



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

PLN-1123
3/22/2018

Notice of Exemption/General Rule Exemption

Project Title and No.: Ghazaly / Conditional Use Permit / N-DRC2023-00023 (ED24-062)

Project Location (Specific address):

475 W Tefft St, Nipomo, CA 93444
County of San Luis Obispo

Project Applicant/Phone No./Email:

CJ Horstman / 805-544-4334
christopherh@mwa.bz

Applicant Address (Street, City, State, Zip):

330 Halcyon
Arroyo Grande, CA 93420

Description of Nature, Purpose, and Beneficiaries of Project:

A request by CJ Horstman for a Conditional Use Permit to allow a freeway identification sign and other on-site improvements including a proposed drive-thru fast-food restaurant and shared parking lot. The project will result in approximately 23,000 square feet of total site disturbance on a 26,139 square foot site. The proposed project is within the Commercial Retail land use category and is located at 475 West Tefft Street at the corner of West Tefft Street and the northbound Tefft Street exit ramp of Highway 101 in Nipomo. The site is in the South County Inland Sub-Area of the South County Planning Area within Supervisorial District 4.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status/Findings:

This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption].

Reasons why project is exempt:

The project qualifies for a Categorical Exemption (General Rule Exemption) pursuant to CEQA Guidelines Section 15061 because the project will be required to meet Flood Hazard design requirements and because there is no possibility that the activity in question may have a significant effect on the environment. No significant impacts to visual resources would occur and no mitigation measures beyond ordinance requirements are necessary. No significant impacts to biological resources would occur and no mitigation measures beyond ordinance requirements are necessary. A Traffic Assessment was prepared (Orosz Engineering Group) looked at originally expanding the gas station next to include 8 fueling stations and construction of a 2,000-square-foot restaurant. Project was revised and no new fueling stations will be added. This study concluded, the project would not result in "significant change". The VMT calculated for the project did not change the countywide VMT for retail uses (11.26 VMT per person). The project site is located within close proximity to previously recorded findings for archeological resources. The project location is approximately 1 mile from Dana Adobe, a registered California historic resource known to contribute to archeological resources in the surrounding area. An extended phase 1 archaeological survey was conducted on the site by Applied Earth Works, a county qualified archaeological consultant (Thomas J. Ross, 2023). The archaeological survey determined there are likely no significant cultural materials present in the project area. The recommendations provided by Applied Earthworks pertain to the protection of any cultural or tribal resources that may be discovered through site disturbance or construction activities. The recommendations provided by Applied Earthworks have been added to Exhibit B – Conditions of Approval. Therefore, impacts to archaeological resources would

be less than significant and unlikely to occur. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA.

**Additional Information:** Additional information pertaining to this notice of general rule exemption may be obtained by reviewing the second page of this document and by contacting the Environmental Coordinator, 976 Osos St., Rm 200, San Luis Obispo, CA 93408 (805) 781-5600.

## Notice of General Rule Exemption

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Pursuant to section 15061 of the State California Environmental Quality Act (CEQA) Guidelines, the preliminary review of a project includes a determination as to whether a project is exempt from CEQA. This checklist represents a summary of this project's review for exemption.

	<u>YES</u>	<u>NO</u>
1. Does this project fall within any exempt class as listed in sections 15301 through 15329 of the State CEQA Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is there a reasonable possibility that the project could have a significant effect on the environment due to unusual circumstances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the project inconsistent with any Federal, State, or local law or administrative requirement relating to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Will the project involve substantial public controversy regarding environmental issues?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Does the project have the potential to achieve short-term environmental goals to the disadvantage of achieving long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Does the project have adverse impacts which are individually insignificant, but cumulatively significant? Cumulatively significant means that the incremental effects of an individual project are substantially adverse when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>


On the basis of this initial evaluation, I find that the proposed project does not have the potential to cause a significant effect on the environment and is therefore exempt from CEQA.

**Lead Agency Contact Person** Eric Tolle, Project Manager, [etolle@co.slo.ca.us](mailto:etolle@co.slo.ca.us)

**Telephone** (805) 788-2148

**If filed by applicant:**

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project? Yes  No

Signature:  Date: 05/01/2024

Name: Eric Tolle Title: Senior Planner

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On May 23, 2024 the project was Approved by:

- |   |  |                                |
|---|--|--------------------------------|
| <input type="checkbox"/> Board of Supervisors           | <input type="checkbox"/> Subdivision Review Board      | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Planning Dept Hearing Officer |                                |