Notice of Intent to Adopt Proposed Mitigated Negative Declaration

Filed in County Clerk’s Office

Tommy Gong
San Luis Obispo – County Clerk-Recorder

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By nbalseiro, Deputy

<table>
<thead>
<tr>
<th>PLN NO.</th>
<th>2017-1638</th>
<th>Environmental Document No.</th>
<th>2017-0016</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT TITLE</td>
<td>Morro Rd/ECR commercial building</td>
<td></td>
<td></td>
</tr>
<tr>
<td>APPLICANT NAME &amp; PHONE NUMBER</td>
<td>BogMar Properties, LLC (805-470-3446)</td>
<td>Email</td>
<td><a href="mailto:sambogdanovich@gmail.com">sambogdanovich@gmail.com</a></td>
</tr>
<tr>
<td>MAILING ADDRESS</td>
<td>680 W. Shaw Ave, Ste 202, Fresno, CA 93704</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STAFF CONTACT</td>
<td>Kelly Gleason</td>
<td>(805) 470-3446</td>
<td><a href="mailto:kgleason@atascadero.org">kgleason@atascadero.org</a></td>
</tr>
<tr>
<td>PROJECT ADDRESS</td>
<td>6990 El Camino Real, Atascadero, CA 93422</td>
<td>APN:</td>
<td>030-211-036</td>
</tr>
</tbody>
</table>

PROJECT DESCRIPTION:

Site development of an appx. 3,500 sf retail/restaurant building and associated site improvements on a vacant downtown lot at the corner of El Camino Real and Morro Rd. The site was formerly developed with a fuel station. The request includes a variance to the required zero-foot setback from the street frontage in the downtown zone.

LEAD AGENCY:
City of Atascadero
Community Development Department
6500 Palma Avenue
Atascadero, CA 93422

DOCUMENT AVAILABLE ONLINE: http://www.atascadero.org/environmentaldocs

SECTION 65962.5 LISTED SITE
☒ Yes ☐ No

STATE CLEARING HOUSE REVIEW
☐ Yes ☐ No

REVIEW PERIOD BEGINS: 06/01/17
REVIEW PERIOD ENDS: 06/20/2017

PUBLIC HEARING REQUIRED
☐ No ☒ Yes

PUBLIC NOTICE:
The City of Atascadero is releasing a draft Initial Study and Mitigated Negative Declaration at the above project address for review and comment to all affected agencies, organizations, and interested parties. Reviewers should focus on the content and accuracy of the report and the potential impacts upon the environment. The notice for this project is in compliance with the California Environmental Quality Act (CEQA ). Persons responding to this notice are urged to submit their comments in writing. Written comments should be delivered the City (lead agency) no later than 5pm on the date listed as “review period ends”. Submittal of written comments via email is also accepted and should be directed to the Staff contact at the above email address. This document may be viewed by visiting the Community Development Department, listed under the lead agency address, or accessed via the City’s website.

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO COMMUNITY DEVELOPMENT DEPARTMENT AT
http://www.atascadero.org
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000 | (805) 461-7612
CITY OF ATASCADERO
COMMUNITY DEVELOPMENT DEPARTMENT

Initial Study Summary – Environmental Checklist

PLN NO. 2014-1638  Environmental Document No. 20XX-0000

PROJECT TITLE: Morro Rd/ECR commercial building

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 analysis.

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

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation, the Community Development Director 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.

Kelly Gleason
Prepared by (Print)  Signature  Date

Phil Dunsmore, AICP
Reviewed by (Print)  Signature  Date
PROJECT ENVIRONMENTAL ANALYSIS
The City of Atascadero’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 surrounding and a detailed review of the information on file for the proposed project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geological information, significant vegetation and/or wildlife resources, water availability, wastewater disposal service, 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 this initial study. The City of Atascadero 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 Community Development Department, 6500 Palma Avenue, Atascadero, CA 93422 or call (805) 461-5000.

A. PROPOSED PROJECT
Description: Site development of an appx. 3,500 sf retail/restaurant building and associated site improvements on a vacant downtown lot at the corner of El Camino Real and Morro Rd. The site was formerly developed with a fuel station. The request includes a variance to the required zero-foot setback from the street frontage in the downtown zone.

Assessor parcel number(s): 030-211--036
Latitude: 35.486052 Longitude: -120.665175
Other public agencies whose approval is required: Caltrans

B. EXISTING SETTING
Land use designation: D
Zoning district DC
Parcel size: 0.43 acres
Topography: Flat
Vegetation: None – peripheral trees
Existing use: Vacant – previous site of fuel station

Surrounding land use:

<table>
<thead>
<tr>
<th>North:</th>
<th>South:</th>
<th>East:</th>
<th>West:</th>
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</thead>
<tbody>
<tr>
<td>Downtown</td>
<td>Highway 101</td>
<td>Retail Commercial</td>
<td>Downtown</td>
</tr>
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</table>
C. ENVIRONMENTAL ANALYSIS
During the initial study process, at least one issue was identified as having a potentially significant environmental effect (see following Initial Study). The potentially significant items associated with the proposed project can be minimized to less than significant levels.

CITY OF ATASCADERO
INITIAL STUDY CHECKLIST

1. AESTHETICS – Will the Project:

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<thead>
<tr>
<th>Potentially Significant</th>
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</thead>
</table>

a) Have a substantial adverse effect on an adopted scenic vista? ☒ ☐ ☐ ☐

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☒ ☐ ☐ ☐

c) Substantially degrade the existing visual character or quality of the site and its surroundings? ☒ ☐ ☐ ☐

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☒ ☐ ☐ ☐

EXISTING SETTING: The project site is currently vacant but was previously developed with a fuel station. The station was demolished to accommodate the adjacent highway 41/101 interchange improvements. The site is located at the boundary of the Downtown zoning district and is designated as a gateway location to Atascadero’s historic downtown district.

PROPOSED PROJECT: The project has been designed to accommodate additional landscaping at the corner El Camino Real and Highway 41 recognizing the gateway designation of the site. A pedestrian connection is included from the intersection to the site buildings. Exterior building lighting is proposed for parking lot safety and building signage. As the site is located within the City’s downtown area, Downtown streetscape improvements will be required to be incorporated along the project frontages as part of the associated public improvements.

MITIGATION / CONCLUSION: Mitigation measures have been included to ensure that the site is developed with adequate landscaping at the intersection of Highway 41 and El Camino Real to provide a gateway feature into the City’s downtown core.

AES 1: The landscaping at the intersection of El Camino Real and Highway 41 shall include a minimum of 1 specimen tree to be a minimum of 12-feet in height at the time of installation. Native shrubs and grasses shall be installed within the corner planter.
AES 2: Street trees shall be provided along the El Camino Real and Highway 41 frontage at a maximum spacing of 30-feet on center. Native grasses or similar shall be installed to provide visual screening of the parking stalls from the sidewalk.

AES 3: All site and building lighting shall be full-cut-off and shielded. Up lights shall be permitted for landscape features and building accents, providing that the light source is shielded from pedestrian and traffic use areas.

2. **AGRICULTURE RESOURCES – Will the Project:**

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<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use?</td>
<td>☒</td>
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<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
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<td>☐</td>
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<td>☒</td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland zoned Timberland Production?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?</td>
<td>☐</td>
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</table>

**EXISTING SETTING:** The proposed project will be developed on a vacant infill site within the Downtown Commercial zoning district. There will be no impacts to agricultural resources.

**PROPOSED PROJECT:** The proposed project includes development of a vacant commercial site within the City’s downtown with a 3,755 sf. commercial building and associated site improvements.

3. **AIR QUALITY – Will the Project:**

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<th></th>
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<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
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</tbody>
</table>
EXISTING SETTING: The project site is currently vacant but was previously developed with a fuel station. The proposed project will be developed on a vacant infill site within the Downtown Commercial zoning district.

PROPOSED PROJECT: The project includes construction of a 3,755 square-foot commercial building which will include site grading and excavation of the project site for construction of the building foundations. Proposed uses include a fast casual restaurant with high turnover and a supporting retail or personal service oriented use.

Construction of the project may potentially increase air pollution on and directly adjacent to the site as equipment exhaust and grading activities may stir up dust and particulates on site. To ensure that these impacts are mitigated, the proposed project will require mitigation consistent with applicable SLOAPCD regulations pertinent to the control of fugitive dust (PM-10) to reduce air quality impacts.

The construction of the project will not concentrate pollutants or create objectionable odors based on proposed uses and screening criteria established by the SLOAPCD. Therefore, there is no impact.

MITIGATION / CONCLUSION: CalEEMod version 2016.3.1 was used to determine both construction phase and operational phase related impacts. Based on this analysis, the proposed project is expected to generate 57.03 lbs of ROG + NOx daily (Threshold = 137 lbs), 1.37 lbs of DPM daily (threshold = 7 lbs), and 0.00158 tons of fugitive particulate matter quarterly (threshold = 2.5 tons). Based on the analyzed operational phase emission estimates using the most recent CalEEMod computer model, the operational phase would likely be less than the APCD’s significance threshold values identified in Table 3-2 of the CEQA Air Quality Handbook and would result in an estimated 4.78 lbs of ROG + NOx daily (threshold = 25 lbs), 0.082 lbs DPM daily (threshold = 1.25), and 1.11 lbs fugitive particulate matter (threshold = 25 lbs).
Both the construction and operational phase emissions are below the APCD established thresholds; however, all projects contribute to an increase in overall emissions and therefore, standard mitigation has been included to address these impacts.

**AQ-1: Dust Control Measures.** The project will not likely exceed the APCD’s CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Therefore, the following measures shall be implemented during the construction phase of the project to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts:

a. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District’s limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
b. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
c. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
d. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and,
e. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below 20% opacity. Their duties shall include holidays and weekend periods when work may not be in progress.

**AQ-2: Hydrocarbon Contaminated Soil.** An APCD permit shall be required to address proper management of the hydrocarbon contaminated soil prior to the start of any earthwork. This permit shall include conditions to minimize emissions from any excavation, disposal or related process. To the extent feasible, the developer shall contact the APCD Engineering & Compliance Division at 781-5912 within 120 days before the start of excavation to begin the permitting process. In addition, the air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD’s construction phase thresholds. Should no contaminated soils be located during excavation, the developer shall notify APCD and the City and provide all documentation certifying this finding to both agencies.

**AQ-3: Demolition / Asbestos.** Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the disturbance, demolition, or relocation of below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to [slocleanair.org/rules-regulations/asbestos.php](http://slocleanair.org/rules-regulations/asbestos.php)
4. **GREENHOUSE GAS EMISSIONS – Will the Project:**

<table>
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<tr>
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</table>

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**EXISTING SETTING:** The project site is currently vacant but was previously developed with a fuel station. The proposed project will be developed on a vacant infill site within the Downtown Commercial zoning district.

**PROPOSED PROJECT:** The project includes construction of a 3,755 square-foot commercial building which is expected to be occupied by a fast casual restaurant in addition to a general retail or service use. Parking for 24 cars is provided on-site and pedestrian connections are proposed from the sidewalk and adjacent downtown parcels. Bike parking is provided on-site adjacent to the restaurant and retail/service entrances. Ingress and egress will be restricted to right-in, right-out motions based on the location of the access points to the El Camino Real/Morro Rd intersection. While the project is located at the boundary of the City’s downtown zone, the proximity to downtown uses such as the movie theater and parks will attract patrons who visit multiple uses during their trip. In addition, the location is surrounded by office uses that are within walking distance of the proposed project.

**MITIGATION / CONCLUSION:** The project has been analyzed using the most recent version of CalEEMod. Based on that analysis, it was determined that the project will produce a maximum of 2.97 CO2e (amortized number based on project life) during the construction phase and 310.21 CO2e/year (threshold = 1150 CO2e/year) during the operational phase. The analysis was performed assuming no project mitigation implemented. The location of the project, including its proximity to other downtown uses as well as office uses, will provide for more patrons visiting the site who rely on walking or biking as their means of travel, further reducing the operational phase GHG impacts. Therefore, no mitigation is required.
5. BIOLOGICAL RESOURCES – Will the Project:

<table>
<thead>
<tr>
<th>Potentially Significant</th>
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</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?</td>
<td>☒</td>
<td>☐</td>
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</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or CDFW and USFWS?</td>
<td>☐</td>
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<tr>
<td>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>☐</td>
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<tr>
<td>e) Conflict with policies or ordinances protecting biological resources, such as the tree native tree ordinance?</td>
<td>☐</td>
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<tr>
<td>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td>☐</td>
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</table>

EXISTING SETTING: The proposed project site is a vacant lot at the border of the downtown district. The site is bordered by El Camino Real, Highway 41 and Highway 101. Adjacent properties are built-out with similar uses. There are a number of native oak trees along the property’s southern border of the site adjacent to Highway 101. The City has a Native Tree Ordinance which governs the protection and removal of native oak trees. Removal requires mitigation in the form of replanting or payment.

PROPOSED PROJECT: The proposed project will be constructed in the areas of previous disturbance. There are 5 native oak trees on the southern edge of the site bordering the 101 freeway. These oak trees are proposed for removal to accommodate development of the site.
All removals will be processed in accordance with the Atascadero Native Tree Ordinance and development of the site will not conflict with any ordinance requirements.

**MITIGATION / CONCLUSION:** No impacts will occur to biological resources. All site development will adhere to the provisions set forth in the Atascadero Native Tree Ordinance.

### 6. CULTURAL RESOURCES – Will the Project:

<table>
<thead>
<tr>
<th>Potentially Significant</th>
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</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource?</td>
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<td>☐</td>
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</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource?</td>
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<td>☐</td>
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<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
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</table>

**EXISTING SETTING:** The proposed project site previously housed a fueling station with underground fuel tanks. The site and underlying soils have been previously disturbed. The site is an infill site surrounded by commercial development and is bordered by Highway 41 and El Camino Real. The previous fueling station was demolished as part of the Highway 41/101 interchange improvements. No archeological resources have been noted during these previous construction activities.

**PROPOSED PROJECT:** The proposed project is for the construction of a 3,755 sf commercial building on the now vacant corner parcel. Disturbance activities will include any required remediation of the site soils and any required excavation for the building foundation.

**MITIGATION / CONCLUSION:** Based on the location of the site, the previous use of the property, and previous construction activities, no mitigation is required.
7. **GEOLOGY AND SOILS – Will the Project:**

<table>
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<tr>
<th>Potential Impact</th>
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<th>Insignificant Impact</th>
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<tbody>
<tr>
<td>a) Result in the exposure to or production of unstable earth conditions including the following:</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>• Landslides;</td>
<td></td>
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<tr>
<td>• Earthquakes;</td>
<td></td>
<td></td>
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<tr>
<td>• Liquefaction;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>• Land subsidence or other similar hazards?</td>
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<tr>
<td>b) Be within a California Geological Survey “Alquist-Priolo” Earthquake Fault Zone, or other known fault zone? (consultant Division of Mines and Geology Special Publication #42)</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from proposed improvements such as grading, vegetation removal, excavation or use of fill soil?</td>
<td>☐</td>
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<td>☒</td>
</tr>
<tr>
<td>d) Include any structures located on known expansive soils?</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>e) Be inconsistent with the goals and policies of the City’s Safety element relating to geologic and seismic hazards?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td>☐</td>
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**EXISTING SETTING:** The project site is an infill commercial site within the downtown district. The site is not within any known earthquake fault zones, however, earthquakes are present in the region. The California Building Code requires all structures to be constructed to a high structural standard based on this regional attribute.

**PROPOSED PROJECT:** The project consists of a 3,755 square-foot commercial building that will meet all current building codes at the time of construction. Although there are no known faults within the project area, there are faults located near the City that have been known to create seismic events. The City adopts the California Building Code as its building code and updates this code during each required adoption cycle. This code is continually updated with requirements to make building safer during a seismic event. Incorporation of the latest California Building Code requirements at the time of building permit submittal will reduce the exposure of people and structures to strong ground shaking to a less than significant level.
**MITIGATION / CONCLUSION:** Based on required implementation of all California Building Code requirements for the construction of new commercial structures, no significant impact will occur.

## 8. HAZARDS AND HAZARDOUS MATERIALS – Will the Project:

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<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
or where residences are intermixed with wildlands?

EXISTING SETTING: The proposed project is located on a currently vacant site that was previously developed with a fueling station. Some remediation was completed including removal of the underground tanks; however, there may still be contaminated soils.

PROPOSED PROJECT: The project includes construction of a 3,755 square-foot commercial building which will include site grading and excavation of the project site for construction of the building foundations.

MITIGATION / CONCLUSION: Based on the amount of ground disturbance required to construct the proposed building and site improvements, there is a chance that existing contaminated soils may expose hydrocarbon contaminated soils.

HAZ 1: An assessment of the soil conditions will be required to determine if any remediation is necessary. The applicant will work with the San Luis Obispo County Environmental Health department to determine what previous testing and reporting has occurred on-site and what testing is required prior to construction. Testing may include shallow soil and gas testing up to 10-feet and a soil vapor test. If any contaminated soils are discovered, all requirements set forth by SLO County Environmental Health shall be implemented.

9. WATER QUALITY / HYDROLOGY – Will the Project:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Potentially</th>
<th>Requires</th>
<th>Insignificant</th>
<th>Not</th>
</tr>
</thead>
<tbody>
<tr>
<td>Significant</td>
<td>Mitigation</td>
<td>Impact</td>
<td>Impact</td>
<td>Applicable</td>
</tr>
</tbody>
</table>

a) Violate any water quality standards or waste discharge requirements?

☐ ☐ ☒ ☐

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

☐ ☐ ☒ ☐

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

☐ ☐ ☒ ☐
<table>
<thead>
<tr>
<th>Question</th>
<th>Potentially Significant</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

**EXISTING SETTING:** The project site is an infill development site within the city’s existing commercial corridor. The site was previously developed with a fuel station use. There are no creeks or significant drainages in the vicinity. The site is bordered by Highway 41, Highway 101, El Camino Real and adjacent commercial uses. The City has an adopted Stormwater Management Plan that requires all new development to comply with stormwater retention, detention, and runoff quality standards set forth by the State Water Quality Control Board.

**PROPOSED PROJECT:** The project proposes redevelopment of a vacant commercial infill site consisting of a 3,755 square-foot retail/restaurant building with associated parking lot and site access improvements.

**MITIGATION / CONCLUSION:** Based on the proposed project plan and stormwater regulations in effect for all commercial development, no mitigation is required.
10. LAND USE & PLANNING – Will the Project:

<table>
<thead>
<tr>
<th>Potentially Significant</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

EXISTING SETTING: The project site is located at the boundary of the Downtown zoning district and is a vacant infill lot that previously was developed with a fueling station. The project site is surrounded by commercial and office development as well as El Camino Real, Highway 41, and Highway 101. The site contains no vegetation within the development area. There are native oaks adjacent to the development site. See section 5 for a discussion of impacts to biological resources.

PROPOSED PROJECT: The project includes a 3,755 square-foot commercial building that is planned for restaurant and retail/service uses. While not conflicting with an adopted plan aimed at reducing or avoiding environmental impacts, the development proposal includes a variance request to locate the building with a 90-foot setback to the building and a 75-foot setback to the patio space where a 0-foot setback is normally required by the municipal code. The site is narrow and access locations cannot be adjusted based on the proximity to the El Camino real/Highway 41 intersection. The variance request to allow for an alternative building location will not increase the impact to the site.

MITIGATION / CONCLUSION: Based on the above analysis, no mitigation is required.

11. MINERAL RESOURCES – Will the Project:

<table>
<thead>
<tr>
<th>Potentially Significant</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
EXISTING SETTING: The project site is a vacant commercial infill site located on the boundary of the city’s downtown zoning district. The site was previously developed with a fueling station. There are no mineral resources within the site boundary.

PROPOSED PROJECT: The proposed project consists of a 3,755 square-foot commercial building and associated site improvements.

MITIGATION / CONCLUSION: Based on the above analysis and information, no mitigation is required.

12. NOISE – Will the Project:

<table>
<thead>
<tr>
<th>Question</th>
<th>Potentially Significant</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

EXISTING SETTING: The project site is a vacant infill lot at the intersection of El Camino Real and Highway 41. Retail and Office uses surround the project site. The site is also bordered by Highway 101 to the south. The El Camino Real/Highway 41 intersection is one of the City’s highest traffic volume intersections as Highway 41 is a major connector to adjacent communities such as Creston to the East and Morro Bay to the west. The intersection is also at the boundary of the City’s downtown core. The Atascadero Municipal Code regulates time of day for...
construction related noise and any outdoor amplified music will require approval of an AUP per the Zoning Ordinance.

PROPOSED PROJECT: The proposed project includes a 3,755 square-foot commercial building that is planned to accommodate a fast casual restaurant as the primary use and a small retail/service use as the secondary tenant. A 24 space parking lot will be provided.

MITIGATION / CONCLUSION: While some increases in noise are anticipated during construction, these increases will be temporary in nature and do not warrant project mitigation. The project site is located at an established activity and traffic hub. In addition, long term operation of the project site uses are not anticipated to increase noise levels in the vicinity due to the nature of the proposed uses and the site’s location adjacent to Highway 101 and a high traffic intersection. No mitigation is required.

13. POPULATION & HOUSING – Will the Project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
  - Potential Impact: ☐
  - Significantly Impact: ☒
  - Requires Mitigation: ☐
  - Not Applicable: ☐

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
  - Potential Impact: ☐
  - Significantly Impact: ☒
  - Requires Mitigation: ☐
  - Not Applicable: ☒

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
  - Potential Impact: ☐
  - Significantly Impact: ☒
  - Requires Mitigation: ☐
  - Not Applicable: ☒

EXISTING SETTING: The project site is located in the City’s downtown commercial zoning district at the intersection of El Camino Real and Highway 41. The site is currently vacant and is bordered by commercial and office uses in addition to Highway 101. The City does not currently maintain a jobs-housing balance with a greater number of households than commercial uses. New commercial growth in the City supports existing residents and workers.

PROPOSED PROJECT: The proposed project consists of a 3,755 square-foot commercial building and associated site improvements. The applicant anticipates two tenant spaces: one a fast casual restaurant and the other a complimentary retail or service use.

MITIGATION / CONCLUSION: New commercial development in the City is aimed at supporting existing residents and workers. The proposed project is not anticipated to generate substantial population growth. No mitigation is required.

14. PUBLIC SERVICE – Will the Project:

Will the proposed project have an effect upon, or result in the need for new or altered public services in any of the following areas:

- Potential Impact: Potentially Significant
- Significantly Impact: Impact Requires Mitigation
- Not Applicable: Not Applicable
Will the proposed project have an effect upon, or result in the need for new or altered public services in any of the following areas:

<table>
<thead>
<tr>
<th>Area</th>
<th>Potentially Significant</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Emergency Services (Atascadero Fire)?</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
<td>☐️</td>
</tr>
<tr>
<td>b) Police Services (Atascadero Police)?</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
<td>☐️</td>
</tr>
<tr>
<td>c) Public Schools?</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
<td>☐️</td>
</tr>
<tr>
<td>d) Parks?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>e) Other public facilities?</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
<td>☐️</td>
</tr>
</tbody>
</table>

**EXISTING SETTING:** The project site is a vacant commercial infill site located on the boundary of the city’s downtown zoning district within the City’s existing Urban Services Line. The City has an established development impact fee schedule based on the 2006 update of the citywide cost for services report. All development is charged fees for continued city services upon issuance of building permits.

**PROPOSED PROJECT:** The proposed project includes the construction of a 3,755 square-foot commercial building and associated site improvements.

**MITIGATION / CONCLUSION:** Development Impact Fees are required for any new project for which a building permit is issued. The concept of the impact fee program is to fund and sustain improvements which are needed as a result of new development as stated in the General Plan and other policy documents within the fee program. These fees include police services (Atascadero Police), emergency services (Atascadero Fire), and education services (Atascadero Unified).

The Atascadero Unified School District charges impact fees to fund additional schools as needed. State law restricts mitigation of school impacts to the levying of these fees and other measures adopted by the school district. Provision of adequate facilities for the population is the responsibility of the school district. Payment of these fees is required to be completed prior to the issuance of building permits on residential units, per City policy. With the collections of these fees, the impact is considered less than significant.

### 15. RECREATION – Will the Project:

<table>
<thead>
<tr>
<th>Area Description</th>
<th>Potentially Significant</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
<td>☐️</td>
</tr>
</tbody>
</table>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Setting: The project site is a vacant commercial infill site located on the boundary of the city's downtown zoning district.

Impact: The proposed project consists of a 3,755 square-foot commercial building and associated site improvements. The applicant anticipates two tenant spaces: one a fast casual restaurant and the other a complimentary retail or personal service use. Because this use is commercial, it would not increase the use of existing neighborhood, regional parks, or other recreational facilities.

Mitigation / Conclusion: The proposed project is not anticipated to generate increased use of existing neighborhood, regional parks or other recreational facilities; therefore, no mitigation is required.

16. TRANSPORTATION / TRAFFIC – Will the Project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
EXISTING SETTING: The project site is a vacant infill lot at the intersection of El Camino Real and Highway 41 at the boundary of the Downtown Commercial Zoning District. Retail and Office uses surround the project site. The site is also bordered by Highway 101 to the south. The El Camino Real/Highway 41 intersection is one of the City’s highest traffic volume intersections as Highway 41 is a major connector to adjacent communities such as Creston to the east and Morro Bay to the west. The El Camino Real frontage includes a total of 6 travel lanes with 4 travel lanes located on the southbound side of the street where this project fronts. The Atascadero Transit Center, located about 800 feet north of the project site, is serviced by San Luis Obispo Regional Transit Authority and Amtrak. The proposed project site is not within the vicinity of an airstrip or airport.

PROPOSED PROJECT: The project is anticipated to generate 323 total generated trips, with 33 AM peak hour trips, and 24 PM peak hour trips. (Calculation based on ITE Trip Generation Rates 9th edition). As the project is located in the city’s downtown area, increased walkability in the vicinity is expected to reduce these numbers. The site contains two current access points that were established during Caltrans reconfiguration of the intersection that was completed in 2010. One access point is off of Highway 41 and the other is located off of El Camino Real. The site is relatively small and narrow with approximately 100-feet of frontage along El Camino Real and approximately 120 feet of frontage along Highway 41. Due to the locations of the driveways, movements will be restricted to right-in/right-out only. The driveway on El Camino Real will exit into a dedicated right turn lane. No physical turn restrictors are proposed to allow cars exiting to cross the right turn lane into a straight lane as an option. No physical restrictions are proposed on the Highway 41 driveway as there is a median separating eastbound and westbound traffic along the project frontage. Bike parking is provided on-site.

MITIGATION / CONCLUSION: The project site is a uniquely shaped corner site located at one of the City’s most heavily traveled intersections. Driveway locations cannot be relocated due to conflicts with adjacent property egress and the intersection. Movements will be restricted to right-in/right-out only based on site conditions and feasibility of egress movements. Mitigation measures are included to provide a visual designation of the restricted turning movements. The intersection was reconstructed by Caltrans in 2010 and was designed to accommodate build-out of Atascadero’s downtown core and surrounding commercial development. The downtown streetscape will be continued along both project frontages and will enhance the pedestrian experience at the busy intersection.

TP-1: Visual signs or striping shall be required to designate both driveways as right-turn only for exiting vehicles.
17. UTILITIES AND SERVICE SYSTEMS – Will the Project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td>☐</td>
<td>☐</td>
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</tr>
</tbody>
</table>

EXISTING SETTING: The project site is a vacant commercial infill site located on the boundary of the city’s downtown zoning district. Curb and gutter, as well as storm drainage facilities, exist at the project frontages. Parking lot run-off is required to be filtered by current State and local regulations. The project site is located within the City’s urban services line and is served by the Atascadero Mutual Water Company. Water is pumped from several locations within the underground Atascadero Basin using a series of shallow and deep wells. The AMWC anticipates that it will be able to meet the city’s needs through build out and beyond.

PROPOSED PROJECT: The proposed project will be required to obtain a will serve letter from the Atascadero Mutual Water Company. The Atascadero Mutual Water Company (AMWC) has indicated that it can provide water to the proposed project. This project is not expected to
require a significant quantity of water for the proposed use. All landscaping is proposed to be drought tolerant and will comply with the State laws related to efficient water use. Projected water use factor of this project is 200 gal/sf/yr. Based on these calculations, a total of 1.23 afy is estimated for the entire project. The AMWC projects a supply of 8,700 afy for the year 2020 with a demand in a single dry year at 6,799 afy for its entire system for both existing and future demand. Based on these statistics, the proposed impact on water supply is considered less than significant.

The proposed project will also require connecting to the City’s wastewater system. Based on the findings from the March 2016 "City of Atascadero Water Reclamation Facility Master Plan Update", the current average daily flow is 1.38 millions of gallons per day (mgd), which is 99 percent of the original 1.40 mgd design capacity, leaving the facility with 0.02 mgd available. Based on this analysis, the City is conducting a re-rating study to determine the final remaining capacity within the water reclamation facility. The proposed project may move forward, if remaining capacity is sufficient to accommodate the proposed project.

However, in the event that sewer capacity is maximized at the City’s treatment facility, there are a number of improvements that may be made at the existing plant to add capacity, including, but not limited to, aeration, partial dredging from the polishing pond, or modification of the existing recirculation pumping stations. This project, along with any other pending projects, will need to contribute their fair share of potential upgrades to expand the treatment facility or participate in interim measures aimed at increasing efficiency and capacity at the current facility as necessary. Any potential expansion of the facility may necessitate additional CEQA review to ensure full compliance with State Law. Implementation of the listed mitigation measures would reduce the potential impacts to the wastewater treatment facility to a level of less than significant.

Solid waste will be collected by the City of Atascadero, through awarded service contracts, and processed to the Chicago Grade Landfill. There is sufficient capacity to serve the proposed project; therefore, the impact is considered less than significant.

MITIGATION / CONCLUSION: The following mitigation measures must be implemented to ensure potential impacts are less than significant.

UT–1: If the City Engineer determines there is insufficient capacity to accommodate the proposed project prior to building permit issuance, a building permit will not be issued by the City until sufficient capacity is obtained either through permanent plant upgrades or interim upgrades.

**18. TRIBAL CULTURAL RESOURCES – Will the Project:**

<table>
<thead>
<tr>
<th>Potentially Significant</th>
<th>Impact Requires Mitigation</th>
<th>Insignificant Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
</table>

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

☐ ☐ ☒ ☐
b) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or

☐ ☐ ☐ ☒

c) Impact a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California native American Tribe.

☐ ☐ ☒ ☐

EXISTING SETTING: The proposed project site previously housed a fueling station with underground fuel tanks. The site and underlying soils have been previously disturbed. The site is an infill site surrounded by commercial development and is bordered by Highway 41 and El Camino Real. The previous fueling station was demolished as part of the Highway 41/101 interchange improvements. No archeological resources have been noted during these previous construction activities.

PROPOSED PROJECT: The proposed project is for the construction of a 3,755 sf commercial building on the now vacant corner parcel. Disturbance activities will include any required remediation of the site soils and any required excavation for the building foundation.

MITIGATION / CONCLUSION: Based on the location of the site, the previous use of the property, and previous construction activities, no mitigation is required.

19. MANDATORY FINDINGS OF SIGNIFICANCE – Will the Project:

a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

☐ ☐ ☐ ☒
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

☐ ☐ ☒ ☐

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☐ ☒ ☐

EXISTING SETTING: The existing project site is located in the City’s downtown zoning district at the bordering the intersection of Highway 41 and El Camino Real, one of the busiest intersections in the City. The site was previously developed with a fuel station which was demolished as part of the Caltrans interchange improvements.

PROPOSED PROJECT: The proposed project includes a 3,755 square-foot commercial building that will be divided into 2 tenant spaces. Approximately 2,000 square feet will be a restaurant use with the remaining square-footage reserved for a complimentary retail or personal service use.

MITIGATION / CONCLUSION: Project impacts will not exceed impacts anticipated for development of the project site. While some traffic will be added to the area, added trips will not create a substantial impact on the surrounding roads and intersections. The project represents a small infill development in the City’s downtown area. All identified impacts are brought to a level of insignificance with mitigation identified.

For further information on California Environmental Quality Act (CEQA) or the City’s environmental review process, please visit the City’s website at www.atascadero.org under the Community Development Department or the California Environmental Resources Evaluation System at: http://resources.ca.gov/ceqa/ for additional information on CEQA.
**Exhibit A – Initial Study References & Outside Agency Contacts**

The Community Development Department of the City of Atascadero has contacted various agencies for their comments on the proposed project. With respect to the proposed project, the following outside agencies have been contacted (marked with an ☒) with a notice of intent to adopt a proposed negative / mitigated negative declaration.

- ☒ Atascadero Mutual Water Company
- ☐ Atascadero Unified School District
- ☐ Atascadero Waste Alternatives
- ☒ AB 52 – Salinan Tribe
- ☒ AB 52 – Northern Chumash Tribe
- ☒ AB 52 – Xolon Salinan Tribe
- ☐ AB 52 – Other
- ☐ California Highway Patrol
- ☐ California Department of Fish and Wildlife (Region 4)
- ☒ California Department of Transportation (District 5)
- ☐ Other ______________

- ☐ Native American Heritage Commission
- ☐ San Luis Obispo Council of Governments
- ☒ San Luis Obispo Air Pollution Control District
- ☐ San Luis Obispo Integrated Waste Management Board
- ☐ Regional Water Quality Control Board District 3
- ☒ HEAL SLO – Healthy Communities Workgroup
- ☒ US Postal Service
- ☒ Pacific Gas & Electric (PG&E)
- ☒ Southern California Gas Co. (SoCal Gas)
- ☒ County Environmental Health
- ☐ Other ______________

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 Community Development Department and requested copies of information may be viewed by requesting an appointment with the project planner at (805) 461-5000.

- ☒ Project File / Application / Exhibits / Studies
- ☒ Atascadero General Plan 2025 / Final EIR
- ☒ Atascadero Municipal Code
- ☐ Atascadero Appearance Review Manual
- ☒ Atascadero Urban Stormwater Management Plan
- ☐ Atascadero Hillside Grading Guidelines
- ☒ Atascadero Native Tree Ordinance & Guidelines
- ☒ Atascadero Climate Action Plan (CAP)
- ☒ Atascadero Downtown Revitalization Plan
- ☐ Atascadero Bicycle Transportation Plan
- ☒ Atascadero GIS mapping layers
- ☒ Other CalEEMod

- ☐ Adopted Atascadero Capital Facilities Fee Ordinance
- ☐ Atascadero Inclusionary Housing Policy
- ☒ SLO APCD Handbook
- ☐ Regional Transportation Plan
- ☐ Flood Hazard Maps
- ☐ CDFW / USFW Mapping
- ☐ CA Natural Species Diversity Data Base
- ☒ Archeological Resources Map
- ☒ Atascadero Mutual Water Company Urban Water Management Plan
- ☐ CalEnvironScreen
- ☒ Other ITE Trip Generations 9th Editions

- ☐ Other ______________
EXHIBIT B – MITIGATION SUMMARY TABLE
Morro Rd / El Camino Real Commercial Development
PLN 2017-1638

Per Public Resources Code § 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. The measures will become conditions of approval (COAs) should the project be approved. The City of Atascadero, as the Lead Agency, or other responsible agencies, as specified, are responsible to verify compliance with these COAs.

<table>
<thead>
<tr>
<th>MITIGATION MEASURE</th>
<th>TIMING</th>
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<tbody>
<tr>
<td><strong>Aesthetics</strong></td>
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<tr>
<td>AES-1</td>
<td>Prior to Building Permit Final</td>
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<tr>
<td>The landscaping at the intersection of El Camino Real and Highway 41 shall include a minimum of 1 specimen tree to be a minimum of 12-feet in height at the time of installation. Native shrubs and grasses shall be installed within the corner planter.</td>
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<tr>
<td>AES-2</td>
<td>Prior to Building Permit Final</td>
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<td>Street trees shall be provided along the El Camino Real and Highway 41 frontage at a maximum spacing of 30-feet on center. Native grasses or similar shall be installed to provide visual screening of the parking stalls from the sidewalk.</td>
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<tr>
<td>AES-3</td>
<td>Prior to Building Permit Final</td>
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<td>All site and building lighting shall be full-cut-off and shielded. Up lights shall be permitted for landscape features and building accents providing that the light source is shielded from pedestrian and traffic use areas.</td>
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<tr>
<td><strong>Air Quality</strong></td>
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<tr>
<td>AQ-1</td>
<td>During Construction</td>
</tr>
<tr>
<td>Dust Control Measures. The project will not likely exceed the APCD’s CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Therefore, the following measures shall be implemented during the construction phase of the project to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts:</td>
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<tr>
<td>a. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District’s limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.</td>
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<tr>
<td>b. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;</td>
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</tr>
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</table>
MITIGATION MEASURE

c. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
d. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and,
e. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity. Their duties shall include holidays and weekend periods when work may not be in progress.

AQ-2 Hydrocarbon Contaminated Soil. Should contaminated soil be discovered, an APCD permit shall be required to address proper management of the hydrocarbon contaminated soil prior to the start of any earthwork. This permit shall include conditions to minimize emissions from any excavation, disposal or related process. To the extent feasible, the developer shall contact the APCD Engineering & Compliance Division at 781-5912 within 120 days before the start of excavation to begin the permitting process. In addition, the air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD’s construction phase thresholds. Should no contaminated soils be located during excavation, the developer shall notify APCD and the City and provide all documentation certifying this finding to both agencies.

AQ-3 Demolition / Asbestos. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the disturbance, demolition, or relocation of below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to slocleanair.org/rules.
MITIGATION MEASURE

regulations/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the “Other Forms” section of slocleanair.org/library/download-forms.php.

HAZARDS AND HAZARDOUS MATERIALS

HAZ-1 An assessment of the soil conditions will be required to determine if any remediation is necessary. The applicant will work with the San Luis Obispo County Environmental Health department to determine what previous testing and reporting has occurred on-site and what testing is required prior to construction. Testing may include shallow soil and gas testing up to 10-feet and a soil vapor test. If any contaminated soils or noxious vapors are discovered, all requirements set forth by SLO County Environmental shall be implemented.

TRANSPORTATION & TRAFFIC

TP-1 Visual signs or striping shall be required to designate both driveways as right-turn only for exiting vehicles.

UTILITIES SERVICES

UT-1 If the City Engineer determines there is insufficient capacity to accommodate the proposed project prior to building permit issuance, a building permit will not be issued by the City until sufficient capacity is obtained either through permanent plant upgrades or interim upgrades.

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

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

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<th>Signature of Owner(s)</th>
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Figure 1 – Location Map / General Plan & Zoning

6990 El Camino Real

Zoning Designation: Downtown Commercial

General Plan Designation: Downtown
Figure 2 – Aerial Mapping

Rabobank

Rite Aid

Subject Property
Figure 3 – Site Plan

STATE HIGHWAY 41 (MORRO ROAD)
Figure 4 – Elevations
Figure 5 – Site Photos

View of site from El Camino Real looking south

HWY 41 site frontage and view south
Figure 5 – Site Photos
End of Report