

## 4.11 PUBLIC SERVICES

*This section examines impacts to fire protection, law enforcement, schools, and solid waste services that would result from buildout under the LOCP. In general, it appears that there is sufficient landfill capacity to ensure that programmatic impacts related to solid waste would be less than significant. Impacts to school are deemed to be less than significant based on the payment of state mandated fees, consistent with state law. Impacts to fire and police protection services are also considered less than significant (Class III) with the payment of required public facilities fees.*

### 4.11.1 Setting

#### a. Physical Setting

Fire Protection. Fire protection and emergency medical services are provided by Cal Fire/County Fire through an agreement with the Los Osos Community Services District (LOCSA). The South Bay Fire Station (Station 15), located at 2315 Bayview Heights Drive, serves Los Osos and nearby areas beyond the Urban Reserve Line, providing fire prevention and emergency medical services. For most calls within Los Osos, Cal Fire response times vary from four to seven minutes. The response times are within the performance standards as outlined in the Cal Fire/San Luis Obispo County Strategic Plan.

Law Enforcement. Los Osos relies on the County Sheriff and the California Highway Patrol for police protection services. The primary station serving the community is the Sheriff's coast station, located in Los Osos at 2099 10<sup>th</sup> Street. The Sheriff's substation in Los Osos serves a large geographic area that extends from Avila Beach to the Monterey County line. Response times for the Sheriff's office vary, based on allocated personnel, existing resources, time and day of week and prioritized calls for law enforcement services. In 2014, the average response time for Los Osos was about 16.6 minutes, according to the County Sheriff's Office.

Other services, including investigative and emergency dispatch services, are provided the County Operations Center on Kansas Avenue, midway between Morro Bay and San Luis Obispo near Highway 1. Additional police protection services are provided by the California Highway Patrol (CHP). The nearest Highway Patrol office is located near the California Boulevard-Highway 101 interchange in San Luis Obispo.

Schools. Los Osos is served the San Luis Coastal Unified School District. Residents attend Monarch Grove Elementary, and Baywood Elementary School, and Los Osos Middle School, all of which are located within the community, as well as Morro Bay High School within the City of Morro Bay. Current enrollment at these schools is shown in **Table 4.11-1**.

<b>Table 4.11-1. Enrollment and Capacity at Public Schools Serving Los Osos</b>			
	<b>Capacity</b>	<b>Enrollment</b>	<b>% of Capacity</b>
Monarch Grove Elementary	470	347	74%
Baywood Elementary	432	352	81%
Los Osos Middle School	1,073	583	54%
Morro Bay High School	1,400	867	62%
<b>Total</b>	<b>3,375</b>	<b>2,149</b>	<b>64%</b>
<i>Source: SLUCSD, 2015 Enrollment Projections Capacity Analysis 2014/15 Update</i>			

Elementary school enrollment has generally declined during the 1993-2015 period, because of declining household size and a general aging demographic within the community. Enrollment is currently about 74-81% percent of the capacity of the two local elementary schools. Los Osos Middle School enrollment was about 54 percent of capacity in the 2014-15 school year, while Morro Bay High School's enrollment was at about 62% of capacity. Student enrollment typically fluctuates throughout any given school year, in part because families move in and out of the area, or choose to send their children either to schools outside the area, or to private schools.

San Luis Unified School District does not currently project significant growth in Los Osos in its long-term facility needs estimates, but recognizes this situation could change with the advent of the community sewer system, and is prepared to address potential growth as needed (Anthony Palazzo, SLUCSD, May 2016).

Solid Waste. Mission Country Disposal provides garbage collection and recycling services within Los Osos, transporting solid waste to Cold Canyon Landfill at 2268 Carpenter Canyon Road, between the cities of San Luis Obispo and Arroyo Grande.

At Cold Canyon Landfill, waste is processed at the Resource Recovery Park (RRP) and Materials Recovery Facility (MRF). The landfill does not compost, but green waste and wood waste are processed (chipped/ground) for either use as cover for the working face of the landfill, or being hauled to another out-of-county facility. Commercial operations that use roll-off services and/or construction and demolition waste removal services may choose any permitted hauler.

The RRP includes a public drop-off facility, a construction and demolition (C&D) recycling operation, a household hazardous waste drop-off facility, a universal and electronic waste recycling center, and an equipment maintenance facility. Materials collected, sorted, and recovered in the bunkers include cardboard, metal and appliances, green waste, wood waste, concrete/asphalt/brick, trash, tires, drywall, and other paper and plastic materials.

The MRF accepts recyclable waste from the curbside pickup services and industrial and commercial consumers. In addition, it receives recyclable material sorted at the RRP. The MRF processes up to 18 tons per hour of glass, plastic, paper, cardboard, aluminum, tin, and other metals. The MRF is capable of accepting up to 400 tons per day (CalRecycle 2016). The sorting process produces less than 5 percent residuals (materials which cannot be recycled) (City of San Luis Obispo 2012).

Currently, the maximum permitted throughput to the landfill is limited to 1,650 tons per day (CalRecycle 2016). However, the Cold Canyon Landfill recently received approvals from the County and the state in 2013 to allow continued waste expansion and disposal operations through 2040. With planned expansions through 2040, the maximum total throughput would increase to 2,050 tons (City of San Luis Obispo 2014). The landfill has a design capacity of 23,900,000 cubic yards (cy) and a remaining capacity of 14,500,000 cy, or 60.7 percent. Utilizing the MRF and RRP, Cold Canyon Landfill diverts approximately 65 percent of waste from the landfill. Additional potential solid waste disposal sites that could serve the community include the Chicago Grade and/or Paso Robles landfills, or at out of county waste disposal facilities. The Chicago Grade and Paso Robles Landfills have remaining infill capacities of 832,699 cy (93 percent) and 5,327,500 cy (82 percent), respectively (CalRecycle 2016).

In 2010, San Luis Obispo County sent 226,987 tons of solid waste to landfills.

**b. Regulatory Setting.** The following regulations set forth criteria and specific requirements to address public services.

Federal. There are no federal regulations that relate to the public services described above.

State. The following discussion summarizes the key state regulations that relate to public services, notably fire protection and schools.

#### ***California Fire Code and California Building Code***

The International Fire Code and the International Building Code established by the International Code Council (ICC) and amended by the State of California; prescribe performance characteristics and materials to be used to achieve acceptable levels of fire protection.

#### ***California Occupational Safety and Health Administration***

In accordance with California Code of Regulations, Title 8 Sections 1270 “Fire Prevention” and 6773 “Fire Protection and Fire Equipment,” the California Occupational Safety and Health Administration (Cal OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include but are not limited to guidelines on the handling of highly combustible materials, fire hosing sizing

requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

***California Health and Safety Code***

State fire regulations are set forth in Sections 13000, et seq. of the California Health and Safety Code, which includes regulations for building standards (as set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers, smoke alarms, high-rise building, childcare facility standards, and fire suppression training.

***Leroy F. Greene School Facilities Act of 1998***

The California State Legislature enacted the Leroy F. Green School Facilities Act of 1998 (Senate Bill 50), which made significant amendments to existing state law governing school fees. Senate Bill 50 prohibited state or local agencies from imposing school impact mitigation fees, dedications, or other requirements in excess of those provided in the statute. The legislation also prohibited local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any project.

Local. The County prepared a Public Facilities Financing Plan (PFFP) for the unincorporated portions of the County, including Los Osos, most recently updated in 2011. In general, it addresses the link between new development and public infrastructure financing, and sets fees to mitigated impacts associated with parks, law enforcement, fire protection, and other County services.

This 2011 PFFP documents the amount and cost of new capital facilities required to serve new development in unincorporated areas through the year 2025. One potential source of funding is public facilities fees, or impact fees, paid by new development to fund its fair share of facilities needs. The PFFP documents the maximum justified level of those fees, and is structured to address the following specific topics:

- Public Facilities Financing in California
- Fee Determination
- Facilities Costs and Fee Schedules
- Implementation and Administration
- Collection and Disbursement

As described in the PFFP, the public facilities fees are collected at time of building permit issuance, unless deferred to final building permit inspection according to an agreement pursuant to the Public Facilities Fees Ordinance. The fees will not be collected on vacant land until development occurs. Fees will only be collected on developed land if the existing structures are being expanded or otherwise modified to allow more intense use of the property.

Fee revenues for each facility area are collected in a separate trust account, and interest earned on fund balances are credited to that account. Funds will be transferred from that account to specific accounts for construction as needed to finance the facilities required to serve new development. These facilities are summarized in their respective chapters of this plan, and in greater detail in specific master plans prepared by each department. The proposed facilities for each type of service are reflected as an attachment to the Resolution adopting the Public Facilities Financing Plan and will be reviewed and revised as needed through the annual review of the Public Facilities Fee program. The County uses the Capital Improvement Program to indicate the actual phasing and location of new facilities.

#### 4.11.2 Impact Analysis

##### a. Methodology and Significance Thresholds.

Methodology. The analysis is based on a programmatic evaluation of the potential for future development under the LOCP to cause adverse impacts related to public services, based on the proposed project's compliance with existing regulations that address the issue.

Significance Thresholds. In accordance with Appendix G of the State CEQA Guidelines, impacts would be significant if development under the Community Plan would:

- *Result in 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 public services:*
  - *Fire protection*
  - *Police protection*
  - *Schools*
  - *Parks (addressed in Section 4.12, Recreation)*
  - *Other public facilities (including Solid Waste)*

**b. Impacts and Mitigation Measures.**

***Threshold: Would actions under the Community Plan result in 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 fire protection?***

**Impact PS-1 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for fire protection services. Required public facilities fees that would be paid in conjunction with new development are considered to ensure that impacts are Less Than Significant (Class III).**

Buildout under the Los Osos Community Plan would result to 1,861 new residential units within its 25-year planning horizon, which would generate an estimated 4,094 additional residents (based on an average household size of 2.2 persons). When added to the existing population of approximately 13,906, buildout under the Community Plan would increase Los Osos’s total population to an estimated 18,000 residents. This increase in population would lead to increased need for fire protection services. New residential development would be required to pay standard fees to offset potential impacts to public facilities, including fire protection facilities. CalFIRE fees are currently \$421 per residential unit, and a County Public Facilities fee in accordance with Title 18 of the County Code currently ranges from \$5,021.40 to \$6,861.40 per new residential unit, depending on the size and unit type.

Future applicants for development in the community would be required to pay impact mitigation fees in accordance with the County of San Luis Obispo Public Facilities Financing Plan for Unincorporated Area Facilities (revised September 2011) prior to the issuance of a building permit. Payment of these fees would contribute to the provision of additional fire protection equipment or facilities as needed to accommodate potential growth. That need would have to be determined at the time a specific development is proposed. Revisions to the impact fee program or other financing mechanisms could be necessary in the event the need for substantial new infrastructure occurs due to unforeseen circumstances, and in that case would most appropriately be addressed and assured prior to the approval of any specific development that may occur subsequent to those unforeseen circumstances. Therefore, impacts to fire protection services would be Class III, less than significant.

Proposed LOCP Policies to Address Potential Impacts. Although the community appears to be adequately served at this time, it is unclear the extent to which future growth both within the

community and within the greater service area in the County will continued to be adequately served by existing fire protection facilities. Nevertheless, the appropriate mechanism to ensure that impacts would be less than significant is not through the LOCP, but through the collection of public facilities fees, which would be applied as appropriate to identified capital improvements that are tied to the County’s adopted Public Facilities and Financing Plan.

Mitigation Measures. No mitigation measures are required.

Residual Impacts. Impacts would be less than significant without mitigation.

***Threshold: Would actions under the Community Plan result in 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 police protection?***

**Impact PS-2 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for law enforcement services. Required public facilities fees that would be paid in conjunction with new development are considered to ensure that impacts are Less Than Significant (Class III).**

Buildout under the Los Osos Community Plan would result to 1,861 new residential units within its 25-year planning horizon, which would generate an estimated 4,094 additional residents (based on an average household size of 2.2 persons). When added to the existing population of approximately 13,906, buildout under the Community Plan would increase Los Osos’s total population to an estimated 18,000 residents. This increase in population would lead to increased need for law enforcement services.

Future applicants for development in the community would be required to pay impact mitigation fees in accordance with the County of San Luis Obispo Public Facilities Financing Plan for Unincorporated Area Facilities (revised September 2011) prior to the issuance of a building permit. Payment of these fees would contribute to the provision of additional fire protection equipment or facilities as needed to accommodate potential growth. That need would have to be determined at the time a specific development is proposed. Revisions to the impact fee program or other financing mechanisms could be necessary in the event the need for substantial new infrastructure occurs due to unforeseen circumstances, and in that case would most appropriately be addressed and assured prior to the

approval of any specific development that may occur subsequent to those unforeseen circumstances. Therefore, impacts to police protection services would be Class III, less than significant.

Proposed LOCP Policies to Address Potential Impacts. Although the community appears to be adequately served at this time, it is unclear the extent to which future growth both within the community and within the greater service area in the County will continue to be adequately served by existing police protection facilities. Nevertheless, the appropriate mechanism to ensure that impacts would be less than significant is not through the LOCP, but through the collection of public facilities fees, which would be applied as appropriate to identified capital improvements that are tied to the County's adopted Public Facilities and Financing Plan.

Mitigation Measures. No mitigation measures are required.

Residual Impacts. Impacts would be less than significant without mitigation.

***Threshold: Would actions under the Community Plan result in 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 performance objectives for schools?***

**Impact PS-3 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for public school facilities. However, in accordance with Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees is considered to be full and complete mitigation of potential school-related impacts. For this reason, impacts are considered Less than Significant (Class III).**

Existing enrollments are well within the capacity of area schools, as reported previously. Based on industry standard student generation rates, buildout under the LOCP would generate new students, as shown in **Tables 4.11-2 and 4.11-3:**



<b>Table 4.11-2. Projected Student Generation from Additional Development Under LOCP</b>					
<b>Grade Level</b>	<b>Generation Rates</b>		<b>Potential Residential Units</b>		<b>Projected Additional Students</b>
	<i>Single-Family (students per unit)</i>	<i>Multi-Family (students per unit)</i>	<i>Single-Family</i>	<i>Multi-Family</i>	
K-6	0.302	0.116	1,061	800	<b>413</b>
7-8	0.064	0.032	1,061	800	<b>94</b>
9-12	0.119	0.066	1,061	800	<b>179</b>
<b>Total</b>					<b>686</b>

*Student generation rates based on SLUCSD projections in 2015 Enrollment Projections Capacity Analysis 2014/15 Update; development potential is from EIR Project Description.*

<b>Table 4.11-3. Existing and Projected Student Enrollment</b>						
<b>Grade Level</b>	<b>Existing Capacity</b>	<b>Existing Enrollment</b>	<b>New Projected<sup>1</sup></b>	<b>Total at Buildout</b>	<b>% of Capacity</b>	<b>Available Capacity?</b>
Elementary (K-5) <sup>1</sup>	902	699	354	1,053	117%	No
Middle School (6-8) <sup>2</sup>	1,073	583	153	736	69%	Yes
High School (9-12)	1,400	867	179	1,046	75%	Yes
<b>Total</b>	<b>3,375</b>	<b>1,043</b>	<b>686</b>	<b>2,835</b>	<b>84%</b>	<b>Yes</b>

*Based on student generation rates and development assumptions included shown in Table 4.11-1 and 4.11-3.*

<sup>1</sup> *Elementary schools serve K-5, so projected enrollments for K-6 shown in Table 4.11-3 are reduced by 1/7 in this table. Los Osos Middle School serves 6-8, so projected enrollment for sixth graders is added to the 7-8 projection made in Table 4.11-3.*

There appears to be substantial capacity at the middle school and high school to accommodate future development in Los Osos through buildout of the Community Plan, with projected enrollment not exceeding 75% of available capacity at either Los Osos Middle School or Morro Bay High School. It should be noted that this does not account for potential growth in the City of Morro Bay, which also feeds area schools, particularly the high school. However, preliminary discussions with City of Morro bay staff suggest that long-term growth in Morro Bay is not likely to be substantial. That community is currently embarking on a General Plan update, and projected future population is not anticipated to be significantly higher than the current population (Scot Graham, City of Morro Bay, March 2016). Los Osos typically contributes about 70% of the student enrollment at the middle school and high school, with the reminder coming from outside the community.

At the elementary schools, future enrollment could potentially exceed existing capacity. Even accounting for the fact that projected SLUCSD enrollment rates are based on K-6, and sixth graders currently attend Los Osos Middle School, that would only reduce the projected enrollment estimates by 1/7, or 14% at that grade level. As shown in **Table 4.11-3**, this would result in a projected buildout enrollment at the elementary (K-5) level of 1,053, which is 17% over existing capacity. However, it is worth noting that Sunnyside Elementary School, located at 800 Manzanita Drive, which was previously closed because of declining enrollments, could potentially be reopened if future growth necessitated this action, since the SLCUSD still owns the site.

Consistent with applicable legislation, the SLCUSD currently requires all new residential and commercial development to pay developer fees to offset potential impacts of increased enrollment on City facilities through improvements to school facilities (Government Code Section 65996). SLCUSD currently collects developer fees as authorized by SB 50 (Government Code Section 65970) to mitigate increased demand for school facilities. These fees are currently assessed at \$3.36 per square foot of residential development and \$0.54 per square foot of commercial development (SLCUSD 2015a), which would be estimated when building plans and sizes are finalized. In accordance with Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization."

Because new development would be required to pay statutory impact fees for school facilities, and that is deemed to be full mitigation under state law, impacts on school facilities associated with buildout under the LOCP would be Class III, less than significant.

Mitigation Measures. No mitigation measures are required, because impacts are less than significant.

Residual Impacts. Impacts would be less than significant without mitigation.

***Threshold: Would actions under the Community Plan result in 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 performance objectives for solid waste services?***

**Impact PS-4 Residential development and associated population growth resulting from future development under the LOCP would increase the demand for solid waste disposal services. However, existing regional landfills that serve Los Osos have sufficient long-term capacity to accommodate buildout under the LOCP, so impacts are considered Less than Significant (Class III).**

Solid waste generated from residential uses is a function of the number of homes, household size, and per capita waste generation. CalRecycle estimates that residential uses in San Luis Obispo County generate an average of 0.25 tons per resident per year for residents in San Luis Obispo County

(CalRecycle, Residential Wastestream Database, 2014; accessed March 2017). Commercial solid waste generation is based on a per employee generation factor. The CIWMB and CalRecycle estimate that nonresidential uses in San Luis Obispo County generate an average of 9.8 pounds of waste per employee per day (CalRecycle, 2013).

Based on a factor of 2.2 persons per dwelling unit, the additional 1,861 residential units associated with Community Plan buildout would be expected to generate approximately 4,094 new residents. Therefore, prior to implementation of recycling programs or State mandated diversion requirements, new residential development accommodated under the proposed Community Plan would generate approximately 1,024 tons of solid waste per year or 2.8 tons of solid waste per day.

Based on an assumed 700 square feet of space per employee, the estimated 364,000 square feet of new commercial/retail development facilitated by the proposed LOCP would generate an estimated 520 new jobs. Therefore, prior to implementation of recycling programs or State mandated diversion requirements, commercial buildout under the proposed Community Plan would generate approximately 930 tons of solid waste per year or 2.5 tons of solid waste per day.

Based on the previous assumption, existing and projected solid waste generation in Los Osos is estimated in **Table 4.11-4**.

<b>Table 4.11-4. Existing and Projected Solid Waste Generation in Los Osos (tons/day)</b>			
	<b>Existing</b>	<b>Projected from New Development</b>	<b>Total at Buildout</b>
Residential	9.5	2.8	12.3
Non-Residential	4.7	2.5	7.2
<b>Total</b>	<b>14.2</b>	<b>5.3</b>	<b>19.5</b>

*Notes: Based on population and square footage figures included in the EIR Project Description. Residential rate based on 0.25/ton per resident (CalRecycle, 2014). Assumes 2.2 persons per household. Non-Residential rate based on 9.8 pounds/employee/day, and 1 employee per 700 SF.*

In total, new development would generate up to 1,954 tons per year of solid waste, or 5.3 tons per day. At buildout, total solid waste generation would be 7,143 tons per year, or 19.5 tons per day. This is well within existing landfill capacity at Cold Canyon.

Impacts resulting from long-term development under the LOCP would be less than significant (Class III).

Mitigation Measures. No mitigation measures are required, because impacts are less than significant.

**c. Cumulative Impacts.** As described above, impacts to police protection, fire protection, and public schools would be less than significant upon payment of impact mitigation fees, while impacts related to solid waste would be less than significant due to adequate capacity of an area landfill. Regional growth in the project vicinity, while expected to be relatively minor over the life of the proposed LOCP – may also increase demand for public services. Thus, the public services impacts from buildout of the proposed LOCP would incrementally contribute to these cumulative impacts. Cumulative impacts were evaluated comprehensively in this EIR at a programmatic level based on available information. Cumulative impacts would be **Class III, less than significant**. As future applications for individual projects are submitted at a project level of detail, the precise evaluation of future project-related impacts would be coordinated through individual project-level environmental review as appropriate.

**d. Subsequent Environmental Review for Future Development Projects in the Community Plan Area.** Pursuant to CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. **Table 4.11-5** describes conditions under which future development in the study area would require additional CEQA review, pursuant to Section 15183.

<b>Table 4.11-5. Conditions Under Which Future Development in the Community Plan Area Would Require Additional CEQA Review</b>	
<b>Condition</b>	<b>Impact to Address</b>
<i>The future project is inconsistent with underlying General Plan and zoning designations.</i>	PS-1 through PS-4
<i>The future project is inconsistent with Community Plan policies.</i>	PS-1 through PS-4
<i>The future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect.</i>	Impact that is peculiar to the project or parcel
<i>The future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects.</i>	Impact other than PS-1 through PS-4
<i>The future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.</i>	Worsened PS-1 through PS-4, as applicable