Adopted
CEQA Findings of Fact

and

Statement of Overriding Considerations

of the

Atascadero City Council

for the

Del Rio Road Commercial Area Specific Plan
Environmental Impact Report
SCH #2010051034

June 2012
I. INTRODUCTION

The California Environmental Quality Act, Public Resources Code Section 21081, and the State CEQA Guidelines, 14 Cal. Code ofRegs. Section 15091 (collectively, CEQA) require that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. CEQA Guidelines Section 15091 provides:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines Section 15093 further provides:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed and considered the Draft Environmental Impact Report (DEIR), Partially Recirculated Draft Environmental Impact Report (PRDEIR), and the Final Environmental Impact Report (FEIR) for the Del Rio Road Commercial Area Specific Plan, SCH No. 20100051034 (collectively, the EIR), as well as all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (Findings) and Statement of Overriding Considerations (SOC) are hereby adopted by the City of Atascadero (City) in its capacity as the CEQA Lead Agency.

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the City for the development of the Project. These actions include the following:

- **General Plan Land Use Diagram Amendment**
  
  GPA 2007-0020 (Walmart) and GPA 2007-0021 (Annex)

- **Zoning Code Text for Specific Plan Zone 2 (SP-2)**
  
  SP-2009-0003

- **Zoning Map Amendment**
  
  ZCH 2007-0141 (Walmart) and ZCH 2007-142 (Annex)
• Specific Plan / Master Plan of Development Adoption  
  SP-2009-0003
• Tree Removal Permits Approvals  
  TRP 2009-0127 (Annex) and TRP 2009-0128 (Walmart)
• Vesting Tentative Parcel Maps Approvals  
  TPM 2009-0095 (Walmart) and TPM 2011-0098 (Annex)

These actions are collectively referred to herein as the Project.

A. Document Format

These Findings have been organized into the following sections:

1. Section I provides an introduction to these Findings.

2. Section II provides a summary of the Project description and overview of the discretionary actions required for approval of the Project, and a statement of the Project’s objectives.

3. Section III provides a summary of public participation in the environmental review for the Project.

4. Section IV sets forth findings regarding significant or potentially significant environmental impacts identified in the EIR.

5. Section V sets forth findings regarding alternatives to the proposed Project.

6. Section VI consists of a Statement of Overriding Considerations which sets forth the City’s reasons for finding that specific economic, legal, social, technological, and other considerations associated with the Project outweigh the Project’s potential unavoidable environmental effects.

7. Section VII Mitigation Monitoring and Reporting Program

B. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the City’s actions related to the Project are located at the City of Atascadero, Community Development Department, 6907 El Camino Real, Atascadero, CA 93422. The Community Development Department is the custodian of the administrative record for the Project.
II. PROJECT SUMMARY

A. Project Location
The project site is located in the City of Atascadero, San Luis Obispo County, California. The project site encompasses two adjacent sites totaling approximately 39 acres located at the Del Rio Road/El Camino Real intersection in the northern portion of Atascadero. The Walmart site totals approximately 26 acres and occupies the southeast quadrant of the intersection, while the Annex site totals approximately 13 acres and occupies portions of the northwest and northeast quadrants of the intersection.

B. Project Description
The proposed project represents a key commercial development opportunity for the City of Atascadero. The proposed project consists of two coordinated commercial development applications, identified as the Wal-Mart Supercenter and Annex Shopping Center. The project consists of two non-contiguous areas totaling approximately 39.0± acres located at the intersection of El Camino Real and Del Rio Road in the City of Atascadero. The EIR analyzed the potential environmental effects of the following:

Walmart component: A Walmart store (consisting of approximately 123,112 square feet of retail and grocery sales floor area and 6,448 square feet of outdoor garden center), two commercial outlots (approximately 10,000 square feet of retail space total), and one multifamily residential remainder parcel (to be developed with up to 44 multi-family residential dwelling units at a later date under separate approvals) would be developed on approximately 26 acres located at the southeast quadrant of the El Camino Real / Del Rio Road intersection.

Annex component: Approximately 120,900 square feet of commercial uses including food and beverage retail sales, general merchandise stores, eating and drinking places (including drive-through eating and drinking places) and one single family residential remainder parcel (to be developed at a later date under separate approvals with up to six (6) dwelling units) would be developed on approximately 13 acres at the northeast quadrant of the El Camino Real / Del Rio Road intersection and on the west side of El Camino Real.

The combined Walmart and Annex projects consist of approximately 260,460 square feet of commercial uses and 4.5 acres of residential multiple and single family with up to 50 dwelling units on parcels of approximately 39 acres of land. Table 1 below provides a summary of the Walmart project and Annex project land uses by acreage and floor area/density.
### Table 1
**Walmart and Annex Projects Land Use Summary**

<table>
<thead>
<tr>
<th></th>
<th>Land Area</th>
<th>Floor Area/Density</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WALMART PROJECT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walmart</td>
<td>19 ac.</td>
<td>129,560 sq. ft.(^1)</td>
</tr>
<tr>
<td>Commercial Out-parcel</td>
<td>1 ac.</td>
<td>5,000 sq. ft.</td>
</tr>
<tr>
<td>Commercial Out-parcel</td>
<td>1 ac.</td>
<td>5,000 sq. ft.</td>
</tr>
<tr>
<td>Multiple Family Residential</td>
<td>2.8 ac.</td>
<td>44 d.u.(^2)</td>
</tr>
<tr>
<td><strong>SUBTOTAL WALMART</strong></td>
<td>26 ac. (gross)(^3)</td>
<td>139,560 sq. ft. 44 d.u.</td>
</tr>
<tr>
<td><strong>ANNEX PROJECT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail “A”</td>
<td>1.4 ac.</td>
<td>25,000 sq. ft.</td>
</tr>
<tr>
<td>Retail “B”</td>
<td>2.3 ac.</td>
<td>23,000 sq. ft.</td>
</tr>
<tr>
<td>Retail “C”</td>
<td>1.9 ac.</td>
<td>26,000 sq. ft.</td>
</tr>
<tr>
<td>Retail “D”</td>
<td>1.4 ac.</td>
<td>16,500 sq. ft.</td>
</tr>
<tr>
<td>Retail “E”</td>
<td>1.1 ac.</td>
<td>4,600 sq. ft.</td>
</tr>
<tr>
<td>Retail “F”</td>
<td>0.8 ac.</td>
<td>3,900 sq. ft.</td>
</tr>
<tr>
<td>Retail “G”</td>
<td>0.4 ac.</td>
<td>5,050 sq. ft.</td>
</tr>
<tr>
<td>Retail “H”</td>
<td>1.7 ac.</td>
<td>16,850 sq. ft.</td>
</tr>
<tr>
<td>Single Family Residential</td>
<td>1.7 ac.</td>
<td>6 d.u.(^4)</td>
</tr>
<tr>
<td><strong>SUBTOTAL ANNEX</strong></td>
<td>13 ac. (gross)(^5)</td>
<td>120,900 sq. ft. 6 d.u.</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>39 ac. (gross)</td>
<td>260,460 sq. ft. 50 d.u.</td>
</tr>
</tbody>
</table>

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\(^1\) Includes 6,448 square foot outdoor garden center and outdoor bagged goods storage area.

\(^2\) Although a specific development proposal has not been identified for the proposed residential parcel, the EIR will analyze a not to exceed envelope for the purposes of assessing the environmental impacts consistent with CEQA.

\(^3\) Approximately 2.2 acres will consist of street dedications.

\(^4\) Although a specific development proposal has not been identified for the proposed residential parcel, the EIR will analyze a not to exceed envelope for the purposes of assessing the environmental impacts consistent with CEQA.

\(^5\) Approximately 0.3 acres will consist of street dedications.
1. **Walmart Project**

The Walmart store will consist of an approximately 123,112 square foot Walmart store and a 6,448 square foot outdoor garden center and outdoor bagged goods storage area. The outdoor bagged goods storage area will function as a customer pick-up facility for pre-paid bagged garden supplies such as potting soil, mulch and manure. It would not accommodate direct sales, and would have a striped pick-up area and a dedicated attendant to assist customers with loading. The Walmart store will consist of all appurtenant facilities for the sale of general merchandise, groceries and beverages (including beer, wine and distilled spirits for off-site consumption), a “site-to-store” department for web based shopping, pharmacy, photo lab, outdoor sales facilities, outside storage facilities (including a trash compactor and bale and pallet recycling area), loading facilities, and surface parking facilities. The store also will include space for a future retail tenant leasable for a fast food outlet, bank, medical clinic, vision center, portrait studio and/or hair and nail salon. The Walmart store may, among other things, carry pool chemicals, petroleum products, pesticides, paint products and ammunition. The sale of such items will be carried out in accordance with all applicable local, state and federal laws. Table 2 below provides a breakdown of floor areas of the proposed Walmart store.

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**Table 2**

**Walmart Project Floor Area Summary**

<table>
<thead>
<tr>
<th>Use</th>
<th>Store Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Merchandise</td>
<td>63,506 sq. ft.</td>
</tr>
<tr>
<td>Pharmacy</td>
<td>759 sq. ft.</td>
</tr>
<tr>
<td>Grocery Sales</td>
<td>21,506 sq. ft.</td>
</tr>
<tr>
<td>Grocery Sales Support Area</td>
<td>6,388 sq. ft.</td>
</tr>
<tr>
<td>Stockroom /Receiving Area</td>
<td>15,476 sq. ft.</td>
</tr>
<tr>
<td>Ancillary Area</td>
<td>10,074 sq. ft.</td>
</tr>
<tr>
<td>Future Tenant Area</td>
<td>1,934 sq. ft.</td>
</tr>
<tr>
<td>Indoor Garden/Seasonal sales</td>
<td>3,469 sq. ft.</td>
</tr>
<tr>
<td><strong>Total Building Interior</strong></td>
<td><strong>123,112 sq. ft.</strong></td>
</tr>
<tr>
<td>Outdoor Garden Center and Bagged Goods Storage Area</td>
<td>6,448 sq. ft.</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>129,560 sq. ft.</strong></td>
</tr>
</tbody>
</table>

In addition, the Walmart project will include a detention basin located within the Walmart parcel, two 1-acre commercial out-parcels each totaling approximately 5,000 square feet of retail, restaurant and/or office uses, and one 2.8 acre multi-family residential parcel (RMF-20) that will be developed at a later date with up to 44 dwelling units.
The Walmart store will operate on a 24-hour, 7 days a week basis. The hours of operation for the commercial out-parcels may vary depending on the tenant; however, the EIR conservatively analyzed the operation of the out-parcels on a 24-hour, 7 days a week basis.

a) **Architectural Design**
As illustrated in the elevations for the Walmart store contained in the EIR, the structure will be single-story, varying in height from approximately 27 feet, 6 inches to 29 feet, 6 inches (with certain architectural features up to 34 feet).

Architectural elements such as awnings, arches, storefront and window glazing and a landscaped seating area under a shade tree, will provide pedestrians with a welcoming environment when entering the store, gathering or simply waiting for a ride.

The massing of the building’s elevations is reduced in scale by these pedestrian features as well as with the use of architectural forms and detailing such as a variety of traditional and contemporary materials including masonry block with a mixture of smooth face and split face finishes, stucco, and “Rotunda Blonde Brick Tile” in a rich earth toned color palette. The composition is anchored by the centrally located, gently arched identity wall constructed from “TrespaMeteon,” an environmentally sensitive high pressure resin and cellulose wall panel system.

The entire building will use parapet walls to screen the limited rooftop mechanical equipment from neighborhood view. Outdoor storage, the outdoor garden center and truck docks will be screened by attractive masonry walls and iron fences. The rear and side exterior walls will take advantage of the floor plan configuration where possible and also use the same color material palette to create visual consistency.

The outdoor garden center will be located at the southern corner of the Walmart store. It will be surrounded by a 12-foot high black steel picket wrought iron fence, overlaid with a black vinyl-coated mesh fencing to which shade cloth will be attached on the inside, interspersed with a colonnade treated with “Rotunda Brick Tile” and complementary color pallet.

The wooden pallet and cardboard bale recycling area located at the rear of the building will be enclosed on three sides with an approximately 10 foot, 4 inch-high split-face block wall with a concrete cap and a contrasting block band and, on the west side, by an approximately eight-foot high steel ornamental fence with two sliding gates.

b) **Landscaping**
Consistent with the landscaping plan, the Walmart Site will contain robust landscaping and greenery to beautify the site and screen the parked vehicles as viewed from El Camino Real. The proposed landscape improvements are based on plant selections of low water use varieties well adapted to the climate that exists within the region. In conformance with the City and Atascadero Mutual Water Company recommendations, the project will use a combination of low volume overhead spray and drip irrigation.
methods to support the proposed plant material, providing an efficient use of water. Further, landscape materials will be included along the perimeter of the Walmart site to provide unity to the streetscape design along both Del Rio Road and El Camino Real. Ornamental trees and plantings will be provided throughout the common parking area in planters. These landscaped areas will also incorporate features such as planter retention basins and bio-detention swales to store stormwater and to recharge the ground water basin. Where applicable, hydroseed plantings will provide erosion control for areas requiring temporary landscape and slope stabilization.

Specifically, the 19-acre Walmart store parcel will consist of approximately 226,000 square feet of planted landscaping, or approximately 27% of the net site area. In addition, approximately 80,700 square feet of existing natural vegetation at the east and southeast perimeter of the site will either be retained or reseeded as necessary in accordance with City requirements. Further, the parking area will include approximately 57,000 square feet of planted bio-swale and a minimum of 10,000 square feet of landscaped planters, comprising approximately 23% of the total parking area.

The Walmart store parking area and driveways will be planted with trees throughout the project site, averaging approximately one tree per 30 feet along the parking rows for both shade and aesthetic purposes. Shrubs, ground covers, and accent lawns will be incorporated into the landscape design where applicable. In addition, Walmart will install City-approved street trees along the El Camino Real, Del Rio Road, and the new public road frontages of the property and plant the engineered slopes as indicated on the Landscape Plan to further screen the parking area from adjacent public streets. Lastly, each commercial out-parcel will contain a minimum of approximately 12,000 square feet of planted landscaping, or 28% of the net site area.

c) Pedestrian Access and Circulation
The proposed circulation network is designed to allow pedestrians a safe path from public and private areas to and from the Walmart store entrance. Pedestrian access and the ADA accessible path will extend from the proposed bus stop on El Camino Real to the proposed public road and Walmart store entrance by way of public sidewalks and delineated pedestrian crosswalks. The ADA accessible elements will be in compliance with accessibility requirements.

d) Parking
In compliance with City requirements, the Walmart parcel and the two commercial out-parcels will provide a total of approximately 697 parking spaces. The proposed multi-family (RMF-20) parcel will comply with City parking requirements, as determined at the time an application for the specific project is submitted to the City.

e) Signage
As illustrated in the proposed signage plan, Walmart building signage will consist of three wall mounted signs on the front facade identifying (i) the store with “Walmart” sign and logo, (ii) “Market & Pharmacy” and (iii) “Outdoor Living.” The total building
signage for the Walmart Store will be approximately 478.05 square feet. No wall signage will be located on any of the other three elevations. Additionally, the Walmart Site will include one (1) internally lit freestanding identification site sign with a sign face measuring approximately four (4) feet tall by 16 feet wide. The top of the sign face will be approximately 20 feet above adjacent grade. All building signs will be non-illuminated, except for the main identification sign and logo which measures approximately 298 square feet in area, and will be internally lit by Light Emitting Diodes (“LED”).

f) **Roof Plans**
As shown in the roof plan, the proposed Walmart building will locate mechanical equipment on the roof including rooftop air conditioning units and condenser houses. The air conditioning units will consist of 3-ton units (3), 5-ton units (8), 10-ton units (4), and 20-ton units (5) spread over the rooftop area. In addition, approximately 142 skylights will be spread evenly over the roof’s surface. These skylights will be used to reduce electric lighting during the daytime, as described further under Sustainable Features, below. Two (2) condenser houses, Two (2) air handlers and Two (2) refrigeration units will be located at the northwestern potion of the building rooftop. These units will supply the refrigeration needs for the grocery sales area, which will be located directly underneath. A parapet wall will surround the perimeter of the roof to screen the rooftop mechanical uses from surrounding views, as well as attenuate noise from these units.

g) **Walmart Store Sustainable Features**
The Walmart store will exceed the energy efficiency standards of Title 24. This energy efficiency will be accomplished by designing the Walmart building to a building efficiency rating that is greater than the Title 24 requirement. To achieve this reduction in energy consumption, the Walmart store will incorporate, at a minimum, the following sustainability features or other features that are equally efficient:

1. **Energy and Resource Conservation:**
   **Lighting:** The entire store will include occupancy sensors in most non-sales areas, including restrooms, break rooms, and offices. The sensors automatically turn the lights off when the space is unoccupied.

   **Interior Lighting:** All lighting in the store will be T-8 fluorescent lamps and electronic ballasts, resulting in up to a 15-20 percent reduction in energy load.

   **LED Lighting:** All exterior building signage and many refrigerated food cases will be illuminated with light emitting diodes (LEDs). In refrigerated food cases, LEDs perform well in the cold and produce less heat than fluorescent bulbs – heat which must be compensated for by the refrigeration equipment. LEDs also contain no mercury or lead. LED technology is up to 52 percent more energy efficient than fluorescent lights. Total estimated energy savings for LED lighting in the store’s grocery section is approximately 59,000 kWh per year, enough energy to power five single family homes.
Day lighting: The store will include a daylight harvesting system. This system incorporates more efficient lighting, electronic continuous dimming ballasts, skylights and computer controlled daylight sensors that monitor the amount of natural light available. During periods of higher natural daylight, the system dims or turns off the store lights if they are not needed, thereby reducing energy usage. This program will help the store save a substantial amount of energy. Dimming and turning off building lights also helps eliminate unnecessary heat in the building. Daylight harvesting can reduce up to 75 percent of the electric lighting energy used in a Walmart store during daylight hours. Each system can save up to an average of 800,000 kWh annually, enough energy to power 73 single family homes (11,020 kWh average annual use) for an entire year.

(2) Central Energy Management System:
Walmart employs a centralized energy management system (“EMS”) to monitor and control the heating, air conditioning, refrigeration and lighting systems for all stores from Walmart’s corporate headquarters in Bentonville, Arkansas. The EMS enables Walmart to constantly monitor and control the store’s energy usage, analyze refrigeration temperatures, observe HVAC and lighting performance, and adjust system levels from a central location 24 hours per day, seven days per week. Energy usage for the entire store will be monitored and controlled in this manner.

HVAC: The store will employ one of the industry’s most efficient heating, ventilating and air-conditioning (HVAC) units available.

Dehumidification: The building will include a dehumidifying system that allows Walmart to operate the store at a higher temperature, use less energy, and allow the refrigeration system to operate more efficiently.

White Roofs: The store will feature a white membrane roof instead of the typical darker colored roof materials employed in commercial construction. The white membrane roof’s higher reflectivity helps reduce building energy consumption and reduces the heat island effect, as compared to buildings utilizing darker roofing colors.

Refrigeration: Walmart uses non ozone-depleting refrigerants. It uses R404a for the refrigeration equipment. For air conditioning, Walmart has converted to R410a refrigerant. Refrigeration equipment will be roof-mounted close to the refrigerated cases. This reduces the amount of copper refrigerant piping, insulation, potential for leaks and refrigerant charge needed.

Heat Reclamation: The Walmart store will reclaim waste heat from onsite refrigeration equipment to supply approximately 70% of the hot water needs for the store.

(3) Water Conservation:
Walmart will install high-efficiency urinals that use only 1/8 gallon (one pint) of water per flush. This fixture reduces water use by 87 percent compared to the conventional one gallon per flush urinal. All restroom sinks will use sensor-activated 1/2 gallon per minute
high-efficiency faucets. These faucets reduce water usage by approximately 75 percent compared to mandated 1992 EPA Standards.

During use, water flows through turbines built into the faucets to generate the electricity needed to operate the motion sensors. All restroom toilets will be highly efficient and reduce water use. The fixture uses 20 percent less water compared to the mandated EPA Standard for fixtures, of 1.6 gallon per flush. The toilets utilize built-in water turbines to generate the power required to activate the flush mechanism. These turbines save energy and material by eliminating electrical conduits required to power automatic flush valve sensors. It is estimated that Walmart’s water conservation measures could save approximately 70% of water used annually at this store.

(4) Materials and Finishes
Cement Mixes: The newly-constructed store will be built using cement mixes that include 15-20 percent fly ash, a waste product of coal-fired electrical generation, or 25-30 percent slag, a by-product of the steel manufacturing process. By incorporating these waste product materials into its cement mixes, Walmart reduces the greenhouse gases emitted in the cement manufacturing process.

NRP: The store will use Non-Reinforced Thermoplastic Panel (“NRP”) in lieu of Fiber Reinforced Plastic (“FRP”) sheets on the walls in areas where plastic sheeting is appropriate, including food preparation areas, utility and janitorial areas, and associate break rooms. NRP can be recycled, has better impact resistance and, like FRP, is easy to keep clean. The store will use plant based oil extracted from a renewable resource as a concrete form release agent (a product sprayed on concrete forms to allow ease of removal after the concrete has set). This release agent is a non-petroleum based non-toxic and biodegradable agent.

LOW VOC: For the store’s exterior and interior field paint coatings, Walmart will use low volatile organic compound (“VOC”) paint. Paint products required for the project will be primarily purchased in 55 gallon drums and 275 gallon totes, reducing the number of one gallon and five gallon buckets needed. These plastic buckets are filled from the drums and totes and then returned to the paint supplier for cleaning and reuse. Exposed concrete floors are used “to reduce surface applied flooring materials,” eliminating the need for most chemical cleaners, wax strippers and propane-powered buffing.

(5) Recycled Building Materials
Construction of the new store will use steel containing approximately 90-98 percent recycled structural steel, which utilizes less energy in the mining and manufacturing process than does new steel. All of the plastic baseboards and much of the plastic shelving included will be composed of recycled plastic.

Construction and Demolition (“C&D”) Recycling: Walmart will employ a Construction and Demolition (C&D) program at this location in order to capture and recycle as much of the metals, woods, floor and ceiling tiles, concretes, asphalts and other materials generated as part of Walmart’s demolition and construction process as possible.
Walmart will work with a waste management company to fully research all available C&D recycling facilities in the area, and its C&D program will seek to include the widest possible range of materials recovery options.

h) **Transportation**
The Walmart project will encourage non-motorized travel by creating travel routes that ensure destinations may be reached conveniently by public transportation, bicycling or walking. The proposed circulation network is designed to allow pedestrians a safe path from public and private areas to and from the Walmart store entrance. Further, the project will accommodate a proposed bus stop on El Camino Real and provide secure bicycle parking near Walmart building entrances.

i) **Outdoor Lighting**
As illustrated in the lighting plan, the Walmart store site will consist of a variety of lighting types, including both pole-mounted and wall-mounted light fixtures. Parking lot lighting will be located along parking stall rows and will primarily consist of pole-mounted fixtures, approximately 30 feet in height, containing 400 watt Greenbriar Flat Lenses, full-cut-off lights to direct light downward and reduce light spillover. Additionally, approximately 15, 70-watt metal halide down lights will be mounted on the front wall of the Walmart building at between approximately 10 feet above the walking surface. The light throw is aimed straight down to brighten the pedestrian path of travel or immediate work zone, thereby avoiding unnecessary light pollution. The Walmart store also will provide approximately 12, 70-watt metal halide directional up lights along the front architecture to enhance architectural elements. Lighting for the proposed commercial out-parcels will generally be consistent with the Walmart store site and will meet applicable City standards.

j) **Security Measures**
The security measures listed below will be undertaken by the Walmart store.

- Conduct a risk analysis (crime survey) of the area to evaluate the security needs for the store and implement a security plan based upon this analysis.
- Install closed-circuit camera systems (surveillance cameras) inside and outside the store.
- Establish a parking lot patrol for store areas; this patrol assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) both during the day and nighttime hours.
- Establish a Risk Control Team; a team of associates responsible and trained to identify and correct safety and security issues at the site.
- Provide lighting in the parking areas that will ensure public safety.
- Prohibit consumption of alcohol in the parking lots by having associates regularly “patrol” the parking areas while collecting shopping carts, and report any inappropriate activity to the store managers. (Also, in accordance with state law, alcohol sales will be prohibited between 2 a.m. and 6 a.m.)
k) **Truck Deliveries and Loading**

The proposed Walmart store is anticipated to receive up to approximately 6 semi-trailer (four axle/approximately 73.5 feet in length) deliveries and up to approximately 6 smaller vendor (two axle/approximately 33 feet in length) deliveries per day. Each commercial out-parcel may receive up to approximately 5 smaller truck or van deliveries per day.

All Walmart delivery trucks automatically shut off after three minutes of idling, which reduces fuel consumption, engine noise and diesel emissions. Approximately twice per day, semi-trailers equipped with transport refrigeration units ("TRUs"), which provide refrigeration for perishable food delivery trucks, will make deliveries. The truck cab is powered by diesel-fueled auxiliary motors while the truck is turned off.

The Walmart store loading dock area will consist of four (4) separate loading bays. Each bay will be fitted with impact absorbing rubber dock seals and dock bumpers providing sound mitigation for unloading activity. Additionally, each bay will be sloped to four (4) feet below finish floor and the loading area will be screened from view by an eight (8) foot high masonry wall matching the building architecture, thereby further mitigating sound and aesthetic impacts.

Truck access to the Walmart store will be from Del Rio Road and the proposed public road internal to the Walmart Site. Semi-trailer trucks will enter the Walmart Site via the dedicated entrance located off of Del Rio Road, which is east of the customer entrance on Del Rio Road and leads to the rear of the Walmart store. The truck circulation pattern is designed so that trucks unload cargo at the rear of the Walmart store, turn around, and then exit the same dedicated truck entrance on Del Rio Road. Smaller vendor trucks with seasonal garden center merchandise will have access to the store via the Del Rio Road entrance and the proposed public road at the southern end of the Walmart site which connects to El Camino Real.

Truck access to the two (2) commercial out-parcels will be from El Camino Real and the proposed public road at the southern end of the Walmart Site, which connects to El Camino Real. Trucks will access the buildings through the proposed parking lots.

l) **Grading**

The Walmart parcel and two (2) commercial out-parcels will be cleared, graded, and otherwise prepared for construction. It is anticipated that clearing and rough grading will be accomplished within a period of approximately three (3) months. Concept grading plans indicate that approximately 75,000 cubic yards ("cy") of earth will be moved internally and approximately 50,000 cy will be transported to the Annex Site. Further, an additional approximately 205,000 cy of dirt is expected to be exported to one or more sites within an approximately 10-mile radius of the project. Any residual debris resulting from site clearing and preparation will be disposed of/recycled in accordance with City requirements.
Walmart does not propose to grade the multi-family residential out-parcel at this time. Future grading for the multi-family residential parcel will comply with City requirements, as determined at the time an application for a specific project is submitted to the City.

2. **Annex Shopping Center Project**

The Annex portion of the project will include approximately 120,900 square feet of commercial uses, consisting of retail, restaurant and drive-thru restaurant facilities, on six (6) retail pads, two (2) drive-thru restaurant pads, and two (2) restaurant and/or office use pads. The Annex buildings collectively will include space for retail tenant uses including, but not limited to, the sale of general merchandise, food and beverages, including beer, wine and distilled spirits for on-site (restaurant) and off-site consumption, pharmacy with provisions for drive thru prescription pick up, restaurants, financial institutions, fast food restaurants with drive thru facilities and other uses as permitted in the CR Zone.

In addition, the Annex project will include a series of detention basins located throughout the project, outside storage facilities including a trash dumpster/compactor, loading facilities, surface parking facilities, and one 1.7 acre residential single family parcel (RSF-X) that will be developed at a later date with a maximum of six (6) dwelling units.

The retail and restaurant (non-drive thru) hours of operation may vary depending on the tenant; however, these uses are generally anticipated to operate between the hours of 8:00 am until 11:00 pm. The pharmacy and drive-thru restaurant uses will operate on a 24-hour, 7 days a week basis. The EIR will conservatively analyze the operation of all parcels on a 24-hour, 7 days a week basis.

a) **Architectural Design**

As shown in the elevations, the Annex project’s architectural design is based on a Spanish-Revival vernacular incorporated with modern elements. Comprised of 8 single-story buildings varying in height from 22 to 34 feet, the design of each individual building expresses focal points and gathering nodes, emphasized by architectural hierarchy. Towers and other visually interesting monuments, as high as 30 to 45 feet, are positioned to provide visual cues to entrances and other points of interest for easy navigation.

Architectural elements such as awnings, arches, horizontal metal sunshades, storefront and window glazing, vertical landscaping lattices, and fountains are proportionate to human scale and will provide pedestrians with a welcoming environment for entering the businesses and gathering. These cohesive architectural elements recur in each building, providing for a unified presence.

The façade of each building is articulated by the building footprint which provides areas for shade and visual interest. The use of complimentary materials and architectural detailing, such as split face block, stacked stone, clay roof tile and stucco, breaks up the façade visually to emphasize appropriate balance and symmetry. The rich earth toned
colors and textures of the materials suggest an organic and native feel which is indicative of the Atascadero landscape.

Parapet walls will be used, where necessary, to screen rooftop mechanical equipment from view. Trash enclosures and truck docks will be screened, where possible, by attractive masonry walls and landscaping.

b) Landscaping
As illustrated in the landscape plan, the Annex Site will contain landscaping and greenery to beautify the site, shade parking areas and screen the parked vehicles as viewed from El Camino Real. The proposed landscape improvements are based on plant selections of low water use varieties well adapted to the climate that exists within the region. Plant material will provide unity to the streetscape design along both Del Rio Road and El Camino Real. In conformance with the City of Atascadero and Atascadero Mutual Water Company recommendations, a combination of low volume overhead spray and drip irrigation methods will be used to support the proposed plant material, providing an efficient use of water. Further, landscape materials will be included along the perimeter of the project site, and ornamental trees and plantings throughout the common parking area in planters would cover the majority of the project site. These landscaped areas will also incorporate features such as planter retention basins and bio-detention swales to store storm water and to recharge the ground water basin. Where applicable, hydoseed plantings will provide erosion control for areas requiring slope stabilization.

c) Pedestrian Access and Circulation
The proposed circulation network is designed to allow pedestrians a safe path from public and private areas to and from each of the Annex project buildings. Pedestrian access and the ADA accessible path will extend from El Camino Real and Del Rio Road to each of the proposed building entrances by way of public and private sidewalks and delineated pedestrian crosswalks. The ADA accessible elements will be in compliance with accessibility requirements.

d) Parking
In compliance with City requirements, the Annex project will provide a total of approximately 470 parking spaces. The proposed residential single family (RSF-X) remainder parcel will also comply with City parking requirements, as determined at the time an application for the specific project is submitted to the City.

e) Signage
As illustrated in the sign plan, the Annex project will consist of wall mounted signs, with one tenant wall sign per business street frontage of 20 square feet, or 30 square feet where tenant space is 10,000 square feet or more. In several cases, where national stores are anticipated, extra signage is requested. In total, the Annex project will consist of 400 square feet of allowable wall signs and 150 square feet of requested additional wall signs. All wall signs will utilize materials, colors, and design motifs that are compatible with the
architecture and color of the buildings on-site and adjacent properties and will be internally illuminated.

Parcel 1 of the Annex project will feature two (2) monument signs at the southwest corner of the lot and the main westerly driveway along El Camino Real, as well as a smaller secondary address sign at the southerly driveway along Del Rio Road. Parcel 2 will also have one (1) monument sign at the main driveway along El Camino Real. All monument signs will feature landscaping or decorative hardscaping at the base and will be consistent with the architectural design of the shopping center.

Additionally, the Annex will feature a free-standing freeway oriented sign, approximately 50 feet in height, with a maximum area not to exceed 60 square feet per tenant that will be consistent with the architectural design of the shopping center. Signage will consist of individually illuminated pan channel letters for each tenant and approximately 30 square feet of center identification. The free-standing sign will be available for use to any business within the specific plan boundary.

f) **Annex Site Sustainable Features**
The Annex project will meet or exceed the energy efficiency standards of Title 24. This will be accomplished by designing the project to a building efficiency rating that is greater than the Title 24 requirements. Further, the Annex Site will incorporate low impact design principles, including bio-swales.

g) **Lighting**
As shown in the lighting plan, the proposed lighting plan for the Annex project will consist of a variety of lighting types, including both pole-mounted and wall-mounted light fixtures. Parking lot lighting will be located along parking stall rows and will primarily consist of pole-mounted fixtures, approximately 25 feet in height. Lighting for the Annex project will be consistent with City standards.

h) **Truck Deliveries and Loading**
Each building is estimated to receive up to approximately two (2) to three (3) truck deliveries per day. Deliveries will consist of small delivery trucks and semi-trailers (some equipped with TRUs).

Retail Buildings A, C, E and F will include truck delivery bays. Each bay will be fitted with impact absorbing rubber dock seals and dock bumpers providing sound mitigation for unloading activity. Additionally, each bay will be sloped to four feet below finish floor, mitigating sound and aesthetic impacts.

Truck access to the Annex Site will enter from El Camino Real and exit on Del Rio Road. The truck circulation pattern is designed so that trucks unload cargo at the rear of each building and then exit on Del Rio Road. Smaller vendor trucks may enter the site via any project entrance.
i) **Grading**

The Annex Site will be cleared, graded, and otherwise prepared for construction. It is anticipated that clearing and rough grading will be accomplished within a period of approximately three (3) months. Concept grading plans indicate that approximately 50,000 cubic yards will be transported to the Annex Site from the Walmart Site. Any residual debris resulting from site clearing and preparation will be disposed of/recycled in accordance with the City requirements.

The Annex project does not propose to grade the residential single family remainder parcel at this time. Future grading for the multi-family residential parcel will comply with City requirements, as determined at the time an application for a specific project is submitted to the City.

C. **Discretionary Actions**

Implementation of the Project will require several actions by the City, including:

1. **General Plan Amendment.**
   
   For the Walmart project, to redesignate the High Density Residential (HDR), Medium Density Residential (MDR), and a portion of the Suburban Estate (SE)-designated property to General Commercial (GC) to accommodate the proposed Walmart store and two commercial outparcels. Additionally, the 2.8-acre remainder of the existing, residentially designated property will be redesignated HDR in order to accommodate a residential, multiple-family (RMF-20) use proposed to be developed at a later date. For the Annex project, to redesignate the Single Family Residential (SFR) designated property to GC to accommodate the proposed Annex project. Additionally, the 1.7-acre remainder of the existing, residentially designated property will be redesignated SFR-X in order to accommodate a residential, single-family (RSF-X) use proposed to be developed at a later date.

2. **Specific Plan.**
   
   The Specific Plan, when adopted, will serve as the overlay zone for the combined Walmart and Annex project sites. The Specific Plan, together with the underlying zoning on the sites, will establish permitted uses and provide development regulations, requirements, and design guidelines for the Specific Plan area consistent with the proposed Walmart and Annex projects and compatible with the existing surrounding development, consistent with State Law, per Government Code Sections 65450-65457. The Specific Plan, together with the underlying zoning on the sites, establishes permitted uses and provides development regulations, requirements, and design guidelines for the Specific Plan area. The specific plan contains the components required consistent with State Law, per Government Code section 65451. The City Council shall make the required findings for adoption of a Specific Plan and Overlay zone consistent with Section 9-3.644 of the Atascadero Municipal Code.
3. **Zoning Change.**
Consistent with General Plan Land Use Diagram Amendment, and in connection with the adoption of the Specific Plan, the Walmart project will change the Walmart Site’s existing RMF-20, RMF-10, and a portion of the RS-zoned property to the CR Zone. Further, the remaining approximately 2.8-acres of the existing, residentially designated/zoned property will be changed to RMF-20 to accommodate a residential, multiple family use proposed to be developed at a later date. The Annex project will change portions of the Annex Site’s existing RSF-X and CPK zoned property to the CR Zone. The Zoning Code and Map amendment process shall be consistent with Section 9-1.116 of the Atascadero Municipal Code.

4. **Tree Removal Permits.**
A Tree removal permit is being requested pursuant to Atascadero Municipal Code Section 9-11.105, Tree Removal Permit, for removal of any deciduous native tree two (2) inches dbh or greater and four (4) inches dbh or greater for all other protected native trees.

5. **Vesting Tentative Parcel Maps.**
Approval of a Vesting Tentative Parcel Maps to reconfigure the:

(1) Proposed Walmart Project site consisting of 11 parcels into four (4) separate parcels for a Walmart Supercenter, two (2) Commercial Outparcels and one (1) Multiple Family Outparcel; and

(2) Annex Project site consisting of 7 parcels into eight (8) commercial retail parcels and one remainder parcel for future residential development pursuant by State Law, Government Code Section 66426(c), the Subdivision Map Act.

D. **Statement of Project Objectives**
A number of Project-specific objectives were formulated for the Project that was described in the EIR. These objectives are as follows:

- Positively contribute to the local economy through new capital investment, the creation of new employment opportunities, and the expansion of the tax base.
- Facilitate the redevelopment of underutilized land to higher and better uses.
- Enhance the local economy by capturing retail expenditures that are leaking to other markets.
- Provide the market area with a regionally oriented, major retail anchor that retails a wide variety of affordable everyday household items and serves as a draw for other retail and restaurant uses.
• Develop smaller, locally oriented retail and restaurant uses to complement the larger, regionally oriented, major retail anchor.

• Promote economic growth and development that is consistent with the policies of the City of Atascadero General Plan.

• Reduce local residents’ vehicle miles traveled by developing a major retail anchor that retails a wide variety of goods within an urbanized area currently served by existing infrastructure.

• Ensure that new development pays its fair share for necessary improvements.
III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

A. Public Participation Process

The FEIR includes the Draft Environmental Impact Report (DEIR) dated February 2, 2011 and Partially Recirculated DEIR dated March 15, 2012, written comments on the DEIR and PRDEIR that were received during the public review period, and written responses to those comments and changes to the DEIR and PRDEIR. In conformance with CEQA and the State CEQA Guidelines, the City of Atascadero conducted an extensive environmental review of the Project.

1. Notice of Preparation

Completion of an Initial Study (IS) by the City of Atascadero, which concluded that an EIR should be prepared, and the Notice of Preparation (NOP), were released for a 30-day public review period from May 13, 2010, through June 11, 2010. The NOP was posted at the San Luis Obispo County Clerk-Recorder’s office on May 12, 2010. The notice was published in the May 12, 2010 in the Atascadero News, a newspaper of general circulation. Copies of the IS were made available for public review at the City of Atascadero, the San Luis Obispo County Library–Atascadero, and it was available for download via the City’s Web site: http://www.atascadero.org

2. Public Scoping Meeting

Consistent with the scoping process, the public was invited by the City to participate in a joint City Council / Planning Commission scoping meeting for the EIR. This was held on Tuesday, May 25, 2010 at 6:00 PM at the City of Atascadero, 6907 El Camino Real, Atascadero, CA 93422 in the City Council Chambers. The notice of a public scoping meeting was included in the NOP for the City on May 12, 2010. The City held a public scoping meeting on May 25, 2010 to provide input as to the scope of environmental review. The scoping meeting was well attended with over 70 persons and 25 individuals providing oral comments on the scope of the EIR. The City also accepted comments by letter and email. Those comments that were received are located in the FEIR.

3. Draft Environmental Impact Report

Preparation of a DEIR by the City, which was made available for a 45-day public review period (February 2, 2011 to March 18, 2011). The DEIR consisted of two volumes. Volume I contains the text of the DEIR and analysis of the Project. Volume II contains the appendices, including the NOP and responses to the NOP. The Notice of Availability (NOA) for the DEIR was sent to all property owners and occupants within 1,000 feet of the Project site, all persons, agencies and organizations on the interested persons list, the State Clearinghouse in Sacramento for distribution to public agencies, and published in the Atascadero News. The NOA was posted at the San Luis Obispo County Clerk-Recorder’s office on February 2, 2011. Copies of the DEIR were made available for public review at the City of Atascadero Front Counter, the San Luis Obispo County Library–Atascadero, and it was available for download via the City’s Web site: http://www.atascadero.org
4. **Partial Recirculated Draft Environmental Impact Report**

Preparation of a Partially Recirculated DEIR (PRDEIR) by the City, which was made available for a 45-day public review period (March 15, 2012 to April 30, 2012). The PRDEIR consisted of one volume containing revised Volume I sections for Air Quality, Noise, Transportation, Cumulative Effects, Alternatives to the Proposed Project, and Other CEQA Considerations sections. Volume II included revised appendices and supplemental technical data. The Notice of Availability (NOA) for the PRDEIR was sent to all property owners and occupants within 1,000 feet of the Project site, all persons, agencies and organizations on the interest list interested persons, the State Clearinghouse in Sacramento for distribution to public agencies, and published in the Atascadero News. The NOA was posted at the San Luis Obispo County Clerk-Recorder’s office on March 15, 2012. Copies of the DEIR were made available for public review at the City of Atascadero Front Counter, the San Luis Obispo County Library–Atascadero, and it was available for download via the City’s Web site: [http://www.atascadero.org](http://www.atascadero.org)

5. **Final Environmental Impact Report**

Preparation of a Final EIR, including the Comments and Responses to Comments on the DEIR and Partially Recirculated DEIR (Dated May 25, 2012). The FEIR/Response to Comments contains: comments on the DEIR and Partially Recirculated DEIR, responses to those comments, revisions to the DEIR and PRDEIR, and appended documents. The FEIR Response to Comments was released for public review concurrently with the Planning Commission staff report.

6. **Public Hearings**

Public hearings were held for the proposed Project, including a Planning Commission hearing and a City Council Hearing.

A notice of the City of Atascadero Planning Commission hearing for the Project was mailed on May 25, 2012 to all property owners of record within 1,000 feet of the subject site and all individuals that requested to be notified as of May 12th, 2012. Additionally, a notice for the City of Atascadero Planning Commission hearing was posted at the site, and at 6907 El Camino Real, Atascadero, CA. In addition, a notice for the Planning Commission hearing was published in the Atascadero News on May 25, 2012 and June 1, 2012 and a City-wide postcard was mailed to every resident and business owner in the City. The City of Atascadero Planning Commission considered the FEIR and Associated Actions, at its public hearing at 6 pm on June 5, 2012, and the Planning Commission recommended to the City Council that it certify the FEIR and approve the Project and the Associated Actions.

A notice of a City Council hearing for the Project was mailed on June 15, 2012 to all property owners of record within 1,000 feet of the subject site and all individuals that requested to be notified as of May 12, 2012. A notice for the City Council hearing was posted at the site and at the Atascadero City Hall, 6907 El Camino Real, Atascadero, CA. Additionally, notice for the City Council hearing was published in the Atascadero News on June 15, 2012.
B. **Record of Proceedings**

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

- NOP and all other public notices issued by the City in conjunction with the proposed Project;
- The FEIR (includes DEIR and PRDEIR) for the proposed Project;
- All written comments submitted by agencies and members of the public during the 45-day public review comment periods on the DEIR and PRDEIR;
- All responses to written comments submitted by agencies and members of the public during the public review comment period on the DEIR and PRDEIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in the Response to Comments of the FEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR, PRDEIR, and FEIR;
- The Ordinances and Resolutions adopted by the City in connection with the proposed Project, and all documents incorporated by reference therein;
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The documents and other materials that constitute the record of proceedings on which these findings are based are located at the City of Atascadero, Community Development Department. The custodian for these documents is the City of Atascadero. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 California Code Regulations Section 15091(e).
IV. FINDINGS

A. Certification of the FEIR
The FEIR comprises a Project-level analysis that contains the environmental review evaluating the impacts of approval of the Project (PLN-2007-1245 and PLN 2007-1246) which includes the following associated discretionary actions (“Associated Actions”):

- General Plan Land Use Diagram Amendment
  GPA 2007-0020 (Walmart) and GPA 2007-0021 (Annex)

- Zoning Code Text for Specific Plan Zone 2 (SP-2)
  SP-2009-0003

- Zoning Map Amendment
  ZCH 2007-0141 (Walmart) and ZCH 2007-142 (Annex)

- Specific Plan / Master Plan of Development Adoption
  SP-2009-0003

- Tree Removal Permit Approvals
  TRP 2009-0127 (Annex) and TRP 2009-0128 (Walmart)

- Vesting Tentative Parcel Map Approvals
  TPM 2009-0095 (Walmart) and TPM 2011-0098 (Annex).

The FEIR has been given State Clearinghouse No. 2010051034. The FEIR consists of the comments received during the public comment period, together with written responses to those comments that raised environmental issues, which were prepared in accordance with CEQA and the CEQA Guidelines. The FEIR also includes refinements to mitigation measures and clarifications.

B. FEIR Findings Summary
Having received, reviewed, and considered the FEIR and other information in the record of proceedings, the City hereby adopts the following findings in compliance with CEQA and the CEQA Guidelines. The City certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings that concern the environmental issues identified and discussed in the FEIR.

The City Council of Atascadero hereby certifies as follows:

1) That it has been presented with the FEIR and that it has reviewed and considered the information contained in the FEIR prior to making the following certifications
and the findings in this Section IV and the Statement of Overriding Considerations in Section VI; and,

2) That, pursuant to CEQA Guidelines Section 15090 (Title 14 of the California Code of Regulations, Section 15090), the FEIR has been completed in compliance with CEQA; and

3) That the FEIR reflects the independent judgment and analysis of the City Council of the City of Atascadero.

C. Process Related Findings

1. Mitigation Measure Refinements
The City recognizes that the FEIR incorporates information obtained by the City since the DEIR and PRDEIR was completed which has resulted in refinements to certain mitigation measures. With respect to this information, the City approves incorporation of each of the mitigation measure refinements into the Project and finds that the refinements do not cause the Project to result in new or substantially more severe adverse environmental effects, or otherwise require recirculation of the EIR.

Finding: The City finds that the changes to the mitigation measures identified for the Project in the FEIR augment the mitigation measures as proposed in the DEIR/PRDEIR, strengthen the effectiveness of the proposed mitigation measures, better reflect the intentions and policies of the lead agency, set more realistic deadlines for implementation, respond to agency input, and enhance their clarity, but do not cause any new or substantially more severe significant adverse environmental impacts. No recirculation of the EIR is necessary based on the changes and additions to the mitigation measures in the FEIR.

With respect to this information, the City approves incorporation of each of the mitigation measure refinements into the Project and finds that the refinements do not cause the Project to result in new or substantially more severe adverse environmental effects, or otherwise require recirculation of the EIR. The following are mitigation measure changes in the FEIR represented with double underlining:

MM AIR-2c If the Construction Activity Management Plan (as required by Mitigation Measure AIR-2a) shows that construction emissions exceed either of the quarterly thresholds, the project applicant shall enter into an offsite mitigation agreement with the SLO County APCD with a goal of reducing emissions to below the quarterly thresholds. The offsite mitigation agreement shall identify offsite mitigation measures proposed to be implemented by the applicant and agreed upon by the SLO County APCD to be appropriate and effective to reduce emissions. Alternatively, the offsite mitigation agreement shall identify the mitigation fee required to be paid by the applicant based on the amount of emission reductions
needed to bring the project impacts below the quarterly construction thresholds. The applicant shall provide this funding prior to the start of construction to help facilitate emission offsets that are as real-time as possible. SLO County APCD will use the funds to purchase the required emission reductions through offsite mitigation strategies. The agreement requires SLO County APCD approval prior to receiving final grading permits from the City of Atascadero. The emissions reduction agreement must be implemented in addition to the required measures to reduce construction-related diesel equipment exhaust emissions listed in Mitigation AIR-2a. Development and implementation of the emissions reduction agreement shall be fully funded by the applicant. To the extent feasible, preference shall be given to offsite emission reduction projects that are located close proximity to the project site. The applicant shall submit documentation to the City of Atascadero verifying that this has been successfully completed.

MM AIR-2d Prior to issuance of building permits, the City of Atascadero shall verify that the following air emissions reduction measures are depicted on building plans:

1. Provide a pedestrian-friendly and interconnected streetscape to make walking more convenient, comfortable, and safe (including appropriate signalization and signage requirements). This shall be coordinated with Mitigation Measures TRANS-6e and TRANS-6f.

2. Provide good access to/from the development for pedestrians, bicyclists, and transit users. This shall be coordinated with Mitigation Measures TRANS-6a through TRANS-6f.

3. Maintain the existing Class II bicycle lane on El Camino Real along the project frontage (in conjunction with frontage improvements) and install a Class II bicycle lane on Del Rio Road along the project frontage.

4. Increase density within the urban core and urban reserve lines.

5. Provide a buffer zone between source and receptor and plant vegetation between receptor and roadway.

6. Provide shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. The landscaping design shall provide 50 percent tree coverage within 10 years of construction using low ROG-emitting, low-maintenance, native drought resistant trees.
7. Pave and maintain the roads and parking areas.
8. Use native plants that do not require watering and are low ROG emitting.
9. Provide easements or land dedications and construct bikeways and pedestrian walkways as part of roadway improvements along the project frontage.
10. Implement onsite circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment.
11. Provide employee lockers in buildings with a minimum of 50 employees.
12. Plant drought-tolerant native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer.
13. Utilize green-building materials (materials which are resource-efficient, recycled, and sustainable) available locally, if possible.
14. Demonstrate that buildings incorporate all feasible energy efficiency measures with a goal of exceeding the minimum Title 24 efficiency standards by 20 percent or more.
15. Utilize energy efficient street lights.
16. Utilize energy efficient interior lighting.
17. Install energy-reducing programmable thermostats.
18. Use roofing material with solar reflectance values meeting the EPA/DOE Energy Star rating to reduce summer cooling.
19. Provide and maintain a kiosk displaying transportation information in a prominent area accessible to employees and patrons as part of the Transportation Demand Management Program as required by Mitigation Measure AIR-2f.
20. Provide improved public transit amenities (such as covered transit turnouts, direct pedestrian access, covered bench, route information displays, lighting, etc.) as required by Mitigation Measure TRANS-6a.
21. Provide secure onsite bicycle parking as required by Mitigation Measure TRANS-6b.
22. Provide onsite eating, refrigeration and food vending facilities.

23. Implement a Transportation Demand Management Program as required by Mitigation Measure AIR-2f to reduce employee commute trips.

24. Provide incentives to employees to carpool/vanpool, take public transportation, walk, bike, etc as part of the Transportation Demand Management Program as required by Mitigation Measure AIR-2f.

25. Install signs in loading areas advising truck drivers about the CARB Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. The sign shall read “Truck driver shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location.

MM AIR-2f Prior to issuance of the first certificate of occupancy for the first commercial building, the project applicant shall submit a Transportation Demand Management (TDM) Program to the City of Atascadero for review and approval. The TDM program shall be prepared by a qualified transportation consultant/engineer and identify TDM measures for the Walmart and Annex commercial uses. The TDM program shall contain the following provisions:

- The TDM program shall establish a goal of reducing AM peak hour, PM peak hour, and Saturday midday peak hour trips associated with employee travel by a minimum of 10 percent.
- The TDM program shall be reviewed annually (or more frequently if needed) to determine that it reflects the needs and priorities of project tenants and their employees. Changes shall be made on an as needed basis in order to ensure that the TDM program can readily attain the 10 percent reduction goal.
- The TDM program may include, but not be limited to, the following measures:
  - Employer-sponsored vanpooling or carpooling, which may also involve provision of vehicles, staffed-ride matching services, and guaranteed ride home programs to increase participation.
  - Incentives for non-single-occupant vehicle commute trips (i.e., carpooling/vanpooling, transit, bicycling, walking, etc.)
  - Flex time scheduling to avoid peak hour travel
- Staggered work hours to avoid peak hour travel
- Compressed work schedules to avoid peak hour travel
- End of trip facilities such as lockers, showers, or storage facilities, as coordinated with Mitigation Measure TRANS-6f.
- Provision of kiosks that provide information about the TDM program.

**MM CUL-1a**

Prior to the start of construction activities on the 1800 El Camino Real parcel, the applicant shall relocate the Rordorf Residence to another suitable site, as determined by the City of Atascadero. The applicant shall bear the full cost of all relocation activities.

**MM TRANS 1-d:**

Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**MM TRANS-1e:**

Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.
2. Other Changes

Various minor changes and edits have been made to the text and tables of the DEIR/PRDEIR, as set forth in the FEIR, Section 5 – Errata. These changes are generally of an administrative nature such as correcting typographical errors, making minor adjustments to the data, and adding or changing certain phrases to improve readability.

Finding: The City finds this additional information does not constitute significant new information requiring recirculation, but rather that the additional information clarifies, amplifies, or makes insignificant modifications in an adequate FEIR/DEIR/PRDEIR.

In addition to the changes and corrections described above, the FEIR provides additional information in response to comments and questions from agencies and the public.

3. Other additions, clarifications, modifications; Absence of Significant New Information

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the DEIR, but before certification of the FEIR. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect that the Project proponent declines to implement. The CEQA Guidelines provide examples of significant new information under this standard.

Finding: The City finds that the additions, clarifications and modifications added in the FEIR does not constitute significant new information requiring recirculation, but rather that the additional information clarifies or amplifies an adequate DEIR/PRDEIR. Specifically, the City finds that the additions, clarifications, and modifications added do not result in or show that:

1. A new significant environmental impact would result from the Project or from a new mitigation measure proposed to be implemented.

2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

3. A feasible Project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project, but the Project’s proponents decline to adopt it.
(4) The DEIR/PRDEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Finding: Based on these points, and having reviewed the information contained in the FEIR and in the record of City’s proceedings, including the comments on the DEIR/PRDEIR and the responses thereto, and the above-described information, the City finds that no significant new information has been added to the FEIR since public notice was given of the availability of the DEIR and the PRDEIR that would require recirculation of the FEIR.

4. Differences of Opinion Regarding the Impacts of the Project

In making its determination to certify the FEIR and to approve the Project, the City recognizes that the Project involves several controversial environmental issues and that a range of technical and scientific opinion exists with respect to those issues. The City has acquired an understanding of the range of this technical and scientific opinion by its review of the both the DEIR and the PRDEIR, the comments received on the DEIR and the PRDEIR coupled with the responses to those comments in the FEIR, as well as testimony, letters, and reports regarding the FEIR and its own experience and expertise in assessing those issues. The City has reviewed and considered, as a whole, the evidence and analysis presented in both the DEIR and PRDEIR, the evidence and analysis presented in the comments on the DEIR and PRDEIR, the evidence and analysis presented in the FEIR, the information submitted on the FEIR, and the reports prepared by the experts who prepared the EIR, the City’s consultants, the applicants’ consultants, and by staff, addressing those comments. The City has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. In turn, this understanding has enabled the City to make its decisions after weighing and considering the various viewpoints on these important issues.

Finding: Accordingly, the City certifies that its findings are based on full appraisal of all of the evidence contained in the FEIR, as well as the evidence and other information in the record addressing the FEIR.

Finding: The City finds and determines that the FEIR provides substantial evidence to support its conclusions where there are differences of opinion with respect to the data or methodologies relied upon in the FEIR.

Finding: The City finds and determines that the FEIR provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues.

D. Mitigation Measure Findings

1. Impacts and Mitigation Measures

These findings provide the written analysis and conclusions of the City regarding the environmental impacts of the Project and the mitigation measures identified in the FEIR and adopted by the City as conditions of approval for the Project. In making these findings, the City
has considered the opinions of other agencies and members of the public, including opinions that disagree with some of the analysis used in the FEIR.

**Finding:** The City finds that the determination of significance thresholds used in the FEIR are supported by substantial evidence in the record, including the expert opinion of the FEIR preparers and City consultants and staff; and the significance thresholds used in the FEIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

**Finding:** The City approves the findings set forth in this Section IV as its findings regarding the Project’s environmental impacts before and after mitigation. In making these findings, the City ratifies, adopts, and incorporates the analysis and explanation in the FEIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

### 2. Mitigation Monitoring and Reporting Program

In accordance with CEQA and the CEQA Guidelines, the City must adopt a mitigation monitoring and reporting program (“MMRP”) to ensure that the mitigation measures adopted herein are implemented. The mitigation measures set forth in the MMRP will be enforced as outlined in the MMRP, through imposition of mitigation milestones and definite mitigation obligations. At each milestone in the process (e.g., issuance of building permits, issuance of the final certificate of occupancy, etc.), City staff will verify that the Project applicant has satisfied all applicable mitigation obligations.

The City adopts, and incorporates as conditions of approval of the Project, the mitigation measures set forth in the MMRP, attached to these findings as Section VII, to reduce or avoid the potentially significant and significant impacts of the Project, as well as certain less-than-significant impacts.

In adopting these mitigation measures, the City intends to adopt each of the mitigation measures identified by the FEIR and applicable to the Project. Accordingly, in the event a mitigation measure recommended in the FEIR has inadvertently been omitted from Section VII, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in Section VII fails to accurately reflect the mitigation measures in the FEIR due to a clerical error, the language of the mitigation measure as set forth in the FEIR shall control, unless the language of the mitigation measure has been specifically and expressly modified by these findings.

**Finding:** The City hereby adopts the MMRP for the Project attached to these findings in Section VII.

**Finding:** Based on the foregoing findings and the information contained in the administrative record of proceedings, the City has made one or more of the
following findings with respect to each of the significant environmental effects of the Project identified in the FEIR:

a. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects on the environment and/or;

b. Specific economic, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the FEIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the Project.

Finding: Based on the foregoing findings and information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to approval of the Project have been eliminated or substantially lessened where feasible; and

b. Any remaining significant effects on the environment found unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section VI.

In comments on the DEIR/PRDEIR, various measures were suggested by commenters as proposed additional mitigation measures or modifications to the mitigation measures identified by the DEIR/PRDEIR. Some of the DEIR/PRDEIR’s mitigation measures were modified in response to such comments. Other comments requested non-substantive minor modifications in mitigation measures, requested modifications that were infeasible, requested mitigation measures for impacts that were less than significant, or requested additional mitigation measures for impacts as to which the DEIR/PRDEIR identified mitigation measures that would reduce the identified impact to a less-than-significant level. Each of these requests are declined as unnecessary.

Finding: With respect to the additional measures suggested by commenters that were not added to the FEIR, the City adopts and incorporates by reference, separately and independently, the reasons set forth in the responses to comments contained in the FEIR as its grounds for rejecting adoption of these mitigation measures.

E. Environmental Effects which were Determined not to be Potentially Affected by the Proposed Project

As a result of the Notice of Preparation circulated by the City on May 12, 2010, in connection with preparation of the EIR, the City determined, based upon the threshold criteria for significance, that the Project would have no impact or a less than significant impact on the following potential environmental effects, and therefore, determined that these potential environmental effects would not be addressed in the DEIR or PRDEIR. Based upon the environmental analysis presented in the EIR, and the comments received by the public on the
DEIR and PRDEIR, no substantial evidence was submitted to or identified by the City which indicated that the Project would have an impact on the following environmental areas:

**State Scenic Highways:** U.S. 101 is not classified as an officially designated or eligible State Scenic Highway in San Luis Obispo County. The nearest officially designated State Scenic Highway to the Specific Plan area is State Route 1, located approximately 12 miles to the west along the Pacific Coast. These conditions preclude the possibility of the proposed project adversely impacted scenic resources within view of a State Scenic Highway. No impacts would occur.

**Important Farmland:** The Specific Plan area is designated “Urban-Built-Up Land” by the California Department of Conservation Farmland Mapping and Monitoring Program and, therefore, is not mapped as containing Important Farmland. Additionally, the proposed project does not support agricultural uses. These characteristics preclude the possibility of converting Important Farmland to non-agricultural use. No impacts would occur.

**Williamson Act Contracts or Agricultural Zoning:** The Specific Plan area does not contain any active agricultural land and, therefore, would not be eligible for a Williamson Act contract. Additionally, the parcels within the Specific Plan area are currently designated for commercial or residential uses by the Atascadero Zoning Ordinance, which are non-agricultural zoning designations. The proposed Specific Plan would involve zoning designation changes that are non-agricultural in nature. No Williamson Act contracts are in effect and these conditions preclude the possibility of the proposed project conflicting with an active Williamson Act contract or an agricultural zoning designation. No impacts would occur.

**Pressures to Convert Farmland to Non-Agricultural Use:** The Specific Plan area is surrounded on all sides by urban, built-up land uses, and no active farmland is located in the immediate project vicinity. This condition precludes the possibility of the development of the proposed project creating pressures to convert surrounding farmland to non-agricultural use. No impacts would occur.

Conversion of Forest Land to Non-Forest Use: The Specific Plan area does not contain any forestland or timberland. Therefore, land use and development activities contemplated by the Specific Plan would not impact these resources. No impacts would occur.

**Conflicts with Forest Zoning:** The parcels within the Specific Plan area are designated for commercial or residential uses by the Atascadero Zoning Ordinance, which are non-forest zoning designations. This condition precludes the possibility of the proposed project conflicting with a forest zoning designation. No impacts would occur.

**Wetlands or Jurisdictional Features:** There are no waterways within the Specific Plan area boundaries. In addition, the Biological Resources Assessment found no wetlands or jurisdictional features within the Specific Plan area boundaries. This condition precludes the possibility of adverse impacts on wetlands. No impacts would occur.
Conservation Plans: The Specific Plan area boundaries are not within the boundaries of an adopted habitat conservation plan or natural community conservation plan. This condition precludes the possibility of adverse conflicts with such plans. No impacts would occur.

Noise: The Project would not expose people residing or working in the Project area to substantial aircraft noise, if 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. No impacts would occur.

Septic or Alternative Wastewater Disposal Systems: The proposed project would be served by sanitary sewer service provided by the City of Atascadero. No septic or alternative wastewater disposal systems would be installed as part of the Specific Plan. No impacts would occur.

Exposure of Schools to Hazardous Materials: The nearest school to the Specific Plan area is Del Rio Continuation High School, located 0.5 mile east of the Specific Plan area boundary. No schools are located within 0.25 mile of the project site. This condition precludes the possibility of activities associated with the proposed project exposing schools within a 0.25-mile radius of the project site to hazardous materials. No impacts would occur.

Airports: The Specific Plan area is not within the boundaries of an airport land use plan. Paso Robles Municipal Airport, located approximately 14.5 miles northeast of the Specific Plan area, is the nearest airport. Given this distance, the development of the proposed project would not expose person residing or working in the project area to aviation hazards associated with public airports. No impacts would occur.

Private Airstrips: There are no private airstrips located in the City of Atascadero or near the city limits. This condition precludes the possibility of expose people residing or working within the vicinity of a private airstrip to safety hazards. No impacts would occur.

Wildland Fires: The Specific Plan area is surrounded by parcels containing urban development. The City of Atascadero identifies areas of the City and the level of risk for wildfires in Figure IV-3: Fire Hazard Map in the General. The Specific Plan area is in an area classified as moderate risk. Therefore, development of the Specific Plan area would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impacts would occur.

100-Year Flood Hazards: The project site is located within Zone X of the 2008 Effective Flood Insurance Rate Map, Map Number 06079C0614F. Zone X designates areas outside of the Special Flood Hazard Area (a 100-year flood hazard area). Therefore, the proposed project would not locate structures within a 100-year floodplain. No impacts would occur.

Levee of Dam Failure: There are no levees within the vicinity of the Specific Plan area. Therefore, the project site would not be susceptible to flooding from levee failure. No impacts would occur. Sudden failure of the Salinas Dam at Santa Margarita Lake could inundate an area in the City within about 1,000 feet of the Salinas River. Failure of the Atascadero Lake Dam with the lake at capacity could produce flooding about 2 feet deep in the Morro Flats/Tecorida area. General Plan Figure IV-2 indicates that the Specific Plan area is not within a dam inundation zone.
Seiches, Tsunamis, or Mudflows: The Specific Plan area is approximately 12 miles from the Pacific Ocean, a condition that precludes the possibility of tsunami inundation. The Specific Plan area is approximately 17 miles from Salinas Reservoir (Santa Margarita Lake), which is the nearest inland body of water capable of producing a seiche. This condition precludes the possibility of seiche inundation. The project site is not located in a volcanically active area or adjacent to steep slopes. This condition precludes the possibility of mudflow inundation. No impacts would occur.

Division of an Established Community: Several dilapidated, unoccupied buildings exist within the Specific Plan boundaries. Because these structures are unoccupied, their removal would not constitute the division of an established community. Additionally, neither the Walmart site nor the Annex site provides any linkages between any surrounding land uses. No impacts would occur.

Conservation Plans: The Specific Plan area boundaries are not within the boundaries of an adopted habitat conservation plan or natural community conservation plan. This condition precludes the possibility of adverse conflicts with such plans. No impacts would occur.

Mineral Resources of Statewide or Local Importance: The Specific Plan area does not contain any known mineral deposits or active mineral extraction operations. In addition, the City of Atascadero General Plan does not identify the Specific Plan area as containing mineral resources of local importance. This condition precludes the possibility of the loss of important mineral resources as a result of the proposed project. No impacts would occur.

Aviation Noise: The Specific Plan area is not within the boundaries of an airport land use plan. Paso Robles Municipal Airport, located approximately 14.5 miles northeast of the Specific Plan area, is the nearest airport. This distance precludes the possibility of the proposed project exposing persons in the project vicinity to excessive aviation noise levels. No impacts would occur.

Growth Inducement: The Specific Plan contemplates a maximum of 50 new dwelling units. Using the City of Atascadero’s average household size of 2.503, the Specific Plan would be expected to add 125 persons to the City’s population. This amount of population growth represents a 0.43-percent increase above the City’s 2010 population of 28,560. As such, this small amount of population growth would not be considered significant. Note that the residential component would be developed as a later phase of the Specific Plan, mostly likely in a series of phases over several years. The Specific Plan contemplates a maximum of 260,460 square feet of new commercial uses. Using a standard employment estimate of 1 job per 500 square feet, the non-residential development contemplated by the Specific Plan would create an estimated 520 new employment opportunities. These employment opportunities would include full-time and part-time positions, most of which would be entry-level. The California Employment Development Department indicates that as of December 2010, there were 1,200 unemployed persons in Atascadero and 13,200 unemployed persons in San Luis Obispo County. Accordingly, it would be expected that the proposed project’s new jobs could readily be filled from the local workforce. Therefore, the proposed project would not have the potential to cause substantial direct or indirect population growth.
Displacement of Persons or Housing: The Specific Plan boundaries contain two unoccupied dwelling units. Given the absence of any inhabitants, the removal of these buildings would not create a need for the construction of replacement housing elsewhere. No impacts would occur.

Schools: The Specific Plan contemplates a maximum of 50 new dwelling units. Using the City of Atascadero’s average household size of 2.503, the Specific Plan would be expected to add 125 persons to the City’s population. Assuming that 40 percent of the new population growth represents school age children (K-12), this would represent the addition of as many 50 students to local public schools. The Atascadero Unified School District’s enrollment has fluctuated between a high of 5,037 students in 2007–2008 and a low of 4,874 students in 2009–2010. As such, the addition of 50 students to the School District would be within recent enrollment fluctuation levels and, therefore, existing school facilities would be available to serve any enrollment increase attributable to the proposed project. The new employment opportunities created by the Specific Plan would not induce substantial population growth into the Atascadero area from outside areas. Therefore, the Specific Plan would not result in the need for new or expanded school facilities. No impacts would occur.

Parks: The Specific Plan contemplates a maximum of 50 new dwelling units. Using the City of Atascadero’s average household size of 2.503, the Specific Plan would be expected to add 125 persons to the City’s population. This amount of population growth represents a 0.43-percent increase above the City’s 2010 population of 28,560. The new employment opportunities created by the Specific Plan would not induce substantial population growth into the Atascadero area from outside areas. Therefore, the Specific Plan would not result in the need for new or expanded park facilities. No impacts would occur.

Other Public Facilities: The Specific Plan contemplates a maximum of 50 new dwelling units. Using the City of Atascadero’s average household size of 2.503, the Specific Plan would be expected to add 125 persons to the City’s population. This amount of population growth represents a 0.43-percent increase above the City’s 2010 population of 28,560. New employment opportunities created by the Specific Plan would not induce substantial population growth into the Atascadero area from outside areas. Therefore, the Specific Plan would not result in the need for new or expanded library or other public facilities. No impacts would occur.

Physical Deterioration of Recreational Facilities: The small amount of population growth attributable to the Specific Plan would not be large enough to cause physical deterioration of existing recreational facilities. New employment opportunities created by the Specific Plan would not induce substantial population growth into the Atascadero area from outside areas. Therefore, the Specific Plan would not result in the physical deterioration of existing recreational facilities. Accordingly, no impacts would occur.

New or Expanded Recreational Facilities: The Specific Plan does not contemplate the development of new or expanded recreational facilities. Furthermore, the small amount of population growth attributable to the Specific Plan would not be large enough to necessitate the construction of new or expanded recreational facilities. Therefore, no impacts on recreation would occur.
Air Traffic Patterns: The Specific Plan would not change air traffic patterns or result in an increase in air traffic levels. The Paso Robles Municipal Airport, located approximately 14.5 miles northeast of the Specific Plan area, is the nearest airport. Given this distance, the development of the proposed project would not affect airport operations. No impacts would occur.

F. Findings Regarding Potentially Significant Environmental Effects
The following potentially significant environmental impacts were analyzed in the EIR, and the effects of the Project were considered in the EIR. Where as a result of the environmental analysis of the Project and the identification of project design features, compliance with existing laws, codes and statutes, and the identification of feasible mitigation measures, the following potentially significant impacts have been determined by the City of Atascadero to be reduced to a level of less than significant, the City has found in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1) that “changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment,” which is referred to herein as “Finding 1.” Where the potential impact can be reduced to less than significant solely through adherence to and implementation of project design features or standard conditions, these measures are considered “incorporated into the project” which mitigate or avoid the potentially significant effect, and in these situations, the City also will make “Finding 1” even though no mitigation measures are required.

Where the City has determined pursuant to CEQA Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2) that “Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency,” the City’s findings is referred to herein as “Finding 2.”

Where, as a result of the environmental analysis of the Project, the City has determined that either (1) even with the identification of project design features, compliance with existing laws, codes and statutes, and/or the identification of feasible mitigation measures, potentially significant impacts cannot be reduced to a level of less than significant, or (2) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the City has found in accordance with CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3) that “Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report,” referred to herein as “Finding 3.”

1. Aesthetics, Light, and Glare

Potential Impact: The proposed project would not have a substantial adverse effect on a scenic vista.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.
Facts in Support of Finding: Although the City of Atascadero General Plan does not identify specific locations as “Scenic Vistas,” the General Plan contains policies and goals regarding the protection of scenic hillsides, ridgelines, native trees, and open space. The project site, particularly the Walmart site, exhibits some of these visual attributes as seen from the surrounding area. These views to the project site, however, are limited to the area in the immediate vicinity along Del Rio Road and El Camino Real. Long-range views to the project site are generally obscured by intervening topography, vegetation or other development. Because of its lack of visibility from larger portions of the community or from substantial segments of US 101, it does not function as a public “Scenic Vista.”

(2) Potential Impact: The proposed project may degrade the visual character of the project site and its surroundings.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The Specific Plan encompasses two non-contiguous sites totaling approximately 39 acres located at the Del Rio Road/El Camino Real intersection in the northern portion of Atascadero. The proposed project would develop as much as 260,460 square feet of new commercial uses and 50 new dwelling units on the project site. The proposed Specific Plan sets forth Design Guidelines for general design for the commercial uses, landscaping, parking lots, signage, fencing and screening, onsite circulation, loading, outdoor storage areas, and residential design standards. The proposed project’s commercial structures would comply with the City of Atascadero’s Floor Area Ratio and building height requirements and landscaping would be provided along street frontages, property lines, and within parking areas. The proposed project’s commercial and residential uses would be similar in character to existing surrounding land uses and compatible in this regard. In recognition that certain aspects of the project design are not known at the time of this writing, Mitigation Measures AES-2a through AES-2d set forth requirements for City review and approval of elevations, landscaping plan, signage, and outdoor storage areas.

MM AES-2a Prior to the issuance of building permits for each outlot building, Conditional Use Permit Approval for the multiple-family residential parcel, and subdivision tract map approval for the single-family residential parcel within the Specific Plan area, the project applicant shall submit elevations to the City of Atascadero for review and approval. Building elevations shall comply with all applicable Specific Plan and City requirements, including the Municipal Code requirements (height limits, setbacks, etc.) and shall employ appropriate colors and materials that are compatible with each other and surrounding land uses. The project shall be constructed in accordance with the approved elevations.
Prior to the issuance of building permits for the multiple-family residential parcel within the Specific Plan area, the project applicant shall submit a landscaping plan to the City of Atascadero for review and approval. Landscaping shall be provided in accordance with the Specific Plan and the Municipal Code, including setbacks and minimum parking lot landscaping. The project shall be constructed in accordance with approved landscape plans.

Prior to the issuance of building permits for each outlot building within the Specific Plan Area, the project applicant shall submit a sign application to the City of Atascadero for review and approval. The sign application shall identify all wall and freestanding signs associated with each building and demonstrate compliance with the Specific Plan and City Requirements, including those associated with sign coverage limits. The approved application shall be incorporated into the proposed project.

Prior to the issuance of building permits for all commercial buildings within the Specific Plan Area, the project applicant shall submit elevations and details for solid waste and recyclable material storage facilities and shopping cart storage facilities to the City of Atascadero for review and approval. The elevations and details shall demonstrate that these storage facilities employ a high-quality design that is compatible with adjacent buildings and surrounding land uses. The approved elevations and details shall be incorporated into the proposed project.

(3) **Potential Impact:** Implementation of the proposed project may result in introduction of new sources of substantial light and glare.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The development of the project would include the installation of exterior building lights, freestanding parking lot lights, and building-mounted illuminated signage. Walmart parking lot freestanding light fixtures would consist of 400-watt Greenbriar Flat Lenses—full-cut-off lights mounted 30 feet above grade. Walmart building-mounted lights would consist of 70-watt and 150-watt metal halide lighting located 10 to 11 feet above finished floor elevation. The Walmart store also will provide approximately twelve, 70-watt, metal halide directional up lights along the front architecture to enhance architectural elements. The proposed lighting plan for the Annex project will consist of a variety of lighting types, including both pole-mounted and wall-mounted light fixtures. Parking lot lighting will be located along parking stall
rows and will primarily consist of pole-mounted fixtures, approximately 25 feet in height. No information is available about exterior lighting fixtures for the proposed residential uses.

Both the Walmart and Annex commercial buildings would be oriented towards El Camino Real and US 101; therefore, well-lit areas (parking lots, building entrances, etc.) and illuminated signs would face these roadways. Additionally, vehicular access would be taken from El Camino Real and Del Rio Road and, therefore, vehicular lights would be directed towards these streets. The Walmart building roofline would be 27 feet, 6 inches to 29 feet, 6 inches with certain architectural features up to 34 feet. The Annex buildings would range in height from 22 to 34 feet in height. As such, the buildings on both sites would largely screen the visibility of exterior lighting fixtures, illuminated signs, and vehicular lights from the residential uses north and east of the project site. Mitigation Measure AES-3 requires the City to review and approve all lighting fixtures prior to issuance of building permits.

**MM AES-3** Prior to issuance of building permits for any project component within the Specific Plan, the project applicant shall submit a photometric plan to the City of Atascadero for review and approval. The photometric plan shall identify types of exterior lighting fixtures and their locations on the project site. All light fixtures shall either be fully shielded or employ the use of a full cutoff fixture in order to minimize light trespass onto neighboring properties. Decorative uplighting is permitted for illumination of architectural features, provided that it does not exceed 70 watts and does not illuminate any surrounding land uses.

2. **Air Quality and Greenhouse Gas Emissions**

**Potential Impact:** The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

**Facts in Support of Finding:** Impacts from implementation of the Del Rio Specific Plan are assessed by determining consistency of the project with the adopted Clean Air Plan (CAP). Consistency is determined by comparing projected population and vehicle trip generation with projections contained in the CAP, and by assessing whether or not all of the applicable land use strategies contained in the CAP are being incorporated into the project as appropriate. The San Luis Obispo County Air Pollution Control District’s (SLO County APCD) CAP states that a consistency analysis is generally required for a Program Level Environmental Impact Report and may be necessary for a Project Level EIR,
depending on the project being considered. Examples given of projects and programs requiring a consistency analysis include general plan updates and amendments, specific plans, area plans, large residential developments, and large commercial or industrial developments.

The CAP projects a population of 31,150 for the City of Atascadero by the year 2010 and for 2015, in recognition of City buildout policies in place in 2001, when the CAP was prepared. The current General Plan projects a population of 29,904 for the year 2010 and 33,860 in the year 2020. Applying the 10-year average growth rate of 13 percent from the General Plan, the extrapolated 2015 General Plan population would be 31,882, which would be in excess of the CAP estimates. However, the California Department of Finance estimates the City of Atascadero’s population in January 2010 to be 28,560. Applying a 10-year average growth rate of 13 percent provides an extrapolated 2015 population estimate of 30,465. This is a conservative estimate, as the Department of Finance estimated the population percentage change from 2009 to 2010 to be 0.3 percent and -0.1 percent from 2008 to 2009. It can be conservatively estimated that the City of Atascadero’s population will be within the limits established by the CAP.

The Specific Plan contemplates a maximum of 50 new dwelling units. Using the City of Atascadero’s average household size of 2.503, the Specific Plan would be expected to add 125 persons to the City’s population. This amount of population growth represents a 0.43-percent increase above the City’s 2010 population of 28,560. As such, this small amount of population growth would not be considered significant.

The Specific Plan contemplates a maximum of 260,460 square feet of new commercial uses. Using a standard employment estimate of 1 job per 500 square feet, the non-residential development contemplated by the Specific Plan would create an estimated 520 new employment opportunities. These employment opportunities would include full-time and part-time positions, most of which would be entry-level. The California Employment Development Department indicates that as of October 2010, there were 1,200 unemployed persons in Atascadero and 13,000 unemployed persons in San Luis Obispo County. Accordingly, it would be expected that the proposed project’s new jobs could readily be filled from the local workforce.

Thus, the projected population growth as a result of implementation of the Del Rio Commercial Area Specific Plan is consistent with the CAP projection, in fact the population growth is actually less than the CAP projection.

**Potential Impact:** The proposed project may violate an air quality standard or contribute substantially to an existing or protected air quality violation.
**Finding:** The City hereby makes Finding 3 and determines that this impact remains Significant and Unavoidable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** Concept grading plans indicate that approximately 330,000 cubic yards of soil will be moved as part of the project. Approximately 75,000 cubic yards of soil will be moved internally on the Walmart site, and approximately 50,000 cubic yards will be transported to the Annex site. Further, approximately 205,000 cubic yards of additional soil are expected to be exported from the Walmart site to one or more sites within an approximately 10-mile radius of the project. No exports are anticipated for the Annex site. Walmart construction activities would include the construction of the roundabout at the Del Rio Road/El Camino Real intersection, as this is required as an opening day improvement for the Walmart store. The multi-family and single-family parcels will not be graded with the Walmart and Annex projects; however, it is estimated that the soil will be balanced onsite at the time of grading.

The project would exceed the SLO County’s Quarterly – Tier 1 thresholds during construction for ROG and NO\textsubscript{x} (combined), PM\textsubscript{10} Dust, and DPM. Mitigation of construction activities is required when the emission thresholds are equaled or exceeded by fugitive and/or combustion emissions. Because the project exceeds the Quarterly – Tier 1 thresholds, the project must implement standard mitigation measures, and Best Available Control Technologies (BACT). Additionally, the project is located near existing residences adjacent to Rio Rita Road, Madera Place, Del Rio Road, El Camino Road, and Obispo Road. This warrants additional control measures to limit fugitive dust and combustion emissions. Although the project does not exceed the Quarterly Tier 2 threshold, offsite mitigation may still be required. It should be noted however that if only the Walmart site commercial uses were constructed and the Annex commercial uses were not constructed until after 2012, neither the Walmart commercial project nor the subsequently constructed Annex commercial project would exceed the relevant thresholds with implementation of standard construction mitigation measures and BACT for construction equipment.

The SLO APCD states that offsite emission reductions can result from either stationary or mobile sources, but should relate to the onsite impacts from the project in order to provide proper “nexus” for the air quality mitigation. For example, NO\textsubscript{x} emissions from a large grading project could be reduced by repowering heavy-duty diesel construction equipment, thereby reducing the amount of NO\textsubscript{x} generated from that equipment. Consistent with the SLO County APCD CEQA Air Quality Handbook recommendations, the applicant will be required to implement approved offsite mitigation (Mitigation Measure AIR-2c), which may include a mitigation fee paid to the SLO County APCD. SLO County APCD will use the funds to purchase the required emission reductions through offsite mitigation strategies.
Example offsite mitigation strategies include but are not limited to the following:

- Fund a program to buy and scrap older heavy-duty diesel vehicles or equipment;
- Replace/repower transit buses;
- Replace/repower heavy-duty diesel school vehicles (e.g., bus, passenger or maintenance vehicles);
- Retrofit or repower heavy-duty construction equipment, or on-road vehicles;
- Repower or contribute to funding clean diesel locomotive main or auxiliary engines;
- Purchase VDECs for local school buses, transit buses or construction fleets;
- Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.);
- Fund expansion of existing transit services; and,
- Replace/repower marine diesel engines.

With the implementation of this mitigation measure, the impact would be reduced to a level of less than significant. However, the offsite mitigation fee recommended in the SLO County APCD CEQA Air Quality Handbook is not part of a functioning mitigation program adopted by the City of Atascadero or the SLO County APCD nor has the offsite mitigation fee undergone a public environmental review process consistent with the California Environmental Quality Act to determine whether payment of the fee will result in full mitigation of the identified impact. Because of the uncertainty in the SLO County APCD construction emission mitigation guidelines, including the efficacy of the recommended mitigation fee and the timing of SLO County APCD’s implementation of mitigation programs to achieve the required reductions, the residual significance of this impact would remain significant and unavoidable.

There are currently no development proposals for the residential components of the Del Rio Commercial Area Specific Plan; however, for purposes of evaluating the impacts, it was assumed that construction would occur in 2020. The project would not exceed the SLO County APCD’s thresholds during construction for ROG and NO\(\text{X}\) (combined), PM\(_{10}\) Dust, and DPM.
It is anticipated that construction of the roundabouts would occur after the completion of the Walmart and Annex sites, which have been estimated previously to be completed by the end of 2012. The construction of the roundabouts have been conservatively assumed to be constructed over the first two quarters of 2013. Construction of the two roundabouts have been estimated to disturb 1.5 acres. The grading phase is anticipated to take approximately 3 months and require one grader, one rubber tired dozer, one water truck, and one of either a tractor, loader or backhoe. The paving phase is anticipated to take approximately 3 months and require four cement mixers, one paver, one roller, and one of either a tractor, loader or backhoe. Construction of the roundabouts would not exceed the SLO County APCD’s thresholds for ROG and NO\textsubscript{x} (combined), PM\textsubscript{10}, Dust and DPM (see PRDEIR Table 3.2-14).

Operational, or long-term, emissions occur over the life of the project. The Walmart and Annex components individually exceed the ROG and NO\textsubscript{x} (combined) and PM\textsubscript{10} daily thresholds in 2013. The combined project exceeds the ROG and NO\textsubscript{x} (combined), CO and PM\textsubscript{10} daily thresholds in 2013. Although the project exceeds the pounds per day CO thresholds, it is not located in a confined space and CO impacts were analyzed using CO hotspot modeling as described in Impact AIR-3 and shown not to cause a violation of the air quality standard. While the individual components do not exceed the annual thresholds in 2013, the combined project does exceed the ROG and NO\textsubscript{x} (combined) annual threshold.

Although SLO County APCD has both daily and annual thresholds, for large commercial development projects the APCD is most concerned with projects exceeding the annual thresholds. However, in some instances, the project may exceed the daily thresholds and the APCD may request offsite mitigation to reduce the daily emissions impacts. With onsite mitigation, the project does not exceed the annual ROG and NO\textsubscript{x} (combined) and PM\textsubscript{10} thresholds in the year 2013 or 2021. However, the project does exceed the daily ROG and NO\textsubscript{x} (combined) and PM\textsubscript{10} thresholds in 2013 and 2021. Because the project exceeds the project-level significance thresholds it would be considered a potentially significant cumulative impact for ROG, NO\textsubscript{x}, and PM\textsubscript{10}. Consistent with the SLO County APCD CEQA Air Quality Handbook recommendations, the applicant will be required to implement approved offsite mitigation, which may include a mitigation fee paid to the SLO County APCD. SLO County APCD will use the funds to purchase the required emission reductions through offsite mitigation strategies. However, as stated previously, the offsite mitigation fee recommended in the SLO County APCD CEQA Air Quality Handbook is not part of a functioning mitigation program adopted by the City of Atascadero or the SLO County APCD, nor has the offsite mitigation fee undergone a public environmental review process consistent with the California Environmental Quality Act to determine whether payment of the fee will result in full mitigation of the identified impact. Accordingly, it is uncertain whether the offsite mitigation measures can be implemented in a timely manner either by the applicant or by the SLO County APCD using the mitigation fees, or if the offsite
mitigation fee will actually result in full mitigation of the residual impact. Because of uncertainty in the SLO County APCD emission mitigation guidelines—including the efficacy of the recommended mitigation fee and the timing of SLO County APCD’s implementation of mitigation programs to achieve the required reductions—the residual cumulative impact would remain significant and unavoidable.

**MM AIR-2a** Prior to issuance of grading permits, the applicant shall submit a Construction Activities Management Plan for the review and approval of the SLO County APCD. The applicant shall consult with the APCD to refine construction phase mitigation measures. The plan must be finalized prior to issuance of grading permits. This plan shall include but not be limited to the following Best Available Control Technologies for construction equipment:

1. A Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that are in the SLO County APCD CEQA guide “dust control measures” section.
2. Tabulation of on and off-road construction equipment (age, horsepower and miles and/or hours of operation and engine equipment certification).
3. Minimize the number of large pieces of construction equipment operating during any given period.
4. Schedule construction related truck/equipment trips during non-peak hours to reduce peak-hour emissions.
5. Limit the length of the construction work-day period if necessary.
6. Phase construction activities, if appropriate.
7. Properly maintain and tune all construction equipment according to manufacturer’s specifications.
8. Fuel all off-road and portable diesel-powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generators, compressors, auxiliary power units, with CARB motor vehicle diesel fuel.
9. Use diesel construction equipment meeting CARB’s Tier 3 or higher certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation, to the extent feasible.
10. Repowering equipment with the cleanest engines available, to the extent feasible.
12. Use on-road heavy-duty trucks that meet the CARB’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation, to the extent feasible.

13. Diesel oxidation catalysts or other control to achieve a 15-percent reduction in NO\textsubscript{x} emissions during grading operations.

14. Diesel particulate filter or other control to achieve an 85-percent reduction in PM\textsubscript{10} emissions during grading operations.

15. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit.

16. Diesel idling within 1,000 feet of sensitive receptors is not permitted.

17. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.

18. Electrify equipment where possible.

19. Use compressed natural gas (CNG), liquefied natural gas (LNG), biodiesel, or propane for onsite mobile equipment instead of diesel-powered equipment to the extent feasible.

20. Use of low ROG/VOC architectural coatings: the ROG/VOC limit shall not exceed 136 grams of ROG/VOC/liter. (Refer to the South Coast Air Basin website for a list of super-compliant coatings at http://www.aqmd.gov/prdas/Coatings/super-compliantlist.htm.)

**MM AIR-2b** Prior to issuance of grading permits, the City of Atascadero shall verify that project construction plans and contract documents identify the following dust control measures:

1. Reduce the amount of the disturbed area where possible.

2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.

3. All dirt stockpile areas will be sprayed daily as needed.

4. Permanent dust control measures identified in the revegetation and landscape plans will be implemented as soon as possible following completion of any soil disturbing activities.

5. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading will be sown with a fast-germinating native grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation will be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.

7. All roadways, driveways, sidewalks, etc. to be paved will be completed as soon as possible. In addition, building pads will be laid as soon as possible after grading unless seeding or soil binders are used.

8. Vehicle speed for all construction vehicles will not exceed 15 mph on any unpaved surface at the construction site.

9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or will maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.

10. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.

11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

12. All of these fugitive dust mitigation measures shall be shown on grading and building plans.

13. If visible emissions of fugitive dust persist beyond a distance of 200 feet from the boundary of the construction site, all feasible measures shall be implemented to eliminate potential nuisance conditions at offsite receptors. (For example, increase frequency of watering or dust suppression, install temporary wind breaks where appropriate, suspend excavation and grading activity when winds exceed 25 mph.)

14. The contractor or builder shall designate an ARB-Visible Emission Certified 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 percent opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLO County APCD Compliance Division prior to the start of any grading, earthwork or demolition.

**MM AIR-2c** If the Construction Activity Management Plan (as required by Mitigation Measure AIR-2a) shows that construction emissions exceed either of the quarterly thresholds, the project applicant shall
enter into an offsite mitigation agreement with the SLO County APCD with a goal of reducing emissions to below the quarterly thresholds. The offsite mitigation agreement shall identify offsite mitigation measures proposed to be implemented by the applicant and agreed upon by the SLO County APCD to be appropriate and effective to reduce emissions. Alternatively, the offsite mitigation agreement shall identify the mitigation fee required to be paid by the applicant based on the amount of emission reductions needed to bring the project impacts below the quarterly construction thresholds. The applicant shall provide this funding prior to the start of construction to help facilitate emission offsets that are as real-time as possible. SLO County APCD will use the funds to purchase the required emission reductions through offsite mitigation strategies. The agreement requires SLO County APCD approval prior to receiving final grading permits from the City of Atascadero. The emissions reduction agreement must be implemented in addition to the required measures to reduce construction-related diesel equipment exhaust emissions listed in Mitigation AIR-2a. Development and implementation of the emissions reduction agreement shall be fully funded by the applicant. To the extent feasible, preference shall be given to offsite emission reduction projects that are located close proximity to the project site. The applicant shall submit documentation to the City of Atascadero verifying that this has been successfully completed.

**MM AIR-2d** Prior to issuance of building permits, the City of Atascadero shall verify that the following air emissions reduction measures are depicted on building plans:

1. Provide a pedestrian-friendly and interconnected streetscape to make walking more convenient, comfortable, and safe (including appropriate signalization and signage requirements). This shall be coordinated with Mitigation Measures TRANS-6e and TRANS-6f.
2. Provide good access to/from the development for pedestrians, bicyclists, and transit users. This shall be coordinated with Mitigation Measures TRANS-6a through TRANS-6f.
3. Maintain the existing Class II bicycle lane on El Camino Real along the project frontage (in conjunction with frontage improvements) and install a Class II bicycle lane on Del Rio Road along the project frontage.
4. Increase density within the urban core and urban reserve lines.
5. Provide a buffer zone between source and receptor and plant vegetation between receptor and roadway.

6. Provide shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. The landscaping design shall provide 50 percent tree coverage within 10 years of construction using low ROG-emitting, low-maintenance, native drought resistant trees.

7. Pave and maintain the roads and parking areas.

8. Use native plants that do not require watering and are low ROG emitting.

9. Provide easements or land dedications and construct bikeways and pedestrian walkways as part of roadway improvements along the project frontage.

10. Implement onsite circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment.

11. Provide employee lockers in buildings with a minimum of 50 employees.

12. Plant drought-tolerant native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer.

13. Utilize green-building materials (materials which are resource-efficient, recycled, and sustainable) available locally, if possible.

14. Demonstrate that buildings incorporate all feasible energy efficiency measures with a goal of exceeding the minimum Title 24 efficiency standards by 20 percent or more.

15. Utilize energy efficient street lights.

16. Utilize energy efficient interior lighting.

17. Install energy-reducing programmable thermostats.

18. Use roofing material with solar reflectance values meeting the EPA/DOE Energy Star rating to reduce summer cooling.

19. Provide and maintain a kiosk displaying transportation information in a prominent area accessible to employees and patrons as part of the Transportation Demand Management Program as required by Mitigation Measure AIR-2f.

20. Provide improved public transit amenities (such as covered transit turnouts, direct pedestrian access, covered bench, route information displays, lighting, etc.) as required by Mitigation Measure TRANS-6a.
21. Provide secure onsite bicycle parking as required by Mitigation Measure TRANS-6b.

22. Provide onsite eating, refrigeration and food vending facilities.

23. Implement a Transportation Demand Management Program as required by Mitigation Measure AIR-2f to reduce employee commute trips.

24. Provide incentives to employees to carpool/vanpool, take public transportation, walk, bike, etc as part of the Transportation Demand Management Program as required by Mitigation Measure AIR-2f.

25. Install signs in loading areas advising truck drivers about the CARB Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. The sign shall read “Truck driver shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location.

**MM AIR-2e** Prior to issuance of building permits, the applicant shall enter into an offsite mitigation agreement with SLO County APCD with a goal of reducing emissions to below daily thresholds of 25 pounds per day of ROG and NO\textsubscript{x} (combined) and PM\textsubscript{10}. The applicant shall consult with the APCD to determine the preferred model for quantification of emissions and mitigation measure effectiveness. The offsite mitigation agreement shall identify offsite mitigation measures proposed to be implemented by the applicant and agreed upon by the SLO County APCD to be appropriate and effective to reduce emissions. Alternatively, the offsite mitigation agreement shall identify the mitigation fee required to be paid by the applicant based on the amount of emission reductions needed to bring the project impacts below the daily thresholds. SLO County APCD will use the funds to purchase the required emission reductions through offsite mitigation strategies. Payment of offsite fees shall be made prior to issuance of occupancy permits. The agreement requires SLO County APCD approval and verification of payment prior to receiving final occupancy permits from the City of Atascadero.

**MM AIR-2f** Prior to issuance of the first certificate of occupancy for the first commercial building, the project applicant shall submit a Transportation Demand Management (TDM) Program to the City of Atascadero for review and approval. The TDM program shall be prepared by a qualified transportation consultant/engineer and identify TDM measures for the Walmart and Annex commercial uses. The TDM program shall contain the following provisions:
- The TDM program shall establish a goal of reducing AM peak hour, PM peak hour, and Saturday midday peak hour trips associated with employee travel by a minimum of 10 percent.
- The TDM program shall be reviewed annually (or more frequently if needed) to determine that it reflects the needs and priorities of project tenants and their employees. Changes shall be made on an as needed basis in order to ensure that the TDM program can readily attain the 10 percent reduction goal.
- The TDM program may include, but not be limited to, the following measures:
  1. Employer-sponsored vanpooling or carpooling, which may also involve provision of vehicles, staffed-ride matching services, and guaranteed ride home programs to increase participation.
  2. Incentives for non-single-occupant vehicle commute trips (i.e., carpooling/vanpooling, transit, bicycling, walking, etc.)
  3. Flex time scheduling to avoid peak hour travel
  4. Staggered work hours to avoid peak hour travel
  5. Compressed work schedules to avoid peak hour travel
  6. End of trip facilities such as lockers, showers, or storage facilities, as coordinated with Mitigation Measure TRANS-6f.
  7. Provision of kiosks that provide information about the TDM program.

**Potential Impact:** The proposed project would not violate ambient carbon monoxide (CO) standards or contribute substantially to an existing or projected air quality violation of CO standards.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

**Facts in Support of Finding:** Because the greatest CO concentration potential exists at the intersections, the roadway segments were not evaluated. If the intersections would not violate the CO standard, then the roadway segments, which experience greater dispersion and decreased CO concentration levels, would also not violate the CO standard. The impact on local CO levels was assessed with the CARB-approved CALINE4 air quality model, which allows microscale CO concentrations to be estimated along roadway corridors or near intersections. This model is designed to identify localized concentrations of CO, often termed “hot spots.” Intersections with the highest potential for CO hotspots were selected for their average delay and traffic volumes (obtained from the
Traffic Impact Study prepared for this project). It should be noted that all six intersections would operate at acceptable LOS with mitigation, therefore the analysis below is conservative in that it evaluates the intersections prior to implementation of mitigation.

The estimated 1-hour and 8-hour average CO concentrations at buildout in combination with background concentrations are below the state and national ambient air quality standards. No CO hotspots are anticipated as a result of traffic-generated emissions by the project in combination with other anticipated development in the area. Therefore, the mobile emissions of CO from the project are not anticipated to contribute substantially to an existing or projected air quality violation of CO. Impacts would be less than significant.

**Potential Impact:** The project may expose sensitive receptors to substantial pollutant concentrations.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** Construction risks were not analyzed because of the short duration of the construction phase. While operational emissions are ongoing, the construction phase emissions are short-term. OEHHA provides exposure variants for 9-, 30-, and 70-year exposures in “The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments.” These exposures are chosen to coincide with the EPA’s estimates of the average (9 years), high-end estimates (30 years) of residence time, and a typical lifetime (70 years). Construction phase risks would be considered acute health risks as opposed to cancer risks, which are long-term. OEHHA has yet to define acute risk factors for diesel particulates that would allow the calculation of a hazards risk index; thus, evaluation of this impact would be speculative and no further discussion is necessary.

DPM emissions from project-related delivery trucks would occur at the project site while driving within the site to make deliveries, during idling when not moving or unloading, and from operation of truck transportation refrigeration units (TRUs) on trucks carrying perishable products. The lifetime excess individual excess cancer risks as determined by the health risk assessment during the operation of the proposed project for the buildout year 2013 used three years of available meteorological data. The results reflect the impacts from the combined operation of all emission sources within the Walmart site and the Annex site. The cancer risk would be under the significance threshold of 10 in 1 million. Therefore, no significant cancer risks are anticipated from implementation of the project. This impact is less than significant.
A supplemental HRA was prepared to respond to SLO County APCD comments regarding the assessment of the cancer risk of including additional 2-axle medium heavy-duty delivery trucks and as well as the incorporation of diesel emissions resulting from the operation of other diesel vehicles accessing the project. These latter vehicles would consist of diesel powered passenger vehicles, worker vehicles, and smaller delivery trucks and vans. Even after accounting for higher diesel emissions from 2-axle delivery trucks and parking lot diesel emissions, the lifetime cancer risks at the maximum impacted residential receptor are substantially less than the APCD cancer risk significance threshold of 10 in 1 million.

The SLO County APCD prepared a screening assessment of the risk of existing and new toxic sources to the proposed residential component of the project. The APCD refers to this type of assessment as a “Type B Health Risk Assessment.” The APCD threshold of significance for Type B HRAs is 89 in 1 million. The agency identified US 101, the Golden Gate Shell and the diesel traffic attracted to the proposed project as potential toxic sources located within 1,000 feet of the proposed project. The results of the Type B screening HRA for the proposed project’s residents determined the risk to be 49 in 1 million. The screening did not include the risk from non-delivery truck diesel trips attracted to the project, but the agency noted that the additional risk is not expected to significantly increase the screening risk value. The agency concluded that the Type B risk is not significant. Therefore, based on this conclusion, no additional analysis is required for sources outside the project boundaries. Impacts would be less than significant.

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos-containing material (ACM). Asbestos-containing materials could be encountered during demolition of existing buildings. This project involves the demolition of existing structures. Therefore, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M - asbestos NESHAP). These requirements include but are not limited to (1) notification to the APCD, (2) an asbestos survey conducted by a Certified Asbestos Inspector, and (3) applicable removal and disposal requirements of identified ACM. As discussed in Section 3.6, Hazards of the EIR, the existing structures may contain asbestos-containing material. Mitigation Measure HAZ-1b requires that a certified contractor be retained prior to demolition of any structures to properly remove and dispose of all asbestos in accordance with federal and state regulations. Compliance with SLO County APCD, federal, and state regulations reduces the potential of asbestos-containing material exposure to a less than significant impact.

**MM HAZ-1b** Prior to issuance of demolition permits for any structures located on the project site, the project applicant shall retain a certified hazardous waste contractor to determine the presence or absence of
building materials or equipment that contains hazardous waste, including asbestos, lead-based paint, mercury, and PCBs. If such substances are found to be present, the contractor shall properly remove and dispose of these hazardous materials in accordance with federal and state law. All removal activities shall be completed prior to commencement of demolition activities. Upon completion of removal and disposal, the project applicant shall provide documentation to the City of Atascadero demonstrating that these activities were successfully completed.

**Potential Impact:** The project may create objectionable odors affecting a substantial number of people.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The nearest existing sensitive receptors to the proposed project are the residences adjacent along Rio Rita Road, Madera Place, Del Rio Road, El Camino Road, and Obispo Road. During construction, ROG emissions from asphalt paving and architectural coatings, as well as the various diesel-powered vehicles and equipment in use onsite, would create localized odors. These odors would be temporary and likely would not be noticeable for extended periods of time much beyond the project’s site boundaries. Moreover, all coatings, strippers, primers, and paints specified for Walmart stores generate low VOC and meet or exceed current EPA standards. The potential for odor impacts from construction is therefore less than significant.

The proposed project does not contain land uses typically associated with emitting objectionable odors. However, during project operations, the project could produce odors as a result of refuse storage and collection. However, the impact would not be significant because all collection areas and containers will be enclosed to minimize the generation of odors. The project would include restaurants. As a result, there is the potential for cooking odors to be released. Reaction to cooking odors varies widely with individuals. Some people find them objectionable, while others find them pleasant. Reaction to cooking odors is subjective; restaurant cooking odors have, in some instances, been the subject of some complaints. A potential for odors to reach nearby residents exists under certain wind conditions. This is considered to be a potentially significant impact.

The project site is not located within the Project Screening Levels distances from the common odor producing facilities presented in Table 3-3 of the SLO County CEQA Air Quality Handbook. This impact is less than significant.

**MM AIR-5** Prior to issuance of final certificate of occupancy for any restaurant use, the owner/operator shall install kitchen exhaust vents, exhaust filtration systems, or other odor-reduction measures in accordance
Potential Impact: The project would not significantly impact receptors by disturbing naturally occurring asbestos.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

Facts in Support of Finding: The project site is not located within a naturally occurring asbestos zone. As such, a naturally occurring asbestos exemption would need to be filed by the applicant with the SLO County APCD. Furthermore, the Preliminary Geotechnical Engineering Reports (Appendix E) indicated that no soils with naturally occurring asbestos are present onsite. Refer to Section 3.5, Geology, Soils, and Seismicity for further discussion. Impacts would be less than significant.

Potential Impact: The project would not emit significant amounts of greenhouse gases or conflict with an applicable plan, policy, or regulation concerning greenhouse gas reduction.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The proposed Del Rio Road Commercial Area Specific Plan would guide the development of the Walmart and Annex components. The proposed Specific Plan, when adopted, will serve as the overlay zone for the combined project sites. The Specific Plan will implement the General Plan goals and policies within the plan area. Further, the Specific Plan, together with the underlying zoning on the sites, will establish permitted uses and provide development regulations, requirements, and design guidelines for the Specific Plan area consistent with the proposed Walmart and Annex projects and compatible with the existing surrounding development. The proposed project is served by public transit and accessible to bicycles and pedestrians. Collectively, these characteristics indicate that the proposed project is planned growth within the urban footprint of the City of Atascadero and is well positioned to reduce travel distances.

In summary, the project would not obstruct attainment of any of the goals established under AB 32. The project would comply with all present and future regulatory measures developed in accordance with AB 32 and CARB’s Scoping Plan, and will incorporate a number of features that would minimize greenhouse gas emissions beyond existing regulatory requirements. Such features also are consistent with the Office of Planning and Research Technical Advisory, the California Air Pollution Control Officers Association white paper, the California...
Office of the Attorney General list of measures, and general guidance provided by the SLO County APCD.

It should be noted that, with regard to AB 32 and CARB’s Scoping Plan, reductions in GHG emissions need not be equal amongst all sectors (e.g., the 1990-based reduction levels apply on a statewide basis and are not independently required of every individual project, or sector for that matter). As stated earlier, the commercial sector accounts for only approximately 3 percent of GHG emissions; arguably the key means by which to meet the AB 32 and S-305 goals will be to target the transportation, industrial, and electricity production sectors, which combined create approximately 85 percent of the State’s emissions. At the same time, the project design features and applicable laws do result in a forecasted 33 percent reduction from business-as-usual levels, which shows promotion of AB 32 goals for 2020. Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the project would comply with whatever measures are enacted that state lawmakers decide would lead to an 80-percent reduction below 1990 levels by 2050. Note again that the project already includes several project design features that exceed regulatory requirements.

Accordingly, taking into account the proposed project’s emissions, project design features, and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the proposed project furthers the state’s goals of reducing greenhouse gas emissions to 1990 levels by 2020 and an 80-percent reduction below 1990 levels by 2050, and does not obstruct their attainment. Impacts would be less than significant.

**Sustainable Project Design Features:** The Walmart store shall provide the following project design features (described in detail in Section 2, Project Description) to reduce greenhouse gas emissions consistent with AB 32. To ensure that the latest, most advanced technology can be used, the project may substitute project design features so long as they are equally or more effective at reducing greenhouse gas emissions:

- **Energy Efficient Heating, Ventilation, and Air Conditioning**
  - Heating, Ventilating and Air-Conditioning (HVAC) Units: The Walmart store will employ one of the industry’s most efficient HVAC units available.

- **Lighting:** The Walmart store would employ the following energy efficient lighting features: (1) T8 fluorescent lamps and electronic ballasts; (2) occupancy sensors in most non-sales areas, including restrooms, break rooms, and offices; (3) Light
Emitting Diodes (LEDs) in exterior building signage and many refrigerated food cases; and (4) a daylight harvesting system.

- Central Energy Management: The system allows for remotely monitoring and adjusting the Walmart store’s energy usage, refrigeration temperatures, HVAC and lighting performance, and system levels from a central location 24 hours per day, 7 days per week.

- Dehumidification: The Walmart store will include a dehumidifying system that allows it to operate the store at a higher temperature, use less energy, and allow the refrigeration system to operate more efficiently.

- Water Heating: The Walmart store will reclaim waste heat from onsite refrigeration equipment to supply approximately 70 percent of the hot water needs for the store.

- White Roof: The Walmart store will utilize a white membrane roof.

- Refrigeration: The Walmart store will use non ozone-depleting refrigerants, including R404a for refrigeration equipment and R410a for air conditioning.

- Cement Mixes: The Walmart store will be built using cement mixes that include 15 to 20 percent fly ash, a waste product of coal-fired electrical generation, or 25 to 30 percent slag, a by-product of the steel manufacturing process.

- Recycled Content Building Materials: The Walmart store will used the following recycled content building materials: (1) steel containing approximately 90 to 98 percent recycled structural steel; (2) recyclable, non-reinforced, thermoplastic panels in kitchen areas; and (3) particleboard and medium-density fiberboard made from sawmill waste products for base cabinets, wall cabinets, and counters.

- Environmentally Friendly Building Materials: The Walmart store will use building materials that are more environmentally friendly, such as (1) non-reinforced thermoplastic panel; (2) plant-based oil concrete form release agent; (3) low Volatile Organic Compound paint; (4) Reduced painting supplies; and (5) exposed concrete floors.
• Recycling Facilities: The store will be designed and equipped to recycle cardboard, vegetable oil, single-use cameras, plastic waste, and silver from photo processing.

• Construction Recycling: A waste management company contracted by Walmart will work with the general contractors and project manager for the store construction in order to ensure that the widest possible range of materials used in construction are captured and recycled.

• Water Conserving Fixtures: The Walmart store will be equipped with the following water conserving fixtures: (1) high-efficiency urinals that use only 0.125 gallon (1 pint) of water per flush; (2) sensor-activated, 0.5-gallon-per-minute, high-efficiency faucets; and (3) high-efficiency toilets.

• Landscape Water Efficiency: The Walmart store site will incorporate a number of landscape water efficiency features including plant type, efficient irrigation delivery systems, and irrigation controller technology.

Potential Impact: The proposed project would not be subject to significant adverse effects as a result of global climate change.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

Facts in Support of Finding: Climate change could result in sea level rises and increased flooding. Sea level rise is already affecting much of California’s coastal region, including the Southern California coast, the Central California open coast, and the San Francisco Bay and upper estuary. The project site is located more than 12 miles inland from the Pacific Ocean and is approximately 850 to 900 feet above mean sea level. Therefore, the proposed project would not be susceptible to flooding from sea level rise.

The Specific Plan area areas are surrounded by parcels containing urban development. The City of Atascadero identifies areas of the City at higher risk for wildfires in Figure IV-3: Fire Hazard Map in the General. The Specific Plan area is in an area classified as moderate risk. Therefore, development of the Specific Plan area would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Furthermore, the Atascadero Fire Department was consulted about the proposed project’s fire protection
requirements and did not indicate that wildfires were a potential concern. Therefore, the proposed project would not be at risk of wildfires.

Climate change will likely create greater competition for limited water supplies needed by the environment, agriculture, and cities. The Atascadero Mutual Water Company (AMWC) would serve the project with potable water. As discussed in Section 3.10, Public Services and Utilities, AMWC obtains groundwater from a combination of shallow and deep wells that tap into the Atascadero Sub-Basin of the Paso Robles Formation. As discussed in Impact PSU-3, the 2005 Urban Water Master Plan estimates that sufficient water is available to meet the needs of the service area through the year 2025; however, long-term water supply is a significant concern in the Basin. It should be noted that the Walmart store incorporates a number of water conservation features, including high-efficiency urinals, sensor-activated restroom sinks, and water efficient toilets. It is estimated that Walmart’s water conservation measures could save up to 530,000 gallons of water annually at this store. It should be further noted, that the proposed landscape improvements for the project are based on plant selections of low water use varieties well adapted to the climate that exists within the region. In conformance with the City and Atascadero Mutual Water Company recommendations, the project will use a combination of low-volume overhead spray and drip irrigation methods to support the proposed plant material, providing an efficient use of water. Mitigation is proposed to reduce the project’s demand on water supply through the implementation of indoor and outdoor water conservation measures. These water conservation measures are incorporated in the project as Mitigation Measures PSU-3a and PSU-3b. These measures are consistent with strategies discussed in the report, 2009 California Climate Adaptation Strategy. It can be reasonably concluded that with the incorporation of mitigation measures, the project would be consistent with mitigation and adaptation strategies to reduce the effects of climate change impacts from reduced water availability.

3. Biological Resources

Potential Impact: Implementation of the proposed project may have a substantial adverse effect, either directly or indirectly, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The Walmart and Annex sites consist of annual grassland, oak woodland, and ornamental/developed habitats. The majority of the Walmart and Annex sites would be cleared, graded, and otherwise prepared for
construction, resulting in removal of most of the vegetation on both sites, with some native trees to be retained on the Walmart site.

Impacts to habitats would result from site grading, excavation/cut and fill, other heavy equipment operation, the footprint(s) of building construction, tree removal, hazardous material spills, and potential erosion. All impacts are considered to be permanent impacts due to the alteration of the landscape and removal of vegetation required. The effects of construction disturbance could be transferred directly or indirectly to the area of the Walmart site that is to be left undisturbed or adjacent parcels if construction accidentally or unintentionally strays beyond the anticipated area of disturbance, unless mitigation is implemented. This would be a potentially significant impact. Implementation of Mitigation Measure BIO-1a would reduce these impacts to a less than significant level.

No special-status plant species were observed within the study area during floristic surveys, and none are expected to be impacted by the proposed project. No special-status wildlife species or sign of such species were observed within the study area during reconnaissance surveys; however, suitable habitat occurs onsite for numerous nesting bird species and roosting bat species, with marginal habitat for American badger. Avoidance and minimization measures have been incorporated to offset potential impacts to special-status wildlife species. The incorporation of mitigation measures reduces the impacts to a less than significant level.

**MM BIO-1a** Prior to and during construction activities, the following measures shall be implemented to reduce construction impacts to undisturbed and adjacent parcels:

- Prior to construction, the project site will be clearly flagged or fenced so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access will be clearly flagged as off-limit areas to avoid/discourage unnecessary damage to sensitive habitats or existing vegetation within the project site.

- Prior to construction, the applicant will retain a qualified biological monitor(s) approved by all involved regulatory agencies to ensure compliance with avoidance and minimization measures within the project environmental documents. Monitoring will occur throughout the length of construction or as directed by the regulatory agencies. Full-time monitoring will occur during vegetation removal and erosion control installation. Monitoring may be reduced to part time with agency approval
once vegetation removal has been completed and the potential for additional impacts are reduced.

- During construction, the biological monitor(s) will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project site will be removed and properly disposed. All vegetation removed from the construction site shall be taken to a certified landfill to prevent the spread of invasive species. If soil from weedy areas must be removed offsite, the top 6 inches containing the seed layer in areas with weedy species shall be disposed of at a certified landfill.
- During construction, trash will be contained, removed from the work site, and disposed of regularly. Following construction, all construction debris will be removed from work areas.
- During construction, no pets will be allowed on the construction site.

**MM BIO-1b** Prior to the start of construction, the following measures applicable to the bird species previously discussed and all other birds protected by the MBTA and California Fish and Game Code shall be implemented:

- Prior to construction, vegetation removal and building demolition shall be scheduled to occur outside of the typical nesting season, from September 1 to February 14) if feasible, to maximize the potential for avoiding impacts to active bird nests. If construction activities are proposed to occur during the typical nesting season (February 15 to August 31) within 300 feet (90 meters) of potential nesting habitat, a nesting bird survey shall be conducted by qualified biologists in potential nesting habitat at least 2 weeks prior to construction to determine presence/absence of nesting birds within the project area.
- If active nests are observed, work activities shall be avoided within 100 feet (30 meters) of active bird nests and 300 feet (90 meters) of active raptor (bird of prey) nests, until a qualified biologist has determined that young birds have fledged and left
the nest. Readily visible exclusion zones shall be established by a qualified biologist in areas where active nests must be avoided. A qualified biologist shall coordinate with the U.S. Fish and Wildlife Service and the California Department of Fish and Game for additional guidance if nesting birds are observed within the project area during construction.

- Prior to and during construction, the nests, eggs, or young of birds protected by the MBTA and California Fish and Game Code shall not be moved or disturbed until the young fledge or the nest is no longer active. Birds protected by the MBTA and California Fish and Game Code shall not be intentionally killed, injured, or harassed at any time.

**MM BIO-1c** Prior to and during construction, the following avoidance/minimization measures shall be implemented to protect potential bat species roosting on the project site:

- Prior to construction, if work is to occur within 100 feet (30 meters) of existing trees or buildings onsite, a pre-construction survey shall be conducted by qualified biologists to determine if bats are roosting onsite. The biologist(s) conducting the preconstruction survey shall identify the nature of bat roosting (i.e., no roosting, night roost, day roost, maternity roost). Any bat roost surveys shall be conducted no later than March 15 to allow for bat exclusion (if required) prior to the onset of the maternity roosting season (typically April 15 to August 15).

- If active roosts are observed in trees prior to or during construction, work activities shall be avoided within 100 feet (30 meters) of active bat roosts, until a qualified biologist has determined that all bats have left the roost. Readily visible exclusion zones shall be established in areas where active roosts must be avoided. A qualified biologist shall coordinate with CDFG for additional guidance if roosting bats are observed within the project area during construction.
• If bats are found to be roosting in these buildings, bat exclusion shall be conducted by a qualified biologist or firm experienced and authorized for bat exclusion activities.

**MM BIO-1d** Prior to and during construction, the following avoidance/minimization measures shall be implemented to protect the American badger on the project site:

• Prior to construction, a survey shall be conducted by a qualified biologist no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. The qualified biologist shall evaluate use by American badger and, if possible, assess the potential impacts to American badger. The status of all dens shall be determined (e.g., potential den, known den, etc.) and mapped.

• If dens are observed within 50 feet (15 meters) of the footprint of proposed disturbance, a qualified biologist shall monitor the den(s) for 3 days to determine the current use. If no badger activity is observed during this period, the den shall be destroyed (i.e., collapsed and backfilled) immediately to preclude subsequent use.

If active badger dens are observed, work activities shall be avoided within 50 feet (15 meters) of active dens, until a qualified biologist has determined that the den is no longer active. Readily visible exclusion zones shall be established in areas where active dens must be avoided.

**Potential Impact:** Implementation of the proposed project would not substantially interfere 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 wildlife nursery sites.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

**Facts in Support of Finding:** The Walmart site is bounded by Del Rio Road and vacant commercial lots to the north, El Camino Real to the west and Rio Rita Road and residential lots to the east and south. The Annex site is bounded by residential and commercial lots to the north, residential lots to the east, El Camino Real and US 101 to the west, and Del Rio Road and vacant commercial lots to the south. Del Rio Road, El Camino Real, US 101, and the urban developed nature of the adjacent uses serve as barriers to wildlife movement in the project vicinity.
Therefore, significant regional wildlife movement does not occur within the project site or in the project vicinity.

The Walmart contains disturbed annual grassland, oak woodland, other native trees, and non-native ornamental trees. The Annex site contains disturbed annual grassland with scattered oaks and other trees. Accordingly, the project area has some potential to be a minor, localized movement venue for small mammals that are adapted to urban landscapes. Although the development of the Walmart and Annex sites would eliminate habitat for small, urban mammal species, these same species would also adapt to and use buffer landscaping that the applicants plan to install along the edges of the development. Therefore, impacts on wildlife movement would be less than significant. Additionally, no wildlife nurseries were observed onsite, and the disturbed characteristics of the project site does not make it suitable for the establishment of such features. No impacts on wildlife nurseries would occur.

**Potential Impact:** Implementation of the proposed project may conflict with local biological policies or ordinances pertaining to tree removal.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The Atascadero Native Tree Ordinance establishes regulations for the installation, maintenance, planting, preservation, protection, and selected removal of native trees within the City limits. A tree removal permit is required for the removal of any deciduous native tree 2 inches dbh or greater and 4 inches dbh or greater for all other protected native trees, and for pruning of more than 25 percent of the live canopy in native trees. Tree protection plans are required if construction or grading occurs within 20 feet of the dripline of any native tree.

The Walmart site contains a total of 120 trees and the Annex site contains a total of 46 trees, for a combined total of 166 trees. The proposed project would result in the removal (direct permanent impact) of as many as 132 native trees (86 on the Walmart site and 46 on the Annex site), based on the limits of disturbance and tree removal provided by the project engineers, SWCA’s tree survey mapping, and tree survey data presented in the Biological Resources Survey Report.

The Specific Plan requires the project applicant to plant replacement trees onsite consisting of minimum 24-inch box trees. (Such trees are larger in size than the minimum 5- or 15-gallon trees required by the Native Tree Ordinance for onsite replacement planting). A total of 461 replacement trees are proposed to be planted on the Walmart site, and 259 replacement trees are proposed to be planted on the Annex site; refer to Exhibit 2-10a and Exhibit 2-13. Tree species would
include oaks, pines, crape myrtles, hackberries, and other species. Note that these plans are preliminary and subject to change.

Based on the current landscaping plans, the Walmart and Annex developments would partially, but not fully, meet the onsite mitigation requirements. As such, Mitigation Measures BIO-3a and BIO-3b are proposed requiring compliance with the applicable provisions of the Native Tree Ordinance. Mitigation Measure BIO-3a requires compliance with the tree replacement requirements of the ordinance, and Mitigation Measure BIO-3b requires the implementation of protection measures for trees that would be retained.

**MM BIO-3a** Prior to issuance of grading permits for any activities that would remove one or more trees subject to City of Atascadero Native Tree Ordinance, the applicant shall mitigate impacts onsite through the planting of replacement trees or offsite through the payment of fees to the Tree Replacement Fund (or some combination thereof) as outlined below:

- **Deciduous Trees**: Either:
  - (1) Plant four trees for every 6 inches (as measured at diameter breast height [dbh]) of deciduous tree removed. Trees that are removed must be replaced with 5 gallon, locally grown native stock tree species of the same species. If native stock is unavailable, 15-gallon replacements shall be required. Commercial applicants may plant larger-size replacement specimens to reduce the quantity of replacements required.
  - (2) Pay into the Tree Replacement Fund a fee of $200 per 6 inches dbh of deciduous trees removed.

- **Other Native Trees**: Either:
  - (1) Plant two trees for every 6 inches dbh of other native tree removed. Trees that are removed must be replaced with 5 gallon, locally grown, native stock tree species of the same species. If native stock is unavailable, 15-gallon replacements shall be required. Commercial applicants may plant larger-size replacement specimens to reduce the quantity of replacements required.
  - (2) Pay into the Tree Replacement Fund a fee of $100 per 6 inches dbh of other native trees removed.

**MM BIO-3b** Prior to issuance of grading permits for any activities that would remove trees subject to City of Atascadero Native Tree Ordinance, the applicant shall prepare and submit a Tree Protection Plan to the City of Atascadero
for review and approval. The following measures are to be included in the plan.

- Proposed fencing for the site shall be shown in orange ink on the final grading plan. Fencing shall be a minimum of four feet high chain link, snow, or safety fence staked at the edge of the drip line or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. Once erect, the fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. The fencing shall be constructed prior to the city pre-construction meeting for inspection by the city and the arborists.

- Soils within the drip line that have been compacted by heavy equipment and/or construction activities shall be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2 to 3 feet apart with a 2- to 4-inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

- All areas within the drip line of the trees that cannot be fenced shall receive a 4- to 6-inch layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

- All trenching for foundations within the drip line of native trees shall be hand dug. All major roots shall be avoided whenever possible. All exposed roots larger than 1 inch in diameter shall be clean cut with sharp pruning tools and not left ragged. A mandatory meeting between the arborists and grading/trenching contractor(s) shall take place prior to the start of work. This activity shall be monitored by the arborist(s) to insure proper root pruning is taking place.

- Grading shall not encroach within the drip line unless authorized by the arborist(s). Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

- Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they shall be covered with burlap or another suitable material and wetted down two times per day until re-buried.
- Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. In addition, there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off-limits unless pre-approved by the arborist.
- The existing ground surface within the drip line of all native trees shall not be cut, filled, compacted, or pared, unless shown on the grading plans and approved by the arborist.
- No liquid or solid construction waste shall be dumped on the ground within the drip line of any native tree. The drip line areas are not for storage of materials either.
- An arborist shall be present for selected activities in accordance with the Tree Protection Plan. The monitoring does not have to be continuous but observational at times during these activities. It is the responsibility of the owner(s) or designee to inform the arborist prior to these events so that arrangements can be made to have the arborist present. It is the responsibility of the owner to contract (prior to construction) a licensed and insured arborist that will document all monitoring activities:
  - Pre-construction fence placement
  - Any utility or drainage trenching within any drip line
  - All grading and trenching near trees requiring monitoring in accordance with the Tree Protection Plan
- An onsite pre-construction meeting with the arborist(s), owner(s), City planning staff, and the earthmoving team shall be required for this project. Prior to final occupancy, a letter from the arborist shall be required verifying the health/condition of all impacted trees and providing recommendations for any additional mitigation. The letter shall verify that the arborist were onsite for all grading and/or trenching activity that encroached into the drip line of the selected native trees, and all work done in these areas was completed to the standards set forth above.
- A trained arborist shall perform all Class 4 pruning onsite. Class 4 pruning consists of reduction of tops, sides, or individual limbs. No pruning shall take more than 25 percent of the live crown of any native tree. Any trees that may need pruning for road/building clearance shall be pruned prior to any grading activities to avoid any branch tearing.
- All landscape under the drip-line shall be drought-tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around drip lines; otherwise, aboveground drip-irrigation shall be
used. It is the owner’s responsibility to notify the landscape contractor regarding this mitigation.

- All utilities and sewer/storm drains shall be placed down the roads/driveways and when possible outside of the drip lines. The arborist shall supervise trenching within the drip line. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over the roots. Roots greater than 2 inches in diameter shall not be cut.

- As the project moves toward completion, the arborist may suggest either fertilization and/or mycorrhiza applications that will benefit tree health.

- Prior to final project approval, additional plan review shall be conducted by a qualified arborist. Final grading, utility, and landscape plans shall be reviewed and approved to limit preventable damage to retained trees. All utility lines and irrigation trenching shall be located at least 20 feet away from the canopy of a native preserved tree. Once plans are approved, the contractor shall install the protective fencing consistent with the fencing plan by A&T Arborists. Trees that are determined by a qualified arborist to have 40 percent combined impacts to roots and canopy from encroachments shall be considered for removal and added to the mitigation required for the site. Staging areas shall be located outside of the root zones of protected trees.

- Prior to construction, chain link fencing shall be installed around native trees to be protected to prevent root zone encroachment on retained trees. Chain-link fencing is preferable because it is less easily relocated. A qualified arborist shall be retained to monitor any activity that occurs within 20 feet of the edge of the canopy of a retained protected tree. Fencing shall remain in place until project completion (including landscaping).

- During construction, all work within the zone of native trees to be protected shall be performed with a qualified consulting arborist present to ensure that work is performed in a manner that will not harm trees. Forty-eight-hour (48-hour) notice shall be provided to the tree consultant/arborist prior to the planned start of work. Once the work is completed, a consulting arborist shall certify in writing that that all the recommended protection and mitigation measures have been implemented. The protected zone in Atascadero is defined as the entire area within the dripline of the tree. For small trees (those less than 6 inches dbh), this distance shall be a minimum of 15 feet from the trunk.
During construction, irrigation shall be excluded from the zone under the canopy of any oak tree to minimize the growth of predatory disease organisms such as root rot (*Phytophtora* spp.) and oak root fungus (*Armillaria mellea*). Irrigation upslope from oak trees shall be implemented in a manner to avoid runoff into the protected zones of oak trees. Drainage patterns shall be maintained to prevent water gathering at the base of a protected tree.

During construction, landscape plantings shall be kept outside of the dripline of protected trees to minimize the introduction of fungus and other pathogens being introduced to soil around protected trees. During construction, all sources of compaction, including foot traffic, shall be confined outside of the dripline of any protected tree. If access is required (and no other options exist), then a 4- to 6-inch layer of mulch shall be laid down with plywood over the top for temporary access. Soils that must be compacted for stability shall be cross-ripped to 3 feet deep to alleviate compaction to grow healthy plants.

During construction, all mulch or leaf litter shall be retained under the protected trees. If the natural leaf litter has been removed, a 4-inch-thick layer of 3-inch-diameter bark mulch shall be added throughout the protected zone of each tree and at least 6 inches away from the trunk of the tree.

During construction, if any roots are encountered at the perimeter of protected areas, they shall be cut cleanly with a sharp pruning saw or hand pruners. All other options shall be considered before trenching under the dripline of a protected tree. Some viable options include tunneling or boring which can occur below the active root zone for most trees about three feet below the surface. All root work shall be conducted with the use of hand tools only. Tractors, backhoes, and other vehicles shall be operated in a manner that will preserve major tree roots, minimize soil compaction, and insure the safety of both the vehicle operator and the tree.

Prior to and during construction, pruning on native evergreen oaks shall occur between the months of July and October to minimize the potential for insect infestations. No more than 10 percent of the live canopy shall be removed in any one pruning event. Deciduous trees shall be pruned in the dormant season (winter). The majority of trees should not require pruning since there is no activity proposed for the area under the dripline.
of the trees. All pruning work shall comply with nationally recognized pruning standards of the American National Standards Institute.

- If pruning is required, a qualified biologist shall inspect trees for wildlife and avoid impacts to trees with nesting birds (February 15 to August 31) or maternity roosting bats (April 15 to August 15).

- A population of tree-of-heaven exists adjacent to the interior live oak grove that is to be retained located on the southeast corner of the site. This is an aggressive species, spreading through roots and seedlings, and is a state listed invasive species that shall be controlled to prevent spreading into the preserved oak grove. The applicant shall manage this invasive species in accordance with the guidelines issued by the California Invasive Pest Council.

4. Cultural Resources

**Potential Impact:** Subsurface construction activities associated with the proposed project may damage or destroy historic resources.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The records search conducted at the Central Coast Information Center indicated that no recorded historic resources are documented on the project site. This includes resources listed on the National Register of Historic Places, the California Register of Historic Resources, the California State Historic Resources Inventory, the California Historical Landmarks list and the California Points of Historical Interest.

During the course of the pedestrian field survey, three parcels within the project area were found to contain buildings that were constructed more than 45 years ago. The buildings were evaluated to determine if they met the formal definition of a “historical resource” as defined by CEQA.

None of the three properties was found eligible for the California Register; however, one property, 1800 El Camino Real, was found eligible for local designation. The proposed project may result in a significant direct impact to one historical resource, the Rordorf Residence at 1800 El Camino Real, which would be relocated as part of the proposed project.

The project applicant is proposing to relocate the Rordorf Residence. To ensure that relocation occurs, Mitigation Measure CUL-1a requires the applicant to relocate the residence prior to construction activities on the 1800 El Camino Real parcel. In addition, Mitigation Measure CUL-1b requires archival documentation of as-found conditions in the form of a Historic American Building Survey by
qualiﬁed personnel. With the implementation of both mitigation measures, impacts would be reduced to a level of less than significant.

**MM CUL-1a** Prior to the start of construction activities on the 1800 El Camino Real parcel, the applicant shall relocate the Rordorf Residence to another suitable site, as determined by the City of Atascadero.

**MM CUL-1b** Prior to relocation of the Rordorf Residence, the applicant shall demonstrate to the satisfaction of the City of Atascadero that documentation of the Rordorf Residence is completed by the applicant in the form of a Historic American Buildings Survey, which shall comply with the Secretary of the Interior’s Standards for Architectural and Engineering Documentation. The documentation shall include large-format photographic recordation; a detailed historic narrative report, including description, history, and statement of significance; and a compilation of historic research. A qualiﬁed architectural historian or historian who meets the Secretary of the Interior’s Professional Qualiﬁcation Standards for History and/or Architectural History shall complete the documentation. The original archival-quality documentation shall be submitted to the Atascadero Library; Atascadero Historical Society; and San Luis Obispo County Historical Society, where it will be available to local researchers.

**Potential Impact:** Subsurface construction activities associated with the proposed project may damage or destroy undiscovered archaeological resources.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Signiﬁcant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The records search conducted at the Central Coast Information Center indicated that two archaeological resources (CA-SLO-1711 and CA-SLO-2187) have been previously recorded within a 0.5 mile of the project area. No archaeological resources were observed during the intensive-level pedestrian survey of the project area. However, ground visibility was approximately 50 percent as a result of coverage by nonnative grasses. Because of the property’s proximity to Graves Creek and known archaeological sites, the project area has the potential to contain previously unidentiﬁed archaeological resources. Ground-disturbing activities during project development could potentially impact prehistoric or historic archaeological resources. This would be a potentially signiﬁcant impact.

Potentially signiﬁcant resources include archaeological features (e.g., architectural remains, storage pits, trash deposits, hearth features), spatially discrete artifact or ecofact groupings, and human remains.
Mitigation is proposed, in accordance with the City of Atascadero General Plan, Policy 6.2, to require full-time monitoring by a qualified archaeologist during all earthmoving (grading and excavation) activities associated with the project. This measure will ensure that potentially significant resources are documented and protected. This would reduce impacts to a less than significant level.

**MM CUL-2** During all earthmoving (grading and excavation) activities associated with the project, a qualified archaeologist shall be present to monitor project activities. Monitoring will consist of directly watching the excavation and earthmoving activities for the entirety of each workday. If archaeological resources are observed during monitoring, the archaeological will alert the Construction Supervisor that the piece of equipment that encounters the find shall be stopped or diverted to another work area and the archaeologist shall inspect the excavated area. The City of Atascadero shall require the project applicant to include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If potentially significant deposits are found, the archaeologist will inspect the deposits and develop appropriate mitigation recommendations, including resource identification, testing, evaluation, preservation, and/or data recovery excavation, as appropriate. If the archaeologist determines that the suspected remains are non-significant or non-cultural in origin, work shall recommence immediately following basic documentation. If further study is warranted, the find(s) shall be mapped, recorded, and bagged with the proper provenience and the item(s) collected by the archaeological monitor. Additionally, if (prehistoric) archaeological sites are encountered and the archaeologist determines it appropriate, Native Americans will be actively involved in any evaluation and mitigation work.

**Potential Impact:** Subsurface construction activities associated with the proposed project may damage or destroy undiscovered paleontological resources.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** A search of the UCMP and LACM records by a qualified paleontologist indicate the geologic units underlying the project area have proven to yield scientifically significant vertebrate fossils and are thereby determined to have a high paleontological sensitivity. Although no previously recorded paleontological localities occur within the project boundaries or a 1-mile radius, the LACM reports that at least two significant vertebrate localities have been previously discovered nearby the project and from within Quaternary older alluvium. UCMP collection records report three vertebrate localities from within
the Santa Margarita Sandstone in San Luis Obispo County, yielding more than 40 specimens.

Because the project area is underlain by geologic units determined to have a high paleontological sensitivity rating, any substantial, project-related ground disturbances (such as mass grading, excavation, or trenching) within Quaternary older alluvium or the Santa Margarita Sandstone may result in adverse impacts to significant paleontological resources. This would be a potentially significant impact.

Mitigation is proposed to protect undiscovered paleontological resources. Implementation of paleontological resources mitigation measures will reduce the impact to a less than significant level.

**MM CUL-3** The applicants for each development within the Specific Plan areas shall retain a qualified paleontologist to produce paleontological monitoring and mitigation plan(s) for the proposed project and to supervise monitoring of construction excavations. Alternatively, a combined plan encompassing the entire Specific Plan Area may be prepared. The plan(s) shall be submitted to the City of Atascadero for approval prior to issuance of grading permits. The plan shall incorporate the following measures:

- All project-related ground disturbances that could potentially impact Santa Margarita Sandstone shall be monitored by a qualified paleontological monitor on a full-time basis. In the areas mapped as Quaternary older alluvium, full-time monitoring by a qualified paleontological monitor shall be required after the first three feet of the disturbed upper layer has been removed. The frequency of monitoring may be reduced at the discretion of the qualified paleontologist if the impacted sediments are determined to have a low potential to yield significant fossils resources upon further examination of the sediments during active grading operations. Very shallow surficial excavations in areas of previous disturbance shall be monitored on a part-time basis to ensure that underlying sensitive units are not adversely affected.

- Paleontological resource monitoring shall include inspection of exposed rock units during active excavations within sensitive geologic sediments. The monitor will have authority to temporarily divert grading away from exposed fossils in order to professionally and efficiently recover the fossil specimens and collect associated data. All efforts to avoid delays in project schedules will be made. Monitors will be equipped with the necessary tools for the rapid removal of fossils and retrieval of associated data to prevent construction delays.
This equipment will include handheld global positioning system (GPS) receivers, digital cameras and cell phones, as well as a tool kit containing specimen containers and matrix sampling bags, field labels, field tools (awls, hammers, chisels, shovels, etc.) and plaster kits.

- At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections will be measured, and appropriate sediment samples will be collected and submitted for analysis.

- Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and reposited in a designated paleontological curation facility. The most likely repository is the University of California Museum of Paleontology, Berkeley or the Natural History Museum of Los Angeles County.

The qualified paleontologist shall prepare a final monitoring and mitigation report to be filed with the client, the lead agency, and the repository. The final report shall include but not be limited to a discussion of the results of the mitigation and monitoring program, an evaluation and analysis of the fossils collected (including an assessment of their significance, age and geologic context), an itemized inventory of fossils collected, a confidential appendix of locality and specimen data with locality maps and photographs, an appendix of curation agreements and other appropriate communications, and a copy of the project-specific paleontological monitoring and mitigation plan.

Potential Impact: Subsurface construction activities associated with the proposed project may damage or destroy undiscovered human burial sites.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: Subsurface activities such as excavation or trenching could potentially damage or destroy previously undiscovered human burial sites. Accordingly, this is a potentially significant impact. Mitigation is proposed to reduce this potentially significant impact to a level of less than significant.

MM CUL-4 If ground-disturbing activities uncover previously unknown human remains, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed:
In the event of an accidental discovery or recognition of any human remains, Public Resource Code (PRC) Section 5097.98 must be followed. Once project-related ground disturbance begins and if there is accidental discovery of human remains, the following steps shall be taken:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the San Luis Obispo County Coroner is contacted to determine if the remains are Native American and if an investigation into cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

5. Geology, Soils, and Seismicity

**Potential Impact:** Development of the proposed project may expose persons or structures to seismic hazards.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** While the project site is not located within an area currently designated as a Alquist-Priolo Earthquake Fault Zone, the project site is located in California Building Code (CBC) Seismic Zone 4; the most significant geologic hazard to the project during its design life is the potential for moderate to severe shaking during a seismic event. According to the United States Geological Survey’s Probabilistic Hazard Map, ground shaking in Atascadero is predicted to have a 25-percent peak horizontal ground acceleration with 10 percent probability of exceedance in 50 years. The California Geological Survey maintains a web-based computer model that estimates probabilistic seismic ground motions for any location with California. The computer model estimates the “Design Basis Earthquake” ground motion, which is defined as the peak ground acceleration with a 10-percent chance of exceedance in 50 years (475-year return period). For an alluvium soil type, on which the project site is located, the estimated peak ground acceleration is approximately 0.308g. The project site may be exposed to strong ground shaking during an earthquake in the general region.
According to the General Plan Figure IV-4: Fault Line and Geohazard Map, the project site is in an area subject to moderate liquefaction risk. The preliminary geotechnical investigation for the Walmart and Annex site indicated that groundwater may be encountered at depths of 9.5 feet on the Walmart site and 13.5 feet on the Annex site. In addition, perched groundwater should be expected in the upper 3 to 5 feet during wet winter months. The Walmart report indicated that the subsurface soil profile consisted of clayey sands, clayey sands with gravel, and rock (sandstone) and that the presence of relatively shallow rock made the potential for liquefaction at the Walmart site to be negligible. The Annex reports indicated that the subsurface profile consisted of stiff soils composed of silty sands, clayey sands, sandy clays, clayey silts, and sandy silts. These subsurface characteristics indicate that the Annex site has a low susceptibility to liquefaction and liquefaction-related phenomena.

According to the General Plan Figure IV-4: Fault Line and Geohazard Map, the project site is not in an area of high risk for landslides. There project site is relatively flat and is underlain by older alluvium deposits, which are regarded as stable geologic units. Furthermore, the project soils have low erosion potential, which suggests that they are not susceptible to landsliding. Collectively, these characteristics indicate that the project site would not be susceptible to landsliding during a seismic event.

In recognition of potential geological impacts as a result of the proposed project, Mitigation Measure GEO-1 requires the applicant to prepare and submit a design-level geotechnical study that complies with all seismic design standards of the California Building Standards Code. This measure provides certainty that the proposed project would not be at risk of ground failure hazards.

**MM GEO-1** Prior to issuance of building permits for each development within the Specific Plan, the project applicant shall submit a design-level geotechnical study and building plans to the City of Atascadero for review and approval. The building plans shall demonstrate that they incorporate all applicable recommendations of the design-level geotechnical study and comply with all applicable requirements of the most recent version of the California Building Standards Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering and structural foundations. The approved plans shall be incorporated into the proposed project. All onsite soil engineering activities shall be conducted under the supervision of a licensed Geotechnical Engineer or Certified Engineering Geologist.

**Potential Impact:** Construction activities associated with the proposed project have the potential to create erosion and sedimentation.
Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: Construction activities associated with the proposed project would involve vegetation removal, grading, and excavation activities that could expose barren soils to sources of wind or water, resulting in the potential for erosion and sedimentation on and off the project site. National Pollutant Discharge Elimination System (NPDES) stormwater permitting programs regulate stormwater quality from construction sites, which includes erosion and sedimentation. Under the NPDES permitting program, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of 1 acre or more. The SWPPP must identify potential sources of erosion or sedimentation that may be reasonably expected to affect the quality of stormwater discharges as well as identify and implement Best Management Practices (BMPs) that ensure the reduction of these pollutants during stormwater discharges. Typical BMPs intended to control erosion include sand bags, detention basins, silt fencing, storm drain inlet protection, street sweeping, and monitoring of water bodies.

These requirements have been incorporated into the proposed project as mitigation. The implementation of an SWPPP and its associated BMPs would reduce potential erosion impacts to a level of less than significant.

MM HYD-1 Prior to the issuance of grading permits, the project applicant shall file a Notice of Intent with and obtain a facility identification number from the State Water Resources Control Board. The project applicant shall also submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of Atascadero that identifies specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:

- Comply with the requirements of the State of California’s most current Construction Stormwater Permit.
- Temporary erosion control measures shall be implemented on all disturbed areas.
- Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.
- Sediment shall be retained onsite by a system of sediment basins, traps, or other BMPs.
The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.

BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Central Coast Regional Water Quality Control Board to determine adequacy of the measure.

In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the wet season.

**Potential Impact:** The Project site may expose persons or structures to hazards associated with unstable geologic units or soils.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The preliminary geotechnical investigations prepared by Earth Systems Pacific and GSI Soils concluded that the onsite soils are suitable to support the development of the proposed project. In addition, the project site has a low susceptibility to liquefaction or liquefaction-related phenomena. Therefore, the development of the proposed project would not expose persons or structures to hazards associated with unstable geologic units or soils.

As part of the proposed project, the project site would be graded and the area underlying the building pad would be soil engineered in accordance with the recommendations of a design-level geotechnical study and the requirements of the California Building Standards Code. This requirement is established by Mitigation Measure GEO-1. This process would involve removal of unsuitable soils, the placement of engineered fill, and compaction in order to ensure that the proposed structures are adequately supported. These practices would ensure that the proposed project is located on stable soils and geologic units and would not be susceptible to settlement or ground failure rendering impacts less than significant.

**MM GEO-1** Prior to issuance of building permits for each development within the Specific Plan, the project applicant shall submit a design-level geotechnical study and building plans to the City of Atascadero for...
review and approval. The building plans shall demonstrate that they incorporate all applicable recommendations of the design-level geotechnical study and comply with all applicable requirements of the most recent version of the California Building Standards Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering and structural foundations. The approved plans shall be incorporated into the proposed project. All onsite soil engineering activities shall be conducted under the supervision of a licensed Geotechnical Engineer or Certified Engineering Geologist.

**Potential Impact:** Development of the proposed project may expose persons or structures to hazards associated with expansive soils

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** Expansive soils, also known as shrink-swell soils, refer to the potential of soil to expand when wet and contract when dry. Expansive soils generally pose a moderate risk to Atascadero. The City is fairly evenly distributed between highly expansive soils and moderately expansive soils. The highly expansive soils mainly occur in the western and southwestern portion of the City. The moderately expansive soils occur mostly in the western and central parts of the City. According to the Local Hazard Mitigation Plan, Figure B-7: Expansive Soils Hazard Area, soils in the project area have moderate shrink-swell potential.

The preliminary geotechnical investigation for the Walmart project site found that the subsurface soil profile consisted of clayey sands, clayey sands with gravel, and rock (sandstone). These soils typically yield expansion indices in the “very low” (nonexpansive) and “low” categories pursuant to the California Building Code Table 18-I-B. The Annex reports indicated that the subsurface profile consisted of silty sands, clayey sands, sandy clays, clayey silts, and sandy silts. The sands and clays are classified as low to moderately expansive based on expansion index tests performed in accordance with Uniform Building Code Standard 29-2. These characteristics indicate that the project site may be susceptible to moderate expansion. Recognizing this potential, mitigation is proposed requiring the project applicant to submit a design-level geotechnical study to the City of Atascadero identifying measures to abate expansive soil conditions. A provision in the measure requires that the recommendations from approved study be incorporated into the proposed project. With the implementation of this mitigation measure, impacts would be reduced to a level of less than significant.

**MM GEO-4** Prior to issuance of building permits for each development within the Specific Plan, the project applicant shall submit a design-level geotechnical study to the City of Atascadero for review and approval.
The study shall be prepared by a qualified engineer and identify grading and building practices necessary to abate expansive soil conditions on the project site. The project applicant shall implement the recommendations of the approved design-level geotechnical study into project plans.

6. Hazards and Hazardous Materials

**Potential Impact:** Past and present land use activities within the Specific Plan boundaries may create a significant hazard to the public or the environment or have resulted in the subject properties being included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** Both the Walmart site and Annex have been thoroughly investigated for the potential presence of hazards and hazardous materials. With the incorporation of mitigation measures, development of the proposed project would not have the potential to create a significant hazard to the public or the environment.

The project involves the demolition of existing facilities. Therefore, the project is required to comply with SLO County APCD Rule 701 (National Emissions Standards for Hazardous Air Pollutants). The applicant is required to determine if the structures are considered “regulated facilities” under NESHAP by contacting the SLO County APCD. If there are regulated facilities to be demolished, the facilities must be inspected to determine if any ACMs are present. If ACMs are present, the project must follow the SLO County APCD requirements and, potentially, Cal OSHA and Cal-EPA regulations.

Based on the age of the structures onsite, there is the likelihood of encountering building materials containing asbestos. Mitigation Measure HAZ -1b is proposed requiring that these materials be properly removed and disposed of by a certified contractor prior to demolition activities. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

Based on the age of the structures onsite, it is likely that LBP may exist onsite. Mitigation Measure HAZ -1b is proposed requiring that these materials be properly removed and disposed of by a certified contractor prior to demolition activities. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

Based on the age of the structures on site there is the potential to encounter fluorescent lights with PCB-containing ballasts and light switches containing mercury. Mitigation Measure HAZ -1b is proposed requiring that these materials be properly removed and disposed of by a certified contractor prior to demolition
activities. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

The project site contains septic systems associated with past residential uses. Improperly abandoned wells and septic tanks can create risks to human health and the environment. Mitigation Measure HYD-3b in Section 3.7, Hydrology and Water Quality requires the project applicant to properly abandon or remove the septic systems in accordance with applicable regulatory requirements prior to grading activities. The implementation of this mitigation measure would ensure that potential health hazard impacts are reduced to a level of less than significant.

The 93422 zip code is classified as an area of high radon potential. The proposed Annex commercial uses would employ slab-on-grade construction and HVAC systems and, therefore, would not be a significant risk of elevated indoor radon concentrations.

At the time of this writing, it is unknown if the Annex residential uses will employ sub-surface, enclosed spaces. Accordingly, Mitigation Measure HAZ-1c is proposed requiring evaluation of indoor radon exposure for any sub-surface spaces to be completed before building permits are issued.

**MM HAZ-1a** Prior to issuance of grading permits on the Walmart site in areas where THP-D has been detected, the applicant shall conduct soil sampling using a Hollow Stem Auger to delineate the horizontal and vertical extent of the TPH-D in order to implement a soil remediation program. Soil remediation shall be conducted in accordance with California Department of Toxic Substances Control (DTSC) guidelines. Contaminated soil shall be excavated and disposed of at an approved disposal facility. Following excavation, confirmation sampling shall be conducted to confirm whether remaining soil meets acceptable applicable regulatory levels. The excavation shall be backfilled with clean soil.

The soil remediation activities shall be completed prior to issuance of building permits. The applicant shall submit documentation to the City of Atascadero demonstrating that soil testing was performed and any necessary remediation was completed as part of the grading permit application.

**MM HAZ-1b** Prior to issuance of demolition permits for any structures located on the project site, the project applicant shall retain a certified hazardous waste contractor to determine the presence or absence of building materials or equipment that contains hazardous waste, including asbestos, lead-based paint, mercury, and PCBs. If such substances are found to be present, the contractor shall properly remove and dispose of these hazardous materials in accordance with federal and state law. All removal activities shall be completed prior to commencement of demolition activities. Upon completion of removal and disposal, the project applicant shall provide documentation to the City of
Atascadero demonstrating that these activities were successfully completed.

**MM HAZ-1c** Prior to issuance of building permits for any residential use with a subsurface space (e.g., basements or garages), the project applicant shall retain a qualified consultant to investigate indoor radon exposure levels. The consultant shall determine whether the proposed subsurface spaces would be exposed to indoor radon concentrations of 4.0 picocuries per liter of air in accordance with U.S. Environmental Protection Agency and California Department of Public Health guidelines. If the consultant determines that exposure would occur at or above 4.0 picocuries per liter of air, the applicant shall revise plans to (1) eliminate all subsurface spaces or (2) install appropriate ventilation and detection systems for indoor radon in subsurface spaces. The applicant shall submit documentation to the City of Atascadero verifying that this has been successfully completed.

**Potential Impact:** The proposed project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** In regards to short-term impacts, project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. In addition, Mitigation Measure HYD-1 in Section 3.7, Hydrology and Water Quality requires the project applicant to implement a Stormwater Pollution Prevention Plan during construction activities to prevent contaminated runoff from leaving the project site. Therefore, no significant impacts would occur during construction activities.

Because of the age of the onsite structures, there is the potential for exposure to hazardous waste containing building materials and equipment, which if disrupted can become a hazard. As discussed in Impact HAZ-1, mitigation is proposed to require the proper removal and disposal of these hazardous materials in accordance with federal and state law. The implementation of this mitigation would reduce impacts to a level of less than significant.
Small quantities of hazardous materials would be used onsite, including cleaning solvents (such as degreasers, paint thinners, and aerosol propellants), paints (both latex- and oil-based), acids and bases (such as many cleaners), disinfectants, and fertilizers. These substances would be stored in secure areas and would comply with all applicable storage, handling, usage, and disposal requirements (e.g., California Health and Safety Code Section 25531). The potential risks posed by the use and storage of these hazardous materials are primarily limited to the immediate vicinity of the materials. Transport of these materials would be performed by commercial vendors who would be required to comply with various federal and state laws regarding hazardous materials transportation (e.g., Federal Motor Carrier Safety Administration Regulations and 49 Code of Federal Regulations Parts 100-185). Furthermore, the medical clinic would only offer basic services such as check-ups; thus, medical wastes would be limited to low-level, non-bio-hazardous items such as bandages, latex gloves, needles, tongue depressors, and similar items.

In summary, the proposed project would not potentially create a significant hazard to the public or the environment from routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions. Impacts would be less than significant.

**MM HYD-1** Prior to the issuance of grading permits, the project applicant shall file a Notice of Intent with and obtain a facility identification number from the State Water Resources Control Board. The project applicant shall also submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of Atascadero that identifies specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:

- Comply with the requirements of the State of California’s most current Construction Stormwater Permit.
- Temporary erosion control measures shall be implemented on all disturbed areas.
- Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.
- Sediment shall be retained onsite by a system of sediment basins, traps, or other BMPs.
- The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.
• BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Central Coast Regional Water Quality Control Board to determine adequacy of the measure.

• In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the wet season.

**MM HYD-2b** Prior to the first day of store operations and during store operations, stormwater pollution prevention measures shall be implemented to prevent fertilizer from entering downstream waterways. Pollution prevention measures shall include, but are not limited to:

• Containment of packages of fertilizer and other agricultural chemicals
• Sweeping and cleanup of fertilizer and other agricultural chemical storage areas when leaks or spillage is observed
• Employee training to inform store personnel of proper storage of fertilizer and agricultural chemicals and practices to prevent leaks and spillage

**MM HAZ-1b** Prior to issuance of demolition permits for any structures located on the project site, the project applicant shall retain a certified hazardous waste contractor to determine the presence or absence of building materials or equipment that contains hazardous waste, including asbestos, lead-based paint, mercury, and PCBs. If such substances are found to be present, the contractor shall properly remove and dispose of these hazardous materials in accordance with federal and state law. All removal activities shall be completed prior to commencement of demolition activities. Upon completion of removal and disposal, the project applicant shall provide documentation to the City of Atascadero demonstrating that these activities were successfully completed.

**Potential Impact:** The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

Facts in Support of Finding: The proposed project consists of the development of a 260,460-square-foot commercial retail center and 50 residential dwelling units. The proposed project is located on a major thoroughfare (El Camino Real) and is near the US 101/Del Rio Road interchange. Vehicular access to the Walmart sites and Annex sites is provided at multiple points on both El Camino Real and Del Rio Road, consistent with California Fire Code requirements for at least two points of access to commercial buildings of 30 feet in height or greater.

Both the Atascadero Fire Department and Police Department were consulted about the proposed project’s impacts on public safety and neither agency indicated that emergency response or evacuation was an issue of concern. (Refer to Impact PSU-1 and Impact PSU-2 in Section 3.10, Public Services and Utilities for further discussion.) Furthermore, the proposed project does not include any characteristics (permanent road closures, street narrowing, hairpin turns, etc.) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. Therefore, the proposed project would not impair or obstruct emergency response or evacuation. Impacts would be less than significant.

7. Hydrology and Water Quality

Potential Impact: Construction activities associated with the proposed project have the potential to degrade water quality in downstream water bodies.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: This impact addresses whether the proposed project would violate any water quality standards or waste discharge requirements (Checklist Item a); substantially alter the existing drainage pattern of 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 (Checklist Item c); or otherwise substantially degrade water quality (Checklist Item f) during construction activities.

Project implementation would require extensive grading and construction activities. During these activities, there would be the potential for surface water to carry sediment from onsite erosion and other anthropogenic pollutants into the stormwater system and local waterways.
Construction of the proposed project would also require the use of gasoline- and diesel-powered heavy equipment such as bulldozers, backhoes, water pumps, and air compressors. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances would be utilized during construction. An accidental release of any of these substances could degrade the water quality of the surface water runoff and add additional sources of pollution into the drainage system.

NPDES stormwater permitting is required by the State Water Board’s Construction General Stormwater Permit (General Permit). The General Permit regulates stormwater discharges from construction sites. Under the General Permit, the preparation and implementation of SWPPPs are required for construction activities more than 1 acre in area. The SWPPP must identify potential sources of pollution that may be reasonably expected to affect the quality of stormwater discharges as well as identify and implement BMPs that ensure the reduction of these pollutants during stormwater discharges.

Mitigation is proposed that would require the project applicant to prepare and implement an SWPPP. The implementation of the mitigation measure would ensure that potential, short-term, construction water quality impacts are reduced to a level of less than significant.

**MM HYD-1** Prior to the issuance of grading permits, the project applicant shall file a Notice of Intent with and obtain a facility identification number from the State Water Resources Control Board. The project applicant shall also submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of Atascadero that identifies specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:

- Comply with the requirements of the State of California’s most current Construction Stormwater Permit.
- Temporary erosion control measures shall be implemented on all disturbed areas.
- Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.
- Sediment shall be retained onsite by a system of sediment basins, traps, or other BMPs.
• The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.

• BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Central Coast Regional Water Quality Control Board to determine adequacy of the measure.

• In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the wet season.

Potential Impact: Operational activities associated with the proposed project have the potential to degrade water quality in downstream water bodies.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The proposed project would result in a net increase in impervious surface coverage of the project site. The Walmart component would increase impervious surface coverage on the project site from 0.0 to 56.2 percent, and the Annex component would increase impervious surface coverage on the project site from 2.0 to 69.5 percent. The increase in impervious surface coverage would create the potential for additional discharge of urban pollutants into downstream waterways. Leaks of fuel or lubricants, tire wear, and fallout from exhaust contribute petroleum hydrocarbons, heavy metals, and sediment to the pollutant load in runoff being transported to receiving waters. Runoff from the proposed landscaped areas may contain residual pesticides and nutrients.

The Walmart Preliminary Drainage Report includes estimates of outflow during a 50-year storm event of 41.26 cubic feet per second prior to development and 77.21 cubic feet per second post-development. The project applicant proposes to add a detention basin capable of handling runoff during a 50-year storm event. With the addition of the detention basin, the peak outflow will be reduced to the pre-development 2-year storm event levels. To ensure that the aforementioned are incorporated into the project, Mitigation Measures HYD-2a and HYD-2b is proposed that would require the project applicant to include a detention basin
during the initial phase of development as outlined in the hydrology report. The outlot developers will be required to construct additional detention facilities at the time of development.

The Annex Preliminary Hydrology Report included estimates of the outflow during a 50-year storm for the three drainage areas of 31.38 cubic feet per second. The Annex site will construct three linked detention basins to accommodate the increased outflow. The proposed detention basins are sized based on a 50-year storm, 10-hour duration event. The detention basins will provide a cumulative volume of 24,300 cubic feet of storage. The discharge line for the Annex East site will discharge into the basin on the Annex West site. The discharge line for the Annex West site will discharge to the existing drainage ditch located at the southeastern of that portion of the site. Offsite “run-on” will be passed through the Annex site and will not be detained unless the onsite system is specifically designed to handle the run-on.

The proposed detention basins are designed to have sufficient volume to contain the 50-year storm event and to achieve a discharge rate at or below the pre-developed discharge rate equivalent to that of a 2-year storm. The final drainage design shall comply with City of Atascadero Engineering Standards as approved by the City Engineer.

**MM HYD-2a** In addition to the proposed detention basins, prior to the issuance of building permits, the project applicant shall submit a final Standard Urban Storm Water Mitigation Plan or an equivalent stormwater management plan to the City of Atascadero for review and approval. The plan shall be developed using the California Stormwater Quality Association’s “New Development and Redevelopment Handbook.” The stormwater management plan shall identify pollution prevention measures and practices, which would prevent polluted runoff from leaving the project site. The pollution prevention measures shall be implemented into the proposed project. Examples of stormwater pollution prevention measures and practices to be contained in the plan include but are not limited to the following, which are examples of structural and non-structural controls to protect water quality:

- Bioswales and landscaped areas that promote percolation of runoff
- Elimination of all trash from stormwater leaving the site
- Pervious pavement
- Roof drains that discharge to landscaped areas
- Trash enclosures with screen walls and roofs
- Stenciling on storm drains
- Curb cuts in parking areas to allow runoff to enter landscaped areas
• Rock-lined areas along landscaped areas in parking lots
• Regular sweeping of parking areas and cleaning of storm drainage facilities
• Employee training to inform store personnel of stormwater pollution prevention measures

The project applicant shall also prepare and submit an Operations and Maintenance Agreement to the City identifying procedures to ensure that stormwater quality control measures work properly during operations.

MM HYD-2b Prior to the first day of store operations and during store operations, stormwater pollution prevention measures shall be implemented to prevent fertilizer from entering downstream waterways. Pollution prevention measures shall include, but are not limited to:

• Containment of packages of fertilizer and other agricultural chemicals
• Sweeping and cleanup of fertilizer and other agricultural chemical storage areas when leaks or spillage is observed
• Employee training to inform store personnel of proper storage of fertilizer and agricultural chemicals and practices to prevent leaks and spillage

Potential Impact: The proposed project may adversely affect efforts to improve groundwater quality in the project vicinity.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The proposed project would not use underground storage tanks or handle bulk quantities of hazardous liquid materials that could potentially contaminate groundwater. The proposed project would implement Mitigation Measures HYD-2a and HYD-2b, which would include operational stormwater quality control measures that would require the implementation of various pollution prevention measures and practices to address polluted runoff. The implementation of these measures would ensure that polluted runoff is abated onsite and, therefore, would not exacerbate existing groundwater quality problems in the project vicinity.

Groundwater monitoring wells are located within the Walmart site or close to the site near the location of the former truck barn. Concentrations of VOCs and TPH-
were below the detection limits, and concentrations of TPH-d were below
investigation limits, based on groundwater monitoring performed in June 2010 by
Rincon Consultants. Naphthalene has been detected at concentration of 21 µg/l,
which is regarded as a low level for this compound. Because it is uncertain if the
RWQCB will require further monitoring or remediation or if it will determine that
no further action is required, Mitigation Measure HYD-3a is proposed requiring
the applicant to consult with the RWQCB about the groundwater plume. If the
RWQCB determines that further monitoring or remediation is required, the
applicant must revise project plans to accommodate those activities. If the
RWQCB determines that no further action is necessary, the applicant may remove
the monitoring wells in accordance with regulatory standards. Under either
scenario, the proposed project would not impair or impede efforts to monitor or
remediate the groundwater plume. With the implementation of this mitigation
measure, impacts would be reduced to a level of less than significant.

The Walmart and Annex project sites contain onsite septic systems associated
with the past residential uses. The septic systems would be abandoned and
removed as part of the proposed project in accordance with applicable laws and
regulations. As such, Mitigation Measure HYD-3b is proposed requiring the
project applicant to properly abandon or remove the septic systems in accordance
with applicable regulatory requirements prior to grading activities.

Atascadero Mutual Water Company would supply the proposed project with
potable water and obtains all of its water supply from the Atascadero subbasin.
Although the Paso Robles Groundwater Basin is considered to be in a state of
overdraft, the Atascadero subbasin is not. The Atascadero Mutual Water
Company’s 2005 Urban Water Master Plan estimates that sufficient water is
available to meet the needs of the service area through the year 2025. The Urban
Water Master Plan projects surpluses ranging from 568 to 2,894 acre-feet
annually under all water reliability scenarios between 2010 and 2025. Thus, even
if the proposed project’s annual water consumption estimate of 56.3 acre-feet was
treated as “new” demand, it would still be well within projected surpluses.

Furthermore, Atascadero Mutual Water Company is engaged in efforts to
recharge the Atascadero Subbasin with surface water. The company has an
existing entitlement with San Luis Obispo County Flood Control and Water
Conservation District that allows it to purchase up to 2,000 acre-feet of water per
year for groundwater recharge. Thus, the increase in water demand attributable to
the proposed project would be more than fully offset by groundwater recharge.
Additionally, the project site does not serve as a groundwater recharge basin;
therefore, the development of the proposed project would not interfere with
groundwater recharge. Impacts would be less than significant.

**MM HYD-3a** Prior to commencement of grading activities, the property owner
shall consult with the Central Coast Regional Water Quality Control Board regarding further actions with the groundwater
plume on the Walmart site. Consultation shall consist of determining whether (1) further monitoring or remediation is necessary or (2) no further actions are necessary. If the Regional Water Quality Control Board determines that further monitoring or remediation is necessary, the project applicant shall incorporate provisions for such activities into the project plans and submit them, as necessary, to the agency for review and approval. If the Regional Water Quality Control Board determines that no further action is necessary, the groundwater monitoring wells may be removed with Central Coast Regional Water Quality Control Board approval.

**MM HYD-3b** Prior to issuance of the grading permit for the project, the project applicant shall properly abandon or remove the existing onsite septic and irrigation systems in accordance with applicable regulatory requirements. Consultation shall occur with the City of Atascadero as necessary to confirm compliance. Documentation confirming that proper abandonment or removal activities have been performed shall be submitted to the City of Atascadero upon completion of these activities.

**Potential Impact:** Development of the proposed project would result in additional impervious surface coverage that may cause downstream drainage problems from increased runoff.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant and that no project design features, standard conditions of approval, or mitigation measures were required or recommended.

**Facts in Support of Finding:** The proposed project would increase impervious surface coverage on the Walmart site by 638,892 square feet and on the Annex site by 395,228 square feet. The increase in impervious surface coverage would create the potential for greater runoff to leave the project site and enter downstream waterways, which could cause flooding and erosion problems.

Development of the Walmart store would require the construction of stormwater conveyance system, a bioswale, and an above-grade detention basin. A bioswale is proposed at the downstream end of the parking lot for the purpose of improving water quality. A network of storm drainpipes will convey surface runoff from the site to a shallow detention basin located near Del Rio Road at the north edge of the property. The proposed detention system will release water into the existing storm drain system in accordance with Caltrans requirements. The basin will be sized to reduce the peak flows generated from the 50-year design storm in the developed condition to the peak flows from the 2-year design storm in the predevelopment condition.

The development of the Annex component would require the construction of stormwater conveyance system and a series of bioswale and above-grade
detention basins. The sizes of the proposed detention basins were based on a 50-year storm event having a 10-hour duration. Three linked detention basins are proposed for the Annex site. The detention basins will provide a cumulative volume of 24,300 cubic feet of storage. The discharge line for the Annex East site will discharge into the basin on the Annex West site. The discharge line for the Annex West site will discharge to the existing drainage ditch located at the southeastern portion of the site. In accordance with City of Atascadero standards, the proposed detention basins are designed to have sufficient volume to contain the 50-year storm event for the post-developed site with a 2-year pre-developed discharge.

To ensure that adequate storm drainage is provided, Mitigation Measure HYD-4 is proposed that would require the project applicant to prepare and submit a drainage plan that identifies onsite drainage facilities that impound runoff and ensure that it is released at a rate no greater than that of the pre-development condition of the project site. A provision in the mitigation measure requires that onsite retention/detention be employed prior to discharge offsite where technically and economically feasible. This would minimize offsite discharge of runoff and limit the potential for runoff to contribute to downstream flooding or erosion problems.

**MM HYD-4** Prior to issuance of grading permits, the project applicant shall retain a qualified civil engineer to prepare and submit a drainage plan to the City of Atascadero that complies with the requirements of the City’s Engineering Department Standard Specifications and Drawings. The drainage plan shall demonstrate that construction of the project will not increase the flood hazard to downstream properties during a 100-year storm event. Onsite retention/detention facilities shall be employed prior to offsite discharge. The City of Atascadero shall review and approve the drainage plan and the project applicant shall incorporate the approved plan into the proposed project plans.

8. **Land Use**

**Potential Impact:** The proposed Project would be consistent with applicable provisions of the City of Atascadero General Plan.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant by virtue of project design. No standard conditions of approval, or mitigation measures were required or recommended.

**Facts in Support of Finding:** The proposed project would develop commercial and residential uses on property designated for urban development within the Urban Core. The proposed project incorporates various planning techniques to achieve compatibility with neighboring large-lot residential uses, including
orienting commercial buildings away from residential dwellings, establishing landscaped buffers along property lines, and reserving acreage for future residential development immediately adjacent to existing residential properties.

According to the General Plan, the General Commercial designation is part of the mixed-use land use designations. The mixed-use designations are primarily commercial districts where multi-family residential uses may be appropriate on a conditional basis. The General Commercial designation includes office, retail, neighborhood and tourist commercial zoning districts. The General Plan states that retail commercial zoning districts are provided to meet both the comparison and convenience shopping needs of residents in the City and surrounding area. The intended principal tenants of retail commercial areas include specialty and department stores, and supermarkets. The General Plan further states that a master plan of development is required for prime undeveloped commercial sites to prevent fragmented development from occurring that would limit retail potential of these sites. Additionally, the proposed multi-family residential development is consistent with and allowed in the contemplated High Density Residential designation and proposed single family residential development is consistent with and allowed in the contemplated Single Family Residential-X designation.

The proposed Del Rio Road Commercial Area Specific Plan would serve as the master plan for development of the project site and would be consistent with the allowed uses of the General Commercial, High Density Residential, and Single Family Residential-X designations. Furthermore, DEIR table 3.8-4 describes in detail that the Project is consistent with all applicable goals and policies of the General Plan. No significant Project-level or cumulative impacts are identified.

(2) Potential Impact: The proposed Project is a Specific Plan and may conflict with applicable provisions of the City of Atascadero Municipal Code.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The proposed project involves the adoption and implementation of the Del Rio Commercial Area Specific Plan. The proposed Del Rio Commercial Area Specific Plan would be incorporated into the Atascadero Municipal Code and would guide development within the Specific Plan area, consistent with the proposed General Plan designations of General Commercial (GC), High Density Residential (HDR), and Single Family Residential (SFR-X). The Specific Plan establishes the Commercial Retail (CR), Residential Single Family (RSF-X) and Residential Multiple Family (RMF-16) land use categories that are identical to the zoning categories of the Municipal Code and corresponding categories of the Atascadero General Plan. The Specific Plan contains information on mandatory requirements and design guidelines.
Development must comply with all provisions of the Municipal Code unless specifically modified by the Specific Plan. Where differences occur, the Specific Plan mandatory requirements and design guidelines shall prevail.

The proposed Specific Plan would be adopted into the Municipal Code and, therefore, represents a self-mitigating aspect of the proposed project. Because the Specific Plan complies with all applicable requirements for such a land use plan, it would be consistent and compatible with the Municipal Code. In addition, in recognition that certain aspects of the project design are not known at the time of this writing, Mitigation Measures AES-2a, AES-2b, AES-2c, AES3, BIO-3a, and BIO-3b set forth requirements for City review and approval of elevations, landscaping plan, signage, and outdoor storage areas.

**MM AES-2a** Prior to the issuance of building permits for each outlot building, Conditional Use Permit Approval for the multiple-family residential parcel, and subdivision tract map approval for the single-family residential parcel within the Specific Plan area, the project applicant shall submit elevations to the City of Atascadero for review and approval. Building elevations shall comply with all applicable Specific Plan and City requirements, including the Municipal Code requirements (height limits, setbacks, etc.) and shall employ appropriate colors and materials that are compatible with each other and surrounding land uses. The project shall be constructed in accordance with the approved elevations.

**MM AES-2b** Prior to the issuance of building permits for the multiple-family residential parcel within the Specific Plan area, the project applicant shall submit a landscaping plan to the City of Atascadero for review and approval. Landscaping shall be provided in accordance with the Specific Plan and the Municipal Code, including setbacks and minimum parking lot landscaping. The project shall be constructed in accordance with approved landscape plans.

**MM AES-2c** Prior to the issuance of building permits for each outlot building within the Specific Plan Area, the project applicant shall submit a sign application to the City of Atascadero for review and approval. The sign application shall identify all wall and freestanding signs associated with each building and demonstrate compliance with the Specific Plan and City Requirements, including those associated with sign coverage limits. The approved application shall be incorporated into the proposed project.

**MM AES-3** Prior to issuance of building permits for any project component within the Specific Plan, the project applicant shall submit a photometric plan to the City of Atascadero for review and...
approval. The photometric plan shall identify types of exterior lighting fixtures and their locations on the project site. All light fixtures shall either be fully shielded or employ the use of a full cutoff fixture in order to minimize light trespass onto neighboring properties. Decorative uplighting is permitted for illumination of architectural features, provided that it does not exceed 70 watts and does not illuminate any surrounding land uses.

**MM LU-2a**

Prior to issuance of building permits for the single-family and multiple family home developments, the applicant shall provide a site plan demonstrating compliance with the Municipal Code for setback and landscaping requirements in residential areas.

**MM LU-2b**

Prior to issuance of building permits for any Specific Plan use, the applicant shall provide a site plan demonstrating compliance with the Municipal Code for off-street parking requirements.

9. Noise

**Potential Impact:** Construction activities associated with the proposed project may expose nearby land uses to noise levels in excess of adopted standards or cause a substantial temporary increase in ambient noise levels.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** Construction noise represent a short-term increase in ambient noise levels. Noise impacts from construction activities associated with the proposed project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities.

In order for noise impacts created by construction of the proposed project to be considered potentially significant, the existing with construction noise level would need to exceed the City’s Land Use Compatibility Matrix for conditionally acceptable noise levels for residential uses of up to 70 dB L_{dn}, with implementation of all feasible practical construction noise mitigation.

The construction activities for the proposed project is anticipated to include demolition of the dilapidated structures, grading of the project site including export of 50,000 cubic yards of fill from the Walmart site to the Annex site, moving 75,000 cubic yards of material internally on the Walmart site and export of 205,000 cubic yards to an offsite location within a 10-mile radius of the project site, construction of 260,460 square feet of commercial building space and paving of internal roadways and parking areas. In a later phase, 44 multiple-family dwelling units and 6 single-family dwelling units would be developed. The
construction noise impacts associated with the nonresidential uses would be representative of—if not overstate—the construction noise impacts for the residential uses because they would occupy more acreage and develop more square footage. Construction activities for the proposed project would include construction of a roundabout at the Del Rio Road/El Camino Real intersection, as this is required as an opening day improvement for the Walmart store.

Short-term noise impacts could occur during construction activities either from the noise impacts created by the transport of workers and movement of construction materials to and from the project site, or from the noise generated onsite during ground clearing/excavation, grading, and building construction activities. The closest noise-sensitive receptors are single-family homes located as near as 35 feet to the north, 15 feet to the east, 45 feet to the south, and 15 feet to the west of the project site.

Mitigation is proposed that would require the contractor to implement various sound control measures, including limitation of construction hours, using noise attenuation devices on heavy equipment, the use of a minimum 12-foot-high construction noise barrier along the perimeter of the project site within 50 feet of any residence, and a minimum 10-foot-high construction noise barrier within 50 to 150 feet of any residence. When the additional noise attenuation measures and practices identified in Mitigation Measure NOI-1 are considered, actual noise levels at nearby sensitive receptors may be lower than those modeled. Moreover, construction noise is temporary and would cease at the conclusion of construction. In addition, construction noise would not occur during the nighttime hours when loud noise would be most disruptive and intrusive. For these reasons, the proposed project’s construction activities would not cause a substantial temporary increase in ambient noise levels. Impacts would be less than significant.

It is anticipated that construction of the roundabouts would occur after the completion of the Walmart and Annex sites. The greatest noise impacts to the nearby residential uses would be anticipated to occur during the possible simultaneous grading of the roundabouts sites. Roundabout construction activities would create noise levels as high as 64.1 dBA at Receiver 13, which is within the City’s 70-dB conditionally acceptable residential exterior noise standard. Moreover, construction noise is temporary and would cease at the conclusion of construction. In addition, construction noise would not occur during the nighttime hours when loud noise would be most disruptive and intrusive. For these reasons, the proposed project’s roundabout construction activities would not cause a substantial temporary increase in ambient noise levels. Impacts would be less than significant.

**MM NOI-1** The project applicant shall require construction contractors to adhere to the following noise attenuation requirements:
• Construction activities shall be limited to the hours between 7 a.m. to 9 p.m. daily. The City of Atascadero shall have the discretion to permit construction activities to occur outside of allowable hours if compelling circumstances warrant such an exception (e.g., weather conditions necessary to pour concrete).

• All construction equipment shall use noise-reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. If no noise reduction features were installed by the manufacturer, then the contractor shall require that at least a muffler be installed on the equipment.

• Construction staging and heavy equipment maintenance activities shall be performed a minimum distance of 300 feet from the nearest residence, unless safety or technical factors take precedence (e.g., a heavy equipment breakdown).

• Prior to commencement of grading activities, a 12-foot-high construction noise barrier shall be installed on the portions of the perimeter of the project site that are within 50 feet of any offsite residential structure, and a 10-foot-high construction noise barrier shall be installed on the portions of the perimeter of the project site that are within 50 to 150 feet of any offsite residential structure. The noise barrier shall consist of a material that provides attenuation of at least 15 dB. This can be achieved through the use of half-inch plywood.

Potential Impact: Construction and operational activities associated with the proposed project would not generate substantial groundborne vibration.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

Facts in Support of Finding: Construction activities can produce vibration that may be felt by adjacent uses. The construction of the proposed project would not require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary sources of vibration during construction would be from bulldozers and graders. A large bulldozer would produce the largest amount of equipment-related vibration on the project site: 0.089 inch per second PPV at 25 feet.

The closest vibration-sensitive land uses are single-family homes located as near as 35 feet to the north, 15 feet to the east, 45 feet to the south, and 15 feet from
the western portion of the project site. It is anticipated that the vibration levels caused by a large bulldozer operating on the edge of the area to be disturbed during construction of the proposed project at the nearest structure (15 feet away) will be around 0.156 inch per second. This vibration level would not exceed the 0.25-inch-per-second significance threshold for continuous events, near older residential structures during construction activities. This impact would be less than significant.

In addition, a colony house on the “Annex West” parcel is located approximately 50 feet west of the edge of El Camino Real, which may not be demolished or moved by the time construction of the Walmart portion of the project occurs. Construction of the Walmart portion of the proposed project may generate additional truck trips on El Camino Real. A loaded truck would typically produce a vibration level of 0.076 inch-per-second PPV at 25 feet. Based on typical vibration propagation, this would result in a vibration level of 0.035 inch-per-second PPV at the colony house from trucks traveling on El Camino Real. This vibration level would not exceed the 0.1-inch-per-second significance threshold for continuous events near fragile historical structures during construction activities. Therefore, construction-related vibration impacts would be less than significant.

The proposed project would result in the operation of a proposed Walmart, outlots, and Annex area containing commercial-retail building space. The proposed project would receive as many as 46 truck trips per day. These additional truck trips would operate as near as 25 feet from the existing home located south of the western portion of the Annex area. A loaded truck would typically produce a vibration level of 0.076 inch per second PPV at 25 feet. This vibration level would not exceed the 0.25-inch-per-second PPV transient source threshold. Therefore, vibration impacts from the ongoing operations of the proposed project would be less than significant.

**Potential Impact:** The proposed project’s vehicular trips may cause a substantial permanent increase in ambient noise levels.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

**Facts in Support of Finding:** The proposed project would generate additional vehicular trips on roadways in the project vicinity. Noise from motor vehicles is generated by engine vibrations, the interaction between tires and the road, and the exhaust system.

In order for offsite roadway noise impacts created by the proposed project’s operations to be considered potentially significant, the proposed project would need to increase the noise levels above 60 dB $L_{eq}$/CNEL for outdoor activity
areas. Where without project noise exceeds the outdoor activity area threshold, a significant impact would occur where the project would lead to an increase at a noise-sensitive land use by: 3.0 dBA, where the without project noise level is between 60 and 65 dBA \( L_{dn} \); or 1.5 dBA \( L_{dn} \), where the without-project noise level is greater than 65 dBA \( L_{dn} \). The proposed project’s offsite traffic noise impacts have been analyzed for the baseline year 2013 and future year 2035 conditions and are discussed below.

For the baseline year 2013 weekday conditions, noise level contributions from the proposed project to the study area roadways would range from 0.1 to 5.1 dBA \( L_{dn} \). In this scenario, only the roadway segment of Del Rio Road east of El Camino Real would exceed 60 dB \( L_{dn} \), where the without project conditions are within this threshold. The roadway segment of Del Rio Road east of El Camino Real is entirely bordered by the proposed project and no offsite sensitive receptors would be impacted by the potential noise increase from this roadway segment. In addition the roadway segment of Del Rio Road west of El Camino Real would exceed the 3 dB increase threshold where the without project noise level exceeds 65 dBA \( L_{dn} \). The only sensitive receptor located adjacent to this roadway is located approximately 400 feet north of Del Rio Road. Based on this distance, the noise level from this roadway segment would be 51.0 dBA \( L_{dn} \) for the year 2013 weekday with project conditions. A 51.0 dBA \( L_{dn} \) noise level is within the City’s 60 dB \( L_{dn} \) residential noise standard. This impact would be less than significant.

For the future year 2035 weekday conditions, noise level contributions from the proposed project to the study area roadways would range from 0.1 to 4.2 dBA \( L_{dn} \). In this scenario, only the roadway segment of Del Rio Road east of El Camino Real would exceed 60 dB \( L_{dn} \), where the without project conditions are within this threshold. The roadway segment of Del Rio Road east of El Camino Real is entirely bordered by the proposed project and no offsite sensitive receptors would be impacted by the potential noise increase from this roadway segment. The roadway segment of Del Rio Road west of El Camino Real would exceed the 3 dB increase threshold where the without project noise level is between 60 and 65 dBA \( L_{dn} \). The only sensitive receptor located adjacent to this roadway is located approximately 400 feet north of Del Rio Road. Based on this distance the noise level from this roadway would be 51.3 dBA \( L_{dn} \) for the year 2035 weekday with project conditions. A 51.3 dBA \( L_{dn} \) noise level is within the City’s 60 dB \( L_{dn} \) residential noise standard. The roadway segment of El Camino Real south of Del Rio Road would exceed the 1.5 dB increase threshold where the without project noise level exceeds 65 dBA \( L_{dn} \). This roadway segment is bordered by the proposed project on the east side and commercial uses on the west side. No offsite sensitive receptors would be impacted by the potential noise increase from this roadway segment. This impact would be less than significant.

**Potential Impact:** The proposed project would not generate stationary noise levels that cause significant impacts at nearby receptors.
Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The proposed project may cause potential stationary noise impacts onto the nearby residences from the proposed onsite roads, rooftop mechanical equipment, trash compactors, truck loading areas, parking lot areas, drive-thru speakers, and outdoor garden center and associated activities.

An impact would occur if the stationary noise sources would exceed 50 dB $L_{eq}$, 70 dB $L_{max}$, or 65 dB $L_{max, impulsive}$ between 7 a.m. and 10 p.m. or 45 dB $L_{eq}$, 65 dB $L_{max}$, or 60 dB $L_{max, impulsive}$ between 10 p.m. and 7 a.m. If the existing ambient noise levels exceed the above standards, then the ambient noise level becomes the standard. For the weekday stationary only scenario, Receivers 1 and 9 would exceed the daytime stationary noise standard, and Receivers 6, 9, 10, and 15 would exceed the nighttime noise standard for residential uses. The stationary noise levels at Receivers 1, 9, 10, and 15 would be considered a significant impact for the weekday conditions. For the Saturday stationary only scenario, Receiver 9 would exceed the daytime stationary noise standard, and Receivers 6, 8, 9, 10, and 15 would exceed the nighttime noise standard for residential uses. The stationary noise levels at Receivers 6, 9, 10, and 15 would be considered a significant impact for the Saturday conditions. Implementation of Mitigation Measures NOI-4a, NOI-4b, NOI-4c, NOI-4d, and NOI-4f would reduce noise impacts to a less than significant level.

A Maximum noise level consists of the highest instantaneous noise level during a specified time period. Maximum noise levels from the proposed project would typically occur from slamming of truck doors or startup and shutdown of trash compactors or other mechanical equipment. The maximum noise levels typically would last around a second and occur only a few times a day. Therefore, it is very unlikely to have maximum noise levels from multiple sources occurring simultaneously. Because of this, the maximum noise level from each source has been analyzed separately through the use of the FHWA-RD-77-108 model. Each source was analyzed as a point source, since the $L_{max}$ and $L_{max, impulsive}$ would occur from one action such as the slamming of a truck door. The propagation of each point source was analyzed based on a “hard-site” drop off rate of 6 dB per doubling of distance. Since the FHWA-RD-77-108 model can only analyze the attenuation of one wall, where there are multiple walls, the wall that would provide the greatest attenuation was modeled. The proposed truck loading areas and trash compactor would exceed the $L_{max, impulsive}$ City standard, and the parking lot would exceed the $L_{max}$ and $L_{max, impulsive}$ City standards for stationary noise sources. Implementation of Mitigation Measures NOI-4c, NOI-4d, and NOI-4f would render these impacts less than significant.
MM NOI-4a  Prior to issuance of building permits for the Walmart project, the project applicant shall prepare and submit plans to the City of Atascadero depicting minimum 3-foot-high parapet walls on the perimeter of all rooftops that have rooftop mechanical equipment and a minimum 5-foot-high parapet wall on the eastern side of the proposed Walmart structure.

MM NOI-4b  Prior to issuance of building permits for the Annex project, the project applicant shall prepare and submit plans to the City of Atascadero depicting minimum 3-foot-high parapet walls on the perimeter of all rooftops that have rooftop mechanical equipment.

MM NOI-4c  Prior to issuance of building permits for the Annex project, the project applicant shall prepare and submit plans to the City of Atascadero depicting two minimum 6-foot-high walls: one along the portion of the shared property line of the Annex area and the residence represented by Receiver 1 (east of El Camino Real and north of Annex area), and the other along the portion of the shared property line of the Annex area and the residence represented by Receiver 15 (west of El Camino Real and south of Annex area). The length of both walls shall cover the area that is within 100 feet of the offsite residential structure. Since both residences are existing nonconforming uses, if either structure is no longer being used for residential or other sensitive receptor purposes at the time building permits are obtained, then the associated wall(s) shall not be constructed. The walls shall be of high-quality, wood-fence design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.

MM NOI-4d  Prior to issuance of building permits for the Annex project, the project applicant shall prepare and submit plans to the City of Atascadero depicting a minimum 8-foot-high sound wall along the eastern edge of the truck loading docks for Pads B and C on the Annex portion of the project. The wall shall be of high-quality design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.

MM NOI-4e  Prior to issuance of building permits for the Walmart project, the project applicant shall prepare and submit plans to the City of Atascadero depicting a minimum 12-foot-high sound wall on the east side of the Walmart truck loading dock area. The wall shall be of high-quality design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.
MM NOI-4f  Prior to issuance of building permits for the Walmart project, the project applicant shall prepare and submit plans to the City of Atascadero depicting a minimum a 4-foot-high sound wall around the proposed Walmart trash compactor pad to attenuate noise. The wall shall be of high-quality design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.

**Potential Impact:** The proposed project would not generate combined transportation and non-transportation noise levels that cause significant impacts at nearby receptors.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** In order for a combined transportation and stationary exterior noise impacts created by the proposed project’s operations to be considered potentially significant, the proposed project would need to increase the noise levels above 60 dB L_{dn}/CNEL for outdoor activity areas and 45 dB L_{dn}/CNEL for interior noises. Where the without project noise exceeds the outdoor activity area threshold, a significant impact would occur where the project would lead to an increase at a noise-sensitive land use by 3.0 dB where the without project noise level is between 60 and 65 dBA L_{dn}; or 1.5 dBA, where the without-project noise level is greater than 65 dBA L_{dn}. For the with project year 2013 combined transportation and stationary exterior noise conditions, Receiver 15 would exceed the 3 dB increase where the without project noise level already exceeds the City’s 60 dBA L_{dn} residential noise threshold. This would be considered a significant impact.

With the implementation of Mitigation Measures NOI-4a, NOI-4b, NOI-4c, NOI-4d, NOI-4e, and NOI-4f, the combined transportation and stationary noise levels at Receiver 1 would be reduced below the City’s 60 dBA L_{dn} residential noise standard. In addition, the potential noise increase at Receiver 15 would be reduced below the 3-dBA noise increase standard for locations where the without project noise levels already exceed the 60 dBA L_{dn} standard. Impacts would be less than significant.

The interior noise levels at the nearby residential units from the transportation and stationary noise sources were also analyzed based on the baseline year 2013 weekday and Saturday with project conditions described above. Since field observations of the most noise-impacted nearby homes showed that they all had mechanical ventilation systems, which allows for the occupants to be comfortable at any time with all windows closed, each home is expected to have a minimum
exterior to interior attenuation rate of 25 dB. For the year 2013 weekday and Saturday with project conditions, all interior areas of the nearby residential units would be within the City’s residential interior noise standard of 45 dB L<sub>dn</sub>. Impacts would be less than significant.

**MM NOI-4a** Prior to issuance of building permits for the Walmart project, the project applicant shall prepare and submit plans to the City of Atascadero depicting minimum 3-foot-high parapet walls on the perimeter of all rooftops that have rooftop mechanical equipment and a minimum 5-foot-high parapet wall on the eastern side of the proposed Walmart structure.

**MM NOI-4b** Prior to issuance of building permits for the Annex project, the project applicant shall prepare and submit plans to the City of Atascadero depicting minimum 3-foot-high parapet walls on the perimeter of all rooftops that have rooftop mechanical equipment.

**MM NOI-4c** Prior to issuance of building permits for the Annex project, the project applicant shall prepare and submit plans to the City of Atascadero depicting two minimum 6-foot-high walls: one along the portion of the shared property line of the Annex area and the residence represented by Receiver 1 (east of El Camino Real and north of Annex area), and the other along the portion of the shared property line of the Annex area and the residence represented by Receiver 15 (west of El Camino Real and south of Annex area). The length of both walls shall cover the area that is within 100 feet of the offsite residential structure. Since both residences are existing nonconforming uses, if either structure is no longer being used for residential or other sensitive receptor purposes at the time building permits are obtained, then the associated wall(s) shall not be constructed. The walls shall be of high-quality, wood-fence design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.

**MM NOI-4d** Prior to issuance of building permits for the Annex project, the project applicant shall prepare and submit plans to the City of Atascadero depicting a minimum 8-foot-high sound wall along the eastern edge of the truck loading docks for Pads B and C on the Annex portion of the project. The wall shall be of high-quality design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.

**MM NOI-4e** Prior to issuance of building permits for the Walmart project, the project applicant shall prepare and submit plans to the City of
Atascadero depicting a minimum 12-foot-high sound wall on the east side of the Walmart truck loading dock area. The wall shall be of high-quality design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.

**MM NOI-4f** Prior to issuance of building permits for the Walmart project, the project applicant shall prepare and submit plans to the City of Atascadero depicting a minimum a 4-foot-high sound wall around the proposed Walmart trash compactor pad to attenuate noise. The wall shall be of high-quality design and incorporate graffiti resistance measures (e.g., landscaping). The approved plans shall be incorporated into the project.

**Potential Impact:** The proposed project would not expose onsite sensitive receptors to noise levels that cause significant impacts.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The proposed project includes an approximately 2.8-acre parcel on the southeast corner of the Walmart site that would be reserved for a maximum of 44 multiple-family residential units. The proposed project also includes an approximately 1.7-acre parcel on the northeast corner of the Annex area that would be reserved for a maximum of six single-family residential units. The proposed residential units would be exposed to mobile noise from the nearby roadways and from stationary noise sources associated with the commercial portion of the proposed project. An impact would occur if the noise levels at the proposed residential units would exceed 60 dB L_{dn} for the outdoor activity areas or 45 dB L_{dn} for the interior areas of the proposed residential uses.

The exterior noise levels of the proposed multiple-family residential units has the potential of exceeding the City’s exterior noise standard of 60 dB L_{dn}. This would be considered a significant impact. Since the layout of the proposed multiple-family residential units is not yet available, specific mitigation detailing how to reduce the noise levels to within City standards cannot be developed at this time. However, Mitigation Measure NOI-6 is provided that would require the preparation of a supplemental noise analysis at the time building plans for the proposed multiple-family residential units are submitted to the City. Through implementation of MM NOI-6 this impact would be reduced to less than significant.

**MM NOI-6** Prior to the final discretionary approval for the Walmart component multiple-family residential units, the project applicant shall retain a qualified acoustical consultant to evaluate potential
noise impacts on the dwelling units. The analysis shall assess potential noise impacts to the proposed multiple-family residential units from both nearby transportation and stationary sources and, if required, provide mitigation to reduce the noise levels to within the City standards. Mitigation may include but is not limited to the installation of noise barriers, Sound Transmission Class-rated windows and door assemblies, building placement, or implementation of other appropriate noise reducing measures. The project plans shall reflect the noise attenuation recommendations from the noise evaluation, as necessary.

10. Public Services and Utilities

Potential Impact: The proposed project may result in a need for new or expanded fire protection facilities that could result in physical impacts on the environment.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: All of the parcels are assumed to operate on a 24-hour, 7-day-a-week basis. The Fire Department provided a written response indicating that the proposed project’s characteristics would generate additional calls for service.

The Fire Department indicated that it had adequate resources and response capacity to accommodate these calls for service. However, a larger-scale emergency such as a structure fire within one of these buildings or a vegetation fire surrounding the center would necessitate an auto and/or mutual aid request for resources. The Fire Department also indicated that during construction of the center, fire responses would exceed the call volume estimated above. The Fire Department indicated that the 24-hour operation of the project would not adversely affect the department. Mitigation is proposed requiring the preparation of a Construction Fire Risk Mitigation Plan based on the provisions for fire safety during building construction as set forth in Article 87 of the California Fire Code. Mitigation is also proposed to require compliance with all applicable fire safety code requirements to address potential operational impacts. Note that the Fire Department did not indicate that new or expanded fire facilities would be necessary to serve the proposed project. With the implementation of these mitigation measures, impacts would be reduced to a level of less than significant.

In addition, in accordance with the City’s adopted fee schedule, the project applicant will pay fire-related developments fees to the City of Atascadero for capital improvements and equipment upgrades.
MM PSU-1a  Prior to issuance of building permits for each project component, the applicant shall prepare and submit a Construction Fire Risk Mitigation Plans to the City of Atascadero. The approved plans shall be incorporated into the project. The plan shall include but not be limited to the following elements:

- The plan shall comply with Article 87 of the California Fire Code.
- The plan shall be developed and implemented in coordination with the Atascadero Fire Department.
- The plan shall identify a Construction Manager who will be responsible for staying abreast of fire conditions in the project area by contacting the Fire Department and implementing necessary fire precautions.
- The plan shall include procedures for reporting emergencies to the Fire department.
- The plan shall include procedures for emergency notification, evacuation, and/or relocation of all persons in the building under construction and on the site.
- The plan shall include procedures for hot work operations, management of hazardous materials, and removal of combustible debris and maintenance of emergency access roads.
- Floor plans identifying the locations of exits, exit stairs, exit routes, and portable fire extinguishers.
- Site plans identifying the designated exterior assembly areas for each evacuation route.
- Site plans identifying required fire apparatus access roadways and onsite fire hydrants.

MM PSU-1b  Prior to issuance of building permits for each project structure, the applicant shall prepare and submit plans to the City of Atascadero demonstrating compliance with all applicable fire safety code requirements. Applicable requirements include but are not limited to building construction, occupant egress, automatic fire protection systems, and occupant notification systems (alarms). The approved plans shall be incorporated into the project.

Potential Impact:  The proposed project may result in a need for new or expanded police protection facilities that could result in physical impacts on the environment.

Finding:  The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.
Facts in Support of Finding: The Atascadero Police Department was consulted about the proposed project impacts on police protection. The Police Department provided a written response, dated June 23, 2010, which identified several concerns it had regarding the proposed project. The Police Department estimated the anticipated number of calls for service the project would generate by consulting with other comparably sized police departments within San Luis Obispo County that have a Walmart within their city. The Police Department assumed that the adjoining businesses in the Annex would also generate calls for service similar to those from the Walmart, but that it would be speculative to estimate the number of calls and frequency.

The Police Department had three main concerns with the proposed project. These concerns are summarized below:

- **Crimes of Opportunity:** Because of the 24-hour operation, there will be decreased customer activity in the parking lots in the late-night and early-morning hours that may create the potential for crimes of opportunity against persons and properties.

- **Extended Truck and RV Parking:** The Police Department is concerned with extended truck/trailer and RV parking in the Del Rio commercial area, due to the potential for criminal activity, noise complaints, fires, and alcohol/drug induced problems.

- **Establishing arrest/crime reporting procedures:** The Police Department stated that meetings with loss prevention staff are paramount to discuss Police Department response to both emergency and non-emergency situations, Departmental arrest protocol and Walmart arrest/crime reporting procedures.

The Police Department provided recommendations that are incorporated as Mitigation Measure PSU-2; additionally, project design features address several Police Department concerns. The Police Department indicated that the location and layout of the proposed project afford priority access to emergency responses, and existing police facilities are adequate to serve the proposed project. Therefore, no new or expanded police facilities would be necessary. With the implementation of this mitigation measure and project design features, impacts would be reduced to a level of less than significant.

Finally, in accordance with the City’s adopted fee schedule, the project applicant will pay police-related developments fees to the City of Atascadero for capital improvements and equipment upgrades.

**MM PSU-2** Prior to issuance of the certificate of occupancy for each building, the project applicant shall install the following applicable security measures and implement the following applicable operational practices:

- Provide sufficient professionally trained loss prevention staff onsite.
• Submit loss-prevention plan with staffing levels onsite to the Atascadero Police Department for review and approval. The approved plans shall be incorporated into the project.
• Install security and alarms in the Walmart pharmacy.
• Ensure that the site layout for the parking lot area is properly designed to provide maximum safety and security through adequate lighting, egress, and ingress.
• Installation of manned, high-resolution, video surveillance cameras throughout the parking lot areas with consultation from the Atascadero Police Department.
• Provide Atascadero Police Department with access to surveillance video for prosecution of suspects. Surveillance cameras should be of sufficient quality to ensure identification of suspects.
• Post signage in the parking area and at driveways advising patrons of prohibited activities, including vehicle maintenance, extended parking, camping, sleeping in vehicles, skateboarding, vehicle sales, and unauthorized sales.

Potential Impact: The proposed project may require the provision of new or expanded water supplies or may require the construction of new or expanded water supply facilities.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The proposed project would be served by AMWC. the proposed project would demand 18.37 million gallons annually (56.3 acre-feet), with approximately 38 percent of demand attributable to domestic use and 62 percent attributable to irrigation use.

The parcels comprising the Specific Plan area are within the AMWC service area and have ownership shares in the company; thus, AMWC is obligated to serve them. Furthermore, the properties have existing connections to the AMWC water system and previous land use activities consumed water supplied by the company. Hypothetical water demand would equal 16.12 million gallons annually or 88 percent of the proposed project’s demand (18.37 million gallons).

The 2005 Urban Water Master Plan’s projections account for existing and future demand from customers from its service area. Thus, the value of 16.12 million gallons provides a reasonable estimate of projected water demand from the Specific Plan area under existing conditions. The 2005 Urban Water Master Plan estimates that sufficient water is available to meet the needs of the service area
through the year 2025. AMWC projects surpluses ranging from 568 to 2,894 acre-feet annually under all water reliability scenarios between 2010 and 2025. Therefore, the difference (2.25 million gallons or 6.9 acre-feet annually) between the proposed project’s demand and projected water demand from the Specific Plan area would be well within projected surpluses.

In recognition that AMWC’s demand projections account for demand management measures during dry years, mitigation is proposed to reduce the project’s demand on water supply through the implementation of indoor and outdoor water conservation measures. Implementation of mitigation measures would reduce this impact to a level of less than significant.

**MM PSU-3a** Prior to issuance of building permits for each component of the Specific Plan, the project applicant shall submit landscaping plans to the City of Atascadero for review and approval demonstrating that landscaping will comply with the City’s Municipal Code, Chapter 8, Water Efficient Landscape and Irrigation. The landscaping plans shall identify outdoor irrigation water conservation measures, such as but not limited to:

- Drought-resistant vegetation
- Irrigation systems employing the following features:
  8. Drip irrigation
  9. Low-precipitation-rate sprinklers
  10. Bubbler/soaker systems
  11. Programmable irrigation controllers with automatic rain shutoff sensors and flow sensing capabilities
  12. Matched precipitation rate nozzles that maximize the uniformity of the water distribution characteristics of the irrigation system
  13. Conservative sprinkler spacings that minimize overspray onto paved surfaces
  14. Hydrozones that keep plants with similar water needs in the same irrigation zone
- Minimally or gently sloped landscaped areas to minimize runoff and maximize infiltration
- Organic topdressing mulch in non-turf areas to decrease evaporation and increase water retention

**MM PSU-3b** Prior to issuance of building permits for each component of the Specific Plan, the project applicant shall submit building plans to the City of Atascadero for review and approval that identify the following indoor water conservation measures:
• Separate metering of domestic water
• Low-flow or ultra-low-flow toilets and urinals
• Sensor-activated, low-flow faucets

Potential Impact:  The proposed project may exceed Regional Water Quality Control Standards for the treatment of wastewater or require the provision of new or expanded wastewater treatment facilities, and the project will not exceed the capacity of existing wastewater treatment commitments.

Finding:  The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding:  The proposed project is anticipated to generate 17,216 gallons of wastewater on a daily basis.  The City of Atascadero Public Works Department compared the existing General Plan land use designation sewer flow rates with the proposed project’s sewer flow rates using the General Plan Unit Flow Rates.

The existing, 8-inch sewer main fronting the Walmart site has been physically damaged and cannot be connected in its current condition. The pipe must be repaired prior to project implementation or a parallel pipe must be constructed in its place. The City of Atascadero has included replacement of this pipe in its 2011/2013 budget. With the exception of the 8-inch sewer main, there are no current operational deficiencies in the wastewater collection or treatment system.

The proposed project is projected to result in a net decrease in wastewater flows relative to current planning projections for the parcels comprising the project site. These projections are used as the basis for determining capacity for the collection system and Water Reclamation Facility. As previously noted, the Water Reclamation Facility has dry-weather design capacity of 2.39 MGD and currently treats an average of 1.4 MGD during dry-weather conditions. Therefore, the City’s sewage system can accommodate the proposed project’s wastewater generation within existing capacity. Furthermore, the Water Reclamation Facility is in compliance with all water quality standards.

Reinforcing this conclusion, the Public Works Department indicated that adequate sanitary sewer and treatment capacity are available to serve the proposed project; however, it has recommended that additional measures be incorporated to insure the project has a minimal impact on the City wastewater treatment plan. These recommendations have been incorporated as Mitigation Measure PSU-4. Implementation of this mitigation measure would reduce impacts to a less than significant level.

MM PSU-4  Prior to issuance of building permits for each component of the Specific Plan, the project applicant shall submit plans to the City of
Atascadero for review and approval that demonstrates compliance with the Sanitary Sewer Management Plan; the updated Municipal Code Revisions for the Fats, Oils, and Grease (FOG) Program; and the installation of adequately sized grease interceptors for all food service establishments (FSEs), gas stations, auto shops, etc. In addition, the plans shall include any other wastewater measures determined to be necessary by the City of Atascadero. The approved plans shall be incorporated into the proposed project.

**Potential Impact:** The proposed project would increase impervious surface coverage, which may result in increased stormwater runoff volumes and peak flows, possibly creating a need for offsite storm drainage facilities.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The proposed project would increase impervious surface coverage on the Walmart site by 638,892 square feet and on the Annex site by 395,228 square feet. The increase in impervious surface coverage would create the potential for greater runoff to leave the project site and enter downstream waterways, which could cause downstream flooding problems.

Development of the Walmart store would include the construction of stormwater conveyance system, a bioswale and above grade detention basin. A bioswale is proposed at the downstream end of the parking lot for the purpose of improving water quality. A network of storm drainpipes will convey surface runoff from the site to a shallow detention basin located near Del Rio Road at the north edge of the property. The proposed detention system will release water into the existing storm drain system in accordance with Caltrans requirements. The basin will be sized to reduce the peak flows generated from the 50-year design storm in the developed condition to the peak flows from the 2-year design storm in the predevelopment condition.

The development of the Annex component would require the construction of stormwater conveyance system and a series of bioswale and above-grade detention basins. The sizes of the proposed detention basins were based on a 50-year storm event having a 10-hour duration. Three linked detention basins are proposed for the Annex site. The detention basins will provide a cumulative volume of 24,300 cubic feet of storage.

To ensure that adequate storm drainage is provided, Mitigation Measure HYD-4 is proposed that would require the project applicant to prepare and submit a drainage plan that identifies onsite drainage facilities that impound runoff and ensure that it is released at controlled rate to prevent downstream flooding. This would minimize offsite discharge of runoff and limit the potential for runoff to contribute to downstream flooding or erosion problems. With the implementation
of this mitigation measure, drainage impacts would be reduced to a level of less than significant.

**MM HYD-4** Prior to issuance of grading permits, the project applicant shall retain a qualified civil engineer to prepare and submit a drainage plan to the City of Atascadero that complies with the requirements of the City’s Engineering Department Standard Specifications and Drawings. The drainage plan shall demonstrate that construction of the project will not increase the flood hazard to downstream properties during a 100-year storm event. Onsite retention/detention facilities shall be employed prior to offsite discharge. The City of Atascadero shall review and approve the drainage plan and the project applicant shall incorporate the approved plan into the proposed project plans.

**Potential Impact:** The proposed project may generate substantial amounts of solid waste that exceeds the capacity for the landfill or does not comply with federal, state, and local statutes and regulations related to solid waste.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** Solid waste would be generated by construction and operational activities. For construction waste, the estimate of 632 tons was calculated using an average of 3.89 pounds of debris per square foot of non-residential construction and 4.38 pounds of debris per square foot of residential construction, as provided by the U.S. Environmental Protection Agency. While the estimate of 903 cubic yards of construction waste would be an extremely small amount relative to the remaining capacity at the Chicago Grade Landfill (8.32 million cubic yards), mitigation is proposed that would require the project applicant to comply with the City of Atascadero’s Construction and Demolition Recycling Ordinance by retaining a contractor to recycle construction and demolition debris. The implementation of this mitigation measure would reduce potential impacts to a level of less than significant.

Operational solid waste generation for non-residential uses was calculated using a standard commercial waste generation rate provided by Cal Recycle. Residential waste generation was calculated using a County-specific waste generation rate per resident provided by Cal Recycle. The proposed project is expected to create 946 cubic yards of waste annually.

Mitigation is proposed that would require the project applicant to submit a Recycling and Waste Reduction Plan to the City of Atascadero for review and approval. The plan would identify practices and onsite facilities necessary to ensure that recoverable materials and green waste are diverted from the waste
stream to the maximum extent feasible. The implementation of this mitigation measure would reduce solid waste generation and reduce demand for landfill capacity. Therefore, solid waste impacts would be reduced to a level of less than significant.

**MM PSU-6a** Prior to issuance of building permits for each component of the Specific Plan, the project applicant shall complete a Construction & Demolition Recycling Form in compliance with the City of Atascadero’s Construction and Demolition Recycling Ordinance. The applicant shall retain a qualified contractor to perform construction debris recycling with an objective of diverting a minimum of 50 percent of construction debris from the waste stream. The project applicant shall provide documentation to the satisfaction of the City of Atascadero demonstrating that construction and demolition debris was recycled.

**MM PSU-6b** Prior to issuance of the final certificates of occupancy for each building within the Specific Plan, the project applicant shall install onsite facilities necessary to collect and store recyclable materials generated by customers and facility operations. Customer recyclable collection facilities (i.e., receptacles) shall be located in public spaces and clearly identify accepted materials. Facility operations recycling facilities (i.e., bale and pallet storage) shall be located in appropriate places and shall be enclosed for screening purposes.

**Potential Impact:** The proposed project would not result in the inefficient, unnecessary, or wasteful consumption of energy.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** PG&E would provide electricity and Southern California Gas would provide natural gas to the proposed project. Estimates for non-residential uses likely overstate actual consumption, because they include structures located in different climate regions or states with less stringent energy efficiency standards than California. The proposed project is anticipated to require 5.87 million kilowatt hours annually of electricity and require 17.57 million cubic feet annually of natural gas.

PG&E provided a letter dated June 11, 2010 confirming that it could provide electricity service to the proposed project. Southern California Gas provided a letter dated June 7, 2010 confirming that it could provide natural gas service to the proposed project. (Both letters are provided in DEIR Appendix I.) The provision of both will-serve letters indicates that both energy providers have adequate supplies and transmission capacity to serve the proposed project, as well as other current and future customers.
The proposed project’s structures would be designed in accordance with all applicable state energy efficiency requirements, including Title 24, California’s Energy Efficiency Standards for Residential and Nonresidential Buildings. (Title 24 includes the Green Building Standards Code). These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., HVAC and water heating systems), indoor and outdoor lighting, and illuminated signs. The incorporation of the latest Title 24 standards into the project would ensure that the project would not result in the inefficient, unnecessary, or wasteful consumption of energy.

In addition to the Title 24 standards and as discussed in Section 2, Project Description, the Walmart store is anticipated to contain energy conservation features. Collectively, these design features would ensure that the project would not result in the inefficient, unnecessary, or wasteful consumption of energy. Impacts would be less than significant.

11. Transportation

Existing Plus Project

Potential Impact: The proposed project would add traffic to the intersection of Del Rio Road/El Camino Real, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1c.

Facts in Support of Finding: To mitigate this impact, the applicant shall convert the intersection at Del Rio Road/El Camino Drive to a modern roundabout. The roundabout would require an inscribed diameter of approximately 160 feet and would include a combination of single and dual circulating lanes. Single-lane approaches would be adequate on the southbound and westbound entrances. The northbound approach would need to include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach would need to include a shared through/left-turn lane and a 125-foot-long, right-turn lane. The additional right-of-way needed to accommodate the roundabout could be obtained mostly from lands controlled by the project applicant; however, it is likely that a small amount of additional right-of-way would be needed on the northwest corner. The applicant or City will need to work with the appropriate landowners if additional right-of-way is needed.

This intersection is part of the City’s TIF program. The project applicant shall install the improvements before opening of any part of the project to allow for acceptable operating conditions and minimizing impacts to the San Anselmo Road interchange to the south. After having installed these improvements, the
project applicant shall be eligible for a fee credit for the cost of these improvements in excess of the projects’ proportional-share contribution.

These improvements are reflected in Mitigation Measure TRANS-1c. Improving the intersection would result in acceptable LOS B or better operation for all analyzed peak hours, reducing the impact to a level of less than significant.

**MM TRANS-1c**

Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**Potential Impact:** The proposed project would add traffic to the intersection of Del Rio Road/US 101 Northbound Ramps, increasing average vehicle delays and causing the intersection operation to fall below the City standard of LOS C. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1d.

**Facts in Support of Finding:** To mitigate this impact, the City shall convert the intersection to a single-lane modern roundabout, providing a 150-foot-long, right-turn bypass lane on the westbound approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northeast intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Southbound ramp intersection.
These improvements are reflected in Mitigation Measure TRANS-1d. Improving the intersection would result in acceptable LOS A or B operation during all peak hours analyzed, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service operations under the Walmart Only scenario. Mitigation Measure TRANS-1d requires that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level.

**MM TRANS-1d**

Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The proposed project would add traffic to the intersection of Del Rio Road/US 101 Southbound Ramps, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measures TRANS-1e.

**Facts in Support of Finding:** To mitigate this impact, the City shall construct a five-legged, single-lane modern roundabout at the Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. Based on conceptual plans for these improvements, it appears that the roundabout could
be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northwest intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the recommendation to install a roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Northbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1e. Improving the intersection would result in acceptable LOS A during all peak hours analyzed, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicants shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service operations under the Walmart Only scenario. Mitigation Measure TRANS-1e requires that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level.

**MM TRANS-1e**

Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The proposed project would add traffic to the intersection of El Camino Real/San Anselmo Road (North), contributing to the LOS F operation already projected to occur without the project. This is considered to be a potentially significant impact.
**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1b.

**Facts in Support of Finding:** To mitigate this impact, a traffic signal shall be installed. This improvement is reflected in Mitigation Measure TRANS-1b. Installation of a traffic signal would result in acceptable LOS C operation during the analyzed peak hours.

This traffic signal installation is part of the City’s traffic impact fee program, but it is not currently funded. The project applicant shall install the improvements before opening of any part of the project to allow for acceptable operating conditions. The City shall have the final determination of the financial obligation in considering the traffic impact fees to be generated by the project and the cost of the improvements. Mitigation Measure TRANS-1b provides as follows:

**MM TRANS-1b** Prior to issuance of the final certificate of occupancy for Walmart, the intersection of El Camino Real/San Anselmo Road (North) shall be improved with a signal. The project applicant shall install the signal. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**Potential Impact:** The proposed project would add traffic to the segment of Del Rio Road between El Camino Real and Ramona Road, including the US 101 overpass, causing the segment to operate unacceptably at LOS E. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-1c, TRANS-1d and TRANS-1e.

**Facts in Support of Finding:** The improvements identified in Mitigation Measures TRANS-1c, TRANS-1d, and TRANS-1e would maintain travel speeds in the acceptable LOS C or better range during all peak hours analyzed, reducing the impact to a level of less than significant. The applicant will construct the improvements identified in Mitigation Measure TRANS 1-c. The City will construct the improvements identified in Mitigation Measures TRANS-1d and TRANS-1e using funding from the City’s TIF program where they are identified improvement projects. Implementation of the roundabouts identified in Mitigation Measures TRANS-1d, and TRANS-1e would need to occur in tandem.

Improving these intersections would result in acceptable LOS C or better operations during all peak hours analyzed, reducing the impact to a level of less than significant. The interchanges identified in Mitigation Measures TRANS-1d,
and TRANS-1e are part of the City’s TIF program, but are not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that this roadway segment will operate at acceptable level of service operations under the Walmart Only scenario. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level.

**MM TRANS-1c** Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**MM TRANS-1d** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.
Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

Potential Impact: The proposed project would increase the v/c ratio on the US 101 study segments to both the north and south of Del Rio Road by 0.01 or more, which is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

Facts in Support of Finding: The Draft San Luis Obispo Council of Governments (SLOCOG) 2010 Regional Transportation Plan and Preliminary Sustainable Communities Strategy (RTP), as well as the Draft Route 101 North County Corridor Study acknowledge that US 101 operates at LOS C and D in the Atascadero area, and that freeway operation is anticipated to deteriorate to LOS E over time. With these recent policy documents, the agency has shifted its strategy from expanding US 101 to a six-lane facility to other tactics such as targeted operational improvements, parallel route development, transit investments, multimodal improvements, transportation systems management policies, and transportation demand management (TDM) programs. The SLOCOG and its member jurisdictions acknowledge that the performance of the countywide circulation system, including US 101, is something that must be managed from a regional perspective. To this end, the RTP includes extensive policies intended to maximize mobility for all users and all modes into the future, while recognizing that it will likely be impossible to maintain acceptable freeway operation on US 101.

While regional policies and programs within the jurisdiction of other agencies may serve to reduce the impact, the conclusion remains that freeway operations on US 101 are likely to remain significant and no feasible improvements or projects are available to reduce this impact to less than significant.
**Potential Impact:** The project would be expected to increase vehicle queues on the Del Rio Road/El Camino Real northbound and eastbound intersection approaches, increasing the potential for operational and safety impacts at adjacent intersections. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1c.

**Facts in Support of Finding:** The improvements identified in Mitigation Measure TRANS-1c would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant.

**MM TRANS-1c** Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**Potential Impact:** The project would be expected to increase vehicle queues on all Del Rio Road/US 101 Northbound Ramps approaches, increasing the potential for operational and safety impacts at adjacent intersections and on mainline US 101. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1d.

**Facts in Support of Finding:** To mitigate this impact, the City shall convert the intersection at Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout, providing a 150-foot-long, right-turn bypass lane on the westbound approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northeast intersection corner. The
City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Southbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1d. Improving the intersection would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that vehicle queues on all Del Rio Road/US 101 Northbound Ramps approaches will be adequately accommodated within available storage under the Walmart Only scenario. Mitigation Measure TRANS-1d requires that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level.

MM TRANS-1d Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

Potential Impact: The project would be expected to increase average queues on the Del Rio Road/US 101 Southbound Ramps southbound approach, increasing the potential for operational and safety impacts at adjacent intersections and on mainline US 101. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1e.
Facts in Support of Finding: To mitigate this impact, the City shall construct a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northwest intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the recommendation to install a roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Northbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1e. Improving the intersection would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicants shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that vehicle queues on the Del Rio Road/US 101 Southbound Ramps southbound approach will be adequately accommodated within available storage under the Walmart Only scenario. Mitigation Measure TRANS-1e requires that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level.

MM TRANS-1e Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.
Baseline Plus Project

Potential Impact: The proposed project would add traffic to the intersection of Del Rio Road/El Camino Real, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1c.

Facts in Support of Finding: To mitigate this impact, the applicant shall convert the intersection at Del Rio Road/El Camino Drive to a modern roundabout. The roundabout would require an inscribed diameter of approximately 160 feet and would include a combination of single and dual circulating lanes. Single-lane approaches would be adequate on the southbound and westbound entrances. The northbound approach would need to include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach would need to include a shared through/left-turn lane and a 125-foot-long, right-turn lane. The additional right-of-way needed to accommodate the roundabout could be obtained mostly from lands controlled by the project applicant; however, it is likely that a small amount of additional right-of-way would be needed on the northwest corner. The applicant or City will need to work with the appropriate landowners if additional right-of-way is needed.

This intersection is part of the City’s TIF program. The project applicant shall install the improvements before opening of any part of the projects to allow for acceptable operating conditions and minimizing impacts to the San Anselmo Road interchange to the south. After having installed these improvements, the project applicant shall be eligible for a fee credit for the cost of these improvements in excess of the projects’ proportional-share contribution.

These improvements are reflected in Mitigation Measure TRANS-1c. Improving the intersection would result in acceptable LOS B or better operation for all analyzed peak hours, reducing the impact to a level of less than significant. Mitigation Measure TRANS-1c provides as follows:

MM TRANS-1c Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared
through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

Potential Impact: The proposed project would add traffic to the intersection of Del Rio Road/US 101 Northbound Ramps, increasing average vehicle delays and causing the intersection operation to fall below the City standard of LOS C. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1d.

Facts in Support of Finding: To mitigate this impact, the City shall convert the intersection to a single-lane modern roundabout, providing a 150-foot-long, right-turn bypass lane on the westbound approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northeast intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Southbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1d. Improving the intersection would result in acceptable LOS A or B operation during all peak hours analyzed, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service operations under the Walmart Only scenario. Mitigation Measure TRANS-1d requires that the Del Rio Road/US 101 roundabout improvement be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level. Mitigation Measure TRANS-1d provides as follows:
MM TRANS-1d Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

Potential Impact: The proposed project would add traffic to the intersection of Del Rio Road/US 101 Southbound Ramps, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1e.

Facts in Support of Finding: To mitigate this impact, the City shall construct a five-legged, single-lane modern roundabout that incorporates Ramona Road as the fifth approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northwest intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the recommendation to install a roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Northbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1e. Improving the intersection would result in acceptable LOS A during all peak hours analyzed, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicants shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.
PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service operations under the Walmart Only scenario. Mitigation Measure TRANS-1e requires that the Del Rio Road/US 101 roundabout improvement be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level. Mitigation Measure TRANS-1e provides as follows:

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The proposed project would add minor amounts of additional traffic to the intersection of San Anselmo Road/US 101 Northbound Ramps, increasing minor approach delays to LOS F conditions and causing the peak-hour signal warrant to be met during the PM peak hour and Saturday midday peak hour. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

**Facts in Support of Finding:** To mitigate this impact, the applicants would contribute to the traffic impact fee program for its cumulative impact to the to the San Anselmo Road/US 101 interchange. This interchange is part of the City’s TIF program, but it is not currently funded. The City will improve this intersection as part of its traffic mitigation program. The improvements are intended to be based on the roundabout concepts developed in the Atascadero Interchange Operational Improvement Study. Payment of fees in accordance with the TIF program is reflected in Mitigation Measure TRANS-1a. Improving the intersection would result in acceptable LOS C operations during all peak hours analyzed, reducing the impact to a level of less than significant.

However, neither the City nor the applicants have full control over the timing of completion of the San Anselmo Road/US 101 Northbound roundabout
improvements. This is because (1) the improvement is under the jurisdiction of Caltrans, and thus requires Caltrans’s approval prior to implementation, and (2) acquisition of the necessary rights of way relies on the cooperation of third-party landowners. Furthermore, the City cannot guarantee with certainty when the remainder of the traffic impact fee funding paid by future developers will be available. Accordingly, although the applicants’ payment of fair-share fees is part of a reasonable plan of actual mitigation that the City is committed to implementing, consistent with the requirements set forth in Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, the City cannot assure with certainty that improvements will be in place prior to the occurrence of the impact. This analysis, therefore, identifies these impacts as significant and unavoidable even though there is a reasonable expectation that these impacts will be mitigated through the TIF program in the future. Mitigation Measure TRANS-1a provides as follows:

**MM TRANS-1a** Prior to issuance of building permits for each use, the project applicants shall provide the City of Atascadero with all applicable traffic impact fees for their proportional-share impact on TIF funded Circulation System Facilities other than the Del Rio Road/US 101 interchange, which is subject to a separate TIF payment described in Mitigation Measures TRANS-1d and TRANS-1e. The traffic impact fees for all uses shall be subject to the City’s latest adopted fee schedule, with the exception of the Walmart Superstore, which will pay $11.14/square foot in accordance with the proportional-share methodology prepared by RCS, based on the ITE land-use rate for “Free Standing Discount Superstores.”

**Potential Impact:** The proposed project would add minor amounts of additional traffic to the intersection of San Anselmo Road/US 101 Southbound Ramps, increasing minor approach delays to LOS F conditions and causing the peak-hour signal warrant to be met during the PM peak hour and Saturday midday peak hour. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

**Fact in Support of the Finding:** To mitigate this impact, the applicant would contribute to the traffic impact fee program for its cumulative impact to the to the San Anselmo Road/US 101 interchange. This interchange is part of the City’s TIF program, but it is not currently funded. The City will improve this intersection as part of its traffic mitigation program. The improvements are intended to be based on the roundabout concepts developed in the Atascadero Interchange Operational Improvement Study. Payment of fees in accordance with the TIF program is reflected in Mitigation Measure TRANS-1a.
However, neither the City nor the applicants have full control over the timing of completion of the San Anselmo Road/US 101 Southbound roundabout improvements. This is because (1) the improvement is under the jurisdiction of Caltrans, and thus requires Caltrans’s approval prior to implementation, and (2) acquisition of the necessary rights of way relies on the cooperation of third-party landowners. Furthermore, the City cannot guarantee with certainty when the remainder of the traffic impact fee funding paid by future developers will be available. Accordingly, although the applicants’ payment of fair shares fees is part of a reasonable plan of actual mitigation that the City is committed to implementing, consistent with the requirements set forth in Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, the City cannot assure with certainty that improvements will be in place prior to the occurrence of the impact. This analysis, therefore, identifies these impacts as significant and unavoidable even though there is a reasonable expectation that these impacts will be mitigated through the TIF program in the future. Mitigation Measure TRANS-1a provides as follows:

**MM TRANS-1a**  
Prior to issuance of building permits for each use, the project applicants shall provide the City of Atascadero with all applicable traffic impact fees for their proportional-share impact on TIF funded Circulation System Facilities other than the Del Rio Road/US 101 interchange, which is subject to a separate TIF payment described in Mitigation Measures TRANS-1d and TRANS-1e. The traffic impact fees for all uses shall be subject to the City’s latest adopted fee schedule, with the exception of the Walmart Superstore, which will pay $11.14/square foot in accordance with the proportional-share methodology prepared by RCS, based on the ITE land-use rate for “Free Standing Discount Superstores.”

**Potential Impact:** The proposed project would add traffic to the segment of Del Rio Road between El Camino Real and Ramona Road, including the US 101 overpass, causing the segment to operate unacceptably at LOS E. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measures TRANS-1c, TRANS-1d, and TRANS-1e.

**Facts in Support of the Finding:** The improvements identified in Mitigation Measures TRANS-1c, TRANS-1d, and TRANS-1e would maintain travel speeds in the acceptable LOS C or better range during all peak hours analyzed, reducing the impact to a level of less than significant. The applicant will construct the improvements identified in Mitigation Measure TRANS 1-c. The City will construct the improvements identified in Mitigation Measures TRANS-1d and TRANS-1e using funding from the City’s TIF program where they are identified
Improving these intersections would result in acceptable LOS C or better operations during all peak hours analyzed, reducing the impact to a level of less than significant. The interchanges identified in Mitigation Measures TRANS-1d, and TRANS-1e are part of the City’s TIF program, but are not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that this roadway segment will operate at acceptable level of service operations under the Walmart Only scenario. Mitigation Measures TRANS-1d, and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level.

**MM TRANS-1c**  Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**MM TRANS-1d**  Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect
the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The proposed project would increase the v/c ratio on the US 101 study segments to both the north and south of Del Rio Road by 0.01 or more, which is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

**Facts in Support of Finding:** The Draft San Luis Obispo Council of Governments (SLOCOG) 2010 Regional Transportation Plan and Preliminary Sustainable Communities Strategy (RTP), as well as the Draft Route 101 North County Corridor Study acknowledge that US 101 operates at LOS C and D in the Atascadero area, and that freeway operation is anticipated to deteriorate to LOS E over time. With these recent policy documents, the agency has shifted its strategy from expanding US 101 to a six-lane facility to other tactics such as targeted operational improvements, parallel route development, transit investments, multimodal improvements, transportation systems management policies, and transportation demand management (TDM) programs. The SLOCOG and its member jurisdictions acknowledge that the performance of the countywide circulation system, including US 101, is something that must be managed from a regional perspective. To this end, the RTP includes extensive policies intended to maximize mobility for all users and all modes into the future, while recognizing that it will likely be impossible to maintain acceptable freeway operation on US 101.
While regional policies and programs within the jurisdiction of other agencies may serve to reduce the impact, the conclusion remains that freeway operations on US 101 are likely to remain significant and no feasible improvements or projects are available to reduce this impact to less than significant.

**Potential Impact:** The project would be expected to increase vehicle queues on the northbound and eastbound intersection approaches, increasing the potential for operational and safety impacts at adjacent intersections. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1c.

**Facts in Support of the Finding:** The improvements identified in Mitigation Measure TRANS-1c would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. Mitigation Measure TRANS-1c provides as follows:

**MM TRANS-1c** Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**Potential Impact:** The project would be expected to increase vehicle queues on all Del Rio Road/US 101 Northbound Ramps approaches, increasing the potential for operational and safety impacts at adjacent intersections and on mainline US 101. This is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1d.

**Facts in Support of the Finding:** To mitigate this impact, the City shall convert the intersection at Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout, providing a 150-foot-long, right-turn bypass lane on the
westbound approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northeast intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Southbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1d. Improving the intersection would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that vehicle queues on all Del Rio Road/US 101 Northbound Ramps approaches will be adequately accommodated within available storage under the Walmart Only scenario. Mitigation Measure TRANS-1d requires that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level.

**MM TRANS-1d** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The project would be expected to increase average queues on the Del Rio Road/US 101 Southbound Ramps southbound approach, increasing
the potential for operational and safety impacts at adjacent intersections and on mainline US 101. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1e.

Facts in Support of the Finding: To mitigate this impact, the City shall construct a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northwest intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the recommendation to install a roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Northbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1e. Improving the intersection would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicants shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that vehicle queues on the Del Rio Road/US 101 Southbound Ramps southbound approach will be adequately accommodated within available storage under the Walmart Only scenario. Mitigation Measure TRANS-1e requires that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level. Mitigation Measure TRANS-1e provides as follows:

MM TRANS-1e Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared
by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

Future Plus Project

Potential Impact: The proposed project would add traffic to the intersection of Del Rio Road/El Camino Real, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1c.

Facts in Support of Finding: To mitigate this impact, the applicant shall convert the intersection at Del Rio Road/El Camino Drive to a modern roundabout. The roundabout would require an inscribed diameter of approximately 160 feet and would include a combination of single and dual circulating lanes. Single-lane approaches would be adequate on the southbound and westbound entrances. The northbound approach would need to include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach would need to include a shared through/left-turn lane and a 125-foot-long, right-turn lane. The additional right-of-way needed to accommodate the roundabout could be obtained mostly from lands controlled by the project applicant; however, it is likely that a small amount of additional right-of-way would be needed on the northwest corner. The applicant or City will need to work with the appropriate landowners if additional right-of-way is needed.

This intersection is part of the City’s TIF program. The project applicant shall install the improvements before opening of any part of the projects to allow for acceptable operating conditions and minimizing impacts to the San Anselmo Road interchange to the south. After having installed these improvements, the project applicant shall be eligible for a fee credit for the cost of these improvements in excess of the projects’ proportional-share contribution.

These improvements are reflected in Mitigation Measure TRANS-1c. Improving the intersection would result in acceptable LOS B or better operation for all analyzed peak hours, reducing the impact to a level of less than significant.

MM TRANS-1c Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The
roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**Potential Impact:** The proposed project would add traffic to the intersection of Del Rio Road/US 101 Northbound Ramps, increasing average vehicle delays and causing operation to fall below the City standard of LOS C. The intersection would be expected to operate acceptably without the project. This would be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1d.

**Facts in Support of Finding:** To mitigate this impact, the City shall convert the intersection to a single-lane modern roundabout, providing a 150-foot-long, right-turn bypass lane on the westbound approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northeast intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Southbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1d. Improving the intersection would result in acceptable LOS A or B operation during all peak hours analyzed, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service operations under the Walmart Only scenario.
Mitigation Measure TRANS-1d requires that the Del Rio Road/US 101 roundabout improvement be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level. Mitigation Measure TRANS-1d provides as follows:

**MM TRANS-1d**

Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The proposed project would add traffic to the intersection of Del Rio Road/US 101 Southbound Ramps, increasing average vehicle delays and causing operation to fall below the City standard of LOS C. The intersection would be expected to operate acceptably without the project. This would be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less than Significant as result of implementation of Mitigation Measure TRANS-1e.

**Facts in Support of the Finding:** To mitigate this impact, the City shall construct a five-legged, single-lane modern roundabout at the Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northwest intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the recommendation to install a roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Northbound ramp intersection.
These improvements are reflected in Mitigation Measure TRANS-1e. Improving the intersection would result in acceptable LOS A during all peak hours analyzed, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicants shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service operations under the Walmart Only scenario. Mitigation Measure TRANS-1e requires that the Del Rio Road/US 101 roundabout improvement be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level. Mitigation Measure TRANS-1e provides as follows

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The proposed project would add traffic to the intersection of El Camino Real/San Anselmo Road (North), contributing to the LOS F operation already expected to occur without the project. This would be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1b.

**Fact in Support of the Finding:** The improvements identified in Mitigation Measure TRANS-1b would result in acceptable LOS C operation during the analyzed peak hours. Mitigation Measure TRANS-1b provides as follows:
Prior to issuance of the final certificate of occupancy for Walmart, the intersection of El Camino Real/San Anselmo Road (North) shall be improved with a signal. The project applicant shall install the signal. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

Potential Impact: The proposed project would add traffic to the intersection of San Anselmo Road/US 101 Northbound Ramps, increasing minor approach delays, resulting in LOS F operation and causing the peak-hour signal warrant to be met during the PM peak hour and Saturday midday peak hour. This would be a potentially significant impact.

Finding: The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

Facts in Support of the Finding: To mitigate this impact, the applicants would contribute to the traffic impact fee program for its cumulative impact to the to the San Anselmo Road/US 101 interchange. This interchange is part of the City’s TIF program, but it is not currently funded. The City will improve this intersection as part of its traffic mitigation program. The improvements are intended to be based on the roundabout concepts developed in the Atascadero Interchange Operational Improvement Study. Payment of fees in accordance with the TIF program is reflected in Mitigation Measure TRANS-1a. Improving the intersection would result in acceptable LOS C operations during all peak hours analyzed, reducing the impact to a level of less than significant.

However, neither the City nor the applicants have full control over the timing of completion of the San Anselmo Road/US 101 Northbound roundabout improvements. This is because (1) the improvement is under the jurisdiction of Caltrans, and thus requires Caltrans’s approval prior to implementation, and (2) acquisition of the necessary rights of way relies on the cooperation of third-party landowners. Furthermore, the City cannot guarantee with certainty when the remainder of the traffic impact fee funding paid by future developers will be available. Accordingly, although the applicants’ payment of fair-share fees is part of a reasonable plan of actual mitigation that the City is committed to implementing, consistent with the requirements set forth in Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, the City cannot assure with certainty that improvements will be in place prior to the occurrence of the impact. This analysis, therefore, identifies these impacts as significant and unavoidable even though there is a reasonable expectation that these impacts will be mitigated through the TIF program in the future.
MM TRANS-1a  Prior to issuance of building permits for each use, the project applicants shall provide the City of Atascadero with all applicable traffic impact fees for their proportional-share impact on TIF funded Circulation System Facilities other than the Del Rio Road/US 101 interchange, which is subject to a separate TIF payment described in Mitigation Measures TRANS-1d and TRANS-1e. The traffic impact fees for all uses shall be subject to the City’s latest adopted fee schedule, with the exception of the Walmart Superstore, which will pay $11.14/square foot in accordance with the proportional-share methodology prepared by RCS, based on the ITE land-use rate for “Free Standing Discount Superstores.”

Potential Impact: The proposed project would add traffic to the intersection of San Anselmo Road/US 101 Southbound Ramps, increasing minor approach delays and causing the peak-hour signal warrant to be met during the PM peak hour. This would be a potentially significant impact.

Finding: The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

Facts in Support of the Finding: To mitigate this impact, the applicants would contribute to the traffic impact fee program for its cumulative impact to the to the San Anselmo Road/US 101 interchange. This interchange is part of the City’s TIF program, but it is not currently funded. The City will improve this intersection as part of its traffic mitigation program. The improvements are intended to be based on the roundabout concepts developed in the Atascadero Interchange Operational Improvement Study. Payment of fees in accordance with the TIF program is reflected in Mitigation Measure TRANS-1a. Improving the intersection would result in acceptable LOS C operations during all peak hours analyzed, reducing the impact to a level of less than significant.

However, neither the City nor the applicants have full control over the timing of completion of the San Anselmo Road/US 101 Southbound roundabout improvements. This is because (1) the improvement is under the jurisdiction of Caltrans, and thus requires Caltrans’s approval prior to implementation, and (2) acquisition of the necessary rights of way relies on the cooperation of third-party landowners. Furthermore, the City cannot guarantee with certainty when the remainder of the traffic impact fee funding paid by future developers will be available. Accordingly, although the applicants’ payment of fair-share fees is part of a reasonable plan of actual mitigation that the City is committed to implementing, consistent with the requirements set forth in Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, the City cannot assure with certainty that improvements will be in place prior to the occurrence of the impact. This analysis, therefore, identifies these impacts as significant and unavoidable even though there is a reasonable expectation that these impacts will
be mitigated through the TIF program in the future. Mitigation Measure TRANS-1a provides as follows:

**MM TRANS-1a** Prior to issuance of building permits for each use, the project applicants shall provide the City of Atascadero with all applicable traffic impact fees for their proportional-share impact on TIF funded Circulation System Facilities other than the Del Rio Road/US 101 interchange, which is subject to a separate TIF payment described in Mitigation Measures TRANS-1d and TRANS-1e. The traffic impact fees for all uses shall be subject to the City’s latest adopted fee schedule, with the exception of the Walmart Superstore, which will pay $11.14/square foot in accordance with the proportional-share methodology prepared by RCS, based on the ITE land-use rate for “Free Standing Discount Superstores.”

**Potential Impact:** The proposed project would add traffic to the study segment of Del Rio Road between El Camino Real and Ramona Road, including the US 101 overpass, causing the segment to operate unacceptably at LOS F. This would be a potentially significant impact.

**Finding:** The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

**Facts in Support of the Finding:** The improvements identified in Mitigation Measures TRANS-1c, TRANS-1d, and TRANS-1e would maintain travel speeds in the acceptable LOS C or better range during all peak hours analyzed, reducing the impact to a level of less than significant. The applicant will construct the improvements identified in Mitigation Measure TRANS-1c. The City will construct the improvements identified in Mitigation Measures TRANS-1d and TRANS-1e using funding from the City’s TIF program where they are identified improvement projects. Implementation of the roundabouts identified in Mitigation Measures TRANS-1d, and TRANS-1e would need to occur in tandem.

Improving these intersections would result in acceptable LOS C or better operations during all peak hours analyzed, reducing the impact to a level of less than significant. The interchanges identified in Mitigation Measures TRANS-1d, and TRANS-1e are part of the City’s TIF program, but are not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

This impact would occur under the Walmart Only scenario as well as under the Plus Project scenario. Accordingly, even with implementation of MM TRANS-1d and TRANS-1e, which require that the Del Rio Road/US 101 roundabouts be
in place prior to the operation of the Annex project, this impact would continue to be significant. Neither the City nor the applicants have full control over the timing of completion of the roundabout improvements. This is because (1) the improvement is under the jurisdiction of Caltrans, and thus requires Caltrans’s approval prior to implementation, and (2) acquisition of the necessary rights of way relies on the cooperation of third-party landowners. Furthermore, the City cannot guarantee with certainty when the remainder of the traffic impact fee funding paid by future developers will be available. Accordingly, although the applicants’ payment of fair-share fees is part of a reasonable plan of actual mitigation that the City is committed to implementing, consistent with the requirements set forth in Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, the City cannot assure with certainty that improvements will be in place prior to the opening of the Walmart store. In view of this uncertainty, this analysis considers these impacts to be significant and unavoidable even though there is a reasonable expectation that these impacts will be mitigated through the TIF program in the future. Mitigation Measures TRANS-1c, TRANS-1d, and TRANS-1e provide as follows:

**MM TRANS-1c** Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

**MM TRANS-1d** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound
roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** The proposed project would increase the v/c ratio on the US 101 study segments to both the north and south of Del Rio Road by 0.01 or more, which is a potentially significant impact.

**Finding:** The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

**Facts in Support of Finding:** The Draft San Luis Obispo Council of Governments (SLOCOG) 2010 Regional Transportation Plan and Preliminary Sustainable Communities Strategy (RTP), as well as the Draft Route 101 North County Corridor Study acknowledge that US 101 operates at LOS C and D in the Atascadero area, and that freeway operation is anticipated to deteriorate to LOS E over time. With these recent policy documents, the agency has shifted its strategy from expanding US 101 to a six-lane facility to other tactics such as targeted operational improvements, parallel route development, transit investments, multimodal improvements, transportation systems management policies, and transportation demand management (TDM) programs. The SLOCOG and its member jurisdictions acknowledge that the performance of the countywide circulation system, including US 101, is something that must be managed from a regional perspective. To this end, the RTP includes extensive policies intended to maximize mobility for all users and all modes into the future, while recognizing that it will likely be impossible to maintain acceptable freeway operation on US 101.

While regional policies and programs within the jurisdiction of other agencies may serve to reduce the impact, the conclusion remains that freeway operations
Potential Impact: The project would be expected to increase vehicle queues on the northbound and eastbound Del Rio Road/El Camino Real intersection approaches, increasing the potential for operational and safety impacts at adjacent intersections. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1c.

Facts in Support of the Finding: The improvements identified in Mitigation Measure TRANS-1c would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. Mitigation Measure TRANS-1c provides as follows:

MM TRANS-1c Prior to issuance of the final certificate of occupancy for Walmart, the project applicant shall convert the intersection of Del Rio Road/El Camino Real to a modern roundabout. The roundabout shall provide an inscribed diameter of a minimum of 160 feet and a combination of single and dual circulating lanes. Single-lane approaches shall be adequate on the southbound and westbound entrances. The northbound approach shall include a dual-lane entry with a left-only lane and a shared through/right-turn lane. The eastbound approach shall include a shared through/left-turn lane and a minimum 125-foot-long, right-turn lane. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

Potential Impact: The project would be expected to increase vehicle queues on all Del Rio Road/US 101 Northbound Ramps approaches, increasing the potential for operational and safety impacts at adjacent intersections and on mainline US 101. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 3 and determines that this potentially significant impact is Significant and Unavoidable.

Facts in Support of the Finding: To mitigate this impact, the City shall convert the intersection at Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout, providing a 150-foot-long, right-turn bypass lane on the westbound approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass
structure, though additional right-of-way may be needed on the northeast intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Southbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1d. Improving the intersection would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicant shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

This impact would occur under the Walmart Only scenario as well as under the Plus Project scenario. Accordingly, even with implementation of MM TRANS-1d which requires that the Del Rio Road/US 101 roundabout be in place prior to the operation of the Annex project, this impact would continue to be significant. Neither the City nor the applicants have full control over the timing of completion of the Del Rio Road/US 101 Northbound roundabout improvements. This is because (1) the improvement is under the jurisdiction of Caltrans, and thus requires Caltrans’s approval prior to implementation, and (2) acquisition of the necessary rights of way relies on the cooperation of third-party landowners. Furthermore, the City cannot guarantee with certainty when the remainder of the traffic impact fee funding paid by future developers will be available. Accordingly, although the applicants’ payment of fair-share fees is part of a reasonable plan of actual mitigation that the City is committed to implementing, consistent with the requirements set forth in Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, the City cannot assure with certainty that improvements will be in place prior to the opening of the Walmart store. In view of this uncertainty, this analysis considers these impacts to be significant and unavoidable even though there is a reasonable expectation that these impacts will be mitigated through the TIF program in the future. Mitigation Measure TRANS-1d provides as follows:

**MM TRANS-1d**  
Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in
Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

Potential Impact: The project would be expected to increase average queues on the Del Rio Road/US 101 Southbound Ramps southbound approach, increasing the potential for operational and safety impacts at adjacent intersections and on mainline US 101. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1e.

Facts in Support of the Finding: To mitigate this impact, the City shall construct a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. Based on conceptual plans for these improvements, it appears that the roundabout could be constructed mostly within the available City and Caltrans rights-of-way, and could potentially utilize the existing overpass structure, though additional right-of-way may be needed on the northwest intersection corner. The City will construct this regional improvement using funding from the City’s TIF program where this is an identified improvement project. Implementation of the recommendation to install a roundabout would need to occur in tandem with implementation of roundabout mitigation at the adjacent US 101 Northbound ramp intersection.

These improvements are reflected in Mitigation Measure TRANS-1e. Improving the intersection would be expected to result in acceptable queuing conditions during both the PM and Saturday midday peak hours, reducing the impact to a level of less than significant. This interchange is part of the City’s TIF program, but it is not currently funded. The applicants shall pay proportional share traffic impact fees for construction of these improvements. Because the improvements are on Caltrans’s right-of-way, the City should coordinate with Caltrans to gain its approvals for final design and implementation of the roundabouts.

PRDEIR Section 3.11 - Transportation describes that vehicle queues on the Del Rio Road/US 101 Southbound Ramps southbound and westbound approaches will be adequately accommodated within available storage under the Walmart Only scenario. Mitigation Measure TRANS-1e requires that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level. Mitigation Measure TRANS-1e provides as follows
MM TRANS-1e Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.
Roadway Safety – Access and Interior Circulation

Potential Impact: The Walmart site has three proposed driveway locations that would connect to the surrounding Atascadero road network. A driveway proposed on Del Rio Road approximately 500 feet east of Camino Real would primarily serve customers traveling to/from the north and US 101. The intersection would also serve the Annex to the north, and would include left-turn pockets on both Del Rio Road approaches. Del Rio Road would be widened to two through lanes in each direction between the driveway and El Camino Real. A secondary driveway on Del Rio Road would be located an additional 300 feet to the east, creating a new northbound approach to the Del Rio Road/Obispo Road intersection and serving Walmart delivery traffic. The third driveway serving the Walmart site would be located on a new public street intersecting El Camino Real approximately 1,025 feet south of Del Rio Road. This new public street intersection would be signalized, and El Camino Real would be widened to provide dual northbound and southbound lanes, a northbound right-turn lane, and a new southbound left-turn lane. In addition to Walmart, two outparcels would be located on the proposed public street. The driveway serving the outparcels would be located 250 feet east of El Camino Real, and the Walmart driveway would be located approximately 400 feet east of El Camino Real.

The Annex site has four proposed driveways. One driveway would be located opposite the Walmart site driveway on Del Rio Road. Another minor driveway would be located on Del Rio Road approximately 150 feet east of El Camino Real, and would be restricted to right turns in and out. On El Camino Real, a new driveway intersection would be constructed 500 feet north of Del Rio Road, serving Annex properties on both the east and west side of the street. El Camino Real would be widened between Del Rio Road and the Annex driveways to include dual northbound and southbound through lanes, as well as a northbound and southbound left-turn pockets.

The intersection of El Camino Real and the new public street, south of Del Rio Road, includes only a southbound left-turn lane on El Camino Road, but no northbound left-turn lane. This northbound left-turn lane would be warranted. This is considered to be a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-4.

Facts in support of the Finding: The proposed new public street intersection on Del Rio Road serving Walmart and two outparcels would be expected to operate acceptably at LOS C or better under all traffic analysis scenarios. The remaining access points from Walmart and the Annex are expected to operate acceptably as proposed, and none would meet the Peak Hour Warrant for signalization. The widening of El Camino Real along the project frontages will be completed in
order to effectively tie into proposed mitigation measures. One exception is the segment of El Camino Real to the north of Del Rio Road, which with roundabout mitigation would operate acceptably with only one through lane in each direction (plus turn pockets at the Annex driveways as proposed). Based on the operational analysis and the applicant’s construction of the roundabout at El Camino Real/Del Rio Road, only one through lane in each direction in addition to the turn lanes are required on Del Rio Road, east of El Camino Real. The proposed lane configurations that represent the minimum lane requirements with the project are consistent with standard parking lot and access design and includes no apparent safety deficiencies.

The intersection of El Camino Real and the new public street, south of Del Rio Road, includes only a southbound left-turn lane on El Camino Road, but no northbound left-turn lane. This northbound left-turn lane should be incorporated into the plans as provided in Mitigation Measure TRANS-4. Mitigation Measure TRANS-4 provides as follows:

**MM TRANS-4** Prior to recordation of the final map for the Walmart component, the project applicant shall revise the improvement plans to provide for a northbound left-turn lane on El Camino Real at the new intersection serving the Walmart site. The City shall review and approve the lane geometry.

**Roadway Safety – Truck Traffic**

**Potential Impact:** The Walmart site would generate approximately six semi-trailer and six small vendor trucks per day. Each of the outparcels found on the Walmart site are estimated to receive approximately five smaller truck or van deliveries per day. Truck traffic associated with the Annex site is estimated to be 2 to 3 truck deliveries per day per building, which would total 16 to 24 deliveries per day. Deliveries at each building would include both small vendor and semi-trucks.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant.

**Facts in Support of the Finding:** All Walmart semi truck deliveries will be oriented to the loading docks on the northwest corner of the building. The semi trucks will have access to four separate loading bays. Semi trucks will access the Walmart site via the dedicated truck access at the proposed Del Rio Road/Obispo Road driveway. As proposed, the truck circulation would allow trucks to maneuver and exit the site the same way they entered, thereby minimizing potential pedestrian or driver conflicts, as well as not impacting parking or driveway areas. Vendors accessing the site will have access from both Del Rio Road and the proposed public roadway off El Camino Real. Because these trucks
are smaller and easier to maneuver these trucks are not anticipated to cause a significant impact.

Annex Building pads known as A, C, E, and F are proposed to include truck delivery bays. The proposed truck circulation for the Annex site is accessed from El Camino Real and exits to Del Rio Road. This circulation pattern allows for deliveries to be made at the rear of each building, minimizing impacts to drivers and parking areas. The on-site circulation of truck traffic will not result in significant adverse impacts.
Roadway Safety – Railroad Grade Crossings

**Potential Impact:** The nearest at-grade railroad crossing to the Specific Plan area is at Chico Road, approximately 1.1 miles to the east. The grade crossing is protected with train-activated gates and flashers and features a concrete panel roadbed, which are standard safety devices. The at-grade crossing is considered to be a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant.

**Facts in Support of the Finding:** Most project-related trips would use US 101 or El Camino Real to travel to and from the project site, as these are the fastest and most direct routes from destinations within the market area. Use of either US 101 or El Camino Real in the project vicinity avoids at-grade crossings of railroad tracks.

The remaining trips would originate from the residential areas to the west and east of the project site. Because of the characteristics of the local roadway network, almost no trips from these areas would cross the railroad tracks. As such, the proposed project would not result in a significant increase in grade crossings at the Chico Road grade crossing and, therefore, not significantly increase the potential for collisions at this location.

Roadway Safety – Emergency Access

**Potential Impact:** The Walmart site would provide five access points and the Annex site would provide four access points. The creation of access points at the proposed locations is as potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant.

**Facts in Support of the Finding:** The locations of the access points provide for multiple points of ingress and egress during an emergency, consistent with California Fire Code requirements, which require a minimum of two vehicular access points for commercial structures 30 feet in height or taller. Furthermore, all access points would provide sufficient room for large emergency vehicles such as fire engines. The Atascadero Fire Department and Police Department were consulted about potential public safety concerns during the preparation of the FEIR. Neither agency identified emergency access as potential issue with the proposed project.

Public Transit, Bicycles, and Pedestrians

**Potential Impact:** Atascadero Transit and the San Luis Obispo County Regional Transit Authority (RTA) provide local and intercity transit service along the US
101 corridor in northern San Luis Obispo County. Atascadero Transit’s North County Shuttle provides local and intercity service along the US 101 corridor between Atascadero and Paso Robles, with existing service to the project site. RTA provides regional service to Atascadero, Paso Robles, San Luis Obispo, and communities throughout San Luis Obispo County. The need for appropriate bus stops to accommodate transportation services is a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-6a.

Facts in Support of the Finding: The proposed project would consist of regional- and local-serving retail uses. In addition, later phases of the project would develop onsite residential uses. As such, it would be expected a percentage of customers, employees, and residents would use public transit to travel to and from the proposed project. Accordingly, Mitigation Measure TRANS-6a is proposed requiring the installation of a bus stop in an appropriate location. Mitigation Measure TRANS-6a provides as follows:

MM TRANS-6a Prior to approval of the final map for the Walmart and Annex components, the applicant shall identify suitable locations for one or more bus stops as required by the City of Atascadero. Such stops may be located along street frontages or within the project site. The applicant shall consult with the Regional Transit Authority, Atascadero Transit, and the City of Atascadero about suitable locations and amenities. The bus stops shall be installed and available for service prior to opening day of each project component.

Potential Impact: The project is located adjacent to existing and planned bikeways. The need for bikeways adjacent to the project and adequate on-site bicycle storage is a potentially significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-6b, TRANS-6c, and TRANS-6d.

Facts in Support of the Finding: Installation of Class II bike lanes on Del Rio Road between the US 101 freeway ramps and Rio Rita Road, along the project frontage on El Camino Real, and along the proposed Public Street as identified on the project site plan will help facilitate bicycle access to and from nearby destinations and residential areas.

To facilitate convenient bicycle access to Walmart and Annex commercial uses, Mitigation Measure TRANS-6b requires the installation of bicycle storage facilities at a ratio of no less than 1 bicycle space for each 20 vehicular spaces. In addition, Mitigation Measure TRANS-6c requires that the future multi-family
residential uses on the Walmart site provide adequate bicycle storage for residents. Finally, Mitigation Measure TRANS-6d requires the provision of Class II bicycle lanes along the project frontage with El Camino Real and installation of bicycle loop detectors at the new signalized intersection on El Camino Real that would provide access to Walmart. Mitigation Measures TRANS-6b, TRANS-6c, and TRANS-6d provide as follows:

**MM TRANS-6b**  Prior to issuance of the final certificate of occupancy for the Walmart and Annex nonresidential uses, the applicant shall install bicycle facilities (racks or lockers) in convenient locations. Bicycle storage shall be provided at a ratio of no less than 1 bicycle space for each 20 vehicular spaces.

**MM TRANS-6c**  Prior to issuance of building permits for the future multi-family residential uses on the Walmart site, the applicant shall demonstrate that each dwelling unit provides enclosed space suitable for storage of at least two bicycles. Such enclosed space may consist of garages, storage rooms, closets, or other non-living area spaces that allow the occupant(s) to securely store a bicycle and avoid exposure to theft or adverse weather conditions.

**MM TRANS-6d**  Prior to acceptance of improvements to El Camino Real and Del Rio Road, the City of Atascadero shall verify that the project frontage improvements on El Camino Real include Class II bicycle lanes and that bicycle loop detectors have been installed as a component of the signal installation at El Camino Real/Proposed Public Street.

**Potential Impact:** Walmart and the Annex would be expected to increase pedestrian activity along the streets and pedestrian routes leading to the project site, within the project’s parking areas, and to and from adjacent land uses, including nearby residences and shops. The need for adequate on-site pedestrian access and circulation is a potentially significant impact.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-6e and TRANS-6f.

**Facts in Support of the Finding:** The Project site plan identifies pedestrian improvements throughout the proposed development, including sidewalks along the roadway frontages, Americans with Disabilities (ADA) curb ramps and marked crosswalks at signalized intersections, and various walkways along the site’s storefronts and internal drive aisles. Mitigation Measure TRANS-6e requires the project applicant to provide pedestrian access (sidewalks or pathways) between the Walmart parking lot and the intersections of El Camino Real/Del Rio Road and El Camino Real/Proposed Public Street. It is understood
that there are drainage/grade differences preventing direct connections between Walmart and the intersection of El Camino Real/Del Rio Road; however, Walmart shall provide a pedestrian connection from the store entrance at the front of the building to Del Rio Road that generally parallels the driveway connection to Del Rio Road.

Additionally, Mitigation Measure TRANS-6f requires the installation of pedestrian crossings at driveways and a high-visibility pedestrian crossing at the new public street locations where pedestrian crossings are likely to occur. Mitigation Measures TRANS-6e and TRANS-6f provide as follows:

**MM TRANS-6e**  Prior to issuance of building permits for the Walmart and Annex commercial buildings, the project applicant shall prepare and submit plans to the City of Atascadero for review and approval that demonstrate the provision of pedestrian facilities. Such facilities shall consist of sidewalks along the frontages with El Camino Real, Del Rio Road, and the new access road serving the Walmart site, and direct pedestrian connections between parking fields and building entrances. The Walmart site shall provide a pedestrian connection from the store entrance at the front of the building to Del Rio Road that generally parallels the driveway connection to Del Rio Road. Pavement treatments or similar features shall be installed at locations where pedestrian facilities cross drive aisles. All pedestrian facilities shall comply with the applicable requirements of the Americans With Disabilities Act.

**MM TRANS-6f**  Prior to acceptance of improvements to El Camino Real, Del Rio Road, and the new public street serving Walmart, the City of Atascadero shall verify that crosswalk markings have been installed across all driveway access points leading to and from the project sites. Additionally, high visibility markings shall be installed across the southern driveway from “Proposed Public Street.”

**Potential Impact:**  Construction of the proposed project will generate traffic associated with construction employees and equipment and hauling fill and construction material to and from the site. The highest volumes of construction traffic will occur during the period when the project site is graded, which is when the hauling of soil material will occur. Typically weekday construction activities would occur between 7:00 a.m. and end around 3:00 p.m. and, thus, construction traffic will coincide only with AM peak-hour traffic. During the grading phase, construction traffic is estimated to generate roughly 122 AM peak-hour trips. This figure consists of construction workforce trips arriving at the project site (assumed to be 50 trips) and 18 truck trips (which are equivalent to 72 passenger vehicles). This is considered to be a potentially significant impact.
**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-7a.

**Facts Supporting the Finding:** As shown in Table 3.11-46 of the PRDEIR, even the most intensive phase of construction would generate 282 fewer trips during the AM peak hour than Baseline Plus Project operations would on a typical weekday. Additionally, construction activities are temporary and these trips would cease once the project is completed. Accordingly construction traffic would not be expected to result in a significant impact to intersection, roadway segment, or queuing impacts on local roadways.

Most of the construction traffic, especially trucks and equipment delivery vehicles, would be expected to travel via US 101 and exit at the Del Rio Road interchange to reach the project site. This routing would minimize travel on city streets and avoid residential areas.

Project construction activities, however, may result in temporary lane closures along Del Rio Road and El Camino Real. To address this potential impact Mitigation Measure TRANS-7a would require the project applicant to implement a Construction Traffic Control Plan during construction activities to minimize impacts on surrounding roadways and nearby land uses. Mitigation Measure TRANS-7a provides as follows:

**MM TRANS-7a**  
Prior to the commencement of construction activities, the project applicant shall prepare and submit a Construction Traffic Control Plan for review and approval by the City of Atascadero. The plan shall include the following provisions:

Maintain access for land uses in proximity of the project site during project construction.

Schedule deliveries and pick-ups of construction materials to non-peak travel periods, to the maximum extent feasible.

Coordinate haul trucks, deliveries, and pick-ups to reduce the potential of trucks waiting to load or unload for protracted periods of time.

Minimize obstruction of through traffic lanes on surrounding public streets.

Construction equipment traffic entering and exiting the project site shall be controlled by a flagman.
Identify designated transport routes for heavy trucks (in addition to haul trucks) to be used over the duration of the proposed project.

Schedule vehicle movements to ensure to the maximum extent feasible that there are no vehicles waiting offsite and impeding public traffic flow on the surrounding streets.

Establish requirements to ensure the safety of the pedestrians and access to local businesses.

Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the project site and neighboring businesses.

- Prohibit parking for construction workers except on the project site and any designated offsite parking locations. These offsite locations shall not include any residential streets and will require the approval of the City of Atascadero Department of Public Works.

Roundabout Construction

The roundabout interchange mitigation at the Del Rio Road interchange would require a 6- to 12-month construction period where all or portions of the US 101 ramp intersections and Del Rio Road overpass would be closed. During these periods of closure, all traffic in this area would have to divert to either the San Ramon Road interchange to the north or to the San Anselmo Road interchange to the south via El Camino Road on the east or San Ramon Road-Ramona Road on the west. The impact of this closure under the various scenarios addressed in the PRDEIR is as follows.

Potential Impact: Under Baseline plus Project with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would create unacceptable LOS F operation at the intersection of El Camino Real/San Benito Road. This is considered to be a significant impact that would only occur if both the Walmart and Annex projects are operational during closure of the Del Rio Interchange.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-1d and TRANS-1e.
Facts in Support of the Finding: The addition of the projects’ traffic in addition to the diversion of projected traffic originally bound for the Del Rio Interchange would add traffic to the intersection of El Camino Real/San Benito Road, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. Side-street traffic on San Benito Road would experience higher than normal delays due to the increased traffic on El Camino Real. PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service under the Walmart Only with Closure of Del Rio Interchange conditions. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of this mitigation measure, this impact would be reduced to a less than significant level. Mitigation Measures TRANS-1d and TRANS-1e provide as follows:

MM TRANS-1d Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

MM TRANS-1e Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.
Potential Impact: Under Baseline plus Projects with Closure of Del Rio Interchange conditions traffic associated with the Projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would create unacceptable LOS F operation at the intersection of El Camino Real/San Anselmo Road (North). This is considered to be a significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-1b.

Facts in Support of the Finding: Implementation of the signal required by Mitigation Measure TRANS-1b would result in acceptable LOS C operation during the analyzed peak hours. Mitigation Measure TRANS-1b provides as follows:

MM TRANS-1b Prior to issuance of the final certificate of occupancy for Walmart, the intersection of El Camino Real/San Anselmo Road (North) shall be improved with a signal. The project applicant shall install the signal. The City of Atascadero shall determine the financial obligation of the applicant for the cost of the improvement, and the applicant installing the improvement shall be eligible for a fee credit for the cost of these improvements in excess of the project’s proportional-share contribution.

Potential Impact: Under Baseline plus Project with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would create unacceptable LOS F operation at the intersection of San Anselmo Road/US 101 Northbound Ramps. This is considered to be a significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-7b.

Facts in Support of the Finding: The stationing of trained traffic control officers at this interchange during peak hours in accordance with Mitigation Measure TRANS-7b would be expected to allow acceptable queuing operation. Mitigation Measure TRANS-7b provides as follows:

MM TRANS-7b During closure of the US 101/Del Rio Road interchange, the City of Atascadero shall station trained traffic control officers at the intersection of San Anselmo Road/US 101 Northbound Ramps during the peak hours to facilitate acceptable queuing operations.

Potential Impact: Under Baseline plus Projects with Closure of Del Rio Interchange conditions, traffic associated with the projects’ traffic and the
diversion of projected traffic originally bound for the Del Rio Interchange would create unacceptable LOS D operation at the intersection of El Camino Real/San Anselmo Road (South) and create eastbound queuing problems due to the heavy left-turning volumes. This is considered a significant impact that would only occur if both the Walmart and Annex projects are operational during closure of the Del Rio Interchange.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation as a result of the implementation of Mitigation Measures TRANS-1d and TRANS-1e.

Facts in Support of the Finding: Although a temporary impact, the queuing would cause additional backups through the already impacted interchange area. PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service under the Walmart Only with Closure of Del Rio Interchange conditions. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level. Mitigation Measures TRANS-1d and TRANS-1e provide as follows:

MM TRANS-1d Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

MM TRANS-1e Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared
Potential Impact: Under Baseline plus Projects with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would create unacceptable LOS F operation at the intersection of San Anselmo Road/US 101 Southbound Ramps. This is considered a significant impact.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measure TRANS-7c.

Facts in Support of the Finding: The stationing of trained traffic control officers at this interchange during peak hours would be expected to allow acceptable queuing operation. This recommendation is reflected in Mitigation Measure TRANS-7c. Mitigation Measure TRANS-7c provides as follows:

MM TRANS-7c During closure of the US 101 /Del Rio Road interchange, the City of Atascadero shall station trained traffic control officers at the intersection of San Anselmo Road/US 101 Southbound Ramps during the peak hours to facilitate acceptable queuing operations.

Potential Impact: Under Baseline plus Project with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would create unacceptable LOS E operation at the intersection of El Camino Real/San Ramon Road. This is considered to be a significant impact that would only occur if both the Walmart and Annex projects are operational during closure of the Del Rio Interchange.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-1d and TRANS 1e.

Fact is Support of the Finding: The addition of the projects’ traffic in addition to the diversion of projected traffic originally bound for the Del Rio Interchange would add traffic to the intersection of El Camino Real/San Ramon Road, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. Traffic would experience higher than normal delays due to the increased traffic. PRDEIR Section 3.11 - Transportation describes that
this intersection will operate at acceptable level of service under the Walmart Only with Closure of Del Rio Interchange conditions. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level. Mitigation Measures TRANS-1d and TRANS-1e provide as follows:

**MM TRANS-1d** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** Under Baseline plus Projects with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would create unacceptable LOS D operation at the intersection of El Camino Real/US 101 Northbound Ramps at the San Ramon Interchange. This is considered to be a
significant impact that would only occur if both the Walmart and Annex projects are operational during closure of the Del Rio Interchange.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-1d and TRANS-1e.

**Facts in Support of the Finding:** The addition of the projects’ traffic in addition to the diversion of projected traffic originally bound for the Del Rio Interchange would add traffic to the intersection of El Camino Real/US 101 Northbound Ramps, increasing average vehicle delays and causing intersection operation to fall below the City standard of LOS C. Traffic would experience higher than normal delays due to the increased traffic. PRDEIR Section 3.11 - Transportation describes that this intersection will operate at acceptable level of service under the Walmart Only with Closure of Del Rio Interchange conditions. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level. Mitigation Measures TRANS-1d and TRANS-1e provide as follows:

**MM TRANS-1d** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in
Potential Impact: Under Baseline plus Projects with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would cause unacceptable LOS E operation on the arterial segment of El Camino Real between San Ramon Road and Del Rio Road. This is considered to be a significant impact that would only occur if both the Walmart and Annex projects are operational during closure of the Del Rio Interchange.

Finding: The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-1d and TRANS-1e.

Facts in Support of the Finding: The addition of the projects’ traffic in addition to the diversion of projected traffic originally bound for the Del Rio Interchange would add traffic to the segment of El Camino Real, causing the segment to operate unacceptably at LOS E. Traffic would experience slower than normal speeds due to the increased traffic. PRDEIR Section 3.11 - Transportation describes that this segment will operate at acceptable level of service under the Walmart Only with Closure of Del Rio Interchange conditions. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level. Mitigation Measures TRANS-1d and TRANS-1e provide as follows:

MM TRANS-1d Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in
place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** Under Baseline plus Projects with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would cause unacceptable LOS E operation on the arterial segment of El Camino Real between the Walmart project access driveway and San Benito Road. This is considered to be a significant impact that would only occur if both the Walmart and Annex projects are operational during closure of the Del Rio Interchange.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-1d and TRANS 1e.

**Facts in Support of the Finding:** The addition of the projects’ traffic in addition to the diversion of projected traffic originally bound for the Del Rio Interchange would add traffic to the segment of El Camino Real, causing the segment to operate unacceptably at LOS E. Traffic would experience slower than normal speeds due to the increased traffic. PRDEIR Section 3.11 - Transportation describes that this segment will operate at acceptable level of service under the Walmart Only with Closure of Del Rio Interchange conditions. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level. Mitigation Measures TRANS-1d and TRANS-1e provide as follows:

**MM TRANS-1d** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with
proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**MM TRANS-1e** Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

**Potential Impact:** Under Baseline plus Projects with Closure of Del Rio Interchange conditions traffic associated with the projects’ traffic and the diversion of projected traffic originally bound for the Del Rio Interchange would cause unacceptable LOS E operation on the arterial segment of El Camino Real between San Benito Road and San Anselmo Road. This is considered to be significant impact that would only occur if both the Walmart and Annex projects are operational during closure of the Del Rio Interchange.

**Finding:** The City hereby makes Finding 1 and determines that this potentially significant impact is Less Than Significant as a result of the implementation of Mitigation Measures TRANS-1d and TRANS 1e.

**Facts in Support of the Finding:** The addition of the projects’ traffic in addition to the diversion of projected traffic originally bound for the Del Rio Interchange would add traffic to the segment of El Camino Real, causing the segment to operate unacceptably at LOS E. Traffic would experience slower than normal
speeds due to the increased traffic. PRDEIR Section 3.11 - Transportation describes that this segment will operate at acceptable level of service under the Walmart Only with Closure of Del Rio Interchange conditions. Mitigation Measures TRANS-1d and TRANS-1e require that the Del Rio Road/US 101 roundabout improvements be installed prior to the issuance of the first certificate of occupancy for the Annex commercial uses. With implementation of these mitigation measures, this impact would be reduced to a less than significant level. Mitigation Measures TRANS-1d and TRANS-1e provide as follows:

MM TRANS-1d  Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the conversion of the intersection of Del Rio Road/US 101 Northbound Ramps to a single-lane modern roundabout with a minimum 150-foot-long, right-turn bypass lane on the westbound approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

MM TRANS-1e  Prior to issuance of each building permit for the project, the project applicant shall provide the City of Atascadero with proportional-share fees for the construction of a five-legged, single-lane modern roundabout at the intersection of Del Rio Road/US 101 Southbound Ramps that incorporates Ramona Road as the fifth approach. The traffic impact fee shall be based on the size of the building subject to the building permit and shall be consistent with the proportional share cost methodology prepared by RCS as described in the “TIF Collection Process” discussion in Section 3.11, Transportation. The City of Atascadero shall collect the fees and shall be responsible for constructing the roundabout improvements. Implementation of the northbound and southbound roundabouts shall occur in tandem. The roundabout shall be in place no later than the issuance of the first certificate of occupancy for the Annex commercial uses.

12. Urban Decay

Potential Impact: The proposed project would not result in urban decay.
Finding: The City hereby makes Finding 1 and determines that this impact is Less Than Significant. No standard conditions of approval, or mitigation measures were required or recommended.

Facts in Support of Finding: As stated previously, urban decay depends on a causal chain as follows: (a) the project results in an economic impact so severe that stores might close as a result; (b) buildings and/or properties, rather than being reused within a reasonable time, would remain vacant; and, (c) Such vacancies would be significant enough in scale (in terms of total square footage affected and/or the loss of key anchor tenants) and duration to cause the buildings and/or properties to deteriorate, and lead to the physical decline of the buildings and/or nearby real estate.

The first link in this chain, store closure, is not a likely result from the proposed project alone, so the causal chain to urban decay does not exist. Outside the PMA, any impacts from additional sales capture would be spread among many outlets spread across the large retail bases in Paso Robles, the City of San Luis Obispo, and elsewhere, with no potential for closure indicated for any particular retail outlet. Furthermore, existing vacant retail spaces in Atascadero appear to be well-maintained, even for spaces vacant for extended periods. Thus, while the market will be see some short-term readjustments in response to the proposed project, long-term vacancy and urban decay are not seen as a likely outcome. It is important to note that City of Atascadero enforces various ordinances related to property maintenance, which would further reduce the potential for urban decay.

Additionally, the City’s Community Redevelopment Agency provides resources to maintain and improve physical conditions in the City’s commercial areas, particularly the Downtown. The Agency’s Project Area comprises the Downtown and most of the El Camino Real retail corridor throughout the City, including the site of the proposed project development. The Agency has a Downtown Revitalization Plan that includes a Streetscape Project, assistance for the Colony Square project, and funding for graffiti removal. The City also maintains an Office of Economic Development, which assists in the recruitment and expansion of commercial businesses within the City limits. The office is staffed by key personnel from each of the City’s seven departments. The Office of Economic Development has completed a number of projects in the past 18 months, indicating a proactive stance toward improving the retail environment and staving off physical decline.

Another factor that would tend to lessen the potential for urban decay is the likelihood of market corrections as future conditions evolve. Retail spaces such as those in the proposed project are often not developed without commitment from potential tenants. Without those commitments, developers will either cancel or delay projects, often due to the inability to obtain financing. With the exception of Walmart, BAE was not provided with information indicating any tenant commitments for the outlots or the Annex portions of the proposed project;
in the absence of those commitments, the project may not move forward on the
schedule assumed here, and the parcels may remain vacant for a longer period of
time. In Atascadero, an example of a site that has remained vacant until project
commitments are secured can be found in the Home Depot Center, which has had
an undeveloped parcel available for several years. However, a vacant parcel such
as this does not constitute urban decay.

In the event of an owner’s failure to maintain vacated properties in a condition
suitable for re-leasing, past experience indicates that the City of Atascadero will
prevent physical deterioration from occurring through active and aggressive
enforcement of its Code provisions relating to the abatement of public nuisances
that are due to lack of property maintenance and management. The City of
Atascadero has demonstrated its commitment to preventing physical deterioration
of commercial properties within the City through its successful enforcement
efforts to date. Based on its past performance and policy commitments, it is
reasonable to expect that the City will not allow commercial properties that may
become vacant to deteriorate physically. Impacts would be less than significant.

**Potential Impact:** The proposed project, in conjunction with pending and
approved retail projects, would not result in urban decay.

**Finding:** The City hereby makes Finding 1 and determines that this impact is
Less Than Significant. No standard conditions of approval, or mitigation
measures were required or recommended.

**Facts in Support of Finding:** None of the planned and proposed spaces include
supermarket or large discount general merchandise store space, so the additional
planned and proposed projects do not make it any more likely that a store in these
sectors would face closure. Based on the above analysis, there is the potential for
a decrease in overall sales at existing retail outlets in the PMA. It is not possible,
however, to state with certainty that particular outlets or centers are going to be
impacted by store closures, since much of the tenant mix in the proposed project
and the other reasonably foreseeable competitive projects is unknown; in fact, the
level of long-term loss is such that existing outlets on the whole might survive
without closure. The current market shows that there are retailers seeking space
for re-tenanting and that even under current conditions, re-tenanting is occurring
in the Atascadero area. Additionally, market corrections such as a longer buildout
period for the proposed project are likely in response to an increase in the
available existing inventory. Finally, based on its past performance and policy
commitments as discussed above, it is reasonable to expect that the City will not
allow commercial properties that may become vacant under cumulative
conditions to deteriorate physically such that urban decay would result.
G. CUMULATIVE EFFECTS

CEQA Guidelines Section 15130 requires the consideration of cumulative impacts within an EIR when a project’s incremental effects are cumulatively considerable. In identifying projects that may contribute to cumulative impacts, the CEQA Guidelines allow the use of a list of past, present, and reasonably anticipated future projects, producing related or cumulative impacts, including those which are outside of the control of the lead agency. The proposed project’s cumulative contribution to various impacts were considered in conjunction with other proposed and approved projects in Atascadero and unincorporated San Luis Obispo County.

1. Aesthetics, Light, and Glare

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable aesthetic impacts.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of analysis for cumulative aesthetics, light, and glare analysis is the area surrounding the project site; this area is within view of the project and is the area most likely to experience changes in visual character or experience light and glare impacts. The Specific Plan includes development standards and design guidelines to ensure that the development is compatible with existing surrounding development. Additional mitigation measures for elevations, landscaping, and signage are incorporated to ensure compliance with Municipal Code requirements. The implementation of these mitigation measures would reduce impacts to a level of less than significant. It is reasonable to assume that other projects would be required to reduce spillover light pursuant to City standards. While the proposed project would introduce new sources of exterior lighting, mitigation is proposed requiring the submission of a photometric plan. Additionally, parking lot lighting is to be directed away from public streets and residences so it does not produce glare, to ensure safety of vehicular traffic. Therefore, the proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable aesthetic impacts.

2. Air Quality and Greenhouse Gas Emissions

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would have cumulatively considerable impacts to Air Quality and Greenhouse Gas Emissions.

**Finding:** The City hereby makes Finding 3 and determines that this impact remains cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.
Facts in Support of Finding: The geographic scope of the cumulative air quality and greenhouse gas emissions analysis is the South Central Coast Air Basin, which covers the counties of San Luis Obispo, Santa Barbara, and Ventura. Air quality impacted by topography, dominant air flows, atmospheric inversions, location, and season and, therefore, using the Air Basin represents the area most likely to be impacted by air emissions.

SLO County APCD requests that a cumulative impact analysis be performed to evaluate the combined air quality impacts of this project and impacts from existing and proposed future development in the area. The SLO County APCD CEQA Air Quality Handbook states that the area should encompass all planned construction activities within 1-mile of the project.

The traffic study included vehicular trips from the proposed project and all present and future projects in the project vicinity. Therefore, CO hotspot concentrations calculated at these intersections include the cumulative traffic effects. The proposed project’s construction and operational emissions exceed SLO County APCD thresholds and mitigation is incorporated to reduce emissions. However, because of the uncertainty of various emissions reduction measures, the impact would found to be significant and unavoidable. As such, the proposed project would have a cumulatively considerable contribution to air quality impacts in this regard.

Taking into account the proposed project’s emissions, project design features, and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the proposed project furthers the state’s goals of reducing greenhouse gas emissions to 1990 levels by 2020 and an 80-percent reduction below 1990 levels by 2050, and does not obstruct their attainment. Other planned and approved projects would result in greenhouse gas emissions, which, depending on the nature of the project, may or may not be able to demonstrate greenhouse gas emissions reductions in accordance with the state’s goals. However, because the proposed project’s greenhouse gas emissions furthers the state’s reductions goals, its greenhouse gas emissions would be less than significant; therefore, they can be assumed not to be cumulatively considerable.

3. Biological Resources

Potential Impact: The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts to biological resources.

Finding: The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.
Facts in Support of Finding: The geographic scope of the cumulative biological resources analysis is the Specific Plan area. Biological impacts tend to be localized; therefore, the area near the project area would be the area most affected by project activities (generally within a 0.5-mile radius).

The proposed project would have significant impacts on special-status species and conflicts with local biological policies (Native Tree Ordinance) that could be mitigated to a level of less than significant. All other project biological impacts were found to be less than significant and did not require mitigation. Other projects that result in similar impacts would be required to mitigate for their impacts. Because the proposed project can mitigate all of its biological impacts to a level of less than significant, it would not have a related cumulative considerable impact.

4. Cultural Resources

Potential Impact: The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts to cultural resources.

Finding: The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The geographic scope of the cumulative cultural resources analysis is the project area. Cultural resource impacts tend to be localized; therefore, the area near the project area would be the area most affected by project activities (generally within a 500-foot radius).

Subsurface construction activities associated with the proposed project were found to have the potential to damage or destroy previously undiscovered historic resources, the potential to damage or destroy previously undiscovered paleontological resources, and the potential to damage or destroy previously undiscovered human burial sites, though these effects were determined to be less than significant with mitigation. The proposed project was also found to have a potentially significant impact to historical resources associated with the residence at 1800 El Camino Real. The residence is eligible for local designation, as an example of an Atascadero Colony residence, an increasingly rare resource type. Mitigation to lessen the impact through archival documentation and relocation to another suitable site as determined by the City of Atascadero is proposed, which would fully mitigate the impact. Because none of the other cumulative projects are in proximity to the project site, there would be no cumulative impacts. Other projects that result in similar impacts would be required to mitigate for their impacts. Therefore, the proposed project, in conjunction with other projects, would not have cumulative considerable impacts on cultural resources.

5. Geology, Soils, and Seismicity
(1) **Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts geology, soils, and seismicity. **Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative geology, soils, and seismicity analysis is the project area. Geologic, soil, and seismic impacts tend to be localized; therefore, the area near the project area would be the area most affected by project activities.

The proposed project would have significant impacts on seismic hazards, erosion, and unstable geologic units and soils that could be mitigated to a level of less than significant. All other project geologic impacts were found to be less than significant and did not require mitigation. Other projects that result in similar impacts would be required to mitigate for their impacts. Because the proposed project can mitigate all of its impacts to a level of less than significant, it would not have a cumulative considerable impact.

6. **Hazards and Hazardous Materials**

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts to hazards and hazardous materials.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative hazards and hazardous materials analysis is the project area. Adverse effects of hazards and hazardous materials tend to be localized; therefore, the area near the project area would be most affected by project activities.

The proposed project would have significant impacts associated with hazardous materials from past or present site usage as well as the potential for risk of upset that could be mitigated to a level of less than significant. All other project-related hazards impacts were found to be less than significant and did not require mitigation. Other projects that result in similar impacts would be required to mitigate for their impacts. Because the proposed project can mitigate all of its impacts to a level of less than significant, it would not have a cumulative considerable impact.

7. **Hydrology and Water Quality**
**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on Hydrology and Water Quality.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative hydrology and water quality analysis is the project vicinity, generally areas within 0.5 mile of the project site. Hydrologic and water quality impacts tend to be localized; therefore, the area near the project site would be most affected by project activities.

Development projects in the project vicinity may have the potential to create sources of short-term and long-term water pollution. These projects would be required to mitigate for impacts by providing stormwater pollution prevention measures in accordance with state and local regulations. Mitigation is proposed that would require implementation of various construction and operational water quality control measures that would prevent the release of pollutants into downstream waterways.

Development projects in the project vicinity may involve activities that have the potential to contaminate groundwater; where this occurs, these projects would be required to mitigate for impacts by monitoring or remediating sources of groundwater contamination in accordance with state regulations. The project site contains a former truck barn that released pollutants into the soil. Groundwater monitoring indicates that concentrations of pollutants have dissipated over time and are below regulatory thresholds. Mitigation is proposed that would require the applicant to consult with the Regional Water Quality Control Board to determine if further action is necessary and, if so, implement such actions. Because none of the cumulative projects are in proximity to the project site, there is no potential for cumulative effects in this regard.

Development projects in the project vicinity may involve activities that have the potential to increase the use of groundwater resources. However, the Atascadero Subbasin, which is the primary water source for the Atascadero area, is not in a state of overdraft. Furthermore, the Atascadero Mutual Water Company—the local water purveyor—projects adequate groundwater supplies to be available over the long-term. As such, the proposed project, in conjunction with other projects, would not deplete groundwater supplies.

Development projects in the project vicinity may have the potential to increase impervious surface coverage and, therefore, may result in increased runoff volumes in downstream waterways. The proposed project would install an onsite storm drainage system consisting detention basins. The basins will be sized to
reduce the peak flows generated from the 50-year design storm in the developed condition to the peak flows from the 2-year design storm in the predevelopment condition. This would ensure that the proposed project would not contribute to downstream flooding conditions during peak storm events.

Therefore, the proposed project, in conjunction with other planned and approved projects, would not have a cumulatively considerable impact on hydrology and water quality.

8. **Land Use**

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on Land Use.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative land use analysis is the Atascadero area. Land use decisions are made at the city level; therefore, the Atascadero area is an appropriate geographic scope.

The proposed Specific Plan, when adopted, will serve as the overlay zone for the combined project sites. The Specific Plan will implement the General Plan goals and policies within the plan area. Further, the Specific Plan, together with the underlying zoning on the sites, will establish permitted uses and provide development regulations, requirements, and design guidelines for the Specific Plan area consistent with the proposed Walmart and Annex components and compatible with the existing surrounding development. The proposed project, in conjunction with other planned or approved projects, would not have a cumulatively considerable impact on land use.

9. **Noise**

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on Noise.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative noise analysis is the project vicinity, including surrounding sensitive receptors. Noise impacts tend to be localized; therefore, the area near the project site (approximately 0.25 mile) would be the area most affected by project activities.
Construction activities associated with the proposed project and the construction of the roundabouts would result in substantial sources of noise. Mitigation is proposed that would require the contractor to implement various sound control measures, including limitation of construction hours, using noise attenuation devices on heavy equipment, and the use of a construction noise barrier along the perimeter of the project site. Implementation of these mitigation measures would reduce project impacts to a less than significant level.

Other planned and approved projects would be required to evaluate construction noise impacts and implement mitigation, if necessary, to minimize noise impacts pursuant to local regulations. Timing of construction activities associated with other development projects would overlap minimally, if at all, with the proposed project. Construction noise would generally be limited to daytime hours and would be short-term in duration. Therefore, it is reasonable to conclude that construction noise from the proposed project would not combine with noise from other development projects to cause cumulatively considerable noise impacts.

The proposed project’s construction and operational vibration levels would not exceed annoyance thresholds. Because vibration is a highly localized phenomenon, there would be no possibility for vibration associated with the project to combine with vibration from other projects because of their distances from the project site. Therefore, the proposed project would not contribute to a cumulatively considerable vibration impact.

After mitigation, the proposed project’s vehicular trips would not make a substantial incremental contribution to ambient noise levels under baseline-with-project and future-with-project conditions. These noise levels account for existing vehicle trips as well as vehicle trips from future projects. In addition, other projects would be required to evaluate offsite roadway noise and, if necessary, mitigate for such impacts pursuant to local regulations. In addition, the proposed project’s contribution to vehicular noise levels would not exceed the applicable thresholds of significance, which take into account existing noise levels as well as noise from trips associated with other planned or approved projects. Thus, the proposed project would not combine with other projects to cause cumulatively considerable increase in ambient roadway noise.

The combined stationary and transportation noise levels would not exceed city standards at any nearby sensitive receptor. Other planned and approved projects would be required to mitigate for stationary- and transportation-related noise impacts at nearby sensitive receptors. Moreover, stationary noise and transportation noise are localized phenomena, and there is a very limited potential for other projects to contribute to cumulative noise impacts, beyond the transportation-related noise that is already analyzed above and found not to be cumulatively significant. As such, the proposed project, in conjunction with other projects, would not cause a cumulatively considerable, permanent increase in ambient noise levels in the project vicinity.
10. Public Services and Utilities

The geographic scope of the cumulative public services analysis is the service area of each of the providers serving the project. Because of differences in the nature of the public service and utility topical areas, they are discussed separately:

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on fire protection and emergency medical services.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative fire protection and emergency medical services analysis is the Atascadero Fire Department service area, which encompasses the City of Atascadero.

The Fire Department indicated that it would have adequate resources to meet the demand generated by the proposed project. According to the Fire Chief, proposed project would not create a need for new or expanded fire protection facilities, and, therefore, would not result in a physical impact on the environment. Mitigation has been incorporated to address the Fire Chief’s concerns regarding the increased number of calls in the form of a Construction Fire Risk Mitigation Plans that must be submitted to the City of Atascadero for approval. The project also incorporates mitigation to address fire risks during the operation of the project. The applicant is required to prepare and submit plans to the City of Atascadero demonstrating compliance with all applicable fire safety code requirements. Additionally, the proposed project would provide fees for fire protection in accordance with the City’s development fee schedule. Other development projects in Atascadero would be reviewed for impacts on fire protection and emergency medical services and would be required to address any potential impacts with mitigation. Because demand for fire protection and emergency medical services is highly dependent on a number of factors that vary substantially by project (hours of operation, fire prevention measures, occupancy by sensitive populations, etc.), it is unlikely that there would be substantial overlap in demand between these projects and the proposed project that would result in a cumulatively considerable impact such that new facilities are necessary. Therefore, the proposed project, in conjunction with other future projects, would not have a cumulatively considerable impact on fire protection and emergency medical services.

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on law enforcement.
Finding: The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The geographic scope of the cumulative police protection analysis is the City of Atascadero, which is the serve area of the Atascadero Police Department.

The Atascadero Police Department provided a written response recommending that a number of security measures be implemented and identifying a number of activities that should be prohibited, which have been incorporated as a mitigation measure. With the implementation of this mitigation measure, impacts would be reduced to a level of less than significant. Additionally, the proposed project would provide fees for police protection in accordance with the City’s development fee schedule. Therefore, the proposed project would not create a need for new or expanded police protection facilities and would not result in a physical impact on the environment. Other development projects in Atascadero would be reviewed for impacts on police protection and would be required to address any potential impacts with mitigation. Because demand for police protection is highly dependent on a number of factors that vary substantially by project (clientele, hours of operation, crime prevention measures, etc.), it is unlikely that there would be substantial overlap in demand that would result in a cumulatively considerable impact such that new facilities are necessary. Therefore, the proposed project, in conjunction with other future projects, would not have a cumulatively considerable impact on law enforcement.

Potential Impact: The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on potable water supply.

Finding: The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The geographic scope of the cumulative potable water analysis is the Atascadero Mutual Water Company service area, which encompasses the city limits, the Sphere of Influence and some nearby unincorporated communities. Approximately 95 percent of the Water Company’s customers are within the Atascadero city limits.

The 2005 Urban Water Master Plan estimates that sufficient water is available to meet the needs of the service area through the year 2025, which accounts for the City of Atascadero’s General Plan’s long-term growth assumptions. The Water Company projects surpluses ranging from 568 to 2,894 acre-feet annually under all water reliability scenarios between 2010 and 2025. Thus, the proposed project’s demand of 56.3 acre-feet annually would be well within projected...
surpluses. In recognition that the water supply numbers account for water demand management practices during dry years, mitigation is proposed to reduce the project’s demand on water supply through the implementation of indoor and outdoor water conservation measures. Implementation of mitigation measures reduces this impact to a level of less than significant. Future development projects within the Atascadero Mutual Water Company’s service area would be served by adequate long-term water supplies based on the Urban Water Management Plan’s projections. Furthermore, these projects also would be required to demonstrate that potable water supply sources are available, and these projects may be required to implement water conservation measures. Therefore, the proposed project, in conjunction with other planned and approved projects, would not have a cumulatively considerable impact on potable water supply.

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on wastewater.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative wastewater analysis is the City of Atascadero. The Wastewater Division of the Atascadero Public Works Department provides wastewater transmission, treatment, and disposal for the City of Atascadero.

All future projects would be required to demonstrate that sewer service is available to ensure that adequate sanitation can be provided. The City’s Public Works Department indicated that the water quality control facility has adequate capacity to serve the proposed project and other approved projects within the service area and no new facilities are necessary. Therefore, the proposed project, in conjunction with other planned and approved projects, would not have a cumulatively considerable impact on wastewater.

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on storm drainage.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative storm drainage analysis is the City of Atascadero’s storm drainage system, which generally encompasses lands within the city limits.

The proposed project would install an onsite storm drainage system consisting of detention basins that will be sized to reduce the peak flows generated from the 50-
year design storm in the developed condition to the peak flows from the 2-year design storm in the predevelopment condition. This would ensure that the proposed project would not contribute to downstream flooding conditions during peak storm events. As such, the proposed project would ensure that no net increase in stormwater would leave the project site during a peak storm event and would avoid cumulatively considerable contribution of stormwater to downstream waterways at times when capacity is most constrained. The proposed project would implement standard pollution prevention measures during construction to ensure that downstream water quality impacts are minimized to the greatest extent possible. In addition, the proposed project would provide water quality measures to prevent pollution during store operations. Therefore, the proposed project, in conjunction with other planned and approved projects, would not have a cumulatively considerable impact on storm drainage.

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on solid waste.

**Finding:** The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

**Facts in Support of Finding:** The geographic scope of the cumulative solid waste analysis is the City of Atascadero. Atascadero Waste Alternatives, Inc., a company of Waste Management, Inc., provides solid waste and recycling collection services to commercial and residential customers in the City of Atascadero.

Future development projects would generate construction and operational solid waste and, depending on the volumes and end uses, would be required to implement recycling and waste reduction measures. There is sufficient capacity available to serve the proposed project as well as existing and planned land uses in Atascadero for the foreseeable future. Additionally, mitigation is included that would require the project applicant to retain a qualified contractor to perform construction and demolition debris recycling and to provide the installation of onsite facilities necessary to collect and store recyclable materials. These practices would divert substantial quantities of materials from the solid waste stream and contribute to conserving landfill capacity, thereby extending the operational life of such facilities. Accordingly, the proposed project, in conjunction with other future projects, would not have a cumulatively considerable impact on solid waste.

**Potential Impact:** The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on energy consumption.
Finding: The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The geographic scope of the cumulative energy analysis is the PG&E electricity service area, which encompasses all or part of the 47 counties in California, including the City of Atascadero and the Southern California Gas Company (Gas Company) service area, which provide natural gas service to a territory encompassing approximately 20,000 square miles throughout Central and Southern California, from Visalia to the Mexican border, including the City of Atascadero.

Future development projects in the PG&E and the Gas Company service area would be required to comply with Title 24 energy efficiency standards. The proposed project’s structures would be designed in accordance with Title 24, California’s Energy Efficiency Standards for Residential and Nonresidential Buildings. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., HVAC and water heating systems), indoor and outdoor lighting, and illuminated signs. The proposed project also would incorporate a number of energy conservation measures that exceed Title 24 requirements. The incorporation of the Title 24 standards and other energy conservation measures into the project would ensure that the project would not result in the inefficient, unnecessary, or wasteful consumption of energy. Therefore, the proposed project, in conjunction with other future projects, would not have a cumulatively considerable impact on energy consumption.

11. Transportation

Potential Impact: The proposed project, in conjunction with other planned or approved projects, would have a cumulatively considerable impacts on transportation.

Finding: The City hereby makes Finding 3 and determines that this impact remains cumulatively considerable after the implementation of project design features, standard conditions of approval, or mitigation measures.

Facts in Support of Finding: The geographic scope of the cumulative transportation analysis is the project vicinity. All the new development projects in the vicinity would generate new vehicle trips that may trigger or contribute to unacceptable intersection operations, roadway segment operations, and queuing; as such all projects would be required to mitigate for their fair share of impacts. The proposed project would contribute trips to intersections, roadway segments, freeway segments, and queues that would operate at unacceptable levels. All feasible mitigation measures are proposed that would improve operations to acceptable levels. However, because the freeway impact cannot be fully mitigated and also because there is uncertainty whether all necessary
improvements would be fully funded and implemented as contemplated; the residual significance is significant and unavoidable. Therefore, the proposed project, in conjunction with other projects, would have a cumulatively considerable contribution to unacceptable intersection, roadway, and freeway operations and queuing.

Additionally, the proposed project would generate short-term construction traffic and would result in temporary road closures that may cause congestion and delays on surface streets in the project vicinity. Mitigation is proposed requiring the implementation of various temporary traffic control measures to alleviate congestion and delays, which would fully mitigate the impact to a level of less than significant. Therefore, the proposed project, in conjunction with other projects, would not have a cumulatively considerable contribution to unacceptable traffic operations during short-term construction activities.

For other transportation-related areas, the proposed project would have significant impacts on roadway hazards emergency access, and alternative transportation. After the implementation of mitigation, these impacts would be reduced to a level of less than significant. Other projects that result in similar impacts would be required to mitigate for their impacts. Because the proposed project can mitigate all of its impacts to a level of less than significant, it would not have a related cumulative considerable impact.

12. Urban Decay

Potential Impact: The proposed project, in conjunction with other planned or approved projects, would not have cumulatively considerable impacts on Urban Decay.

Finding: The City hereby makes Finding 1 and determines that this impact would not be cumulatively considerable. No standard conditions of approval, or mitigation measures were required or recommended.

Facts in Support of Finding: The geographic scope of the cumulative urban analysis is the Primary and Secondary Market Area North and South, with the Primary Market Area defined as the City of Atascadero and the unincorporated community of Templeton to the north of the project site, as well as surrounding rural areas. The Secondary Market Area North is defined as Paso Robles and areas of the County to the north beyond Paso Robles. The Secondary Market Area South is defined as the City of San Luis Obispo and the coastal communities extending from Baywood-Los Osos north to the Monterey County line.

None of the cumulative projects analyzed include supermarket or large discount general merchandise store space, so the additional planned and proposed projects do not make it any more likely that a store in these sectors would face closure. There is the potential for a decrease in overall sales at existing retail outlets in the Primary Market Area. It is not possible, however, to state with certainty that
particular outlets or centers are going to be impacted by store closures, since much of the tenant mix in the proposed project and the other reasonably foreseeable competitive projects is unknown; in fact, the level of long-term loss is such that existing outlets on the whole might survive without closure. The current market shows that there are retailers seeking space for re-tenanting and that even under current conditions, re-tenanting is occurring in the Atascadero area. Based on its past performance and policy commitments, it is reasonable to expect that the City will not allow commercial properties that may become vacant under cumulative conditions to deteriorate physically such that urban decay would result. As such, the proposed project, in conjunction with other projects, would not cumulatively contribute to urban decay.
V. PROJECT ALTERNATIVES

A. Alternatives Considered and Rejected During the Scoping/Project Planning Process

The following is a discussion of the land use alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the Draft EIR and PRDEIR. Among the factors that can be used to eliminate alternatives from detailed consideration in an EIR is “failure to meet most of the basic Project Objectives, infeasibility, or inability to avoid significant environmental impacts” (CEQA Guidelines Section 15126.6[c]). Several alternatives were eliminated during the scoping/planning process, either because they were deemed not to meet most Project Objectives, were infeasible or were technologically or environmentally inferior as compared to the proposed Project.

1. Alternative Location

CEQA Guidelines Section 15126.6(f)(2) sets forth considerations in addition to those noted above to be used in evaluating alternative locations. The section states that the “key question” is whether any of the significant effects of the project would be avoided or substantially lessened by relocating the project. The CEQA Guidelines establishes that only locations that would accomplish these objectives should be considered. Accordingly, the following screening criteria were established for evaluating an alternative location pursuant to CEQA Guidelines Section 15126.6:

- Be located within the Atascadero city limits or Sphere of Influence
- Have direct access to a major arterial roadway and be located within 0.5 mile of an freeway interchange
- Provide sufficient acreage to meet industry standards for 260,460 square feet of commercial uses (approximately 20 to 40 acres)
- Be readily available to project applicant (i.e., the applicant can reasonably acquire, control, or otherwise have access to the alternative location)

Based on field reconnaissance and review of the General Plan land use map and aerial photographs, no alternative locations exist within the City of Atascadero for the following reasons:

- Available locations do not provide the minimum acreage necessary to support a project of this size.
- Available locations do not have access to a major arterial roadway or are not within 0.5 miles of a freeway interchange.
• Available locations are not controlled by the applicants.

In summary, no feasible alternative locations exist within the City. Further, even if an alternative location could meet most of the Project objectives, the construction and operation of this Project at an alternative location would not satisfy the CEQA Guidelines objective of avoiding or substantially lessening the proposed Project’s significant air emissions and transportation/circulation effects, which are primarily a product of the size of the project and not its specific location. Therefore, alternative locations have been rejected from further consideration.

2. **Annex Only Alternative**

Although the Annex Only Alternative would meet some of the project objectives, it would not meet a fundamental project objective of providing the market area with a regionally oriented major retail anchor that serves as a draw for other retail and restaurant uses. Without a regionally oriented major retail anchor, the alternative also would not accomplish to the same degree an important project objective to enhance the local economy by capturing retail expenditures that are leaking to other markets. Additionally, this alternative’s economic viability is dependent on the presence of the Walmart store. As described in Section 2, Project Description of the DEIR, the Annex commercial uses are intended to cater to customers whom are attracted to the Specific Plan area by the Walmart store. As such, the Annex commercial uses would largely be dependent and complement Walmart. For example, the Annex’s eating and drinking establishments would be well-positioned to serve Walmart shoppers looking for lunch or dinner options. Likewise, the Annex does not include space for a large-format discount retailer or grocery store. Although certain uses may directly compete with retail offerings provided at Walmart (e.g., a pharmacy), these would represent a fairly small portion of the overall Annex commercial offerings.

For these reasons, developing the Annex component by itself is not considered feasible and, therefore, does not constitute a potentially feasible alternative pursuant to CEQA Guidelines Section 15126.6. Consequently, this alternative has been considered and rejected from further analysis.

**B. The City Findings Relating to Alternatives Selected for Analysis**

In making these findings, the City certifies that it has independently reviewed and considered the information on alternatives provided in the FEIR, including the information provided in comments on the DEIR/PRDEIR and the responses to those comments in the FEIR. The FEIR’s discussion and analysis of these alternatives considered in the FEIR is not repeated in total in these findings, but the discussion and analysis of the alternatives in the FEIR are incorporated in these findings by reference to supplement the analysis here. The City also certifies that it has independently reviewed and considered all other information in the administrative record.

**Finding:** The City finds that the range of alternatives studied in the FEIR reflects a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the Project’s environmental effects,
while accomplishing most of the Project Objectives. The City finds that the alternatives analysis is sufficient to inform the City, agencies, and the public regarding the tradeoffs between the degree to which alternatives to the Project could reduce environmental impacts found to be significant and that cannot be avoided or substantially lessened and the corresponding degree to which the alternatives would hinder the achievement of the Project Objectives and other economic, environmental, social, technological, and legal considerations.

Finding: As set forth in Section IV, the City has adopted mitigation measures that avoid or reduce, to the extent feasible, the significant environmental effects of the Project. As explained in Section IV of these findings, while these mitigation measures will not mitigate all Project impacts to a less-than-significant level, they will mitigate those impacts to a level that the City finds is acceptable.

Finding: The City finds the alternatives to the Project to be infeasible as described below and in the FEIR. Accordingly, the City has determined to approve the Project instead of approving one of the remaining alternatives, as follows: In making this determination, the City finds that when compared to the alternatives described and evaluated in the FEIR, the Project, as mitigated, provides a reasonable balance between satisfying the Project Objectives and reducing potential environmental impacts to an acceptable level. The City further finds and determines that the Project should be approved, rather than one of the other alternatives, for the reasons set forth below and in the FEIR. In making this determination, the City finds that when compared to the other alternatives described and evaluated in the FEIR, the Project, as mitigated, provides a reasonable balance between satisfying the Project Objectives and reducing potential environmental impacts to an acceptable level. The City further finds and determines that the Project should be approved, rather than one of the other alternatives, for the reasons set forth below and in the FEIR.

The CEQA Guidelines indicate that an EIR must "describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives" (Guidelines Sec. 15126.6[a]). Accordingly, the alternatives selected for review pursuant to this EIR focus on: (a) the specific General Plan policies pertaining to the Project site and (b) alternatives that could eliminate or reduce significant environmental impacts to a level of insignificance, consistent with the Project objectives (i.e., the alternatives could impede to some degree the attainment of Project objectives, but would still enable the Project to obtain its basic objectives). The alternatives analyzed in the following sections include:

Alternative 1 - No Project/No Development Alternative

Alternative 2 - No Project/Existing Land Use Designations Alternative

Alternative 3 - Walmart Only Alternative
Alternative 4 - Reduced Density Alternative

The City’s findings and facts in support of findings with respect to each of the alternatives considered are provided below:

1. **Alternative 1 - No Project/No Development Alternative**
   
   **a) Description:**
   This alternative is required by CEQA. Pursuant to CEQA Guidelines section 15126.6(e)(2), this alternative describes what would reasonably be expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services.

   The “No Project/No Development Alternative” considered in the FEIR assumes that if the Project is not approved, no further development of the Project Site would occur in the foreseeable future. Thus, the Project site would remain as a disturbed, unimproved vacant site for the foreseeable future. Typically, a more realistic assumption is that, at some time in the future, the site could be built out with other uses, consistent with its existing land use entitlements. In this case, this scenario is evaluated under Alternative 2, No Project/Existing Land Use Designation Alternative. In any event, given the state of the economy and the lack of proposals by other retailers or developers in completing the development or completing a development similar in nature in this location, the No Project/No Development Alternative may prove to be the more realistic of the two “No Project” alternatives considered.

   The existing conditions within the project site include the Walmart site, which include 11 parcels totaling 26 acres that contain undeveloped, unimproved land and an unoccupied, single-family residence (Colony home). The site formerly contained eight single family residences, which were removed. Remnants of these past uses still exist, including concrete foundation slabs and underground utilities. The site contains 120 trees, the majority of which are native oaks. The Annex site consists of six parcels. Five of the parcels totaling 11.4 acres occupy the northeast quadrant of Del Rio Road/El Camino Real intersection (Annex East). The remaining parcel totaling 1.7 acres is slightly north of Del Rio Road on the west side of the intersection of Del Rio Road/El Camino Real intersection (Annex site West). The five parcels at the northeastern corner of the Del Rio Road/El Camino Real intersection contain undeveloped, unimproved land that formerly was used for residential uses. The parcel on the west side of El Camino Real contains a dilapidated, unoccupied, single-family residence (Colony home) and three outbuildings. All six parcels contain approximately 46 trees, including oaks, sycamores, and black walnuts. The proposed project area would remain in this current state for the foreseeable future.

   **b) Environmental Effects:**
   The proposed project area would remain in its existing condition and no changes would occur. As such, the proposed project’s significant unavoidable impacts would all be avoided, and the potentially significant impacts that can be mitigated to a level of less than significant would not occur.
c) Ability to Achieve Project Objectives:
This alternative would not advance any of the project objectives, and it is not a reasonable expectation for the property owners to keep the Specific Plan area in its existing condition for the foreseeable future because of previous investments. Moreover, this alternative would not realize the project benefits of increased retail opportunities, additional employment opportunities, and new tax revenues.

d) Finding: The City hereby reject the No Project/No Development Alternative as infeasible.
This alternative would eliminate all the significant unavoidable impacts of the Project. However, the No Project/No Development Alternative would not satisfy any of the Project objectives nor would it realize the Project benefits of increased retail opportunities, additional employment opportunities, and new tax revenues. Given the state of the economy and the lack of proposals by other retailers or developers in completing the development or completing a development similar in nature in this location, this alternative may be the likely result if the proposed project is not constructed. On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the alternative’s failure to achieve any of the Project Objectives. In light of these considerations, this alternative has been rejected in favor of the proposed Project.

2. Alternative 2 - No Project/Existing Land Use Designations Alternative

a) Description:
This alternative is required by CEQA. Pursuant to CEQA Guidelines section 15126.6(e)(2), this alternative describes what would reasonably be expected to occur in the foreseeable future if the proposed project were not approved, based on current plans and consistent with available infrastructure and community services if and when a proposal were made to the City. The vacant portions of the site would be developed under the existing General Plan Land Use Designation and Zoning.

Based on the development assumptions for this alternative that is described in the FEIR, the alternative would yield 201,465 square feet of commercial development and 150 dwelling units. The commercial uses may consist of mid-size (40,000 square feet or less) and smaller spaces; however, this alternative would not consolidate any lots and none of the parcels would be large enough to support a Walmart store or other large retail footprint. Residential uses would consist of 32 high-density multi-family units, 110 medium density multi-family dwelling units and eight (8) single family dwelling units with one primary residence and one secondary unit on each lot as allowed per the City’s Zoning Ordinance.

b) Environmental Effects:
The No Project/Existing Land Use Designations Alternative would result in a reduction of 58,995 square feet of commercial uses and an increase of 100 dwelling units relative to the proposed Project. Construction activities would be similar to the proposed Project; however, this alternative’s operations would generate 342 more daily vehicle trips. Accordingly, the No
Project/Existing Land Use Designations Alternative would result in similar significant unavoidable air quality and transportation impacts as the proposed Project. However, the severity of all significant unavoidable impacts would be greater because more daily and PM peak hour vehicle trips would be generated, resulting in greater tailpipe emissions and more congestion relative to the proposed Project.

This alternative would result in more roadway noise. Therefore, this alternative would have greater noise impacts than the proposed project’s less than significant impact. In addition, this alternative would increase residential uses which may result in greater demands for fire protection, emergency medical services, and police protection; more consumption of water and energy; and more generation of wastewater and solid waste. As such, this alternative would demand greater resources and generate more effluent, increasing the severity of impacts. Therefore, this alternative would have greater impacts on public services and utilities than the proposed project’s less than significant impacts. Similarly, due to the site’s recognized environmental constraints and because this alternative would increase residential uses, the severity of hazards and hazardous materials impacts would be greater than the project’s less than significant impact.

The amount of impervious area would be reduced by this alternative, which would lessen the severity of impacts from a water quality perspective and a drainage perspective. Accordingly, this alternative would have fewer impacts on hydrology and water quality than the proposed project’s less than significant impacts. Although the Project’s urban decay impacts are less than significant, this alternative would result in the development of less commercial square footage, thereby reducing the amount of sales the Project would capture from competing retailers like food stores, general merchandise, and pharmacies. As such, the severity of impacts associated with urban decay would be less than the Project’s less than significant impacts.

Finally, this Alternative would have impacts associated with aesthetics, light, and glare; biological resources; cultural resources; geology, soils, and seismicity; land use similar to the proposed project’s less than significant impacts.

c) Ability to Achieve Project Objectives:
This alternative would not achieve the majority of the project objectives to the same degree as the proposed Project based on the following analysis:

(1) Less redevelopment of underutilized land to higher and better uses:
The uncertainty associated with this alternative as well as the difficulty attracting developers in the current economy render this alternative infeasible. The City finds that were it to proceed with this Alternative, it is foreseeable that the Project site would remain vacant for an extended period of time, delaying the City’s receipt of the type of benefits provided by the Project.
(2) Reduced enhancement of the local economy:
A fundamental objective of the proposed Project is to enhance the local economy by capturing retail sales leakage to other cities thereby generating additional local sales tax revenue. The Project would generate an estimated $93.7 million in annual sales; the No Project/Existing Land Use Designation Alternative would generate approximately $32.7 million less sales per year, resulting in less positive contribution to the local economy and generating less tax revenue for the City. The Project is estimated to generate annual fiscal revenues for the City of approximately $636,100, primarily from sales tax, and secondarily from property tax, according to the Fiscal Impact Analysis, December 2010. While revenues of the No Project/Existing Land Use Designation Alternative were not calculated in the Fiscal Impact Analysis, it is reasonable to expect that there would be correspondingly less revenues based on the lesser square footage of retail sales space associated with the alternative. Supportive of this conclusion are analyses and calculations prepared by the EIR consultant showing this alternative would generate $32.7 million fewer sales revenues than the Project. In terms of expenses, the Fiscal Impact Analysis, estimated the Project would cost the City approximately $106,500, with the largest expenses derived from public safety services (police and fire). While the costs of the No Project/Existing Land Use Designation Alternative were not calculated, it is reasonable to presume that costs would be higher due to the greater number of residential units which typically demand more Police and Fire Department resources than commercial land uses. Thus, the No Project/Existing Land Use Designation Alternative, which would require greater municipal expenses, would not expand the tax base as compared to the proposed Project, a key Project Objective.

(3) Fewer employment opportunities:
An objective of the Project is to positively contribute to the local economy by creating new employment opportunities. According to the Project applicants, the proposed Project is expected to provide approximately 520 new employment opportunities. The No Project/Existing Land Use Designation Alternative is associated with 58,995 fewer square feet of commercial space, which would be expected to yield fewer new job opportunities and over a much longer period of time, delaying the fulfillment of this critical Project objective to an unspecified time in the future. Based on the standard employment estimate of 1 job per 500 square feet, the No Project/Existing Land Use Designation Alternative would produce an estimated 402 part time and full time jobs. This is a reduction of 118 jobs, which is critical component of the City’s economy.

(4) Promotion of less economic growth and development consistent with the policies of the City of Atascadero General Plan:
An objective of the proposed Project is to promote economic growth and development that is consistent with the policies of the City of Atascadero General Plan. The General Plan calls for this area to be a master planned commercial shopping area. With the No Project/Existing Land Use Alternative, the area would develop on a parcel by parcel basis, and not take advantages that a master planned or specific plan has to offer to ensure high quality design that larger retailers are attracted to. In addition, development on a parcel by parcel basis would not create a vibrant node and destination point for retail and
other commercial development that can be accessed either by car, transit, or bicycle that the proposed project would accomplish.

(5) **Less reduction in vehicle miles traveled:**
An objective of the proposed Project is to reduce local resident’s vehicle miles traveled by developing a major retail anchor within the urbanized area currently served by existing infrastructure. The proposed Project would be expected to reduce vehicle miles traveled by residents who are currently shopping outside the Primary Trade Area (i.e., Atascadero, Templeton, and nearby unincorporated areas) for everyday household items. Currently, local residents have to travel to Paso Robles, San Luis Obispo or the South County for a regionally oriented retail shopping destination that includes both everyday household goods and a grocery component. With such a retail destination located within the City, it is reasonably expected that residents would prefer to shop locally thereby reducing the number of vehicle miles traveled for residents and reducing the amount of greenhouse gas emissions on a per resident basis. The No Project/Existing Land Use Designation Alternative may not produce the parcel consolidation necessary to build a “Walmart” type anchor tenant that provides a variety of household goods that would meet this objective. In addition, the significant unavoidable transportation impacts would be greater under this alternative because of the increase in daily and PM peak hour vehicle trips, which would result in additional air quality impacts due to greater tailpipe emission when compared to the proposed Project.

d) **Finding: The City hereby reject the No Project/No Development Alternative as infeasible.**
While this alternative would lessen several of the impacts, the No Project/Existing Land Use Designation Alternative would worsen the significant unavoidable operational air quality emissions and transportation impacts and would not further many the Project’s Objectives. On balance, the alternative is less desirable than the Project and does not lessen the overall environmental impacts nor provide the same level of benefits as the proposed Project. While this alternative would avoid the Project’s significant short-term impacts to hydrology and urban decay, the remainder of the environmental impacts of this alternative would be very similar to or even increased by this alternative. This alternative would achieve a few, but not all, of the objectives established for the Project. From a policy perspective, this alternative would fail to provide the City with additional employment opportunities and lessen the enhancement of the local economy. In light of these considerations, this alternative has been rejected in favor of the proposed project.

3. **Alternative 3 - Walmart Only Alternative**

a) **Description:**
The Walmart Only Alternative would eliminate the Annex component and consist of the development of a 129,560 square-foot Walmart store, outparcels, and up to 44 high density residential multi-family dwelling units. This represents a 46 percent reduction in non-residential square footage and a 33 percent reduction in acreage relative to the proposed Project. The
Walmart site would be developed as proposed by the Specific Plan. The Walmart store would total 129,560 square feet which would include retail groceries, general merchandise and operate 24-hours a day. Two 1-acre parcels would be developed that would have a maximum combined potential development of 10,000 square feet. A 2.8 acre high density residential parcel with a maximum unit yield of 44 units would be developed at a later phase. A new public roadway would be provided between El Camino Real and the proposed alternative uses.

b) **Environmental Effects:**

Based on the development assumptions for this alternative that are summarized in the EIR, the alternative would yield 139,560 square feet of commercial development and up to 44 dwelling units. Due to a reduction in non-residential building square footage and residential units, the Walmart Only Alternative would reduce the overall area of disturbance and development and would reduce operational trip generation when compared to the proposed Project. Specifically, this alternative would avoid the significant unavoidable impact concerning temporary construction air quality emissions and lessen the severity of (but not to a level of less than significant) the significant unavoidable operational air quality emissions and transportation impacts.

Both the Walmart Only Alternative and the proposed Project would result in significant and unavoidable impacts to the US 101 mainline under Existing, Baseline, and Future scenarios, although the severity of the impact would be less under this alternative. Further, the Walmart Only Alternative would avoid the Project’s significant and unavoidable impacts at the San Anselmo/US 101 interchange under Baseline and Future scenarios. However, with regard to traffic impacts that require roundabout improvements at the Del Rio Road/US 101 interchange, Mitigation Measures TRANS 1-d and TRANS 1-e require that the Del Rio Road/US 101 roundabout improvements be in place prior to the issuance of the first certificate of occupancy for the Annex commercial uses. Accordingly, with implementation of this mitigation, the proposed Project’s associated traffic impacts under Existing Plus Project, Baseline Plus Project, Future Plus Project, and Roundabout Construction Plus Project scenarios would be similar to the Walmart Only Alternative. Lastly, similar to the proposed Project, the Walmart only alternative would result in a potentially significant impact to the El Camino Real/San Anselmo Road North intersection that will be mitigated to a less than significant impact with installation of a traffic signal. Overall, although the Walmart Only Alternative will lessen the overall severity of traffic impacts as compared to the proposed Project, it will not avoid all of the significant and unavoidable traffic impacts for the existing, baseline, and future traffic conditions. Further, with implementation of Mitigation Measures TRANS 1-d and TRANS 1-e, traffic impacts that require roundabout improvements at the Del Rio Road/US 101 interchange will be similar under the Walmart Only Alternative and the proposed Project.

Additionally, this alternative would lessen the severity of the Project’s less than significant impacts associated with aesthetics light and glare, air quality and greenhouse gas, biological resources, cultural resources, geology, soils, and seismicity, hydrology and water quality, noise, public services and utilities, and urban decay. While this alternative would lessen some of the significant environmental effects of the Project, it would not eliminate all of the Project’s significant and unavoidable impacts.
c) **Ability to Achieve Project Objectives:**

This alternative would be inconsistent with some of the Project Objectives, would not fully meet other Project Objectives, and would overall not provide the same benefits as the Project. Based on the following analysis:

1. **Reduced enhancement of the local economy:**

   A fundamental objective of the proposed Project is to capture retail expenditures that are leaking to other markets. Whereas the Project would generate an estimated $93.7 million in annual sales, the Walmart Only Alternative would generate significantly less sales per year, thereby resulting in less positive contribution to the local economy and generating less tax revenue for the City, thereby capturing less retail leakage when compared to the proposed project. The proposed Project is estimated to generate annual fiscal revenues for the City of approximately $636,100 primarily from sales tax, and secondarily from property tax, according to Fiscal Impact Analysis. While tax revenues of the Walmart Only Alternative were not calculated in the FEIR, it could be reasonably expected that there would be correspondingly less tax revenues based on the 46 percent reduction of square footage of retail sales space associated with the alternative. Supportive of this conclusion are analyses and calculations prepared by the EIR consultant showing this alternative would generate $35.4 million in fewer sales revenues than the proposed project. In terms of expenses, the FEIR estimated the Project would cost the City approximately $106,500, with the largest expenses consisting of public safety services (police and fire). While the costs of the Walmart Only Alternative were not calculated, the FEIR assumes that this alternative would demand less public services and utilities compared to the proposed Project thus a reduction in City costs can be assumed. Even with the reduction in public services needed to fund the Project, the reduction in sales tax and property tax revenue would not further the objective of enhancing the local economy to the same extent as the proposed Project.

2. **Fewer employment opportunities:**

   A primary objective of the proposed Project is to provide employment opportunities for local residents; this objective is a key indicator of overall economic health for the City. In addition to providing temporary construction jobs, the proposed Project is expected to provide approximately 520 new full and part-time employment opportunities at buildout. The Walmart Only Alternative would include approximately 120,900 fewer square feet of commercial/retail space than the proposed Project, which would be expected to yield 46 percent fewer new job opportunities, based upon assumptions related to employees per square feet, as described in the FEIR. The fact that this alternative provides new job opportunities indicates that it satisfies this Project objective to some extent, but not to the same extent that the proposed Project would be able to satisfy it. In the current economy, a difference of 240 new job opportunities is significant and renders this alternative less desirable than the proposed Project.
(3) Less redevelopment of underutilized land to higher and better uses:
An objective of the proposed Project is to facilitate redevelopment of underutilized land to higher and better uses. While the Walmart Only Alternative accomplishes this objective for the Walmart site, the Annex portion would conceivably remain vacant for a considerable period of time and may be developed on a parcel by parcel basis per the City’s existing General Plan build-out rather than as a master planned site. The City finds that this is a less desirable outcome when compared to the proposed Project.

(4) Reduced ability to develop locally oriented retail and restaurants:
An objective of the proposed Project is to develop smaller, locally oriented retail and restaurant uses to complement the larger, regionally oriented, major retail anchor. In this case the Walmart and two corresponding out lots would be constructed but without the Annex portion of the proposed Project, the likelihood of locally oriented retail and restaurants being constructed around the proposed Walmart would be greatly reduced.

(5) Promotion of less economic growth and development consistent with the policies of the City of Atascadero General Plan:
An objective of the proposed Project is to promote economic growth and development that is consistent with the policies of the City of Atascadero General Plan. While the Walmart Only Alternative meets most of the goals and policies of the General Plan, the Walmart Only Alternative does not create a vibrant center or master planned commercial center identified in “Area 6” of the General Plan. The proposed project would combine parcels to allow for a master planned commercial project that supports the goals of the General Plan. The Walmart Only Alternative would eliminate the Annex portion of the project, thus rendering development to occur on a per parcel basis.

d) Finding: The City hereby reject the Walmart Only Alternative as infeasible.
This alternative would be inconsistent with some of the Project Objectives, would not fully meet other Project Objectives, and would overall not provide the same benefits as the Project. On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project. As a result, the Walmart Only Alternative is less desirable to the City than the proposed Project and is considered to be infeasible.

4. Alternative 4 - Reduced Density Alternative

a) Description:
The Reduced Density Alternative consists of the development of a 120,000-square-foot Walmart component on 19 acres, and an 88,380 square foot Annex component on 9.6 acres. The total amount of commercial square footage for the combined Reduced Alternative Project would be 208,838 square feet on 28.6 Acres. This represents a 20 percent reduction in acreage relative to the proposed Project. No residential uses would be developed under this alternative.
The Walmart component would consist of a 120,000 square foot conventional discount Walmart store, operating as a primary retail and general merchandise store with limited food items that occupy no more than five percent of the total floor space area. No out lots would be developed under this alternative. The Annex project would include development on the east side of El Camino Real only. Proposed development would not occur on the west side of El Camino Real. The retail and restaurant uses would be similar to those envisioned in the proposed Project.

b) Environmental Effects:
The Reduced Density Alternative would result in a reduction of 52,080 square feet of non-residential uses and 50 dwelling units relative to the proposed Project. The proposed Project’s air quality construction emissions were found to be significant and mitigation was required; however, because of the uncertainty of relying on offsite mitigation, the residual significance of this impact was determined to be significant and unavoidable. Because this alternative involves a similar amount of construction, it would also be required to implement similar mitigation and would yield a similar significant and unavoidable conclusion, due to the uncertainty of relying on offsite mitigation. From an operational emissions perspective, this alternative would generate 1,232 fewer daily vehicle trips relative to the proposed Project. This would result in correspondingly fewer emissions of criteria pollutants on a daily basis. The proposed Project’s operational emissions were found to be significant and unavoidable; this alternative would result in fewer operational emissions and would lessen the severity of this impact, although it would not necessarily avoid a significant and unavoidable impact. Also, while this alternative would result in fewer vehicle trips, it would still contribute additional vehicle trips to the intersections, roadway segments, freeway segments, and queues that are projected to operate at unacceptable levels. Mitigation similar to that included in the proposed Project would be implemented; however, as with the proposed Project, the residual significance would be significant and unavoidable due to the fact that no feasible mitigation measures are available to address the US 101 mainline impacts and because there is uncertainty as whether the mitigations measures can be implemented at the precise time of the impact. Nonetheless, the severity of significant unavoidable operational air quality emissions and transportation impacts resulting from this alternative would be less than that of the proposed Project. Further, due to a reduction in overall square footage and corresponding trip generation when compared to the Project, this alternative would lessen the Project’s less than significant impacts associated with air quality/greenhouse gas, cultural resources, biological resources, geology, hydrology, noise, public services and utilities, transportation, and urban decay. Impacts related to aesthetics, hazards and hazardous materials, hydrology and water quality would be similar to the Project’s less than significant impacts, as detailed in the FEIR.

c) Ability to Achieve Project Objectives:
This alternative would not achieve all the objectives of the proposed Project based on the following analysis:
(1) **Reduced enhancement of the local economy:**
A fundamental objective of the proposed Project is to capture retail expenditures that are leaking to other markets. The proposed Project would generate an estimated $93.7 million in annual sales, the Reduced Density Alternative would generate only $78.1 million in annual sales. This represents a reduction of $15.6 million compared to the proposed Project, resulting in less positive contribution to the local economy and generating less tax revenue for the City’s General Fund. The proposed Project is estimated to generate annual fiscal revenues for the City of approximately $636,100, primarily from sales tax and secondarily from property tax, according to the Fiscal Impact Analysis by Bay Area Economics (BAE). While revenues of the Reduced Density Alternative were not calculated in the Fiscal Impact Analysis, it is assumed that there would be correspondingly less sales revenues based on the fact that the Reduced Density Alternative only has 208,380 square feet retail sales space associated with the alternative. Supportive of this conclusion are the analyses and calculations prepared by the EIR consultant showing this alternative would generate $15.6 million less sales revenue than the Project. In terms of expenses, the Fiscal Impact Analysis estimated the Project would cost the City approximately $106,500, with the largest expenses consisting of public safety services (fire and police). This cost would be reduced in this alternative, with the lack of residential and reduced commercial components; however, this cost reduction would be off-set by less tax revenue generated from the Reduced Density Alternative. The Reduced Density would generate less revenue and would not maximize the amount of general sales tax and property tax revenues as stated in the Project Objectives.

(2) **Reduced ability to develop locally oriented retail and restaurants:**
A Project objective is to develop smaller, locally oriented retail and restaurant uses to complement the larger, regionally oriented, major retail anchor. In the Reduced Density Alternative, a conventional Walmart would only be developed and the Annex portion of the proposed Project would be reduced, thereby reducing the likelihood of locally oriented retail and restaurants being constructed. The potential for locally oriented retail and restaurants would remain at the Annex site, but this would be reduced in comparison to the proposed Project, which renders this alternative less desirable than the proposed Project.

(3) **Fewer Employment Opportunities:**
An objective of the Project is to positively contribute to the local economy by creating new employment opportunities. The Project is expected to provide approximately 520 new employment opportunities at buildout, according to the Fiscal Impact Analysis in the FEIR. The Reduced Density Alternative would include approximately 52,080 fewer square feet of commercial space than the proposed Project, which would be expected to yield roughly 102 fewer new job opportunities as compared to the Project, using assumptions related to employees per square feet, as described in the Fiscal Impact Analysis. Given the current state of the local economy and lingering long term unemployment in the area, this factor makes this alternative less desirable to the City.
(4) Promotion of less economic growth and development Consistent with the Policies of the City of Atascadero General Plan:

An objective of the proposed Project is to promote economic growth and development that is consistent with the policies of the City of Atascadero General Plan. While the Reduced Density Alternative would accomplish some of the City’s General Plan Goals and Policies, it would not create a vibrant center consistent with the vision of the City’s General Plan, nor would it be able to integrate the higher density residential housing near the Reduced Density Alternative compared to the proposed Project. The Reduced Density Alternative does not include a housing component. Combining high density housing with non-residential uses, such as commercial, helps to create a vibrant center combining all uses in an easy to reach area without use of an automobile. In addition, the Reduced Density Alternative would generate only $78.1 million in annual sales. This represents a reduction of $15.6 million compared to the proposed Project which results in less positive contribution to the local economy and generating less tax revenue for the City’s General Fund. A policy in the General Plan is to establish a secure revenue base. While the Reduced Density Alternative does establish a base, it will not bring in the same amount of revenue as projected in the Fiscal Impact Analysis as the proposed Project.

On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project.

d) Finding: The City hereby reject the Reduced Density Alternative as infeasible.

The Reduced Density Alternative does not fully meet many of the Project Objectives. On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the failure of this alternative to provide the same level of beneficial attributes as the Project. The Reduced Density Alternative is less desirable than the proposed Project and is considered to be infeasible. In light of these considerations, this alternative has been rejected in favor of the proposed project.
VI. STATEMENT OF OVERRIDING CONSIDERATIONS

A. Introduction
The City of Atascadero is the Lead Agency under CEQA for preparation, review and certification of the EIR for the Del Rio Road Commercial Area Specific Plan. As the Lead Agency, the City is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant, and which can be mitigated through imposition of mitigation measures to avoid or minimize those impacts to a level of less than significant. CEQA then requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed Project. Public Resources Code Section 21081(b) requires that where a public agency finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in an EIR and thereby leaving significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

In making this determination the City is guided by CEQA Guidelines Section 15093 which provides as follows:

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal (sic) project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Pursuant to Public Resources Code Section 21081(b) and the State CEQA Guidelines Section 15093, the City has balanced the benefits of the proposed Project against the following unavoidable adverse impacts associated with the proposed Project and has adopted all feasible mitigation measures with respect to these impacts. The City also has examined alternatives to the proposed Project, none of which both meet the Project objectives and is environmentally
preferable to the proposed Project for the reasons discussed in the Findings and Facts in Support of Findings.

The City Council of the City of Atascadero, the Lead Agency for this Project, having reviewed the EIR for the Del Rio Road Commercial Area Specific Plan, and reviewed all written materials within the City’s public record and heard all oral testimony presented at public hearings, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse environmental impacts in reaching its decision to approve the Project.

B. **Significant Unavoidable Adverse Environmental Impacts**

Although most potential Project impacts have been substantially avoided or mitigated, as described in the Findings and Facts in Support of Findings, there remain some Project impacts for which complete mitigation is not feasible. For some impacts, mitigation measures were identified and adopted by the Lead Agency, however, even with implementation of the measures, the City finds that the impact cannot be reduced to a level of less than significant. The impacts and alternatives are described below and were also addressed in the Findings.

The EIR identified the following unavoidable adverse impacts of the proposed Project:

- **Air Quality Standards/Violations**: The proposed Project would generate construction and operational emissions that would exceed regional emissions thresholds. Mitigation is proposed that would require the applicant to implement onsite and offsite emissions reduction measures; however, there is uncertainty regarding the effectiveness of the offsite measures. As such, the residual significance of the project-level and cumulative impacts are significant and unavoidable.

- **Existing Plus Project Traffic**: The proposed Project would generate vehicle trips that would contribute to unacceptable freeway operations under Existing Plus Project conditions. No feasible mitigation is available for this impact. As such, the residual significance of this impact is significant and unavoidable.

- **Baseline Plus Project Traffic**: The proposed Project would generate vehicle trips that would contribute to unacceptable intersection, roadway, and freeway operations, and queuing deficiencies under Baseline Plus Project conditions. Mitigation is proposed that would require the applicant to contribute fees to fund necessary improvements; however, there is uncertainty regarding actual implementation of the improvements. As such, the residual significance of this impact is significant and unavoidable.

- **Future Plus Project Traffic**: The proposed Project would generate vehicle trips that would contribute to unacceptable intersection, roadway, and freeway operations, and queuing deficiencies under Future Plus Project conditions. Mitigation is proposed that would require the applicant to contribute fees to fund necessary improvements; however, there is uncertainty regarding actual implementation of the improvements. As such, the residual significance of this impact is significant and unavoidable.
In addition, the EIR identified four alternatives to the Project and analyzed whether these alternatives could avoid or substantially lessen the unavoidable environmental impacts of the proposed Project. While some of the alternatives could lessen or avoid some of the unavoidable impacts of the proposed Project, some of the alternatives also resulted in different impacts, and in some cases, increased environmental impacts, consequently, for the reasons set forth in Section V of these Findings, none of the following alternatives were determined to be feasible:

- No Project / No Development
- No Project / Existing Land Use Alternatives
- Walmart Only Alternative
- Reduced Density Alternatives

C. **Overriding Considerations**

The City of Atascadero, after balancing the specific economic, legal, social, technological, and other benefits of the proposed Project, has determined that the unavoidable adverse environmental impacts identified above may be considered acceptable due to the following specific considerations which outweigh the unavoidable, adverse environmental impacts of the proposed Project, each of which standing alone is sufficient to support approval of the Project, in accordance with CEQA Section 21081(b) and CEQA Guideline Section 15093.

1. **Advances Atascadero’s Smart Growth Principles / Urban Framework**

The City of Atascadero completed a major update of all elements of the City’s General Plan in 2002. The General Plan is based on a framework of Smart Growth Principles. These Principles encourage a land use program that balances residential with commercial and industrial uses. New “infill” development was targeted along existing transportation corridors, where infrastructure was already in place. These Principles identified the need for a secure and balanced local revenue base which requires the expansion of the local commercial sales tax base, which the proposed Project will provide. The relevant sections of the “Atascadero Smart Growth Principles” have been underlined (page I-4 2025 Atascadero General Plan):

a) **Provide for well-planned new growth.**

Recognize and preserve critical areas of open space, environmental habitats, and agricultural lands, while accommodating new growth in compact forms in areas designated for higher density, in a manner that encourages multi-modal transportation opportunities, integrates the new growth, and creates housing and job opportunities for people of all ages and income levels.

The proposed project includes a mix of higher density uses near the proposed Walmart. The proposed project includes areas that integrate transit, and also promotes walkability to the proposed new neighborhood nodes. In addition, the proposed Project will create new jobs within the community to support not only existing residents, but potential future residents as well.
b) **Maximize use of existing infrastructure.**

Accommodate additional growth by first focusing on the use and reuse of existing urbanized lands supplied with infrastructure, with an emphasis on reinvesting in the maintenance and revitalization of existing infrastructure.

The proposed project is located at the intersection of El Camino Real and Del Rio Road. The proposed project would not need to add additional infrastructure to service the project since it is located within the urban growth boundary. The proposed Project is redeveloping in an area that is anticipated by the General Plan as a future growth area for commercial uses.

c) **Support vibrant city centers.**

Give preference to the redevelopment and reuse of Downtown Atascadero and appropriate nodes along existing transportation corridors through the encouragement and retention of mixed-use development, business vitality, housing opportunities for people of all income levels, and safe, reliable and efficient multi-modal transportation systems.

The proposed project is located off the El Camino Real. This corridor is the main commercial corridor that traverses the City. The proposed Annex and Walmart projects will create a vibrant node and destination point for retail and other commercial development that can be accessed either by car, transit, or bicycle.

d) **Establish a secure local revenue base.**

Create/support the establishment of a secure, balanced, and discretionary local revenue base necessary to provide the full range of needed services and quality land use decisions.

The proposed project would establish a secure local revenue source. The proposed project is estimated to generate annual fiscal revenues of approximately $636,100, primarily from sales and use tax, and secondarily from property tax. This new fiscal revenue would be an asset to the City, as it would further the City’s ability to provide the full range of needed services that residents desire.

Based on these Principles, an Urban Form Framework plan was developed as the basis of the General Plan update during the community outreach process. The Framework has four key principles:

1. Protect the Natural Environment
2. Improve the Appearance and Character of Atascadero
3. Provide a Secure Revenue Base
4. Promote Well Planned Neighborhoods

A central component of the Framework Plan was the “Urban Core” along the El Camino Real and Morro Road corridors. This was identified as the logical place to direct new commercial, industrial, mixed use and multi-family development. These corridors were designated as the
Urban Core because of the existing commercial development patterns, the existing circulation arterials, the existing infrastructure networks, the collocation with the former Redevelopment Agency project area, and the availability of underutilized land. The Framework also identified a series of nodes within the Urban Core where development would be concentrated in mixed use commercial and residential nodes. One of these nodes was identified surrounding the intersection of El Camino Real and Del Rio Roads (the proposed Project area). This area was identified as the location for a large, master planned regional commercial center surrounded by higher density and single family residential neighborhoods. The Project, as proposed, is within the Urban Core and consistent with the type and size of development contemplated for the Del Rio Roads Node area as detailed in the General Plan.
Furthermore, the General Plan included a series of “Master Plan Overlay” districts that provided development criteria for critical areas within Atascadero. The Del Rio Road Node was identified as Master Plan areas 5 and 6 in the General Plan. The General Plan Master Plan criteria identified this Node for 300,000 square feet of neighborhood and regional commercial development. The Walmart Project, consisting of approximately 139,560 square feet of commercial uses (including 6,448 square feet outdoor garden center), and the Annex project, consisting of approximately 120,900 square feet of commercial uses, are consistent with the type of use (master plan commercial center) and density contemplated in the General Plan for this area.

Based on the General Plan’s Principles and Policies, which were developed from an extensive public participation process, the City Council adopted the following land use diagram for the Del Rio Road Node area. The land use plan included two large commercial areas surrounded by high density and small lot single family residential development.

FIGURE II-4: Master Plan of Development Overlay Areas
The proposed Project is a consistent refinement of the Principles and Policies of the 2025 General Plan. The proposed Project includes a General Plan amendment to enlarge the size of the commercial land use area in order to accommodate the footprint and grading required for the Walmart Store. The medium density multi-family residential (10 du/ac max) that is displaced by this amendment will be offset by designating additional high density residential (20 du/ac min.) adjacent to the main entry to the proposed Walmart site.
California Environmental Quality Act Findings of Fact
Statement of Overriding Considerations

Adopted June 26, 2012

New single family residential

New high density residential

New road connection future high density residential area

New commercial development next to existing Mission Oaks center

Existing infrastructure, traffic capacity and transit service in El Camino Real.

Future high density residential
2. **Greater Employment Opportunities**

The proposed project would generate both temporary construction jobs as well as approximately 520 full and part-time jobs. With the exception of a very few management positions that may be filled by transferees from other localities, the vast majority of the permanent jobs may be filled by existing local residents. It is reasonably expected that the City of Atascadero and its residents will enjoy the economic and social benefits from added employment opportunities offered by the proposed project.

These new employment opportunities are especially beneficial given the economic backdrop and the City’s unemployment rate during these uncertain economic times. According to the EIR, there are approximately 1,200 unemployed persons within the City of Atascadero as of December 2010. The California Employment Development Department released unemployment data for March 2012 showing approximately 1,100 unemployed persons within the City. Although this figure is lower since December 2010, the recent data suggests a relatively flat job market for residents seeking a job. Additional jobs within the City limits would more than likely go to local residents, thus lowering the number of unemployed persons within the City. Creating greater employment opportunities within the City is an economic goal, consistent with the City’s General Plan.

3. **Generation of City Sales Tax Revenues**

According to analysis in the EIR, the proposed project at build-out would generate an estimated $93.7 million in annual sales. In terms of revenues to the City, the Fiscal Impact Analysis estimated the proposed project would generate annual fiscal revenues of approximately $636,100, primarily from sales and use tax, and secondarily from property tax. Sales and Use Tax is the largest source of City revenues from the Project. The next largest source of Projected City revenues is Secured Property Tax. Costs associated with the proposed project are estimated at $106,500, leaving a net surplus of $529,600. These revenues will go to the City’s General Fund, which is the primary funding source for the construction, operation and maintenance of a number of essential City services, programs and facilities, including fire and police services, recreation programs, transit operations, library services, public infrastructure such as sanitary sewer service, and administrative functions, among other things. Any additional revenues to the City’s General Fund are needed as the economic downturn continues to have a lasting affect the City’s share of property taxes and sales taxes it takes in even as the local and national economy is showing signs of picking up. In addition to lower property and sales tax receipts, the State of California has been continually raiding City funds for uses outside of the City’s jurisdiction as well as discontinuing programs that were once funded by the State to cities and counties with no real funding mechanisms thus creating additional unfunded mandates.

4. **Prevent Continued “Sales Leakage” to Other Communities**

The City and surrounding Trade Area is losing $117.3 million each year in potential sales revenues as a substantial number of local consumers shop out of town for general merchandise
and other retail goods, as well as visit restaurants and other eating or drinking places located outside the trade area. This leakage analysis is more fully described in the EIR and urban decay analysis prepared for the EIR. The proposed Project will be the key component of the City’s retail base and will help stem the documented “leakage” of retail and discount sales to other communities. The proposed Project will provide a unique retail shopping opportunity, in particular, a one-stop, efficient shopping destination for general merchandise goods, apparel, household items and groceries at affordable prices. The City is aware of the fact that its residents currently must travel to other jurisdictions, usually either San Luis Obispo or Paso Robles to enjoy the unique and efficient discount retail shopping that the Project will provide, because the same opportunity does not exist within the City. By providing this retail shopping opportunity, residents are less likely to travel out of the City to fulfill their shopping needs, and instead are likely to shop at the proposed project, as well as other retail uses near the Project. By providing a Walmart store, restaurants and smaller retail locations, the proposed project would be expected to capture 34 percent of leaking retail sales and percentage of revenues that are currently being “leaked” to other nearby communities.

5. **The Ability to Develop Locally Oriented Retail and Restaurants**

The proposed project will provide an opportunity for locally oriented retail and restaurant options to be constructed as a part of the proposed project. The analysis of sales leakage and capture, as well as detailed evidence in the record, demonstrates the City’s need for a more convenient source of goods for which significant and vocal consumer demand exists, and which can serve customers. In addition, residents have voiced their desires for additional dining options within the City, particularly those that are national chains. With the construction of the proposed project, additional retail will be made available in a large scale, well designed master planned development that could attract high quality tenants that the residents of the City have desired. The community will benefit insofar as this closer source of goods leads to less vehicle miles traveled overall and associated environmental impacts.

6. **Facilitates the redevelopment of underutilized land to higher and better uses**

The proposed project would facilitate the redevelopment of land to a higher and better use by combining parcels and creating a specific plan for development rather than a piecemeal, incremental approach to development, typical of most small scale non-residential development. This incremental approach would not provide the scale of economies necessary to provide needed infrastructure improvements nor would it facilitate development of a regionally oriented major retail anchor that would provide a wide variety of affordable, everyday household items and serve as a draw for other retail development. The proposed Project is one of the only methods available due to the lack of large, undeveloped parcels. The proposed project contains standards and guidelines in the Specific Plan that will ensure a high quality, well balanced development that furthers the mission of the City’s economic development goals and policies.

7. **Modern, Energy-Efficient, Sustainable Project Design**

The proposed Project would include construction of a new Walmart store that would incorporate a number of sustainable design features either as mitigation or proposed by the Project.
proponent. For example, with regard to sustainable design, the Project would include use of the industry’s most efficient heating, ventilating, and air-conditioning units available; approximately 142 skylights; energy-efficient lighting, including the use of LED technology and systems that dim as available daylight increases; energy-efficient white roof; dehumidification system allowing the store to operate at a higher temperature and use less energy; the reclamation of waste heat to supply 70 percent of the Walmart store’s hot water needs; water-conserving features within the store and for landscaping that reduce the annual amount of water consumption; recycled and environmentally friendly building materials; and bioswales and extensive landscaping throughout the site. The type of sustainability features incorporated would serve as an example for future non-residential development throughout the City and the region.

8. **Funding and Construction of Roadway Facilities**

The Project applicants are required to contribute their proportional share of fees for necessary traffic improvements. Specifically, the Project applicants are required to pay a traffic impact fee for traffic generated to the Del Rio Road / US 101 interchange in addition to regular traffic impact fees that all new residential and non-residential developments must pay. In addition to the TIF and Del Rio Road Interchange fees, the Project applicants are required to construct traffic improvements including a roundabout at El Camino Real and Del Rio Road, a signal at El Camino Real and San Anselmo Road North. The City, in conjunction with the approval of this project, has modified its Capital Improvement Plan (CIP) to reflect the priority of freeway improvements in the City to the Del Rio Road interchange. This change shows the economic importance of improving this freeway interchange. The applicant will make improvements along both El Camino Real and Del Rio Road frontages with additional pedestrian amenities, a public transit stop, bicycle lanes and landscaping. These types of improvements are not only beneficial to the City, but also are consistent with the State of California’s Complete Streets act. The City and the applicant will be working together to ensure that improvements are made to critical facilities that will provide a greater level of service for residents and shoppers to the proposed Project.

9. **A reduction of vehicle miles traveled which would reduce Greenhouse Gas Emissions**

The proposed Project would be expected to reduce vehicle miles traveled by residents who are currently shopping outside the Primary Trade Area (i.e., Atascadero, Templeton, and nearby unincorporated areas) for everyday household items. Currently, local residents have to travel to Paso Robles, San Luis Obispo or the South County for a regionally oriented retail shopping destination that includes both everyday household goods and a grocery component. With such a retail destination located within the City, it is reasonably expected that residents would prefer to shop locally thereby reducing the number of vehicle miles traveled for residents and reducing the amount of greenhouse gas emissions on a per resident basis. In addition to the air quality benefits afforded by the reduction of vehicle miles traveled, the City would prevent continued “leakage” of sales tax revenue generated by the proposed Project.
10. **Provide the City with a regionally oriented, major retail anchor and other associated benefits**

The proposed project will create a productive and exceptionally attractive commercial/retail use, providing convenient shopping for residents of the City of Atascadero, as well as those living within the City’s Primary Trade Area. The Walmart store will be the largest Walmart in San Luis Obispo County and is reasonably anticipated to draw shoppers from the identified trade area as well as travelers on Highway 101 heading to destinations particularly on the coast. The City also finds that the opening of a Walmart store with grocery component in Atascadero will lead to an increase in the number of new retail building permits within both the Walmart and the Annex shopping centers in the years following the store’s opening. Based upon public data provided by the California Board of Equalization, the City of Dinuba, which opened a Walmart store with a grocery component in 2006, showed a trend of continued growth in both taxable retail sales and number of retail business permits. Specifically, Dinuba experienced an increase of 16.1 percent in taxable retail sales and an 8.7 percent increase in retail business permits since the 2006 opening of a Walmart store with grocery. Dinuba’s experience demonstrates that when a Walmart store with a grocery component is located in a community, taxable retail sales and business permits, on average, should continue to increase.