;

D. All uses shall discuss its electrical needs and discuss how each use will not interfere with navigation signals or radio communications between aircraft and the airport. If the use could interfere with this communication it shall not be allowed;

E. All roof materials will be non-reflective;

F. All uses, as a part of its application submittal, shall show how all exterior lighting will not conflict with airport lighting;

G. No portion of the structure, including roof mounted equipment, shall exceed 35 feet in height;

H. No landscaping, at maturity, shall exceed 40 feet in height;

I. All future development shall meet and maintain the requirements of FAR 77 "Objects Affecting Navigable Airspace";

J. A noise analysis shall be included, by a qualified expert, that would include all necessary measures to achieve a 45 dB CNEL interior noise level. All applicable construction plans shall show installation of these noise measures;

K. No uses shall be permitted that are not allowed in the most current Airport Land Use Plan.

36. **Prior to map recordation or occupancy of any structure,** an avigation easement shall be executed and recorded for each lot, and/or amended as needed. This document shall be disclosed to all owners, potential purchasers, occupants, potential occupants of the presence of the San Luis Obispo County Regional Airport and its associated airport operation impacts prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property within this tract.

37. At the time specific development is proposed, plans shall clearly show what zone(s) overlay the property. Proposed uses shall comply with the most current San Luis Obispo County Airport Land Use Compatibility Use Matrix for Zones 3, 4 and 5, as applicable.

Monitoring – Airport Safety measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator and Airport Manager.

AGRICULTURE

38. **For tentative tract map Lots 14, 15 and 16:**

A. **At the time specific development is proposed,** a landscape plan shall be included with application submittal which will provide a solid landscaped buffer along the southeastern edge of the lot (closest to the agricultural operations to the southeast) within 5 years. Plant materials shall consist of a mix of trees and shrubs that are evergreen, fast-growing in clay soils, and drought tolerant;

B. Due to potential agricultural compatibility concerns with certain allowed uses, a Minor Use Permit (or higher level of discretionary review if required otherwise) shall be obtained to establish any use (referrals shall be sent to Ag. Department to determine use compatibility). Only uses that are determined compatible with nearby agricultural activities shall be allowed. Establishing compatibility may include incorporation of an agricultural setback buffer for structures or certain outdoor activities;

C. Disclose to all owners, potential purchasers, occupants and potential occupants of the existing

agricultural operation to the southeast, as well as provide the most current "Right to Farm" ordinance.

Monitoring - Agriculture measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator and Agricultural Commissioner's Office.

NOISE

39. **For tentative tract map Lots 1 - 12 and 25: at the time specific development is proposed,** the application shall include all proposed indoor and outdoor uses, as well as any loud, noise generating equipment to be used. Should any of these uses or equipment have the potential to generate noise that may exceed Noise Element thresholds (including potential impacts to residences to the north and east), a noise study shall be submitted evaluating these items and determine what measures can be implemented to reduce noise impacts to less than significant levels.

Monitoring - Noise measure: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

CONDITIONS, CONVENANTS AND RESTRICTIONS (CC&Rs)

40. **Prior to map recordation,** CC&Rs shall be developed for the entire property, and approved by the County, for all previous items relating to future specific development.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

James F. Morabito — 5-7-03

Signature of Owner(s) — **Date**

James F. Morabito

Name (Print)

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Monitoring - Agriculture measures: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator and Agricultural Commissioner's Office.

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Rob Burke — 5/12/03

Signature of Owner(s) **Date**

ROBERT E. BURKE

Name (Print)

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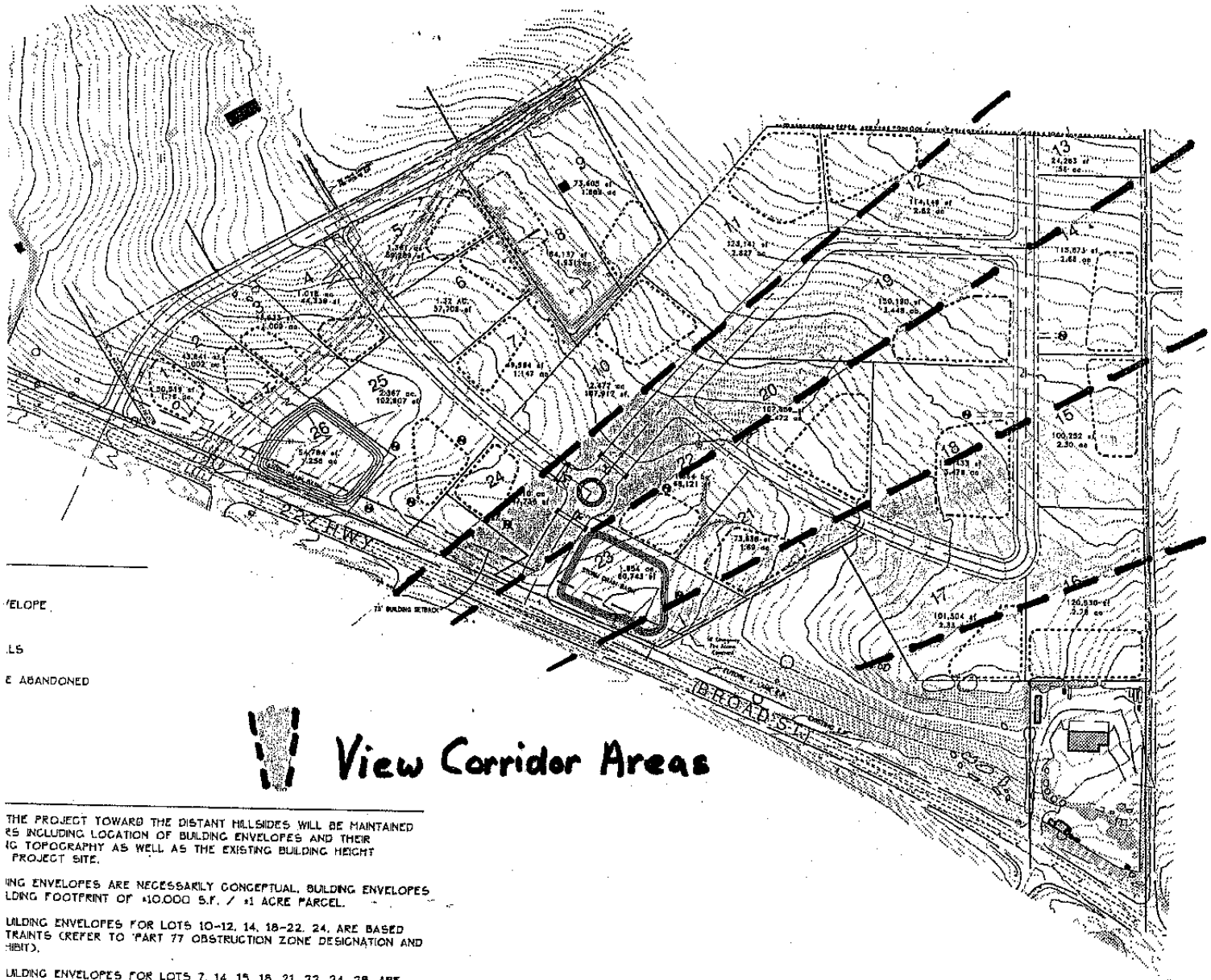

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HIBIT).

UILDING ENVELOPES FOR LOTS 7, 14, 15, 18, 21, 22, 24, 25, ARE
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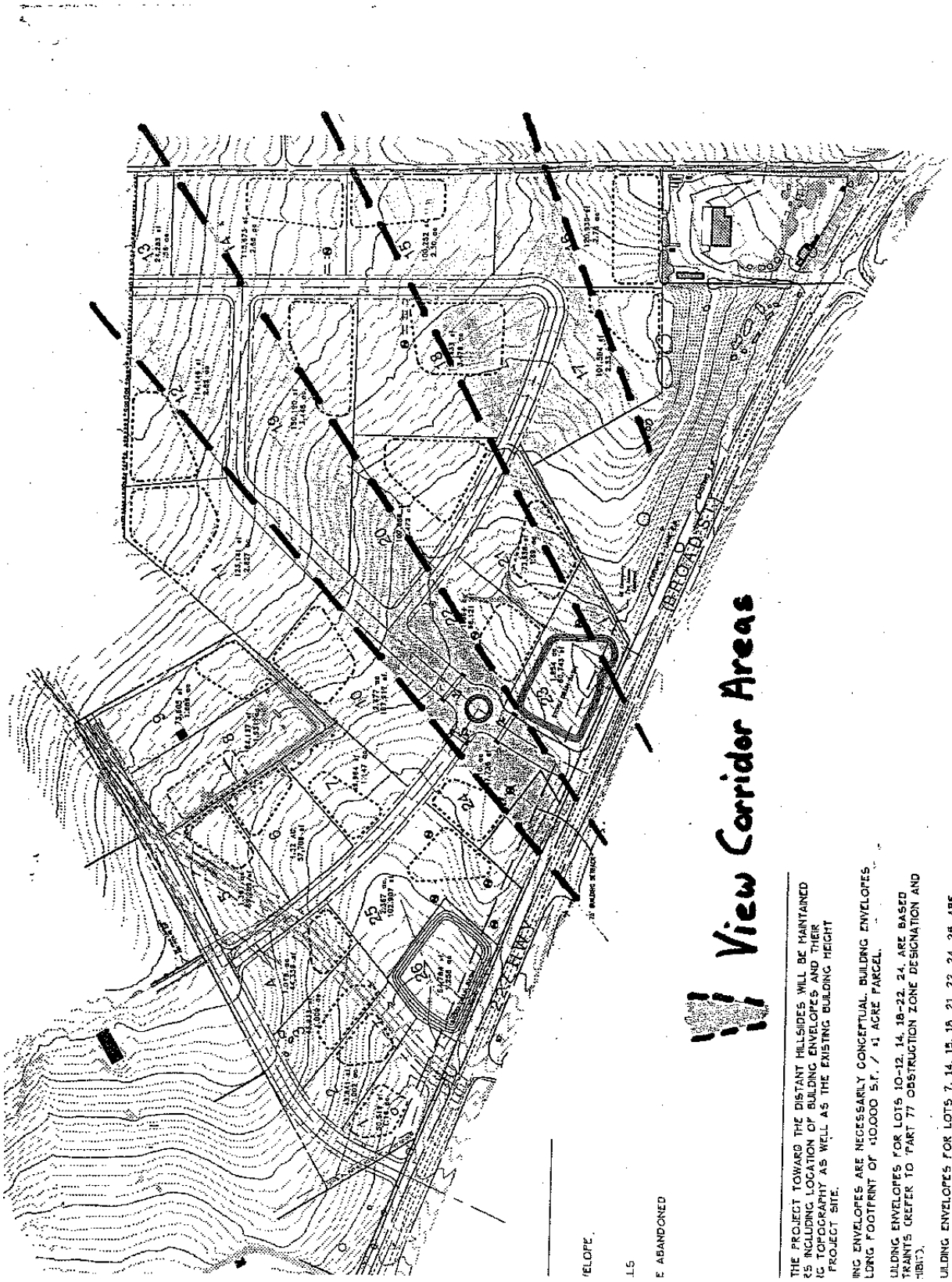
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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

February 26, 2003

John McKenzie, Environmental Specialist
County of San Luis Obispo
Department of Planning & Building
County Government Center, Room 310
San Luis Obispo, California 93408-2040

HYDROGEOLOGIC REPORT REVIEW
Senn-Glick and Morabito-Burke Development Projects
State Highway 227 (Broad Street)
San Luis Obispo, California

Dear John:

At your request, I reviewed the revised Developer's Statement (Katherman, 2003) for the proposed Senn-Glick and Morabito-Burke Development projects. In order to evaluate the proposed changes in the Developer's Statement, it was necessary to review the supporting technical documentation. The scope of this review included the following tasks:

- Reviewing the hydrogeology reports prepared for the Senn-Glick and the Morabito-Burke projects (Katherman Exploration; 2001a, 2001b, 2001c). The California State Board of Registration for Geologists and Geophysicists "Guidelines (1993) for groundwater investigation reports" were used as the applicable review standard.
- Preparing this letter report discussing my findings, conclusions, and recommendations.

Project Description

The subject reports address two separate, but adjacent projects on the eastern side of Highway 227, across from the San Luis Obispo County Airport. The proposed developments consist of a 180,000-square-foot business/industrial park on 10 acres (Senn-Glick) and a tract map that will allow as much as a 500,000-square-foot light-industrial/commercial development on 58 acres (Morabito-Burke). Both these developments will be served by separate water systems supplied by existing wells.

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

Consultant's Findings

The Katherman reports were based on review of regional groundwater studies, analysis of on-site well data, and well interference testing. Based on this work, Katherman reached the following main findings:

1. Hydrogeologic Setting. Hydrogeologic units consist of two main groups: unconsolidated sediments and consolidated rock. The unconsolidated sediments include Holocene age alluvium (valley fill deposits) and Pleistocene age terrace deposits. The consolidated bedrock includes the Jurassic-Cretaceous Franciscan Complex, Pliocene age Pismo Formation, and Pliocene-Pleistocene Paso Robles Formation. Yields in the alluvium and terrace deposits are typically 10-50 gallons per minute. No yields were specified for the consolidated rock units, although Katherman noted that the Franciscan was "a locally prolific aquifer in the SLO Basin."

2. Current Basin Water Reserves. The sites are within the San Luis Obispo groundwater basin, which has an estimated storage capacity of 22,000-26,000 acre-feet for the units above the sandstone and Franciscan rock units. Additionally, the sites are near the Edna Valley groundwater subbasin, which appears to supply some amount of recharge and subsurface flow. The Edna Valley groundwater subbasin has an estimates storage capacity of 40,000-44,000 acre-feet.

3. Water Supply. Nine water wells will provide water to the proposed projects. Seven of these are for Morabito-Burke (wells 1, 2, 4, 5, 6, 7, and 8) and two of these are for Senn-Glick (wells 3 and 9). The Morabito-Burke wells produce from the alluvial aquifer, whereas the Senn-Glick wells produce from both the alluvial and Franciscan aquifers. These wells range in depth from 80 to 143 feet and produce 6 to 43 gallons per minute (gpm). Drawdown ranges from 21 to 95 feet and specific capacity ranges from 0.14 to 0.58 gallons/foot.

4. Well Interference. Testing of wells 1, 2, and 9 was performed in March 2002 to assess the potential interference of these wells with each other. The test methodology consisted of measuring drawdown and flow rates while pumping the various wells. The results were plotted on semi-logarithmic graph paper and well interference was assessed by observing nickpoints on the graph.

5. Normal Annual Recharge. Based on published values of 0.20 acre-ft/year (DWR, 1958) and 0.45 acre-ft/year (Boyle, 1991), Katherman estimated an annual rate of rainfall recharge of 0.25 acre-ft/year. Rainfall was estimated at 3.3 inches/year/acre of recharge. This recharge rate was applied over an area of 100 acres to develop an annual rainfall recharge estimate of 25 acre-ft. Additional recharge for includes 0.7 acre-ft/year from irrigation and 4 acre-ft/year from creeks and streams, for a total of 29.7 acre-ft/year for both projects.

6. Drought Annual Recharge. Katherman estimated an annual rate of rainfall recharge of 0.18 acre-ft/year for drought conditions. This recharge rate was applied over an area of 100 acres to develop an annual rainfall recharge estimate of 18 acre-ft. Additional recharge for includes 0.6 acre-ft/year from irrigation and 2.7 acre-ft/year from creeks and streams, for a total of 21.3 acre-ft/year for both projects.

7. Domestic Water Demand. Estimated potable water demand for Senn-Glick is 3.8 to 4.8 acre-ft/year and 2.9-3.6 acre-ft/year assuming low-flow plumbing (Katherman, 2001c) and for Morabito-Burke is 12 acre-ft/yr (Katherman, 2001a).

8. Landscape Water Demand. For Senn-Glick, landscape demand is zero because the potable water will be reclaimed for irrigation (Katherman, 2001c) and for Morabito-Burke, landscape demand is 2.0-2.5 acre-ft/yr.

9. Water Quality. Laboratory testing of the Senn-Glick wells (wells 3 and 9) shows that the water does not meet State secondary standards for potability without treatment due to high levels of total dissolved solids, electrical conductance, and chlorides. These secondary standards were also exceeded in the Morabito-Burke well (well 1). Mitigation will involve reverse osmosis or blending with another source of potable water.

San Luis Obispo County Engineering Geologist's Comments

Taken as a whole, the various Katherman reports provide much useful information about the hydrogeology of the two sites. However, there are still some unresolved matters that need to be addressed before the hydrogeology reports can be approved.

1. Hydrogeologic Setting. The figures used to illustrate the hydrogeologic setting are from the City of San Luis Obispo Groundwater Evaluation (Boyle, 1991). These maps and cross sections are at a regional scale (1 inch = 5,000 feet) and are not suitable for determining the hydrogeology at the site. Upon our request, Katherman provided a site-specific cross section at a more appropriate scale of 1 inch = 200 feet. This cross section is useful, except that it lacks other information such as perforations, sanitary seal thickness, and static water levels.

2. Well Interference. The method of graphically plotting inflection points on semi-log paper does not actually predict the amount of drawdown. It is possible to calculate these values mathematically. One method uses the following formula (Heath, 1989, p. 44):

s = Q*t/T*S*r2, where s = drawdown at a point, Q = pumping rate, t = time, T = transmissivity, S = storage coefficient, and r2 = square of the distance between the pumping well and the drawdown point.

Using the mathematical approach allows calculation of the amount of drawdown at a given point. The amounts of drawdown can then be calculated for various well operation scenarios, including additive effects from pumping multiple wells simultaneously.

3. Annual Recharge. The amount of annual recharge is predicated on using an area of 100 acres in the calculations. Although we acknowledge that regional groundwater flow passes through the properties, we do not understand the justification for using 100 acres of recharge for a 68 acre project. This sets a precedent for other projects to claim recharge from possibly the same off-site areas, so in effect, the recharge is claimed multiple times.

4. Domestic Water Demand. Assuming that reverse osmosis or blended water is used to improve the quality of domestic water, additional water will be needed for to achieve the required potable quality. At present, this amount of water is unknown.

5. Documentation. No references are provided. In addition, the reports would be improved by including a table of contents and itemized conclusions and recommendations.

San Luis Obispo County Engineering Geologist's Recommendations

Additional information listed below needs to be included in an addendum report to be reviewed and approved by the county's Certified Engineering Geologist:

1. Hydrogeologic Setting. Include perforations, sanitary seal thickness, and static water levels on the hydrogeologic cross section.

2. Well Interference. Mathematically calculate the amount of drawdown at various points in the well field, including additive effects.

3. Annual Recharge. Recalculate the amount of recharge using an area of 68 acres.

4. Domestic Water Demand. Provide estimates of the amount of water necessary to achieve the required potable quality.

5. Documentation. Provide a list of references cited, a table of contents, and itemized conclusions and recommendations.

Upon submittal of the above-requested information, the County can better determine the appropriate course of action relating to water resource impacts and assist the applicant in exploring feasible means to provide for sustainable water.

References Cited

Boyle Engineering Corporation, 1991, Ground water basin evaluation: City of San Luis Obispo open-file report.

California Department of Water Resources, 1958, San Luis Obispo County Investigation: Bulletin 18, vols. I and II.

California State Board of Registration for Geologists and Geophysicists, 1998, Guidelines for groundwater investigation reports, 7 p.

Heath, R.C., 1989, Basic ground-water hydrology: U.S. Geological Survey Water-Supply Paper 2220, 84 p.

Katherman Explorations Co., LLC., 2001a, Area ground water review & water well evaluation: unpublished report, Morabito-Burke project, dated March 2001.

_____2001b, Supplemental report, area ground water review & water well evaluation: unpublished report, Morabito-Burke project, dated June 18, 2001.

_____2001c, Area ground water review & water well evaluation: unpublished report, Senn-Glick Development property, dated December 19, 2001.

_____2003, Possible language for rewrite of water section in developer statements for Morabito-Burke and Senn-Glick projects: unpublished letter, dated January 2003.

Closure

This concludes my review comments. Please contact me by phone at (805) 781-4577 or by e-mail at Lrosenberg@co.slo.ca.us if you have any questions regarding this review letter.

Sincerely,

Lewis I. Rosenberg, CEG 1777
Certified Engineering Geologist
County of San Luis Obispo

REGISTERED GEOLOGIST
Exp. 10/31/03
LEWIS ROSENBERG
No. EG 1777
CERTIFIED
ENGINEERING
GEOLOGIST
STATE OF CALIFORNIA

copies: Charlie Katherman, Katherman Exploration Co., LLC
Carol Florence, Oasis Associates
John Wallace, John L. Wallace & Associates

CITY OF SAN LUIS OBISPO

990 Palm Street, San Luis Obispo, CA 93401-3249

RECEIVED
NOV 27 2000
S.L.O. CO. PLANNING DEPT.

November 21, 2000

Pat Beck
San Luis Obispo County Department of Planning and Building
County Government Center
San Luis Obispo CA 93408

Subject: Tract 2368 (Morabito/Burke, on Highway 227 east of the Airport)

Thank you for referring this proposal to subdivide 58 acres into 24 buildable, commercial lots. The City is particularly interested in this proposal at its southern entry, which would extend commercial development into the Edna Valley and the City's intended greenbelt.

As you know, the County's General Plan designation of Commercial Service for this site is not consistent with the City's policy that land use in this area not be intensified at this time. In fact, the County's changing the designation from Agriculture to Commercial Service in 1996 was done over the City's strong objections. An Open Space or Agriculture designation is warranted by the site's agricultural capability, location under an airport approach, scenic and wildlife values, and by the excess supply of land in the San Luis Obispo area that is designated for commercial or industrial uses. The site is outside the City's adopted urban reserve line, and is therefore not eligible for annexation or City services that would be appropriate for urban development.

However, we realize that the County is not likely to reconsider the designation for this site, and that an application has been received and must be processed as provided in State law.

The City is preparing a specific plan for the Airport Area, as designated in the City's General Plan. The environmental impact report for the draft specific plan will consider three alternatives, two of which would give the subject site a designation similar to its County designation. (But please note that Figure 5 in the applicants' July 2000 development plan booklet does not reflect "proposed city land uses," as its title claims.) The City Planning Commission and Council will begin public hearings on the Airport Area Specific Plan and EIR in February, just four months from now. Therefore, it is premature to consider annexation and City services being provided to this site at this time, though there is an opportunity for reconsideration in the near future.

Urban development in the Edna Valley, without benefit of City services, raises serious questions concerning traffic and transit impacts, and the adequacy of on-site water supply, sewage disposal, and stormwater drainage. Compatibility with the airport and neighboring agricultural and residential uses is also a concern. We anticipate an environmental impact report will be needed for this proposal. The EIR will need to thoroughly analyze these potential impacts and recommend mitigation measures more substantial than those alluded to in the applicants' booklet. As mitigation for esthetic impacts, the County should also consider adopting the design standards and guidelines of

The City of San Luis Obispo is committed to include the disabled in all of its services, programs and activities.
Telecommunications Device for the Deaf (805) 781-7410.

the Airport Area Specific Plan as part of the development plan for this site. Special attention needs to be given to the gateway location of this site. It is a gateway between the city and the Edna Valley. The visual quality of any development here should be exceptional, given the gateway location. That quality should be achieved through site planning, building form and materials, and landscaping.

The City's Public Works Department is particularly concerned with coordination of project review along the arterial roads coming into San Luis Obispo. Public Works has contacted the applicants' representative, obtained a copy of the report prepared by Penfield and Smith, and offers the following comments:

1. The scope of the traffic analysis was established between Caltrans and the County, with no consultation with the City. Nine of the 14 intersections studied are within the City's urban reserve, and five are within the existing City limits. Recommended mitigation strategies will affect all of these. Furthermore, the consultant did not evaluate other intersections that have equal potential for raising traffic operational issues along this important community corridor.

2. The tract's northern intersection should align with the southern roadway into the Airport. In considering this realignment, review access requirements for the two large parcels adjoining and north of the tract boundary (designated Commercial Service) and the parcels within the Rodriguez Tract that are proposed for inclusion within the County's URL (reference G9900012M). Given the potential cumulative peak-hour trip generation from this tract and adjoining areas, it would be desirable to signalize one intersection serving the area and avoid multiple signalized intersections or driveway access onto Highway 227. Also, if the primary access point is moved to the north, the subdivision would be within walking distance SLO Transit's Route 3, which now serves the Airport. Given the employment potential in the proposed tract, transit access to the area from both the SLO Transit and CCAT systems should be assured.

3. Page 4 of the traffic study indicates that the intersection LOS goal within the City limits is LOS C. This is contrary to the City's Circulation Element, which establishes LOS D as the acceptable level of service along arterial streets and regional routes of significance. What is the adopted source of the Consultant's LOS C goal?

4. The traffic impact analysis should be expanded to evaluate the El Capitan and Fuller Road intersections. One reason these intersections should be evaluated is that the project's traffic report presents the signalization of Fiero Lane as a "short term" mitigation measure (reference page 16). Potential access conflicts with nearby Fuller and El Capitan need to be understood before a signal location is established.

5. It is unclear from the project description what frontage improvements are to be provided along Broad Street (SR 227) by this tract. The text mentions that the tract will provide for sufficient right-of-way to accommodate "the ultimate" widening of Broad Street to four lanes including a center median (reference page 1). The report also identifies mitigation measures needed in the "short term," including fair-share contributions to the widening of Broad Street to include four travel lanes (reference page 16). No mention of medians is included in the mitigation measure.

6. The project description should be clarified to illustrate the full cross-section for Broad Street adjoining the project. This project's fair-share contribution should be the widening of Broad Street along its project frontage and the installation of full frontage improvements.

7. The City is nearing completion of a specific plan for the Airport Area. One feature of the specific plan is a cross-section for Broad Street that meets Caltrans and City expectations. Components of the cross-section that the City is considering include separated sidewalks and parkways, Class II bikeways (2.0 meters wide), four standard-width travel lanes, and a landscaped median. The County, City, and Caltrans should meet to come to consensus on cross sectional design that is both functional and attractive for the area (an initial staff meeting is tentatively scheduled for November 9).

8. Another area of cooperative planning is traffic operations and control along the Broad Street corridor. While this particular project may not be responsible for coordinating this effort, its design emphasizes the need to take a broader look at corridor access needs and traffic control. And the simplicity of the applicant's proposed mitigation measures, "signalize everything," is not acceptable. The traffic report for this project implies that numerous traffic signals will be needed along Broad Street between Los Ranchos Road and Capitolio Road to provide cross-traffic access. However, there has been no analysis of the corridor as a whole to establish an appropriate operations strategy. The County, City, and Caltrans, with participation by affected property owners, need to:

    - Identify appropriate intersections for signal improvements based on optimal spacing and cross-traffic volumes. This project's traffic report suggests that signals be installed at Fiero, Aero Vista Park, Aero Drive, Airport Drive, the project's northern road, and Buckley Road. Many of these intersections are too close, and the prescription for six signals seems excessive and suggests a different access strategy, beginning with this project.

    - Establish access controls for other non-signalized intersections, and evaluate how traffic-flow gaps could be provided by effective signal spacing.

    - Investigate opportunities for consolidating access points based on existing and planned land use patterns for the corridor.

    - Establish an operational plan for traffic signals along Broad Street.

    - Establish a property access strategy (intersections and local road network) that enables the installation of landscaped medians within San Luis Obispo's urban reserve.

9. Table 3 on page 11 of the traffic study shows LOS at the Los Ranchos Road intersection degrading from D to F, and delay increasing by 71% during the AM peak (existing-plus-project conditions). This magnitude of change seems hard to justify. Likewise, Table 4 on page 11, the 130% increase in delay at the Buckley Road intersection during the PM peak (existing-plus-project conditions) seems excessive. However, if these delay calculations hold true, then a

traffic signal at the Buckley Road intersection should be installed when this project is developed. The Fiero Lane intersection is another candidate, but signal spacing needs to be evaluated before that mitigation is implemented.

10. The City has considered a traffic impact as "significant" for purposes of environmental review if current conditions are substandard and a project significantly exacerbates the situation. The significant increases in delay suggest presented in Tables 3 and 4 demonstrate that the project's contribution to the substandard conditions is significant.

11. The City's traffic consulting firm, Fehr and Peers, is working with the City Transit Manager to establish a transit service strategy for the Airport Area. The transit manager has recommended a strategy that would provide SLO Transit service northbound on Broad Street, north of Buckley Road. While the timing of this service depends on the implementation of the Airport Area Specific Plan and could be some years away, this project should provide a transit turnout along the tract's Broad Street frontage and guarantee the installation of transit stop improvements (signs, shelter, etc.) once service is established. Another simpler option is to purchase these facilities for storage at the City corporation yard for future installation

If you have questions on land use policies or environmental review for this proposal, please contact Glen Matteson in Long-range Planning (781-7165). If you have questions on traffic issues, please contact Tim Bochum in Public Works (781-7203).

Sincerely,

John Dunn
City Administrative Officer

Copies: Jeff Jorgensen, City Attorney
Mike McCluskey, Public Works Director

COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
RICHARD D. GREEK
AGRICULTURAL COMMISSIONER/SEALER
(805) 781-5910
FAX (805) 781-1035
AgCommSLO@co.slo.ca.us

RECEIVED
NOV - 8 2000
S.L.O. CO. PLANNING DEPT.

November 8, 2000

TO: **John McKenzie, Environmental Specialists**

FROM: **Robert Hopkins, Deputy Agricultural Commissioner** Robert Hopkins

SUBJECT: **Morabito-Burke Tract Map and Development Plan**

This report responds to your request for comments on the Morabito-Burke Tract Map and Development Plan. The adjacent agricultural property owner south of the site has been contacted concerning the proposal. The comments and recommendations in our report are based on current departmental policy to conserve agriculture resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

A. Project Description and Agricultural Setting

The project entails the subdivision of approximately 58 acres into 28 parcels which range from one to three acres. The project site is within the Commercial Service Land Use Category and is currently vacant land.

There are agricultural land uses south of the site consisting of an established vineyard. The adjacent agricultural land is within the Agriculture Land Use Category.

B. Evaluation of Potential Impacts

Depending on the type and scope of commercial service uses, and the location proximate to the vineyard the creation of lots 14, 15 and 16 could generate incompatibility impacts for the vineyard operation. Generally commercial service uses are more compatible with agricultural operations compared to residential neighborhoods. A summary of potential impacts are as follows:

1. Future commercial services uses may impact the adjacent vineyard operation.
   a. Increased duty of care and property liability.
   b. Constrained ability to perform necessary cultural practices in a timely manner.

2. Accepted agricultural practices, for vineyards may impact future commercial service uses.
   a. Noise machinery operation, frost protection (wind machines), harvesting operations and pesticide spray applications.
   b. Odors - soil and/or foliar fertilizing operations.
   c. Pesticides - ground spray applications of pesticides.

C. Recommended Mitigation Measures

To reduce the potential for significant impacts and protect public health and safety the following measures are recommended: (refer to map 2)

1. Require a landscape buffer, with appropriate trees and/or shrubs, along the property lines between parcels 14, 15 and 16 and the adjacent vineyard. General parameters for landscaping include an ultimate height of approximately 20 feet and width at the base of approximately 10 feet. Selected species need to be well adapted for survival, with minimum maintenance once established, and create a fairly solid barrier between the respective land uses.

2. Require subsequent Minor Use Permit approval for commercial service uses on parcels 14, 15 & 16, with a referral to the Agricultural Commissioners Office for a site specific review.

D. Discussion

The agricultural buffer policy range of buffer distances for vineyards is 400 to 800 feet. These buffer distances are primarily for buffering residential uses. Typically commercial service uses would require a smaller buffer distance. Additionally our experience in dealing with the interface of agricultural operations with other uses indicates there are circumstances where smaller buffer distances are appropriate.

There is a wide range of potential commercial service uses which could generate some incompatibility issues for the adjacent vineyard. Rather than specify a buffer distance for all uses, we have recommended a subsequent review of a specific project in order to better evaluate potential incompatibility issues.

For further assistance please call.

CC: Carol Florence, Oasis Associates, Inc.

H:\RLHLUP\Morabito-burke tm & dp.wpd

AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

RECEIVED
JUN 19 2002
S.L.O. CO PLANNING DEPT.

DATE: June 18, 2002

TO: John McKenzie
County of San Luis Obispo Department of Planning and Building

FROM: Heather Tomley HT
Air Pollution Control District of San Luis Obispo County

SUBJECT: Morabito-Burke Tract Map

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed Developer's Statement for the Morabito-Burke Tract Map located near the San Luis Obispo County Airport, and have the following comments regarding the proposal.

COMMENDATIONS

We would first like to commend the applicant on several items included in the Developer's Statement:

- All of the necessary dust mitigation requirements have been included for implementation during the construction phase of future developments. This will minimize fugitive dust emissions and reduce the potential for nuisance impacts to nearby properties.
- The commitment to allow for sufficient right-of-way and to work with transit agencies to locate transit stops for future transit service is very important for increasing the ability to serve the area with transportation alternatives, thus decreasing dependence on private automobiles.
- Planting shade trees in parking lots will reduce surface temperatures and limit evaporative emissions from parked vehicles.
- The eight foot bike lane, six foot sidewalk and six foot landscaped parkway will increase the pedestrian and transit friendliness of the development, making walking and bicycling more viable alternatives to the use of private automobiles.

AIR QUALITY ANALYSIS

It is not appropriate at this time to assess air quality impacts from individual developments within the tract map. On a program level basis, development in this area has been planned for and is therefore consistent with the District's Clean Air Plan. As development in this area progresses however, the APCD will evaluate potential emissions from individual proposed developments with respect to our CEQA significance thresholds and make recommendations and requirements for specific mitigation measures as necessary. If individual projects are determined to have potentially significant air quality impacts, the following measures are provided as guidelines for the types of requirements which may be necessary and should be included early on in the development planning process.

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
cleanair@slocapcd.dst.ca.us ❖ www.slocapcd.dst.ca.us

- Orient buildings toward the street with convenient pedestrian and transit access. Parking should be located in the rear.
- Provide on-site bicycle parking at a ratio of one bike parking space for every 10 car parking spaces.
- Provide on-site eating, refrigeration and food vending facilities to reduce lunchtime trips.
- Provide preferential carpool parking.
- Provide shower and locker facilities to encourage employees to bike or walk to work, typically one shower and three lockers for every 25 employees.
- Increase building energy efficiency rating beyond Title 24 minimum requirements.
- Plant trees along southern exposures of buildings to reduce summer cooling needs.
- Use built in energy efficient appliances, where applicable.
- Use double paned windows.
- Use low energy parking lot and street lights.
- Use energy efficient interior lighting.
- Use light emitting diode traffic signals.

Thank you again for the opportunity to review this project. If you have any questions, feel free to contact me at 781-5912.

HAT/sll

H:\ois\plan\response\2519.doc

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF GENERAL SERVICES

San Luis Obispo, California 93408 • (805) 781-5200
Duane P. Leib, Director

RECEIVED
MAY 28 2002
S.L.O. CO PLANNING DEPT.

May 23, 2002

Mr. John McKenzie, Environmental Specialist
Department of Planning & Building, Environmental Division
County Government Center
San Luis Obispo, CA 93408

Subject: ***AIRPORT DRIVE ACCESS TO CALIFORNIA STATE HIGHWAY 227***

Dear John:

The San Luis Obispo County Regional Airport plans to modernize and provide for increased usage of the terminal facilities. It is our intent to develop additional parking areas, create internal terminal access and circulation and relocate the southerly entrance/exit to the airport known as Airport Drive. This is a separate and distinct roadway from the current primary entry at Aero Drive. The current time frame to commence the relocation of Airport Drive to the south and provide the aforementioned improvements is three (3) to five (5) years.

Two developments, Senn-Glick and Morabito-Burke, are proposing to locate their main access road opposite the relocated Airport Drive and create a four-way intersection at Highway 227. The timing of the private development projects is such that they will be built out over a ten-year period or as the market warrants the construction of the projects. Cal Trans and the County of San Luis Obispo have requested a Memorandum of Understanding (MOU) be prepared to state the alignment of the Airport Drive access and the private development access be directly opposite each other, not offset. The MOU is currently being circulated for agency and developer signature. Final approval and the signatory authority for the County will rest with the Board of Supervisors.

The amount of airport patrons currently utilizing the existing southerly Airport Drive access is low. In the near term, it is our position that portions of the private development could commence prior to the relocation of Airport Drive. Cal Trans has raised concerns with the potential for southbound left turn vehicles entering the private development may back-up or queue to the extent to impede the operation and flow of the northbound left turn into the southerly Airport Drive access. In the unlikely event Airport Drive is not relocated prior to the private

SAN LUIS OBISPO COUNTY
REGIONAL AIRPORT

903-5 Airport Drive, San Luis Obispo, CA 93401 (805)781-5205 Fax (805)781-5985

development projects to the east of Highway 227, and if Cal Trans determines the back-up of left turn traffic is unacceptable, the airport will not oppose Cal Trans limiting access to the southerly Airport Drive access to right turns in and right turns out only.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

KLAASJE NAIRNE, C.A.E.
Airports Manager

c-Richard Marshall, Public Works Dept., County of San Luis Obispo

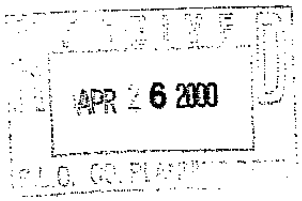
CDF/SAN LUIS OBISPO COUNTY FIRE DEPARTMENT

Dan Turner, Chief

General Information 805/543-4244
FAX 805/543-4248

635 N. Santa Rosa • San Luis Obispo • California 93405

April 25, 2000



Mr. James Caruso
SLO County Planning
County Government Center
San Luis Obispo, CA 93408

Subject: Proposed industrial subdivision across from SLO County Airport

Dear Mr. Caruso:

I recently met with agent Ms. Carol Florence to discuss pre-development issues for a proposed 32-parcel subdivision for industrial use across from the SLO County Airport. The project would be located on the east side of Highway 227 north of the Tolosa Winery vineyards.

During our meeting I expressed concern for adequate roadway access. Ms. Florence proposed two points of ingress/egress connecting to Highway 227. The separation of the access points is approximately 1/3 of the total property frontage along Highway 227. I suggested a third point as an outlet/inlet located near a possible easement along the Tolosa Winery property. If only two points of access and egress are provided those points shall be separated to the furthest corners of the project boundaries. My concerns are supported by the *State Public Resources Code 4290* and further described on page 10 of the County Developer's Guide. *The maximum length of dead-end road, including all dead-end roads accessed from that dead-end road shall not exceed 800' for parcels less than one acre and 1320' feet for parcels 1 – 4.99 acres.*

The project will require service from a community or private water system meeting the minimum fire flow requirements. The minimum requirements described in *UFC Table III-A* are 1500 GPM for 120 minutes.

If I can provide additional information or assistance please call 543-4244, extension 2122.

Sincerely,

Jim Eckles

TIM ECKLES
Fire Captain Specialist

C: Florence – agent
BC 3412

PROVIDING COOPERATIVE FIRE PROTECTION AND RESCUE SERVICES
TO THE CITIZENS OF SAN LUIS OBISPO COUNTY

CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

June 25, 2002

Mr. John McKenzie, Environmental Specialist
County Planning & Building Department
County Government Center, Room 310
San Luis Obispo, CA 93408-2040

Project Number: Tract 2368 Morabito/Burke

Dear Mr. McKenzie,

I have reviewed the proposed tract map 2368, revision dated 6/07/01 and the letters sent from our department previously on this project. I wish to make the following comments on this tract.

This project is located in a moderate fire severity zone and has a response time under 5 minutes from the nearest County Fire Station. This project will have to meet all the requirements of the 1998 California Fire Code (CFC), 1998 Building Code(CBC), Public Resources Code(PRC) and all other applicable fire requirements. The following will identify some of the requirements and make additional general comments:

Proximity to the Airport
This proposed tract is located on the approach and departure of the airports secondary runway, runway 25 at the airport. Historically these areas are more prone to aircraft incidents. Our firefighters have responded to numerous aircraft incidents, including several fatalities, within a mile radius of the approach to the airports runways. The type of occupancies being built should be considered so as to limit the number of people occupying the buildings. For example an assembly type building or even an office building may want to be excluded from this project. The buildings themselves of course may create an obstruction to an aircraft attempting an emergency landing.

Building Set Backs
All building set backs will be based on building code requirements for separations.

Access
In the letter dated August 6, 2000 from our department we discussed improving the secondary access for this project. The current map revision did not show any changes on this item. We suggest alternative egress routes out of the project could include utilizing existing roads in proximity to the project, such as Farmhouse Lane. and or the Buckley Road extension. As there

are several projects under review in this general area, a road system should be developed which provides for secondary access routes into each of the projects. This would be beneficial to all the projects in solving the secondary access issue.

We would require that the "Emergency Access" road proposed be changed to a "Secondary Access". If the applicant prefers this road could be a one way road for exiting the property with a reduced width of 12 feet with no parking.

All other roads indicated on the map are over the required width of 18 feet. All emergency fire lanes shall be a minimum of 20 feet wide unobstructed. All road and driveways shall be all weather surfaces. Roads exceeding a 12% grade have additional requirements. All buildings must be within 150 feet of fire access roads. CFC 902.

Addressing
Address numbers must be legible from the roadway and on all buildings. A monument sign displaying the location of all buildings in the complex must be displayed in a prominent location at the entrance to the facility. CFC 901.4.4.

Roof Coverings
All roof coverings shall have a minimum of at least a Class C roof. CBC Section 1503

Fire Safety during Construction
Prior to construction, an operational water supply system and established access roads must be installed. CFC Section 902 & 903.

Fire Protection Systems
This project will require installing a fire/life safety fire protection system. For each lot automatic fire sprinklers will be required in all new buildings if one of the buildings exceeds 5000 sq.ft. If all buildings in the development are sprinklered, regardless of size, a reduction in the fire flow requirements can be made (see attached). The type of sprinklers required will depend on the occupancy type, probably an ordinary hazard group 2, however in some cases it may require and extra hazard group. The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13, 231, 20, 22. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC 1003.1.1. A licensed alarm company shall monitor the fire sprinkler and alarm system. The fire department connection (FDC) supporting the sprinkler systems shall be within 20 feet of a County standard hydrant and visible on fire engine approach to the building.

Technical Opinion/Report
A Fire Protection Engineer shall review the Fire Protection Systems for all projects located in this tract (CFC 103.1.1). A list of Fire Protection Engineers is available on our website at www.cdfslo.org. The Fire Protection Engineer will require that the applicants provide working plans as outlined in NFPA 13, 6-1 (1996). The Fire Protection Engineer will be required to send the County Fire Department an original letter of the project review they conducted complete with the changes needed.

Fire Flow
A commercial water system may be required with fire flows meeting the standards of CFC 903 and Appendix III (See attached). If all buildings have automatic fire sprinklers a minimum fire flow of 1500 GPM will be required for the required duration, but not less than 120 minutes. The minimum main size shall not be less than 6 inches. Pressures may not be less than 20 psi or more than 150 psi. The water storage tank shall have automatic fill and have a site gage and venting

system. Plans should be submitted to the county fire department.

The proposed reservoir may be used as long as a means of insuring that the water supplying the fire protection system is not contaminated with debris which could clog the sprinklers and that there is a maintenance program to insure that the reservoir will not get filled with sediment and vegetation. The Plans for the entire system should be submitted to the county fire department. NFPA 1142 Appendix B-3

As there are numerous projects currently under review in proximity to each other, we suggest that the water systems be incorporated into each other as a community water system, thus better insuring performance and possibly reducing the cost.

Water Supply Connection
Fire hydrants are to be located with a maximum normal spacing of 300 feet as measured along vehicular travel ways. Plans shall be submitted to the County Fire Department for approval of distribution system and hydrant locations. Fire hydrants shall have two, 2 ½ inch outlets with National Standard Fire threads and one 4 inch suction outlet with National Standard Fire threads. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side.

Portable Fire Extinguishers
Portable fire extinguishers shall be installed in all the occupancies in compliance with the CFC 1002 and Standards 10-1. The contractor shall be licensed by the State Fire Marshal.

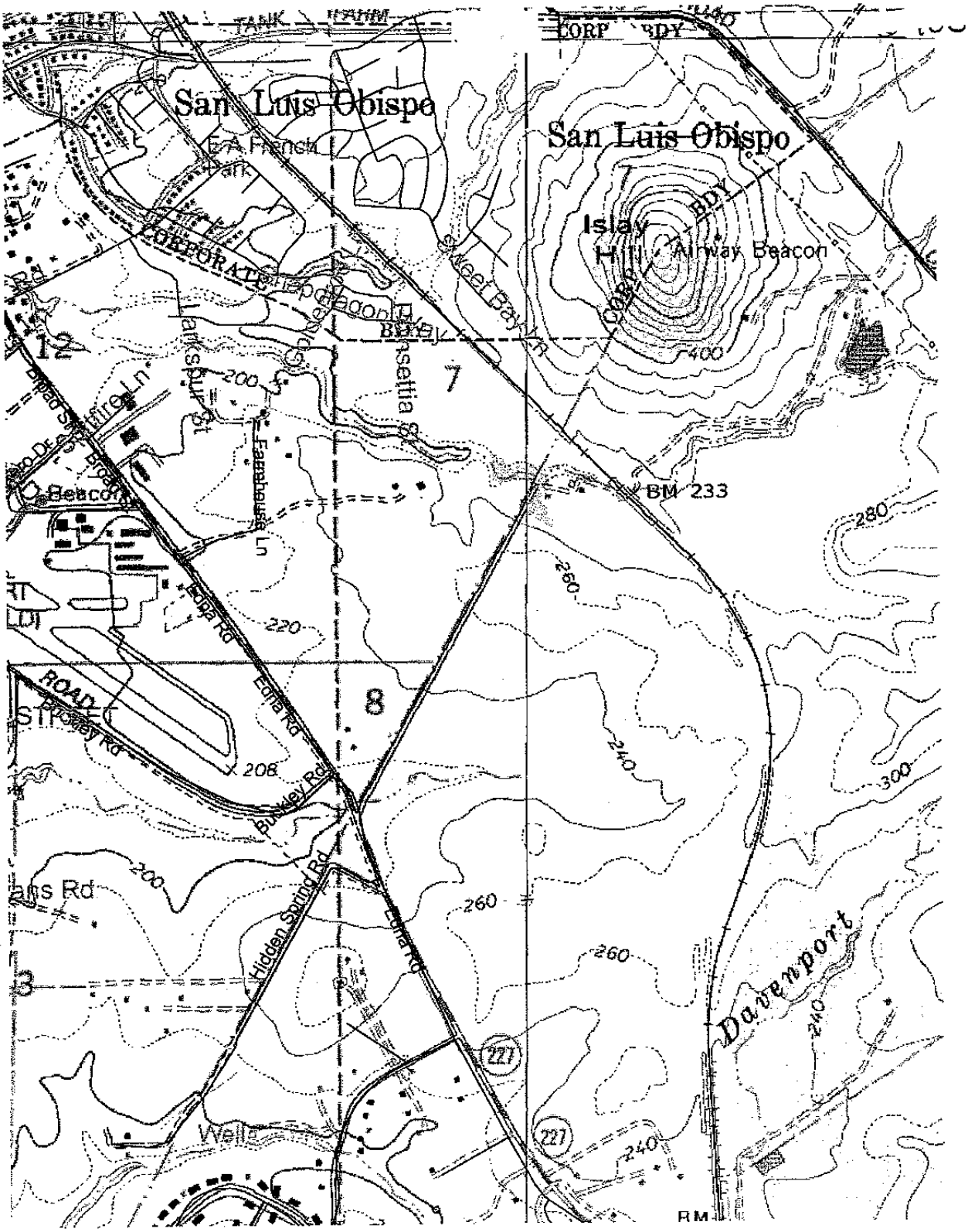
Roof Access
Presently the County Fire Department can provide a maximum of only 16 feet vertical access. The project shall provide vertical access to the roof from two points for any building exceeding this height. Access can be provided by the use of landscaping or a fixed laddering system. Plans shall be submitted for approval to the County Fire Department.

If I can provide additional information or assistance on this mater please call me at (805)543-4244.

Sincerely,

Robert Lewin, Fire Marshal
Battalion Chief

Cc: Dan Anderson, Battalion Chief
Airport Fire Station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Airway Beacon
CORPORATE
Sweet Bay Ln
Larkspur St
Farmhouse Ln
Edna Rd
Buckley Rd
Hidden Spring Rd
BM 233
Davenport
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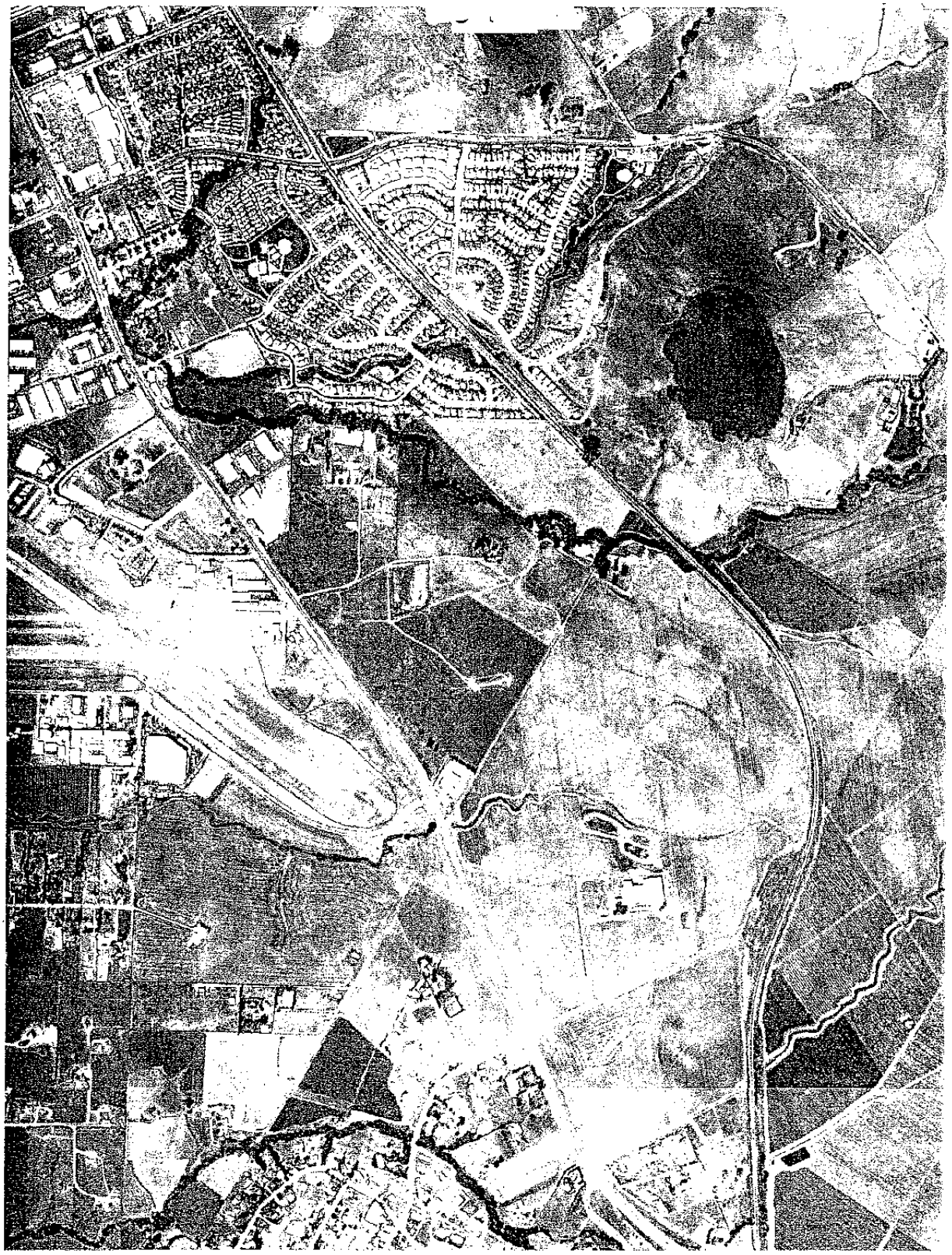

MEMORANDUM

TO: JOHN MCKENZIE

FROM: KLAASJE NAIRNE, AIRPORTS MANAGER

SUBJECT: MORABITO-BURKE TRACT MAP & DEVELOPMENT PLAN, S000007U

DATE: 02/05/01

Thank you for the opportunity to comment on the subject project referral. We apologize for the delay in our response.

Although we may still have concerns with the rezone of the property from agricultural to commercial, we must now evaluate the development on merit rather than the rezone decision.

The project is located within Airport Land Use Planning Zones 3, 4 & 5. The developer has presented an airport compatibility analysis. Based on that analysis, we have determined the project to be compatible with the following conditions:

1. The developer shall prepare Covenants, Conditions and Restrictions for the project. The CC&Rs shall be prepared and included in the referral to the Airport Land Use Commission. The CC&Rs shall include, but not limited to, the following:

Safety

- Structures shall be prohibited within 50 feet perpendicular to the extended centerline of Runway 25.
- A minimum percentage of usable open space of any land within 250 feet of the extended runway centerline and within 3000 feet of the runway end shall be less than or equal to 50% of the total land area for the project.

Airspace Protection/Hazards to Air Navigation

- Creation of electrical interference with navigation signals or radio communication between aircraft and the airport shall be prohibited.
- Reflective roof materials shall be prohibited in buildings and signs.
- Lighting installation conflicting with airport lighting shall be prohibited.

Obstructions

- Structures shall be limited to a height of 35 feet.
- The requirements of FAR Part 77 "Objects Affecting Navigable Airspace" shall be met and maintained.

Noise

- Ensure maximum interior noise levels in structures will be limited to 45 dB CNEL or less and that other provisions of the California Noise Insulation Standards are met with respect to aircraft and/or airport noise.

2. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners as renters) will receive full and accurate disclosure concerning the presence and operations of the San Luis Obispo County Regional Airport and any noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties. The applicant upon referral shall present such sample disclosure notice to the ALUC.

3. Avigation easements shall be granted for each parcel. Avigation easements shall be procured prior to referral to the ALUC.

STATE OF CALIFORNIA----BUSINESS, TRANSPORTATION AND HOUSING AGENCY GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION
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December 19, 2002

SLO-227 PM R10.35
Proposed Traffic Mitigation Measures for the Senn-Moribito/Burke Project

Mr. John McKenzie
County Planning & Development Department
County Government Center
San Luis Obispo, CA. 93408

Dear Mr. McKenzie;

Thank you for the opportunity to comment on the Senn & Moribito-Burke proposed mitigation measures that you are currently drafting. The California Department of Transportation (Department) was a participant in the multi-agency task force that focused on coordinating the implementation of future projects (including the proposed mitigation for this project) on Route 227. The Task Force devoted a lot of time to discussing the possibility of implementing flexibility in design standards that would allow for "Main Street" aesthetic improvements on State Route 227.

In the Department's booklet, *Main Streets: Flexibility in Design and Operations (July 2002)*, there are a number of operational design options that can be implemented that will achieve the Department's goals of accommodating a community's design plans. However, the Booklet also states that the "Guidelines are not intended to supersede the Department's *Planning Manual, Project Development Procedures Manual, Highway Design Manual, Traffic Manual* or other established procedures or practices".

The Main Street Guidelines go on to point out that ambient traffic speeds (85th percentile) that are a requisite precondition for the implementation of Context Sensitive Solutions on a typical Main Street, need to be between 30 and 50km/hr." Accommodating flexible design standards are problematic at the locations discussed during the Route 227 Task Force because ambient traffic speeds there are typically between 90 and 100 km/hr. High traffic speeds and high traffic volumes require that an Advisory Design Exception be obtained for raised medians and left turn channelization (at locations with non-standard storage and acceleration/deceleration length), either during the Encroachment Permit Process or when the Project Report (PR) is completed during Project Approval and Environmental Document (PA&ED) phase.

The mitigation text recently submitted for Development Review states that, "the applicant shall install a median (or functional equivalent) along Highway 227, meeting Caltrans' approval and design standards, to prevent left turns to or from the project entrance onto Highway 227". In a subsequent email to me you stated that "left-turns will be allowed in and out of the Moribito and Senn projects once constructed, with the interim right in-right out only restrictions applied to the existing southern airport access until it realigns with the Moribito-Senn access."

Based on current design standards and the lack of definitive engineering schematics, the Department cannot recommend project specific mitigation that would include the installation of raised median barriers at the proposed locations including, the north entrance to the project, Aero Drive, Fiero Lane and Capitolio Way.

Please also note that the Department cannot recommend the installation of traffic signals at the proposed locations unless these locations first meet traffic signal warrants. It is the Department's standard procedures that the criteria for traffic signal warrants be met first, then after the criteria is met, signals can be installed. Typically, the Department does not install traffic signals based on projected traffic volumes, but rather on existing conditions. In lieu of the installation of the traffic signal masts, mast arms, and signal timing control box, the proposed mitigation could include the installation of below-ground electrical conduit for subsequent wiring up to the signal apparatus at a future date.

The Department recommends that, until the Route 227 Project Study Report (PSR) identifies interim improvements that will seek to lower design speeds here, maintaining and improving the existing Two-Way-Left-Turn-Lane and striped left turn channelization currently accommodating left turn movements into and out of the project entrance and other locations, as the acceptable course of action. The recently completed *Route 227 Corridor Study* concludes in Section 17, *Conclusions/Recommended Actions*, with the following statement, "A Project Study Report should be initiated for widening the corridor to 4 lanes, for signalization, left turn restrictions, and road extensions." This recommendation remains the Department's position.

The Department's recommended Project-Specific Mitigation

Project specific mitigation should include the dedication of Right Of Way (ROW) along the length of the project adjacent to Route 227 (specific ROW requirements can be identified when the project proponents apply for the encroachment Permit), in order to accommodate the possible future installation of any of the following: 1.) dual left-turn lanes at the project/future Airport realigned entrance, 2.) Two-Way-Left-Turn-Lane or its functional equivalent along the project adjacency with Route 227, and 3.) Future four-laning of Route 227.

Other project specific mitigation should include, a.) right-in/right-out - acceleration/deceleration improvements at project entrances, b.) underground conduit for accommodating the installation of electrical circuits for signalization at the north project entrance/Main entrance for the airport realignment, c.) construction of a Two-Way-Left-Turn-Lane or its functional equivalent on Route 227 north of Farmhouse Road to the southern project limits in order to accommodate interim left-turn movements in and out of the project entrances.

Finalizing the geometrics of the project specific mitigation/ associated with the project's two access locations on Route 227, will be more appropriately addressed when the project proponents apply for their Encroachment Permit. At that time, the Developer will have the detailed engineering schematics that will show the exact location of the two project entrances on Route 227. From these plans, Department Staff will have the necessary information from which the detailed project specific mitigation can be agreed to. Until those plans are finalized, the Department respectfully recommends that the Lead Agency base the conditions of approval on the project specific mitigation referenced above and the mitigation for the cumulative effects referred to below.

The Department's Recommended Mitigation For Cumulative Effects

The Department recommends that the Lead Agency collect pro-rata, fair-share contributions as mitigation for the cumulative effects of the project to help pay for the long-term future improvements identified by the Route 227 Task Force (eg. raised medians, traffic signals). The project proponents also need to contribute for the installation of a curb, gutter and sidewalk as well as landscaping along the length of the project. In light of the fact that there is no current landscaping plan and finalized engineering schematics for the Route 227 roadway, the project proponents can contribute in-kind to their ultimate construction.

In order to facilitate the collection of cumulative impact fees/fair share contributions, the Department recommends that the County (Lead Agency) and the Department enter into an agreement whereby both agencies sign a Memorandum of Understanding (MOU) that would stipulate the Lead Agency's consent to allow the Department to collect and place into an account, the pro-rata, in-kind contributions. The benefit of setting up this account within the Department would be to keep the contributions for the specific, future improvements on Route 227 without the in-kind contributions being subject to AB 1600's "use it or lose clause".

It is the Department's understanding that the 227 Task Force agreed that completion of a PSR should be the next logical step in implementing Route 227 corridor-wide improvements. The PSR will identify **long-term improvements** as well as formalize initial agreement on scope, schedule and cost for **interim corridor-wide improvements** that will have the effect of slowing ambient traffic speeds on Route 227, to the point where the communities goals (i.e., raised medians), can be achieved without compromising safety through the entire corridor.

The Department is responsible for the traveling public's safety on the State highway system. Pursuant to *Streets and Highway Code Sections: 1) 90. Control of Highways, 2) 92. Authority Generally, 3) 670. (a). Permits, and 4) 670.1. (a) Local Traffic Access Permits*, authority is given to the Department specifically and generally for safety, operations and maintenance of the State highway system.

I hope this gives you an understanding of the Department's concerns regarding the County's proposed mitigation for the Senn-Moribito/Burke Project. If you have any questions please call me at 549-3683.

Sincerely;

James Kilmer
District 5
Development Review

cc: T. Bochum, San Luis Obispo Public Works, R. DeCarli, SLOCOG, R. Marshall, SLO County

File, R. Krumholz, D. Murray, R. Barnes, A. Donatello, S. Senet, A. Delgado, J. Gonzalez, P. McClintic, D. Senor, G. Grandos, S. Price

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OCT 25 2000
S.L.O. CO. PLANNING DEPT.

October 23, 2000

5-SLO-227-10.24
Morabito-Burke
Industrial Subdivision
Traffic Impact Study

Mr. Jay Johnson
County of San Luis Obispo Planning Department
County Government Center
San Luis Obispo, CA 93408

Dear Mr. Johnson:

Caltrans District 5 staff has reviewed the above-referenced document. The following comments were generated as a result of the review:

1. The levels of service (LOS) calculations were not included in this study. In order to determine the validity of the findings in this study, these calculations must be provided for District review. Files sent in their electronic format are preferred.

2. The traffic impact study does not recommend a fair share contribution toward improvements at the State Route 227/Orcutt Road intersection. However, the traffic study does show 40 percent of the project peak hour traffic will use this intersection. Roadway improvements at this intersection are currently being prepared by the Auto Zone development for the City of San Luis Obispo. This project should pay fair share fees toward these improvements. In fact, District staff recommends fair share calculations, the project's financial responsibility, and funding mechanisms for impacts to the State Highway, be included in the development plan.

3. An irrevocable offer of right-of-way dedication may be needed to accommodate the future widening of State Route 227.

4. The County and the City of San Luis Obispo should consult with Caltrans staff regarding the proposal for signalizing numerous intersections that exists within the State Highway right-of-way. The signalization of any intersection within the State right-of-way will require Caltrans approval.

5. The proposed new access to State Route 227 (Broad Street) will require Caltrans approval. Right turn channelization for northbound State Route 227 onto eastbound Farm House Lane will be required and should be identified as a project specific mitigation measure. There should also be some discussion on how the project will limit the ingress/egress to right-in and right-out vehicles only.

6. Right turn channelization for the northbound Route 227 right-turn onto eastbound Farm House Lane, and the extension of the current south bound Route 227 left turn lane will be required to accommodate the project generated traffic.

7. The traffic consultant should determine if the appropriate storage distance between the Route 227/Farm House Lane and Route 227/Airport Drive intersections is available to accommodate the project generated traffic for the south bound left turn movement and will meet Caltrans standards. If storage standards cannot be met, the left turn movement should be moved to the proposed southern ingress/egress location.

8. Any work conducted within the State Highway right-of-way will require a Caltrans encroachment permit. For specific information regarding encroachment permits please contact Mr. Steve Senet, District Permit Engineer at (805) 549-3206.

I hope this letter gives your agency a better understanding of Caltrans concerns with this development. Please contact me at (805) 549-3683 should you have questions or comments regarding this letter. Thank you for the opportunity to meet.

Sincerely,

Larry Newland, AICP
District 5
Intergovernmental Review Coordinator

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
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June 26, 2002

MEMORANDUM

TO: John McKenzie, Environmental Specialist

FROM: Richard Marshall, Development Services Engineer RLM

SUBJECT: Morabito/Burke Subdivision - Tract 2368

I have recently learned of the Romero/Merzon General Plan Amendment application on the property immediately adjacent on the south side of the subject property. In order to provide for the convenience, safety and welfare of the property owners in this neighborhood as required by the Real Property Division Ordinance (Title 21 of the County Code), it is necessary to have a slight modification in the design of the street system within Tract 2368. This could be accomplished by creating a "stub-out" street between lots 17 and 22, extending to the northerly corner of the Romero/Merzon property, or by modifying the alignment of the tract's loop road so that it touches the property boundary at that corner. If the developer of Tract 2368 prefers the "stub-out" approach, it would be reasonable to defer construction of the street improvements to the development of the Romero/Merzon property.

It is my recommendation that Tract 2368 be conditioned to provide an offer to dedicate a 50 foot right-of-way that would connect the southwestern property along Highway 227 (APN 076-051-015) to the nearest proposed internal project road.

Please call me at 781-5280 if you have questions or need additional information.

c: Lynda Auchinachie, Planning
Carol Florence, Oasis Associates

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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: engr@co.slo.ca.us

February 6, 2002

MEMORANDUM

TO: John McKenzie, Environmental Specialist

FROM: Richard Marshall, Development Services Engineer RM

SUBJECT: Traffic Impacts – Tract 2368

Although the "Route 227 Task Force" process is ongoing, this memo will serve as a status report on the evaluation of traffic impacts associated with the proposed project.

Standard Frontage Improvements
The development should be conditioned to construct the standard frontage improvements, as we routinely require for all projects in the unincorporated area. These were previously conveyed to you by Mikel Goodwin of this office (November, 2000). The highlights include construction of all on-site streets to an A-2 (urban) standard, and widening Highway 227 to complete an A-2 (urban) section fronting the property. I would clarify the latter as follows: "Highway 227 widened to complete the project side of an A-2 (urban) section, according to the recommendation of the Highway 227 Task Force. Cross-section elements (northbound direction) to include an 8-foot paved shoulder/bike lane, two 12-foot travel lanes, a 2-foot paved inside shoulder and half of a 16-foot center median/left turn lane. Cross section shall also include a minimum 6-foot landscaped parkway and minimum 6-foot sidewalk." Please refer to Mikel Goodwin's previous correspondence for the remainder of "stock" conditions which we recommend be included as conditions of approval.

Project Impacts
In addition to constructing the standard improvements along the project frontage, we need to identify any components of the road network in the vicinity of the project, which will change from an acceptable Level of Service (LOS) to an unacceptable LOS. Based on the traffic study which was initially submitted, prepared by Penfield & Smith, it is recommended that the project construct a traffic signal at its northerly entrance road (which will align with the future realignment of the south entrance road to the Airport). This intersection should also be widened to provide a northbound right-turn lane. I was recently provided two tables which I believe are proposed to be added to the existing traffic study. One of them identifies the "project share" of signalizing this intersection as 34%. This needs to be corrected to 100%, as it is entirely a project impact.

The study also recommends designing the intersection of the southerly entrance road to allow right turns into the project and right turns out of the project only.

In addition, there are two intersections which will experience "project impacts" as defined above. These are Highway 227/Tank Farm Road and Highway 227/Los Ranchos Road. However, the study information that I have been provided thus far does not identify what improvement is needed to return these intersections to acceptable LOS. More information is needed to complete this evaluation.

There is also concern about this project being constructed prior to the realignment of the south entrance road to the Airport. The project's main entrance and the existing south entrance road will be offset by a distance which will only permit a limited amount of queuing for left turns. The traffic engineer should evaluate how much queuing space is available and, based on current airport volumes, how much left-turning project traffic there is room for. This can then be related to a maximum amount of project development that can occur before the realignment and signalization. The traffic engineer should at the same time evaluate queuing for outbound project traffic, waiting to turn left onto Highway 227 during this interim period before the realignment and signalization. Will this queuing affect access to the neighboring Senn Development Plan site?

One additional minor correction is needed to the traffic study. The intersection of Highway 227/Buckley Road now has a traffic signal (which I expect will be energized any day now). The study evaluated this as a Stop-controlled intersection, which was correct at the time. This should be updated.

Cumulative Impacts

The study identifies that even with the planned areawide circulation improvements, project traffic added to buildout traffic will result in unacceptable LOS at the intersection of Broad Street and Tank Farm Road. Again, the study information thus far does not identify what improvement is needed to remedy this situation. More information is needed.

The project will also contribute (along with other proposed and future developments in the vicinity) to the need for numerous long-range circulation improvements throughout the Highway 227 corridor. To calculate the dollar value of the project's contribution, the Penfield & Smith study identified this project's proportion of total traffic utilizing each of the affected intersections. One of the new tables I was recently provided shows the figures used for this calculation.

However, the determination of the project's "share" of future improvements should not be based on total traffic, but rather on that portion of future traffic volumes above the acceptable LOS threshold. Following is modification to the new table which depicts the approach that is needed:

Jurisdiction	Intersection Hwy 227 at:	Future Pk Hr Traffic Volumes ①	LOS D/E threshold volume ②	Future traffic exceeds by: ③	Project Traffic ④	Project Share of Need ⑤
City/County	listed intersections	from study	from Highway Capacity Manual	③ = ① - ②	from study	⑤ = ④ / ③

Once we have determined the dollar value of the project's contribution to cumulative impacts, there are two options: (1) identify an "equivalent substitute mitigation measure," by which the developer would directly construct an improvement project of equal value; or (2) monetary contribution. In order to implement the latter, there needs to be a mechanism by which these projects can contribute funding toward implementation of these circulation improvements. Such a mechanism has been developed in this County through the preparation of Environmental Impact Reports (EIR) for projects as diverse as Heritage Ranch and Home Depot. Alternately, local governments may develop "impact fees" that are charged to new development, under the authority of the Mitigation Fee Act, Section 66000 *et seq.* of the Government Code (sometimes referred to as "AB 1600," in reference to the Assembly Bill that created this statute). The County has such fees in five unincorporated communities, but none are near this site. The City of San Luis Obispo also has such a fee, but this project is outside the study boundary of its analysis, and the projects to be funded are not all included in the City fee's capital improvements program.

As a result, there is no financing mechanism in place to receive a monetary contribution as mitigation for this development's cumulative traffic impacts. The analysis that Penfield & Smith has conducted so far can form a large portion of the study which is required for the implementation of the Mitigation Fee Act. What would also be needed is to identify the geographic area (the "trafficshed") which contributes to the need for the improvements in the Highway 227 corridor, estimate the amount of increased traffic which could be generated by development and/or redevelopment of land in the area, and calculate a fee schedule (typically $/peak hour trip) which would apply to all new development. The County could use this information to establish a Road Improvement Fee for the Highway 227 corridor area, by Resolution of the Board of Supervisors. I have informed the developer that if they fund the preparation of the required study to establish this mechanism, the study costs would be eligible to be considered an "in-kind contribution" and would therefore be eligible for credit against the fees that would subsequently owed from the development of their property.

Conclusion

As noted above, there is quite a bit of information still needed at this point, in order to conclude the evaluation of the project's traffic impacts. I have spoken recently with Steve Orosz of Penfield & Smith, and conveyed to him what's needed, and I believe he is working on providing it. You and I will be able to finalize the environmental determination that you are working on when we have that information. If you have questions, please call me at 781-5280.

File: Tract 2368

c: Carol Florence, Oasis Associates
Steve Orosz, Penfield & Smith

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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
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April 25, 2002

MEMORANDUM

TO: John McKenzie, Environmental Specialist

FROM: Richard Marshall, Development Services Engineer

SUBJECT: Traffic Impact Analysis - Tract 2368

I have reviewed the Traffic Impact Analysis for the Morabito-Burke Industrial Subdivision (Tract 2368) which was received in this office on April 12, 2002. The author, Penfield & Smith Associates, has satisfactorily responded to most of the comments I made in my February, 2002 review of the draft study.

I offer the following comments on the April, 2002 report:

1. **Standard Frontage Improvements.** My comments from February should continue to be applied in the definition of subdivision conditions of approval, with one minor modification. The reference to the overall width of the center median/ left turn lane should be 14 feet, not 16 feet, as agreed to by the Route 227 Task Force.

2. **Project Impacts.** On page 21, mitigation measure PS-1 denotes the signalization of the intersection of Broad Street with the project access road (which will align with the new southerly airport access road). The report relies on the proposed Memorandum of Understanding (MOU) between the project applicants (both Morabito-Burke and Senn) and the San Luis Obispo Regional Airport, in its discussion of the implementation of this requirement. I have recently reviewed the draft MOU, and I do not reach some of the same conclusions about what it will accomplish. These are my concerns:

   - The MOU in its current form does not include language that the parties agree to share the cost of the traffic signal.
   - It does not include agreement on the specific location of the new four-way intersection. [Note that clarification is needed within the report about this location: the text on page 2 says that it is opposite the County Fire Station

access drive, but the exhibit labeled "Vesting Tentative Tract Map" shows this road about midway between the Fire Station access drive and the current location of the southerly airport access road.]

- It does not say that the parties have agreed to prohibit northbound left turns into the existing southerly airport access road.
- It does not discuss how the required bond for signalizing the intersection would be shared among the parties.

I am not aware that the MOU has been approved by the parties yet, so until it is, we cannot rely on its provisions as mitigations of the project's impacts.

Recommendations. (1) The project will need to be limited to a maximum square footage of development taking access from this intersection, until such time as the MOU is approved with language agreeing to restrict northbound left turns, or until the southerly airport access road is realigned. The study author should provide an analysis which determines the development "ceiling" which can be accommodated if the turn restriction is not implemented through the MOU, or the intersection is not yet realigned.

(2) The project should be conditioned to install the signal. If the applicant makes arrangements to share the cost with other parties, that will still satisfy the condition of approval and allow the project to move forward. Since the signal is necessary to mitigate a project impact, it needs to be installed or bonded for prior to recordation of the final map. It is not appropriate to condition the project to install the signal at some undetermined future date when Caltrans determines that it is time to do so.

(3) There needs to be agreement between the developer and the airport on the location of the common access intersection before we can file any tract map for the proposed subdivision. This will affect the layout of many of the lots within the tract.

3. The report also cites the necessary improvement at Broad Street and Tank Farm Road to address the project impact at that location. It correctly notes that the proposed Cannon development is already conditioned to construct this improvement, but that if Morabito-Burke moves ahead of Cannon, it would need to be responsible for the work. We will need to be sure that the tract conditions carry forward the recommendation of mitigation measure PS-2.

4. **Cumulative Impacts.** The author has correctly implemented the recommendations I made in my February, 2002 review, regarding calculation of the dollar value of the project's share of cumulative impacts. However, the report stops short of saying how to deal with this. I had suggested the choice between two alternatives: (1) identification of an "equivalent substitute mitigation measure" or (2) preparation of an "AB 1600 study" which would create a mechanism for receiving a monetary contribution.

Recommendations. (1) The project should be conditioned to install a traffic signal at the intersection of Broad Street and Aerovista Place. This is item #7 in Table 8, and its value is listed as $150,000.

(2) The project should be conditioned to install median improvements at Broad Street and Fiero Lane. This is item #5 in Table 8, and its value is listed as $50,000. Note that "median improvements" needs to be defined better by the study author.

In this way, the project developer would be contributing equivalent substitute mitigation measures which address the facilities in closest proximity to the site, and address the intersections of greatest concern with projects that fall in the range of this project's "share." The language of the condition could specify that if a Mitigation Fee program (that includes all the impacted facilities noted in the study) has been adopted by the time of recordation of the final map, the payment of this fee would also satisfy the condition.

Please call me at 781-5280 if you have questions or need additional information.

File: Tract 2368

c: Carol Florence, Oasis Associates
Steve Orosz, Penfield & Smith

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Central Coast Region

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November 16, 2000

RECEIVED
NOV 21 2000
S.L.O. CO. PLANNING DEPT

Mr. John McKenzie
San Luis Obispo County
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Dear Mr. McKenzie:

COMMENTS ON DEVELOPMENT PLAN VESTING TENTATIVE TRACT MAP 2368; SAN LUIS OBISPO COUNTY

Thank you for the opportunity to review and comment on the Development Plan Vesting Tentative Tract Map 2368. We understand that the project involves subdividing a 58-acre property into 28 parcels to be served by septic systems. We offer the following comments that should be addressed.

1. It is this Board's policy to minimize use of on-site septic systems where a regional wastewater system is available. On-site systems should be considered temporary measures until access to a regional wastewater system is feasible.

2. In case regional sewer service is infeasible, any on-site waste disposal system associated with the proposed project must be consistent with the policies and objectives of the Water Quality Control Plan, Central Coast Region (Basin Plan). The Basin Plan states that lot sizes less than one acre should not be permitted. It also states that where percolation rates are slower than 120 min/in, parcel size must be at least two acres. Your Development Plan contains percolation test results from November 18, 1999 and December 20, 1999. These test results vary significantly. The results from November reveal many soil borings with percolation rates slower than 120 min/in, located in parcels that are planned to be smaller than two acres in size. To be in compliance with the Basin Plan, these lot sizes must be increased to two acres.

If you have questions, please call **Sandra Turshman at (805) 542-4640** or Gerhardt Hubner at (805) 542-4647.

Sincerely,

for Roger W. Briggs
Executive Officer

SLT/S/Wb/Southern/Staff/Sandra/Ceqa/Vesting Tentative Tract Map 2368 comment letter
Task: 401-01

Laurie Salo
11/29/2000 05:00 PM

To: John McKenzie/CountyofSLO@Wings
cc:

Subject: Tract 2368 -Areas Of Concern

John- I spoke to Rich right after our phone conversation and he said that there is not a known problem of overdraft in the area of this project. Unfortunately, he was detained after that and said we would discuss this matter further tomorrow. But, tomorrow is now today and he called in sick. What I can share with you are the basics that we will be concerned about.

- Development of water supply-number of wells, production, quality of water. Cumulative effects when all wells are pumped together on the morabito wells and any other adjacent wells.
- Protection of community wells on the project site. Will all wells meet set-back of minimum 200' from on-site wastewater?
- Parcel sizes- limited area for on-site wastewater systems to be built to basin plan standards- 200% built and 100% back-up=300% area.
- Subsurface soil conditions-we have conflicting data on percolation rates. We will require 3 percolation tests and 1deep soil boring on each parcel to clarify conditions. We also have concerns with the soil characterization information showing sandy fat clay (CH) in the areas previously tested. This is not desirable for on-site septic systems. Sandy fat clay usually has slow percolation rates and may not meet the requirements for such small parcels. Larger parcels would probably be more favorable.
- Concerns regarding commercial business utilizing on-site septic systems-potential for hazardous waste products going into on-site septic systems.

I hope this is helpful, sorry it was not provided as promptly as possible

INTER-OFFICE MEMO

TO: South County Team, Planning Dept.

FROM: M. Goodwin, Engineering Dept

SUBJECT: Tract 2368

DATE: 18 August 2000

I have received two books, one entitled "Development Plan, Vesting Tentative Tract Map 2368" and the other entitled "Morabito-Burke Industrial Subdivision, Traffic Impact Analysis", along with a full size map. Is this a referral package for the Tract 2368 project? Or just advance copies of information on a forthcoming application? Has an application form been submitted along with fees, is there a Title Report yet? The mitigation measures mentioned in Traffic Impact Analysis should be incorporated as conditions of approval.

The Project Profile sheet submitted last February states that SLO Urban Area Standards apply, therefore curb, gutter and sidewalk will be appropriate, both on internal streets and along Hwy 227.

How is access to the Rodriguez Tract maintained? This Plan shows street frontage for Lots G, H & J only.

* In addition to complying with County Standards the following will be considered in designing, sizing and constructing the drainage basins and structures:

- The peak flow coming from the site will be examined in regards to downstream structure and channel capacity;
- The basins will maintain 2 year predevelopment peak discharge rates as well as pass any larger flows coming from offsite through the project;
- The project shall comply with the requirements of NPDES II;
- The rational method of calculating storm water runoff shall be modified by the inclusion of an antecedent moisture factor as follows $Q = M * C * i * A$

Recurrence Interval (years)	Antecedent Moisture Factor (M)
2 to 10	1.0
25	1.1
50	1.2
100	1.25

- For special design problems or drainage areas in excess of 200 acres the design engineer shall provide such references, treatise, model study report or prototype test as is necessary to confirm his hydraulic design.

Stock Conditions of Approval are attached in case this was intended to be the project referral, I can review and modify them if additional information becomes available.

U:\Tract 2368.wpd

TRACT 2368
MORRO BAY / OASIS

CONDITIONS OF APPROVAL

(1) **Wastewater Disposal**

A. This land division shall be annexed to ** prior to the filing of the final map.

B. Prior to the filing of the final map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system (Parcel(s) **, only).

C. A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area and shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association. Impervious paving over a disposal area is not considered acceptable.

D. A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress. Impervious paving over a disposal area is not considered acceptable.

E. A long term community septic tank and disposal area maintenance plan be submitted to the county Health Department, Regional Water Quality Control Board and the county Engineering Department for review prior to the filing of the final map.

F. The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with San Luis Obispo County, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final map.

G. The development be annexed to ** for sewer maintenance.

(2) **Vector Control and Solid Waste**

A. A determination of method of pick-up shall be specified by the waste handler and if

centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

(3) **Soils Report**

A. A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.

B. Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code must be submitted to the Engineering and Health Departments as well as the Department of Planning and Building prior to the filing of the map by the County Engineer. The date and person who prepared the report are to be noted on the map.

(4) **Access and Improvements**

A. Roads and/or streets to be constructed to the following standards:

a. on-site street A-2 urban 60 ** constructed to a ** section within a ** foot dedicated right-of-way.

b. Hwy 227 ** widened to complete a A-2 urban ** section fronting the property.

c. ** constructed to a ** section from the property to ** (minimum paved width to be ** feet).

B. The applicant offer for dedication to the public by certificate on the map or by separate document:

a. For future road improvement ** feet along ** to be described as ** feet from the recorded centerline.

b. For future road improvement ** feet along ** to be described as **.

c. For road widening purposes ** feet along **, to be described as ** feet from the recorded centerline.

d. The ** foot road easement as shown on the tentative parcel map with a ** foot radius property line return at the intersection of **.

e. A 20 min. ** foot radius property line return at the intersection of **. of all streets

f. The ** foot road easement terminating in a county cul-de-sac as shown on the

tentative map.

C. The intersection of ** and ** be designed in accordance with California Highway Design Manual.

D. Access be denied to lots 1, 24, 25, 26, & 28 ** from Hwy 227 ** and that this be by certificate and designation on the map.

E. The future alignment of ** shall be shown on the map as reserved for future public right-of-way.

F. A private easement be reserved on the map for access to lots **.

G. A practical plan and profile for access to Lots ** be submitted to the county Engineering Department and Department of Planning and Building for approval.

H. All grading shall be done in accordance with ~~Chapter 70~~ Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

(5) **Drainage**

A. Portions of the subdivision may be subject to flood hazard from **. Show the limits of inundation from a 100 year storm as an exhibit and note this as a required building restriction **[SAVE OR DELETE in an information notice/in the CC&R's.**

B. ** is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.

C. The existing drainage swale(s) to be contained in drainage easement dedicated on the map.

D. Submit complete drainage calculations to the County Engineer for review and approval.

E. ~~**[SAVE OR DELETE If calculations so indicate,]**~~ drainage must be **[RETAINED/DETAINED]** in a drainage basin on the property. The design of the basin to be approved by the County Engineer, in accordance with county standards. * (see comments on attached memo)

F. **[SAVE OR DELETE If a drainage basin is required,]** the drainage basin along with rights of ingress and egress be:

a. granted to the public in fee ~~on the map.~~ free of any encumbrance

b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

c. reserved as a drainage easement in favor of the owners and assigns.

G. **[SAVE OR DELETE If a drainage basin is required,]** a zone of benefit be formed within ** for maintenance of the drainage basin. Application to be filed with the County Engineering Department Administrator.

H. **[SAVE OR DELETE If a drainage basin is required,]** this development be annexed to ** for maintenance of the drainage basin. Evidence of acceptance to be filed with the County Engineer.

(6) **Utilities**

A. Electric and telephone lines be installed (underground)(overhead).

B. Cable T.V. conduits be installed in the street.

C. Gas lines are to be installed.

D. A ** feet public utility easement on private property along **, plus those additional easements required by the utility company, be shown on the map.

(7) **Plans**

A. Improvement plans be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the County Engineer and County Health Departments for approval. The plan to include:

a. Street plan and profile;
b. Drainage ditches, culverts, and other structures (if drainage calculations require);
c. Water plan (County Health);
d. Sewer plan (County Health);
e. Grading and erosion control plan for subdivision related improvements locations;
f. Public utility.
g. Tree Retention Plan to be approved jointly with the Environmental Coordinator's Office.

B. The applicant shall enter into an agreement with the county for inspection of said improvements, and for checking the improvement plans and the map.

C. The engineer, upon completion of the improvements, must certify to the County Engineer that the improvements are made in accordance with Subdivision Review Board/Planning Commission requirements and the approved plans. All Public Improvements shall be completed prior to occupancy of Any New Structure.

D. **[ADD OR DELETE If a drainage basin with a depth of 2 feet or greater as measured from the top of the rim to the lowest portion of the basin is required, then]** submit detailed landscaping plans for the Department of Planning and Building's review and

approval prior to filing of the map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:

a. Drainage basin fencing.

b. Drainage basin perimeter landscape screening.

c. Landscaping for erosion control.

d. **.

E. All approved landscaping shall be installed or bonded for prior to filing of the map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within ** days of completion of the improvements.

(8) **Covenants, Conditions and Restrictions**

A. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

a. Maintenance of drainage basin fencing.

b. Maintenance of drainage basin landscaping.

c. Maintenance of common areas.

d. Secondary dwellings shall not be allowed.

e. Designated building sites (and access drives) as delineated on an exhibit attached to the CC&R's reflecting the approved tentative map.

f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.

g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.

h. An agricultural buffer prohibiting residential structures, consisting of ** feet over parcels **, shall be shown on an exhibit attached to the CC&R's. This condition shall become null and void on individual parcels within this subdivision, upon the cessation for a minimum of one year of an Agriculture land use category

designation and/or any existing commercial agricultural business on adjacent parcels effecting this subdivision.

i. Maintenance of all local streets within the subdivision.

(j.) **. Maintenance of Drainage Basins and Storm water treatment system

(9) **Agreements**

Prior to recordation of the Final Map, the developer shall enter into an agreement with the county, in a form acceptable to the County Counsel, whereby the developer agrees, on behalf of himself and his successors in interest, that the following shall be done:

A. **Air Quality**

a. Only EPA approved wood burning appliances shall be allowed for all future residential uses.

b. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has recently issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process and a significant improvement in the odor nuisance may not be seen until 1992 or 1993. Therefore, buyers of new lots should be advised that these conditions exist.

B. **Oak Tree Mitigation**

a. No more than _____ _____ trees shall be removed as a result of the grading proposed for residences, driveways, and access roads. The trees removed shall be replaced in-kind at __:1 ratio. Replacement trees shall be from either vertical tubes or deep, one-gallon container sizes.

b. These newly planted trees shall be maintained until successfully established. This shall include caging from browsing animals (e.g., deer, rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). Trees shall be planted prior to occupancy. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) should be used. Once trees have been planted and prior to occupancy, the owner shall retain a qualified individual (e.g., arborist, nurseryman) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Division of the Department of Planning and Building.

c. To improve the success of this replanting, the owner shall retain a qualified

individual (e.g., arborist, landscape architect/contractor) to monitor the new trees until successfully established, on an annual basis, for no less than three years. These reports shall review the condition/success of the watering system and protection measures originally installed. The first report shall be submitted to the Environmental Coordinator's Division one year after the initial planting and thereafter on an annual basis until it has been determined that the newly planted trees are successfully established. The applicant, and successors-in-interest, agree to complete any necessary remedial measures identified in the report and required by the Environmental Coordinator.

d. All trees remaining on-site that are within fifty feet of construction or grading areas shall be marked for protection (e.g., with flagging) and their dripline staked or fenced prior to any grading. When possible, to protect oak trees "root zone", fencing around the tree shall be placed at 1-1/2 times the tree dripline measured from the trunk.

e. No grading, including utility trenching, or compaction of soil shall occur within these staked/fenced areas. Fill material placed within the trees' driplines shall also be avoided. If necessary, retaining walls (which avoid most roots) shall be constructed to minimize cut and fill impacts proposed within the trees' driplines. Care shall be taken to avoid surface roots within the top 18 inches of soil.

f. The property owner must minimize trimming of the remaining oaks. If trimming is necessary, either a skilled arborist or accepted arborist's techniques must be used when removing limbs. Unless a hazardous or safety situation exists, trimming shall be done only during the winter for deciduous species, and during July and August for evergreen species.

g. Smaller trees (6 inches diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

C. **Water Conservation**

a. Only ultra-low flow appliances (1.6 gallon toilets and 2.0 gpm shower and faucets) shall be allowed for all future residential uses.

D. **Waiver of Protest**

a. Waive the right to file or present any oral or written protest against the establishment of an assessment district for road improvements and all necessary appurtenances for between ** and **. The method of spreading the assessments shall be in accordance with state law. Provided, however, the developer shall have the right to present any oral or written testimony concerning the spreading of the assessments.

E. **Low Cost Housing**

a. Provide ** residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the ** units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

10. **Design**

A. The lots shall be numbered in sequence.

B. The ** on Lot ** be removed or brought into conformance with the Land Use Ordinance prior to filing the map original with the County Engineer. A demolition permit may be required.

C. The lot area of ** shall contain a minimum area of ** exclusive of area shown for rights of way AND ANY EASEMENT THAT LIMITS THE SURFACE USE FOR BUILDING CONSTRUCTION (22.04.021)

D. The applicant must apply to the Department of Planning and Building for approval of new street names.

11. **Fire Protection**

A. Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.

B. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to finalizing the map.

C. The subdivision is subject to the fire safety conditions established in the letter dated ** from the California Department of Forestry (CDF)/County Fire Department.

D. Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet.

12. **Easements**

A. The property owner shall grant an avigation easement to the county of San Luis Obispo via an avigation easement document prepared by the county. The avigation easementdocument shall be reviewed and approved by County Counsel prior to recordation of the map.

B. An open space easement be recorded for the open space parcel. It is to be held **[DELETE ONE in single ownership/in common by the Homeowner's Association]** or transferred to a public trust or conservancy agency approved by the Planning Director. The open space parcel is to be maintained as such in perpetuity.

13 **Miscellaneous**

A. Applicant shall file with the County Engineer an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.

B. This subdivision is also subject to the standard conditions of approval for all subdivisions utilizing ****Choose one, delete the rest[**community water and sewer/community water and septic tanks/individual wells and septic tanks**]**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

C. It is infeasible to provide low and moderate income housing as required by Section 65590 of the Government Code because it is infeasible to provide such housing when less than 10 new units are being constructed.

D. **All timeframes on approved tentative maps for filing of final parcel maps, tract maps or completion of lot line adjustments are measured from the date the hearing body approves the tentative map, not from any date of possible reconsideration action.**

E. ALL Public Improvements (roads, drainage, utilities) shall be completed prior to occupancy of any new structure. THIS NOTICE SHALL be included on an additional information sheet for any map recorded be fore improvements are complete.