

## **4.12 ISSUES WITH LESS THAN SIGNIFICANT IMPACTS**

The Initial Study and further environmental review through the EIR process evaluated the proposed project and determined that there were insignificant impacts to agricultural resources, population and housing, and recreation. These issues are described in the following sections.

### **4.12.1 Agricultural Resources**

#### **4.12.1.1 Existing Conditions**

The project site is within the Public Facilities and Agriculture land use categories. The Agriculture land use category is limited to the northeast corner of the project site; existing uses in this portion are limited to Harbor District storage, a water tank, and tank access road. Surrounding areas are currently undeveloped. Based on the County Conservation and Open Space Element (County of San Luis Obispo 2010), no Important Agricultural Soils are present on the project site (refer to Figure 4.12-1). Based on review of the Important Farmland Map (California Department of Conservation 2013), a majority of the project site is designated Urban and Built-up Land. The northern, western, eastern, and southern edges of the project site are designed Grazing Land (refer to Figure 4.12-2).

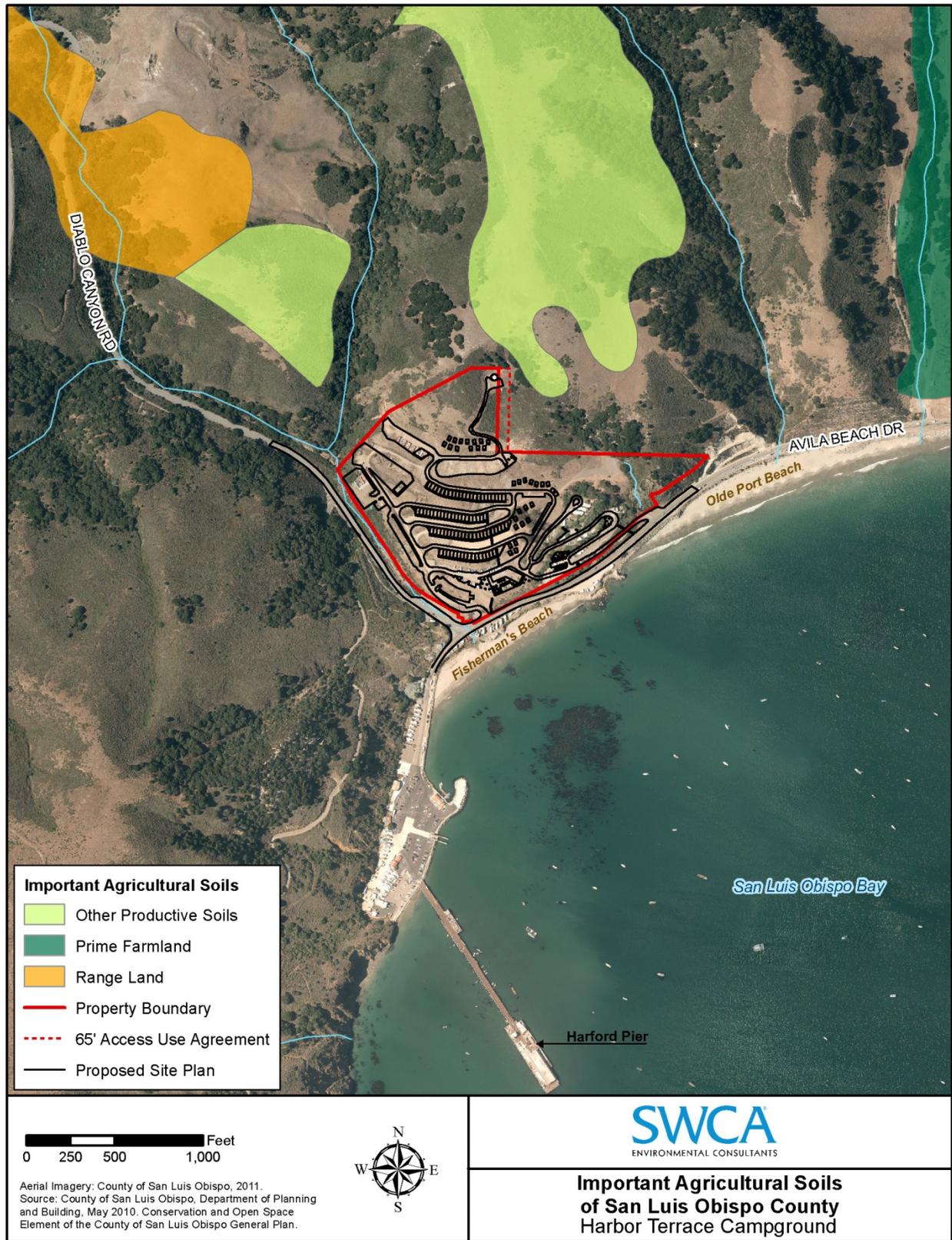
#### **4.12.1.2 Regulatory Setting**

As defined by the DOC, the California Land Conservation Act of 1965 (Williamson Act) enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. As an incentive, landowners receive lower property tax assessments based on agricultural or open space land uses, as opposed to the real estate value of the land. Local governments receive a subsidy for forgone property tax revenues from the state via the Open Space Subvention Act of 1971.

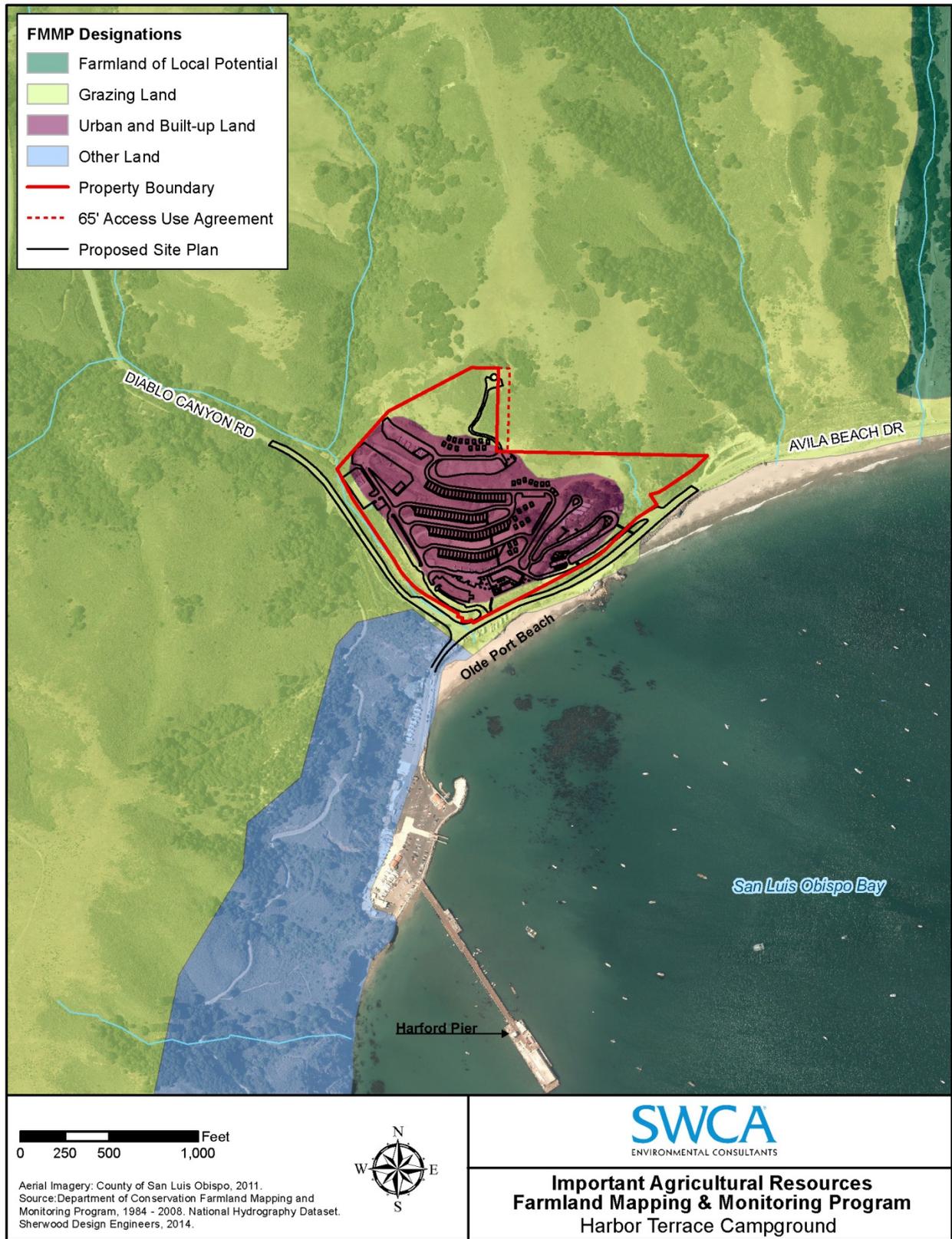
The Agriculture Element of the San Luis Obispo County General Plan (County of San Luis Obispo 2010) provides a background on agricultural resources within the County. Through the goals, policies, implementation programs, and measures provided within the document, the County's intent is to "Identify those areas of the county with productive farms, ranches and soils, and establish goals, policies and implementation measures that will enable their long-term stability and productivity."

The San Luis Obispo County Right-to-Farm Ordinance (County Code Chapter 5, 16) states that the use of real property for agricultural operations including agricultural processing is a high-priority and favored use. The ordinance states that: "it is the declared policy of this County to enhance and encourage agricultural operations, including agricultural processing within the County...[and] to provide to the residents of this County proper notification of the County's recognition and support through this ordinance of those persons' and/or entities' right to farm." The ordinance also states that: "where non-agricultural land uses occur near agricultural areas, agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investments in farm improvements to the detriment of agricultural uses and the viability of the County's agricultural industry as a whole." The right-to-farm ordinance advises purchasers of residential and other property types adjacent to existing agricultural operations of the inherent potential nuisances associated with the purchase of such property. Concerns may include the noise, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations.

Figure 4.12-1. Important Soils Map



**Figure 4.12-2. Important Farmland Map**



#### **4.12.1.3 Thresholds of Significance**

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to agricultural resources would occur if the project would:

- a. Convert prime agricultural land to non-agricultural use;
- b. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use;
- c. Impair agricultural use of other property or result in conversion to other uses; or,
- d. Conflict with existing zoning or Williamson Act program.

#### **4.12.1.4 Impact Assessment and Methodology**

Impacts to agricultural resources were assessed by utilizing data and maps published by the U.S. Department of Agriculture, Natural Resources Conservation Service, California Department of Conservation, and County Agriculture Department, including soil information, farmland mapping, and historical and current agricultural uses at the project site. The project was analyzed for the potential conversion of Farmland, loss of productive agricultural soils, incompatible land uses, and inconsistencies with regulations and policies intended to preserve agricultural resources.

#### **4.12.1.5 Project Specific Impacts and Mitigation Measures**

##### Convert Prime Agricultural Land / Prime Farmland

Based on the location of the project, implementation of the project would not result in the conversion of prime agricultural land or prime farmland; no impact would occur.

##### Impairment of Agricultural Uses or Result in Conversion

Construction and implementation of the project would not impair agricultural uses in the region or result in the conversion of agricultural land to non-agricultural use. Although a portion of the site is designated Grazing Land, no grazing uses occur within the project site. Use of the site would be consistent with the Public Facilities land use category, and if grazing were to occur on the adjacent property, the use would not be inconsistent with proposed camping facilities. Therefore, potential impacts would be less than significant.

##### Conflict with Existing Zoning or Williamson Act Program

The proposed uses are consistent with the land use category of applicable parcels, and would not result in any land use conflicts. Based on the location and nature of proposed uses, these agricultural resource impacts are considered less than significant.

#### **4.12.1.6 Cumulative Impacts**

Based on the analysis above, the proposed project would not have an adverse effect on agricultural resources, and would not contribute to the conversion of farmland or loss of productive and important agricultural soils in the County. Therefore, no significant cumulative impacts would occur.

## **4.12.2 Population and Housing**

### **4.12.2.1 Existing Conditions**

The proposed project is located within the boundaries of San Luis Obispo County, within the Avila Urban Reserve Line. The population of Avila Beach and Avila Valley increased from 833 in 2000 to 1,624 in 2012. Predictions estimate population growth to 2,020 by the year 2035 (County of San Luis Obispo 2013).

### **4.12.2.2 Regulatory Setting**

The California State Planning and Zoning Law requires that every city and county general plan must contain the following components or “elements:” Land Use, Conservation, Noise, Circulation, Open Space, Safety, and Housing. The County most recently adopted an updated Housing Element in August 2009 to cover the planning period from 2009 through 2014. The primary purpose of the Land Use Element is to facilitate the provision of needed housing in the context of the Land Use Element and the County General Plan and related ordinances. Its secondary purpose is to meet the requirements of state law and achieve certification by the California Department of Housing and Community Development, which allows the County to qualify for certain funding programs offered by the state. Housing is the only element subject to approval by the state and the only element that must be updated on a specific timeline, generally every 5 years.

### **4.12.2.3 Thresholds of Significance**

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County’s CEQA Initial Study Checklist, a substantial impact to population and housing would occur if the project would:

- a. Induce substantial population growth in an area, either or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure);
- b. Displace existing housing or people, requiring construction of replacement housing elsewhere; or,
- c. Create the need for substantial new housing in the area.

### **4.12.2.4 Impact Assessment and Methodology**

This evaluation of population and housing impacts associated with the proposed project was based on current population projections and statistics and review of the County General Plan. The focus of the population and housing analysis is potential impacts resulting from implementation of the project.

### **4.12.2.5 Project Specific Impacts and Mitigation Measures**

#### **Induce Substantial Growth**

The proposed project does not include permanent residential units (aside from a campground manager’s residence), and does not include expansion on infrastructure such as roads or services that would induce growth in the area. Based on the nature of the proposed project, the project would not induce substantial growth in the area and no impact would occur.

### Displace Existing Housing

The proposed project would not result in the displacement of existing housing. No impact would occur.

### Create the Need for Substantial New Housing

The project would bring local and regional visitors to the area through use of the campground facilities. However, the project is not expected to result in any permanent population growth in the area. The project would not result in any major extension of infrastructure. Therefore, the project will not result in a need for a significant amount of new housing, and no impact would occur.

#### **4.12.2.6 Cumulative Impacts**

In order to address cumulative impacts to inclusionary housing in the County, development projects are subject to the County's Inclusionary Housing Ordinance. Based on the Harbor District's consultation with the County (Ted Bench 2008), public facilities are exempt from the Inclusionary Housing Ordinance. Exempted uses include future Harbor District offices, public meeting facilities, and equipment storage and maintenance areas. Employee housing units can be used to satisfy the ordinance requirements, including the manager's residence or a designated campsite for the full-time camp host of the RV and tent camping area(s). A legal agreement between the County and the Harbor District would identify the manager's residence and/or camp host's camp site, and require that the campsite be permanently reserved solely for the primary residential unit of a full-time on-site employee (i.e., the camp host and his/her residence or RV unit).

Proposed uses that are profit-making are not exempt from the Inclusionary Housing Ordinance. These uses include: commercial floor space (building floor area); RV camp office space (not including open RV spaces); and, commercial storage buildings (excluding unenclosed/open air boat storage spaces). Each separate phase of development must meet its affordable housing requirement. If the retail/dining facilities are developed in a separate phase than the RV camp, then the retail/dining facilities will need to meet the ordinance separately (Ted Bench 2008).

The project would not create significant impacts on existing housing or population levels. The proposed uses are consistent with the County General Plan and land use designation. Therefore, no cumulatively significant impact would occur.

#### **4.12.3 Recreation**

##### **4.12.3.1 Existing Conditions**

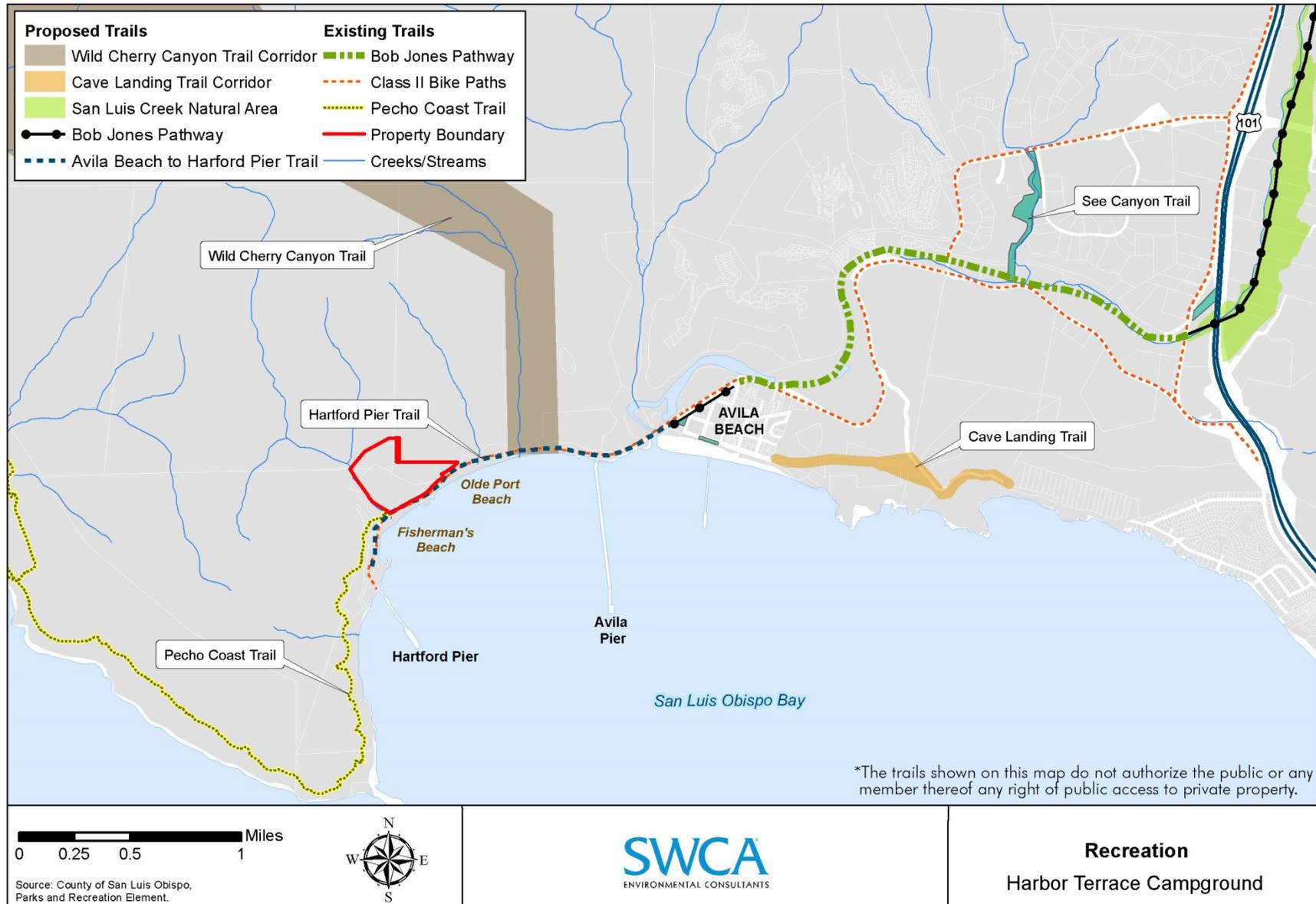
Avila Beach area is one of the primary recreation/tourist areas in San Luis Obispo County as well as providing one of the County's most popular beaches, partially due to its protected location and scenic features. The beach is accessible from Front Street which forms its northern edge. Permanent structures on the beach include a small Port office, restrooms, storage at the base of the pier, the San Luis Yacht Club building, a small restroom/shower building as well as playground equipment, and lifeguard stations. Beach activities include sunbathing, sight-seeing, jogging, volleyball, picnicking and bonfires. Off-shore activities include swimming, jet skiing, recreational boating, ocean kayaking, surfing and diving. Recreational equipment and additional recreational opportunities are provided by retail stores and restaurants along Front Street and at Avila Pier.

In 1990, a survey was conducted by the Harbor District on April 13 and 14 (Friday and Saturday of Easter Week) to determine use levels of Avila Beach during holiday weekends. Data were collected from 245 respondents between 10:30 a.m. and 3:30 p.m. over the two-day period. The survey collected data on where visitors live, time of arrival and departure, and various questions regarding transportation and parking. The survey found that the majority of visitors to Avila Beach were from within San Luis Obispo County (50.2%). The average length of a visitor's stay was approximately four hours. Approximately 96% of survey respondents arrived at Avila Beach via car or truck. The average number of passengers per vehicle was 3.35 persons. Although free parking for visitors to Avila Beach and local businesses is provided along Front Street (a total of 194 spaces between Avila Beach Drive and San Rafael Street), approximately 46% of the respondents stated that they had trouble finding a parking space in Avila Beach.

The coastal bluff along Avila Beach Drive south of the project site provides a recreational and passive open space function for travelers using this roadway and recreational visitors to the area. Two dirt turnout/parking areas are located on the south (ocean-facing) side of Avila Beach Drive near its intersection with Diablo Canyon Road. These areas are utilized for overnight parking for recreational vehicles. RV camping will cease and these areas will be made available for day use upon completion of the project. Restaurants, a boat launching area, sport fishing, tours, and other recreation opportunities are available to the public near Harford Pier. Limited improvements (restrooms, stairway and roadway access to the beach) and seasonal fire pits have been made at the sandy beach area known as Olde Port Beach. The stretch of coast west of Port San Luis is rugged and currently inaccessible to the public. The Pecho Coast Trail and a single lane road currently lead to the Port San Luis Lighthouse. The Port currently provides parking for passenger vehicles and vehicle/boat trailer parking adjacent to Harford Pier. A recent count of parking spaces indicates there are 241 spaces, of which approximately 50 are striped for vehicles with boat trailers. Additional spaces are currently provided for RVs and campers on Avila Beach Drive, south of the project site. During summer weekends parking at the Port is almost totally utilized and the turnover of parking spaces is low. During the warm summer months, weekend parking demand is at its highest due to recreational fishermen, tourists, beach visitors and patrons of the local restaurants. During the winter months with cold or foggy weather, parking provided at the Port is generally adequate.

In addition to Port San Luis and Avila recreational opportunities, the Bob Jones Bikepath will eventually extend from the City of San Luis Obispo to Avila Beach. The current improved path in the area extends from Ontario Road to the Avila Beach Golf Resort (trailhead on Avila Beach Drive). The Wild Cherry Canyon trail corridor is located east of the project site and may be developed in the future. The Cave Landing Trail Corridor, located between Pirates Cove and Shell Beach/Pismo Beach is located east of Avila Beach. Future expansion of the Coastal Trail (the Avila Beach to Harford Pier Trail), including a bike path on Avila Beach Drive extending to Port San Luis, is proposed in the future. Existing and proposed trails, paths, trail corridors are shown on Figure 4.12-3. The proposed project is not located in any area that would hinder existing or future use of identified trails and paths.

**Figure 4.12-3. Recreational Resources Map**



#### 4.12.3.2 Regulatory Setting

The Parks and Recreation Element of the County General Plan identifies the goals, objectives, policies, and programs related to the provision of parks, trails, beach access, golf courses, and natural areas countywide. The Parks and Recreation Element was updated and adopted on December 19, 2006. The purpose of the Parks and Recreation Element is to: 1) provide policy guidance regarding the provision of park and recreation services, 2) document the County's existing park and recreation resources, including those resources that are outside of the County's management, and 3) facilitate the evaluation of park and recreation needs during the land use decision process. The Parks and Recreation Element establishes goals, policies, and implementation measures for management, renovation, and expansion of existing, and development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

The National Recreation and Parks Association standards are used for determining recreational needs. The standards are designed to help planners adequately estimate the amount of recreational acreage that is needed for the population in a given area. The standards are expressed in terms of acres of parkland per 1,000 residents, and include approximately 1 to 2 acres of neighborhood parks, 5 to 8 acres of community parks, and 5 to 10 acres of regional parks for every 1,000 people.

In addition, many jurisdictions, including federal, state, county, and municipal governments, are involved in planning, developing, and operating public trails within San Luis Obispo County. Federal and state governments have adopted legislation to protect existing trails and to provide new trails and related facilities. The National Trails System Act of 1968 plans a nationwide system of interstate riding and hiking trails. At the state level, the Department of Parks and Recreation has prepared the California Recreational Trails System Plan. At the local level, the County has developed the County Trails Plan to ensure coordination with state and federal plans.

The California Coastal Act (CCA) includes policies related to recreation and public access to the coastline, including provision of lateral and vertical access and protection of water-oriented activities. The CCA states that "maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse" (§30210). The County's LCP incorporates these policies in the Coastal Policies document (County of San Luis Obispo 2007) and the CZLUO.

#### San Luis Bay Coastal Area Plan

The San Luis Bay Coastal Area Plan includes the following Goals regarding access and recreation, which were identified in the Port Master Plan:

***Goal: Adequate access for all Harbor users and visitors.***

- 1. Access to Vessels and Water. Maintain and enhance access to the water, boats, and boating facilities. Maintain the overall launching capability of the Harbor at levels in consideration of demand and safety, the availability of parking, economic circumstances, and dredging needs.***

2. **Shoreline Access.** *Maintain public access to the beaches, oceans, and Port properties, and enhance where feasible consistent with public safety and coastal resource protection.*
3. **Development Contributions to Enhanced Access.** *New development shall provide public access improvements and enhancements including related improvements such as interpretive exhibits, benches, and picnic tables.*

#### Port Master Plan and Port Master Plan Final Program EIR

Mitigation measures identified in the Port Master Plan Final Program EIR (CMCA 2004) applicable to the proposed project include:

- PS-19** *Maintenance of all developed park, open space and recreation facilities on the Harbor Terrace site shall be the responsibility of either the Port San Luis Harbor District or its designee and/or another suitable entity or a combination of the above.*
- PS-20** *Where applicable all recreational facilities (bluff top parks, etc.) shall be landscaped and, where necessary, irrigated.*
- PS-21** *New development shall provide parking in accordance with standards established by the Port San Luis Harbor District, the County of San Luis Obispo and the California Coastal Act.*
- PS-22** *New development shall provide signage to assist the public in locating and recognizing beach access points. The number and design of such signage must conform to standards established by the California Coastal Commission and shall be approved by the Port San Luis Harbor District and the County of San Luis Obispo.*

#### **4.12.3.3 Thresholds of Significance**

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to recreational resources would occur if the project would:

- a. Increase the use or demand for parks or other recreation opportunities; or,
- b. Affect the access to trails, parks or other recreation opportunities.

#### **4.12.3.4 Impact Assessment and Methodology**

The impacts of the proposed project were evaluated based on an assessment of the proposed elements identified in the proposed project, and its effect on recreational resources in the area.

#### **4.12.3.5 Project Specific Impacts and Mitigation Measures**

##### Increase Demand for Parks and Recreational Opportunities

The project would result in beneficial recreational impacts by protecting and enhancing a campsite, which would provide improved recreational and coastal access opportunities for the public, including additional storage for marine-dependent~~related~~ activities, consistent with the California Coastal Act and County LCP. Therefore, potential impacts to recreational resources would be beneficial.

### Affect Access to Trails, Parks, or Other Recreational Opportunities

Implementation of the project would improve access to coastal recreational opportunities. The project would not impede future development of trails and recreational facilities in the area, such as the Pecho Coast Trail and trails within Wild Cherry Canyon. The Harbor District would continue to coordinate with the County regarding the development of additional trails, trailheads, multi-use and bicycle paths, and coastal access improvements in the area. Therefore, potential impacts to recreational resources would be beneficial.

#### **4.12.3.6 Cumulative Impacts**

The proposed project would result in a beneficial cumulative effect for recreational resources in the area by providing additional facilities, marine-related storage, and access to coastal resources.

This page intentionally left blank.