

Addendum to the Initial Study/
Mitigated Negative Declaration for
the West Tefft, LLC Tract Map and
Conditional Use Permit Project, San
Luis Obispo County, California

OCTOBER 2023

PREPARED FOR

County of San Luis Obispo

PREPARED BY

SWCA Environmental Consultants

**ADDENDUM TO THE INITIAL STUDY/ MITIGATED NEGATIVE
DECLARATION FOR THE WEST TEFFT, LLC TRACT MAP
AND CONDITIONAL USE PERMIT PROJECT, SAN LUIS
OBISPO COUNTY, CALIFORNIA**

Prepared for

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SWCA Project No. 17443-057

October 2023

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1 INTRODUCTION

David Mashayekan (Applicant) has submitted a request (SUB2020-00021) to process a previously approved and expired Tract Map that would allow for the subdivision of an approved and partially constructed mixed-use development (revised project).

On August 11, 2005, the County of San Luis Obispo (County) adopted an Initial Study/Mitigated Negative Declaration (IS/MND) for the West Tefft, LLC Tract Map and Conditional Use Permit Project (original project) and approved a Tract Map (SUB2004-00134, Tract 2690) and Conditional Use Permit (CUP; DRC2007-00109; original project). The original project included a mixed-use planned development of seven retail and office buildings with twenty-two residential units under common ownership and a subdivision of the property into seven lots ranging from .07 to 1.5 acres each. In December 2006, an amendment to the Tract Map and CUP was approved which authorized the subdivision of the residential units into condominium units for individual sale and eliminated one of the seven lots (SUB2006-00014, Tract 2690). The amendment was determined to be consistent with the previously adopted IS/MND. The Tract Map expired on December 15, 2015, but three of the original project's commercial buildings and two residential units (above commercial) were constructed and are occupied. The three commercial buildings were considered substantial progress towards the CUP and the CUP is considered vested.

The project site is within the Commercial Retail land use category and is located at 691 West Tefft Street, approximately 1,500 feet west of the West Tefft Street and U.S. 101 intersection, within the community of Nipomo in the South County Planning Area.

2 PROJECT REVISIONS

The revised project includes a request for a condominium subdivision (Tract 3148) to subdivide the 2.85-acre lot into six individual lots ranging in size from 0.15 acre to 1.04 acres (the original project evaluated in the IS/MND included a common ownership subdivision of the 2.85-acre lot into seven lots ranging in size from 0.07 acre to 1.5 acres).

- Lot 1 (1.00 acre) would be a common area lot that would contain parking and drainage facilities and a new open space park area. The existing driveway access from West Tefft Street would be removed.
- Lot 2 (1.13 acres) would include the remaining twenty previously authorized live/work condominium units that would range in size from 1,018 square feet to 2,644 square feet. Lot 2 would include access from Flint Place.
- Lot 3 (0.15 acre) would contain an existing two-story mixed-use building that has health services on the first floor and an existing office upstairs (Building E, 4,542 square feet, PMT2013-03080).
- Lot 4 (0.15 acre) would contain an existing single-story commercial building that is occupied by a health services company (Building D, 2,916 square feet, PMT2012-01438). Lot 4 would also include a 15-foot-wide drainage easement along the southern property line.
- Lot 5 (0.19 acre) would contain an existing two-story mixed-use building occupied by Rexall Drugstore (medical retail) on the bottom with two existing residential apartments upstairs (Building C, 4,553 square feet, PMT2015-00592).

- Lot 6 (0.38 acre) would contain the remaining four commercial buildings authorized by the previously approved CUP but not yet constructed. Future Building A is planned to be a two-story mixed-use building with an auto parts store on the first floor and office uses on the second floor (approximately 6,880 square feet). Future Building B is anticipated to be a two-story mixed-use commercial/office building of approximately 5,800 square-feet. Future Building F is anticipated to be a two-story common ownership mixed-use building for office uses. Future Building G is anticipated to be a two-story common ownership mixed-use building with office uses.

The original project proposed access from three street frontages: West Tefft Street, Blume Street, and Stonehenge Street (referred to as Tanis Street in the 2006 approval, named Stonehenge Street per subsequent 2006 approval, currently named Flint Place). Access to the project site currently exists from West Tefft Street, Blume Street, and Flint Place. The revised project, as part of the Tract Map, would remove the existing access from West Tefft Street, per County Public Works request, and keep the other two existing accesses. Other tract improvements were completed prior to the expiration of Tract 2690.

3 PURPOSE OF ADDENDUM

Pursuant to Section 21166 of CEQA and Section 15162 of the State CEQA Guidelines, when a lead agency has adopted an IS/MND for a project, a subsequent IS/MND does not need to be prepared for the project unless the lead agency determines that one or more of the following conditions are met:

1. Substantial project changes are proposed that will require major revisions of the previous IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes would occur with respect to the circumstances under which the project is undertaken that require major revisions to the previous IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous IS/MND was adopted shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous IS/MND;
 - b. Significant effects previously examined will be substantially more severe than identified in the previous IS/MND;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives; or
 - d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous IS/MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

Pursuant to Section 15164 of the State CEQA Guidelines, preparation of an Addendum to an IS/MND is appropriate when none of the conditions specified in Section 15162 (above) are present and some minor technical changes to the previously adopted IS/MND are necessary.

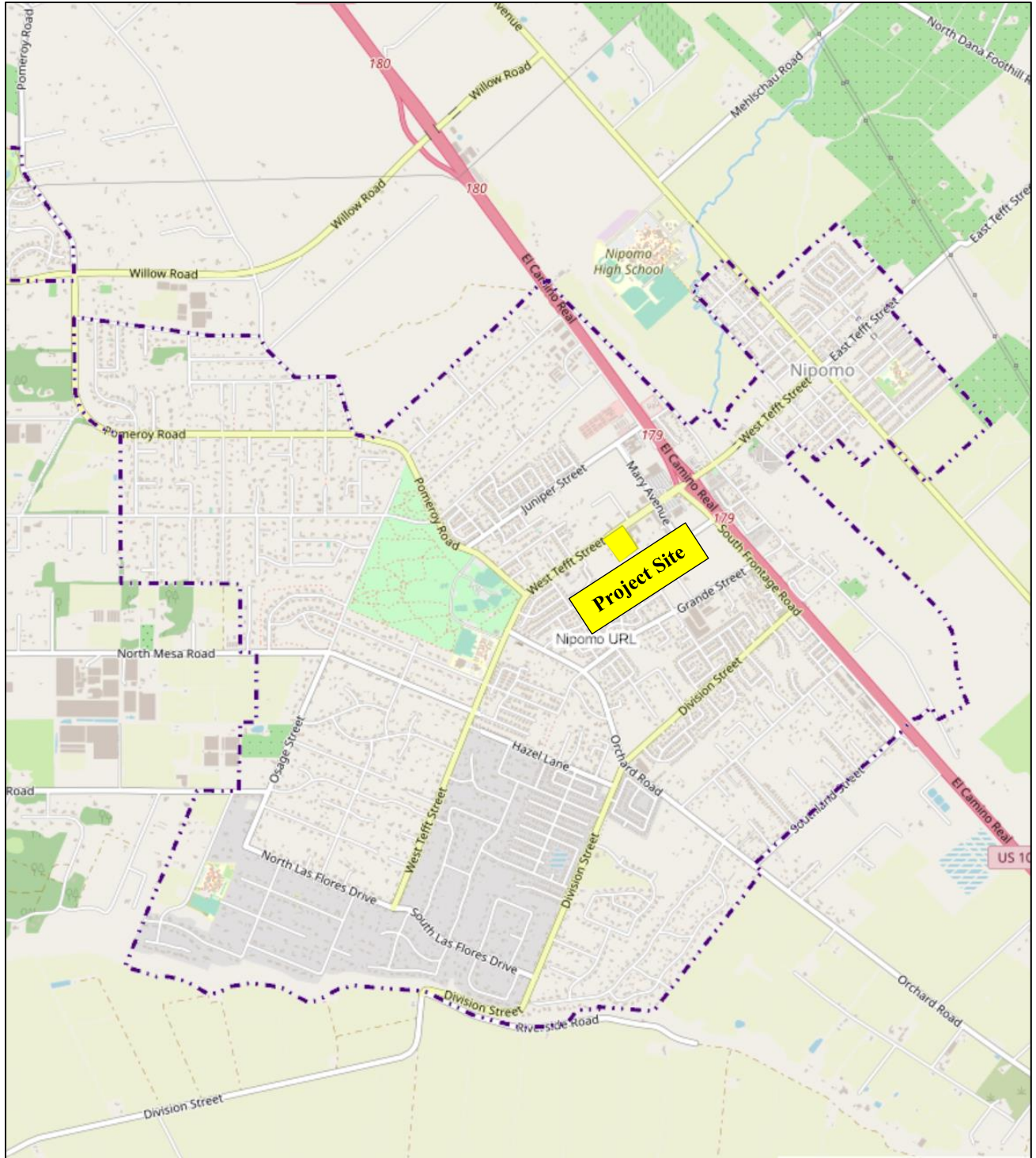


Figure 1. Project location map.

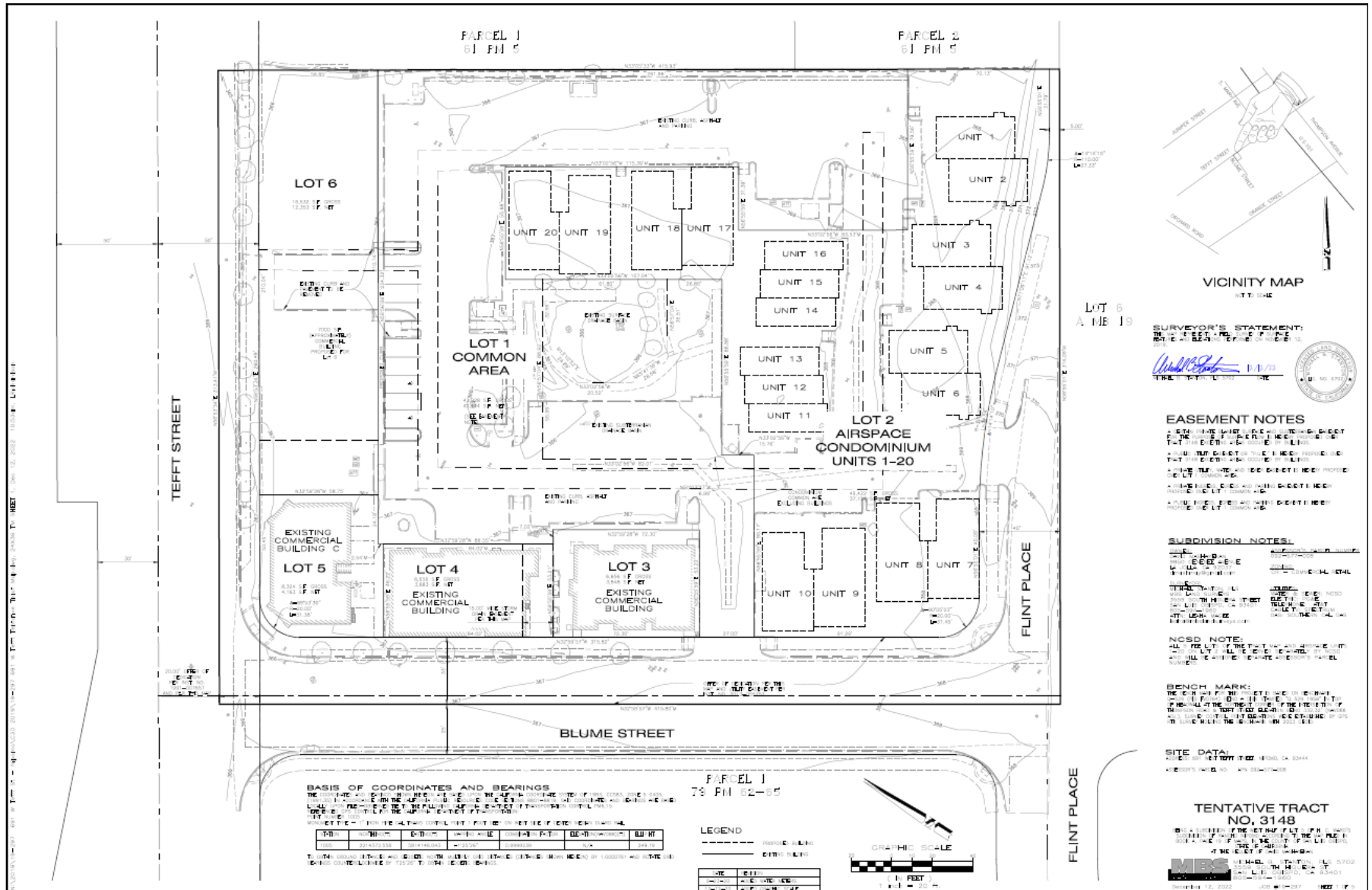


Figure 2. Tentative Tract Map

4 COMPARISON TO THE CONDITIONS LISTED IN STATE CEQA GUIDELINES SECTION 15162

The revised project would not result in increased construction or new development beyond what was previously analyzed in the adopted IS/MND and approved in the CUP. The revised project would not amend or modify the CUP, which is considered vested and is not a part of the revised project. Tract 3168 is effectively a rerun of a previously approved but expired map (Tract 2690) which had been found to be consistent with the adopted IS/MND. Since the IS/MND was adopted, the State CEQA Guidelines Appendix G, Environmental Checklist Form has been revised and now includes the discussion of new topic areas: Energy, Greenhouse Gas Emissions, Transportation, and Wildfire. Their current inclusion in the CEQA checklist does not warrant an analysis of the entire project unless the project changes would result in new or more severe significant environmental impacts or unless there is new information of substantial importance that was not known at the time of adoption of the IS/MND. The following discussion provides an analysis of the new topic areas.

4.1 Energy

The IS/MND was adopted prior to the inclusion of energy-related questions in the State CEQA Guidelines Appendix G, Environmental Checklist Form, and does not include a discussion of the original project's potential impacts on energy use. These new questions ask whether the project would:

- Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

While these questions were not incorporated into the adopted IS/MND, their current inclusion in the CEQA checklist does not warrant an analysis of the entire project unless the project changes would result in new or more severe significant environmental impacts or unless there is new information of substantial importance that was not known at the time of adoption of the IS/MND. Additionally, since the time of the adopted IS/MND, the State of California adopted the California Green Building Standards Code (CALGreen or Title 24) in 2009. The code is updated every 3 years and sets minimum requirements for sustainable practices for residential and commercial construction projects and includes regulations for energy efficiency, water efficiency and conservation, and material conservation and resource efficiency. New uses are now required to install solar (residential) or be solar-ready (commercial), reduce indoor water use by 20%, divert 50% of construction waste, and use low pollutant-emitting materials.

The revised project does not include new construction activities that would increase short-term energy consumption and does not authorize new or additional uses beyond what was previously approved. Additionally, due to more stringent efficiency standards required by the California Green Building Standards Code, the remaining development would be more energy efficient than if it were constructed in 2006. Therefore, no new or more severe impacts related to energy resources would occur.

4.2 Greenhouse Gas Emissions

The IS/MND was adopted prior to the inclusion of greenhouse gas (GHG) emissions-related questions in the State CEQA Guidelines Appendix G, Environmental Checklist Form, and does not include a discussion of the original project's potential impacts on GHG emissions. These new questions ask whether the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Since the IS/MND was adopted, California laws have expanded in regard to GHG emissions with the passage of the California's Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32) and SB 32. While CEQA now requires evaluation of potential GHG emission impacts of a project, based on the findings of *Citizens for Responsible Equitable Environmental Development v. City of San Diego*, GHG impacts are not a topic that constitutes "new information" triggering preparation of an EIR or negative declaration as opposed to relying on analysis from a prior EIR or negative declaration that did not analyze GHG impacts. Accordingly, a new GHG emissions analysis is not required for the revised project.

The revised project does not include new construction activities that could increase short-term emissions of GHGs and does not authorize new or additional uses beyond what was previously approved that would increase operational emissions of GHGs. Therefore, no new impacts related to GHG emissions under the revised project would occur.

4.3 Transportation and Traffic

Since the adoption of the IS/MND, revisions to the State CEQA Guidelines have occurred, including the change from Level of Service (LOS) to VMT as the preferred metric for evaluating a project's transportation impacts, in compliance with SB 743. The County has since developed a VMT Program (Rincon Consultants 2020; GHD 2021), which provides interim operating thresholds and includes a screening tool for evaluating VMT impacts.

While VMT was not specifically analyzed in the adopted IS/MND, its current inclusion in the CEQA checklist does not warrant an analysis of the entire project unless the project changes would result in new or more severe significant environmental impacts or unless there is new information of substantial importance that was not known at the time of adoption of the IS/MND.

The revised project does not include new construction activities and does not authorize new or additional uses beyond what was previously approved that would increase VMT associated with the project. Additionally, the Applicant provided an updated trip generation and VMT analysis with the map application materials (*Trip Generation and Vehicle Miles Travelled Analysis for the 691 West Teft Street Mixed-Use Development*; Associated Transportation Engineers 2023). According to the report, the residential portion of the project would generate less than 110 trips per day which would not generate a significant increase in VMT, and the yet-to-be-constructed commercial/office development would be less than 50,000 square feet which would also not generate a significant increase in VMT. Additionally, per the County's VMT Program Work Screening Map, the project site is identified as being in a 15% lower or less than baseline area, meaning non-residential uses in this area would not result in VMT impacts. Therefore, no new or more severe impacts related to VMT under the revised project would occur.

4.4 Wildfire

The IS/MND was adopted prior to the inclusion of wild wildfire-specific related questions in the CEQA checklist and therefore did not address impacts of wildfire outside of impacts to fire protection services and facilities (discussed in *Section 3.15, Public Services*). These new questions ask whether projects in or near State Responsibility Areas or Very High Fire Hazard Severity Zones would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.
- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

While these questions were not incorporated into the adopted IS/MND, their current inclusion in the CEQA checklist does not warrant an analysis of the entire project unless the project changes would result in new or more severe significant environmental impacts or unless there is new information of substantial importance that was not known at the time of adoption of the IS/MND.

The adopted IS/MND does not include an evaluation of the original project's potential impacts related to wildfire. However, Section 7, *Hazards and Hazardous Materials*, of the adopted IS/MND determined that, based on required compliance with the California Building Code, California Fire Code, and the Public Resources Code, the project would not result in significant risk associated with wildfire. Further, the adopted IS/MND determined that the original project would not conflict with emergency access or evacuation efforts at the project site. The project would remove one of the site's accesses from West Tefft Street, but would still provide adequate access from Blume Street and Flint Place. Based on adherence to existing requirements, the revised project would not increase risk of wildfire at the project site. Therefore, the revised project would not result in new impacts related to wildfire.

5 BASIS FOR ADDENDUM

Based on the analysis provided above, Tract 3148 would not trigger any of the conditions listed in State CEQA Guidelines Sections 15162 or 15164 and would not require the preparation of a subsequent IS/MND. The revised project is relatively minor in nature and, as documented above, would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous IS/MND was adopted has been identified. The County has reviewed and considered the information contained in this Addendum and finds that the preparation of subsequent CEQA analysis that would require public circulation is not necessary.

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6 REFERENCES

Associated Transportation Engineers. 2023. *Trip Generation and Vehicle Miles Travelled Analysis for the 691 West Teft Street Mixed-Use Development*.

California Governor's Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluation Transportation Impacts in CEQA*. Electronic Document. Available at: https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed April 11, 2023.

County of San Luis Obispo. 2005. *West Tefft, LLC Tract Map and Conditional Use Permit Initial Study and Mitigated Negative Declaration*.

GHD. 2021. *VMT Thresholds Study*. March.

Rincon Consultants. 2020. *Transportation Impact Analysis Guidelines*. October.



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (BP)

ENVIRONMENTAL DETERMINATION NO. ED04-322

DATE: July 7, 2005

PROJECT/ENTITLEMENT: West Tefft, LLC; Tract Map and Conditional Use Permit SUB2004-00134, Tract 2690

APPLICANT NAME: West Tefft, LLC
ADDRESS: 1248 Grand Ave. Arroyo Grande, CA, 93420
CONTACT PERSON: Same as applicant

Telephone: 805-929-3311

PROPOSED USES/INTENT: Request by West Tefft, LLC for a 1) mixed-use planned development including retail, office, and residential uses, and two on-site roads, and 2) subdivision of an existing 2.85-acre parcel into seven parcels ranging from .07 to 1.5 acres each, which will result in the disturbance of the entire 2.85-acre parcel.

LOCATION: The project is located at 691 West Tefft Street, approximately 0.25 mile west of Highway 101, in the community of Nipomo, in the South County Inland planning area.

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

OTHER POTENTIAL PERMITTING AGENCIES: Air Pollution Control District; State Water Resources Control Board

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 July 21, 2005
30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

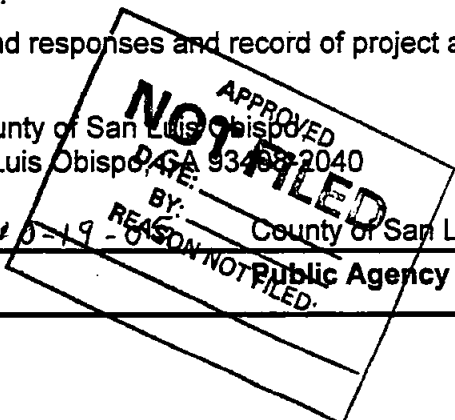
This is to advise that the San Luis Obispo County PC as **Lead Agency**
 Responsible Agency approved denied the above described project on 8-11-05, and has made the following determinations regarding the above described project:

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

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

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

Brian Pedrotti Brian Pedrotti 8-11-05
Signature **Project Manager Name** **Date**



**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION**

De Minimis Impact Finding

PROJECT TITLE & NUMBER: West Tefft, LLC Tract Map and CUP; SUB2004-00134 ED04-322

Project Applicant

Name: West Tefft, LLC
Address: 1248 Grand Avenue
City, State, Zip Code: Arroyo Grande, CA, 93420
Telephone #: 805-929-3311

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

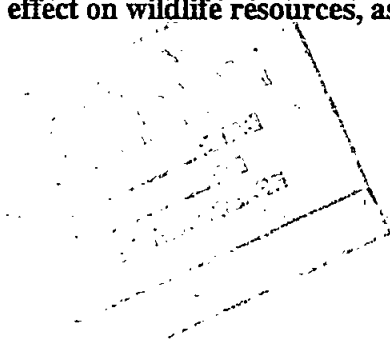
FINDINGS OF EXEMPTION:

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

- (X) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____
- () Other: _____

CERTIFICATION:

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



Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

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: Request by West Tefft, LLC for a 1) mixed-use planned development including retail, office, and residential uses, and two on-site roads, and 2) subdivision of an existing 2.85-acre parcel into seven parcels ranging from .07 to 1.5 acres each, which will result in the disturbance of the entire 2.85-acre parcel. The proposed road names are Blume Street and Tanis Street. The proposed project is within the Commercial Retail land use category and is located The project is located at 691 West Tefft Street, approximately 0.25 mile west of Highway 101, in the community of Nipomo, in the South County Inland planning area

ASSESSOR PARCEL NUMBER(S): 092-130-013

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Nipomo

LAND USE CATEGORY: Commercial Retail

COMBINING DESIGNATION(S): None

EXISTING USES: Undeveloped

TOPOGRAPHY: Nearly level

VEGETATION: Grasses

PARCEL SIZE: 2.85 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Commercial Retail/ W. Tefft Street, commercial uses, undeveloped	<i>East:</i> Commercial Retail/ commercial services
<i>South:</i> Residential Multi-family/ residences	<i>West:</i> Commercial Retail/ single family residence, undeveloped



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. West Tefft, LLC Tract Map and Conditional Use Permit; SUB2004-00134 TR 2690 ED04-322

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.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

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

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent: A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

MORRO GROUP, INC.
Prepared by (Print)

[Signature]
Signature

04/13/05
Date

Saen McMasters
Reviewed by (Print)

[Signature]
Signature

Ellen Carroll,
Environmental Coordinator S/12/05
(for) 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: Request by West Tefft, LLC for a Tract Map and Conditional Use Permit to subdivide an existing 2.85-acre parcel into seven parcels ranging from .07 to 1.5 acres each for the purpose of a mixed-use development plan including retail, office, and residential uses. The division will create two on-site roads. The proposed road names are Blume Street and Tanis Street. The proposed project will result in the disturbance of the entire 2.85-acre parcel. The proposed project is within the Commercial Retail land use category and is located on the south side of West Tefft Street (at 691 West Tefft Street), in the community of Nipomo. The project site is in the South County Inland, Nipomo planning area.

ASSESSOR PARCEL NUMBER(S): 092-130-013

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Nipomo

LAND USE CATEGORY: Commercial Retail

COMBINING DESIGNATION(S): None

EXISTING USES: Undeveloped

TOPOGRAPHY: Nearly level

VEGETATION: Grasses

PARCEL SIZE: 2.85 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Commercial Retail/ W. Tefft Street, commercial uses, undeveloped	<i>East:</i> Commercial Retail/ commercial services
<i>South:</i> Residential Multi-family/ residences	<i>West:</i> Commercial Retail/ single family residence, undeveloped

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) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located on the southern side of West Tefft Street (at 691 West Tefft Street), approximately 1,700 feet west of Highway 101, in the community of Nipomo. The project site is located adjacent to commercial development to the north and east, and residential development to the south and west. The proposed project consists of subdividing the 2.85-acre site into seven mixed-use lots, with the following uses:

Lot #	Acres	Proposed Use
Dedicated	.61	Blume Street, Tanis Street and West Tefft Street sidewalk improvements
1	1.05	Park, Parking (77 uncovered spaces), and access improvements
2	.70	Buildings F- three-story residential triplex (3); Building G- two-story residential triplex (2); and Buildings H- three-story commercial/residential duplex (4)
3	.08	Building E- two-story commercial/residential building (1)
4	.07	Building D- two-story commercial/office building (1)
5	.10	Building C- two-story commercial/office building (1)
6	.11	Building B- two-story commercial/office building (1)
7	.13	Building A- two-story commercial/office building (1)

Proposed improvements include: four two-story commercial buildings with first floor retail space and second floor office space (Building A through Building D); one two-story building with first floor retail space and two second floor residential units (Building E); three three-story residential duplex buildings with potential first floor office space (Buildings F); two two-story residential triplex buildings with potential first floor office space (Buildings G); four three-story buildings with first floor office space and two-story residential duplex units above (Buildings H); and, approximately 21,000 square feet of landscaping and park improvements, 113 parking spaces (77 open, 38 covered), two roads, and an underground water infiltration basin resulting in approximately 2.85 acres and 12,000 cubic yards of site disturbance (refer to Figures 1 through 8). The project site is undeveloped, with vegetation

consisting of non-native grasses and a single pine tree, which would be removed prior to construction. The surrounding area is characterized by commercial uses, single-family residences, and undeveloped areas. The area's topography consists of flat to gently sloping developed areas and gently sloping undeveloped grassland with areas of mature eucalyptus trees.

The proposed buildings would be approximately 30 to 37 feet in height with the majority consisting of varied natural colored stucco building material, muted accent colors, and tile roofing. Muted red stucco with green accent is proposed for Building C (corner of West Tefft Street and Blume Street). The commercial buildings fronting West Tefft Street and Blume Street include a rock or brick veneer. The proposed mixed-use development would be visible from West Tefft Street, a two lane arterial road used primarily by local residents, business patrons, employees, and visitors to the area. The proposed project would extend the existing commercial development further west while the proposed residential uses on second floors and rear buildings would be located adjacent to existing residential development. The proposed two-story retail and office buildings on West Tefft and Blume Streets include varied architectural elements, detailed facades, and ornate signage that would enhance the existing character of the commercial environment. Residential uses are restricted to rear lot locations and upper floors not fronting West Tefft Street.

Based on the location and design of the proposed project, no significant visual impacts are expected to occur.

Mitigation/Conclusion. Based on the above discussion, no impacts to visual resources are anticipated and no mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located in the Commercial Retail land use category. The soil type and class for "non-irrigated" and "irrigated" soil, as described in the Natural Resource Conservation Service (NRCS) Soil Survey, is Oceano sand (non-irr: IV, irr: IV). Surrounding land uses include commercial and residential development. No agricultural uses are present on the project site or surrounding area.

Mitigation/Conclusion. No agricultural incompatibility impacts would occur; therefore no mitigation measures are required.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <u>Other: <i>Dust</i></u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralcoa Way Air Quality Monitoring Station. Based on the latest air monitoring station information, the trend in air quality in the general area is improving.

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM₁₀) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

The proposed project site is located adjacent to existing commercial development along West Tefft Street, and is located immediately west of the central business district of the Nipomo Village. The project site is bordered by residential development to the south. Residential areas are sensitive to air pollution, including both construction and operational emissions. Approximately 2.85 acres of site disturbance would occur during grading activities for the construction of the proposed mixed-use buildings, access roads, drainage improvements, and utility installation. The project site is located in the South County Air Quality Mitigation (SCAQM) fee area. New residences will be subject to the SCAQM fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reducing single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements, encouraging carpooling through park-and-ride lot improvements and ridesharing advertising, promoting the use of bicycles through bike lane installation, reducing dust through limited road paving of several unpaved roads, and by providing electronic information/services locally to reduce vehicle trip lengths.

Impact. The proposed project was referred to the County of San Luis Obispo Air Pollution Control District (APCD) for review and determination of any air quality impacts potentially resulting during both the construction and operational phases of the proposed project. APCD commended the project for proximity to commercial and transit services and multi-storied buildings creating a higher density land

use. APCD additionally determined that the implementation of the proposed project could result in potentially significant air quality impacts (Jan Downs Vidalin; October 27, 2004). Air quality impacts during construction include the release of fugitive dust (PM₁₀), the potential release of naturally occurring asbestos, and un-permitted developmental burning. Potential operational impacts include mixed-use incompatibilities, residential wood combustion devices, and exceedance of APCD thresholds of significance.

Naturally-Occurring Asbestos. The project site is located in an area potentially naturally occurring asbestos, serpentine or ultramafic rock. Asbestos is considered a toxic air contaminant by the State Air Resources Board. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact. APCD approved a request for exemption from asbestos regulations based on review of the geological evaluation prepared for the proposed project (Tim Fuhs; December 16, 2004).

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning under restrictions may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Fugitive Dust (PM₁₀). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents and businesses in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact.

Mixed Use Incompatibility. The proposed project includes mixed-use buildings with residential units sharing building space with potentially incompatible commercial operations due to odors and/or dust.

Operational Phase Emissions. APCD determined that the proposed residential and commercial development would likely exceed the Tier I significance thresholds of 10 lbs/day for NOX and ROG.

Wood Combustion. Only APCD-approved wood burning devices may be installed in new residential dwelling units.

Mitigation/Conclusion.

Asbestos. In the event asbestos, serpentine, or ultramafic rock is discovered during construction, all asbestos regulations shall apply, the APCD shall be notified, and the approved exemption shall immediately expire.

Developmental Burning. To minimize the effects of vegetative burning on regional air quality, the applicant is required by regulation to avoid burning, or if no alternative is available, obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Fugitive Dust (PM₁₀). To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including reducing the amount of disturbed area where possible, the use of water trucks or sprinkler systems to water down airborne dust, daily spraying of dirt stock-pile areas, paving of applicable surfaces as soon as possible after grading, laying of building pads as soon as possible.

Mixed Use Incompatibility. To avoid potential nuisance problems from odors and/or dust from incompatible commercial uses (nail salons, dry-cleaners, coffee roasters, furniture refurbishing/refinishing) within close proximity to residential units, the applicant has agreed to restrict

these uses to non-residential buildings.

Operational Phase Emissions. To mitigate for the anticipated generation of NOX and ROG exceeding APCD thresholds, the applicant shall incorporate APCD mitigation into the project including bicycle parking, on-site eating, preferential carpool and vanpool parking, shower and locker facilities, and an increase in wall and attic insulation beyond Title 24 requirements. In addition, at least three additional mitigation measures, including improvements to site design, energy efficiency, and/or transportation design management are required (refer to APCD Referral; October 27, 2004) for mitigation options.

Wood Combustion. The applicant has agreed to install only APCD approved wood burning devices in proposed new dwelling units.

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified air quality impacts to levels of insignificance.

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

Setting/Impact. The proposed project site is an undeveloped parcel adjacent to commercial and residential development. Vegetation on the project site consists of non-native grasses and one pine tree. The California Natural Diversity Database (2005) does not document any sensitive species located on the project site. Although within a vernal pool region, the project site is nearly level, devoid of depressions or varied vegetation, and no vernal pools were observed onsite.

The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species and no significant biological impacts are expected to occur.

Mitigation/Conclusion. Based on the above discussion and absence of sensitive species or habitats, no impacts to biological resources are anticipated and no mitigation measures are necessary.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is located in an area historically occupied by the Obispeno Chumash. The applicant submitted a *Cultural Resources Survey and Impact Assessment* (C.A. Singer and Associates, Inc.; June 7, 2004) report including the results of a regional records search and field survey of the project site. Both prehistoric and historic cultural resources are known to exist in the Nipomo area. No archeological resources were identified during the surface survey and no further investigation is required. No historic structures are present and no paleontological resources are known to exist in the area.

Mitigation/Conclusion. Based on the lack of findings on the project site, it is unlikely that cultural resources are present. In the event cultural resources are discovered during construction, all work in the area shall cease and the contractor shall contact the appropriate authorities, as required by Section 22.10.040 of the County Land Use Ordinance. No additional mitigation measures are necessary.

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>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?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Geology. The topography of the project site is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide and liquefaction potentials are low. No active faulting is known to exist on or near the project site. The project is within a known area containing serpentine or ultramafic rock or soils. Geological data prepared for the project was reviewed by the APCD and it was determined the site did not contain potential asbestos-releasing soils (refer to Section 3, Air Quality). A *Soils Engineering Report* conducted for the project by Earth Systems Pacific (June 17, 2004) included several standard recommendations for site preparation and construction. There is no evidence that measures above what would already be required by ordinance or code are necessary.

Drainage. The area proposed for development is outside the 100-year Flood Hazard designation. The closest source of surface water from the proposed development is Nipomo Creek, located approximately 0.5 mile to the east. As described in the NRCS Soil Survey, the soil is considered well drained. The proposed drainage system would consist of an underground infiltration basin located below the proposed park in the center of the site, as well as landscaped areas to retain additional runoff. Cannon Associates prepared drainage calculations to identify the required capacity of the proposed infiltration basin to ensure that off-site drainage would not exceed historic flows (691 Tefft St., Nipomo, CA. *Drainage Calculation*; June 24, 2004). There is no evidence that measures above what would already be required by ordinance or code are needed.

Sedimentation and Erosion. The soil type mapped for the project site is Oceano sand (0-9% slope). As described in the NRCS Soil Survey, the soil has a high erodibility and low shrink swell characteristics. Two roads, fourteen mixed-use buildings, curb, gutter and sidewalk improvements, a park, and onsite parking are proposed. Proposed Blume Street would provide access to the project site from West Tefft Street along the western property line, and intersect with proposed Tanis Street located along the southern property line, parallel to West Tefft Street. Proposed retaining walls would range in height from 0.5 to 5.0 feet and are proposed along Blume Street and Tanis Street, south of the easternmost Building F, and adjacent to Building C and Building D. Implementation of the proposed project would result in the disturbance of 2.85 acres.

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 that 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.

Impact. Grading for and construction of fourteen mixed-use buildings, roadways, associated paving, landscaping and drainage improvements would create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Total grading activities and site disturbance would be approximately 2.85 acres for the proposed project, and would be subject to the NPDES program.

Mitigation/Conclusion. Pursuant to Clean Water Act regulations, the applicant is required to prepare and implement a SWPPP during construction to minimize off-site sedimentation and erosion impacts. Based on the above discussion and implementation of a SWPPP, geology and soils impacts would be mitigated to insignificance and no further measures are required.

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

Setting/Impact. The project is not located in an area of known hazardous material contamination. The project is within a moderate severity risk area for fire. The proposed project is located within the State Responsibility Area for wildland fires and was referred to the California Department of Forestry (CDF)/County Fire Department. No significant fire safety concerns were identified (Chad T. Zrelak; November 10, 2004). The project is not within the Airport Review area.

The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. Pursuant to State Fire Code, standard fire safety measures would be required for future development, such as adequate water supply connection, access road and driveway standards, and fuel modification. Implementation of standard requirements would minimize potential fire risk to less than significant and no additional mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Noise Exposure. The proposed project site is located approximately 1,000 feet west of Highway 101 and immediately south of West Tefft Street. These roads are the primary source of noise in the area. According to the *County Noise Element*, the northern half of the project site is located within the 65 Ldn noise level contour and the southern half is within the 60 Ldn noise level contour (County of San Luis Obispo; May 1992). Proposed noise sensitive components include residential uses and offices.

Noise Generation. Implementation of the proposed project would potentially result in the generation of traffic trips, which would contribute to the cumulative generation of transportation-related noise. The proposed project site is located in the midst of a major highway, expanding commercial development and residential development; therefore, generation of these trips would not result in a significant level of transportation-related noise.

Impact. The *County Noise Element* states that the maximum acceptable exterior noise level for both residential development and offices is 60 dB Ldn and that the maximum acceptable interior noise level is 45 dB. The proposed project site is located within the 65dB to 60dB Ldn noise contours for West Tefft Street. Proposed buildings A, B, and C would be located adjacent to West Tefft Street, and would house commercial businesses and offices. The proposed residential uses would be located in the rear half of the project site. An outdoor park area would be located in the center of the parcel, surrounded by proposed structures. Based on the location of the outdoor use area, the proposed buildings along West Tefft Street would absorb traffic-generated noise, and no additional mitigation is necessary to reduce outdoor noise levels. Indoor noise levels experienced in buildings A, B, and C may exceed the threshold of 45 dB allowed by the *County Noise Element*.

Mitigation/Conclusion. The applicant has agreed to incorporate the use of noise reduction features on buildings A, B, and C to reduce the level of interior noise caused by traffic on West Tefft Street. Buildings constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals, baffled roof and attic vents, and additional construction specifications would mitigate potential indoor noise impacts to a level of insignificance (County of San Luis Obispo; May 1992). Based on the above discussion and implementation of mitigation measures listed in Exhibit B, potentially significant noise impacts would be reduced to a level of insignificance.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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9. POPULATION/HOUSING -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

The County has recently adopted a revised Housing Element. One of the new Housing Element Programs (Program HE 1.9) indicates that the County will prepare an Inclusionary Housing Ordinance during 2005. Upon adoption of the ordinance, future commercial development may be required to pay a fee to support development of new affordable housing. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. The proposed project does not include specifically identified affordable housing. Prior to map recordation, the applicant is required to pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project. No significant population and housing impacts are anticipated, and no additional mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Nipomo CDF Station 20) is located approximately one mile to the east. The closest Sheriff substation is in Oceano, which is approximately ten miles from the proposed project. The project is located in the Lucia Mar Unified School District. The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. This project, along with numerous others in the area will have a cumulative effect on police and fire protection, and schools. Public facility (county) and school (State Government Code 65995 et sec) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The County Trails Plan does not show a future trail on the proposed project site. The proposed project was referred to the County Department of General Services Parks Division for review. The Parks Division did not identify any project-specific potentially significant impacts. Implementation of the proposed mixed-use development and occupation of 22 residential units would contribute to the cumulative demand for recreational resources in San Luis Obispo County.

Mitigation/Conclusion. In order to offset the cumulative demand for recreational resources, the applicant would be required to pay Quimby and Building Division fees unless the applicant provides County Parks with adequate information for either a Quimby Credit or Public Facility Fee credit (Jan DiLeo; November 23, 2004). No additional mitigation measures are necessary.

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

Setting. The proposed project site is accessed from West Tefft Street, and is located west of the Highway 101 and Tefft Street interchange. West Tefft Street is an arterial that extends from Orchard Road to the west, crosses through the Highway 101 interchange, and continues east past the Nipomo URL limits. The applicant proposes to construct Blume Street, which would intersect with West Tefft Street near the southwest corner of the project site, and Tanis Lane, which would extend along the southern boundary of the project site. Access driveways for the proposed development would be located on West Tefft Street, Blume Street, and Tanis Lane.

Impact. The proposed project was referred to the County Public Works Department for review. The Public Works Department is currently consulting with the California Department of Transportation (Caltrans) regarding future improvements to the Highway 101 and Tefft Street interchange. Based on traffic calculations and analysis completed by the Public Works Department, the Level of Service at the Highway 101 and Tefft Street interchange is LOS D (Richard Marshall; April 8, 2005). All existing roadways and intersections affected by the proposed project are currently operating at acceptable levels of service for urban roadways. The Public Works Department reviewed the proposed development, and determined that no project-specific traffic impacts would occur.

The continued development of Nipomo, including the proposed project, would increase the traffic demands on West Tefft Street, and the Highway 101 and Tefft Street interchange. Based on consultation with the Public Works Department, the Level of Service at the interchange would

decrease to LOS F under the cumulative build-out scenario. The County has developed the South County Road Fee Program to collect fees to be used towards road improvement projects within Nipomo and South County, including future improvements to the Highway 101 and Tefft Street interchange.

Mitigation/Conclusion. The proposed project is located within the Area 1 of the South County Fee Area. Prior to issuance of permits for future land uses on the project site, the applicant would be required to contribute to the fee program. The fees contributed to this program would partially finance the implementation of improvements to the Highway 101 and Tefft Street interchange, and mitigate cumulative impacts resulting from future development. Implementation of this measure would mitigate potential impacts to less than significant, and no additional mitigation measures are required.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project's waste disposal needs would be served by the Nipomo Community Services District (NCSD). The Department of Environmental Health has received a "preliminary will serve" letter from the NCSD, which has indicated it has adequate resources to serve the project (Laurie Salo; October 28, 2004). The NCSD operates two sewage treatment plants, the Southland Wastewater Works and the Black Lake Wastewater Works. The Southland facility serves the main community, including the proposed project site. Based on the County *Annual Resource Summary Report* (2003), the Southland facility was at 42.3 percent capacity in 2003, based on a served population of 5,905. The facility would reach capacity at a population of 13,959. Implementation of the proposed project would not significantly affect the capacity of the facility.

Mitigation/Conclusion. The NCSD issued a preliminary intent-to-serve letter for sewer services. A final will-serve letter from the District would be required prior to recordation of the final map. No additional measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Surface Water. The proposed project site is not located near any sources of surface water. The topography of the site is nearly level to gently sloping. Standard drainage and erosion control measures and preparation of a SWPPP (refer to Section 6) would be required for the proposed project and would provide sufficient measures to adequately protect surface water quality. No additional measures are considered necessary and potential water quality impacts are either insignificant or will be reduced to less than significant levels.

Water Usage. The project proposes to use the NCSD as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project (Laurie A. Salo; October 28, 2004). The NCSD pumps water from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria).

Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 2.3% growth limit, as depicted in the Growth Management Ordinance.

Effective immediately, the County Flood Control and Water Conservation District will implement improved well monitoring and water quality monitoring programs for this area. Water purveyors in the

Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water. Also effective immediately, building permits must include the full range of water conservation measures, including: low water-use toilets, showerhead, faucets; low water-use clothes washers; automatic shut-off devices for bathroom and kitchen faucets; point-of-use supplemental water heater systems in bathrooms and kitchen, or circulating hot water systems; low water-use landscape; limited landscape areas; limited turf areas; low water-use plant materials; soil moisture sensors; drip irrigation systems; and separate meters for outdoor water use.

The Board of Supervisors also directed staff to process a general plan amendment (planning area standard) that would expand the application of landscape standards in the LUO (Sec. 22.16.020) for projects in the area subject to the 2.3% growth limit. Low water-use landscapes will now be required for all developer-installed landscapes on parcels of 5 acres or less in any land use category. In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations will be recommended.

Mitigation/Conclusion. To conserve water, the project will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240) in addition to the measures described above. The ordinance 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; spas and hot tubs shall use re-circulating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter. Based on implementation of required water conservation measures, water impacts would be reduced to insignificance and no further measures are necessary.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>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?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. 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, South County Inland Area Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be

consistent with these documents (refer also to Exhibit A on reference documents used). The project site is not within or adjacent to a Habitat Conservation Plan area. The proposed project is consistent with existing land uses because it is a mixed-use project. Proposed commercial components would be located adjacent to existing commercial development and residential components adjacent to existing residential development.

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
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- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <p>a) <i>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?</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b) <i>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 projects, and the effects of probable future projects)</i></p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" 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.

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) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input checked="" type="checkbox"/>	County Parks	Attached
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Nipomo Community Services District	None
<input checked="" type="checkbox"/>	Other <u>Pacific Bell</u>	In File**
<input checked="" type="checkbox"/>	Other <u>Leonard Mansell</u>	In File**

** "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.

<input checked="" type="checkbox"/>	Project File for the Subject Application	<input checked="" type="checkbox"/>	South County (Inland) Area Plan and Update EIR
<u>County documents</u>		<input type="checkbox"/>	Circulation Study
<input type="checkbox"/>	Airport Land Use Plans	<u>Other documents</u>	
<input checked="" type="checkbox"/>	Annual Resource Summary Report	<input checked="" type="checkbox"/>	Archaeological Resources Map
<input checked="" type="checkbox"/>	Building and Construction Ordinance	<input checked="" type="checkbox"/>	Area of Critical Concerns Map
<input type="checkbox"/>	Coastal Policies	<input checked="" type="checkbox"/>	Areas of Special Biological Importance Map
<input checked="" type="checkbox"/>	Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/>	California Natural Species Diversity Database
<input checked="" type="checkbox"/>	General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/>	Clean Air Plan
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/>	Fire Hazard Severity Map
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/>	Flood Hazard Maps
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/>	Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/>	Regional Transportation Plan
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/>	Uniform Fire Code
<input type="checkbox"/>	<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/>	Water Quality Control Plan (Central Coast Basin - Region 3)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/>	GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/>	Other _____
<input type="checkbox"/>	<input type="checkbox"/> Real Property Division Ordinance		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Trails Plan		
<input type="checkbox"/>	<input type="checkbox"/> Solid Waste Management Plan		

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

Cannon Associates. June 24, 2001. *691 Tefft St., Nipomo, CA Drainage Calculation.*

C.A. Singer and Associates, Inc. June 7, 2004. *Cultural Resources Survey and Impact Assessment.*

Earth Systems Pacific. June 17, 2004. *Soils Engineering Report.*

Exhibit B - Mitigation Summary Table

Air Quality

- AQ-1** During construction, in the event naturally occurring asbestos, serpentine, or ultramafic rock is discovered, the applicant must comply with California Air Resources Board asbestos measures, and report the discovery to the APCD no later than the next business day. The issued asbestos exemption for the project shall expire and cease to be effective.
- AQ-2** Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:
- Reduce the amount of the disturbed area where possible.
 - Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
 - All dirt stock-pile areas should be sprayed daily as needed.
 - All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
 - Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- AQ-3** To avoid incompatibilities with residential uses (complaints from odors and/or dust), no nail salons, dry-cleaners, coffee roasters, furniture refurbishing/refinishing or similar uses may occur in buildings with residential units.
- AQ-4** Prior to issuance of building permits, in the instance wood burning stoves are proposed, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
- All EPA-Certified Phase II wood burning devices;
 - Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
 - Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
 - Pellet-fueled woodheaters, and;
 - Dedicated gas-fired fireplaces.
- AQ-5** Prior to issuance of use permit, the following measures shall be incorporated into the project:
- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
 - Provide on-site eating, refrigeration, and food vending facilities to reduce employee lunchtime trips.
 - Provide preferential carpool and vanpool parking spaces.
 - Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
 - Increase walls and attic insulation beyond Title 24 requirements.

AQ-6 Prior to issuance of use permit, at least three additional APCD mitigation recommendations shall be incorporated into the project. Potential mitigation addressing Site Design, Transportation Demand, and Energy Efficiency are listed in the attached letter (Jan Downs Vidalin, APCD; October 27, 2004).

AQ-7 Prior to approval of specific business uses, the applicant shall obtain APCD permits if required. Potential uses subject to APCD permit approval include, but are not limited to: electrical generation plants or the use of standby generator, food and beverage preparation (primarily coffee roasters), furniture and fixture products, small scale manufacturing, and dry cleaning.

Noise

N-1 Prior to issuance of construction permits, the applicant shall submit plans showing that the following noise mitigation features are included on proposed buildings A, B, and C (adjacent to West Tefft Street):

- a. Air conditioning or a mechanical ventilation system is installed so that windows and doors may remain closed.
- b. Windows and sliding glass doors are mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications).
- c. Exterior doors are solid core with perimeter weather stripping and threshold seals.
- d. Exterior walls consist of stucco or brick veneer.
- e. Glass in both windows and doors shall not exceed 20 percent of the floor area in a room facing West Tefft Street.
- f. Roof or attic vents facing the noise source shall be baffled.
- g. The interior sheetrock of exterior wall assemblies shall be attached to studs by resilient channels. Staggered studs or double walls are acceptable alternatives.
- h. Window assemblies shall have a laboratory-tested STC rating of 30 or greater.

Recreation

R-1 Prior to recordation of final map, the applicant shall pay all applicable Quimby and Building Division Fees.

Wastewater

WW-1 Prior to recordation of the final map, the applicant shall submit a final "will-serve" letter from the Nipomo Community Services District to the Department of Environmental Health.

Water

W-1 Prior to issuance of building permits, construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

W-2 Prior to final inspection, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot

water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance, the measure(s) to be used shall be shown on all applicable plumbing plans.**

W-3 **Prior to recordation of the final map, the applicant shall submit a final "will-serve" letter from the Nipomo Community Services District to the Environmental Health Division.**

**DEVELOPER'S STATEMENT FOR THE
WEST TEFFT, LLC TRACT MAP AND CONDITIONAL USE PERMIT
SUB2004-00134 TRACT 2690**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading 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.

AIR QUALITY

AQ-1 During construction, in the event naturally occurring asbestos, serpentine, or ultramafic rock is discovered, the applicant must comply with California Air Resources Board asbestos measures, and report the discovery to the APCD no later than the next business day. The issued asbestos exemption for the project shall expire and cease to be effective.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

AQ-2 Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

- a. Reduce the amount of the 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 would 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. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
- e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

AQ-3 To avoid incompatibilities with residential uses (complaints from odors and/or dust), no nail salons, dry-cleaners, coffee roasters, furniture refurbishing/refinishing or similar uses may occur in buildings with residential units.

Monitoring: The Planning and Building Department shall verify compliance.

AQ-4 Prior to issuance of building permits, in the instance wood burning stoves are proposed, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:

- a. All EPA-Certified Phase II wood burning devices;
- b. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- c. Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- d. Pellet-fueled woodheaters, and;
- f. Dedicated gas-fired fireplaces.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

AQ-5 Prior to issuance of use permit, the following measures shall be incorporated into the project:

- a. Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- b. Provide on-site eating, refrigeration, and food vending facilities to reduce employee lunchtime trips.
- c. Provide preferential carpool and vanpool parking spaces.
- d. Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- e. Increase walls and attic insulation beyond Title 24 requirements.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

AQ-6 Prior to issuance of use permit, at least three additional APCD mitigation recommendations shall be incorporated into the project. Potential mitigation addressing Site Design, Transportation Demand, and Energy Efficiency are listed in the attached letter (Jan Downs Vidalin, APCD; October 27, 2004).

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

AQ-7 Prior to approval of specific business uses, the applicant shall obtain APCD permits if required. Potential uses subject to APCD permit approval include, but are not limited to: electrical generation plants or the use of standby generator, food and beverage preparation (primarily coffee roasters), furniture and fixture products, small scale manufacturing, and dry cleaning.

Monitoring: The Planning and Building Department, in consultation with the County Air Pollution Control District shall verify compliance.

NOISE

N-1 Prior to issuance of construction permits, the applicant shall submit plans showing that the following noise mitigation features are included on proposed buildings A, B, and C (adjacent to West Tefft Street):

- a. Air conditioning or a mechanical ventilation system is installed so that windows and doors may remain closed.
- b. Windows and sliding glass doors are mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications).
- c. Exterior doors are solid core with perimeter weather stripping and threshold seals.
- d. Exterior walls consist of stucco or brick veneer.
- e. Glass in both windows and doors shall not exceed 20 percent of the floor area in a room facing West Tefft Street.
- f. Roof or attic vents facing the noise source shall be baffled.
- g. The interior sheetrock of exterior wall assemblies shall be attached to studs by resilient channels. Staggered studs or double walls are acceptable alternatives.
- h. Window assemblies shall have a laboratory-tested STC rating of 30 or greater.

Monitoring: The Planning and Building Department shall verify required elements on plans, and implementation in the field.

RECREATION

R-1 Prior to recordation of final map, the applicant shall pay all applicable Quimby and Building Division Fees.

Monitoring: The Planning and Building Department shall verify compliance.

WASTEWATER

WW-1 Prior to recordation of the final map, the applicant shall submit a final "will-serve" letter from the Nipomo Community Services District to the Department of Environmental Health.

Monitoring: The Planning and Building Department shall verify compliance.

WATER

W-1 Prior to issuance of building permits, construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Monitoring: The Planning and Building Department shall verify required elements on plans, and implementation in the field.

W-2 Prior to final inspection, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 1/2" diameter). Prior to permit issuance, the measure(s) to be used shall be shown on all applicable plumbing plans.

Monitoring: The Planning and Building Department shall verify required elements on plans, and implementation in the field.

W-3 Prior to recordation of the final map, the applicant shall submit a final "will-serve" letter from the Nipomo Community Services District to the Environmental Health Division.

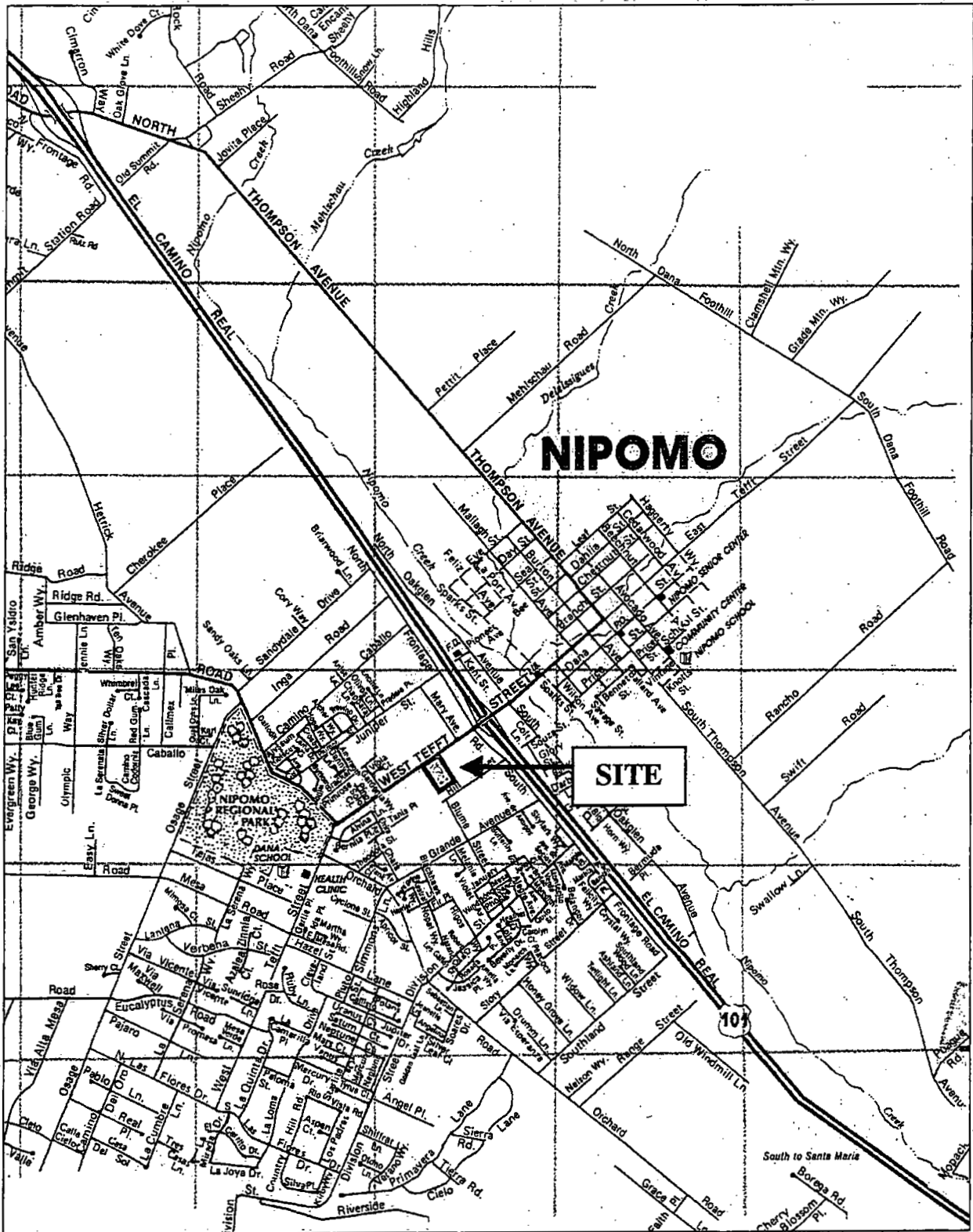
Monitoring: The Planning and Building Department shall verify compliance.

The applicant understands that any changes made to the project 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.

Terrence B. Flatley
Signature of Owner(s)

5-9-05
Date

Terrence B. FLATLEY
Name (Print)

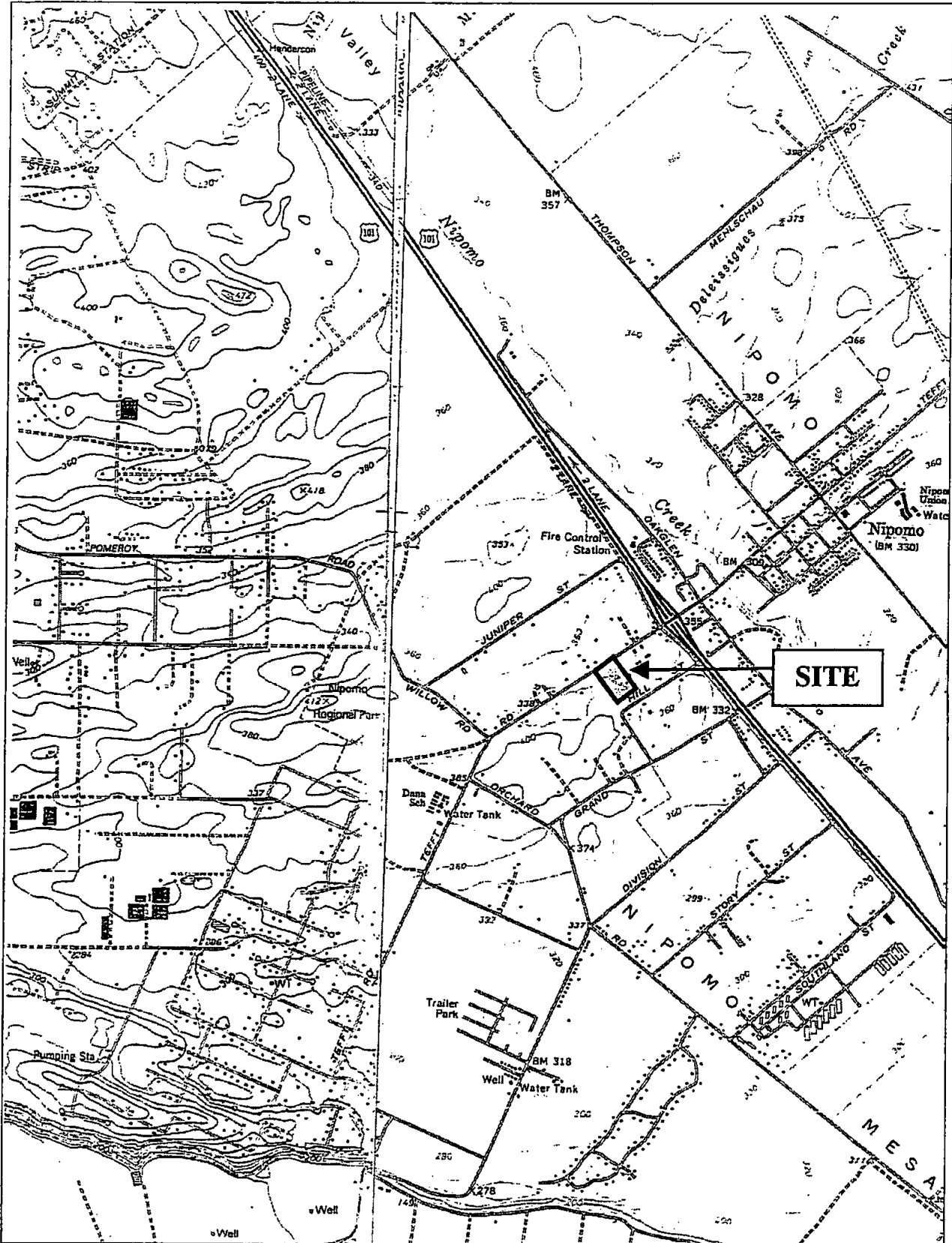


Source: Compass Maps



NORTH
Not to Scale

VICINITY MAP
FIGURE 1

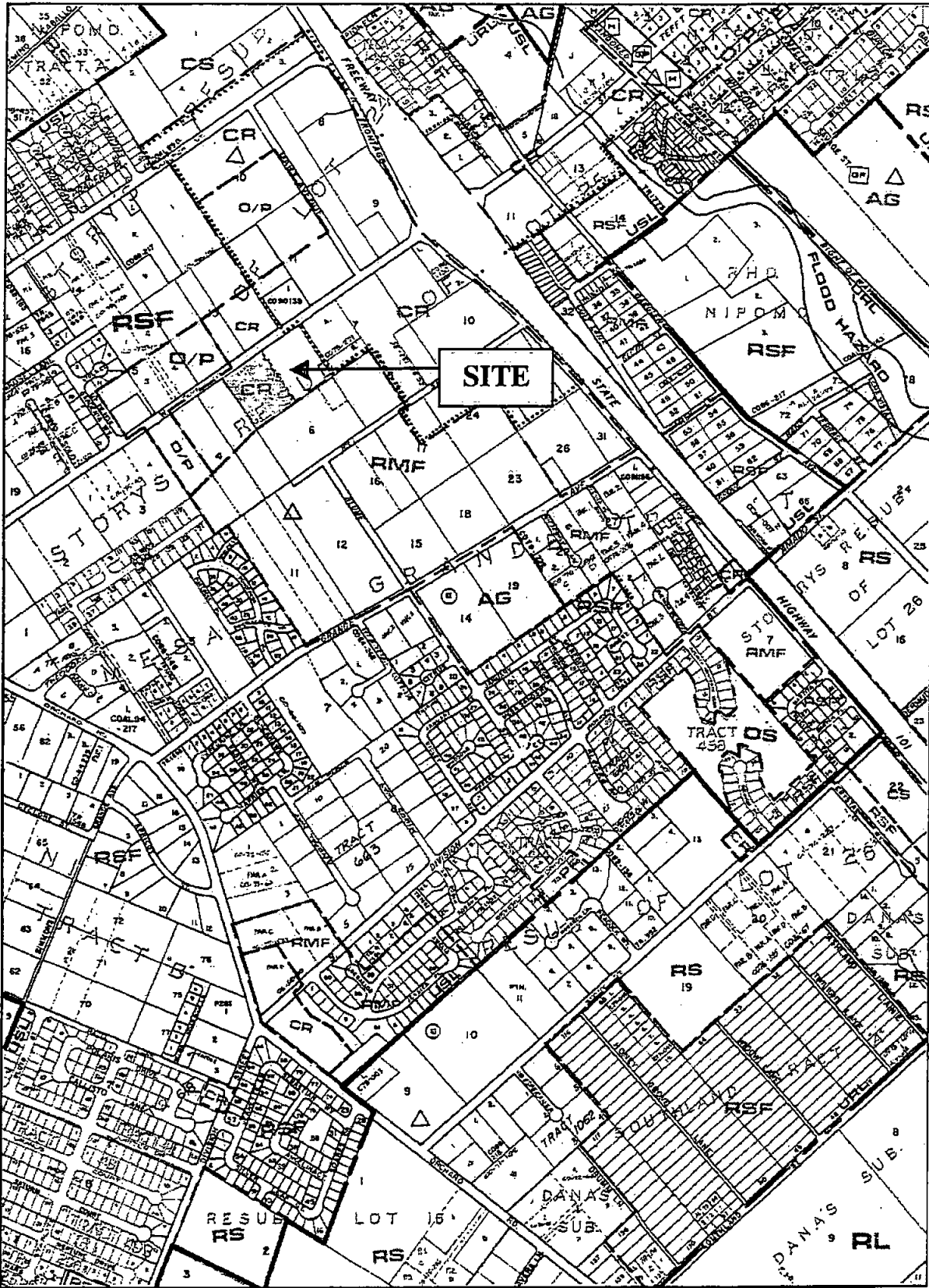


Source: USGS Quadrangle: Oceano/Nipomo



NORTH
Not to Scale

USGS LOCATION MAP
FIGURE 2



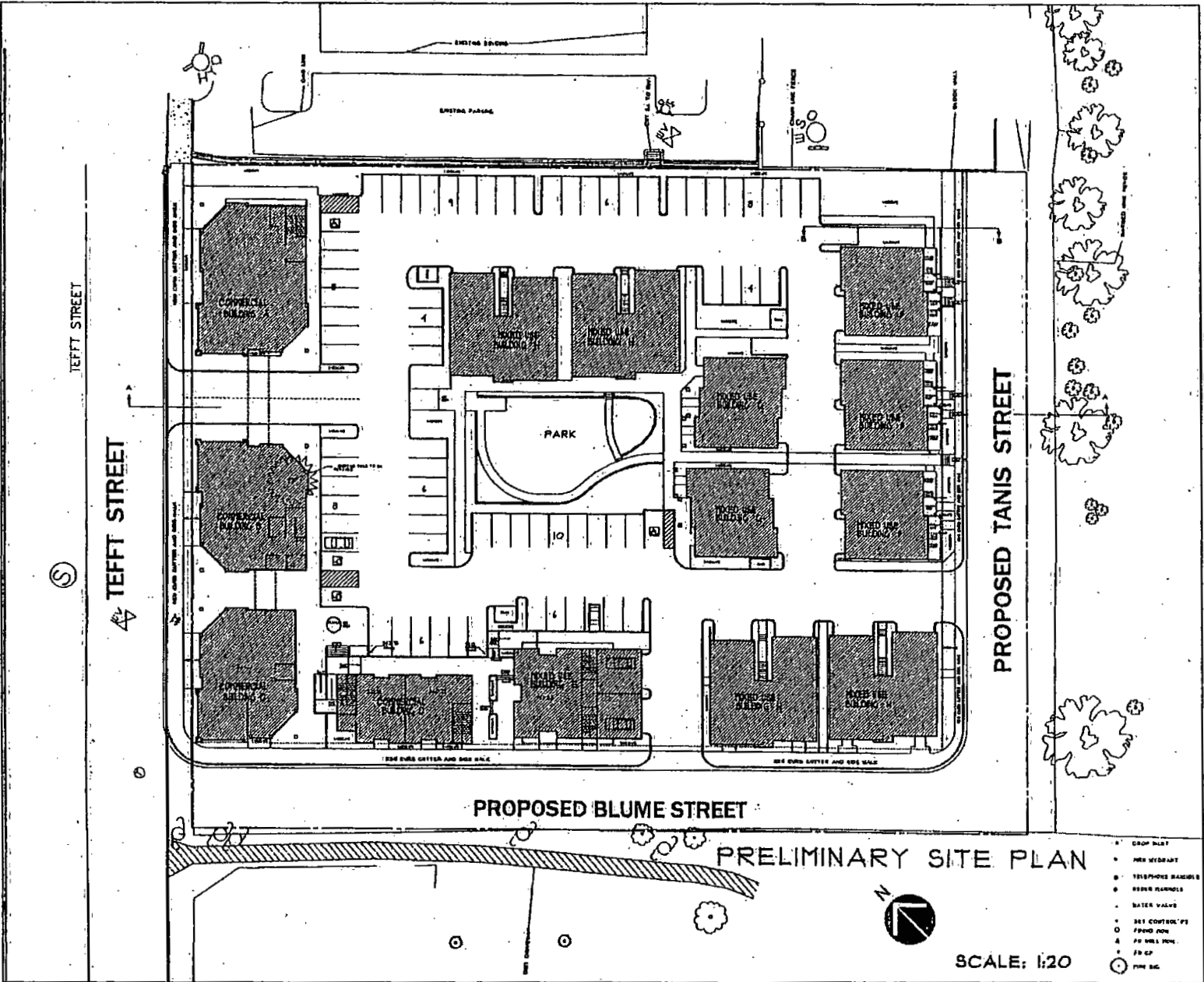
Source: County of San Luis Obispo



NORTH
Not to Scale

LAND USE CATEGORY
FIGURE 3

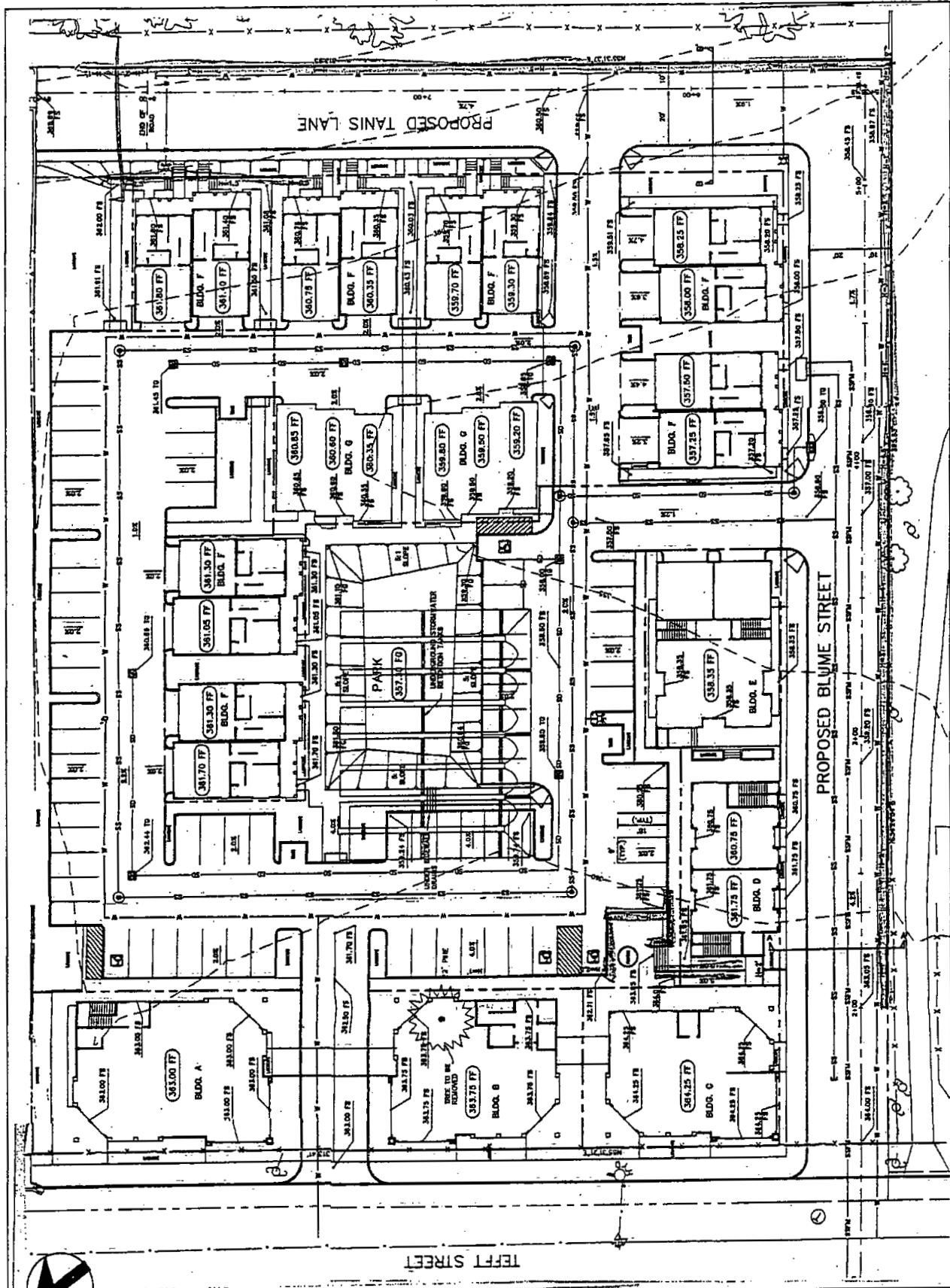
Source: County of San Luis Obispo



NORTH
Not to Scale

Morro Group, Inc.

SITE PLAN
FIGURE 4

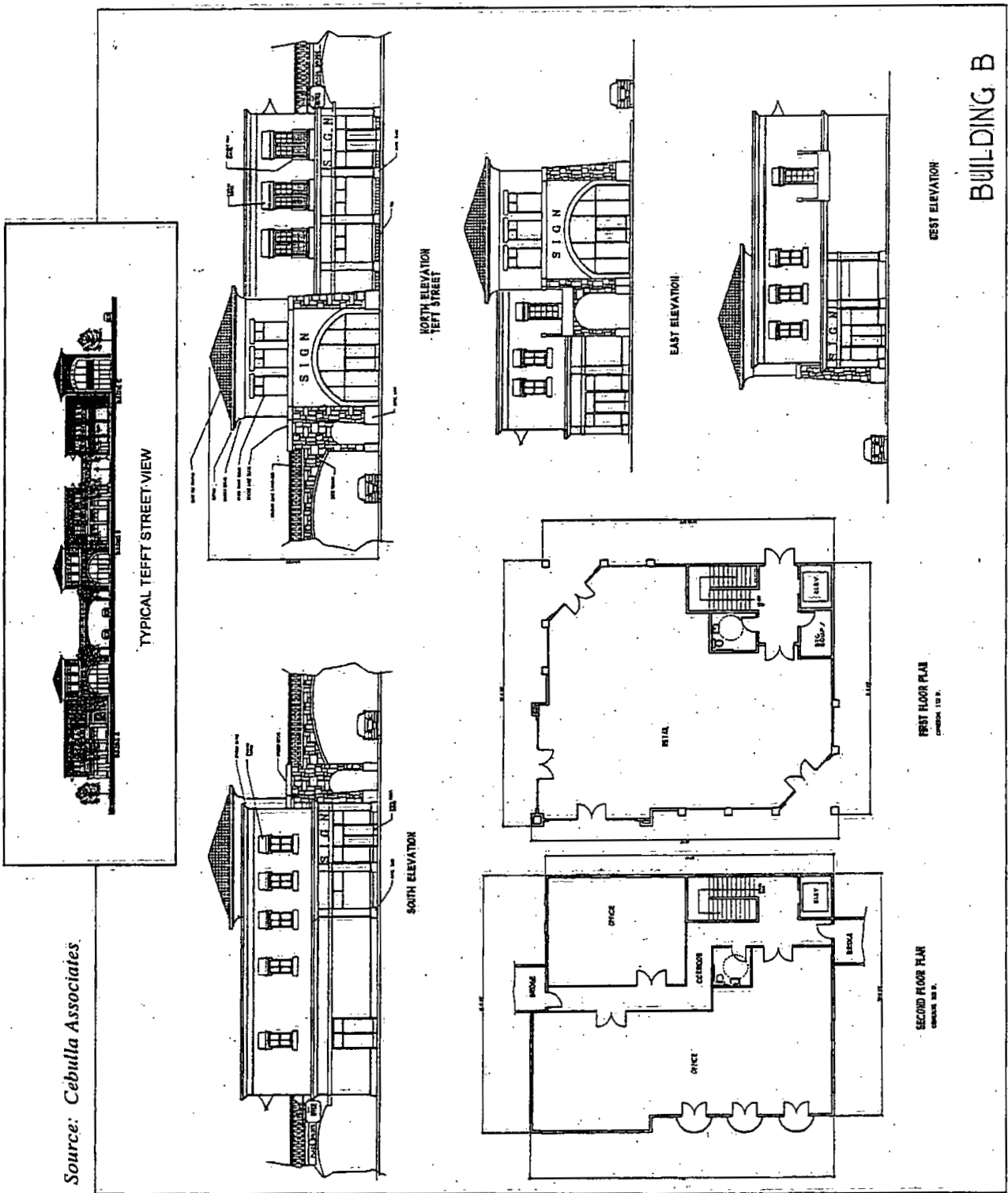


Source: Cannon Associates



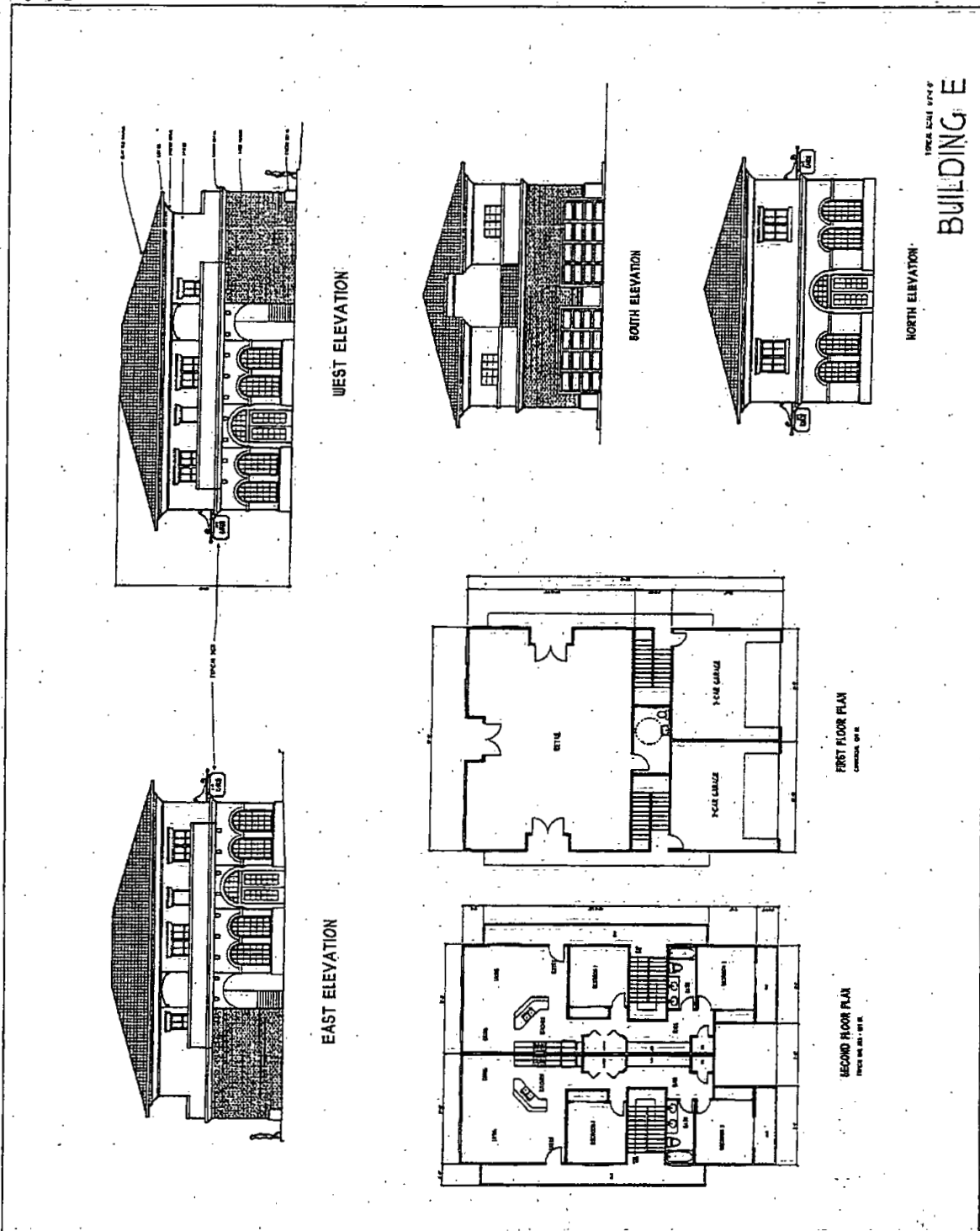
NORTH
Not to Scale

GRADING PLAN
FIGURE 5

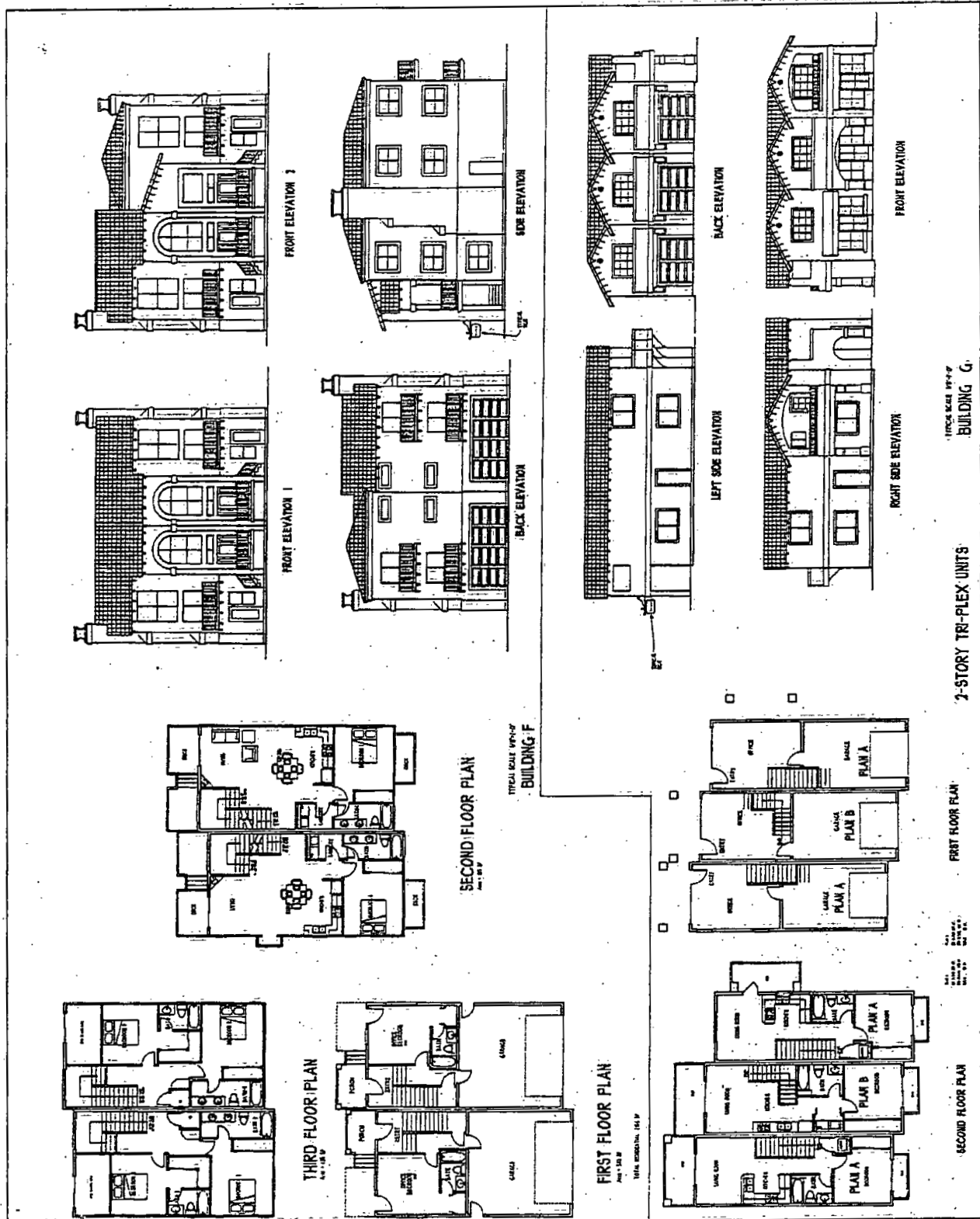


TEFFT STREET ELEVATIONS
FIGURE 6

Source: Cebulla Associates



BLUME STREET ELEVATIONS
FIGURE 7



TANIS STREET ELEVATIONS
FIGURE 8

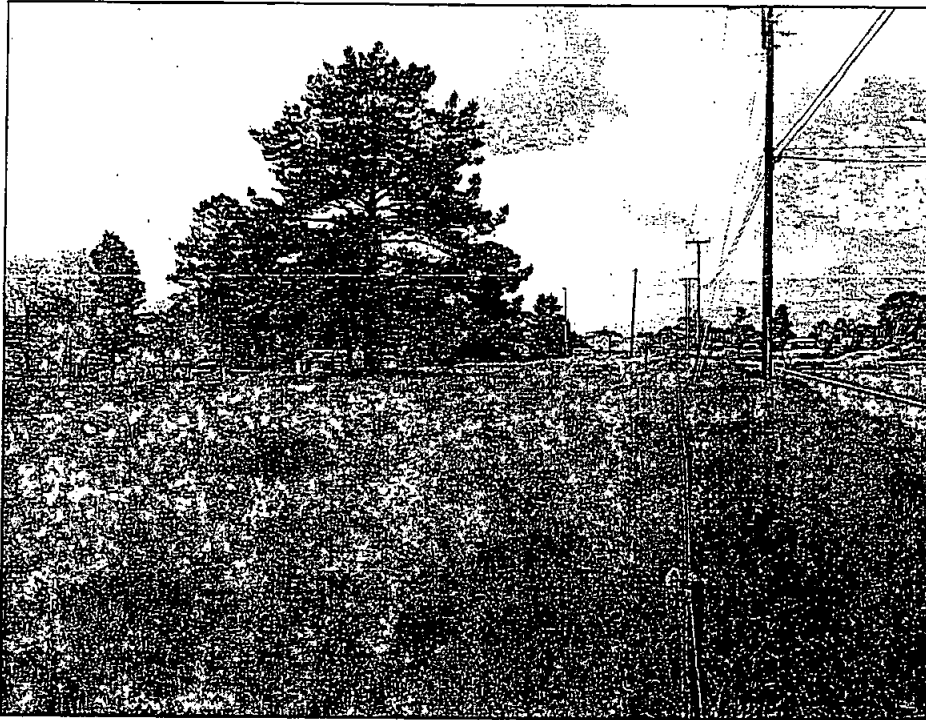


Photo 1:

Viewing southwest from northern property corner. Tefft Street located to right of project site.



Photo 2:

Viewing south across the proposed project site. Eucalyptus trees along property line to remain.

**PHOTO DOCUMENTATION
FIGURE 9**