

TO: JAMES L. APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: APPEAL OF PLANNING COMMISSION APPROVAL OF PLANNED DEVELOPMENT 05-001 – FIRESTONE WINERY, APN 025-433-003 (PROJECT APPLICANT – ADAM FIRESTONE; APPELLANT -- CALTRANS)

DATE: JUNE 7, 2005

Needs: For the City Council to consider an appeal filed by the California Department of Transportation (Caltrans). The appeal relates to the Planning Commission's approval of an application for a Planned Development to construct an approximately 10,000 s.f. winery and visitors center.

Facts:

1. The project site is located on the northeast corner of Highway 46 East and Airport Road.
2. The project applicant is seeking to construct a winery with a wine tasting facility, exhibits, retail sales, a private banquet room, wine storage and bottling area, caretaker's residence, and demonstration garden. No wine production activities are proposed on the site.
3. The property is 9.58 acres in area. The building and area of development is proposed near the southwest area of the property.
4. The project requires 26 parking spaces. The site plan includes 35 parking spaces, which exceeds the parking requirements per Zoning Code regulations. The site will be accessed from a driveway on Airport Road.
5. The building design is integrated into the existing hillside which takes advantage of passive cooling for wine storage. The contemporary architectural design incorporates a large roof structure oriented toward Highway 46 and a tower element. The other elevations are proposed to have several windows, with the primary access on the northern elevation.
6. The site plan incorporates outdoor picnic areas and walkways, and preserves the existing oak trees on the site.
7. A Biology Assessment, Arborist Report and Traffic Study were prepared for this project, which are included in the environmental review and Initial Study, in compliance with the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration was prepared for this project.
8. The site is zoned C2 PD (Highway Commercial Planned Development) and has a General Plan designation of CS (Commercial Service). The proposed uses are permitted in the C2 PD zoning district.
9. The Development Review Committee (DRC) had reviewed this project twice and recommended approval to the Planning Commission.

10. At their meeting of April 26, 2005, the Planning Commission held a public hearing to consider the application. A part of that consideration was a letter from Caltrans and testimony from James Kilmer of Caltrans expressing concerns regarding the project. A copy of the Caltrans letter is attached and labeled "Opposition Letter".
11. At the conclusion of the public hearing, the Planning Commission acted to unanimously approve the applicant's proposed project. As a part of that approval, the Commission incorporated the applicant's voluntary agreement to provide a setback from Highway 46 East and dedication of the necessary right-of-way for the future widening of Highway 46 East in accordance with adopted widening plans.
12. Within the prescribed period, Caltrans filed an appeal of the Planning Commission approval of the Planned Development. The appeal did not address the Commission's action on the Negative Declaration of Environmental Impact, which was approved. A copy of the appeal letter is attached.

**Analysis
and**

Conclusions: Project Background: The proposed use would seem compatible with surrounding development. The site and building design appears attractive and suitable for the location. The design of the project would also seem to complement the City's eastern gateway along Highway 46.

The Biological Assessment did not identify any significant flora or fauna on the property, however, it did indicate that the site is located within the San Joaquin Kit Fox (SJKF) migration corridor, and that it has potential SJKF habitat. Mitigation measures are incorporated into the environmental document for this project to address this issue. Specifically, the applicant would be required to mitigate this impact by payment of mitigation in-lieu fees to an appropriate agency.

The Arborist Report indicated that development of this project will not affect the health of the existing oak trees. The report provides recommendations for tree protection measures to address any potential impacts related to construction activity.

The Traffic Study indicates that project related traffic generated + existing traffic conditions within the study area and the Highway 46 and Airport Road intersection would operate at a Level of Service (LOS) B or better during the A.M. peak hour and LOS C during the P.M. peak hour. The evaluation determined that the cumulative impacts (of the existing + approved/pending projects + the project) would result in an LOS of C at the intersection during the A.M. peak hour and LOS F during the P.M. peak hour. It was noted that if a southbound right-turn lane were added on Airport Road, that the LOS would operate at LOS D under cumulative conditions. Airport Road may be realigned in the future, which would move the intersection to the east of this project. With planned intersection improvements for the possible realigned intersection, LOS C is forecasted under cumulative conditions. A recommended condition of approval is that the right turn lane should be constructed with this project to relieve the potential for interim impacts, and to maintain the established threshold of LOS D in the Circulation Element of the General Plan. The applicant would also be required to participate in an assessment district for the project's pro-rata share of impacts to the future improvements at the realigned Highway 46 and Airport Road intersection.

Highway 46 East Related Studies: There are three on-going projects being conducted by the City and Caltrans regarding future improvements on Highway 46 East:

1. The widening of Highway 46 East to a four-lane expressway, consistent with adopted plans. As noted above, the project applicant has voluntarily agreed to setback his project and dedicate the real estate needed for the widening of Highway 46 East along his project frontage. The dedication would be consistent with adopted plans for the widening.
2. Preparation of a Project Study Report (PSR), funded by the City of Paso Robles, to identify design options and the right-of-way needs for a future connection of Airport Road with Highway 46 East. The City's PSR will evaluate both interim and long-term improvements for the connection of Airport Road with Highway 46 East. Options to be evaluated would include an at-grade signalized intersection and the potential for a future grade separated interchange at this location.
3. A Highway 46 East Corridor Study, extending from Highway 101 to Jardine Road, is being prepared by Caltrans. The study will include consideration of freeway and expressway configuration options. This would be an update of the prior SLOCOG Corridor Study that was not finished or adopted.

Substance of the Caltrans Appeal: Attached is the appeal letter filed by Caltrans, dated May 11, 2005. The appeal references the on-going working relationships between the City, County, SLOCOG, and Caltrans, and focuses on maintaining the maximum number of options for design of the future connection of Airport Road with Highway 46 East.

The dilemma for the City is that the subject property is a legal parcel of privately owned land, and the applicant is seeking to implement a project that is consistent with applicable rules and regulations. In essence, the City does not have a valid basis to deny the project on the grounds suggested by Caltrans (to keep open future options).

The proposed site for the Firestone project was zoned commercial under the County of San Luis Obispo. When the property was annexed to the City of Paso Robles, a consistent commercial land use designation and zoning was maintained. The applicant has filed for a Development Plan, consistent with City General Plan and Zoning provisions.

The project design has taken into account the schematic draft configuration for a possible future grade-separated interchange that could connect Airport Road with Highway 46 East, along with avoiding construction within a 100 foot wide right of way for a possible realignment of Airport Road. The interchange configuration was formulated for and included in the Draft Corridor Study prepared under a contract from SLOCOG.

With regard to the March 23, 2005 Caltrans letter and its references to "footprint locations for the various I/C location alternatives", the City has not seen or received from Caltrans any design schematics for potential interchanges along Highway 46 East other than those contained in the Draft SLOCOG Corridor Study.

The City did receive from Caltrans, consider, and incorporate in the project approval the Caltrans plan for the future widening of Highway 46 East to a 4-lane Expressway. In addition to avoiding potential conflict with the schematic footprint of a possible future

interchange, the applicant has agreed to dedicate the Highway 46 East frontage that would be needed to accommodate the adopted plans for the widening of the highway.

Beyond the adopted widening plans and the schematics that were prepared for the SLOCOG Corridor Study, the City does not have any information on potential future right-of-way needs nor any policy, plans, or other tools to preserve possible right-of-way for an interchange.

Conclusion: The project applicant has agreed to accommodate the widening of Highway 46 East and the schematic design for a connection of Airport Road with Highway 46 East as a part of his project plans. The City has made the commitment to prepare a PSR for the connection of Airport Road with Highway 46 East, which will further illuminate the options for this road connection. In addition, Caltrans is proceeding with a new Corridor Study that could result in either an expressway or a freeway configuration, or some combination thereof.

There would appear to be no reasonable basis to deny the applicant's project with regard to possible future Caltrans right-of-way needs or in order to keep open options for as-of-yet undefined highway improvement needs. Denial of the subject project without adequate grounds or findings would seem to be challengeable as a "taking" that could result in the City incurring financial damages including but not limited to forcing the City to acquire property for which there is no demonstrated public purpose.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance and CEQA.

Fiscal

Impact: None for supporting the Planning Commission's approval of the project; potential significant fiscal liabilities for the City to deny the project as requested by Caltrans.

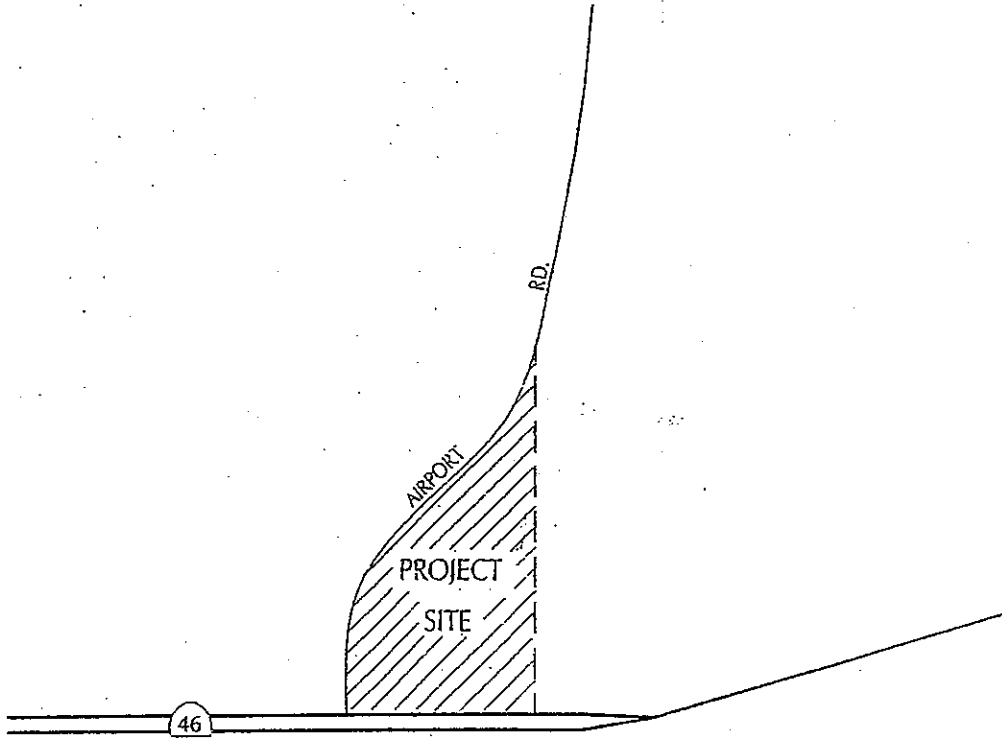
Options: After opening the public hearing and taking public testimony, the City Council's options would be as follows:

- a. Uphold the Planning Commission's approval of the subject project by adopting Resolution No. 05-xx approving Planned Development 05-001, subject to findings and subject to standard and site specific conditions.
- b. Determine what legally supportable grounds / findings there would be to deny the subject Planned Development and direct staff to prepare a resolution containing those findings for City Council consideration at the June 21, 2005 City Council meeting.
- c. Amend, modify, or reject the above-listed action.

Attachments:

Location Map; Caltrans letter to Planning Commission; Caltrans letter appealing Planning Commission approval of project; City Council Resolution to Approve the Planned Development 05-001, with attached exhibits; Newspaper and Mail Notice Affidavits

NORTH

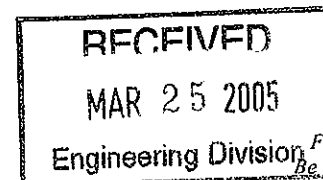


Location Map
Planned Development 05-001
(Applicant: Adam Firestone)

DN

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111
FAX (805) 549-3329
TDD (805) 549-3259
<http://www.dot.gov/dist05>



March 23, 2005

SLO - 46 PM 32.15
Firestone Winery & Visitor
Center Proposed Development

Development Application

Mr. Darren Nash, Associate Planner
Community Development Department
City of El Paso de Robles
1000 Spring Street
Paso Robles, CA. 93446

Dear Mr. Nash;

The California Department of Transportation (Department) has reviewed the above referenced document and has prepared the following comments.

The Department wishes to express its concern about the location of this proposed 10,000 sq. ft. winery & visitor center. This project is scoped to be built in the northeast quadrant of the State Route (SR) 46E/Airport Road Intersection. This is the logical location for the proposed new SR 46/Airport Road Interchange to be built upon.

Although the Project Study Report (PSR) for the SR 46E I/C Interchange/Intersection is currently being drafted, the City of Paso Robles is surely aware that the consequences of allowing the winery to be built essentially where the future interchange will in all likelihood be built, will add to the costs of constructing the SR 46E/Airport Road I/C. The City's likely funding partners for the construction of the I/C, namely the San Luis Obispo Council of Governments (SLOCOG) and the Chandler Ranch Development, will have to carry the extra burden of paying for land, (Right of Way) that has been built upon instead of on land that has been left vacant.

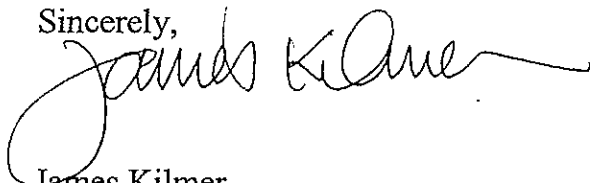
The Department requests of the Lead Agency that they confer with the consultants preparing the SR 46E/Airport Road I/C on the footprint locations for the various I/C location alternatives and confirm if the proposed winery impinges on those locations. If so, then the Department asks that the Lead Agency deny this development application.

**Opposition Letter
from Caltrans**

Mr. Nash
March 23, 2005
Page 2

Thank you for the opportunity to comment on the Firestone Winery proposed development application. If you have any questions, please contact me at 549-3683.

Sincerely,

A handwritten signature in black ink that reads "James Kilmer". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

James Kilmer
District 5
Development Review/CEQA Coordination

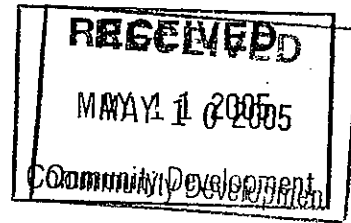
c: File, R. Krumholz, D. Murray, R. Barnes, P. McClintic, J. Gonzalez
T. Houston, S. Milton, A. Loe, T. Rochte, R. DeCarli - SLOCOG

DEPARTMENT OF TRANSPORTATION

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*Flex your power!
Be energy efficient!*



May 11, 2005

Bob Lata, Community Development Director
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Dear Mr. ~~Lata~~: *Bob*

FIRESTONE WINERY DEVELOPMENT APPLICATION APPEAL

The Department of Transportation (Department) would like to highlight the reasons for filing an appeal to the City of Paso Robles Planning Commission's (City) decision on April 26, 2005 to approve the proposed Firestone Winery at Highway 46 and Airport Road.

Approval of this development has the potential to be in conflict with the mutual goal of the City of Paso Robles, San Luis Obispo Council of Governments, County of San Luis Obispo, and the Department to develop a comprehensive, long-term and sustainable strategy for the Highway 46 corridor. Previous correspondence between us has acknowledged the need for discipline, commitment, and collaboration to develop and implement a mutually beneficial strategy. The Department is leading this effort via the Comprehensive Corridor Study for SR 46E.

One of the objectives of this study is to achieve a common understanding of the relationship of local land use decisions and the transportation system. The April 26th decision of the Planning Commission ignores the Department's expressed concern over what will be necessary to plan for the City's proposed new connection to Highway 46 at Airport Road associated with the Chandler Ranch development. Development of the Firestone Winery as approved would significantly limit the options for achieving an obtainable transportation solution along the Highway 46 corridor.

**Appeal Letter
from Caltrans**

Bob Lata
May 11, 2005
Page 2

I suggest that our staffs meet prior to the City Council hearing this issue. Please contact David Murray, Chief of Regional Planning and Development Review, at (805) 549-3168 to arrange for this meeting.

Sincerely,



for R. GREGG ALBRIGHT
District Director

Enclosures

c: Ron DeCarli, Executive Director
San Luis Obispo Council of Governments
1150 Osos Street, Suite 202
San Luis Obispo, CA 93401

Victor Holanda, Planning Director
County of San Luis Obispo
1050 Monterey Street, Room 370
San Luis Obispo, CA 93406

Noel King, Public Works Director
County of San Luis Obispo
1050 Monterey Street, Room 370
San Luis Obispo, CA 93406

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

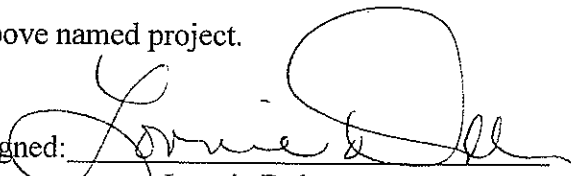
Newspaper: Tribune

Date of Publication: May 18, 2005

Meeting Date: June 7, 2005
(City Council)

Project: Planned Development 05-001
Appeal (Firestone Winery)

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

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, June 7, 2005, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider an appeal of the Planning Commission's approval of the following project:

Planned Development 05-001: A request filed by Adam Firestone to construct a winery/visitor center at the corner of Highway 46 and Airport Road. (APN 025-433-003), in the Highway Commercial (C-2 PD) zoning district.

The appeal of the Planning Commission approval of this project has been filed by the California Department of Transportation (Caltrans). A copy of the staff report regarding the appeal will be available no later than the Friday before the scheduled Public Hearing. Copies at that time may be reviewed in the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may also be purchased for the cost of reproduction, or viewed at that time on the City's web site at www.prcity.com

Written comments on the appeal of the Planned Development may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash, Susan Zaleschuk or Bob Lata at (805) 237-3970.

If you challenge the Planned Development application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to the public hearing.

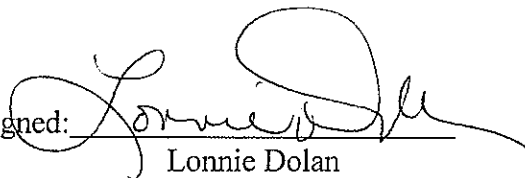
Bob Lata, AICP
Community Development Director
May 18, 2005

**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 Appeal of Planned Development 05-001 (Firestone Winery) Appellant: Caltrans on this 27th day of May, 2005.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 05-001NORTHEAST CORNER OF
HWY. 46 AND AIRPORT ROAD - APN 025-433-003
APPLICANT – ADAM FIRESTONE

WHEREAS, Planned Development 05-001 has been filed by Adam Firestone; and

WHEREAS, Planned Development 05-001 is a proposal to construct a 10,000 square foot winery and visitor's center; and

WHEREAS, the project is consistent with the General Plan land use designation CS (Commercial Service) and the Zoning Ordinance district which is C2 PD (Highway Commercial); and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 26, 2005 on this project to accept public testimony on the Planned Development application PD 05-001 and associated environmental review; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination was made by the Planning Commission that the proposed commercial project would not result in significant environmental impacts and the Planning Commission adopted a Resolution approving a Mitigated Negative Declaration; 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 made the following findings:

1. The project is consistent with the adopted codes, policies, standards and plans of the City; and
2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and

6. The proposed development plan contributes to the orderly development of the City as a whole.

WHEREAS, based on its findings, the Planning Commission unanimously approved a Resolution granting
Planned Development 05-001, subject to standard and site-specific conditions of approval; and

WHEREAS, within the prescribed appeal period, the California Department of Transportation (Caltrans) filed an appeal of the Planning Commission's approval of Planned Development 05-001 and the appeal was scheduled as a public hearing before the City Council on June 7, 2005; 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 City Council makes the following findings:

1. The project is consistent with the adopted codes, policies, standards and plans of the City; and
2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors, and the public right-of-way; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
6. The proposed development plan contributes to the orderly development of the City as a whole.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve Planned Development 05-001, subject to the following conditions:

STANDARD CONDITIONS:

1. This project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit "A" and incorporated herein by reference.

SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

2. The project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B	Site Plan
C	Exterior Elevations

3. This PD 05-001 allows for development of a 10,000 s.f. winery and visitor's center (including wine storage, bottling, banquet room and a caretaker's unit) as permitted in the Zoning Ordinance on the project site.
5. The project shall be designed and constructed to be in substantial conformance with the site plan and elevations approved with this resolution.
6. That portion of PD 05-001 associated with the construction of Building 2 is valid for a period of two (2) years from approval. Unless permits have been issued and site work has begun, the approval of PD 05-001 shall expire on April 26, 2007. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
7. Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City's Development Impact Fees.
8. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
9. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
10. Prior to issuance of a building permit, the applicant will be required to enter into an agreement not to protest the formation of an assessment district to participate in the future realignment of Airport Road and improvement of its intersection with State Highway 46, and enter into an agreement in a form to be approved by the City Attorney to participate in the cost of a Project Study Report and related environmental documentation and studies.
11. Prior to issuance of a building permit, the applicant shall enter into an agreement not to protest the formation of an assessment district to participate in the future extension of sanitary sewer to the area.
12. Prior to occupancy of the project, Airport Road shall be widened at its intersection with Highway 46 in order to provide adequate left and right turn pockets.
12. Temporary construction noise levels in excess of 60 decibels shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.

13. Use and operation of the project and its appurtenances 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).
14. Prior to occupancy, the applicant shall relocate overhead utility lines adjacent to the property underground (with the exception of 70kv transmission lines).
15. Prior to grading permit, the applicant shall provide plans for the treatment of storm water leaving the site.
16. The applicant will be required to provide a storm water detention basin in accordance with a design approved by the City Engineer.
17. Tree protection measures shall be incorporated into the project site design and construction in the critical root zone shall be employed for any construction near oak trees.
18. San Joaquin Kit Fox/Habitat Preservation:

Prior to the issuance of permits for grading/construction or prior to final inspection of any grading/construction permits, the applicant shall provide for habitat preservation, in a form acceptable to the CA Fish & Game Department, in an amount equal to three acres of habitat, or fraction thereof, for each acre of development, or fraction thereof. The applicant shall have the ability to enter into an agreement with CA Fish & Game Department for payment of an in-lieu fee of \$2500 per acre to an approved agency for a total replacement habitat of 1.35 acres based on the score from the Kit Fox Evaluation Form and Procedure and the CA Fish & Game replacement of 2-acres for each acre lost.

San Joaquin Kit Fox Protective Measures Before and During Construction:

- a. Within 30 days prior to initiation of construction, the applicant shall hire a qualified biologist acceptable to the U.S. Fish and Wildlife Service, CA Fish & Game Department, and the Community Development Director or his designee, to conduct a pre-construction survey for active kit fox dens.
- b. Before any grading or construction activities commence, all personnel associated with the project shall attend a worker education program regarding the sensitive biological resources potentially occurring in the project area (i.e., San Joaquin kit fox). This program is to include information on the kit fox, its life histories and careful review of the mitigation measures to be implemented in order to avoid or reduce impacts. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. The Community Development Department shall be notified of the time that the applicant intends to hold this meeting.
- c. To prevent entrapment of the kit fox during the construction phase of the project, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or

removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

- d. During the construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at the project site for one or more overnight periods shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary will be moved only once to remove it from the path of activity, until the kit fox has escaped.
- e. All food-related trash items such as wrappers, cans, bottles, and food scraps generated during the construction phase shall be disposed of in closed containers only and regularly removed from the site. Food items may attract kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- f. Use of pesticides shall be in compliance with all local, state and federal regulations. (This is necessary to prevent primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which kit foxes depend.)
- g. Any contractor or employee that inadvertently kills or injures a kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to a supervisor overseeing the project. In the event that such observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the CA Fish & Game Department by telephone. Formal notification shall also be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CA Fish & Game Department for care, analysis, or disposition.
- h. So as not to attract red fox, coyotes, or domestic dogs to the area, all waste products shall be disposed of in a manner that would not attract these animals.
- i. If any potential or known San Joaquin kit fox dens are subsequently observed during the required pre-construction survey, the following mitigation measures shall apply:
 - (i) Fenced exclusion zones shall be established by a qualified biologist around all kit fox dens that can be avoided but may be inadvertently impacted by project activities; exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - Potential kit fox den: 50 feet
 - Known kit fox den: 100 feet
 - Kit fox pupping den: 150 feet
 - (ii) Only essential vehicle operation on existing roads (if the exclusion zone intersects a road) and simple foot traffic shall be permitted within these exclusion zones. Otherwise, all project activities such as vehicle operation, materials storage, etc.,

shall be prohibited. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If specified exclusion zones cannot be observed for any reason, the U.S. Fish and Wildlife Service and CA Fish & Game Department shall be contacted for guidance prior to ground disturbing activities on or near the subject den or burrow.

(iii) If any known or potential San Joaquin kit fox dens are discovered within the designated project area which shall be unavoidably destroyed by the proposed project, excavation of kit fox dens shall not proceed without authorization from the U.S. Fish and Wildlife Service and CA Fish & Game Department. A copy of any such authorization received shall be provided to the City for its records.

19. The project shall be in compliance with the following recommendations of the San Luis Obispo County Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment as follows:

CONSTRUCTION PHASE MITIGATION:

Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. Due to this project's proximity to neighboring commercial uses the APCD conditions this project to comply with all applicable air quality regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stock pile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

Permits

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. Operational sources, such as back up generators, may also require APCD permits. To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

OPERATIONAL PHASE MITIGATION:

The APCD staff considered the operational impact of this commercial development by running the URBEMIS 2002 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts will likely be more than the APCD's CEQA Tier I significance threshold value of 10 lbs/day for nitrogen oxides (NO_x), Reactive Organic Gases (ROG) and Particulate Matter (PM₁₀).

Standard Mitigation Measures (Include all standard mitigation measures below)

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide employee lockers to encourage employees to bike and/or walk to work.
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, using efficient interior lighting, etc.).

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Implement the incentive based Transportation Choices Program. The applicant should work with the Transportation Choices Coalition partners to receive free consulting services on how to start and maintain a program. Contact SLO Regional Rideshare at 541-2277.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.

Energy Efficiency Measures

- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use low energy parking lot and street lights (e.g. sodium).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.

20. The applicant shall record an Avigation easement on the property.

21. No exterior materials shall be reflective.

22. No electromagnetic emissions which will interfere with aircraft/airport operations shall be permitted.

23. Exterior lighting shall be aimed downward and shielded from over-flying aircraft.

24. To address potential future conflicts of right-of-way needs of Caltrans for the Highway 46 East corridor, the applicant shall locate the building footprint 30 feet (north) from the Right-of Way map provided by Caltrans as attached to this resolution in Exhibit D, and shall dedicate the right-of-way that is needed to accommodate the widening of Highway 46 East in a manner consistent with adopted Caltrans plans, to Caltrans.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 7th day of June 2005 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

EXHIBIT A OF RESOLUTION

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS
FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS**

PROJECT #: PD 05-001

APPROVING BODY: PLANNING COMMISSION

DATE OF APPROVAL: APRIL 26, 2005

APPLICANT: FIRESTONE WINERY

LOCATION: AIRPORT ROAD

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS:

- 1. This project approval shall expire on April 26, 2007 (See Planned Development Approval Resolution) unless a time extension request is filed with the Community Development Department prior to expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 4. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the

public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

- 5. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- 6. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 7. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.
- 10. All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
- 11. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- 12. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

- 13. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 14. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 15. The following areas shall be placed in the Landscape and Lighting District:

The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).

- 16. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb.
- 17. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

- 18. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.

B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.

- 2. Prior to the issuance of building permits, the
 - Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:
 - a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - b. A detailed landscape plan;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other: See PD 00-023 Resolution for specific DRC review requirements.
- 3. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

C. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OCCUPANCY:

- 1. Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy.
- 2. All public or private manufactured slopes located adjacent to public right-of-ways on property in excess of six (6) feet in vertical height and of 2.5:1 or greater slope shall be irrigated and landscaped for erosion control and to soften their appearance as follows: one 15-gallon tree per each 250 square feet of slope area, one 1-gallon or larger size shrub per each 100 square feet of slope area, and appropriate ground cover. Trees and shrubs shall be staggered in clusters to soften and vary the slope plane. Slope planting shall include a permanent irrigation system be installed by the developer prior to occupancy. In lieu of the above planting ratio, the applicant may submit a slope planting plan by a licensed landscape architect or contractor providing adequate landscaping, erosion control and slope retention measures; the slope planting plan is subject to approval by the Development Review Committee. Hydroseeding may be considered on lots of 20,000 square feet or greater.

PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

APPLICANT: Firestone Winery PREPARED BY: JF

REPRESENTATIVE: _____ CHECKED BY: _____

PROJECT: PD 05-001 TO PLANNING: _____

All conditions marked are applicable to the above referenced project for the phase indicated.

D. PRIOR TO ANY PLAN CHECK:

1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

E. PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
2. The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations".
3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.
4. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.

- 5. A Preliminary Soils and/or Geology Report shall be prepared by a registered engineer for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.

F. PRIOR TO ANY SITE WORK:

- 1. All off-site public improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to the Public Works Department Standards and Specifications.
- 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater, and Street Division heads.
- 3. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a Construction Zone Drainage and Erosion Control Plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- 4. Any construction within an existing street shall require a Traffic Control Plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.
- 5. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
- 6. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
-------------	---------------	----------------------

- 7. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:

- a. Public Utilities Easement;
- b. Water Line Easement;
- c. Sewer Facilities Easement;
- d. Landscape Easement;
- e. Storm Drain Easement.

G. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- 3. When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 5. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks per Fire Department recommendation.
- 6. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
 - a. Street lights;
 - b. Parkway and open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 7. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) - in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V - the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.

- 8. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California.

H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees.
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council.
- 3. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- 4. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
- 5. The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
- 6. If the adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
- 7. If the development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
- 8. When the project fronts on an existing street, the applicant shall pave-out from the proposed curb to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement is inadequate, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition).

(Adopted by Planning Commission Resolution 94-038)

- 9. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.
- 10. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground (as shown on the composite utility plan). Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project. All underground construction shall be completed and approved by the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
- 11. Prior to paving any street the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
- 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.
- 13. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

I. GENERAL CONDITIONS

- 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/ residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
- 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
- 4. If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
- 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
- 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
- 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
- 8. Provisions shall be made to update the Fire Department Run Book.



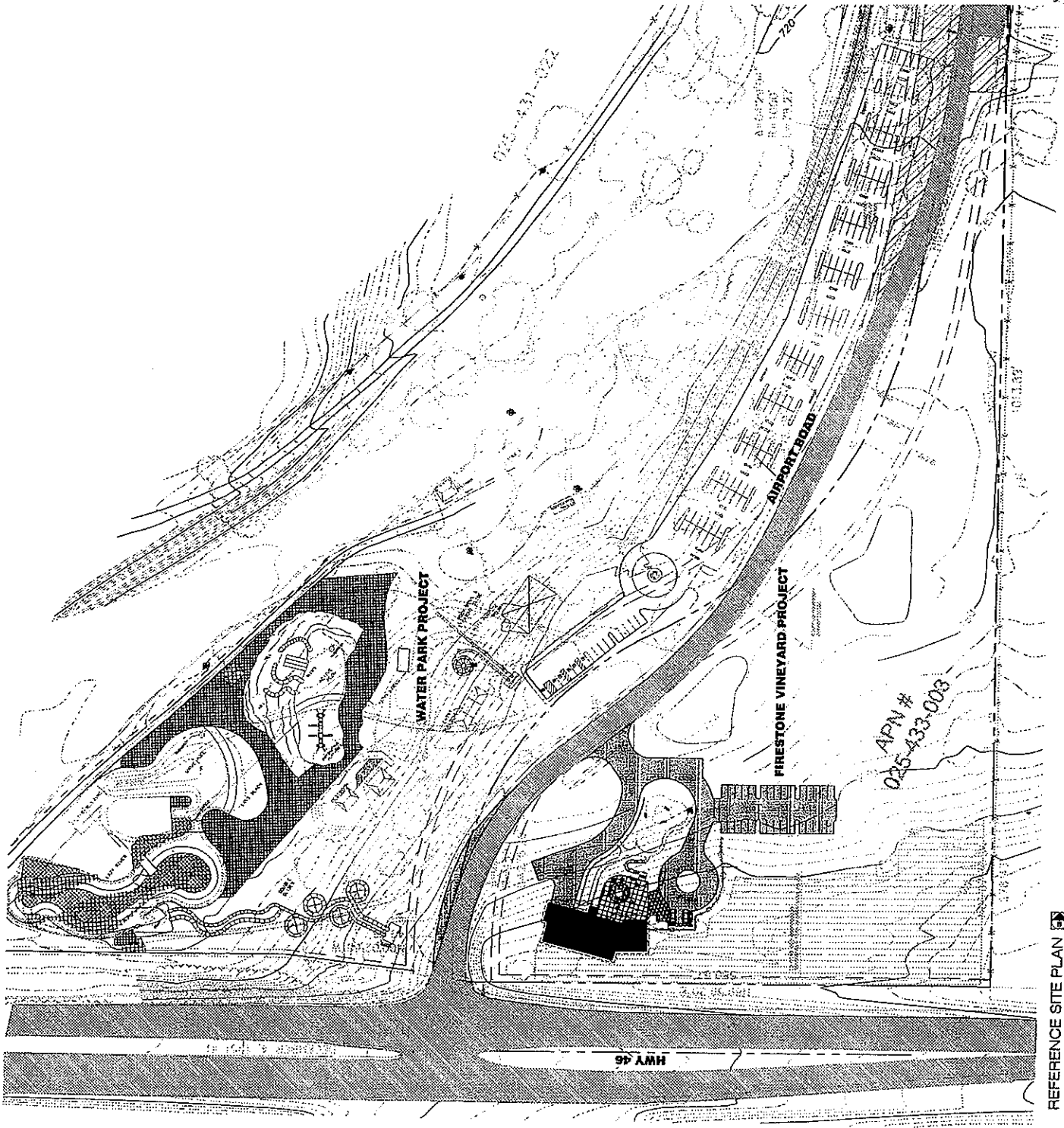
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FIRESTONE

Exhibit B

OF 1 SHEETS



APN #
025-433-008

REFERENCE SITE PLAN

