

TO: James L. App, City Manager

FROM: Robert A. Lata, Community Development Director

SUBJECT: New Superior Court at 940 Spring Street (Mitigated Negative Declaration, Planned Development 03-005, and Waiver 03-007)

DATE: November 4, 2003

Needs: In its capacity as property owner, the City Council is being asked:

- To review/comment on the preliminary building elevations and site plan for the new Superior Court facility, and
- To acknowledge completion of the City's development review process in compliance with the executed Ground Lease.

Facts:

1. The new Superior Court facility is the result of collaborative efforts of the City, the County, and the Courts, as more fully described in the executed Ground Lease by and between the City and the County.
2. The new Superior Court facility is to be constructed and operated on the approximately 1.4-acre site located on Park Street, immediately west of the Public Safety Center (see attached map). This new facility would replace the existing one at 549 10th Street.
3. The City's Economic Strategy and its General Plan call for retaining and expanding the North County Municipal Courts in the Downtown. One of the major goals of the Strategy is development of Downtown into a Commercial/Entertainment Center that:
 - Accommodates a Government Center, including Public Safety, Library/City Hall, and County Courts;
 - Caters to the tourists; and
 - Provides professional office space.
4. At its October 14, 2003 meeting, the Planning Commission took the following actions relating to the new Superior Court Project:
 - Adopted a Mitigated Negative Declaration and Mitigation Monitoring Program; and
 - Approved Planned Development 03-005 and Waiver 03-007, subject to compliance with standard and site-specific Conditions of Approval.

The Staff Report presented to the Commission is attached for City Council review/consideration.

5. In the absence of an appeal, the Planning Commission's action is final. The appeal period ends at 5:00 pm on October 29, 2003. At the time this report was prepared, no appeal had been filed.
6. The purpose of the City Council's review/comment is to act in the capacity of the property owner and to acknowledge completion of the City's development review process in compliance with the executed Ground Lease.

Analysis and

Conclusion:

A major component of the review process for the Superior Court facility involved providing various forums for public input, including a Public Workshop, three (3) Development Review Committee meetings, a Main Street Design Committee meeting, and a Planning Commission public hearing. Throughout the preliminary design phase, much effort was focused on creating a new public building that complements the others in the immediate area through:

- Use of the same or similar design elements as the Public Safety Center and the Library/City Hall;
- Orienting the building and the site towards the 10th/Park Street intersection in a manner that is similar to the Public Safety Center's orientation; and
- Use of an architectural style, as well as colors, materials, and finishes, that is complementary to that of the Public Safety Center and the Library/City Hall.

The County's submittal to the City included a narrative written by Mr. Bruce Fraser, Architect stating that: "The intent of the design for the new Paso Robles Superior Court Facility is to develop a distinguished public building for the Superior Court that exhibits the dignity appropriate to a justice facility, creates generous public spaces as a community amenity, and carefully reinforces the character of the neighborhood through building placement, materials, and detailing."

The Planning Commission found the new Superior Court facility to be a positive addition to the Downtown and a significant step in the continuing effort to develop a Civic Campus with public agencies, facilities, and services in one area.

Upon City Council confirmation of the Planning Commission's action on this Project, the next step is for the County to advertise for bids. Once final or substantially complete construction drawings have been prepared, they will be submitted to the City for Development Review Committee review and approval prior to construction in order to provide the DRC with the opportunity to verify that the precise details are consistently executed throughout all aspects of the project design.

Policy

Reference:

Economic Development Strategy, General Plan, Zoning, and Municipal Code.

Fiscal

Impact:

The new Superior Court facility is part of the City's Economic Strategy for continued Downtown revitalization. As such, it is anticipated that there will be a positive fiscal impact associated with the spin-off effects associated with use of the court.

Options:

After consideration of public testimony, the City Council will be asked to consider the following options:

- a. Adopt Resolution No. 03-xx acknowledging completion of the City's development review process in compliance with the executed Ground Lease.
- b. Amend, modify or reject the foregoing option.

H:\TRYder\Current Planning\Court Facility\11 14 03 CC Report

Attachments:

1. Location Map
2. Architectural Site Plan
3. Building Elevations
4. Draft City Council Resolution No. 03-xx
5. 10/14/03 Planning Commission Staff Report

RESOLUTION 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES REVIEWING THE PRELIMINARY PLANS FOR THE NEW SUPERIOR COURT FACILITY AND ACKNOWLEDGING COMPLETION OF THE CITY'S DEVELOPMENT REVIEW PROCESS IN COMPLIANCE WITH THE EXECUTED GROUND LEASE

WHEREAS, the new Superior Court facility is the result of collaborative efforts of the City of El Paso de Robles, the County of San Luis Obispo, and the State Superior Court of San Luis Obispo County, as more fully described in the executed Ground Lease by and between the City and the County;

WHEREAS, the Ground Lease was executed in order to accommodate the County's construction and operation of a North County Superior Court facility;

WHEREAS, the City's Economic Strategy and its General Plan call for retaining and expanding the North County Municipal Courts in the Downtown;

WHEREAS, one of the major goals of the Strategy is development of Downtown into a Commercial/Entertainment Center that accommodates a Government Center, including Public Safety, Library/City Hall, and County Courts; caters to the tourists; and provides professional office space;

WHEREAS, at its October 14, 2003 meeting, the Planning Commission took the following actions relating to the new Superior Court Project: (a) adopted a Mitigated Negative Declaration and Mitigation Monitoring Program; and (b) approved Planned Development 03-005 and Waiver 03-007, subject to compliance with standard and site-specific Conditions of Approval;

WHEREAS, in the absence of the filing of an appeal, the Planning Commission's action on the new Superior Court Facility is final;

WHEREAS, the purpose of the City Council's review/comment is to act in the capacity of the property owner and to acknowledge completion of the City's development review process in compliance with the executed Ground Lease;

WHEREAS, throughout the preliminary design phase, much effort was focused on creating a new public building and related site improvements that complements the others in the immediate area through:

- Use of the same or similar design elements as the Public Safety Center and the Library/City Hall;
- Orienting the building and the site towards the 10th/Park Street intersection in a manner that is similar to the Public Safety Center's orientation; and
- Use of an architectural style, as well as colors, materials, and finishes, that is complementary to that of the Public Safety Center and the Library/City Hall.

WHEREAS, the County's submittal to the City included a narrative written by Mr. Bruce Fraser, Architect stating that: "The intent of the design for the new Paso Robles Superior Court Facility is to develop a distinguished public building for the Superior Court that exhibits the dignity appropriate to a justice facility, creates generous public spaces as a community amenity, and carefully reinforces the character of the neighborhood through building placement, materials, and detailing;"

WHEREAS, the Planning Commission found that the new Superior Court facility would be a positive addition to the Downtown and a significant step in the continuing to develop a Civic Campus with public agencies, facilities, and services in one area;

WHEREAS, once final or substantially complete construction drawings have been prepared for the new Superior Court Facility and related site as well as public improvements, they will be submitted to the City for Development Review Committee (DRC); and

WHEREAS, per the Project Conditions of Approval, the DRC will be the reviewing authority of the City responsible for approving the final or substantially complete construction drawings for compliance with the Conditions and to verify that the precise details are consistently executed throughout all aspects of the project design.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of El Paso de Robles that:

1. The City Council has reviewed and approved the preliminary plans for the new Superior Court facility at 940 Spring Street in its capacity as property-owner.
2. The City Council has acknowledged completion of the City's development review process in compliance with the executed Ground Lease.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 4th day of November 2003 by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Sharilyn M. Ryan, Deputy City Clerk

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper: Tribune

Date of Publication: May 10, 2003

Meeting Date: June 10, 2003
(Planning Commission)

Project: Planned Development 03-005
-and- Intent to Adopt a Miti-
gated Negative Declaration for
New Superior Court Facility at
940 Spring Street, Paso Robles

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

forms/newsaffi.691

CITY OF EL PASO DE ROBLES NOTICE OF PUBLIC HEARING NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR NEW SUPERIOR COURT FACILITY AT 940 SPRING STREET

APPLICANT: COUNTY OF SAN LUIS OBISPO,
GENERAL SERVICES DEPARTMENT ON
BEHALF OF THE SUPERIOR COURT OF CALI-
FORNIA, COUNTY OF SAN LUIS OBISPO

NOTICE IS HEREBY GIVEN that the City of
El Paso de Robles will hold a Public Hearing of the
Planning Commission on Tuesday, June 10, 2003
to consider the following:

1) Adoption of a Mitigated Negative Declaration (a
statement of no significant environmental effects
with incorporation of the mitigation measures into
the project design) per the Statutes and Guidelines
of the California Environmental Quality Act (CEQA)
and the City's Procedures for Implementing CEQA;
and,

2) Approval of the proposed New Superior Court
Facility ("Facility") at 940 Spring Street in Down-
town Paso Robles, involving the construction and
operation of an approximately 22,400 square foot,
two-story (36-feet high) Facility pursuant to
Planned Development Application No. 03-005 on
file in the Community Development Department at
the Library/City Hall, Paso Robles, CA 93446.

The New Facility is to be built on an approximately
1.46-acre site, located on a portion of the City
Block bounded by Spring Street on the west, 10th
Street on the north; Park Street on the west; and
9th Street on the south (Assessor Parcel No. 009-
151-002). It would replace the existing Superior
Court Facility at 549 10th Street in Downtown Paso
Robles. There are 13 on-site parking spaces in a
fully secured area and 23 on-site, staff only parking
spaces in an access controlled area. Access to
and from the on-site parking lot is taken from
Spring Street.

The General Plan land use designation of the
Project site is CC (Community Commercial) and
the Zoning is C2 PD (Highway Commercial -
Planned Development). Both the General Plan
and Zoning permit Public Facilities as a matter of
right, subject to approval of a development plan
application by the Planning Commission.

Development plan approval is required before any
physical development of the site may occur (pursu-
ant to Chapter 21.16A, Planned Development Dis-
trict of Title 21 [Zoning] of the Paso Robles Muni-
cipal Code), and as further required in the executed
long-term ground lease between the City of El
Paso de Robles and the County of San Luis
Obispo.

The public hearing of the Planning Commission
will be held beginning at the hour of 7:30 p.m. in
the Conference Room of the Library/City Hall at
1000 Spring Street, Paso Robles, CA. The Com-
mission's action on the Planned Development
would be final in the absence of an appeal.

NOTICE IS ALSO HEREBY GIVEN that the
proposed Mitigated Negative Declaration, Initial
Study, and Mitigation Monitoring Plan/Program are
available for public review in the Community Devel-
opment Department at Paso Robles Library/City
Hall. Copies may be purchased for the cost of
reproduction. Comments on these documents will
be accepted during the 30-day public review period
from May 10, 2003 to June 10, 2003.

All persons interested in the environmental deter-
mination and/or the new Superior Court Facility
Project are invited to comment by written corre-
spondence prior to the public hearing or by oral
testimony at the hearing. If you challenge the Mit-
igated Negative Declaration, Initial Study, Mitigation
Monitoring Plan/Program and/or the Project in
court, the challenge may be limited to those issues
you or someone else raised at the public hearing
described in the Notice, or in written correspon-
dence delivered at, or prior to, the public hearing.
For additional information or copies of the staff
report, call Tina Ryder at (805) 237-3970.

Tina Ryder, City Planner

May 10, 2003

5826277

**AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for New Superior Court Facility – Mitigated Negative Declaration, on this 9th day of May 2003.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____

Lonnie Dolan



CITY OF PASO ROBLES

INITIAL STUDY FOR NEW SUPERIOR COURT FACILITY SUPERIOR COURT OF CALIFORNIA SAN LUIS OBISPO COUNTY

Prepared By: City of Paso Robles – Planning Division

Prepared For: New Superior Court Facility – Paso Robles

Lead Agency Contacts: Meg Williamson, Assistant to the City Manager
Tina Ryder, City Planner
Darren Nash, Associate Planner

Lead Agency Address: City of Paso Robles, 1000 Spring Street
Paso Robles, CA 93446

Telephone (805) 237-3970
Facsimile (805) 239-3904
E-Mail Tryder@prcity.com

Environmental Review Period: Begins: 05/10/03
Ends: 06/10/03

Environmental Determination: Mitigated Negative Declaration

Environmental Findings: The City Planner has determined that the Initial Study identified potentially significant effects, but: (1) revisions in the Planned Development agreed to by the County of San Luis Obispo avoid the effects or mitigate the effects to a point where clearly none would be significant, and (2) there is no substantial evidence, in light of the whole record before the City that the project as revised may have a significant effect on the environment.

Further, the City Planner has prepared a recommendation for consideration by the Planning Commission that the Commission find, on the basis of the whole record before it (including the Initial Study and any comments received thereon), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

Planning Commission Public Hearing: 06/10/03

Dated: 06/07/03

**INITIAL STUDY FOR A NEW SUPERIOR COURT FACILITY, PASO ROBLES
(SAN LUIS OBISPO COUNTY DEPARTMENT OF GENERAL SERVICES)**

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List of Exhibits/Appendices

Exhibits

- A. Vicinity Map
- B. Assessor Parcel Map
- C. Site Plan by KMD/Fraser Seiple Architects
- D. Building Elevations

Appendices (On File at Paso Robles Library/City Hall)

- Preliminary Title Report by First American Title Company
- Phase I Environmental Site Assessment by Earth Systems Pacific
- Drilling and Sampling Results by Earth Systems Pacific
- Soils Engineering Report by Earth Systems Pacific
- Geologic/Seismic Hazards Report by Earth Systems Pacific
- Tree Protection Report by Carolyn Leach Consulting Inc
- Traffic and Circulation Study by Associated Transportation Engineers
- Trip Generation Rates, Average Daily Trips Calculation Letter by Vanir

CITY OF PASO ROBLES – PLANNING DIVISION

INITIAL STUDY FOR NEW SUPERIOR COURT FACILITY

PLANNED DEVELOPMENT 03-005

1. GENERAL PROJECT INFORMATION

PROJECT TITLE: New Superior Court Facility (County of San Luis Obispo)

LEAD AGENCY: City of Paso Robles - 1000 Spring Street, Paso Robles, CA 93446

Contacts: Meg Williamson, Assistant to the City Manager
Tina Ryder, City Planner
Darren Nash, Associate Planner

PROJECT LOCATION: **Downtown Paso Robles - 940 Spring Street**
An approximately 1.46-acre portion of a City Block
Bounded by Spring Street on the west
10th Street on the north;
Park Street on the west; and
9th Street on the south

PROJECT PROPONENT: County of San Luis Obispo, General Services Department
Mr. Mark Wilwand, Capital Projects Coordinator
1087 Santa Rosa Street, San Luis Obispo, CA 93408

**LEAD AGENCY CONTACT/
INITIAL STUDY PREPARED BY:** Tina Ryder, City Planner

Telephone: (805) 237-3970
Facsimile: (805) 237-3904
E-Mail: Tryder@prcity.com

GENERAL PLAN DESIGNATION: SITE: CC (Community Commercial)
NORTH: PF (Public Facility)
EAST: PF (Public Facility)
SOUTH: CC (Community Commercial)
WEST: CC (Community Commercial)

ZONING: SITE: C2 PD (Highway Commercial – Planned Development)
NORTH: C1 PD (General Commercial – Planned Development)
EAST: C2 PD (Highway Commercial – Planned Development)
SOUTH: C2 PD (Highway Commercial – Planned Development)
WEST: C2 PD (Highway Commercial – Planned Development)

2. PROJECT DESCRIPTION: New Superior Court Facility- Downtown Paso Robles

General Project Overview

The Project is the construction and operation of an approximately 22,400 square foot, two-story New Superior Court Facility (“Facility”) at 940 South Spring Street in Downtown Paso Robles on an approximately 1.46-acre site. The New Facility would replace the existing Superior Court Facility at 549 10th Street in Downtown Paso Robles. There are 13 on-site parking spaces in a fully secured area and 23 on-site, staff only parking spaces in an access controlled area.

The existing Superior Court Facility is inadequate to serve the current needs of the Northern Region of San Luis Obispo County. As a result, the County of San Luis Obispo retained a consultant to work with the Superior Court to develop a detailed description of the New Facility required to accommodate the existing and future Superior Court regional needs through the Year 2020.

Existing Facility and Operations

The existing Superior Court Facilities include one full courtroom with a jury box (1,100 square feet) and one hearing room (500 square feet). One judicial officer’s chambers, a jury deliberation/attorney conference room, and an evidence locker/district attorney conference are housed in a permanent building (circa 1969). The support functions, including clerks’ area, supervisor’s office, public counter, public waiting area, computer room, file storage, and staff break area are located in the adjacent modular (the first portion of the modular was placed on the site in 1989; the second in 1994).

The courtroom operations currently consist entirely of hearings and court trials of small claims, limited civil cases, traffic matters, and misdemeanors. At this time, no jury trials, either civil or criminal, are held. Historically, jury trials were once held; however, they were discontinued due to the facility’s inadequacy (the facility lacks a jury assembly room and a dedicated jury deliberation room). Small claims matters are currently heard on a regular weekly calendar and independent mediators meet with small claims litigants before the hearings. Limited civil cases of unlawful detainer are filed and heard as well, based on the geographical location of the disputed tenancy. Other limited civil matters may also be filed and heard. Further, arraignments and court trials of traffic matters and misdemeanors are heard. Defendants may be remanded; however, no matters of any kind against in-custody defendants are heard. No felony matters are heard.

There is no permanent assignment of bench officers. Rather, the officers are on circuit. The judicial officers share the chambers amongst those officers who rotate through the court.

Facility Needs Assessment

The Needs Assessment stated that there is sufficient demand to warrant maintaining the current Superior Court services and operations. After the New Facility is built, the judicial officers will initially remain on circuit. The same types of cases as were heard at the existing Facility will be heard at the New Facility. The first change envisioned is the re-introduction of jury trials for civil matters. Future operational changes could include adding family law matters to the calendar, making a permanent assignment of judicial officers, and adding jury trials for misdemeanors. At no time will there be a capacity for felony matters to be heard or for the presence of in-custody defendants other than remands in any type of case. Further, one of the courtrooms in the new Facility will be dedicated solely to civil matters.

New Facility and Operations

The New Facility has two floors and a total square footage of approximately 22,402 square feet (gross).

The Schematic Floor Plan for the Ground Level includes the following:

Public Areas	Public Counter	
	Public Lobby	
	Vending Area	
	Public Self Help Area	
Limited Access Areas	Jury Assembly Room	923 square feet
	Three Visiting Offices	125 square feet/office
	Mediator's Office	150 square feet
	Mediator's Conference Room	150 square feet
	Child Waiting Room	160 square feet
	Jury Commissioner's Office	100 square feet
	Secure Counter	100 square feet
	Clerk's Area	1900 square feet
	Supervisor's Office	100 square feet
	Two Conference Rooms	150 square feet/room
	Staff Break Room	500 square feet
	Storage, Filing, Reproduction, Printing And Printing Areas	300 square feet
	Restrooms	400 square feet
	Sallyport/Loading Dock	350 square feet
	Boiler/Compressors	120 square feet
	Women's & Men's Changing Areas, and Lockers	400 square feet
	Weapons/Tool Storage	100 square feet

The Schematic Floor Plan for the Second Level includes the following:

Public Areas	Public Lobby	
Limited Access Areas	Courtrooms (2)	No square footage provided
	Judges Offices (2)	No square footage provided
	Conference/Jury Rooms (2)	No square footage provided
	Attorney Conference Rooms (2)	No square footage provided
	Attorney Research Area	No square footage provided
	Attorney Interview Rooms (2)	No square footage provided
	Holding Area	No square footage provided
	Witness Waiting Room	No square footage provided
	Sheriff's Office	No square footage provided
	Clerk's Office	No square footage provided
	Communications Room	No square footage provided
	Filing Area	No square footage provided

Building Orientation and Site Layout

The New Facility is located at the northeastern corner of the site. The front entrance and building façade is oriented diagonal to the intersection of 10th and Park Street. This orientation essentially mirrors that of the Public Safety Center located immediately to the east, across Park Street. The main entrance to the Public Safety Center faces the intersection of 10th and Park Street as well.

As a result of the main entrance and the building itself orientation addressing the corner of 10th and Park, the remainder of the site plan is devoted to on-site parking with the southwest corner devoted to a pedestrian path and outdoor seating area situated amongst the existing grouping of mature, heritage oak trees. Access to and from the on-site parking lot is taken directly from Spring Street. The Spring Street frontage of the Superior Court site has the same design treatment as that predominately found within the Spring Street corridor to the south with an emphasis placed on replicating the precise treatment found on both sides of Spring Street within the next block to the north. The treatment within this area serves as a transition between the newer development to the south and the main focal point/core area of the Downtown. The site plan shows a public sidewalk, themed lights, and enhanced landscaping set in front of a low brick wall (which wall and the plantings behind it serve to screen the on-site parking areas).

Architectural Style

Fraser Seiple Architects have provided the following Design Narrative for the New Facility.

“The design for the new Paso Robles Superior Court seeks to create a building that will reinforce and extend the character of the neighborhood, particularly its historic and more recent public buildings.

The building is a two-story structure, which provides a compact composition and allows a large portion of the site to be preserved as current open space and held in reserve for planned future expansion. With a two-story scheme, the building massing generates a more civic presence, relating to the adjacent public buildings and distinguishing the court from the retail and service buildings on the block.

Set back from the corner, the facility offers a generous, landscaped public plaza at the corner of Park and 10th Streets. The curved façade of the building allows it to related directly to Park Street and the Public Safety Center, to 10th Street, and to the corner itself, mediating the site’s opposition at the middle of the City’s evolving civic campus. The public corridors of the court facility face the plaza, and double height glazing offer views of people in the building, activating the public plaza and further connecting building function with the public realm.

Materials for the new court facility were carefully chosen to integrate the project into its surroundings. The front façade consists of curtain wall glazing along the curve of the building, capped by a sloped standing seam metal roof. Brick clads the north and east walls of the courtrooms. Cream-colored brick accents the building at the base and at the second floor. Clerestory windows with integral sunshading allow natural light into the courtrooms and distinguish these spaces on the exterior of the building. The south and west facades of the building are composed of complementary stucco walls, extending the theme and color of the brick facades from the more public faces of the building.

Landscaping and site improvements will also complement the building and enhance the quality of public spaces. The public plaza will be paved in concrete and interlocking pavers, repeating elements of other public spaces in the neighborhood. Seating walls will be incorporated to create planters and to allow subtle changes in elevation across the plaza. Existing oak trees will be preserved, with additional trees planted to reinforce the street edge and create a coherent landscape composition.

Valley oaks to the south of the building and live oaks along 10th Street will be preserved as prescribed by City ordinance, with additional trees planted to create a native themed, park-like setting. Pedestrian travel adjacent to existing trees will be accommodated by placement of pedestrian paths (with interlocking pavers) crossing the site, detailed to prevent damage to the root structure.

Public on-street parking, including required accessible spaces, will be provided along Park Street in the City's preferred diagonal pattern. Courts staff and secure parking for the facility are provided at the rear of the building, accessed via Spring Street.

The proposed grading scheme maintains the existing pattern of drainage to the northeast site corner. With the finished floor elevation set approximately at existing grade at the building rear, the public entrances rise about 2 ½ feet above the 10th Street/Park Street corner. This provides a visual base for the structure and the stair/ramp system separates the lobby entrance from street grade for security.

The intent of the design for the new Paso Robles Superior Court Facility is to develop a distinguished public building for the Superior Court that exhibits the dignity appropriate to a justice facility, creates generous public spaces as a community amenity, and carefully reinforces the character of the neighborhood through building placement, materials, and detailing.”

The requested entitlement for the new Superior Court Facility is the development plan as set forth in Planned Development Application 03-005 involving construction and operation of an approximately 22,400 square foot two-story (36-feet high) Facility at 940 South Spring Street in Downtown Paso Robles on an approximately 1.46-acre site. The New Facility would replace the existing Superior Court Facility at 549 10th Street in Downtown Paso Robles. There are 13 on-site parking spaces in a fully secured area and 23 on-site, staff only parking spaces in an access controlled area.

3. OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED (For example, financing approval, issuance of permits, or participation agreement):

Financing Approval - Superior Court of California, County of San Luis Obispo Financing Approval

Life Safety Review/Approval of Construction Documents - County of San Luis Obispo

Notice of Final Completion (Acceptance of Facility & Site Improvements) – County of San Luis Obispo

4. EARLIER ENVIRONMENTAL ANALYSIS AND RELATED ENVIRONMENTAL DOCUMENTATION:

This Initial Study incorporates by reference the Environmental Impact Report (EIR) for the Land Use and Circulation Element Update of the Paso Robles General Plan (SCH#89032917) as certified by the City Council on August 6, 1991 with adoption of Resolution No. 91-99. The EIR authorizes development of the land uses envisioned in the General Plan, including continued revitalization of the Downtown focusing on its development as a specialty retail, government, office, cultural, conference, and entertainment center of the City and North County region.

Certification of the Final EIR for the General Plan Update included the following:

- ✓ Findings of Fact Regarding the Project's Environmental Effects;
- ✓ Adoption of a Mitigation Monitoring Plan/Program;
- ✓ Findings of Fact Concerning Alternatives; and
- ✓ A Statement of Overriding Considerations.

Development in accordance with the General Plan Update was found as potentially being capable of having certain unavoidable and irreversible impacts (which impacts could not be mitigated to less than a significant level by reasonable means) as follows:

- A. Loss of prime agricultural soils and agricultural preserves to urban development;
- B. Incompatibility with County and Local Agency Formation Commission land use policies;
- C. Up to five intersections operating below the City's desire Level of Service Standard "C" should the City grow beyond a population of 35,000 over a period of more than 20-years (Year 2010);
- D. Increased regional air emissions which would be in excess of federal and state ambient air quality standards for carbon monoxide;
- E. Increased demand for wastewater treatment capacity from the present 4.9 MGD capacity to 9.9 MGD;
- F. Unavoidable increases in noise of more than 5 dB as a result of increases in traffic volumes; and,
- G. More water will be used than will be replenished into the groundwater table.

Certification of the Final EIR included findings for the unavoidable and irreversible impacts (which impacts were determined to be acceptable due to overriding considerations related to the social and economic benefits to the community), and establishment of a comprehensive City program for mitigating the potential impacts associated with development of the subject properties within the City, including the Downtown area. Most notably, the City is involved and committed to addressing the long-term traffic and circulation needs of the Downtown, and is doing so separate from individual project level reviews. Per the City's adopted Downtown Parking and Circulation Analysis and Action Plan, there are specific action items to be implemented in order to ensure creation of additional public parking for the Downtown. Since the new Facility is a key component of the City's revitalization efforts as expressed in the General Plan and Economic Strategy, its cumulative traffic and circulation impacts are addressed on a more comprehensive basis in the City's Action Plan and, therefore, are not a part of this Initial Study.

5. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR THE PROJECT:

This Initial Study relies on the expert opinion supported by the facts, technical studies, and technical appendices of:

- The Final EIR for the General Plan Update;
- The Downtown Parking and Circulation Action Plan and Mitigated Negative Declaration; and,
- The Project-specific Reports, Assessments, and Studies included in the Appendix of this Initial Study.

These above-referenced documents are incorporated herein by reference. They provide substantial evidence to document the basis upon which the City has arrived at its environmental determination that:

A. The previously prepared Final EIR together with the Downtown Parking and Circulation Action Plan and the Project-specific Reports, Assessments, and Studies prepared adequately analyze the new Facility currently under review in this Initial Study with respect to the following environmental issue areas:

- Land use compatibility;
- Population & housing,
- Geological problems,
- Water,
- Air quality,
- Energy and mineral resources,
- Hazards,
- Noise,
- Public services,
- Utilities and service systems,
- Cultural resources,
- Recreation, and
- Mandatory findings of significance.

The following environmental issue areas require further project specific review in this Initial Study: Transportation/Circulation; Biological Resources; and Aesthetics.

6. PURPOSES OF AN INITIAL STUDY

The purposes of an Initial Study for a Development Project Application are:

- A. To provide the City with sufficient information and analysis to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR), a Mitigated Negative Declaration, or a Negative Declaration for a site specific development project proposal;
- B. To enable the Applicant of a site specific development project proposal or the City as the lead agency to modify a project, mitigating potential adverse impacts as part of the project design so as to avoid the need to prepare an Environmental Impact Report, thereby enabling the proposed Project to qualify for issuance of a Negative Declaration or a Mitigated Negative Declaration;
- C. To facilitate environmental assessment early in the design of a project;
- D. To eliminate unnecessary EIRs;
- E. To explain the reasons for determining that potentially significant effects would not be significant;
- F. To determine if a previously prepared EIR could be used for the project;
- G. To assist in the preparation of an Environmental Impact Report if one is required; and
- H. To provide documentation of the factual basis for the finding of no significant effect as set forth in a Negative Declaration or a Mitigated Negative Declaration prepared for the a project.

7. EXPLANATION OF ANSWERS FOUND ON THE ENVIRONMENTAL CHECKLIST FORM

A. Scope of Environmental Review

The areas of potential environmental effects are limited to a review of three (3) environmental issue areas:

1) Traffic and Circulation, 2) Biological Resources, and 3) Aesthetics.

The limitation of the scope of the environmental analysis presented in this Initial Study for the new Facility is due to the City's reliance on the facts, technical studies, and appendices of the General Plan Update EIR, the Downtown Parking and Circulation Analysis and Action Plan, and the Project-specific studies, reports, and assessments. Further, the limitation is based on imposition of the standard Conditions of Approval to be satisfied. Each area of potential environmental effect is discussed in further detail in this Initial Study.

B. Evaluation of Environmental Impacts

1. A brief explanation is provided for all answers to the questions presented on the Environmental Checklist Form, except where the answer is marked as "No Impact." The "No Impact" answers are adequately supported by the information sources referenced in this Initial Study, the sources cited in the parentheses following each question, or as otherwise explained in the introductory remarks. The basis for the "No Impact" answers on the following Environmental Checklist Form is explained in further detail in this Initial Study in Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 10 (Context of Environmental Analysis for the Project).
2. All answers on the Environmental Checklist Form take into account the whole action involved with the project, including implementation. The answers provided address on-site, off-site, and cumulative impacts, as well as project-level direct, indirect, construction-related, and operational impacts.
3. "Potentially Significant Impact" applies if an effect is significant or potentially significant, or if the City lacks information to make a finding of insignificance. If the Project could have one or more impacts marked as "Potentially Significant", an Environmental Impact Report will be required.
4. "Potentially Significant Impact Unless Mitigated" is checked whenever the potential impacts have been reduced to acceptable levels as a result of incorporating specified mitigation measures into the project design.
5. Earlier analyses is used where an effect has been adequately analyzed in an earlier EIR, mitigated negative declaration, or negative declaration. See Section 4 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 11 (Earlier Analysis and Background Materials) of this Initial Study.
6. References to the information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the Environmental Checklist Form. See Section 11 (Earlier Analysis and Related Environmental Documentation). Other sources used or individuals contacted are cited where appropriate.
7. The Environmental Checklist Form is similar to the one contained in Title 14, California Code of Regulations; with some modifications to reflect the City's needs and requirements.
8. Standard Conditions of Approval: The City imposes standard Conditions of Approval. These Conditions are considered to be components of, and/or modifications, to the Project. They reduce or minimize environmental impacts to a level of insignificance. Because they are considered part of the Project, they have not been identified as mitigation measures. For the readers' information, the standard conditions identified in this Initial Study are available for review at the Community Development Department.
9. Certification Statement: The statements made in this Initial Study and those made in the documents referenced herein present the data and information that are required to satisfy the provisions of the California Environmental Quality Act (CEQA) – Statutes and Guidelines, as well as the City's Procedures for Implementing CEQA. Further, the facts, statements, information, and analysis presented are true and correct in accordance with standard business practices of qualified professionals with expertise in the development review process, including building, planning, and engineering.

8. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The proposed new Facility may potentially affect the environmental factors checked below:

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use & Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population & Housing | <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy & Mineral Resources | <input checked="" type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

9. ENVIRONMENTAL DETERMINATION: On the basis of this initial evaluation: I find that:

The proposed project would not have a significant effect on the environment.

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Therefore, a **NEGATIVE DECLARATION** will be prepared.

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on Page 27 of this Initial Study have been added to the project.

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Therefore, a **MITIGATED NEGATIVE DECLARATION** will be prepared.

The proposed project may have a significant effect on the environment.

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Therefore an **ENVIRONMENTAL IMPACT REPORT** is required.

The proposed project may have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets.

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Therefore, an **ENVIRONMENTAL IMPACT REPORT** is required, but it will analyze only the effect or effects that remain to be addressed.

Signature:

Date:

Tina Ryder, City Planner

June 9, 2003

<i>ISSUES (and Supporting Information Sources):</i>	<div> <div><i>Potentially Significant Impact</i></div> <div><i>Potentially Significant Unless Mitigation Incorporated</i></div> <div><i>Potentially Significant Less Than Significant Impact</i></div> <div><i>No Impact</i></div> </div>			

I. LAND USE AND PLANNING. Would the Proposal:

- a) Conflict with general plan designation or zoning? (Sources: 5, 6, 7, 8, 10) ☐ ☐ ☐ ☒

Discussion: The General Plan land use designation for the site is CC (Community Commercial) and the Zoning is C2 PD (Highway Commercial – Planned Development). Both the General Plan and Zoning permit Public Facilities as a matter of right, subject to approval of a development plan application by the Planning Commission. No modification to the general plan or zoning for the site is necessary to accommodate the proposed uses. However, development plan approval must be obtained before any physical development of the site may occur as set forth in Chapter 21.16A, Planned Development District of Title 21 (Zoning) of the Paso Robles Municipal Code), and as further required in the executed long-term ground lease between the City of El Paso de Robles and the County of San Luis Obispo.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? (Sources: 5, 6, 7, 8, 9) ☐ ☐ ☐ ☒

Discussion: The City of El Paso de Robles is the lead agency with jurisdiction over the environmental review and development plan application for the new Facility. The City's General Plan and its Environmental Impact Report, the Downtown Parking and Circulation Analysis and Action Plan, the Economic Strategy, and the City's Zoning Ordinance all contain policies and mitigation measures that address development of this site and continued revitalization of the Downtown focusing on maintaining and enhancing it as the specialty retail, government, office, cultural, conference, and entertainment center of the City and North County region. The project does not conflict with any of these adopted plans and documents.

- c) Be incompatible with existing land use in the vicinity? (Sources: 5, 6, 7, 8) ☐ ☐ ☐ ☒

Discussion: The project is located adjacent to the Library/City Hall and the Public Safety Center. The proposed uses of the new Facility are consistent with the General Plan, the Downtown Parking and Circulation Analysis and Action Plan, and the Economic Strategy, as well as compatible with the established government, public service, and retail uses in the vicinity. The new Facility would become part of the civic campus in the area. As such, it is compatible with the surrounding land uses.

Project-specific analysis of the traffic, biological, and aesthetics/light and glare potential effects associated with the new Facility are reviewed in detail in Sections VI (Transportation), VII (Biological Resources), and XIII (Aesthetics) of this Initial Study. As set forth therein, there are no compatibility concerns.

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)? (Sources: 5, 6, 7, 8) ☐ ☐ ☐ ☒

Discussion: The site is located within an urbanized area and is an infill project. The site is not identified as Prime, Unique, or Farmland of Statewide Importance on the maps prepared by the California Resources Agency. Therefore, the Project would not have any affect on agricultural resources or production.

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (Sources: 5, 6, 7, 8, 10) ☐ ☐ ☐ ☒

Discussion: The project site is located in the designated "historic" downtown area of the City and is being built on a portion of the City block area bounded by Spring Street on the west, 10th Street on the north; Park Street on the west; and 9th Street on the south. Development of the new Facility at this location would not alter existing circulation and/or

<i>ISSUES (and Supporting Information Sources):</i>	<div> <i>Potentially Significant Unless Mitigation Incorporated</i> <i>Potentially Significant</i> <i>Less Than Significant Impact</i> <i>No Impact</i> </div>			
	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

connections within the vicinity. Therefore, it would not negatively impact the physical arrangement of the established community.

II. POPULATION AND HOUSING. Would the proposal:

- a) Cumulatively exceed official regional or local population projections? (Sources: 5, 6)

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Discussion: This project does not include a residential component and therefore does not have the ability to exceed population projections for this area.

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? (Sources: 5, 6)

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Discussion: The project replaces an existing Superior Court Facility at 549 10th Street in Downtown Paso Robles. It replaces an existing Facility that is inadequate to serve the needs of the community and the North county region. Since it is not a new Facility per se (because it replaces an existing outdated Facility already located in the Downtown), there would not be any growth inducing effects either directly or indirectly.

- c) Displace existing housing, especially affordable housing? (Sources: 5, 6)

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Discussion: There is no existing residential housing on this property. The site is not zoned for a residential use, and therefore this project will not be displacing any dwelling units or their residents.

III.GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

- a) Fault rupture? (Sources: 5, 7, 12)

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Discussion: There are no known active faults traversing the site. However, the site is situated is an area where there are three (3) known active faults: the Hosgri, the San Andreas, and the Rinconada. The Geologic/Seismic Hazards Report by Earth Systems Pacific state that “the potential for surface ground rupture to occur within the site is considered to be low.” No site specific recommendations were identified

- b) Seismic ground shaking? (Sources: 5, 7, 12)

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Discussion: According to the Geologic/Seismic Hazards Report, “the project site is located in a region of generally high seismicity. According to the 1998 edition of the California Building Code, Chapter 16, Figure 16A-2, the site lies within Seismic zone 4, the most active seismic zone rated. The site has the potential to experience strong ground shaking from earthquakes on regional and/or local causative faults. To characterize the seismicity at the site, a seismic analysis was performed.” A probabilistic seismic hazard analysis; as performed by Earth Systems Pacific indicates that the seismic ground shaking potential at the site has a 10% chance of exceeding an upper bound limit within a return period of approximately 949 years with an estimated peak spectral acceleration of 1.30g @ 0.26 seconds and a peak ground acceleration of 0.47g.

The information, findings, and design specifications of the Geologic/Seismic Hazards Report will be used as the basis for the structural engineering of the new Facility. The Report states that “for design purposes, it appears the deaggregation would suggest that an event with a moment magnitude pf 7.0 at a distance of less than 10 km (less than 6 miles) should be

<i>ISSUES (and Supporting Information Sources):</i>	<div> <div><i>Potentially Significant Impact</i></div> <div><i>Potentially Significant Unless Mitigation Incorporated</i></div> <div><i>Potentially Significant Less Than Impact</i></div> <div><i>No Impact</i></div> </div>			

used with the Upper Bound Earthquake peak ground acceleration (PGA), and 6.5 to 7.0 moment magnitude at a distance of about 36 km (22 miles) should be used with the Design Basis Earthquake PGA.” This design level of structural integrity is to be demonstrated as part of the construction documents that will be subject to Life Safety Review/Approval by the County of San Luis Obispo.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Seismic ground failure, including liquefaction?
(Sources: 5, 7, 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As noted in the above discussion/response to Section III (a), the potential for ground rupture due to faulting is low. Similarly, the soils underlying the site were found to have a low potential for liquefaction (see Geologic/Seismic Hazards Report). Additionally, the Facility location is far enough away from areas with significant slopes, thereby precluding the possibility of earthquake induced land sliding.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Seishi, tsunami, or volcanic hazard? (Sources: 5, 7, 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located in an area identified at risk for Seishi, tsunami, or volcanic hazards.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Landslides or Mudflows? (Sources: 5, 7, 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed site is relatively flat with no slopes immediately adjacent. Therefore, the potential for seismically induced land sliding is considered to be non-existent.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 5, 7, 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will involve engineered grading that will result in minor changes in topography. Grading will be subject to professional standards, conditions, and requirements per the Uniform Building Code and the City of El Paso de Robles Standard Specifications and Details. Both the City and the County will review/approve the construction drawings as to compliance with the above-referenced standards, conditions, and requirements, thereby ensuring that the soil conditions will be suitable for the new Facility and site improvements.

The Soils Engineering Report by Earth Systems Pacific will be used as a basis for the construction drawings. The Report identifies those items to be addressed in the design and subsequent construction of the Facility and site improvements. Conformance with recommendations therein is to be demonstrated to the satisfaction of the City and the County during the review/approval of the construction drawings. An erosion control plan also is to be prepared and filed with the City and the County prior to initiation of the grading and facility construction activities.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Subsidence of the land? (Sources: 5, 7, 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The potential for seismically induced settlement is low. Furthermore, the foundation conditions are considered to be capable of supporting the structure. Conventional continuous and spread foundations with concrete slabs-on-grade are anticipated to be appropriate.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| h) Expansive soils? (Sources: 5, 7, 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Per the Soils Engineering Report, “the upper 6-inches of the soil was found to consist of well graded sand with gravel. Underlying the fill and throughout the full depth explored, older alluvium consisting of inter-layered clayey

<i>ISSUES (and Supporting Information Sources):</i>	<div> <i>Potentially Significant</i> <i>Potentially Significant Impact</i> </div> <div> <i>Potentially Significant Unless Mitigation Incorporated</i> <i>Potentially Significant Unless Mitigation Incorporated</i> </div> <div> <i>Potentially Significant Unless Mitigation Incorporated</i> <i>Potentially Significant Unless Mitigation Incorporated</i> </div> <div> <i>Potentially Significant Unless Mitigation Incorporated</i> <i>Potentially Significant Unless Mitigation Incorporated</i> </div>			
	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Potentially Significant Less Than Significant Impact</i>	<i>Potentially Significant No Impact</i>

sand with gravel, well graded sand with varying percentages of gravel, sandy silt, and poorly graded sand.” In the conclusions section of the Report, it was stated that “the site is suitable, from a soils engineering standpoint, provided the recommendations contained herein are implemented in the design and construction” of the new Facility and related site improvements. Conformance with recommendations therein is to be demonstrated to the satisfaction of the City and the County during the review/approval of the construction drawings.

- i) Unique geologic or physical features? (Sources: 5, 7, 12)
- ☐
- ☐
- ☐
- ☒

Discussion: The site contains no unique geologic or physical features. No impact is anticipated as a result of this grading modification to the site.

IV. WATER. Would the proposal result in:

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources: 14)
- ☐
- ☐
- ☐
- ☒

Discussion: The proposed improvements will nominally increase the impervious surfaces on the site, thereby slightly increasing storm water runoff. A preliminary grading and drainage plan along with preliminary drainage calculations have been prepared as part of the project’s overall site design. The storm water will be conveyed to the existing drainage pattern, discharge from the site through new drainage structures, tied to the existing storm drain or allowed to sheet flow to existing gutter as appropriate. No significant adverse impacts are anticipated.

- b) Exposure of people or property to water related hazards such as flooding? (Sources: 5, 7, 11, 12, 14)
- ☐
- ☐
- ☐
- ☒

Discussion: The subject property is located within a Zone B floodplain zone, an area between the 100 and 500 year flood zones as defined by FEMA maps. The potential for flooding impacts to the development on this site is less than significant.

- c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 14)
- ☐
- ☐
- ☐
- ☒

Discussion: On-site surface water collection, filtration, and conveyance systems will be provided as appropriate. No adverse impacts are anticipated.

- d) Changes in the amount of surface water in any water body? (Sources: 5, 7, 14)
- ☐
- ☐
- ☒
- ☐

Discussion: As per Section IVa, the volume of runoff results in a relatively small increase to the overall existing watershed. No adverse impacts are anticipated.

- e) Changes in currents, or the course or direction of water movement? (Sources: 5, 7, 14)
- ☐
- ☐
- ☐
- ☒

Discussion: The site development maintains the existing directions of the channelized water flow to the city storm drain system. Since there is no change being made, no impact is anticipated.

- f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of
- ☐
- ☐
- ☐
- ☒

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Potentially Significant Less Than Significant Impact</i>	<i>No Impact</i>
groundwater recharge capability? (Sources: 5, 7, 14)				
Discussion: The day-to-day water usage of the new Facility is domestic in nature, and this usage can be accommodated by the City's water system. No adverse impacts are anticipated.				
g) Altered direction or rate of flow of groundwater? (Sources: 5, 7, 12, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Development of the new Facility Project will not modify the direction or rate of flow of ground water; no wells or other subsurface diversions are proposed. No impact is anticipated.				
h) Impacts to groundwater quality? (Sources: 2, 5, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: There will not be any substantial impact to groundwater quality as a result of Facility development and operation. No hazardous materials will be used or stored on site beyond the limited quantities that may be stored within the building as set forth in the Uniform Building and Fire Codes. There will be no impact to the groundwater quality.				
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 2, 5, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Development and operation of the new Facility will not affect existing groundwater resources.				

V. AIR QUALITY. Would the proposal:

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 3, 5, 7, 8, 9) ☐ ☐ ☒ ☐

Discussion: Development and operation of the new Facility is regulated by the San Luis Obispo County Air Pollution Control District (APCD). The APCD sets and enforces regulations for stationary sources in the county.

The type and scope of the new Facility is below the screening criteria established by the APCD for use in determining whether or not a more refined analysis of air quality impacts specific to a given project is required. Since the type and scope of the new Facility does not exceed the screening threshold, no further review needs to be prepared and the Project's overall affect on the ambient air quality is considered to be negligible.

Short-term deterioration of local ambient air quality may occur during construction as a result of construction equipment emissions and dust. Emissions are expected from gasoline and diesel-powered grading and paving equipment and fugitive dust generation associated with earth moving activities. Grading activities are expected to last approximately two to four months. With the implementation of the standard Project Conditions of Approval requiring implementation of APCD measures to minimize creation of fugitive dust and other emissions resulting from construction equipment, no significant adverse air quality impacts are anticipated.

- b) Expose sensitive receptors to pollutants? (Sources: 5, 6, 7, 8, 9, 10, 11, 12) ☐ ☐ ☐ ☒

Discussion: The land uses surrounding the Project site include other public facilities and commercial service uses. None of these types of land uses are classified as sensitive receptors. There are no existing or planned for sensitive receptor sites (such as day care, schools, or elderly care facilities) in the vicinity. Development and operation of the new Facility is not anticipated to have any deleterious effects on the ambient air quality and any air pollutant emissions generated would not expose sensitive receptors to pollutants.

- c) Alter air movement, moisture, or temperature? (Sources 2 & 15) ☐ ☐ ☐ ☒

<i>ISSUES (and Supporting Information Sources):</i>	<div> <div><i>Potentially Significant</i></div> <div><i>Potentially Significant</i></div> <div><i>Potentially Significant</i></div> </div>			
	<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

Discussion: By reason of the type and scale of the proposed new Facility, neither its construction, nor its operation would not alter air movement, moisture, or temperatures, or cause any change in climatic conditions. The Project includes installation of permanent irrigated landscaping, which will not have any appreciable affect on air movement, moisture, or temperature.

- d) Create objectionable odors? (Sources: 2, 3)
- ☐
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Discussion: Normal operation of the new Facility is not anticipated to create objectionable odors.

VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- a) Increased vehicle trips or traffic congestion? (Sources: 2, 3, 6, 20)
- ☐
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Discussion: This Initial Study relies on the expert opinion of registered professional engineers with an expertise in the review and evaluation of traffic generation from new Facilities and the effect of the traffic on the circulation system.

These professionals have provided the City with their findings and recommendations (as supported by facts, technical studies, and analysis contained in the Final EIR for the General Plan Update; the Downtown Parking and Circulation Action Plan and Mitigated Negative Declaration; and, the Project-specific Traffic and Circulation Study by Associated Transportation Engineers (ATE) for the new Facility.

Certification of the Final EIR included establishment of a comprehensive Citywide program for mitigating the potential impacts associated with development, including the Downtown area. Most notably, the City is involved and committed to addressing the long-term traffic and circulation needs of the Downtown, and is doing so separate from individual project level reviews.

Per the City’s adopted Downtown Parking and Circulation Analysis and Action Plan, there are specific action items to be implemented over the next 10-years in order address the existing and projected parking and circulation needs. The new Facility is a key component of the City’s revitalization efforts as expressed in the Paso Robles General Plan and Economic Strategy. The cumulative traffic and circulation impacts associated with the new Facility have been addressed on a more comprehensive basis in the City’s Downtown Parking and Action Plan. The City’s Action Plan contains a list of actions to be taken in order to create an additional 100-spaces in the short-term (2002-2005), an additional 350-spaces within the mid-term (2006-2009), and an additional 550-spaces by 2010 and beyond.

Per the Project-specific Traffic and Circulation Study prepared by ATE

“The new Facility is expected to generate 568 Average Daily Trips (ADT), with 51 trips during the AM peak hour and 65 trips during the PM peak hour. The Spring Street/10th Street intersection is forecasted to continue to operate at Level of Service “A” during the AM and PM peak hour periods with project traffic; and the Spring Street/6th Street intersection is forecasted to continue to operate at Level of Service “B” during the AM and PM peak hour periods with project traffic.

Spring Street would provide direct access to the site via the one project driveway. The project driveway on Spring Street is located approximately 190 feet south of 10th Street and approximately 130 feet north of 9th Street. Spring Street has one lane in each direction plus a two-way median left-turn lane.

The Existing + Project queue lengths for northbound Spring Street left-turns onto westbound 10th Street are forecasted at 1 to 2 vehicles (average and maximum) during the AM and PM peak hour periods. The Existing + Project queue lengths

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant</i>			
	<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

for the northbound Spring Street through movement at 10th Street are forecasted at 2 to 8 vehicles (average and maximum) during the AM and PM peak hour periods. The northbound queues that form at the Spring Street/10th Street intersection have adequate storage and would not significantly affect traffic movement to/from the project driveway and the driveway movements would not significantly affect the traffic movements at the Spring Street/10th Street intersection. The delays for vehicles entering and exiting the site are in the 10-20 second range, indicating the adequate gaps in the Spring Street traffic streams are available for project traffic. The delays for vehicles entering and exiting the site equate to Level of Service A-B.

The 1.46-acre site is zoned C2-PD (Highway Commercial – Planned Development) with a General Plan Designation of CC (Community Commercial). Commercial uses are allowed within this zoning. If the site were developed with 22,720 square feet of retail, it would generate 923 ADT, which is more than the 568 ADT that is anticipated to be generated by the proposed Superior Court. The City’s Circulation Element of the General Plan and accompanying street improvement programs were developed assuming commercial uses would be developed on the site. Since the proposed Superior Court would generate less traffic than was analyzed in the Circulation Element, it would not trigger the need for additional street improvements with cumulative traffic. ”

Further, since the new Facility is replacing an existing one already located in the Downtown, it is reasonable to suggest that some (if not the majority) of the traffic associated with operation of the Superior Court is currently a part of the background traffic levels. If this perspective were taken, it is foreseeable that an argument could be made that there is no little or no impact since there would not be any increased vehicle trips or traffic congestion resulting from Facility relocation.

A more conservative approach has been taken.

The Downtown Parking and Circulation Analysis and Action Plan was completed and approved by the City at the conclusion of its public hearing on October 29, 2002. This document specifically reviewed and evaluated the impacts of planned development in the Downtown in accordance with the General Plan land uses and zoning. The new Facility was included in the Analysis and was reviewed as to its effect on: a) parking supply and demand; and b) the existing circulation system. As a result of planned development, including the new Facility, an Action Plan was adopted by the City Council calling for the creation of an additional 100 parking spaces by the Year 2005, an additional 350 parking spaces by the Year 2009, and an additional 550 parking spaces after the Year 2010.

Subsequent to the Downtown Parking and Circulation Analysis and Action Plan completion, ATE was retained to prepare a Project-specific Traffic and Circulation Study. This Study confirmed that no additional street improvements besides the planned and programmed improvements would be required. Rather, the Project would be responsible for:

1. Park Street - Constructing curb, gutter, and sidewalk on Park Street in accordance with the design standards for this block as established with development of the Public Safety/Emergency Services Center. The curb face on the west side of Park Street shall be 24-feet west of the existing curb line established with development of the Public Safety/Emergency Services Center on the east side of Park Street. Parking will not be provided in the critical root zone of the oak trees. Sidewalk will be constructed or waived as part of the Planning Commission’s action on the Planned Development application.
2. 9th Street - Constructing the curb, gutter, and sidewalk on 9th Street in accordance with the City West Side Standard A-12 along the frontage of the project site. Angled parking shall be designed and installed along the 9th Street frontage of the project site. The angled parking shall be designed so that it does not interfere with the existing 9th Street curb alignment. The design of sidewalk shall be at the discretion of the Planning Commission as part of its action on the Planned Development. The existing paving on 9th Street shall be overlaid to centerline to restore a smooth riding surface over utility trenching.
3. Spring Street - Constructing .the curb, gutter, and sidewalk on Spring Street in accordance with City Arterial Standard A-2 and the Spring Street Master Plan along the frontage of the project site.

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant</i>			
	<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

4. 10th Street - Constructing the curb, gutter, and sidewalk on 10th Street in accordance with the design standards established for 10th Street with development of the Public Safety/Emergency Services Center. The existing paving on 10th Street shall be overlaid to centerline to restore a smooth riding surface over utility trenching.
5. Interlocking, concrete paver crosswalks shall be constructed across Park Street at 9th Street and 10th Street and across 10th Street at Park Street.

This Study further confirmed that use of the 7 additional, angled parking spaces to be provided within the Park Street right-of-way and the 5 additional, angled public parking spaces provided within the 9th Street right-of-way would not create congestion.

No additional mitigation measures are required besides those listed in the above discussion, which measures are incorporated into the project design.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 2, 3, 20) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Spring Street would provide direct access to the site via the one project driveway. The project driveway on Spring Street is located approximately 190 feet south of 10th Street and approximately 130 feet north of 9th Street. Spring Street has one lane in each direction plus a two-way median left-turn lane. The ATE Traffic and Circulation Study did not identify any hazards to safety from design features. Rather, it found the “northbound queues that form at the Spring Street/10th Street intersection have adequate storage and would not significantly affect traffic movements to/from the project driveway and the driveway movements would not significantly affect the traffic movements at the Spring Street/10th Street intersection. The general public will have not have access to the on-site parking.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Inadequate emergency access or inadequate access to nearby uses? (Sources: 2, 3, 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The relocation of the new Facility will improve the ability of the Emergency Services Department to serve this use since the Public Safety Center is located across the street. There are no impacts to emergency access or inadequate access to nearby uses that are anticipated to occur as a result of development and operation of the new Facility.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Insufficient parking capacity on-site or off-site? (Sources: 2, 3, 6, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The City’s Zoning Code does not contain a specific parking requirement for a Superior Court facility. Rather, the City’ Zoning Code requires that off-site parking in the Downtown be provided at a rate of one space per 1,750 square feet of site area.

The site is approximately 63,597.60 square feet. Therefore, the required amount of on-site parking is 36-spaces. 36-spaces have been provided on-site.

Additionally, on-street parking is available in the vicinity of the new Facility, and the street improvements to be installed as a Condition of Approval for the Planned Development application add a total of 12-additional, angled parking spaces along the Park Street and 9th Street frontages of the project site.

A total of 1,976 parking spaces on-street and off-street public parking spaces within close proximity to the new Facility as identified in the Downtown Parking and Circulation Analysis and Action Plan (See Table 7 – Existing and Further Parking Demand Estimates for Analysis Zones I, III, and IV). Further, there are approximately 820 off-street parking

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant</i>			
	<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

spaces within a one-block radius per a field investigation conducted by City staff (see attached Map).

Further, as part of the City’s on-going implementation of the Downtown Parking and Circulation Analysis and Action Plan, the City has committed to making financing available to move forward with a capital improvement project to create an additional 79 parking spaces surrounding all four sides of Robbins Field, which Field is located within two blocks of the new Facility at southwest corner of Park and 7th Streets.

The Judicial Council of California has published Facilities Guidelines for Superior Court Facilities (“Guidelines”). The Guidelines provide that:

"Court facilities must be accessible to those who use them. Court planners should consider the feasibility of providing parking and the availability of public transportation. If at all possible, parking should be provided near the courthouse for users, visitors, staff, justices and official vehicles. In areas where an appropriate public parking structure is not nearby and cannot be constructed, the court should be sited within easy access of public transportation. In such cases, a small parking facility should be considered in or near the court facility for the justices and some staff. If public parking can be provided, parking requirements should be calculated in consideration of 1) the number of users and visitors expected each day; 2) the number of staff to be employed at the facility; and, 3) the average number of official vehicles found at the courthouse each day."

Using the Guidelines, it would seem appropriate for the City and the County to work together on establishment of a parking and traffic management plan.

6. The parking and traffic management plan (Plan) would provide for effective use of the available public transportation at the Downtown Transit Center (Southwest corner of 8th and Pine Streets), available and planned public parking facilities (Both street and off-street spaces), and other management measures to the satisfaction of the City Council and the County of San Luis Obispo. The purpose and intent of the Plan would be to ensure that: a) the Court facilities are accessible to those who use them, b) the number of users and visitors expected each day at the Court facility would not displace others who are working, visiting, shopping, or otherwise availing themselves of the government, office, cultural, conference, dining, entertainment, and specialty retail shops and services located in the Downtown, and c) the Court directs its jurors to use the transportation and parking facilities identified in the adopted Plan.

With incorporation of this mitigation measure into the project as a Condition of Approval (which Condition is to be satisfied prior to use and occupancy of the new Facility), there would not be an insufficient supply of available parking.

- e) Hazards or barriers for pedestrians or bicyclists? (Sources: 2, 5, 7, 9) ☐ ☐ ☒ ☐

Discussion: In the short term, during project construction, there is expected to be disruption to pedestrian and bicycle travel adjacent to the project as a result of grading and construction activity. However, the combined grading and construction is anticipated to last approximately 12 to 15 months at which point normal access would resume. The project would be required to devise a traffic control plan for approval by the Public Works Department prior to start of construction. This plan would address any interim circulation safety needs during construction to minimize potential hazards through signing and detours if necessary. This standard requirement along with the short duration of the impact would make this a less than significant project impact.

There is an existing Class III Bikeway along 10th Street (non-marked, within the street). This bikeway will remain and is not anticipated to be affected by the public project and its operations. Because bicyclists and pedestrians are required to adhere to the same “rules of the road” as vehicles, there may be the need for bikes and pedestrians to heed the apparatus responding on alarm and experience an interruption in the flow of their travel. This interruption would be no

<i>ISSUES (and Supporting Information Sources):</i>	<div> <i>Potentially Significant</i> <i>Potentially Significant Impact</i> </div> <div> <i>Potentially Significant Unless Mitigation Incorporated</i> <i>Potentially Significant Unless Mitigation Incorporated</i> </div> <div> <i>Potentially Significant Less Than Significant Impact</i> <i>Potentially Significant Less Than Significant Impact</i> </div> <div> <i>Potentially Significant No Impact</i> <i>Potentially Significant No Impact</i> </div>			

different than responding to a vehicle under alarm at other locations.

There is no sidewalk along the 10th Street, Park Street, and 9th Street frontages of the project site at this time. There is sidewalk along the Spring Street frontage.

Sidewalks will be provided: a) along the 10th Street frontage, b) along the Park Street frontage, a distance of approximately 210 lineal feet south from the point of beginning at the 10th/Park Street intersection, and c) along the 9th Street frontage. A pedestrian pathway will be provided at the termination of the Park Street sidewalk and will provide access to the corner of Park/9th Street intersection and will provide access to the 9th Street sidewalk. No hazards to pedestrians are anticipated.

- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: 5, 7, 9)
- ☐
- ☐
- ☐
- ☒

Discussion: Fixed route and demand responsive services (service to fixed-route major destinations, Dial-A-Ride) are currently existing in Paso Robles through Central Coast Area Transit (CCAT). The San Luis Regional Transit Authority oversees and operates the bus service routes. There is no fixed route that services the site at this time and no future routes are planned. An existing transportation stop is located along Spring Street in front of Library/City Hall within a one-block walking distance from the site. The relatively close access to bus service stop at the Library/City Hall allows for adequate access to public transit. There are no conflicts with existing and/or planned alternative transportation services as a result of development and operation of the new Facility. Per the above-listed mitigation measure #5, there is an opportunity to investigate and implement use of alternatives modes of transportation besides sole reliance on the automobile.

- g) Rail, waterborne or air traffic impacts? (Sources: 5, 7, 9)
- ☐
- ☐
- ☐
- ☒
- Discussion: No impact due to the location of the project site.

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

- a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)? (Sources: 5, 7)
- ☐
- ☐
- ☐
- ☒

Discussion: The City’s General Plan EIR did not identify any significant or endangered species and/or habitat on this site. Based on the site’s location within an urbanized area, the level of historic disturbance, and the on-going activity on and around this site, no adverse impacts to endangered, threatened or rare species or their habitats are anticipated.

- b) Locally designated species (e.g., heritage trees)? (Sources: 2, 4, 5, 7, 19)
- ☐
- ☒
- ☐
- ☐

Discussion: There are five (5) heritage oak trees located on the project site which are to be preserved pursuant to the provisions of the City’s Oak Tree Ordinance. Carolyn Leach Consulting, LLC prepared a Tree Protection Report (Report) includes an assessment and evaluation of each heritage oak tree to determine the health, structural condition, potential impacts to the health of each tree that could occur as a result of the Project, and identifies tree protection requirements.

The tree protection requirements are those that are to be incorporated into the project design, the project construction phase, and the on-going site maintenance. These requirements are in addition to the standard conditions of approval and requirements to be attached to the Project to ensure compliance with the City’s Oak Tree Ordinance.

7. The tree protection requirements set forth in the Tree Protection Report and the City’s Oak Tree Ordinance shall be

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant</i>			
	<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

implemented as an integral element of the project design, construction, and operation. All requirements shall be identified on the appropriate parts of the construction drawings and cross-referenced, where appropriate. The ISA certified arborist of record shall submit a written statement to the City for its files, acknowledging incorporation of the tree protection requirements into the construction drawings, listing how the project manager and construction supervisor will ensure that all workers are informed about the requirements, establishing the on-site construction monitoring program to be implemented by the ISA certified arborist, and agreeing to provide City with a final inspection report.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? (Sources: 5, 7, 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Figure 4.1 of the City's General Plan (Generalized Habitat Areas) defines the entire four acre site as being Ruderal/Disturbed. No specially designated plant communities have been identified on this site through past biological studies.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Wetland habitat (e.g., marsh, riparian and vernal pool)? (Sources: 5, 7, 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: This project is vacant and unimproved. According to the Phase I Environmental Site Assessment, "no structures are present on the site; a few areas of concrete that may be old building footings are present near the center of the property... In 1951, the subject property contains several long, single-story buildings along its north and east property lines. Several smaller structures are present in the central part of the property." The site has been disturbed, it is located in an urbanized area. and does not contain any of wetland habitat.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Wildlife dispersal or migration corridors? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: As discussed in above Section VII d (Wetland Habitat), the project site is located in an urbanized area and is an infill project. There will not be any impacts to wildlife dispersal or migration corridors.

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with adopted energy conservation plans? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project as proposed does not conflict with any documented policies or adopted energy conservation plans

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Use non-renewable resource in a wasteful and inefficient manner? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Construction of the new Facility will result in an incremental increase in the use of fuel and energy. However, the anticipated incremental difference in use as a result of relocation of the existing Facility is negligible.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Sources: 5, 7, 11, 20) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: While the site is known to be a location of the underground sulfur springs, no loss of any significant known mineral resource is anticipated.

IX. HAZARDS. Would the proposal involve:

<i>ISSUES (and Supporting Information Sources):</i>		<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a)	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)? (Sources: 2, 5, 7, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The new Facility will not store any hazardous substances, besides those normally used in the course of facility and site maintenance.					
b)	Possible interference with an emergency response plan or emergency evacuation plan? (Sources: 2, 5, 7, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The new Facility is to be located across the street from the Public Safety Center. This location does not interfere with an emergency response plan or an emergency evacuation route. The County's emergency response and evacuation plans for the new Facility should be filed with the City as an informational item.					
c)	The creation of any health hazard or potential hazards? (Sources: 2, 5, 7, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: No adverse health hazards are anticipated to occur as a result of operation of the new Facility.					
d)	Increased fire hazard in areas with flammable brush, grass, or trees? (Sources: 2, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The existing site is not classified as a high fire hazard. However, all normal fire protection measures will be applied to the construction of this project					

X. NOISE. Would the proposal result in:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Increases in existing noise levels? (Sources: 2, 3, 5, 6, 7, 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Expose people to severe noise levels? (Sources: 2, 5, 7, 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: See above-discussion of Noise in Section X a of this Initial Study.

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

- | | | | | | |
|---|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Fire protection? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion: Facility relocation would have an incremental, albeit minor, effect on fire protection services | | | | | |
| b) | Police Protection? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: Facility relocation would have an incremental, albeit minor, effect on police protection.

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|----|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) | Schools? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: None. This project is not growth inducing. There would not be an increased demand placed on public or private schools as a result of this project.

- | | | | | | |
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| d) | Maintenance of public facilities, including roads? (Sources: 2, 5, 7, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Facility relocation would have an incremental, albeit minor, effect on maintenance of public facilities.

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Other governmental services? (Sources: 2, 5, 7, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Facility relocation would not have an effect on other governmental services.

XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Power or natural gas? (Sources: 5, 7, 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Electrical power is provided by PG&E. There is adequate service.
Natural gas service is provided by Southern California Gas Company. There is adequate service.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Communication systems? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Telephone and cable services are provided by Pacific Bell and Charter CATV. Both services are available for connection within the adjacent public street and service will be coordinated with these providers.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Local or regional water treatment or distribution facilities?
(Sources: 2, 5, 7, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is located within the city limits and adequate water resources are available to serve the project. No adverse impacts to distribution facilities will occur as a result of the project.

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| d) Sewer or septic tanks? (Sources: 2, 5, 7, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The new Facility is designed to connect to the public sewer.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Storm water drainage? (Sources: 2, 5, 7, 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: This project is designed to drain into, provide new, and utilize existing storm drainage systems maintained by the City of Paso Robles. Preliminary drainage calculations show that off-site facilities will be adequate to handle the marginally increased storm runoff from this site. Final drainage calculations and design will be required as part of the grading and building permit process, at which time compliance will be fully demonstrated to the satisfaction of the City Engineer.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Solid waste disposal? (Sources: 2, 5, 7, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The City's landfill is located on the North side of Highway 46, east of Airport Road. Because the new Facility is relocation within the City, the net increase in solid waste disposal is anticipated to be negligible.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Local or regional water supplies? (Sources: 2, 5, 7, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No impact

XIII. AESTHETICS. Would the proposal:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Affect a scenic vista or scenic highway? (Sources: 2, 5, 7, 8, 17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

<i>ISSUES (and Supporting Information Sources):</i>	<div> <i>Potentially Significant Impact</i> <i>Potentially Significant Unless Mitigation Incorporated</i> <i>Potentially Significant Less Than Significant Impact</i> <i>Potentially Significant No Impact</i> </div>			

Discussion: The project is located in the City’s Downtown District and development of the new Facility will not affect a scenic vista or highway since none are located in the vicinity of the project site.

- b) Have a demonstrable negative aesthetic effect? (Sources: 2, 15, 16, 17)
- ☐☐☒☐

Discussion: The project is located in the City’s Downtown District. The architectural design, site layout, landscaping, walls/fences, lighting, and signage are subject to review and approval of the Planning Commission as part of the Planned Development application.

Per the Design Narrative and the Concept Plans for the Building Elevations, it is clear that:

“The intent of the design for the new Paso Robles Superior Court Facility is to develop a distinguished public building for the Superior Court that exhibits the dignity appropriate to a justice facility, creates generous public spaces as a community amenity, and carefully reinforces the character of the neighborhood through building placement, materials, and detailing.”

8. The final or substantially complete construction drawings are to be submitted to the City’s Development Review Committee (DRC) for review and approval prior to initiation of project construction to provide the DRC with the opportunity to verify that the precise details are consistently executed throughout all aspects of the project design.

- c) Create light or glare? (Sources: 2, 3, 4, 15, 16, 17)
- ☐☒☐☐

Discussion: The new Facility will introduce additional sources of light and glare which may require shielding or adjustment prior to use and occupancy.

9. The City and County will conduct a lighting level review in the field prior to use and occupancy of the new Facility in order to make any necessary adjustments to ensure that the illumination levels are appropriate, that the light sources are properly shielded where appropriate, and that no glare has been created.

XIV. CULTURAL RESOURCES. Would the proposal:

- a) Disturb paleontological resources? (Sources: 2, 5, 7)
- ☐☐☐☒
- No known paleontological resources exist in this area.
- b) Disturb archaeological resources? (Sources: 1, 2, 5, 7)
- ☐☐☐☒

The Paso Robles area has been classified as territory occupied by the Migueleno Salinan and Obispeno Chumash Native Californian populations.

Past community populations have been evidenced at several sites within the Paso Robles area and unincorporated portions of the surrounding county. However, the project site has been fully developed in the history of Paso Robles’ incorporation. The presence of archeological resources is highly unlikely based on the history of the past site coverage and disturbance. As such, project impacts are considered less than significant.

- c) Affect historical resources? (Sources: 2, 5, 7, 10)
- ☐☐☐☒

Discussion: There are no known or identified historical resources on this site.

- d) Have the potential to cause a physical change, which would affect unique ethnic cultural values? (Sources: 2, 5, 7, 10)
- ☐☐☐☒

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Discussion: There are no known unique ethnic resources on site. No impacts are anticipated with this project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Restrict existing religious or sacred uses within the potential impact area? (Sources: 2, 5, 7, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no current religious or sacred uses being conducted on the site.

XV. RECREATION. Would the proposal:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? (Sources: 2, 5, 7, 8, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The public nature of these uses will not generate an increased demand or need for recreational facilities.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Affect existing recreational opportunities? (Sources 1, 2, 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No impact.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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? (Sources: 5, 7, 8, 10, 11, 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is not located in the areas of any wildlife or biological resource areas and will not 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, or reduce the number or restrict the range of a rare or endangered plant or animal. In addition, the site is not an archaeologically significant site. No significant, adverse impacts are anticipated from the proposed project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (Sources: 5, 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project is consistent with the City of Paso Robles General Plan and Zoning Ordinance. The proposed project will improve the City's ability to meet emergency response and public safety needs. The project will not achieve short-term goals to the disadvantage of long-term environmental goals.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: 1, 5, 7, 8, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion of Items XVI a) and b), above.

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 2, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 19, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: While the project has the limited potential to create impacts to surrounding properties relating to aesthetics, noise, light and glare, the project has incorporated site-specific mitigation measures that when implemented, will reduce those identified impacts to a point considered less than significant. With the attached set of identified mitigation measures, the project is not expected to cause substantial adverse environmental effects on human beings.

EARLIER ANALYSIS Earlier analysis may be used where one or more effects have been adequately analyzed in an earlier EIR, mitigated negative declaration, or negative declaration per Section 15063c)(3)(D). Earlier Documents used in this Analysis include:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	Project Vicinity Map	Attached
2	Reduced Site Plan	Attached
3	Standard Conditions of Approval	City of El Paso de Robles Community Development Department
4	Site Specific Mitigation Measures	See Mitigation Monitoring Program/Plan
5	City of El Paso de Robles Municipal Code	City of El Paso de Robles Community Development Department
6	City of El Paso de Robles Zoning and Subdivision Ordinance	City of El Paso de Robles Community Development Department
7	City of El Paso de Robles Environmental Impact Report for General Plan Update	City of El Paso de Robles Community Development Department
8	City of El Paso de Robles Local Procedures for Implementing CEQA	City of El Paso de Robles Community Development Department
9	Air Quality Handbook, San Luis Obispo County Air Pollution Control District	City of El Paso de Robles Community Development Department
10	City of El Paso de Robles Historic District Location Map	City of El Paso de Robles Community Development Department
11	FEMA Flood Insurance Rate Map	City of El Paso de Robles Community Development Department
12	Geologic/Seismic Hazards Report & Soils Engineering Report Prepared by Earth Systems, Inc.	City of El Paso de Robles Community Development Department
13	Project Narrative	City of El Paso de Robles Community Development Department
14	Project's Preliminary Grading and Drainage Plan	City of El Paso de Robles Community Development Department
15	Project's Preliminary Landscaping Plan	City of El Paso de Robles Community Development Department
16	New Superior Court Facility Building Footprint	City of El Paso de Robles Community Development Department
17	Project Building Elevations	Attached
18	Parcel Legal Description	City of El Paso de Robles Community Development Department
19	Tree Protection Report By Carolyn Leach Consulting	City of El Paso de Robles Community Development Department
20	Public Safety Center Project Program	City of El Paso de Robles Community Development Department
21	Downtown Parking & Circulation Analysis and Action Plan	City of El Paso de Robles Community Development Department

**Mitigation Measures and Mitigation Monitoring/Reporting Program/Plan
Planned Development 03-005and Waiver 03-007 (Superior Court Facility)**

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS MONITORING MILESTONE	VERIFICATION OF COMPLIANCE
VI Transportation	Submit grading plans and street improvement plans	City Engineer	Process: Grading and site improvement plans review Milestone: Prior to grading permit Prior to construction	Approved By: Date:
VI Transportation	Submit parking and traffic management plan for approval	City Council Board of Supervisors	Process: Plan formulation, review and at the time that jury trials are re-instated Milestone: Prior to re-instatement of jury trials	Approved By: City: County: Date:
VII. Biological Resources	Submit written statement and construction drawings for City review as to verification of compliance with protective measures, protective requirements construction monitoring, and inspection requirements	City Planner	Process: Grading & site improvement plans Construction drawings Milestones: Prior to grading permit Prior to construction	Approved By: Date:
XIII Aesthetics	Submit final construction drawings to the City's Development Review Committee for review as to verification of compliance with design intent	DRC	Process: Construction drawings Milestone: Prior to construction	Approved By: Date:
XIII Light & Glare	Conduct lighting level review	City Planner County Project Manager	Process: Prior to use and occupancy Milestone: Prior to use and occupancy	Approved By: Date:

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES,
APPROVING PLANNED DEVELOPMENT 03-005 AND WAIVER 03-007
FOR THE SAN LUIS OBISPO COUNTY SUPERIOR COURTHOUSE AT 940 SPRING STREET
(APPLICANT: COUNTY OF SAN LUIS OBISPO, ASSESSOR PARCEL NO: 009-151-002)

WHEREAS, the County of San Luis Obispo has filed a Planned Development and Waiver application on behalf of the California Superior Court of San Luis Obispo County seeking approval of a new Superior Court facility to be constructed and operated on an approximately 1.4-acre site at 940 Spring Street (Assessor Parcel Number 009-151-002);

WHEREAS, City approval is sought for the new facility in accordance with the long-term ground lease by and between the City and the County for the site and its development and use as a Superior Court facility;

WHEREAS, the Project site is bounded encompasses an approximately 1.4-acre site bounded by 9th Street on the south, Spring Street on the west, 10th Street on the north, and Park Street on the east; and

WHEREAS, the City's Economic Strategy and its General Plan call for retaining and expanding the North County Municipal Courts in the Downtown. Emphasis is placed on continued revitalization of Downtown as a Commercial/Entertainment Center that accommodates a Government Center (Public Safety, Library/City Hall, and County Courts), caters to the tourists and provides professional office space; and

WHEREAS, the new Superior Court facility is designed to be an integral part of the Downtown Civic Campus comprised of the Public Safety Center and the Library/City Hall; and,

WHEREAS, the General Plan designation and zoning of the project site is CC (Community Commercial) and C2 PD (Highway Commercial Planned Development); and

WHEREAS, at its October 14, 2003 meeting, the Planning Commission held a duly noticed public hearing on the new Superior Court facility and the environmental review thereof in order to accept public testimony on the Project, including Planned Development 03-005 and Waiver 03-007; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Rules and Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment along with a proposed Mitigated Negative Declaration, a Mitigation Monitoring/Reporting Program/Plan; and a Public Hearing Notice; and

WHEREAS, based on the information and analysis contained in the Initial Study, the proposed Project qualifies for adoption of a Mitigated Negative Declaration and establishment of a Mitigation Monitoring/Reporting Program/Plan; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The new Superior Court facility will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the facility is an integral part of the City's Economic Strategy and General Plan policies calling for retention and expansion of the North County Municipal Courts in the Downtown.

2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
 - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City. Rather, the PD implements the City's goals as expressed in its Economic Strategy and General Plan to continue to revitalize the Downtown.
 - B. The new Superior Court facility uses the same or similar design elements as have been used at the Public Safety Center and Library/City Hall.
 - C. The new Superior Court facility is designed to be sensitive to, and blend in with, the character of the site and surrounding area with particular emphasis placed on the adjacent Public Safety Center and Library/City Hall and use of a complementary architectural style.
 - D. The architectural design, site layout, and public improvements of the new Superior Court facility are compatible with area development and will not be disharmonious or disruptive to the Downtown.
 - E. The new Superior Court facility is consistent with the purpose and intent of the General Plan, the City's Economic Strategy, and the Community Commercial Zoning of the site; and, it is not contrary to the public health, safety and welfare.
 - F. The activities proposed for the new Superior Court facility are appropriate in scale and character for its location.
 - G. The site planning and architectural character of the new Superior Court facility is of an appropriate scale for the Downtown and its location adjacent to the Public Safety Center and the Library/City Hall.
3. The proposed Waiver of the required public sidewalk along a portion of the site's Park Street frontage is appropriate and is in compliance with the City's Oak Tree Preservation Ordinance. The granting of the proposed Waiver will result in preservation of three (3) existing valley oak trees, while still allowing for public use. The plans provide for an on-site public walkway placed at an angle to the corner, thereby connecting to the public sidewalks provided that are being installed along 9th Street and along Park Street further to the north.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby:

- ◆ Approve Waiver 03-007, eliminating the required public sidewalk for a portion of the Park Street frontage (approximately 135 lineal feet beginning at the corner of 9th and Park Streets and continuing northerly along Park Street) in order to preserve the existing Oak Trees as shown on the Architectural Site Plan; and,
- ◆ Approve Planned Development 03-005 for the new Superior Court Facility, subject to the following Site Specific and Standard conditions:

SITE SPECIFIC CONDITIONS:

The following Conditions are site-specific Conditions of Approval for Planned Development #03-005. In the event of conflict or duplication between the Standard and Site-Specific Conditions, the Site-Specific Condition shall supersede the Standard Condition.

1. This PD #03-005 is valid for a period of two-years from the date of approval. This approval is for all aspects of the Project, except it does not include approval of any future building expansions which would be subject to separate City review and approval at the time that detailed plans have been prepared. Unless site work has begun, the approval of PD #03-005 shall expire on October 14, 2005. The Planning Commission may extend this expiration date for an additional three (3) years if a complete time extension application has been filed with the City before the October 14, 2005 expiration.
2. The Project shall be constructed in substantial conformance with the Conditions of Approval established by Resolution of the Planning Commission and it shall be constructed in substantial conformance with the following Exhibits (which are on file in the Community Development Department):

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B	Architectural Site Plan
C	Preliminary Grading and Drainage Plan
D	Planting Plan
E	Irrigation Plan
F	Building Elevations
G	Colors & Materials Board
H	Mitigation Monitoring/Reporting Program/Plan

3. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval via the Emergency Services Department as part of a courtesy review.
4. All improvements, including water, sewer, storm drainage, parking lots, pedestrian paths/walkways, and public streets shall be constructed to City standards or as otherwise specified in these Conditions.
5. Grading activities, facility construction, and site improvements shall be performed in compliance with the requirements of the Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment.
6. Verification of Compliance with the Adopted Mitigation Monitoring Plan/Program shall be provided to the City at the identified monitoring milestones (Refer to Resolution Adopting Mitigated Negative Declaration and Mitigation Monitoring Plan/Program).
7. The applicant shall construct curb, gutter, and sidewalk on Park Street in accordance with the design standards for this block as established with development of the Public Safety/Emergency Services Center (any required repaving of Park Street will be accomplished by the City as part of its Capital Improvement Program). The curb face on the west side of Park Street shall be 24-feet west of the existing curb line established with development of the Public Safety/Emergency Services Center on the east side of Park Street. Parking will not be provided in the critical root zone of the oak trees. Sidewalk will be constructed or waived as part of the Planning Commission's action on the Planned Development application.
8. The applicant shall construct the curb, gutter, and sidewalk on 9th Street in accordance with the City West Side Standard A-12 along the frontage of the project site. Angled parking shall be designed and installed along the 9th Street frontage of the project site. The angled parking shall be designed so that it does not interfere with the existing 9th Street curb alignment. The design of sidewalk shall be at the discretion of the Planning Commission as part of its action on the Planned Development. The existing paving on 9th Street shall be overlaid to centerline to restore a smooth riding surface over utility trenching.

9. The applicant shall construct the curb, gutter, and sidewalk on Spring Street in accordance with City Arterial Standard A-2 and the Spring Street Master Plan along the site frontage.
10. The applicant shall construct the curb, gutter, and sidewalk on 10th Street in accordance with the design standards established for 10th Street with development of the Public Safety/Emergency Services Center. The existing paving on 10th Street shall be overlaid to centerline to restore a smooth riding surface over utility trenching.
11. The applicant shall install interlocking, concrete paver crosswalks across Park Street at 9th Street and 10th Street and across 10th Street at Park Street.
12. The existing overhead utility lines adjacent to the site on 9th Street shall be relocated underground.
13. Storm water detention shall be provided in accordance with City Standards. Calculations shall be filed with the City at the time that the grading and drainage plan in the construction document package is submitted to the City Engineer for review and approval.
14. Storm water discharging on to Park Street should be collected in a catch basin and storm drain system. The storm drain system will connect to the existing catch basin on the north side of 10th Street just north of Park Street. Additional drain inlets shall be installed to eliminate the need for the cross gutter along 10th Street across from Park Street. The curb return at the northwest corner of Park Street and 9th Street shall be designed to send the 9th Street runoff north to the 10th Street storm drain. This will eliminate the cross gutter at 9th Street.
15. Decorative Street lights shall be placed on 10th Street (one light mid-block), Park Street (as determined by the DRC in the context of appropriate lighting levels), and on Spring Street in accordance with the Spring Street Master Plan (two decorative street lights along the project frontage).
16. Benches, security fencing, and trash receptacles matching the theme established with the Emergency Services Center and the Library/City Hall shall be provided.
17. Evidence of property-owner approval of the plans for the new Superior Court Facility and appurtenant buildings/structures, site improvements, architectural design, landscaping, lighting, walls/fencing plans, public plaza, trash enclosures, street trees with decorative tree grates, signage, etc... shall be provided to the Community Development Director or his designee prior commencement of construction for filing as part of the Planned Development Application.
18. Prior to re-instatement of jury trials, the City and the Superior Court shall work collaboratively in establishing an “in-house” informational parking and traffic management plan (Plan). The Plan would provide for effective use of the available public transportation at the Downtown Transit Center (Southwest corner of 8th and Pine Streets), available and planned public parking facilities (Both on-street and off-street spaces), and other management measures to the satisfaction of the City Council and the Superior Court of San Luis Obispo County. The purpose and intent of the “in-house” informational Plan would be to ensure, to the extent it is practical to do so, that:
 - A) The Court facilities are accessible to those who use them,
 - B) Measures would be taken to encourage/inform the users of the Court facility to park in certain designated areas and/or use alternative means for getting to the Court facility (so as to not displace others who are working, visiting, shopping, or otherwise availing themselves of the government, office, cultural, conference, dining, entertainment, and specialty retail shops and services located in the Downtown), and

- C) The Court encourages/inform its jurors to use the transportation and parking facilities identified in the adopted Plan.
19. Use and operation of the Superior Court Facility and its appurtenant buildings, structures, and site improvements shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance attached hereto and incorporated herein).
20. The City and County shall conduct a lighting level review in the field prior to use and occupancy of the Superior Court Facility in order to make any necessary adjustments to ensure that the illumination levels are appropriate, that the light sources are properly shielded and directed downward where appropriate, that all security lighting is fully shielded and directed at the building (rather than directed out from the building), that no blister packs have been installed on the building exterior, and that no direct glare has been created, and that any sky-reflected glare from the building has been controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.
21. As a professional courtesy, the security plans shall be filed with the Police Department of the City of El Paso de Robles.
22. The courthouse project shall obtain an Encroachment Permit from the City of El Paso de Robles for work done within the public right of way. In conjunction with issuance of this permit, the County shall pay appropriate fees as specified in the executed site lease or as may be further determined through on-going agency discussions.

PASSED AND ADOPTED THIS 14th day of October 2003 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

RESOLUTION NO:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES,
APPROVING A MITIGATED NEGATIVE DECLARATION AND ESTABLISHING A MITIGATION
MONITORING/REPORTING PROGRAM FOR THE SAN LUIS OBISPO COUNTY SUPERIOR
COURTHOUSE AT 940 SPRING STREET (APPLICANT: COUNTY OF SAN LUIS OBISPO)

WHEREAS, the County of San Luis Obispo has filed a Planned Development and Waiver application on behalf of the California Superior Court of San Luis Obispo County seeking approval of a new Superior Court facility to be constructed and operated on an approximately 1.4-acre site at 940 Spring Street (Assessor Parcel Number 009-151-002);

WHEREAS, City approval is sought for the new facility in accordance with the long-term ground lease by and between the City and the County for the site and its development and use as a Superior Court facility;

WHEREAS, the Project site is bounded encompasses an approximately 1.4-acre site bounded by 9th Street on the south, Spring Street on the west, 10th Street on the north, and Park Street on the east; and

WHEREAS, the City's Economic Strategy and its General Plan call for retaining and expanding the North County Municipal Courts in the Downtown. Emphasis is placed on continued revitalization of Downtown as a Commercial/Entertainment Center that accommodates a Government Center (Public Safety, Library/City Hall, and County Courts), caters to the tourists and provides professional office space; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Rules and Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment along with a proposed Mitigated Negative Declaration, a Mitigation Monitoring/Reporting Program/Plan, and a Public Hearing Notice; and

WHEREAS, at its October 14, 2003 meeting, the Planning Commission held a duly noticed public hearing to accept public testimony on the proposed Mitigated Negative Declaration, Mitigation Monitoring/Reporting Program/Plan, Planned Development PD 03-005, and Waiver 03-007 for the new Superior Court facility; and.

WHEREAS, public notice of intent to adopt the proposed Mitigated Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, public notice of the proposed Mitigation Monitoring/Reporting Program/Plan was given as is required by Section 15097 of the State Guidelines for Implementation of the California Environmental Quality Act; and

WHEREAS, based on the information and analysis contained in the Initial Study (including the proposed Mitigation Measures and the proposed Mitigation Monitoring/Reporting Program/Plan), the staff report, and public testimony received, the Planning Commission, using its own independent judgment, finds that all potentially significant effects of the new Superior Court facility ("Project") on the environment can and will be avoided or mitigated to a level of insignificance by:

1. Imposing the specified mitigation measures in the Initial Study as Conditions of Approval for the new Superior Court facility;

2. Requiring the applicant to make, or to agree to make, revisions to the Project so as to incorporate the mitigation measures in the Initial Study into the Project, as set forth in the attached acknowledgement statement (as set forth in the attached Mitigation Agreement and Mitigation Monitoring/Reporting Plan/Program; and,
3. Requiring compliance with the Mitigation Monitoring/Reporting Program/Plan that establishes the program for reporting on, or monitoring, the changes incorporated into the Project by the Planning Commission so as to allow for the adoption of Mitigated Negative Declaration.

NOW, THEREFORE, the Planning Commission of the City of El Paso de Robles, using its independent judgment and analysis, does hereby:

1. Find and determine that Planned Development PD 03-005 and Waiver 03-007 will not have a significant impact on the environment. This finding and determination was made based upon the substantial evidence presented at the public hearing, including the whole record before the Planning Commission (including the Initial Study, the Staff Report and attachments thereto, and any public comments or testimony received thereon).
2. Adopt a Mitigated Negative Declaration for Planned Development PD 03-005 and Waiver 03-007 for the new Superior Court facility at 940 Spring Street.
3. Establish a Mitigation Monitoring/Reporting Program/Plan for Planned Development PD 03-005 and Waiver 03-007 for reporting on and/or monitoring how the changes set forth as Mitigation Measures are incorporated into the Project design as well as the facility construction and operation.

PASSED AND ADOPTED THIS 14th day of October 2003, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

RECEIVED

MAR 19 2003

Community Development

Tree Protection Report
On Preliminary Schematic Site Plan
For
San Luis Obispo County Courthouse
Paso Robles
March 14, 2003

By

Carolyn Leach Consulting, L.L.C.
444 Blume Street, Nipomo, CA 93444
Phone & fax (805) 929-9020

Carolyn Leach
Signed

3/14/03
Date

1. Introduction:

This report reviews the proposed construction of a new courthouse facility in Paso Robles, and discusses the affect of that work on existing native trees. I have inspected and measured the trees, and determined their critical root zone area. Surveyors have located the trees. During the course of developing this preliminary plan, the designers have consulted with me and adjusted their plans to accommodate the trees.

The project plans discussed in this report are preliminary plans only. The project Landscape Architect, TEC, has forwarded to me a reduced copy of the site plan, which I have attached to this report. No site grading plans or elevations has been reviewed to date.

2. Tree Information:

I inspected the site on January 10, 2003, and looked at all the site trees, identifying which trees were native oaks. Information on each native oak tree was collected regarding the species, size, health & vigor, location, and relative position in relation to previous and proposed improvements. The results of my field inspection are summarized on the Tree Data Sheet attached.

I found five native oaks at the site - two coastal live oaks (*Quercus agrifolia*) and three valley oaks (*Quercus lobata*). Their trunk diameters ranged in size from 13 to 48 inches. Also existing on the site were several non-native trees - Tree-of-Heaven (*Ailanthus altissima*), Siberian elm (*Ulmus pumila*) and an atlas cedar (*Cedrus atlantica*).

The site is fairly level, located near the heart of downtown Paso Robles. The parcel is now vacant, but it is easy to assume that previous structures must have been present in the past here, potentially near some of the native trees.

I have assigned sequential numbers to the trees, to help identify and discuss the trees individually. The tree locations are marked on the attached sketch.

Tree #1, located at the property's northwest corner, is a young coastal live oak with vigorous health and a full canopy. It grows very close to the foundation of the adjacent coffee house. Its branches have been pruned up for the first five feet above ground.

Tree #2, also a young live oak, is growing within the right of way on 10th Street. It has a full canopy with branches extending all the way down to the ground.

Trees #3, 4, and 5 are located near the southeast corner of the site. They are all large valley oaks with tall, straight trunks and high canopies. Much previous pruning work has been done (not all appropriate) to these three trees. They are moderately healthy, but need some remediation pruning work.

3. Project Impacts:

This report attempts to anticipate construction impacts to the site trees, but since the plans are brief, many assumptions have been made in my evaluation. The goal is to describe the impacts, then project whether the trees will be able to withstand those impacts. Impacts can occur to the soil, roots, trunk, branches, and canopy. In order for trees to grow and thrive, they need all of their parts in good working order so that the whole system can function.

Root impacts increase the closer to the trunk that the construction work occurs. Younger, healthier trees are more able to tolerate significant impacts than older, less vigorous trees. It is widely accepted that healthy trees are able to tolerate the loss of about **25% of their canopy and 30% loss of their root system**. Trees in poorer health, obviously, cannot tolerate as much impact.

To estimate canopy impact, I viewed the trees and counted the number and size of branches that I anticipate will need removal. To estimate root loss, I measured the amount of critical root zone (CRZ) that will be affected, and calculated the percentage affected. Those impacts are listed below:

TREE #	Canopy Impact	Root Impact
1	10%	7%
2	25%	17%
3	20%	27%
4	10%	43%
5	10%	31%

Root impacts are expected for construction of the building, road, walkways, and retaining wall. Working room beyond the actual improvement are included.

The above impacts to trees #3, 4, and 5 exceed those normally tolerable, so mitigation to reduce those impacts should occur. If we assume the building and road locations are fixed, then the remaining impact is with the walkway. If the

walk were built of permeable material (and built without excavation) such as bark mulch, gravel, or decomposed granite, the impacts would significantly lower. The root impacts at tree #3 would then change to zero, Tree #4 to 18%, and Tree #5 to 15%. This would clearly bring the impacts to tolerable levels.

The walk near Tree #1 is assumed to be permanent paving, with no grading beyond a foot of working room along the walk edge.

The impact from the retaining wall at Tree #2 includes two feet of working room behind the back of wall.

Working room behind the curb and gutter on Park Street, within thirty feet of tree #4, is one foot behind the back of curb.

Working room along the south wall of the new building shall be no more than ten feet away from the building face.

No other grading or trenching will be allowed within the CRZ, except for the four allowances listed immediately above, unless reviewed and approved by me before the work commences.

Protective fencing is required between all construction activities and native trees. Protective fence locations are to be clearly marked on the grading plan and approved by the project arborist. Where feasible, they will be located five feet outside the CRZ boundary. Protective fencing shall be inspected daily by the project construction supervisor and maintained in good order at all times.

Landscaping for the project will be limited to drought tolerant plantings only. The areas within CRZ will have native oak leaf mulch left intact, and be sparsely planted. Only irrigate for the first two years, to establish the new plants, and then discontinue all irrigation within the CRZ. Drip irrigation only, installed without trenching, shall be used within the CRZ. No herbicide use should occur at any time within the CRZ.

Pruning to remove all dead branches, repair previous poor pruning mistakes, and install cables where appropriate, is highly recommended.

The above estimates of impact are based on the workers on the site complying with all of the protection requirements listed in this report, as well as any subsequent material produced by myself regarding this project. The following section details other specific requirements. If care is taken to comply with the restrictions, there is a high likelihood that the trees will tolerate this construction project.

4. Protection Requirements:

All workers, prior to beginning work, must consider the limited space available at this site. Under no circumstance shall lack of space be used as reason to remove protective fencing.

- Project manager and construction supervisor shall be responsible for instructing all workers about tree protection goals, implementing protection of CRZ, and installing and maintaining protective fencing.
- Protective fencing is required, in the locations shown on the grading plan, and approved by the project arborist.
- The fences shall be five-foot tall orange plastic, with steel t-posts sunk into the ground, eight feet apart. The fencing shall be installed prior to any site disturbance or construction, and shall remain in place until all construction is complete.
- No grading, trenching, materials storage, soil storage, debris, or site disturbance shall occur within the protected area. No concrete, plaster, or paint washout shall be allowed within the tree protection zone. Weather proof signs shall be permanently posted, on the fences every 50 feet, with the following information:

<p>Tree protection zone No personnel, equipment, materials, and vehicles are allowed Do not move or remove this fence Name and phone of Construction Supervisor</p>
--

- Any field conditions or changes, which adversely affect the site trees, shall be reviewed by the Arborist prior to performing the work. Additional mitigation may be needed.
- Tree pruning should be done by a qualified ISA certified arborist or ISA tree worker. A.N.S.I. A-300 and Z-133 standards for tree care shall be used at all times.
- All utilities shall be routed in areas outside the protection areas.
- If living roots of native oaks, measuring two inches in diameter or more, are injured during earthwork, the contractor shall cleanly cut them. Use a sharp handsaw, to remove the frayed end. Do not paint the cut ends of roots. Keep the roots moist by covering the excavation edge with plastic sheeting (or burlap, wetted daily). Backfill the excavation as soon as possible.
- Abandon all unused existing underground lines where legally allowed, rather than digging them out.

5. Tree Data Sheet

Tree #	Specie	Dbh	CRZ	Vigor	Comments
1	Que agr	18"	18'	Exc	
2	Que agr	13 ½"	13'6"	Exc	Prune to raise canopy 5'
3	Que lob	33"	33'	Mod	Remove wires. Corrective prune 7 headed limbs. Aerially inspect all limbs for internal decay.
4	Que lob	28"	28'	Mod	Remove construction washout from site next door within CRZ of this tree. Aerially inspect all limbs for decay
5	Que lob	48"	48'	Mod	Recommend cabling, possibly upper & lower canopy both. Aerially inspect all limbs for decay. Recommend root crown inspection.

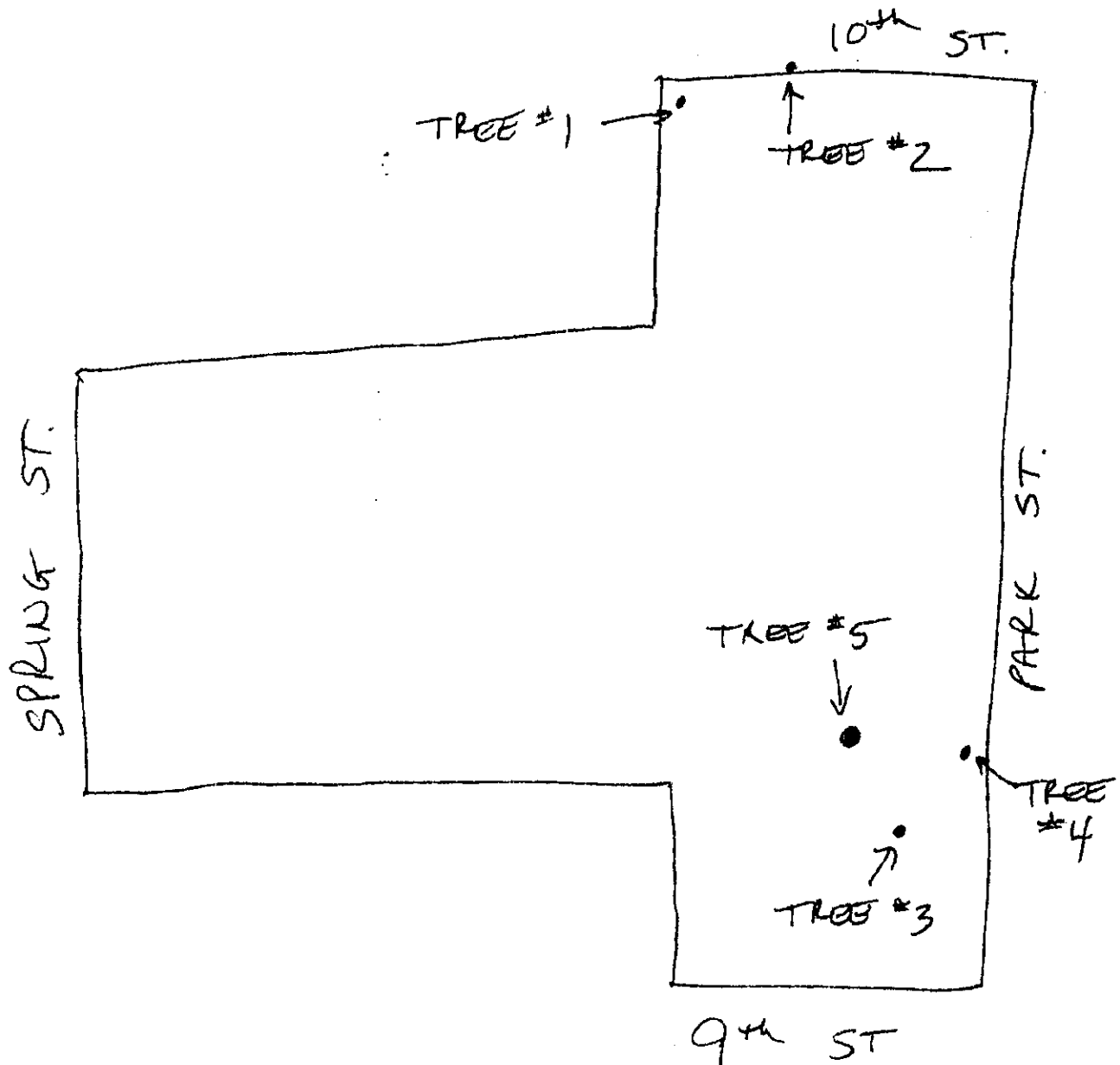
Que agr = Coastal live oak

Que lob = valley oak

Exc = excellent

Mod = moderate

6. Tree Location Sketch:



TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: SAN LUIS OBISPO COUNTY SUPERIOR COURTHOUSE FACILITY

DATE: OCTOBER 14, 2003

Needs: For the Planning Commission to consider adoption of a Mitigated Negative Declaration/Mitigation Monitoring Program and approval of Planned Development 03-005 and Waiver 03-007 for the new Superior Court facility at 940 Spring Street.

Facts:

1. The new Superior Court facility ("facility") is to be located on an approximately 1.4-acre site located on Park Street, immediately west of the Public Safety Center. The new facility would replace the existing one at 549 10th Street.
2. This site is bounded by 9th Street on the south, Spring Street on the west, 10th Street on the north, and Park Street on the east (See attached map).
3. The City's Economic Strategy and its General Plan call for retaining and expanding the North County Municipal Courts in the Downtown.
4. One of the major goals of the Strategy is the development of Downtown into a Commercial/Entertainment Center that accommodates a Government Center (Public Safety, Library/City Hall, and County Courts), caters to the tourists and provides professional office space.
5. The City and the County have entered into a long-term ground lease for the site to accommodate the County's construction of the new facility.
6. The lease establishes that the County shall file a Planned Development application to allow for public input and review authority by the City, including California Environmental Quality Act compliance.
7. On September 15th, the County submitted a revised site plan and elevations for the new facility. Revisions have been made as part of the County's on-going efforts to further develop the estimate of project costs for the current design to ensure that the Project presented to the City will be within budget.
8. Planned Development PD 03-005 and Waiver 03-007 for the new facility have been filed with the City for its review/approval as set forth in the executed lease agreement.
9. These applications seek authorization to construct and operate an approximately 22,400 square foot, two-story, 36-feet high facility at 940 South Spring Street (See attached site plan, architectural elevations, and additive and deductive alternates for the elevations).
10. Thirteen (13) on-site parking spaces are proposed to be provided in a fully secured area and 23 on-site, "staff only" parking spaces are also shown. Public parking will be provided through the City providing 79 new spaces on the perimeter of Robbins Field, plus nearby Public on and off-street parking.

11. The General Plan designation and Zoning of the Project site is CC (Community Commercial) and C2 PD (Highway Commercial Planned Development).
12. By way of background, this project was initially scheduled for consideration by the Planning Commission at its June 10th meeting. At the request of the County, this item was continued on July 22nd and again on September 23rd.

A. Processing of Initial Submittal

- ◆ On April 7, 2003, the City's Development Review Committee (DRC) reviewed the new facility and indicated its support for the Project, subject to the following:
 - Studying parking in more detail;
 - Increasing the number of off-street parking spaces as much as feasible; and
 - Providing "Four-sided" architectural treatment (Use of different materials and finishes, such as brick and plaster, was found to be acceptable as long as the colors were the same).

In its discussion of the Project, the DRC stated the new Superior Court facility would be a positive addition to the neighboring public facilities.

- ◆ At its April 22nd meeting, the Planning Commission held a Public Workshop. Comments were received indicating that the architectural design and site layout were appropriate and compatible with that of the Public Safety Center and the Library/City Hall, and suggesting that additional efforts be made to address the parking needs.

B. Processing of Revised Submittal

- ◆ On September 22nd, the City's DRC reviewed the revised site plan and elevations for the new Superior Court facility.

Site Plan Revisions

The main plaza on the corner of 10th and Park Streets has been revised. The pavers have been removed and replaced with landscape areas and the stairs have been deleted.

The staff parking lot has been reconfigured and the automatic electronic gate at Spring Street has been removed.

Revisions to the Elevations

The entry vestibule has been removed.

Minor modifications have been made to the building footprint due to changes in the floor-plan. These modifications have resulted in greater variation in the building footprint.

As a result of budgetary concerns, the County has indicated that final decisions on the cladding of the building exterior with a brick veneer cannot be made at this time.

The County is anticipating that it will not be in a position to ascertain how the exterior will be finished until after the construction bids have been received.

It is possible that the brick veneer may prove to be too expensive. If this occurs, the County will proceed with replacing the brick veneer with plaster. An exhibit showing a plaster exterior has been provided as a reference.

It is also possible that the Project could come in under budget. If this occurs, the County will replace the lobby walls with glazing. An exhibit showing the use of an

expanded façade with a wider curtain wall with glazed panels will be available at the Commission meeting.

In its discussion of the Project revisions, the DRC stated the new Superior Court facility would be a positive addition to the neighboring public facilities that comprise the Civic Campus (Public Safety Center, the Public Library, and City Hall). There is enough similarity in the overall site design, building elevations, as well as in the colors and materials used, of these individual facilities to achieve compatibility.

Additional Details (Security Fencing and Signs)

In its discussion of the security fencing details, the DRC recommended that alternatives to installation of interlocking galvanized steel boards be explored. Further, the DRC indicated that information on available options should be presented as part of the final (or substantially complete) construction drawings submittal package to the DRC for its review/approval prior to commencement of construction activity.

In its discussion of the additional signage details, the DRC concluded that the signs appear to be compatible with the others in the immediate vicinity and recommended that final DRC approval of the signs be sought via a separate permit process at the time that the final or substantially complete construction details are known.

13. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Rules and Procedures for Implementation of CEQA, an Initial Study was prepared and circulated for review/comment. Based on the information and analysis contained therein, the Project qualifies for issuance of a Mitigated Negative Declaration and adoption of a Mitigation Monitoring Program.

Analysis

And

Conclusions: The Project is the result of the collaborative efforts of the City and the County. The review/analysis presented in the remainder of this Report is separated into the following sections: 1. Site Design and Orientation, 2. Architectural Style, 3. Environmental Review, and 4. Concluding Remarks.

1. Site Design and Orientation

The facility is located at the northeastern corner of the site. The front entrance and building façade is oriented diagonal to the intersection of 10th and Park Street. This orientation mirrors that of the Public Safety Center (PSC) located immediately to the east, across Park Street. The main PSC entrance faces the intersection of 10th and Park Street as well. The remainder of the site is devoted to on-site, staff-only parking, retention/detention basins, and an outdoor seating area. The southwest corner has a pedestrian path and outdoor seating area placed among the existing grouping of mature, heritage oak trees. Access to and from the on-site/staff-only parking lot is taken directly from Spring Street.

The Spring Street frontage has the same design treatment as predominately found throughout the Spring Street corridor. Emphasis has been placed on replicating the treatment found within the next block to the north. The frontage treatment in this area serves as a transition between the newer development to the south and the main Downtown focal point/core area. A public sidewalk, themed lights, and enhanced landscaping set in front of a low brick wall are shown along the Spring Street frontage (together the wall and landscaping effectively screen the on-site parking areas).

2. Architectural Style. Fraser Seiple Architects have provided the following narrative:

“The design for the new Paso Robles Superior Court seeks to create a building that will reinforce and extend the character of the neighborhood, particularly its historic and more recent public buildings.

The building is a two-story structure, which provides a compact composition and allows a large portion of the site to be preserved as current open space and held in reserve for planned future expansion. With a two-story scheme, the building massing generates a more civic presence, relating to the adjacent public buildings and distinguishing the court from the retail and service buildings on the block.

Set back from the corner, the facility offers a generous, landscaped public plaza at the corner of Park and 10th Streets. The curved façade of the building allows it to relate directly to Park Street and the Public Safety Center, to 10th Street, and to the corner itself, mediating the site’s opposition at the middle of the City’s evolving civic campus. The public corridors of the court facility face the plaza, and double height glazing offer views of people in the building, activating the public plaza and further connecting building function with the public realm.

Materials for the new court facility were carefully chosen to integrate the project into its surroundings.

The front façade consists of curtain wall glazing along the curve of the building, capped by a sloped standing seam metal roof. Brick clads the north and east walls of the courtrooms. Cream-colored brick accents the building at the base and at the second floor. The south and west building elevations are composed of complementary stucco walls, extending the theme and color of the brick facades from the more public faces of the building.

Landscaping and site improvements will also complement the building and enhance the quality of public spaces. The public plaza will be a combination of landscaping and hardscape areas. The hardscape includes concrete paving and use of interlocking pavers, repeating elements of other public spaces in the neighborhood. Existing oak trees will be preserved, with additional trees planted to reinforce the street edge and create a coherent landscape composition.

Valley oaks to the south of the building and live oaks along 10th Street will be preserved as prescribed by City ordinance, with additional trees planted to create a native themed, park-like setting. Pedestrian travel adjacent to existing trees will be accommodated by placement of pedestrian paths (with interlocking pavers) crossing the site, detailed to prevent damage to the root structure.

Public on-street parking, including required accessible spaces, will be provided along Park Street in the City’s preferred diagonal pattern. Courts staff and secure parking for the facility are provided at the rear of the building, accessed via Spring Street.

The proposed grading scheme maintains the existing pattern of drainage to the northeast site corner. The public entrances will be at or below the elevation at the corner of 10th and Park Streets.

The intent of the design for the new Paso Robles Superior Court Facility is to develop a distinguished public building for the Superior Court that exhibits the dignity appropriate to a justice facility, creates generous public spaces as a community amenity, and carefully reinforces the character of the neighborhood through building placement, materials, and detailing.”

3. Environmental Review

The Initial Study for this Project relies in part on the Environmental Impact Report (EIR) for the 1991 General Plan Land Use and Circulation Element Update. The EIR authorized development of the land uses envisioned in the General Plan, including continued Downtown revitalization/development as a specialty retail, government, office, cultural, conference, and entertainment center of the City and North County region.

Project-specific review focuses on Transportation/Circulation, Biological Resources, Request for Sidewalk Waiver to preserve Oak Trees, and Aesthetic impacts.

Traffic/Circulation --Parking

The Zoning Ordinance does not have a specific parking requirement for a Superior Court facility. Rather, it requires off-site parking in the Downtown to be provided at a rate of one space per 1,750 square feet of site area. Since the site is approximately 63,597.60 square feet; the amount of required on-site parking is 36-spaces. 36-spaces have been provided. On-street parking is also available in the vicinity, and the street improvements to be installed as part of the Project add a total of 12-additional, angled parking spaces along the site's Park Street and 9th Street frontages.

Within close proximity to the new Superior Court, there are a total of 1,976 parking spaces (both on-street and off-street public parking spaces), as shown on Table 7 – Existing and Further Parking Demand Estimates for Analysis Zones I, III, and IV of the Downtown Parking and Circulation Action Plan). Further, there are approximately 820 off-street parking spaces within a one-block radius per a field investigation conducted by City staff.

As part of the on-going implementation of the Downtown Parking and Circulation Action Plan, the City's annual budget process has included consideration of availability of financing for the recommended capital improvement projects. As a result, the City has set aside sufficient funding to move forward with a capital improvement project to create an additional 79 parking spaces surrounding all four sides of Robbins Field. Robbins Field is located within two blocks of the new Facility at southwest corner of Park and 7th Streets and can provide adjunct parking spaces for juror use.

The Judicial Council of California has published Facilities Guidelines for Superior Court Facilities ("Guidelines"). The Guidelines provide that:

"Court facilities must be accessible to those who use them. Court planners should consider the feasibility of providing parking and the availability of public transportation. If at all possible, parking should be provided near the courthouse for users, visitors, staff, justices and official vehicles. In areas where an appropriate public parking structure is not nearby and cannot be constructed, the court should be sited within easy access of public transportation. In such cases, a small parking facility should be considered in or near the court facility for the justices and some staff. If public parking can be provided, parking requirements should be calculated in consideration of 1) the number of users and visitors expected each day; 2) the number of staff to be employed at the facility; and, 3) the average number of official vehicles found at the courthouse each day."

Using the Guidelines, it would seem appropriate for the City and the Superior Court to work collaboratively in establishing an "in-house" parking and traffic management plan prior to re-instatement of jury trials, the City and the Superior Court shall work collaboratively in establishing an "in-house" informational parking and traffic management plan (Plan).

The Plan would provide for effective use of the available public transportation at the Downtown Transit Center (southwest corner of 8th and Pine Streets), available and planned public parking facilities (both on-street and off-street spaces), and other management measures to the satisfaction of the City Council and the Superior Court of San Luis Obispo County. With incorporation of this mitigation measure into the project as a Condition of Approval, there would not be an insufficient supply of available parking.

Traffic/Circulation – Trip Generation

The site has a General Plan designation of CC (Community Commercial) and C2-PD (Highway Commercial – Planned Development) zoning, which allow Public facility and commercial uses. If commercially developed with 22,720 square feet of leasable space, approximately 923 Average Daily Trips (ADT) would be generated. This is more than the 568 ADT attributable to the new Superior Court facility.

The City's General Plan Circulation Element and accompanying street improvement programs were established assuming development of commercial use of the site. Since the new facility would generate less traffic than analyzed in the Circulation Element, it would not trigger the need for additional street improvements with cumulative traffic.

Associated Transportation Engineers (ATE) prepared a Project-specific Traffic Report. This Report confirmed that no additional street improvements besides the planned and programmed improvements would be required.

The new facility is expected to generate 51 trips during the AM peak hour and 65 trips during the PM peak hour. The Spring Street/10th Street intersection is forecasted to continue to operate at Level of Service "A" during the AM and PM peak hour periods with project traffic; and the Spring Street/6th Street intersection is forecasted to continue to operate at Level of Service "B" during the AM and PM peak hour periods with project traffic.

Spring Street would provide direct access to the site via the one project driveway. The project driveway on Spring Street is located approximately 190 feet south of 10th Street and approximately 130 feet north of 9th Street. Spring Street has one lane in each direction plus a two-way median left-turn lane.

The ATE Traffic Report indicates that there is adequate storage for northbound Spring Street traffic at 10th Street. Additionally, the Report concludes that there would not be a significant affect on traffic movement to/from the project driveway and that driveway movements would not significantly affect the traffic movements at the Spring Street/10th Street intersection. The delays for vehicles entering and exiting the site are in the 10-20 second range, indicating the adequate gaps in the Spring Street traffic streams are available for project traffic. The delays for vehicles entering and exiting the site equate to Level of Service A-B.

Further, since the new facility is replacing an existing one already located in the Downtown, it is reasonable to suggest that some (if not the majority) of the traffic associated with operation of the Superior Court is currently a part of the background traffic levels.

If this perspective were taken, it is foreseeable that an argument could be made that there is no little or no impact since there would not be any increased vehicle trips or traffic congestion resulting from Facility relocation. However, a more conservative approach has been taken.

On October 29, 2002, the City Council approved the Downtown Parking and Circulation Action Plan. This Plan reviewed and evaluated the impacts of planned development in the Downtown in accordance with the General Plan land uses and zoning. The new facility was included in the Plan as was its effect on parking supply and demand, in addition to its effect on the existing circulation system.

As a result of planned development in the Downtown, including the new facility, the City Council adopted an Action Plan calling for implementation of:

- ◆ Various traffic calming measures;
- ◆ Creation of an additional 100 parking spaces by the Year 2005;
- ◆ Creation of an additional 350 parking spaces by the Year 2009; and,
- ◆ Creation of an additional 550 parking spaces after the Year 2010.

The ATE Traffic Report for the new Superior Court facility was prepared subsequent to completion of the Downtown Parking and Circulation Action Plan and confirms its findings.

Biological Resources –Oak Trees

There are five (5) relatively large oak trees located on the site. Details regarding the trees are contained in the attached Tree Protection Report from Carolyn Leach. This Report was prepared pursuant to the provisions of the City's Oak Tree Preservation Ordinance.

All of the oak trees have been preserved and incorporated into the site design. The Report includes an assessment and evaluation of each oak tree to determine the health, structural condition, potential impacts to the health that could occur as a result of the Project, and identifies tree protection requirements. The tree protection requirements of the Report and of the City's Oak Tree Ordinance are to be incorporated into the project design, and specific protections measures are to be implemented during construction and on-going site maintenance.

Request for Waiver of Public Sidewalk Requirements along a portion of Park Street

The applicant is seeking Planning Commission approval of a waiver of public sidewalk requirements. The reason for this waiver is to preserve the existing valley oak trees located at the southeastern corner of the site at 9th and Park Streets.

If granted, there would not be a public sidewalk along a portion of the site's Park Street frontage. There would only be curb and gutter installed at the corner of 9th and Park streets and continuing approximately 135 lineal feet to the north along the Park Street frontage.

The Park Street improvements, as shown on the site plan for the new Superior Court facility, do not include a public sidewalk in the vicinity of these trees; rather a sidewalk is provided away from the corner at a diagonal (see plans). The waiver of public sidewalk is only sought for the portion of that Park Street frontage where the trees are located.

Aesthetics

The project is located in the City's Downtown District. The architectural design, site layout, landscaping, walls/fences, lighting, and signage are subject to review and approval of the Planning Commission as part of the Planned Development application.

The applicant's Design Narrative and the Concept Plans for the Building Elevations states that:

“The intent of the design for the new Paso Robles Superior Court Facility is to develop a distinguished public building for the Superior Court that exhibits the dignity appropriate to a justice facility, creates generous public spaces as a community amenity, and carefully reinforces the character of the neighborhood through building placement, materials, and detailing.”

Further, the final or substantially complete construction drawings are to be submitted to the City's Development Review Committee (DRC) for review and approval prior to initiation of project construction to provide the DRC with the opportunity to verify that the precise details are consistently executed throughout all aspects of the project design.

4. Concluding Remarks

The granting of the Planned Development and Waiver will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City. Rather, the new Superior Court facility properly implements the City's goals as expressed in its Economic Strategy and General Plan to continue to revitalize the Downtown through use of the same or similar design elements as the Public Safety Center and the Library/City Hall, through a site orientation that adds to the civic campus, and through use of an architectural style that complements that of the Public Safety Center and the Library/City Hall.

Policy

Reference: General Plan, Zoning Ordinance, Economic Strategy Report.

Fiscal

Impact: The facility is part of the City's Economic Strategy for continued Downtown revitalization. As such, it is anticipated that there will be a positive fiscal impact associated with the spin-off effects associated with use of the court.

Options: After consideration of public testimony, the Planning Commission will be asked to take the actions listed below:

A. By separate motions:

1. Adopt the attached Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring/Reporting Plan/Program for the new Superior Court facility (PD 03-005 and Waiver 03-007).

2. Adopt the attached Resolution

- ◆ Approving the Planned Development 03-005 for the Superior Court facility; and
- ◆ Granting Waiver 03-007, thereby eliminating the required public sidewalk for a portion of the Park Street frontage in order to preserve existing valley oak trees,

Subject to Standard and Site Specific Conditions.

B. Amend, modify, or alter the foregoing options.

Attachments:

1. Vicinity Map
2. Building Elevations (With Brick Veneer, Without Brick Veneer, and With Additional Glazing)
3. Arborist Report
4. Plans – Refer to separate set of Plans included in PC Packet; these contain the following:
 - ◆ Architectural Site Plan
 - ◆ Preliminary Grading and Drainage Plan
 - ◆ Preliminary Utility Plan
 - ◆ Electrical Site Plan
 - ◆ Signage Schedule and Details
 - ◆ Planting and Planting Plan
 - ◆ Floor Plans
 - ◆ Building Elevations
5. CEQA Resolution
6. Project Approval Resolution
7. Initial Study
8. Public Notice Affidavits

Refer to separate set of Plans included in PC Packet; these contain the following:

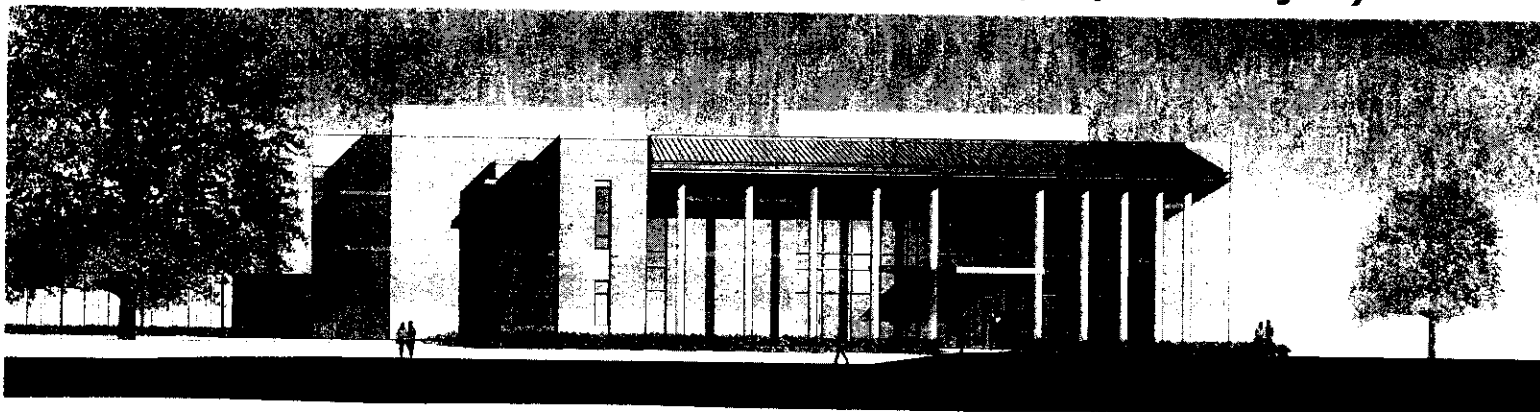
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- ◆ Floor Plans
- ◆ Building Elevations

Building Elevations -- New Superior Court Facility, 940 Spring Street

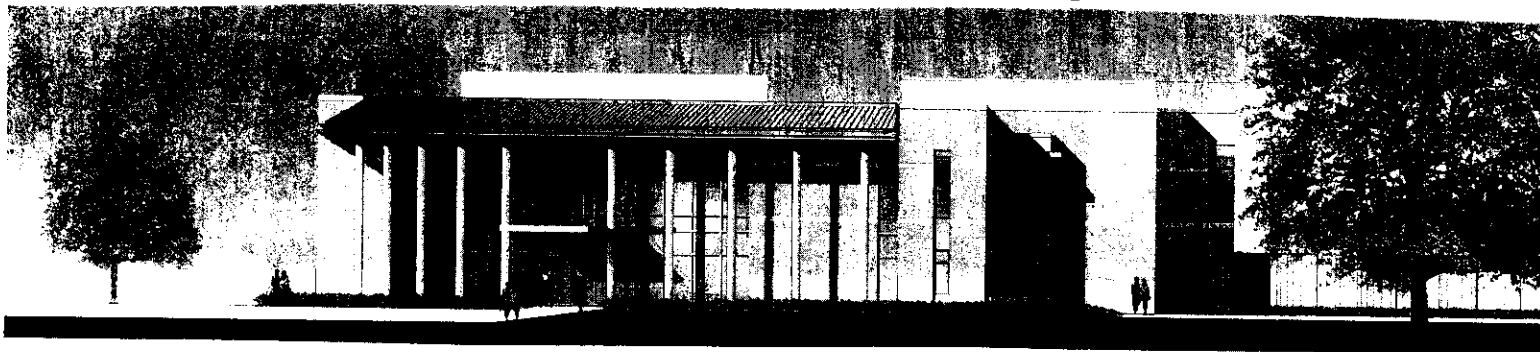
North Elevation – 10th Street With Brick Veneer (Proposed Project)



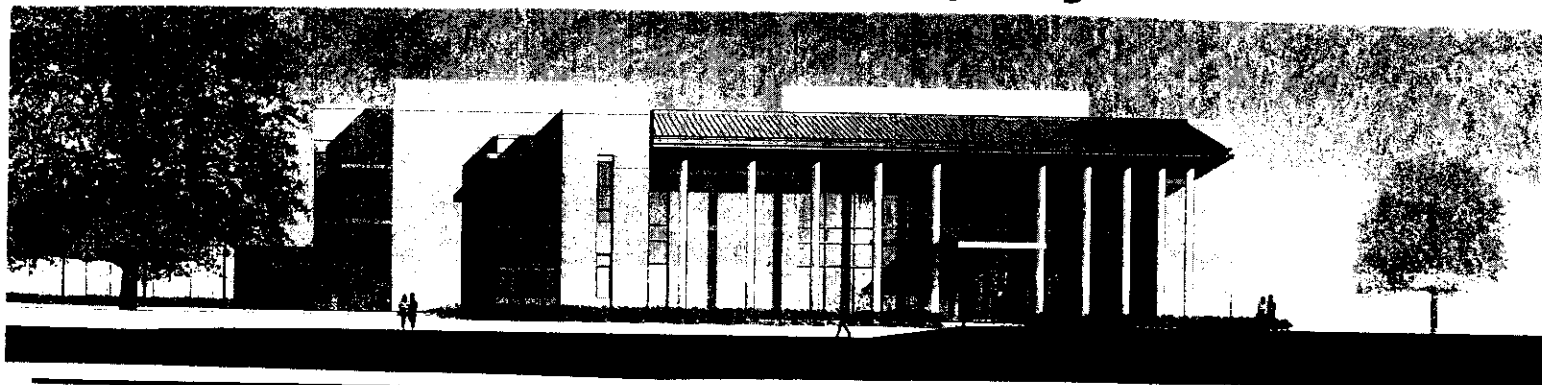
East Elevation – Park Street With Brick Veneer (Proposed Project)



North Elevation – 10th Street With Plaster replacing Brick Veneer



East Elevation – Park Street With Plaster replacing Brick Veneer



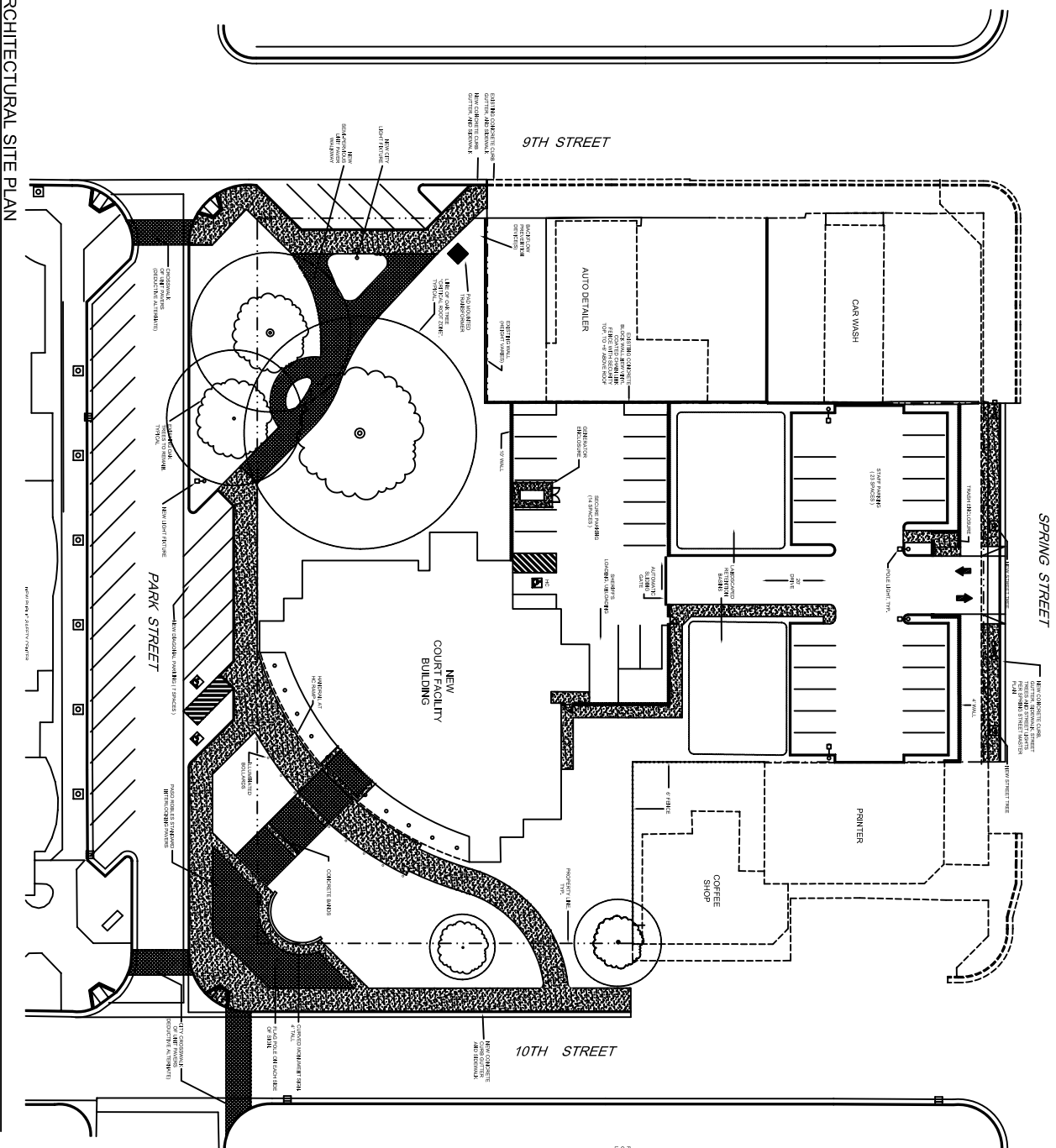
Building Elevations -- New Superior Court Facility, 940 Spring Street

North Elevation – 10th Street With Opaque Panels replaced with Glass



East Elevation – Park Street With Opaque Panels replaced with Glass





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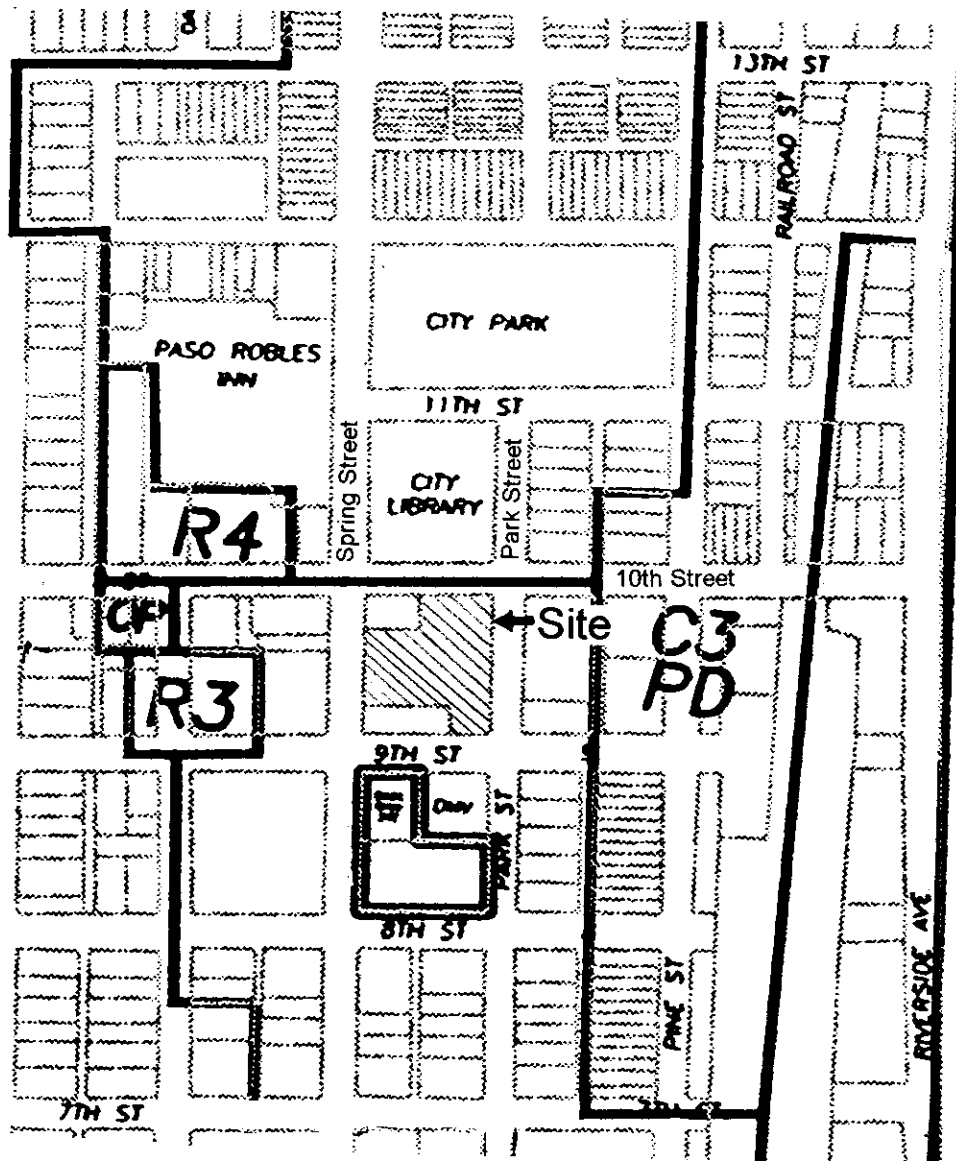
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Sheet Title

ARCHITECTURAL
SITE PLAN

DRAWING SCALE: 1" = 20'

Location Map



New Superior Court Facility

