

City of Morro Bay
COMMUNITY DEVELOPMENT DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442
805-772-6261

P u b l i c N o t i c e o f A v a i l a b i l i t y
D o c u m e n t T y p e : M i t i g a t e d N e g a t i v e D e c l a r a t i o n

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT
CITY OF MORRO BAY
March 2016

**The City has determined that the following proposal qualifies for a
Mitigated Negative Declaration of Environmental Impact in accordance with the California
Environmental Quality Act.**

PROJECT TITLE: 1840 Main Street, Sonic Drive-Thru Restaurant

PROJECT LOCATION: 1840 Main Street, APN: (APN 068 – 324 – 019)

PROJECT DESCRIPTION: The project located at 1840 Main Street is at the intersection of Highway 41 and Main Street. The project includes removal of existing flatwork and landscaping, and construction of an approximately 1,400 square foot restaurant with outdoor seating, canopied parking for drive-up service, drive-thru service, and associated site improvements including ground work, retaining walls, frontage improvements, and landscaping. The project also includes a master sign program including total signage area exceeding City standards. In addition the project will include utility trenching of four to six feet across Main Street to the west of the property as well as trenching of the same depth south of the property across Caltrans Right of Way which fronts on Atascadero Road also known as Highway 41.

APPLICANT: Scott McMillan, Consumer Science, Inc.

LEAD AGENCY: City of Morro Bay

CONTACT PERSON: Cindy Jacinth, Associate Planner

TELEPHONE: (805) 772-6577

ADDRESS WHERE DOCUMENT MAY BE OBTAINED:

Community Development Department
955 Shasta Avenue
Morro Bay, California 93442
(805) 772-6261

PUBLIC REVIEW PERIOD: March 21, 2016 through April 19, 2016

A 30-day public review period for the Mitigated Negative Declaration (MND) will begin on March 21, 2016 and end on April 19, 2016 for interested and concerned individuals and public agencies to submit written comments on the document. Copies of the MND are available for

review at the Community Development Department and on the City of Morro Bay's website. Comments should be submitted to the Community Development Department at the above address within the public review time period.

A public hearing to consider adoption of the Mitigated Negative Declaration is tentatively scheduled for May 3, 2016 at 6:00 p.m. at the Morro Bay Planning Commission meeting held at the Veteran's Memorial Building at 209 Surf Street, Morro Bay, California.



Cindy Jacinth, Associate Planner
Signature

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: 1840 Main St., Sonic Drive-Thru Restaurant

Lead Agency: City of Morro Bay

Contact Person: Cindy Jacinth

Mailing Address: 955 Shasta Avenue

Phone: (805) 772-6577

City: Morro Bay

Zip: 93442

County: San Luis Obispo

Project Location: County: San Luis Obispo

City/Nearest Community: Morro Bay

Cross Streets: Atascadero Road (northeast intersection of Highway 1 and Highway 41)

Zip Code: 93442

Longitude/Latitude (degrees, minutes and seconds): 35 ° 22 ' 50.50" N / 120 ° 51 ' 16.82" W Total Acres: 0.63 acre

Assessor's Parcel No.: 068-324-019

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: 1 and 41

Waterways: Alva Paul Creek

Airports: N/A

Railways: _____

Schools: Del Mar Elem. School

Document Type:CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) _____

☐ Draft EIS☐ Other: _____☒ Mit Neg Dec

Other: _____

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☒ Use Permit☒ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: _____**Development Type:**☐ Residential: Units _____ Acres _____☐ Office: Sq.ft. _____ Acres _____

Employees _____

☐ Transportation: Type _____☐ Commercial: Sq.ft. _____ Acres _____

Employees _____

☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____ Acres _____

Employees _____

☐ Power: Type _____ MW _____☒ Educational: Morro Bay High School☐ Waste Treatment: Type _____ MGD _____☐ Recreational: _____☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____ MGD _____☐ Other: _____**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☐ Vegetation☐ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☐ Minerals☒ Soil Erosion/Compaction/Grading☐ Growth Inducement☒ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other: _____**Present Land Use/Zoning/General Plan Designation:**

MCR / R4 SP : Mixed Use Residential / High Density Residential

Project Description: (please use a separate page if necessary)

The project located at 1840 Main Street is at the intersection of Highway 41 and Main Street. The project includes removal of existing flatwork and landscaping, and construction of an approximately 1,400 square foot restaurant with outdoor seating, canopied parking for drive-up service, drive-thru service, and associated site improvements including ground work, retaining walls, frontage improvements, and landscaping. The project also includes a master sign program including total signage area exceeding City standards. In addition the project will include utility trenching of four to six feet across Main Street to the west of the property as well as trenching of the same depth south of the property across Caltrans Right of Way which fronts on Atascadero Road also known as Highway 41.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".

If you have already sent your document to the agency please denote that with an "S".

☐ Air Resources Board	☐ Office of Historic Preservation
☐ Boating & Waterways, Department of	☐ Office of Public School Construction
☐ California Emergency Management Agency	☐ Parks & Recreation, Department of
☐ California Highway Patrol	☐ Pesticide Regulation, Department of
☐ Caltrans District #5	☐ Public Utilities Commission
☐ Caltrans Division of Aeronautics	☒ Regional WQCB #3
☐ Caltrans Planning	☐ Resources Agency
☐ Central Valley Flood Protection Board	☐ Resources Recycling and Recovery, Department of
☐ Coachella Valley Mtns. Conservancy	☐ S.F. Bay Conservation & Development Comm.
☒ Coastal Commission	☐ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
☐ Colorado River Board	☐ San Joaquin River Conservancy
☐ Conservation, Department of	☐ Santa Monica Mtns. Conservancy
☐ Corrections, Department of	☐ State Lands Commission
☐ Delta Protection Commission	☐ SWRCB: Clean Water Grants
☐ Education, Department of	☐ SWRCB: Water Quality
☐ Energy Commission	☐ SWRCB: Water Rights
☒ Fish & Game Region # 4	☐ Tahoe Regional Planning Agency
☐ Food & Agriculture, Department of	☐ Toxic Substances Control, Department of
☐ Forestry and Fire Protection, Department of	☐ Water Resources, Department of
☐ General Services, Department of	☐ Other: _____
☐ Health Services, Department of	☐ Other: _____
☐ Housing & Community Development	
☒ Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date March 21, 2016 Ending Date April 19, 2016

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: <u>City of Morro Bay</u>
Address: _____	Address: <u>955 Shasta Avenue</u>
City/State/Zip: _____	City/State/Zip: <u>Morro Bay, CA 93442</u>
Contact: _____	Phone: <u>(805) 772-6577</u>
Phone: _____	

Signature of Lead Agency Representative: _____

Date: 3/17/16

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



City of Morro Bay
COMMUNITY DEVELOPMENT DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442
805-772-6261

DRAFT MITIGATED NEGATIVE DECLARATION

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY OF MORRO BAY
955 Shasta Avenue
Morro Bay, California 93442
805-772-6261

March 2016

The State of California and the City of Morro Bay require, prior to the approval of any project, which is not exempt under CEQA that a determination be made whether or not that project may have any significant effects on the environment. In the case of the project described below, the City has determined that the proposal qualifies for a Mitigated Negative Declaration.

CASE NO.: CP0-404 and UP0-364

PROJECT TITLE: 1840 Main Street, Sonic Drive-Thru Restaurant

APPLICANT / PROJECT SPONSOR:

Owner:

Scott McMillan
Consumer Science, Inc.
28596 Prospect Ave.
Wasco, CA 93280
T 661.203.4808

Applicant/Agent:

Frederick E. Scott
Scott & Associates
1009 N. Demaree Street
Visalia, CA 93291
T 559.627.1851

PROJECT DESCRIPTION: The project located at 1840 Main Street is at the intersection of Highway 41 and Main Street. The project includes removal of existing flatwork and landscaping, and construction of an approximately 1,400 square foot restaurant with outdoor seating, canopied parking for drive-up service, drive-thru service, and associated site improvements including ground work, retaining walls, frontage improvements, and landscaping. The project also includes a master sign program including total signage area exceeding City standards. In addition the project will include utility trenching of four to six feet across Main Street to the west of the

property as well as trenching of the same depth south of the property across Caltrans Right of Way which fronts on Atascadero Road also known as Highway 41.

PROJECT LOCATION: The project site is located at 1840 Main Street, at the northeast corner of the intersection of Highway 41 and Main Street, within the City of Morro Bay. The site is within the MCP/R-4/SP overlay, (Mixed Commercial Residential/Multifamily Residential-Hotel-Professional, in the North Main Street Specific Plan Area) zoning district and designated by the General Plan and Coastal Land Use Plan (CLUP) as Mixed Use (Mixed Commercial-Residential). The project is not located in the Coastal Commission's Jurisdiction or Appeals Jurisdiction, therefore the project is in the City's permitting jurisdiction for Coastal Development Permits.

FINDINGS OF THE: Environmental Coordinator

It has been found that the project described above will not have a significant effect on the environment. The Initial Study includes the reasons in support of this finding. Mitigation measures are required to assure that there will not be a significant effect in the environment; these are described in the attached Initial Study and Checklist and have been added to the permit conditions of approval.



City of Morro Bay
COMMUNITY DEVELOPMENT DEPARTMENT
955 SHASTA AVENUE ♦ MORRO BAY, CA 93442
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INITIAL STUDY AND CHECKLIST

I. PROJECT INFORMATION

Project Title:	<u>Sonic Drive-Thru Restaurant</u>		
Project Location:	<u>1840 Main Street (APN 068 – 324 – 019)</u>		
Case Number:	<u>Coastal Development Permit #CP0-404 and Conditional Use Permit #UP0-364</u>		
Lead Agency:	<u>City of Morro Bay</u>	Phone:	<u>(805) 772-6577</u>
	<u>955 Shasta Ave.</u>	Fax:	<u>(805) 772-6268</u>
	<u>Morro Bay, CA 93442</u>		
	<u>Contact: Cindy Jacinth</u>		
Project Applicant:	<u>Frederick E. Scott, Scott & Associates</u>	Phone:	<u>(805) 772-5700</u>
	<u>1009 N. Demaree Street</u>	Fax:	
	<u>Visalia, CA 93291</u>		
Project Landowner:	<u>Scott McMillan, Consumer Science, Inc.</u>	Phone:	<u>(559) 627-1851</u>
	<u>28596 Prospect Ave</u>	Fax:	
	<u>Wasco, CA 93280</u>		
General Plan Designation:	<u>Mixed Use</u>		
Zoning Designation:	<u>MCP/R-4/SP overlay, (Mixed Commercial Residential/Multifamily Residential-Hotel-Professional, in the North Main Street Specific Plan Area)</u>		

PROJECT DESCRIPTION: The project located at 1840 Main Street is at the intersection of Highway 41 and Main Street. The project includes removal of existing flatwork and landscaping, and construction of an approximately 1,400 square foot restaurant with outdoor seating, canopied parking for drive-up service, drive-thru service, and associated site improvements including ground work, retaining walls, frontage improvements, and landscaping. The project also includes a master sign program including exceptions to City sign area standards. In addition the project will include utility trenching of four to six feet across Main Street to the west of the property as well as trenching of the same depth south of the property across Caltrans Right of Way (Figure 4).

PROJECT LOCATION: The project site is located at 1840 Main Street, at the northeast corner of the intersection of Highway 41 and Main Street, within the City of Morro Bay. The site is within the MCP/R-4/SP overlay, (Mixed Commercial Residential/Multifamily Residential-Hotel-Professional, in the North Main Street Specific Plan Area) zoning district and designated by the General Plan and Coastal Land Use Plan (CLUP) as Mixed Use. The project is not located in the Coastal Commission's Jurisdiction or Appeals Jurisdiction, therefore the project is in the City's permitting jurisdiction for Coastal Development Permits.

Surrounding Land Use			
North:	Gas station and residence; Mixed Commercial-Residential /Multiple Residential Hotel Professional/ North Main Street Specific Plan (MCR/R-4 /SP)	East:	Vacant; Mixed Commercial-Residential/Multiple Residential Hotel Professional/Planned Development/North Main Street Specific Plan (MCR/R-4/PD/SP)
South:	Gas station & mini-mart; Visitor Serving Commercial (C-VS)	West:	Highway 1

Project Entitlements Requested: Coastal Development Permit (CDP) and Conditional Use Permit (CUP) approvals are required for development of a site with a drive-in and/or drive-thru restaurant use and for the proposed master sign program.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

The City of Morro Bay is the lead agency for the proposed project. Responsible and trustee agencies may include, but are not limited to:

- California Department of Transportation (CalTrans)
- San Luis Obispo Air Pollution Control District (SLOAPCD)

Figure 1: VICINITY MAP

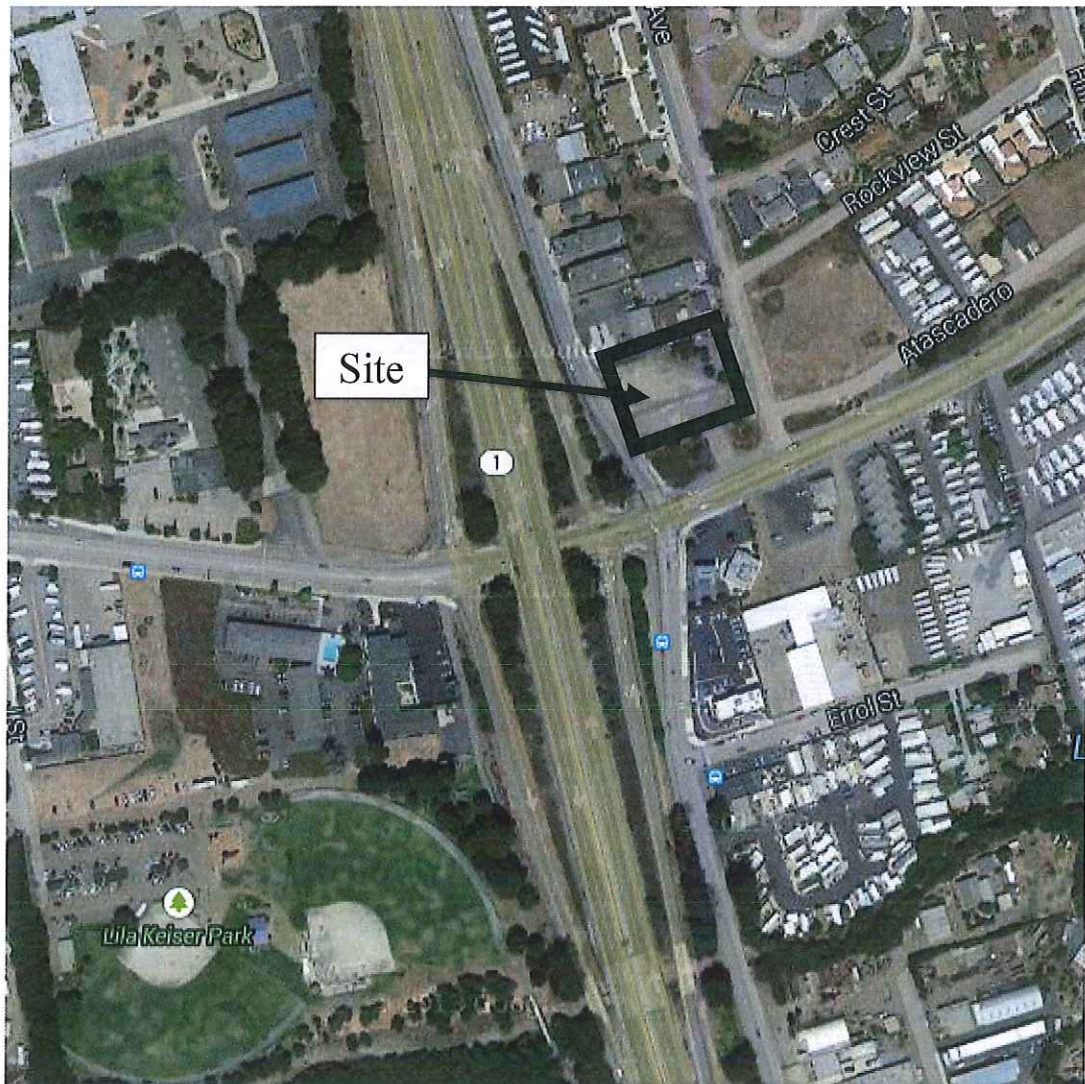


Figure 2: SITE PLAN

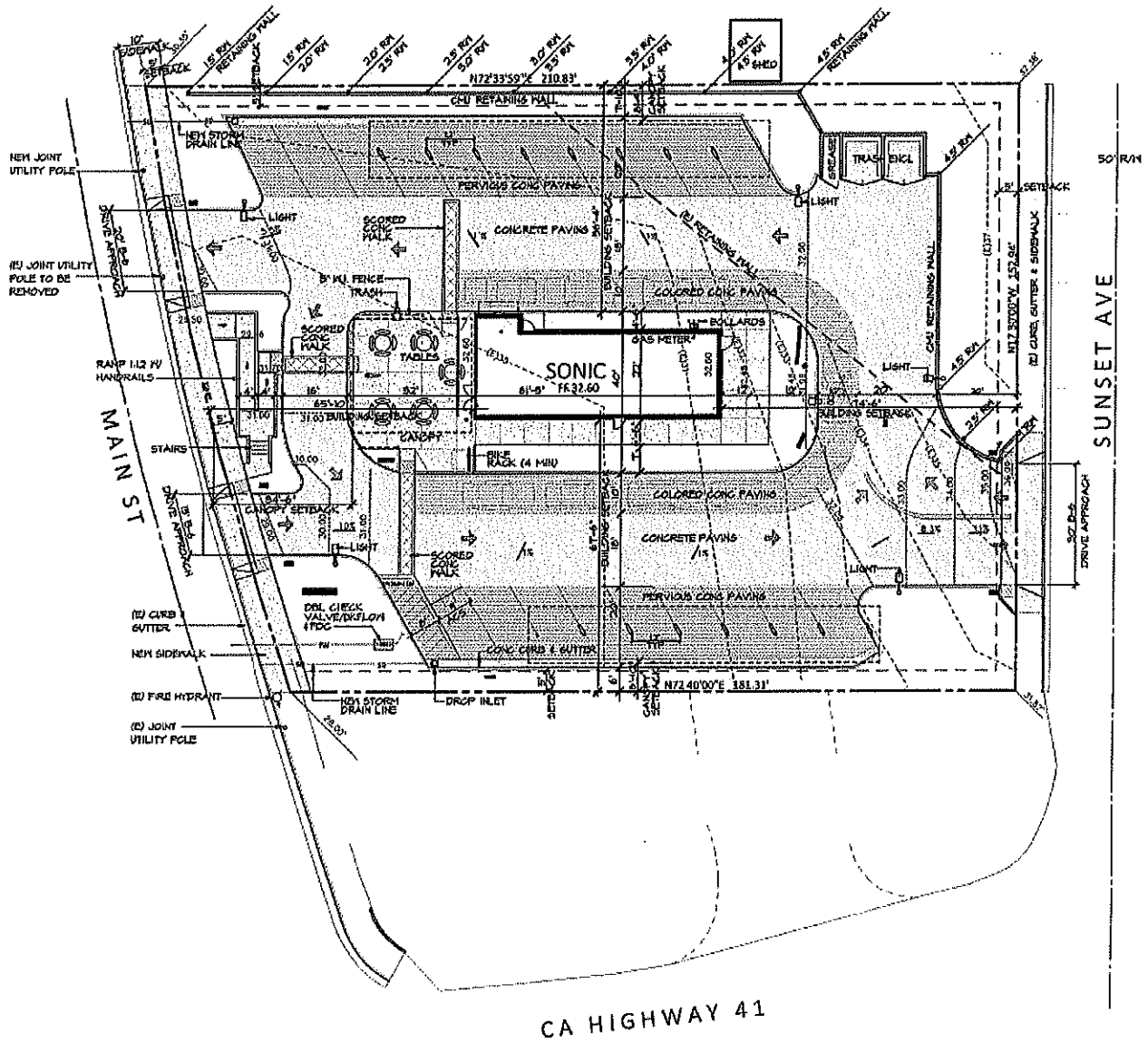
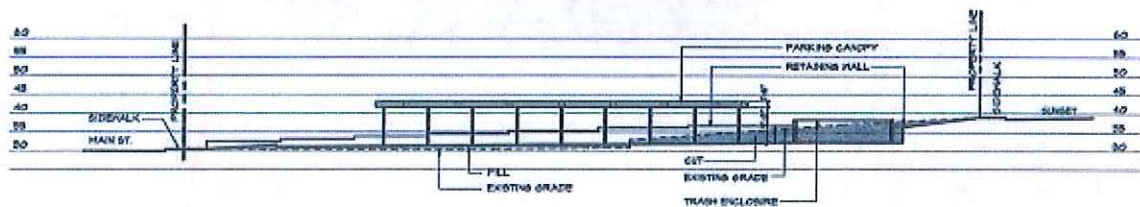
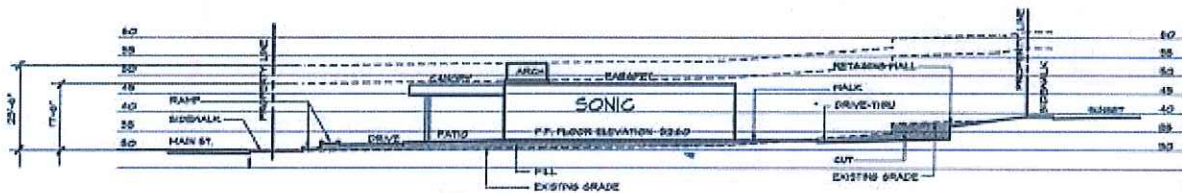


Figure 3: PHOTO SIMULATION AND SECTION DETAILS



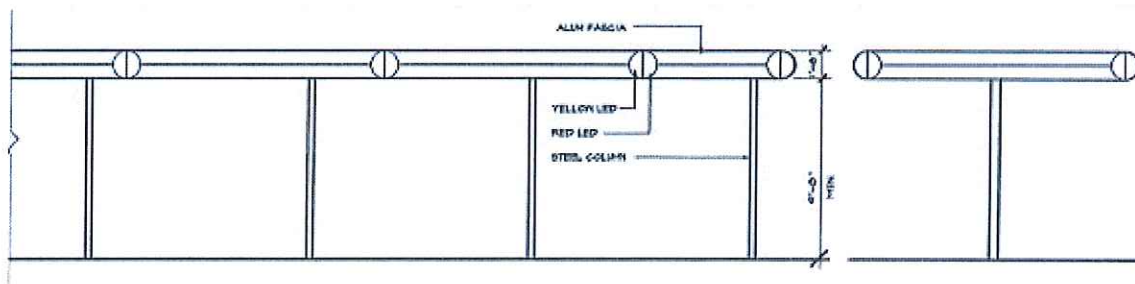
SECTION THRU SITE AT PARKING CANOPY

SCALE: 1" = 20'-0"



SECTION THRU SITE & BUILDING

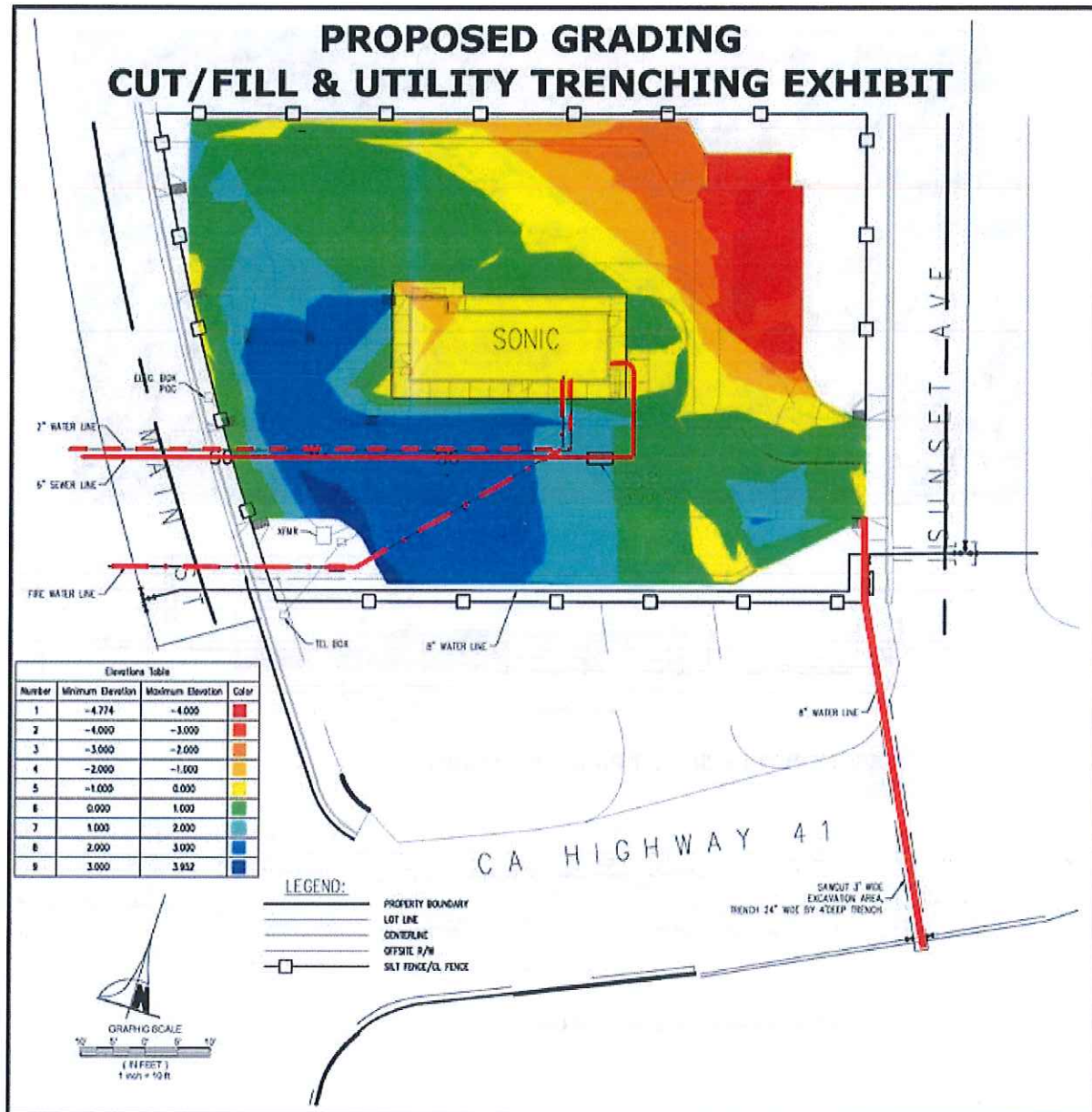
SCALE: 1" = 20'-0"



ELEVATION OF PARKING CANOPY

SCALE: 1/4" = 1'-0"

Figure 4: TRENCHING EXHIBIT



II. ENVIRONMENTAL SETTING AND IMPACTS

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the Environmental Checklist on the following pages.

X	1. Aesthetics		10. Land Use/Planning
	2. Agricultural Ressources		11. Mineral Resources
	3. Air Quality	X	12. Noise
	4. Biological Resources		13. Population/Housing
X	5. Cultural Resources		14. Public Services
	6. Geology/Soils		15. Recreation
	7. Greenhouse Gas Emissions	X	16. Transportation/Circulation
	8. Hazards/Hazardous Materials		17. Utility/Service Systems
	9. Hydrology/Water Quality		18. Mandatory Findings of Significance

FISH AND GAME FEES

	The Department of Fish and Wildlife has reviewed the CEQA document and written no effect determination request and has determined that the project will not have a potential effect on fish, wildlife, or habitat (see attached determination).
	The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Wildlife for review and comment.

STATE CLEARINGHOUSE

X	This environmental document must be submitted to the State Clearinghouse for review by one or more State agencies (e.g. Cal Trans, California Department of Fish and Wildlife, Department of Housing and Community Development). The public review period shall not be less than 30 days (CEQA Guidelines 15073(a)).
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III. DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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


Signature

3-17-16
Date

Cindy Jacinth
Associate Planner

For: Scot Graham
Community Development Manager

☒ With Public Hearing

☐ Without Public Hearing

Previous Document: N/A

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 19, "Earlier Analysis," as described in (5) below, may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063 (c) (3) (D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

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IV. ENVIRONMENTAL CHECKLIST

1. AESTHETICS:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within view of a state scenic highway?			X	
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		X		
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

Environmental Setting:

The General Plan and Local Coastal Plan contain policies that protect the City's visual resources. The waterfront and Embarcadero are designated as scenic view areas in the City's Visual Resources and Scenic Highway Element. The Morro Rock, sand spit, harbor and navigable waterways are all considered significant scenic resources. To the west of the project site is Highway 1 which is identified as a "scenic highway". This site is located at the intersection of Highway 1 and Highway 41, which is considered a principal entryway to the City. The City's entryways are important with regard to preserving and enhancing visual amenities. The General Plan identifies this entry as being seriously impaired by the lack of landscaping, excessive signs, vacant and unkempt properties, and overhead utilities. The project site is also at the southern extent of Area C of the North Main Street Specific Plan. Adopted in 1989, this plan characterizes the area as an underutilized visitor serving commercial area that would benefit from a reduced height limit, landscaping, and continuous frontage improvements, as well as control of the effects of light, glare, odor and noise from commercial businesses on neighboring residents. Previously developed with a gas and service station, the site is now vacant except for miscellaneous flatwork, fencing, and landscaping remnants. The immediate neighboring properties are developed with a mixture of commercial and residential uses of various architectural themes, tenure, and quality.

Impact Discussion:

a. The proposed development would not block a publicly recognized scenic vista, nor are there scenic resources on the site itself that would be impacted by development. The scenic views in the vicinity include Morro Rock and the Pacific Coastline, both of which are west of the site, across Highway 1, and the grassy hills to the northwest and west, neither of which would not be effected.

b. Previously developed with a gas and service station, the project site is now vacant except for miscellaneous flatwork, fencing, and landscaping remnants. Located at the intersection of Highway 1 and Highway 41, the site is considered a principal entryway to the City. Proposed improvements are similar in scale and massing to surrounding structures. The scenic view from Highway 1 to the surrounding hills will not be substantially affected by the new construction. The proposed height of the new structure is under the maximum building height of 25 feet allowed for in this zoning district. The North Main Street Specific Plan would allow buildings to exceed the 25 foot height limit if approved by Planning Commission; however this is not required of this project as it is under the allowable height limit. Proposed site development includes the removal of small shrubs and plantings, which would not be considered major vegetation due to their size. A planting plan has been provided, which would include a mixture of small ornamental trees, shrubs and ground cover along external property lines and adjacent to the structure, in excess of minimum standards.

c) The project includes the development of a drive in/drive thru restaurant, with covered patio seating and covered parking for in-car dining. The building will be clad in a mixture of materials, including stone veneer and plaster in varying earth tones. Trademark bright yellow, red, green and blue design elements identify the restaurant. The

proposed architecture of the structure diverges from the governing North Main Specific Plan in one respect: a predominantly flat roof design. The business model of the proposed commercial restaurant relies on entirely outdoor seating or drive up parking canopy stalls each with an individual menu board (in-car dining). There is no indoor customer access other than a restaurant bathroom. The entire 1,400sq building is the kitchen for the restaurant with mechanical equipment mounted in the roof area. The mostly flat roof design is typical of the corporate branding for Sonic restaurants as a franchise. The North Main Specific Plan discourages flat roof design. Review and approval of final architectural design, including appropriateness of these features will be made by the Planning Commission.

Approximately 27% of the site, particularly along the property lines, would be landscaped with a mixture of small trees, shrubs and groundcovers. Selected plant materials include a mixture of California natives and other draught tolerant varieties that will offer screening of the parking areas and seasonal color. The remainder of the site would be covered by the structure, vehicle drive aisles, and covered and uncovered parking.

The project includes a sign program with exceptions to allowed sign area. The proposed sign plan includes 293 square feet of signage, including a freestanding monument sign at the southwest corner of the sight, nine wall signs (including four changeable copy wall signs), seven directional signs, and eighteen menu board signs. Directional sign must be included in the total sign area, as they exceed the three-square foot maximum exempted from sign permit requirements. This proposal exceeds the 115 square feet of signage allowed based on Main Street frontage by 138 square feet. To reduce the visual impacts associated with excessive signage related to public safety and impacts on the visual environment, the number and dimensions of signage shall be reviewed by the Planning Commission, who shall make findings on the proposed sign program as required by the City's Sign Ordinance through the sign exception process and as enumerated in Morro Bay Municipal Code (MBMC) Section 17.68.060.E. Mitigation Measure AES - 1 has been recommended to ensure that no signage in excess of that allowed by the Code is erected unless specifically approved by the Planning Commission. All signage, except for the changeable copy walls signs, will be internally lit can signs. Consistent with MBMC Section 17.68.050, no sign will be permitted to emit or reflect light exceeding ten foot-candle power at ten feet from the face of the sign. (Please see Section 12: Noise, for further discussion regarding proposed signage).

d) The project is located in an already urbanized area with light sources from neighboring commercial uses and vehicular circulation along adjacent roadways. The project will be required to conform to property development standards for lighting installations and operational standards, which prohibit light from exceeding 10-foot candles or being directed to, or allowed to spill off-site. Conformance with these standards will ensure that the proposed project will not create a new source of substantial light or glare or affect nighttime views in the area.

Conclusion: *There are potentially significant impacts to Aesthetic Resources unless mitigation is incorporated.*

Mitigation Measure AES - 1: The Planning Commission shall review the number of signs and total area of signs, consider the sign program's relationship to the overall appearance of the subject property and make required findings that the proposed sign program is consistent with the City's sign ordinance as enumerated in MBMC 17.68.060.

Monitoring AES - 1: Construction and sign permit applications shall clearly note the above mitigation measure and subsequent Conditions of Approval on applicable sheets. Community Development Department staff will review all permit applications for compliance with the above mitigation measures and Conditions.

2. AGRICULTURAL RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocol adopted by the California Air Resources Board. Would the project:				
a. Convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X

Environmental Setting:

The project site is designated MCP/R-4/SP (Mixed Commercial Residential/Multifamily Residential-Hotel-Professional, in the North Main Street Specific Plan Area), and was previously developed with a gas and service station. The project site is now vacant except for miscellaneous flatwork, fencing, and landscaping remnants. The property and surrounding areas are not zoned for agricultural uses, nor has the site historically been used for farming or designated as prime farmland. The site is identified as urban and built up development on the San Luis Obispo County Map of Important Farmland 2006.

Impact Discussion:

a-e) The site and surrounding land uses are not zoned for or suitable for agricultural uses. Also, the site does not contain agricultural soils of any importance. Therefore the project will not impact farmland and have no impacts on agricultural resources.

Conclusion: *No impacts to agricultural resources have been identified.*

Mitigation and Monitoring: Not Applicable.

3. AIR QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?			X	
e. Create objectionable odors affecting a substantial number of people?			X	

Environmental Setting: The project area is located in the South Central Coast Air Basin (SCCAB). The SCCAB consists of San Luis Obispo County and a portion of Santa Barbara County north of the Santa Ynez Mountain ridgeline. Atmospheric pollutant concentrations in the SCCAB are generally moderate, due to persistent west-to-northwesterly winds that blow off the Pacific Ocean and enhance atmospheric mixing. Although meteorological conditions in the project area are usually conducive to pollutant dispersal, pollution can sometimes accumulate during the fall and summer months when the Eastern Pacific High can combine with high pressure over the continent to produce light winds and extended inversion conditions in the region. As a result, Morro Bay is considered a non-attainment area for particulate matter less than 10 microns in diameter (PM10) and ozone (O₃). State law requires that emissions of non-attainment pollutants and their precursors be reduced by at least 5% per year until the standards are attained. The Clean Air Plan (CAP) for San Luis Obispo County was developed and adopted by the Air Pollution Control District (APCD) to meet that requirement. The CAP is a comprehensive planning document designed to reduce emissions from traditional industrial and commercial sources, as well as from motor vehicle use. According to the APCD "CEQA Air Quality Handbook" (2012), both construction activities and ongoing activities of land uses can generate air quality impacts. The APCD has established the threshold of significance as project construction activities lasting more than one quarter and land uses that generate 1.25 or more pounds per day (PPD) of diesel particulate matter, .25 PPD of reactive organic gases, oxides or nitrogen, sulfur dioxide, or fine particulate matter, or more than 550 PPD of carbon monoxide, as having the potential to affect air quality significantly.

The proposed project area is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Serpentine is a very common rock and has been identified by the ARB as having the potential to contain naturally occurring asbestos. Projects that would potentially disturb serpentine rocks subject to the ARB Asbestos Airborne Toxics Control Measure (ATCM) for construction, Grading, Quarrying, and Surface Mining Operations.

Impact Discussion:

Operational Screening Criteria for Project Impacts:

a-c) The project includes clearing the site and construction of a drive-thru restaurant with drive-in service. Customer areas serving the 1,400 square foot restaurant/kitchen structure include a 1,020 square foot covered patio and 15 covered carports for in-car dining. Based on reference of Table 1-1 of the SLO County APCD CEQA Air Quality Handbook, both thresholds of significance for the APCD Annual Bright Line threshold (MT CO₂e) and reactive

organic gases (ROG) and oxides of nitrogen (NOx) would not be exceeded by the proposed project. Due to the small size of the restaurant and service area, the project is well below operational thresholds of significance.

Construction Screening Criteria for Project Impacts:

a-c) Temporary impacts from the project, including but not limited to excavation and construction activities, vehicle emissions from heavy duty equipment and naturally occurring asbestos, has the potential to create dust and emissions that exceed air quality standards for temporary and intermediate periods. Areas of cut are limited primarily to the north and east portions of the site, where 570 cubic yard of cut material will be removed to allow for vehicle circulation. The remainder of the site will be padded up above existing grade, (with a total of 730 cubic yards of fill) to come closer to what was at one time natural grade. Truck and equipment traffic would utilize major roadways and the number of daily vehicle trips that would be generated during construction would not add substantially to local traffic volumes.

d) Sensitive receptors within 1,000 feet of the project site include the residential uses to the north and Morro Bay High School to the west. The types of construction projects that typically require a more comprehensive evaluation include large-scale, long-term projects within 1,000 feet of a sensitive receptor location. The construction of a small restaurant and associated site improvements falls below the threshold required for mitigation and is considered less than significant.

e) Restaurant operations will likely add incrementally to the overall presence of food odors in the area, created by the numerous restaurants along Main Street. Given the relatively small scale of the restaurant and distance to residential uses, these new cooking odors would be considered less than significant.

Conclusion: *Less than significant impacts on air quality resources. The project is subject to standard construction practices, including dust control measures required by the Municipal Code and review by the APCD to address short-term air quality impacts related to construction. All permit conditions are required as notes on the plans and Community Development Department staff will monitor compliance in the normal course of reviewing plans.*

Mitigation and Monitoring: Not Applicable.

4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife service?				X
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc) through direct removal, filling, hydrological interruption, or other means?				X

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X

Environmental Setting: The project site is designated MCP/R-4/SP (Mixed Commercial Residential/Multifamily Residential-Hotel-Professional, in the North Main Street Specific Plan Area), and was previously developed with a gas and service station. The project site is now vacant except for miscellaneous flatwork, fencing, and landscaping remnants. The site is at the intersection of several major roadways, including Main Street, Highway 41, and Highway 1.

Impact Discussion:

a-c) The project site is a previously disturbed infill site that does not contain any known habitat, special status species or wetlands; therefore, no impacts on biological resources would result.

d-f) No policies or ordinances protecting biological resources, or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan govern the project site; therefore, no impacts on biological resources would result.

Conclusion: *No impacts to biological resources have been identified.*

Mitigation and Monitoring: Not Applicable.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?		X		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?		X		

Environmental Setting: There are over 30 surveyed archaeological sites in the incorporated boundaries of the City, at least eleven (11) of which are within one-quarter mile radius of the project area. The project site is within the boundaries archaeological site CA-SLO-165 (Farrell 2007:12). The site has been included in multiple earlier cultural resource studies. CA-SLO-165 was formally recorded by Fritz Riddell in 1960, but well before major portions of the site were damaged by a variety of twentieth century developments, including roads, housing, military housing, and a service station. All this occurred well before any scientific investigations were undertaken (CRMS, 2007).

The results of numerous archaeological investigations and excavations in the immediate vicinity of the project area indicate there is a very high likelihood that significant cultural resources will be encountered during the course of construction. The construction proposed includes development of the site as a restaurant use along with excavation of approximately four to six feet to occur in the northeast corner of the site with utility trenching of the same depth west across City property (Main Street) and south across the CalTrans Right of Way. The property was previously occupied with a gas station, and underground monitoring wells which have both been removed, and as such much of the area has been previously graded.

Impact Discussion:

a) The existing property was previously developed as a service station with underground tanks, which were all removed and remediated in the 1990s. The site does not contain any known historic resources as defined in the CEQA Guidelines Section 15064.5.

b) The project site is within the boundaries of CA-SLO-165 (Farrell 2007:12). The project has been surveyed multiple times, been subjected to prior grading, building demolition, gas tank removal and other activities. Prior phase I archaeological surveys have observed no surface materials (Clark 1990, Singer 1997, Farrell 2007a).

The results of numerous archaeological investigations and excavations in the immediate vicinity of the project area indicate there is a very high likelihood that significant cultural resources will be encountered during the course of construction. The results of past archaeological studies and the Mitigation and Monitoring Strategy prepared by Cogstone have all referenced materials found during past prior archaeological excavations/monitoring on this site. In the Caltrans right of way, prior subsurface work has demonstrated widespread disturbance of the upper vertical levels also with sensitive resources (Mikkelsen et al. 2000). The State Route 41 widening excavations also found sensitive deposits. (Mikkelsen et al. 2000). To the east of the project site, in 2004, past excavation within the CalTrans ROW in association with a sewer line encountered previously disturbed deposits. The report concludes noting that CA-SLO-165 has previously been demonstrated to meet Criterion D/4 and have the potential to contribute new information to prehistory. Proposed excavations in the northeast corner which has no documented prior disturbance and for utility trenching will cause unavoidable adverse effects/impacts to a National Register eligible historic property. The proposed monitoring strategy prepared by Cogstone in April 2015 and updated in July 2015 and February 2016 reviewed these past studies, previous results, compared to the proposed project area and as proposed will mitigate these effects/impacts to a level less than significant.

An Archeological Mitigation and Monitoring Plan (Cogstone, April & July 2015, February 2016) included a summary of prior project archeological investigations, excavations/monitoring and previous excavations in CalTrans right of way. The mitigation and monitoring strategy recommended monitoring and reporting as the most appropriate method of finding any features that may be present and recovering diagnostic artifacts that may contribute information for the site. As outlined in the report, both a qualified archaeological monitor and culturally-affiliated Native American monitor would be on-site any time excavations exceed 40 centimeters (16 inches) in depth, where previously undisturbed soils may be contacted, and be responsible for maintaining both daily documentation of activities and a final monitoring compliance report. In addition Mitigation Measure CR – 1 has been recommended to ensure that the recommended monitoring and reporting as specified in the Cogstone Report (February 2016) is completed.

In addition new legislation, Assembly Bill 52, became effective July 1, 2015 which requires formal consultation with Native American tribes in order to protect tribal cultural resources. Consultation initiation letters were sent to five local tribes with connection to Morro Bay. Of these two tribes responded by phone with general comment and one tribe responded in writing which requested that recognition be noted for their Salinan tribe. The area is recognized by the State as having both Chumash and Salinan cultural affiliation. In response to this request, the project will be required to have culturally-affiliated monitors on site that ensures both groups are represented.

c-d) The existing property does not contain any known unique paleontological resources or geologic features identified on city maintained maps, or known human remains. However, the site is within an archaeologically sensitive area and there is the potential that materials (including but not limited to unique paleontological or geologic resources or human burials) could be encountered given the known historic use of the site. Please refer to

above paragraph CR-b, for further discussion and recommended mitigation measure CR-1, which will ensure proper treatment of any cultural resources, should they be discovered during construction activities.

Conclusion: *There are potentially significant impacts to Cultural Resources unless mitigation is incorporated.*

Mitigation Measure CR-1: The monitoring, reporting, discovery and treatment program outlined in the revised February 2016 Cogstone Mitigation and Monitoring Strategy Report shall be followed during all work on site and within the Caltrans right-of-way.

Monitoring CR - 1: Construction and grading plans shall clearly note the above mitigation measure on applicable sheets and be clearly visible to contractors and City inspectors. Community Development Department staff will periodically inspect the site for continued compliance with the above mitigation measures.

6. GEOLOGY /SOILS		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Publication 42)			X	
ii	Strong Seismic ground shaking?			X	
iii	Seismic-related ground failure, including liquefaction?			X	
iv	Landslides?				X
b.	Result in substantial erosion or the loss of topsoil?			X	
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Environmental Setting: The site is located within the Tidelands area of the Morro Bay Estuary, on the coastal edge of the Santa Lucia Range, within the Coast Range Geomorphic Province of California. The site is currently covered with an asphalt cap, but was most recently developed as a service station with underground tanks, which were removed in the late 1990s. The General Plan Safety Element depicts landslide prone areas, flood prone areas, areas of high liquefaction potential, and areas of potential ground shaking. The proposed site is located within an area of potential ground shaking and has moderate to high liquefaction potential.

San Luis Obispo County, including the City of Morro Bay is located within the Coast Range Geomorphic Province, which extends along the coastline from central California to Oregon. This region is characterized by extensive

folding, faulting, and fracturing of variable intensity. In general, the folds and faults of this province comprise the pronounced northwest trending ridge-valley system of the central and northern coast of California.

Impact Discussion:

a i-iv) The project consists of minor grading and land alteration to allow development of a small restaurant, parking and circulation areas. Under the Alquist-Priolo Special Studies Zone Act, the State Geologist is required to delineate appropriately wide special studies zones to encompass all potentially and recently-active fault traces deemed sufficiently active and well-defined as to constitute a potential hazard to structures from surface faulting or fault creep. In San Luis Obispo County, the special Studies Zone includes the San Andreas and Los Osos faults. To minimize this potential impact, the California Building Code and City Codes require new structures be built to resist such shaking or to remain standing in an earthquake. The San Andreas Fault is located approximately 41 miles at its closest point from the City. The site is located in an area that has the potential for ground shaking and a moderate to high liquefaction potential. Similar customer service uses are currently located on adjacent sites and the new construction will not expose a substantial amount of new structures or people to the risk of ground shaking, liquefaction potential or landslide.

No mitigation measures are necessary.

b) This project consists of new construction of a fast food restaurant on a vacant, previously disturbed site, and is on an infill site located in an urbanized area. There is a limited potential for top soil erosion since the area to be disturbed will be limited to building footings and flatwork.

c-d) The project is located on an urban site that has been previously developed. Construction will be required to comply with all City Codes, including Building Codes, which require proper documentation of soil characteristics for designing structurally sound buildings to ensure new structures are built to resist such shaking or to remain standing in an earthquake. The Building Division of the Community Development Department routinely reviews project plans for compliance with recommendations of the soils engineering reports.

e) The proposed project will be required to connect to the City's sewer system. Septic tanks or alternative wastewater systems are not proposed and will not be used on the site.

Conclusion: *Impacts related to Geology and Soils will have less than significant impact.*

Mitigation Monitoring: Not applicable.

7. GREENHOUSE GAS EMISSIONS		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			x	
b.	Conflict with an applicable plan, policy of regulation adopted for the purpose of reducing the emissions of greenhouse gases?			x	

Impact Discussion: In January of 2014 the City of Morro Bay adopted Climate Action Plan, which provides a qualitative threshold consistent with AB 32 Scoping Plan measures and goals. As identified in the APCD's CEQA Handbook (April 2012), if a project is consistent with an adopted Qualified GHG Reduction Strategy (i.e. a CAP) that addresses the project's GHG emissions, it can be presumed that the project will not have significant GHG emission impacts and the project would be considered less than significant. This approach is consistent with CEQA Guidelines Sections 15064(h)11 and 15183.5(b). The City's CAP was developed to be consistent with State CEQA Guidelines Section 15183.5 and APCD's CEQA Handbook to mitigate emissions and climate change impacts, and serves as a Qualified GHG Reduction Strategy for the City of Morro Bay. Appendix C of the CAP contains a CAP

Compliance Worksheet, which has been used to demonstrate project-level compliance. The project is in compliance with all mandatory measures including: provision of bicycle parking, pedestrian linkages and interconnectivity, traffic calming, construction techniques, and landscaping.

a-b) In the short-term, the proposed project could result in minor increases in emission of greenhouse gases during the site demolition and construction process. Such an increase would not individually contribute to global climate change; however, it would contribute considerably to the cumulative or global emission of GHGs. Standard City Construction Regulations will apply to this project, which include requirements that 1) a minimum six percent of construction vehicles and equipment be electrically-powered or use alternative fuels such as compressed natural gas, and 2) The contractor will limit idling of construction equipment to three minutes and post signs to that effect.

Long-term impacts would be primarily associated with vehicle trips to and from the restaurant. However, the proposed project is consistent with the land use diagram and policy provisions of the City's General Plan, and will result in infill development, located in close proximity to transit, services and employment centers. City policies recognize that compact, infill development allow for more efficient use of existing infrastructure and Citywide efforts to reduce greenhouse gas emissions. The City's Climate Action Plan (CAP) also recognizes that energy efficient design will result in significant energy savings, which result in emissions reductions.

Conclusion: *Impacts to Greenhouse Gas Emissions unless mitigation is incorporated.*

Mitigation Monitoring: *Not applicable*

8. HAZARDS/HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
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Environmental Setting: Human-caused hazards often occur as a result of modern activities and technologies. These potential hazards can include the use of hazardous materials and buildings that may be unsafe during a strong earthquake. The proposed project includes construction of a new drive-in/drive-thru restaurant, covered parking, and associated site improvements.

Impact Discussion:

a-b) The proposed project includes construction of a new drive-thru/drive-in restaurant and associated site improvements, and will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Handling and disposal of used cooking oils is regularly overseen by the County Health Department.

c) Morro Bay High School, which is located west of Highway 1, is within 1,000 feet of the project site and is the nearest existing or proposed school in the area. However, the proposed restaurant use will not be considered a nuisance or have the potential to create significant impacts, as operations will not entail handling or emission of hazardous materials, substances or waste.

d) Within 300 feet of the project site there are three known Leaking Underground Tank (LUST) Cleanup Sites. Review of the State Cal EPA Cortese List Database indicates that these sites are all closed.

e-f) The project is not located in the vicinity of an airport.

g-h) The project is located on private property near the intersection of Main Street and Highway 41. Although Main Street is a main thoroughfare through the City for emergency response vehicles, the project will be staging all construction on site or be required to get an encroachment permit for construction staging areas on the public right of way. At no time will staging be allowed at a location that will impair the flow of traffic or create traffic hazards. Plans have been reviewed by the Fire Marshal and Public Works staff, who determined that as designed the project will not conflict with any emergency response plan, evacuation plan, or future plans for improvements at Main Street and Highway 41. The site is not directly adjacent to any wild lands.

Conclusion: *Impacts related to Hazards and Hazardous Materials will have less than significant impact.*

Mitigation Monitoring: Not applicable.

9. HYDROLOGY/WATER QUALITY		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Violate any water quality standards or waste discharge requirements?				X
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X

c.	Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?				X
d.	Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				X
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f.	Otherwise substantially degrade water quality?			X	
g.	Place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?				X
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i.	Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j.	Inundation by seiche, tsunami, or mudflow?			X	

Environmental Setting:

The project site is an urban infill site, at the northeast corner of Main Street and Highway 41. The watershed of Morro Bay is approximately 48,450 acres and is bounded by the Santa Lucia Range on the north, Cerro Romauldo to the east and the San Luis Range to the south. Eventually draining to Morro Bay, the watershed has two significant creek systems: Los Osos and Chorro Creeks. The Chorro Creek watershed drains approximately 27,670 acres, while Los Osos Creek drains 16,933 acres, the remaining area drains directly into the bay through small local tributaries or urban runoff facilities. Sixty percent of the Chorro Creek watershed is classified as rangeland, while twenty percent is brushland. Hydro-geologically, the site is located in the southwest portion of the Morro Hydrologic Sub-area (Morro Basin) of San Luis Obispo County. Basin recharge is by infiltration of precipitation and from tributary watersheds upstream on the Morro and Little Morro Creeks.

Morro Bay contains approximately 2,100 acres of water surface at low tide and approximately 6,500 acres at high tide, leaving approximately 980 acres of tidal mud flat and approximately 470 acres of salt marsh. The water quality of Morro Bay is affected by presence of nutrients, toxic substances, hydrocarbons, bacteria, heavy metals, suspended sediment, and turbidity. Studies by various authors also suggest that Morro Bay is subjected to a relatively rapid increase in sedimentation. Morro Bay, Los Osos and Chorro Creek are listed as "impaired waters" under the federal Clean Water Act, Section 303(d) and are the subject of a Total Maximum Daily Load (TMDL), which is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards.

Specifically, the project area is the site of a former Shell Service station which included three 12,000 gallon underground gasoline storage tanks. It also the location of a former MtBE leak which has since been remediated. 68 groundwater monitoring wells were installed that were used to monitor and assess MtBE contaminated soil and groundwater originating from the defunct gasoline service station. In 2008, the Regional Water Quality Control Board (RWQCB) ordered the wells to be destroyed, because the RWQCB determined that the MtBE contamination had been abated at the site, and directed the wells be destroyed. The State Water Board website's identifies this site as cleanup status completed and case closed (RB Case #3261).

Impact Discussion:

a) The project includes removal of existing flatwork and landscaping, and construction of an approximately 1,400 square foot restaurant with outdoor seating, canopied parking for drive-up service, drive-thru service, and associated site improvements including ground work, retaining walls, frontage improvements, and landscaping. All development will be required to comply with adopted water quality standards and waste discharge requirements, and will likely result in an improvement to existing conditions for water quality and waste discharge collected and disposed of in the City's sewage system.

b) The Municipal Code states that if the project requires a building permit, which it does, the Building Division shall be responsible for checking availability of water equivalency units. In addition, the City's predominant source of water to serve commercial uses is obtained from the State Water Project and will not substantially deplete ground water.

c-e) All development and redevelopment projects which create or replace more than 2,500 SF (5,000sf for commercial projects) of impervious area must incorporate Stormwater Management controls as described in the Stormwater Management Guidance Manual for Low Impact Development & Post-Construction Requirements. This plan was adopted for the purpose of insuring water quality and proper drainage within the City's watershed. Staff reviews development applications for compliance with the Stormwater Management Plan and to ensure that designs are environmentally conscious, enhance water quality, and preserve and protect coastal waters and resources. Compliance with the Stormwater Management Plan is sufficient to mitigate any potentially significant impacts of the project in the areas of water quality and hydrology. Gross impervious area, project type, and project locations are evaluated by City staff to determine and quantify post-construction performance requirements. Public Works staff has determined that the project will complete and submit Performance Requirements 1,2,3, and 5.

For commercial projects more than one-half acre or on slopes greater than 15%, the Public Works Department standardly requires a detailed erosion and sediment control plan. The plan is required to show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. In addition, the Public Works Department has determined that the proposed improvements, which will be required to include installation of standard curb, gutter, sidewalk, and driveway approaches, are sufficient to avoid drainage impacts, such as flooding, on-site or downstream.

f) The proposed project includes construction of a small structure and flat work, and with the implementation of adopted drainage standards will not result in increased runoff. Since the project site is less than one acre and less than 15% slope, a Construction Activities Storm Water General Permit is not required, per the Federal Clean Water Act. However, pursuant to the City's demolition process, an erosion control plan will be required. The plan must demonstrate control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right-of-way, adjacent properties, any harbor, waterway, or ecologically sensitive area. This component of the permit process can be relied upon to ensure that water quality issues associated with erosion will be suitably addressed.

The proposed project is on a site that was the location of a previous MtBE contamination due to the presence of a former gasoline service station. The site was remediated and 68 groundwater monitoring wells were installed in order to monitor and assess MtBE contaminated soil and groundwater originating from the defunct gasoline service station. The RWQCB determined that the site has been remediated and is listed on their website as case closed as of 9/26/2008. Determined by the RWQCB to be a clean site, the proposed project of a new construction of a new drive-in/drive-thru restaurant, covered parking, and associated site improvements would therefore not substantially degrade water quality and would have less than significant impact.

g-i) The project site is not located within a 100 year flood hazard area as delineated on FEMA's Flood Insurance Rate Map #06079C0813G, Panel 813 of 2050. No structures would impede or redirect flood flow nor would there be exposure to significant risk or loss of injury or death as a result of the project.

j) Because the project site is located relatively near the coast, a potential hazard from tsunamis exists. However there is no established methodology to predict recurrence intervals of tsunamis. The last known tsunami warning occurred in the mid-1960's. Although the sand dunes offer some protection from tsunamis, past history suggests that the project site is still vulnerable to large tsunamis. As discussed in the Safety Element of the General Plan, the most feasible protection in the event of a tsunami is a warning system and evacuation plan. The warning is handled by the United States Weather Service and the Safety Element outlines safety preparedness measures. Therefore, the hazard presented by tsunamis is less than significant when approved safety measures are adhered.

Conclusion: *Impacts related to Hydrology and Water Quality will have less than significant impact.*

Mitigation Monitoring: Not applicable.

10. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Environmental Setting: The project is located at the intersection of Main Street and Highway 41, and is zoned for a mix of commercial, visitor-serving, and high-density residential uses. The area has a mixture of these allowed uses, with nearby development including an eclectic mix of gas stations and convenience stores, restaurants, retail, motels, and residential uses.

Impact Discussion:

a) The proposed restaurant will occupy a vacant in-fill site at a prominent gateway location to the city, where visitors traveling west on Highway 41 enter the City. The site is also immediately adjacent to Highway 1, and the existing on/off ramps. All site work will be on the site itself or in the adjacent right-of-way for required frontage improvements.

b) The project cannot be approved unless found consistent with the General Plan, Zoning Ordinance, California Coastal Act, Local Coastal Program and Municipal Code. The site is within the MCP/R-4/SP overlay, (Mixed Commercial Residential/Multifamily Residential-Hotel-Professional, in the North Main Street Specific Plan Area) zoning district and adjacent to CalTrans right-of-way (Highway 41). With the approval of the CDP and CUP the use can be found consistent with City regulations. Additionally, the proposed design has been reviewed by Community Development staff, who has found the project can be developed consistently with City standards. Additionally, the site design recognizes and accommodates preliminary designs for a planned round-about at the intersection of Main Street and Highway 41, which is being prepared to alleviate area traffic congestion originating at the existing four-way stop at this location.

c) The City of Morro Bay does not have an adopted habitat conservation plan; therefore, the project would not conflict with applicable habitat conservation plan or a natural community conservation plan.

Conclusion: *No impacts to Land Use and Planning have been identified.*

Mitigation Monitoring: Not applicable.

11. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Environmental Setting: The General Plan and the Division of Oil, Gas, and Geothermal Resources do not delineate any resources in the area. Further, the State Mining and Geology Board has not designated or formally recognized the statewide or regional significance of any classified mineral resources in the County of San Luis Obispo.

Impact Discussion: a-b) The project is not proposed where significant sand and gravel mining has occurred or will occur and there are no oil wells within the area where the project is located. In addition, the area is not delineated as a mineral resource recovery site in the general plan, any specific plan or other land use plan. This area of the City is fully built up and the general plan does not provide for mining. Therefore the project will not result in the loss of a known mineral resource of value to the region and impacts would be less than significant.

Conclusion: *No impacts to Mineral Resources have been identified.*

Mitigation Monitoring: Not applicable.

12. NOISE		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Expose people to, or generate, noise levels exceeding established standards in the local general plan, coastal plan, noise ordinance or other applicable standards of other agencies?		X		
b.	Expose persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c.	Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
d.	Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e.	For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Environmental Setting: Several noise sensitive uses are located within the vicinity of the project site; specifically single-family and multi-family residential units to the north and northeast of the proposed project. The City's General Plan Noise Element threshold for noise exposure is 60dB for most land uses. The City's Zoning Ordinance

also contains noise limitations and specifies operational hours, review criteria, noise mitigation, and requirements for noise analyses.

Impact Discussion:

a, c) The proposed new restaurant, particularly the interactive ordering boards for the in-car dining, will result in a new noise source for the area. As part of the application submittal, the applicant provided a Drive-Thru Sound Pressure Level Analysis (HM Electronics) received May 7, 2015, which details the noise levels that will be generated by the standard intercom systems. The report also includes instructions to contractors on the proper installation and sound measurement techniques to ensure compliance with these tested target volumes. As documented in this report, that anticipated noise levels are consistent with the surrounding uses and are not in conflict with standards in the General Plan, Local Coastal Plan or Zoning Ordinance. **Mitigation Measure NOI – 3** has been recommended to ensure that the recommended installation and testing occurs.

b, d) Site development will result in short-term increases in ambient noise levels related to the use of construction equipment including trucks, loaders, bulldozers, and backhoes. The potential noise levels are dependent on the location of the equipment on the site as well as the actual number and types of equipment used during construction. Construction activities may also result in temporary ground borne vibration. Construction noise and ground borne vibration is regulated by the City's Municipal Code, which regulates time of construction and maximum noise levels that may be generated. Standard construction standards imposed on the project include limited hours of activity and reduce other measures to reduce the noise levels of equipment during construction. Therefore, no impacts to surrounding residences will occur. Title 17 table 17.52.030(1) provides performance standards as it relates to noise levels allowed to occur at the site.

e, f) The project is not within the boundaries of an adopted airport land use plan or within two miles of a public airport or private airstrip.

Conclusion: *There are potentially significant impacts to Noise levels unless mitigation is incorporated.*

Mitigation Measure NOI - 1: All menu board and speakerposts shall be installed per the requirements of the HM Electronics Memo., received May 7, 2015 and final volume levels shall be tested prior to certificate of occupancy demonstrating compliance with standards in the City's General Plan/Local Coastal Plan.

Monitoring NOI - 1: Project plans shall clearly note the above mitigation measure on applicable sheets and be clearly visible to contractors and City inspectors. The contractor shall provide Community Development Department staff with documentation of the final volume of all menu boards and speakerposts tested on-site prior to the issuance of building occupancy.

13. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c.	Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?				X

Environmental Setting: The site and vicinity surrounding the project are designated in the General Plan for a mixture of commercial and high-density residential uses, and is characterized by an eclectic mix of development. Currently vacant, this site occupies a prominent entry point to the City, and a major intersection of east-west and north-south traffic.

Impact Discussion:

a-c) The project involves development of a vacant, in-fill site with a small restaurant, which will not displace a people or housing units, nor induce substantial growth.

Conclusion: No impacts related to Population and Housing have been identified.

Mitigation Monitoring: Not applicable.

14. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a. Fire protection?				X
b. Police protection?				X
c. Schools?				X
d. Parks or other recreational facilities?				X
e. Roads and other transportation infrastructure?			X	
f. Other public facilities?				X

Environmental Setting: The project site lies within the sphere of influence of the City of Morro Bay; therefore the City of Morro Bay provides most of the public services, including Fire and Police protection. The San Luis Coastal Unified School District operates an elementary school and a high school within the City.

Impact Discussion:

a, b, d-f) Because of the scale of the project and its location within a developed portion of the city, no changes to governmental service levels or the need for new facilities or equipment to maintain existing service levels have been identified. The project is consistent with the anticipated uses and intensity of development planned for at this location, and all existing services are considered adequate to serve the project. New structure will be constructed to meet current fire code requirements and is not expected to result in adverse physical impact that would change or increase fire protection needs. Police protection services are not impacted or expected to change beyond existing service levels. The project will be required to pay its pro-rata fair share for water and waste water line improvements that are necessary for this area, but which would be required to be completed with or without this incremental increase in demand. Patrons of the restaurant will largely be displaced from other nearby eateries, and no additional population will be served which could have effect on area parks and recreation facilities. Given the sites prominent location at a major City entryway and crossroads, it is anticipated that the project will add only minimally to the use of local roads and transportation options.

c) The school districts in the state have the authority to collect fees at the time of issuance of building permits to offset the costs to finance school site acquisition and school construction, and are deemed by State law to be adequate mitigation for all school facility requirements. Any increases in demand on school facilities caused by the project are considered to be mitigated by the district's collection of adopted fees at the time of building permit issuance.

Conclusion: *No impacts related to Public Services have been identified.*

Mitigation Monitoring: Not applicable.

15. RECREATION		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b.	Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

Environmental Setting: A variety of recreational activities including hiking, sightseeing, birdwatching, etc. are available within Morro Bay. Within the boundary of Morro Bay City limits, there are over 10 miles of ocean and bay front shoreline. Approximately 95% of the shoreline has public lateral access. These walkways provide active recreational activities for visitors and residents. There are also multiple improved parks and playgrounds throughout the City.

Impact Discussion:

a-b) The project is limited to the development of a vacant in-fill site with a small restaurant use, and no increase in demand on parks and other recreational facilities is anticipated. No additional recreational facilities are proposed.

Conclusion: *No impacts related to Recreation facilities have been identified.*

Mitigation Monitoring: Not applicable.

16. TRANSPORTATION/CIRCULATION		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, street, highway and freeways, pedestrian and bicycle path, and mass transit?		X		
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the country congestion management agency for designated roads or highways?		X		
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

d.	Substantially increase hazards due to a design feature (e.g. limited sight visibility, sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e.	Result in inadequate emergency access?				X
f.	Conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities?				X

Environmental Setting: The project site sits at the intersection of the three major roadways in the City of Morro Bay; Highway 1, which bisects the community north-south, Highway 41, which is the major east-west regional connector, and Main Street, which is a 2-lane local roadway which includes a Class II Bikeway.

Impact Discussion:

a-b) A Traffic Impact Study was prepared by Ruettgiers & Schuler Civil Engineers dated April 2014. The study assessed the potential traffic impacts resulting from the construction of a new Sonic Drive-In restaurant. Eight intersections were studied with analysis performed for AM, PM, midday and Saturday traffic scenarios. The report conclusions stated that the project is located in an area where the level of service is generally acceptable, with a few minor exceptions. The project trip generation is greatest during the Saturday peak period, which disperses rapidly on the street system and is anticipated to be below significant levels (generally below 50 peak hour trips) at all study intersections with the exception of the immediate project intersection of Sunset Avenue and Atascadero Road (State Route 41). With the exception of a single intersection (Main and State Route 41), there are no other locations where project traffic causes a significant deterioration in levels of service. The report discusses that construction of a future proposed roundabout at Main Street and State Route 1 will improve level of service.

The project does not conflict with any applicable circulation system plans and does not add significantly to demand on the circulation system or conflict with any congestion management programs or any other agency's plans for congestion management. Development of the site will not significantly increase the traffic trips to and from the site, and existing streets have sufficient unused capacity to accommodate any added vehicular traffic without reducing levels of service. The proposed project would not result in a significant impact with regard to increased vehicular trips and does not conflict with performance standards provided in City adopted plans or policies. The project will also contribute to overall impact mitigation for transportation infrastructure with City code requirement to pay its Traffic Impact Fee for Citywide impacts. As the Traffic Impact Study dated April 2014 note, there will be three impacted intersections which are further degraded as a result of the project and the study notes that impacts can be mitigated by payment of fair share costs for improvements to these impacted intersections. Public Works staff will be responsible for reviewing and calculating traffic fair share costs.

The largest impact on traffic levels and circulation effectiveness would be affected in large part due to the construction activity and equipment associated with the project, which will temporarily result in minor increases in traffic to and from the site. Once construction is complete, traffic volumes and impacts will return to substantially the same level as the existing site. The City's Public Works staff will be responsible for reviewing final project design for compatibility with the future round-about that is currently being evaluated.

c) The project will not result in any changes to air traffic patterns.

d) The project has been designed to meet City Engineering Standards and will not result in safety risks. The project will include curb, gutter, and sidewalk per City Engineering Standards, which will incrementally improve pedestrian and vehicle safety along Main Street.

e) The project has been reviewed by the City Fire Marshal to ensure adequate emergency access has been provided.

f.) The proposed project site is located immediately east of Highway 1, at the northeast corner of Main Street and Highway 41. Main Street provides sidewalks, bicycle lanes, and vehicular lanes for cars, busses and trolleys. The

project will not decrease performance or safety in the area, as the traffic patterns will remain unchanged at this time. Final site design will be reviewed by Public Works and Cal Trans to ensure that right-of-way dedication for the future roundabout is provided, and that driveway design accommodates necessary pedestrian and bicycle improvements and separations. The project is consistent with policies supporting alternative transportation due to the site's location within the City's urban center, and its proximity to shopping, parks and services.

Conclusion: *There are potentially significant impacts to Transportation/Circulation unless mitigation is incorporated.*

Mitigation Measure TR/CIR - 1 The Applicant shall be required to pay its fair share for improvements to the intersection of Main and State Route 1 as identified in the Traffic Impact Study dated April 2014 prior to issuance of a building permit.

Monitoring TR/CIR - 2: The Public Works Department shall calculate the required fair share improvement costs.

17. UTILITIES & SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Environmental Setting: The proposed project is a small restaurant facility, which will result in nominal increased demand related to water, wastewater and solid waste systems. The establishment will be served by the Morro Bay Wastewater Treatment Plant and local waste collection services that dispose of waste at Cold Canyon Landfill, which has been expanded to take increased waste anticipated within its services area. The project will comply with federal, state, and local statutes and regulations related to solid waste disposal, diverting materials from the demolition activities to recycling facilities as feasible.

Impact Discussion:

a, b, d, e) The proposed project would result in a minor increase in demand on City infrastructure, including water and wastewater facilities. The project will not cause a substantial increase in the amount of water that is required to be treated, and the treatment facilities can accommodate the current and proposed water and wastewater. New construction or expansion of treatment facilities not necessary as a result of this project.

The estimated peak flow of 1200 gpd from the Sonic Restaurant is considered negligible. However, as part of the site development the applicant will be required to participate in their prorated share of the water line improvement of the collection system along Highway 1, which will upgrade the deficient section of waste water trunk line from 18" to 27". This prorated share is estimated to be approximately 0.0273%. In addition, the Applicant will be required to comply with the City's Water Equivalency Unit (WEU) allocation program. The WEU program requires new development to offset water use on a 2 to 1 basis in order to receive new water allocations, therefore compliance with the WEU program would effectively reduce the estimated peak flow of 1200 gpd to zero, which therefore creates no impact.

If the existing connections are damaged or substandard, the developer will be required to re-construct private sewer facilities to convey wastewater to the nearest public sewer. The on-site sewer facilities will be required to be constructed according to the standards in the Uniform Plumbing Code and City standards.

c) The proposed project would result in a minor increase in demand on City stormwater infrastructure. Storm water facilities exist in the vicinity of the project site, and it is not anticipated the proposed project will result in the need for new facilities or expansion of existing facilities which could have significant environmental effects. This project has been reviewed by the City's Public Works Department for utilities and no resource/infrastructure deficiencies have been identified.

f-g) The incremental additional waste stream generated by this project is not anticipated to create significant impacts to solid waste disposal. To help reduce the waste stream generated during the construction phase of this project, the City's Municipal Code requires that a solid waste reduction plan for recycling discarded construction materials be submitted with the building permit application.

Conclusion: *Impacts related to Utilities and Service Systems will have less than significant impact.*

Mitigation Monitoring: Not applicable.

IV. MANDATORY FINDINGS OF SIGNIFICANCE (Section 15065)

A project may have a significant effect on the environment and thereby require a focused or full environmental impact report to be prepared for the project where any of the following conditions occur (CEQA Sec. 15065):

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) <i>Potential to degrade:</i> Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) <i>Cumulative:</i> Does the project have impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) <i>Substantial adverse:</i> Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Impact Discussion:

a) The project is a commercial development of a fast food restaurant in an urbanized area of the city on a vacant lot where there was previous commercial development. Without mitigation, the project could have the potential to have adverse impacts on all of the issue areas checked in the Table on Page 6. As discussed above, potential impacts to aesthetic, cultural resources, greenhouse gas emissions, and noise will be less than significant with incorporation of recommended mitigation measures.

b) The project is consistent with the Local Coastal Program, including the General Plan, Local Coastal Plan and Zoning Ordinance, which identifies this site as appropriate for visitor serving uses, and which supports infill development utilizing existing infrastructure. The proposed project will not result in cumulatively considerable impacts.

c) With the incorporation of mitigation measures, the project will not result in substantial adverse impacts on humans.

V. INFORMATION SOURCES:

A. County/City/Federal Departments Consulted:

City of Morro Bay Community Development Department (Planning, Building, and Public Works Divisions), Fire Department.
San Luis Obispo Air Pollution Control District

B. General Plan

x	Land Use Element	x	Conservation Element
x	Circulation Element	x	Noise Element
x	Seismic Safety/Safety Element	x	Local Coastal Plan and Maps
x	Zoning Ordinance & Map	x	Climate Action Plan

C. Other Sources of Information

x	Field work/Site Visit	x	Ag. Preserve Maps
x	Staff knowledge/ calculations	x	Flood Control Maps
x	Project Plans dated May 11, 2015	X	Archaeological maps and reports
x	Applicant project statement/description and submittal/resubmittal letters	x	Soils Maps/Reports
x	Archaeological Survey of a Portion of 1840 Main Street (Caltrans Right-of-Way); CRMS, April 2007	x	Published geological maps
x	Archaeological Monitoring Plan for MB Project No. UP0-071/CPO-108, Northeast corner Main Street and Highway 41, a Portion of Site CA-SLO-165, Morro Bay, CA; CRMS, May 2006	x	Topographic maps
x	Archaeological Monitoring and Monitoring Strategy (Cogstone, April 2015 and revised July 2015, February 2016)	x	County of San Luis Obispo Air Pollution Control District, CEQA Air Quality Handbook, April 2012
x	Traffic Impact Study; Ruetters & Schuler Civil Engineers, April 2014	x	Drive-Thru Sound Pressure Levels Report; HM Electronics, Inc. received May 7, 2015
x	Stormwater Control Plan, revised October 2015		California State Water Resources Control Board website, Geotracker, viewed 3/15/16.
x	Cal Trans District 5, correspondence dated 10/31/2013 and 6/13/2014		

VI. ATTACHMENTS

A – Summary of Mitigation Measures and Applicant's Consent to Incorporate Mitigation into the Project Description.

Attachment A **Mitigation and Monitoring Program**

AESTHETIC RESOURCES

Mitigation Measure AES - 1: The Planning Commission shall review the number of signs and total area of signs, and make findings that an abridged sign program would reduce impacts on public welfare to a less than significant level.

- **Monitoring 1:** Construction and sign permit applications shall clearly note the above mitigation measure and subsequent Conditions of Approval on applicable sheets. Community Development Department staff will review all permit applications for compliance with the above mitigation measures and Conditions. ¶

CULTURAL RESOURCES

Mitigation Measure CR- 1: The monitoring, reporting, discovery and treatment program outlined in the February 2016 Cogstone Mitigation and Monitoring Strategy Report shall be followed during all work on site and within the Caltrans right-of-way.

Monitoring CR - 1: Construction and grading plans shall clearly note the above mitigation measure on applicable sheets and be clearly visible to contractors and City inspectors. Community Development Department staff will periodically inspect the site for continued compliance with the above mitigation measures.

NOISE

Mitigation Measure NOI - 1: All menu board and speakerposts shall be installed per the requirements of the HM Electronics Memo., received May 7, 2015 and final volume levels shall be tested prior to certificate of occupancy demonstrating compliance with standards in the City's General Plan/Local Coastal Plan.

Monitoring NOI - 1: Project plans shall clearly note the above mitigation measure on applicable sheets and be clearly visible to contractors and City inspectors. The contractor shall provide Community Development Department staff with documentation of the final volume of all menu boards and speakerposts tested on-site prior to the issuance of building occupancy.

TRAFFIC/ CIRCULATION

Mitigation Measure TR/CIR - 1 The Applicant shall be required to pay its fair share for improvements to the intersection of Main and State Route 1 as identified in the Traffic Impact Study dated April 2014 prior to issuance of a building permit.

Monitoring TR/CIR - 2: The Public Works Department shall calculate the required fair share improvement costs.

Acceptance of Mitigation Measures by Project Applicant:

 _____	<u>3/16/16</u> _____
Applicant	Date