

TO: JAMES L. APP, CITY MANAGER

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT 06-003 AND REZONE 06-005 AT GOLDEN HILL ROAD NORTH OF HIGHWAY 46 (APN 025-431-037, 038 AND 039) APPLICANT – PASO 160, LLC- KEN MUNDEE

DATE: SEPTEMBER 18, 2007

Needs: For the City Council to consider the following requests:

- General Plan Amendment 06-003: a request to amend the General Plan land use designation from Agriculture with an Airport Overlay to Parks and Open Space with an Airport Overlay.
- Rezone 06-005: a request to rezone the property from Residential Agriculture Planned Development with an Airport Overlay (RA-PD/AP) to Parks and Open Space with an Airport Overlay (POS/AP).

Facts:

1. The project site is located at the northern end of Golden Hill Road, and includes 160-acres of undeveloped land.
2. The applicant has applied to process a 600 space recreational vehicle park at this location, however, this application has not gone through the public review process since it depends on the outcome the proposed amendments.
3. The San Luis Obispo County Airport Land Use Commission (ALUC) considered a referral on the proposed amendments in June 2007, and made a determination of consistency between the Airport Land Use Plan and the proposed amendments.
4. Per the California Environmental Quality Act (CEQA), an Initial Study was conducted. No significant environmental impacts that could not be mitigated were identified as result of this request to amend the land use designation and zoning of this property, and a Draft Mitigated Negative Declaration was prepared.
5. The City received significant input from nearby residents regarding environmental concerns related to the potential impacts that could result with uses that may be permitted in the POS/AP zone. Land use compatibility was of prime concern for those adjacent residents. The City also received several letters of support from local businesses regarding the applicant's future intent to propose an RV park if the amendments are adopted.

6. The Planning Commission considered this request at their meetings on August 14, 2007 and August 28, 2007. After extensive input from staff, the applicants, and the neighborhood, the Commission recommended denial of the amendments to the City Council on a vote of 4-2 (Commissioners Holstein and Steinbeck opposed, Commissioners Treatch refrained due to conflict of interest). (See Attachment 1 – Planning Commission Staff Reports).

Analysis

And

Conclusions:

As noted above, the applicant is proposing this General Plan Amendment and Rezone request to accommodate their intent to process an application for a 600 space RV park. While this use may be the applicant's intent, the only applications for consideration at this time are the land use amendments.

The purpose of the Agricultural land use category in the General Plan is primarily to allow for agricultural land uses and open space. The Parks and Open Space land use category is intended to allow open space and recreational land uses.

While either of these land use categories could be consistent with the intent of the City's Purple Belt policies in the General Plan, leaving the property in agricultural production would better accomplish the following goals and policies. The question for the Council is whether this property at the edge of the City should be left in agriculture as part of the City's Purple Belt Program.

General Plan, Land Use Element policy:

POLICY LU- 2E: "Purple Belt"(Open Space/Conservation Areas Around the City). Create a distinct "Purple Belt" surrounding the City by taking actions to retain the rural, open space, and agricultural areas.

General Plan, Open Space Element policy:

GOAL OS-1: Preserve/expand the amount and quality of open space in and around Paso Robles.

POLICY OS-1A: Open Space/Purple Belt. Develop an open space plan/program for establishing an open space/ purple belt (agricultural preserve area) surrounding the City.

There is little difference between the land uses permitted in the AG versus the POS zones, except that the AG zone allows a slightly broader range of agricultural uses, and the POS zone conditionally permits RV parks (which are not permitted in the AG zone).

Any development in either of these two land use categories would need to mitigate the same issues: land use compatibility, impacts to natural resources, drainage, traffic and circulation, etc. Therefore, the policy determination by the City Council will be a distinction of whether the intent of the existing AG land use category which is more agricultural oriented is more appropriate than POS which is more recreation oriented.

An important policy consideration regarding the proposed amendments relates to traffic impacts. The existing traffic condition and level of service from the primary access for this property (Highway 46) operates below acceptable levels of service. The 2003 General Plan EIR made certain build-out assumptions in terms of traffic capacity which did not include commercial development of this property. The question that needs to be addressed by the Council is whether it is appropriate to intensify the land use on this and other properties in the area if we don't have sufficient traffic capacity to allow build-out of parcels that were assigned commercial zoning back in 2003. By allowing the land use change as requested could mean re-assigning development capacity from areas already zoned for commercial uses.

Policy

Reference:

City of Paso Robles General Plan Update and EIR, 2003, Zoning Ordinance, 2006 Economic Strategy, and CEQA.

Fiscal

Impact:

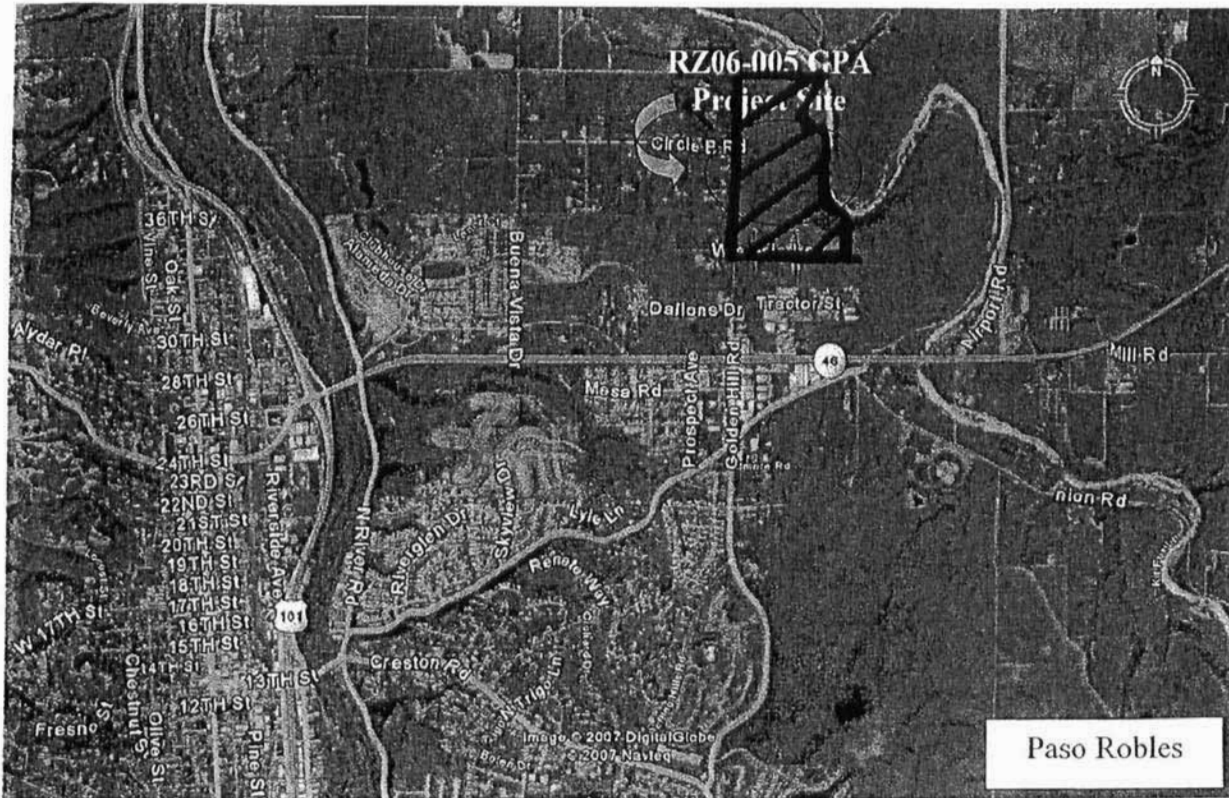
No fiscal impacts identified with this request.

Options: After considering the public testimony received, the City Council will be asked to select one of the following options:

- a. Adopt Resolution No. 07-xx denying the request to amend the General Plan and Rezone Amendments.
- b. By separate actions:
 - (1) Adopt Resolution No. 07-xx adopting a Negative Declaration for General Plan Amendment 06-003 and Rezone 06-005.
 - (2) Adopt Resolution No. 07-XX approving an amendment to the General Plan Land Use Map for property located at the north end of Golden Hill Road to Parks and Open Space with an Airport Overlay (POS/AP).
 - (3) Introduce for first reading Ordinance XXX N.S. approving Rezone 06-005 that would rezone said property to Parks and Open Space with an Airport Overlay (POS/AP)); and set October 2, 2007 as the date for adoption of said Ordinance.
- c. Adopt a resolution to postpone consideration of the General Plan, and Rezone Amendments until such time as these Amendments are considered concurrently with the Development Plans for this property.
- d. Amend, modify or reject the noted option.

Attachments

- 1 – Vicinity Map
- 2 – Planning Commission Staff Reports
- 3 – Correspondence Received
- 4 – Resolution to Deny the Amendments
- 5 – Resolution to Adopt the Mitigated Negative Declaration
- 6 – Resolution to Approve GPA 06-003
- 7 – Ordinance for Rezone 06-005
- 8 - Resolution to Postpone Consideration of the Amendments



Mundee General Plan Amendment and Rezone
Golden Hill Rd, north of Highway 46
City of Paso Robles
RZ 06/005 GPA

Attachment 2
Planning Commission Staff Reports
August 14, 2007 and August 28, 2007

Due to the size of documents, the staff report attachments, including the Special Studies (i.e. Traffic Impact Study, Biological, Arborist Report and Cultural Analysis) are available in hard copy in the City Council Offices, Community Development Department, and City Library.

The staff reports and attachments are also available for viewing on the City's website at www.prcity.com under the Community Development Department/Planning.

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT 06-003 AND REZONE 06-005 AT GOLDEN HILL ROAD NORTH OF HIGHWAY 46 (APN 025-431-037, 038 AND 039) APPLICANT – PASO 160, LLC- KEN MUNDEE

DATE: AUGUST 14, 2007

Needs: For the Planning Commission to consider a General Plan Amendment and Rezone application to re-designate and rezone the subject property from Agricultural/Airport Overlay to Parks and Open Space/Airport Overlay.

Facts:

1. The project site is an undeveloped 160-acre parcel (comprised of 3 lots) located northeast of Highway 46 at the northern terminus of Golden Hill Road. (See Attachment 1, Vicinity Map).
2. The City Council adopted a General Plan update in December 2003 which includes a Land Use Element and accompanying Land Use Map identifying locations for various land use designations. The current zoning of the property is Residential Agriculture Planned Development (RA PD). The General Plan Land Use Designation is Agriculture (AG)/Airport Overlay.
3. The applicant proposes to amend the land use designation to Parks and Open Space/Airport Overlay and rezone the property from Agriculture to Parks and Open Space/Airport Overlay.
4. The property is also located in the Airport Planning Area (Zone 5), which is regulated by the Airport Land Use Plan (ALUP). See Attachment 2, Airport Land Use Matrix. The San Luis Obispo County Airport Land Use Commission (ALUC) has purview over legislative amendments for determining consistency with the ALUP. The ALUC considered this amendment on June 20, 2007, and determined that the General Plan Amendment and Rezone request was consistent with the ALUP. See Attachment 3, Notice of Airport Land Use Commission Action.
5. The Development Review Committee (DRC) considered this request on July 2, 2007. The DRC review was primarily for informational purposes only, however they did express concerns regarding land use compatibility, infrastructure necessary to serve future potential land uses, and potential traffic impacts. It was noted that these concerns would be evaluated should a future development application be proposed for the property.
6. A & T Arborists prepared an Arborist Report for the project site, which includes an inventory and survey of all trees (blue oaks and valley oaks) on the property. The inventory documented approximately 304 oak trees on the property. Development of the property as intended would result in removal of a significant number of oak trees, many of which have been identified as being in poor condition. The exact number of trees to be requested for removal would be based on a specific development project. Future development plans for

the site would be required to include oak tree protection measures as well as mitigation (replacement) for impacts to or removal of identified oak trees.

7. Althouse and Meade conducted a Preliminary Biological Assessment and floristic survey of the project site (November 2006), and identified flora and fauna on the property. The field survey resulted in identification of 162 species of plants on the property including 110 native species, 52 introduced species, with one special-status plant (shinning navarretia) mapped on the site. The project site has six designated habitat types including annual grassland, blue oak woodland, riparian, ephemeral drainage, vernal pool, and seasonal wetland. More than 108 animal species, including 11 special status species, have the potential to occur on the project site. Site surveys in 2006 observed Golden eagle and active nesting onsite (2 adults and 1 juvenile). Zoological species with the potential to occur include pallid bat, burrowing owl, vernal pool fairy shrimp, white-tailed kite, loggerhead shrike, California linderiella, western spadefoot toad, American badger, and San Joaquin Kit Fox. The Mitigated Negative Declaration prepared for these amendments includes a protocol for future mitigation measures that would apply to the future development of the project site should a development project be proposed. See Initial Study, Attachment 4)
8. Associated Transportation Engineers (ATE) prepared a Traffic Study (July 2007) for the proposed amendments. The study considered potential impacts that would need to be mitigated should any future development occur on the site, and in particular evaluate traffic impacts from an intended conceptual development plan for a large-scale recreation vehicle resort with 600 RV spaces. Again, future development of the site would be subject to a project-specific traffic and circulation impact analysis. Any development that would be more intense than agriculture would result in increased traffic impacts. Traffic mitigations would likely include participation in Highway 46 improvements, and extension of Golden Hill Road to Dry Creek Road. Mitigation protocols regarding traffic impacts are included in the MND for these amendments.
9. Per the California Environmental Quality Act (CEQA), an Initial Study was conducted. No significant environmental impacts that could not be mitigated were identified as result of this request to amend the land use designation and zoning of this property, and a Draft Mitigated Negative Declaration was prepared.
10. Staff contacted the Native American Heritage Commission in compliance with Senate Bill 18, regarding the consultation process for Native American Sacred Places. The Commission referred four tribes to the City to contact. The City contacted the tribes, and one tribe followed up on a site investigation, however, no tribes expressed an interest in a formal consultation regarding sacred places on this property.

Analysis and

Conclusions: As noted above, the proposed project is request for amendments to the land use category and zoning of this property. Although the applicant has prepared conceptual development plans for use in technical studies, a development project has not been submitted for this property.

The applicant is requesting the General Plan amendments and rezoning to allow a broader range of land uses in the future than what is currently permitted in the AG-RA land use category and zone. The surrounding land use designations and uses include: Park and

Open Space (grazing/agricultural uses) to the southeast; Business Park to the south (commercial/industrial development); Residential Agriculture Planned Development to the east (grazing/agricultural uses); Public Facilities and Business Park to the north (undeveloped); and low-density single-family estate homes (in the County jurisdiction) to the west. The POS land use category and zoning would allow for a range of low-density land uses including certain agricultural uses, wine tasting facilities, parks, public facilities, and (conditionally) resorts, hotels, and motels. These uses would support the intent of the 2006 Economic Strategy by creating opportunities for tourist-oriented economic development. The Economic Strategy also recognizes the value of protecting agricultural land which could be realized by retaining the property in agricultural land use.

The City has received considerable input from the neighboring property owners to the west of the property regarding these proposed amendments. Property owners are primarily concerned with potential impacts from future development of this site, should the land use amendments be approved. The neighbors are aware of the intended future development project (of the RV park) that the applicant is planning to submit. Again, the comments from the neighbors are primarily concerned with land use compatibility issues that could result from the applicant's future project. Compatibility impacts from development of this site may include: increased traffic in the vicinity; light/glare; noise; site disturbance with significant grading, tree removals, paving, and destruction of wildlife habitat.

Staff met with several neighbors to explain the amendment process, and also indicated that should a development project be applied for this property that project-specific development impacts will be evaluated. Staff also ensured the neighboring property owners that they will continue to have an opportunity to be involved in the public review process if a development project is proposed at this site. A copy of the correspondence received is included in Attachment 4.

An important issue for the Planning Commission to consider regarding the proposed amendments relates to traffic impacts. The existing traffic condition and level of service from the primary access for this property (Highway 46) operates below acceptable levels of service. This means that with all other (cumulative) projects approved and the projected traffic impacts that would result from the land uses already included and evaluated in the General Plan and General Plan EIR, and with planned road improvements, that any traffic that would result from intensification of land uses through modifying what could be allowed to be developed through this amendment, would use up road traffic capacity that has already been attributed to land uses in the General Plan. In essence, development that could occur as a result from amending the uses permitted on this property could use up traffic capacity for other properties as currently zoned. Therefore, if other properties chose to develop their land with uses already permitted in the zoning ordinance, they might be precluded if there is not enough traffic capacity available for their development. Future development of this site would therefore need to ensure there is adequate traffic capacity available for their use above what is currently (negligibly) available now on the highway. As noted above, (consistent with the Circulation Element in the General Plan), one method to help mitigate traffic impacts that may result from this project is to extend Golden Hill Road to Dry Creek Road. This improvement will improve parallel route circulation off the highway, and offset the need for traffic to access the site from Highway 46.

Another consideration regarding these proposed amendments is in regard to the loss of agricultural land. This site is one of the few remaining large properties designated for agricultural use. Conversion of this property to other land uses would permanently remove 160 acres from potential use for agricultural purposes. There are several other properties designated for Parks and Open Space in the near vicinity (north of Highway 46), therefore the Commission should consider the need and importance of converting this property at this time.

There are six different Airport Land Use Planning Zones that regulate specific activities permitted in the ALUP. The zones pertain to the level of safety and airport compatibility in relation to airport activities, flight paths, and noise generation. The ALUP Land Use Matrix defines uses that are considered compatible or prohibited by each zone. The density limitations in the Land Use Matrix provide further limitations on the density of persons that may be allowed per acre, and at any one time. The applicant's property is in Zone 5. The Airport Land Use Commission reviewed the project at its June 20, 2007 meeting and determined the proposed land use amendment and rezoning to be consistent with the Airport Land Use Plan.

The ALUC expressed concern with the potential use of the site as a RV resort with specific concerns related to density, proximity to the runway, and noise. The ALUC recognized that these potential concerns would be evaluated when development plans are submitted for the project site at a later date. Since both the General Plan and the ALUP apply to this property, the City could only allow uses that are consistent with both General Plan policies and regulations of the ALUP and permitted in the applicable Zoning District.

An Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA). Staff determined that no significant environmental impacts would result from this project, and prepared a Mitigated Negative Declaration for consideration. As noted above, mitigations establish the protocol for mitigating potential impacts that would occur as a result from any level of development above what could be allowed under agricultural zoning.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, Airport Land Use Plan

Fiscal

Impact: No direct fiscal impact.

Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

1. Evaluate the proposed land use changes in light of General Plan and Economic Strategy policies, as well as, potential impacts to agricultural resources, biological resources, grading, traffic and land use compatibility of the surrounding area. If the Commission finds policy support and determines that impacts can be mitigated, then direct staff to return with an appropriate resolution of support.
2. Make specific findings that this request is not consistent with the City's General Plan, Zoning Ordinance, Economic Strategy and/or will result in an incompatible

land use in the area, and/or will result in significant impacts on environmental resources and City infrastructure capacity to deny these amendment requests.

3. Amend, modify, or reject the above-listed action.
4. Request additional information and analysis.

Staff Report Prepared By: Susan DeCarli and
Tammy Seale, PMC Consultants

Attachments:

1. Vicinity Map
2. Airport Land Use Zone Map and Land Use Matrix
3. Notice of Airport Land Use Commission Action
4. Environmental Review - Initial Study
5. Correspondence Received
6. Newspaper and Mail Notice Affidavits

CITY OF PASO ROBLES – PLANNING DIVISION INITIAL STUDY

1. GENERAL PROJECT INFORMATION

PROJECT TITLE: Mundee Motorcoach Resort (RZ06-005/GPA 06-003)

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

Contact: Susan DeCarli, AICP, City Planner
Telephone: (805) 237-3970

PROJECT LOCATION: Golden Hill Road north of Highway 46 (APN 025-431-037, 038 and 039)

PROJECT PROPONENT: Applicant: Paso 160, LLC- Ken and Bill Mundee
P.O. Box 2552, Paso Robles, CA 93447
Representative: Larry Werner-North Coast Engineering

**LEAD AGENCY CONTACT/
INITIAL STUDY PREPARED BY:** Susan DeCarli, AICP, City Planner

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

GENERAL PLAN DESIGNATION: Agriculture (AG)/Airport Overlay Zone 4 and Zone 3C

ZONING: Residential Agriculture Planned Development (RA PD)

2. PROJECT DESCRIPTION

The proposed project is located northeast of Highway 46 at Golden Hill Road, west of and adjacent to Huerhuero Creek. The proposed project is a request for a General Plan Amendment/Rezone to change the land use designation of a 160-acre site from Agriculture (Residential Agriculture/Planned Development)/Airport Overlay to Parks and Open Space/Airport Overlay, and rezone the property from Agriculture to Parks and Open Space/Airport overlay.

The site is not currently in active agricultural production. The property does not have prime soils. Historical use of the site was limited to grazing a small number of cattle on the property. Remnants of past agricultural use include a 12x5 foot concrete pad, watering trough, circular concrete pad for a water tank and a water pump. A large elongated pile of concrete squares is located in the south-central portion of the site. The site is otherwise undeveloped with site topography consisting of rolling hills densely vegetated with a mature blue oak forest. Valley oaks are also present near Huerhuero Creek. Over 2/3 of the 304 oak trees are dispersed throughout the property, and are in good to excellent condition, with the remaining trees ranging from fair to poor, and two standing dead. Surrounding land uses include light industrial uses to the south, Huerhuero Creek and agriculture to the north and east, and rural residential development to the west.

The applicant has provided supplemental assessments as requested by the City for biology, oak trees, cultural resources, and traffic circulation. The site contains blue oak woodland, riparian habitat associated with Huerhuero Creek, seasonal wetlands, and vernal pools that provide potential habitat for the federally listed endangered fairy shrimp. Nesting birds and sensitive plants occur on the site. Bats,

badgers, and western spadefoot toad may also occur on the site. The site is within the three to one habitat replacement ratio for San Joaquin Kit Fox. Golden eagles use the grasslands on the property for hunting and nest in oak trees on the property.

This initial study evaluates the potential environmental impacts of the proposed General Plan Amendment and Zone change. For consideration as appropriate in the initial study, the applicant has submitted a conceptual development plan and accompanying environmental studies (traffic impact study, arborist report, preliminary biological assessment, and cultural resources study). The conceptual development plan envisions a project that may include a 600-space luxury recreational vehicle vacation resort with health spa, tennis courts, swimming pool, jacuzzi, showers, and laundry facilities. A complete environmental review of potential impacts resulting from future development plans for the project site will occur upon request for entitlements from the City.

The site is within the Airport Overlay District and is subject to consistency with the Airport Land Use Plan (ALUP). The project site is required to include mitigation measures for consistency with the ALUP.

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

California Department of Fish and Game, US Fish and Wildlife Service, US Army Corps of Engineers, Regional Water Quality Control Board, and Caltrans.

4. EARLIER ENVIRONMENTAL ANALYSIS AND RELATED ENVIRONMENTAL DOCUMENTATION:

This Initial Study incorporates by reference the City of El Paso de Robles General Plan Environmental Impact Report (EIR) (SCH#2003011123).

5. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR THE PROJECT:

This Initial Study relies on expert opinion supported by the facts, technical studies, and technical appendices of the City of El Paso de Robles General Plan EIR. These documents are incorporated herein by reference. They provide substantial evidence to document the basis upon which the City has arrived at its environmental determination regarding various resources.

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, 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 adverse impacts before an Environmental Impact Report is required to be prepared, 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

This Initial Study evaluates potential impacts identified in the following checklist.

B. Evaluation of Environmental Impacts

1. A brief explanation is required for all answers to the questions presented on the following Environmental Checklist Form, except where the answer is that the proposed project will have “No Impact.” The “No Impact” answers are to be adequately supported by the information sources cited in the parentheses following each question or as otherwise explained in the introductory remarks. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors and/or general standards. 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 following Environmental Checklist Form must take into account the whole action involved with the project, including implementation. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. Mitigation Measures from Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). 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 following Environmental Checklist Form generally is the same as 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 on Projects. These conditions are considered to be components of and/or modifications to the Project and some 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 project may potentially affect the environmental factors checked below, and may involve at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” if so indicated on the following Environmental Checklist Form (Pages 8 to.15)

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use & Planning | <input 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 type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input checked="" 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 could not have a significant effect on the environment; and, 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 an attached sheet have been added to the project. Therefore, a **MITIGATED NEGATIVE DECLARATION** will be prepared.

The proposed project may have a significant effect on the environment; and, 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, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.”

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

Signature:

Date:

July 13, 2007

Susan DeCarli, AICP, City Planner

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING. Would the Proposal:

- a) Conflict with general plan designation or zoning?
(Sources: 1 & 8)

Discussion: The proposed project includes a General Plan Amendment (GPA) and zoning change from Agriculture Planned Development (AG PD) to Park and Open Space (POS). The Park and Open Space Land Use Category is intended for open space and recreation uses on public or private properties, specifically, parks, lands along creeks and steep, wooded hillsides, hotels and motels in proximity to golf courses and commercial recreation. Recreational vehicle parks are a conditionally permitted use in the POS category. Concurrent amendments to both the General Plan Land Use designation and zoning will eliminate the potential for conflicts between these two documents.

The City's General Plan and Land Use Map include the subject property in the Airport Overlay Designation (Zone 3A and Zone 4), which requires review of proposed General Plan or Zoning Amendments by the Airport Land Use Commission (ALUC) for a determination of consistency with the Airport Land Use Plan (ALUP). The City submitted the project description to the ALUC for consideration at their June 20, 2007 meeting, and the ALUC made the requisite finding of consistency.

A conceptual development plan for future development of this property may include a 600-space luxury recreational vehicle vacation resort; however, the details of the proposed development for the site are speculative until formal submittal of a development plan to the City. The City will evaluate future land uses and development plans on the project site for consistency with the General Plan, Zoning Ordinance, and Airport Land Use Plan, if the property owner requests entitlements.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?
(Sources: 1 & 3)

Discussion: As noted above, the project site includes an Airport Overlay (AP) and is therefore subject to special review by the Airport Land Use Commission for consistency with the Airport Land Use Plan (ALUP). The ALUC found the proposed GPA/RZ to be consistent with the ALUP on June 20, 2007.

Protection of biological resources including the Huerhuero Creek, vernal pools, wetlands, sensitive plants, and sensitive animals are discussed in Section VII - Biological Resources. The proposed project does not conflict with applicable environmental plans and policies.

This project does not include specific plans for development of the project site; future development may require consultation with several agencies including California Department of Fish and Game, US Fish and Wildlife Service, US Army Corps of Engineers and Regional Water Quality Control Board.

- c) Be incompatible with existing land uses in the vicinity?
(Sources: 1 & 3)

Discussion: The surrounding land use designations are Park and Open Space to the southeast; Business Park to the south; Residential Agriculture Planned Development to the east and Public Facilities and Business Park to the north. Rural Residential development is located immediately west of the site in the jurisdiction of San Luis Obispo County. Existing uses adjacent to the project site include commercial/light industrial, low-density single-family homes, and open space/grazing.

Examples of permitted uses in Parks/Open Space zoning include agricultural uses and facilities, wholesale nurseries, wine-tasting rooms, convention centers, and public parks. Conditionally permitted uses in the POS zone include, but are not limited to, equestrian facilities, wineries, golf courses, ball fields, recreational vehicle parks, hotels, and motels. Conditionally permitted uses are uses that may be compatible and consistent with the specific zoning district but for which

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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potential impacts that may result from specific uses can be addressed through implementation of conditions of approval applied to development. Given the range of potential future land uses and the ability to exercise discretion in the review of future development projects, and the mix of surrounding land uses in the nearby vicinity, potential compatibility issues from future development projects, such as light, noise, and traffic, may be addressed through project specific mitigation measures and/or conditions of approval. Therefore, it is determined that designation and zoning of Parks and Open Space for the proposed General Plan amendment and rezoning will result in less than significant impacts to existing uses in the project vicinity.

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?

Discussion: The General Plan EIR included an evaluation of the City’s agricultural resources, which determined the underlying soil on this property is not prime, of statewide importance, or unique farmland. Historical and existing agricultural uses include cattle grazing on the project site and vineyards north of the property. The proposed land use and zoning change from Agriculture to Parks and Open Space would not affect the ability of existing or future agricultural activities to occur since horse, cattle, and sheep grazing and keeping and crop production are permitted uses in the POS zone. As described in Section A, the GPA/RZ does allow non-agricultural uses to be established and any future development plan for the project site would be evaluated for compatibility and potential impacts to agricultural resources.. Therefore, the proposed amendments will result in less than significant impacts to agricultural resources or operations.

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (Sources: 1 & 3)

Discussion: The project site is currently designated for agricultural production and located adjacent to other similar land use designations. The general plan amendment/rezone and will not disrupt or divide the established community. Future land uses and development would be required to address this issue on a case-by-case basis.

II. POPULATION AND HOUSING. Would the proposal:

- a) Cumulatively exceed official regional or local population projections? (Sources: 1 & 3)

Discussion: The proposed project does not include a residential component nor is it large enough to result in creating a significant number of new jobs that could affect cumulative population projections. The proposed GPA/RZ will not cumulatively exceed local or regional population projections; therefore, the project will not result in significant impacts.

- 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: 1 & 3)

Discussion: The GPA/rezone would change the land use category from Agriculture to Parks and Open Space, in an area adjacent to light industrial and residential uses. Developed areas northeast of the site within the City’s sphere of influence include business park and airport uses. Future non-agricultural uses associated with the proposed Parks and Open Space designation could require extension of City services to the project site including water lines, sewer service, and the extension of Golden Hill Road north to Dry Creek Road. The City’s Circulation Element of the General Plan identified and projected the extension of Golden Hill Road and evaluated it as part of the General Plan EIR.

Future development of the project site would be limited to allowed uses in the POS Zone (refer to Land Use section D).

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
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Permitted uses include agriculture with associated residential facilities (although new residential uses are not permitted under the ALUP), and public park and open space uses, which are not anticipated to induce substantial growth directly or indirectly. Future development of conditionally permitted uses, such as hotels, recreational vehicle parks, and golf courses, would be evaluated for potential impacts to public services and growth on a case-by-case basis as part of the City's Conditional Use Permit process. The extension of services that may occur as a result of the proposed GPA/rezone is not anticipated to induce substantial growth.

- c) Displace existing housing, especially affordable housing?
 (Sources: 1, 3, & 5)

Discussion: There is no housing currently existing on the project site, thus the project will not displace any existing housing.

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

- a) Fault rupture? (Sources: 1, 2, & 3)

Discussion: The potential for and mitigation of impacts that may result from fault rupture in the project area are identified and addressed in the General Plan EIR, pg. 4.5-8. There are two known fault zones on either side of this valley. The Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Review of available information and examinations indicate that neither of these faults is active with respect to ground rupture in Paso Robles. Soils reports and structural engineering in accordance with local seismic influences may be necessary in conjunction with future development proposals. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant.

- b) Seismic ground shaking? (Sources: 1, 2, & 3)

Discussion: The City is located within an active earthquake area that could experience seismic ground shaking from the Rinconada and San Andreas Faults. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of future development projects including adequate structural design and not constructing over active or potentially active faults. Future structures will be constructed to current UBC codes.

- c) Seismic ground failure, including liquefaction?
 (Sources: 1, 2 & 3)

Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a low potential for liquefaction or other type of ground failure due to seismic events. No special considerations other than what would be required by ordinance or code are necessary.

- d) Seiche, tsunami, or volcanic hazard? (Sources: 1, 2, & 3)

- e) Landslides or Mudflows? (Sources: 1, 2, & 3)

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
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Discussion: d. and e. The project site is not located near oceanic bodies of water or volcanic hazards, nor is the site located in an area subject to landslides. A portion of Huerhuero Creek is located on the project site, and future development would be set back and constructed to allow for flows from large storm events. Future development plans would be designed in accordance with the Preliminary Biological Assessment (Althouse & Meade, November 2006) prepared for the project, which identifies a 100-foot buffer from the edge of riparian resources that would be required of future development (refer to Section VII Biological Resources). The proposed GPA/RZ is not anticipated to expose people to potential impacts from landslides or mudflows.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1, 2, 3, & 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Subsidence of the land? (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expansive soils? (Sources: 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Unique geologic or physical features? (Sources: 1 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: f-h. Per the General Plan EIR, the soil condition is not erosive or otherwise unstable. Expansive soils characteristics would be identified in association with future development proposals. No unique geologic or physical features are present that would be disturbed. As such, no significant impacts are anticipated. Standard erosion control measures and building code requirements would be adequate to reduce potential impacts of future development to less than significant and no mitigation measures are necessary.

IV. WATER. Would the proposal result in:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of people or property to water related hazards such as flooding? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Changes in the amount of surface water in any water body? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Changes in currents, or the course or direction of water movement? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 groundwater recharge capability? (Sources: 1,3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Altered direction or rate of flow of groundwater? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Impacts to groundwater quality? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: a – i: The proposed project does not include development. The proposed change in the land use and zoning from Agriculture to Park and Open Space will not result in a significant negative effect to water resources. Future development projects will be evaluated for specific impacts to existing surface and 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: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose sensitive receptors to pollutants? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Alter air movement, moisture, or temperature? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a – d:

The project does not include development nor does it propose density exceeding what is designated and evaluated in the General Plan and General Plan EIR, thus impacts to air pollution related issues could not be affected by this project. Future development of this property would be evaluated for project specific impacts to air quality.

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

a) Increased vehicle trips or traffic congestion? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The road network serving the project site includes a major highway, local arterial, and collector streets. State Route 46 is an east-west highway south of the project site and intersects with Golden Hill Road (signalized intersection). Primary access to the project site is via Golden Hill Road, an arterial road until its intersection with Wisteria Lane where it narrows to one-lane and then terminates at the southwest boundary of the project site. Dallons Road is an east-west roadway that connects with Golden Hill Road (unsignalized) and North River Road to the west. The City’s Circulation Element identifies future improvements to the roadway network to serve projected buildout including expansion of SR 46E to a 6-lane arterial from US Hwy 101 to Union Road, the expansion of Golden Hill Road to a 4-lane arterial with an extension to Dry Creek Road.

Associated Transportation Engineers prepared a Traffic Study (July 2007) for the Munde site that considers the proposed project (GPA/RZ) and a conceptual development plan for future development of a future recreation vehicle resort. The proposed project is limited to a General Plan Amendment and Rezoning from Agriculture to Parks and Open Space. A development plan is not part of this project and impacts resulting from future development will be evaluated upon submittal of entitlement requests from the City.

ATE’s traffic study characterized the existing level of service for SR 46 between US Highway 101 and Golden Hill Road as “C” which is acceptable; however, the highway experiences high vehicle delays and congestion during weekends and holidays. CalTrans and the City have coordinated on planned improvements to the US Highway 101/State Route 46 East interchange and SR 46E corridor to reduce congestion. Existing weekday levels of service at key intersections serving the site

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are “F” at the SR 46/Golden Hill Road intersection and “A” at the Golden Hill Rd/Dallons Rd intersection during am and pm peak hours.

The proposed land use designation and zoning change has the potential to increase the types and intensity of uses on the site and impact levels of services to adjacent; however, more intensive allowed uses, such as hotels, recreation vehicle resorts, lodges, golf courses, playgrounds and ball fields are conditional uses that would be evaluated for their potential transportation and circulation impacts upon submittal of a development plan to the City. The General Plan Update EIR characterizes generalized effects of development under the General Plan and provides appropriate policy level mitigation measures. Future development of the project site will be required to mitigate identified potential circulation and transportation impacts to less than significant levels.

Any development of the site will provide mitigation measures to traffic impacts including but not limited to participation in the improvement of the intersection of Golden Hill Road and Highway 46E, participation in improvements to the intersection of Airport Road and Highway 46E, participation in efforts to establish parallel routes to Highway 46E and payment of AB 1600 transportation impact fees.

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| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project is a GPA/RZ and does not include development and associated design features and will not result in safety hazards.

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| c) Inadequate emergency access or inadequate access to nearby uses? (Sources:1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site has limited access from local public roads; however, ingress and egress from the site to Golden Hill Road is adequate to serve emergency needs. The proposed project is a GPA/RZ and does not include development and no impact to emergency access is anticipated.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Insufficient parking capacity on-site or off-site? (Sources: 1, 3, 7, & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project is a GPA/RZ and does not include development and no impact to parking on or offsite is anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? (Source: 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Discussion: The proposed project is a GPA/RZ and does not include development and no impacts to pedestrians or bicyclists are expected. Future development of the site would be required to assess potential for impacts and implement mitigation measures.

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| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: 1 & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The proposed project is a GPA/RZ, does not include development, and does not conflict with adopted General Plan policies supporting alternative transportation. Future development of the site would be required to assess potential for impacts and

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
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implement mitigation measures.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Rail, waterborne or air traffic impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not adjacent to rail or waterway corridors and will have no impact. The project site is within the Paso Robles Airport Area though impacts to air traffic are not anticipated as a result of the proposed GPA/RZ. (Refer to Section IX Hazards for more discussion of potential airport impacts.)

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

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Locally designated species (e.g., heritage trees)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Wetland habitat (e.g., marsh, riparian and vernal pool)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Wildlife dispersal or migration corridors? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion a - e: The project site has six designated habitat types including annual grassland, blue oak woodland, riparian, ephemeral drainage, vernal pool, and seasonal wetland. The California Natural Diversity Database (CNDDDB) identified several sensitive species with the potential to occur within the project area. A Preliminary Biological Assessment (Althouse & Meade; November 2006) and floristic survey conducted from May through July 2006 (Althouse & Meade) identified 162 species of plants on the property including 110 native species, 52 introduced species, with one special-status plant (shinning navarretia [Navarretia nigelliformis ssp. radians]) mapped on the site. Other special-status botanical species with the potential to occur (but not identified) include: Salinas Valley goldfields (Lasthenia leptalea), round-leaved erodium (Erodium macrophyllum), Douglas' spineflower (Chorizanthe douglasii) Obispo Indian paintbrush (Castilleja densiflora obispoensis), and dwarf calycadenia (Calycadenia villosa).

More than 108 animal species, including 11 special status species, have the potential to occur on the project site. Site surveys in 2006 observed Golden eagle (Aquila chrysaetos) and documented active nesting onsite (2 adults and 1 juvenile). (Althouse & Meade). Zoological species with the potential to occur include pallid bat (Antrozous pallidus), burrowing owl (Athene cunicularia), vernal pool fairy shrimp (Branchinecta lynchi), white-tailed kite (Elanus leucurus), loggerhead shrike (Lanius ludovicianus), California linderiella (Linderiella occidentalis), western spadefoot toad (Spea hammondi), American badger (Taxidea taxus), and San Joaquin Kit Fox (Vulpes macrotis mutica).

Oak woodland and grassland are the prominent vegetation types on the property. One special-status plant was mapped and an occupied eagle nest was identified in 2006. Vernal pools, a sensitive natural community of local concern, are present on the property and have the potential to harbor species of special concern. Future development has the potential to affect federally listed species and coordination with the U.S. Fish and Wildlife Service (USFWS) would be necessary. Nesting birds are protected via the Migratory Bird Treaty Act of 1918 as regulated by the USFWS and the California Department of Fish and Game (CDFG). Any work that affects Huerhuero Creek bed or bank of existing drainage, including culverts and bridges, are likely to require Army Corps, RWQCB, and CDFG consultation and authorizations.

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A & T Arborists prepared an Arborist Report for the project site, which includes an inventory and survey of all trees (blue oaks and valley oaks) on the property. The inventory documented approximately 304 oak trees on the property. Development plans would be reviewed in consultation with this report to identify oak tree locations. Oak tree protection measures would need to be prepared concurrent with any development proposal to ensure these sensitive trees are adequately protected.

The biological reconnaissance on the project site thoroughly identified constraints and potential impacts that could occur in association with future development. Mitigation measures are necessary to reduce potentially significant impacts to biological resources to a less than significant level. These mitigations have been incorporated into the proposed GPA/rezone project to provide clear direction on what biological protection measures would be required for any development submittal on the project site (refer to Exhibit B).

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

- a) Conflict with adopted energy conservation plans? (Sources: 1)

Discussion: The proposed project will not conflict with adopted energy conservation plans. Future development on the project site will be required to comply with California Energy Code.

- b) Use non-renewable resources in a wasteful and inefficient manner? (Sources: 1)

Discussion: The project will not use or promote the use of non-renewable resource in a wasteful and inefficient manner.

- 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: 1, 7)

Discussion: The project is not located in an area of known mineral resources that would be of future value to the region and the residents of the State.

IX. HAZARDS. Would the proposal involve:

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?

Discussion: The proposed project does not include the use, transport, or storage of hazardous materials and will not result in a risk of accidental explosion or release of hazardous substances.

- b) Possible interference with an emergency response plan or emergency evacuation plan? (Sources: 1 & 7)

Discussion: The proposed project will not interfere with an emergency response plan or emergency evacuation plan since it is not a designated emergency response location to be used for staging or other uses in an emergency.

- c) The creation of any health hazard or potential hazards?

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact
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Discussion: The proposed project is a General Plan Amendment and Rezone from Agriculture to Parks and Open Space. It does not include development; however, all projects in the Airport SubArea/Overlay, including policy and regulation modifications, must be consistent with the ALUP (Refer to ALUP Section 4.5). The majority of the site is located in Safety Zone 4 for outer approach and departure zones with a small portion of the site in Zone 3 for turning and sideline zones. Incorporation of mitigation measures identified in Appendix B will ensure compliance with the ALUP and reduce potentially significant effects of airport-related hazards to a less than significant level should the project site be developed in the future.

- d) Increased fire hazard in areas with flammable brush, grass, or trees?

Discussion: The project site is not located in an area with the potential for increased fire hazards. The site will be required to be in compliance with City and County brush and grass clearance requirements.

X. NOISE. Would the proposal result in:

- a) Increases in existing noise levels? (Sources: 1, 7, & 8)

Discussion: The project will not likely result in a significant increase in operational noise levels. Future development may result in short-term construction noise; however, construction noise will be limited to specific daytime hours per City regulations.

- b) Exposure of people to severe noise levels? (Source: 3)

Discussion: The proposed project is not anticipated to expose people to severe noise levels. Uses associated with the proposed Parks and Open Space designation would be transient in nature and therefore not subject to special regulations regarding airport noise.

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: 1, 3, 6, & 7)
- b) Police Protection? (Sources: 1, 3, & 7)
- c) Schools? (Sources: 1, 3, & 7)
- d) Maintenance of public facilities, including roads? (Sources: 1, 3, & 7)
- e) Other governmental services? (Sources: 1,3, & 7)

Discussion: a.-e. The proposed project includes a General Plan Amendment (GPA) and zoning change from Agriculture to Park and Open Space (POS), and it does not include specific plans for development of the site. The proposed land use map change and rezoning is not expected to impact public services, such as fire and police protection, schools, maintenance of public facilities and other governmental services. Development proposed in the future will be evaluated for impacts to public services and will be required to mitigate impacts in the form of development impact fees as established by the city per AB

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Communication systems? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Local or regional water treatment or distribution facilities? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Sewer or septic tanks? (Sources: 1, 3, 7, & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Storm water drainage? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Solid waste disposal? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Local or regional water supplies? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: a.-g. The proposed project includes a General Plan Amendment (GPA) and zoning change from Agriculture to Park and Open Space (POS), and it does not include specific plans for development of the site. The project will not result in the need for new systems or supplies, or result in substantial alterations to utilities and service systems. Development proposed in the future will be evaluated for impacts to utilities and service systems and will be required to mitigate impacts in the form of facilities or development impact fees.

XIII. AESTHETICS. Would the proposal:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a demonstrable negative aesthetic effect? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion for a-b: This project does not include development thus it could not result in impacts related to aesthetics. Future development proposals on the site would be required to provide design details to ensure the project would not have a demonstrable negative aesthetic effect.

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| c) Create light or glare? (Sources: 1, 3, 7, & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: This project does not include development thus it could not result in impacts related to light and glare. Elevated light levels may be experienced on site as a result from development on the project site in the future, but all light fixtures will be shielded and downcast as required per city regulations.

XIV. CULTURAL RESOURCES. Would the proposal:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Disturb archaeological resources? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Affect historical resources? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have the potential to cause a physical change which would affect unique ethnic cultural values? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Restrict existing religious or sacred uses within the potential impact area? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: a. through e. No known paleontological resources are located in the vicinity. There are no known religious or sacred uses on or near the project site. The project is not proposed in a location where it could affect unique ethnic cultural values. The project site is located in the vicinity of known prehistoric and historic resources. A Phase I archaeological reconnaissance and a historical records search of the project site (Parker & Associates, May 14, 2006) did not identify the presence of significant prehistoric or intact historic resources. Evidence of historical agricultural uses included a foundation, wells, and irrigation materials. As potentially hidden or buried resources may be present, it is recommended that an archaeological monitor be present during initial grubbing/grading activities on the site. If buried remains or otherwise hidden resources are discovered during grading and excavation activities, additional standard mitigation measures would apply (Refer to Exhibit B).

XV.RECREATION. Would the proposal:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is non-residential and will not affect the demand for parks and recreational facilities. The rezone would allow for potential future recreational facilities.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Affect existing recreational opportunities? (Sources 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project would change the zoning from Agriculture to Parks and Open Space. The City’s Parks and Recreation element states that lands within the floodplain Huerhuero Creek are potential sites for development of public park and passive recreational uses. The proposed GPA/rezone would allow for the development potential of future recreational projects and would not affect existing recreational opportunities.

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: 1 & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project does not include site development and will not in itself degrade the quality of the environment or impact habitat or populations of listed plant animal species. Significant existing natural resources have been identified on the project site and mitigation measures are recommended to minimize potential impacts of future development activities to less than significant levels.

10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (Sources: 1 & 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will not likely have a potential to achieve short-term, 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 & 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will not result in significant cumulative impacts.

- d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1 & 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will not result in substantial adverse environmental impacts on human beings, either directly or indirectly.

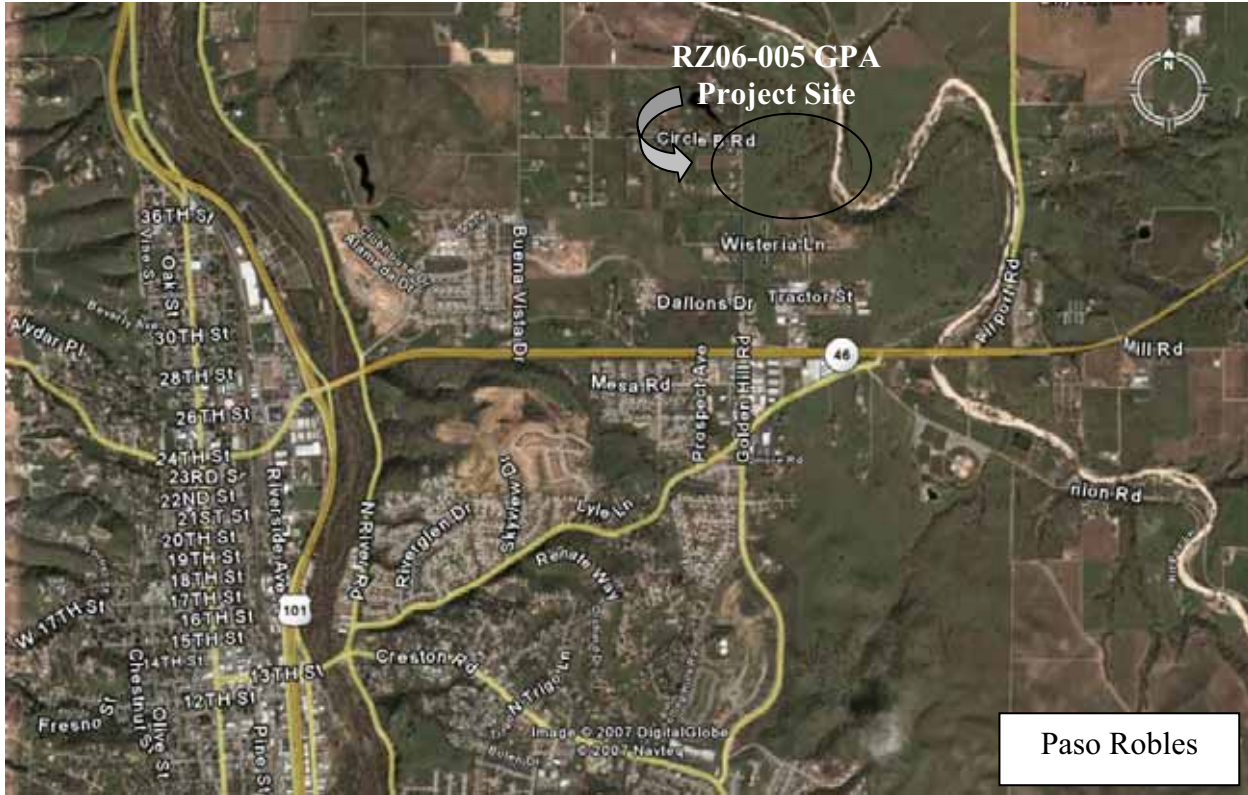
11. EARLIER ANALYSIS AND BACKGROUND MATERIALS

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). The earlier documents that have been used in this Initial Study are listed below.

Reference Number	Document Title	Available for Review At
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
2	Seismic Safety Element for City of Paso Robles	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
3	Final Environmental Impact Report City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
4	Soil Survey of San Luis Obispo County, California Paso Robles Area	USDA-NRCS, 65 Main Street-Suite 108 Templeton, CA 93465
5	Uniform Building Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
6	City of Paso Robles Standard Conditions of Approval For New Development	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
7	City of Paso Robles Zoning Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
8	City of Paso Robles, Water Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
9	City of Paso Robles, Sewer Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
10	Federal Emergency Management Agency Flood Insurance Rate Map	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446

12. Attachments:

- Exhibit A – Vicinity Map
- Exhibit B – Mitigation Summary Table
- Exhibit C – Preliminary Biological Assessment
- Exhibit D – Arborist Report
- Exhibit E – Cultural Resource Investigation
- Exhibit F - Traffic and Circulation Study



Mundee General Plan Amendment and Rezone
Golden Hill Rd, north of Highway 46
City of Paso Robles
RZ 06/005 GPA

Biological Resources Mitigation Measures

BR-1: Prior to application for development permits on the site, a San Joaquin Kit Fox Habitat Evaluation shall be prepared to determine the mitigation ratio in coordination with the California Department of Fish and Game and the City.

BR-2: San Joaquin Kit Fox/Habitat Preservation:

Prior to the issuance of permits for grading/construction, the applicant shall submit evidence to the City of Paso Robles (City) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of a fee or a conservation easement of suitable habitat in the kit fox corridor area (e.g. a land conservation bank), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (CDFG) and the City of Paso Robles (City). Mitigation alternative (a) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.
- b. Deposit funds into an approved in-lieu fee program, which would provide for both the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County and a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in an agreement between CDFG and TNC to preserve San Joaquin kit fox habitat and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. A fee would be charged per acre. This fee must be paid after CDFG provides written notification about mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.
- c. Purchase the appropriate number of mitigation credits, as determined by the San Joaquin habitat evaluation form and reviewed by CDFG. The credits would be obtained from a CDFG-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. At this time, there is an approved conservation bank in San Luis Obispo County, the Palo Prieto Conservation Bank. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.
- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with CDFG, including depositing funds into an escrow account (or other means of securing funds acceptable to the CDFG) which would ensure the protection in perpetuity of the appropriate number of mitigation acres as determined by use of the San Joaquin kit fox habitat evaluation form and review by CDFG of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. CDFG can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted prior to City permit issuance and initiation of any ground disturbing activities.

BR-3: 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.

- BR-4: Prior to issuance of grading and/or construction permit(s), a biologist qualified shall conduct surveys for sensitive fairy shrimp species according to USFWS protocols shall conduct a fairy shrimp habitat assessment to determine the potential for fairy shrimp to occur on site. If potential habitat is present, a protocol survey shall be conducted. If vernal pool fairy shrimp (*Branchinecta lynchi*) are discovered, consultation with the USFWS must occur.
- BR-5: If impacts to wetlands are proposed, the following steps shall be taken:
- i. Permits must be obtained, as appropriate, from the California Department of Fish and Game (DFG Code 1603), the US Army Corps of Engineers (Section 404 of the Clean Water Act) the Regional Water Quality Control Board (Section 401 of the Clean Water Act)
 - ii. An on-site monitor will be required during construction activities in areas containing jurisdictional wetlands or waters.
 - iii. A mitigation, monitoring, and reporting plan will be prepared and approved by the city and other jurisdictional agencies, as appropriate (i.e., California Department of Fish and Game, US Army Corps of Engineers, and the Regional Water Quality Control Board). Wetland mitigation will increase the aerial extent of wetland habitat on site at a two-to-one ratio (created wetland area to impacted wetland area). Mitigation for disturbance to jurisdictional waters will include restoration and enhancement on site at a two to one ratio.
 - iv. Mitigation implementation and success will be monitored for a minimum of three years, depending on the jurisdictional agencies' requirements.
- BR-6: Tree canopies and trunks within 50 feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed.
- BR-7: An oak tree protection plan shall be prepared by the applicant for review and approval by the City of Paso Robles. The plan shall identify proposed removed and protected trees, protection fencing locations, and monitoring during disturbance within the critical root zone.
- BR-8: Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree, and trunk damage. Landscape materials shall consist of non-plant materials or plants indigenous to the area. Paving within the CRZ of oak trees shall be minimized, with porous material to be used if necessary.
- BR-9: Replacement oaks for removed trees must be equivalent to 25% of the diameter of the removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30" removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5" trees, or three 2.5 inch trees, or any other combination totaling 7.5 inches. A minimum of two 24" box, 1.5" trees shall be required for each oak tree removed. The mitigation trees shall be incorporated to landscape plans or, subject to approval of the director, arrangements can be made to locate the replacement trees on public property.
- BR-10: Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be of local origin, and of the same species as was impacted or removed.
- BR-11: Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 1 and August 31, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 1 to August 31. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for active raptor nests.
- BR-12: Prior to submittal of development plans, the plans shall avoid shining navarretia populations located in two locations on open hillsides on the property and include protection plans for this sensitive habitat. In the event of unavoidable impacts, a mitigation monitoring plan would be required to outline appropriate salvage and restoration techniques.

BR-13: Prior to submittal of development plans, a floristic survey and mapping for Obispo Indian paintbrush shall be conducted during the peak of bloom (usually April). Following mapping, impact analysis shall be preformed to determine potential impacts and appropriate mitigation measures.

BR-14: Prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.

BR-15: A pre-construction survey shall be conducted within thirty days of beginning work on the project to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of Paso Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive an asleep in their dens for several days at a t time. Because the can be torpid during the winter, they are vulnerable to disturbances that my collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

BR-16: Prior to issuance of development permits, an appropriately timed survey shall be conducted for Western spadefoot toad to determine presence or absence on the property. If spadefoot toad is found, a mitigation plan to reduce impacts to a less than significant level, which may include avoidance, shall be developed in consultation with the CDFG.

BR-17: Prior to submittal of development plans, all proposed development shall be located outside the 100-foot buffer for riparian resources along Huerhuero Creek, and outside 50-foot setback for ephemeral drainages as established by the California Department of Fish and Game.

Hazard Mitigation Measures

H-1: Airport and Aircraft Safety: Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plans, proposed uses, or subdivisions on the project site are subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP, which are excerpted below (Table 9, ALUP, 2005).

Mundee Property Airport Safety Areas	Maximum Land Use Density (persons/acre)	Maximum Single Acre Land Use Density (persons/acre)	Maximum Percent Open Space (% gross area)
Safety Zone 3	60	120	25 ¹
Safety Zone 4	40	120	20 ¹

¹ When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

H-2: Airspace Protection: No object or structure may be erected, and no plant allowed to grow, to penetrate any “imaginary surface” as defined in Federal Aviation Regulations Part 77. Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the FAA imaginary surfaces.

H-3: Operations Interference: No use shall be established which produces visually significant quantities of smoke.

H-4: Bird Attractants: No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large,

artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.

H-5: Real Estate Disclosure: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the City of Paso Robles.

Cultural Resources Mitigation Measures

CR-1: Prior to issuance of development permits, the applicant shall retain a qualified historic archaeologist to monitor initial grubbing and grading on the site and to develop a recovery program if necessary. The monitor shall have the authority to stop work in the event potentially significant cultural resources are discovered.

CR-1: In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Community Development Director shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Community Development Director so that proper disposition may be accomplished.

Transportation Mitigation Measures

TR-1: Any development of the site will provide mitigation measures to traffic impacts including but not limited to participation in the, participation in improvements to the intersection of Airport Road and Highway 46E, participation in efforts to establish parallel routes to Highway 46E and payment of AB 1600 transportation impact fees.

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: GENERAL PLAN AMENDMENT 06-003 AND REZONE 06-005 AT GOLDEN HILL ROAD NORTH OF HIGHWAY 46 (APN 025-431-037, 038 AND 039) APPLICANT – PASO 160, LLC- KEN MUNDEE
DATE: AUGUST 28, 2007

Needs: For the Planning Commission to consider a General Plan Amendment and Rezone application to re-designate and rezone the subject property from Agricultural/Airport Overlay to Parks and Open Space/Airport Overlay, and provide a recommendation to the City Council.

Facts:

1. The project site is located at the northern end of Golden Hill Road, and includes 160-acres of undeveloped land.
2. The Planning Commission considered this request at their meeting on August 14, 2007. (See Attachment 1 – Planning Commission Staff Report, August 14, 2007)
3. The Commission heard from several neighborhood residents with concerns regarding the amendments related to land use compatibility, and potential impacts that may result from development of the site due to:
 - 1) increased traffic;
 - 2) impacts to natural resources;
 - 3) loss of agricultural land;
 - 4) drainage;
 - 5) noise and light;
 - 6) grading; and
 - 7) an intended future use of the site as a 600 space RV park.

Other concerns expressed also include concerns regarding the adequacy of the draft Mitigated Negative Declaration.

4. A vote to recommend Council denial of the General Plan amendment failed to receive the required quorum vote by the Commission. The Commission then requested staff to continue the matter for two weeks and bring back two resolutions (both to approve or deny the application) based on City policies.

**Analysis
and**

Conclusions: As noted above, the proposed project is a request for amendments to the land use designation and zoning of this property. Since the time of preparing the previous staff report considered on August 14th, the applicants have submitted a development plan for a 600 space RV park for this property. This development plan cannot be approved unless the amendments are adopted.

At this point the development application has not been determined to be complete for processing, and the only request for Planning Commission consideration is the amendments to the General Plan and Zoning Map.

The Commission requested staff prepare two resolutions for consideration; to support and to oppose the proposed amendments. To help with the Commission's determination staff has provided the purpose statements in the General Plan for both the Agricultural and Parks and Open Space land use designations.

General Plan Update, 2003:

Agricultural (AG) Land Use Category

Purposes:

- To allow and protect the operation of agricultural uses;
- To provide open space;
- To provide a viable land use in areas impacted by airport operations.

Parks and Open Space (POS) Land Use Category

Purpose:

- To provide a category for public and private properties that are to be used only for open space and recreation.

In reviewing the difference in land uses that could be considered between the AG and POS zoning districts, the most significant difference is that RV parks may be conditionally permitted with approval of a Conditional Use Permit (CUP) in the POS district. Development impacts would need to be carefully evaluated and mitigated accordingly.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, Airport Land Use Plan, and Economic Strategy

Fiscal

Impact: No direct fiscal impact.

Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

1. Adopt the attached resolution with findings recommending Council denial of General Plan Amendment 06-003 and Rezone 06-005. (Note: projects recommended for denial are exempt from CEQA.)
2. Adopt the attached resolution with findings recommending Council approval of the Mitigated Negative Declaration, General Plan Amendment 06-003 and Rezone 06-005.
3. Refer the amendment request back to the applicant and request the applicant concurrently process the General Plan Amendment and Rezone with the

Conditional Use Permit for the proposed RV park. Please note this option should not be used if the Commission has basic concerns regarding a change in land use for property.

4. Request additional information and analysis.

Staff Report Prepared By: Susan DeCarli

Attachments:

1. Vicinity Map
2. Correspondence Received
3. Resolution to deny the Amendments
4. Resolution to approve the Mitigated Negative Declaration and Amendments

**Attachment 3
Correspondence Received**

Circle B Springs Homeowners Association

Attn: Frank Mecham
Susan DiCarli
City of Paso Robles
1000 Spring Street
Paso Robles, Ca 93446

Dear Mr. Mecham,

Thank you for agreeing to meet with the residents of Circle B Springs and members of the Circle B Springs Homeowners Association. Here is a tentative proposal of our agenda. Please inform us if there are any subjects you would like to include in our meeting.

Sincerely,

Dennis Spoolstra 239-8426
Victoria Berg 239-7888
Lydia McCowin 226-9171
Fax 226-9170

Meeting: August 8
3:00 pm

1. Zoning change
2. Environmental Impact Report
3. Access
4. Traffic Study
5. Neighborhood concerns

Joseph A. McCowin, MD
3635 Golden Hill Rd.
Paso Robles, CA 93446
Ph. 805-226-9171 Fax. 805-226-9170

Paso Robles
AUG 06 2007
Planning Division

August 5, 2007

City of Paso Robles
Attn: Susan DiCarli
1000 Spring Street
Paso Robles, CA 93446

Dear Ms. DiCarli,

I would like to thank you for taking the time to review the proposed zoning change with me for the Munde project across the street from our property. I've had time to process what you told me and do some research on my own.

The City of Paso Robles is considering changing the zoning on that parcel (on Golden Hill) by the request of the Mundees for an RV Resort. The Initial Study therefore should reflect what that particular projects impact would have on the surrounding area **before** a zoning change occurs. And it should be a full EIR.

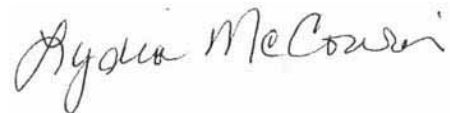
The current Initial Study done by The City of Paso Robles is incomplete and shows no impact at all of the existing neighborhoods. The City is planning on a mitigated negative declaration on that study. According to CEQA all of the resource categories should have been considered and studied, they were not. That would include Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Mineral Resources, Noise, Population and housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems. Attached are those pages from the CEQA Deskbook. The owners of that property knew there was an existing residential neighborhood when they purchased that property, if they actually wanted to be good neighbors they would have gotten a full EIR to start with.

Comparing to what it is currently zoned from RA to POS on your zoning matrix the majority of uses are the same. The one thing that is being proposed to go there is probably the only thing that would be strongly opposed by our association and

surrounding neighborhoods. When you see that some rural property is going to be zoned to "Parks and Open Space" one thinks of hiking, nature trails and bike paths for the residents of Paso Robles. Not an RV Resort. Also on your web site it shows that there has been another proposal for another RV park on Airport Road. How many RV Resorts do we really need???

Please include this letter in you administrative record.

Sincerely,

A handwritten signature in cursive script that reads "Lydia McCowan".

cc:

Ron Whisenand Community Development Director

Tom Flynn

Margaret Holstine

Ron Johnson

Mike Menath

Ed Steinbeck

Chuck Treach

Christine Waters

Figure 2-8. Environmental Effects That May Be Considered Significant

This table lists effects that may be considered significant under CEQA. See the model Initial Study Checklist, Appendix G of the CEQA Guidelines, for a complete listing.

Resource Category	Type of Activity A project may be considered to have a significant environmental effect if it will:
Aesthetics	<ul style="list-style-type: none"> • Adversely affect a scenic vista • Damage scenic resources • Degrade existing visual character • Create a new source of light or glare
Agricultural Resources	<ul style="list-style-type: none"> • Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance • Conflict with existing zoning for agricultural use or Williamson Act contracts • Cause other impacts on or conversions of Farmland
Air Quality	<ul style="list-style-type: none"> • Conflict with or obstruct implementation of air quality plan • Violate air quality standards • Contribute a cumulatively considerable net increase of a criteria pollutant in a non-attainment area • Expose sensitive receptors to substantial pollutant concentrations • Create objectionable odors affecting a substantial number of people
Biological Resources	<ul style="list-style-type: none"> • Adversely affect endangered, threatened, or rare species • Adversely affect habitat of such species • Adversely affect wetlands under jurisdiction of Section 404 of the Clean Water Act • Interfere with movement of native resident or migratory species • Conflict with policies or ordinances protecting biological resources • Conflict with an adopted Habitat Conservation Plan or other type of approved biological habitat management plan
Cultural Resources	<ul style="list-style-type: none"> • Adversely affect the significance of a historical resource (defined by Guidelines sec. 15064.5) • Adversely affect the significance of an archaeological resource (defined by Guidelines sec. 15064.5) • Destroy a unique paleontological resource or geologic feature • Disturb any human remains
Geology and Soils	<ul style="list-style-type: none"> • Expose people or structures to risk of loss, injury, or death from (1) earthquake, (2) strong seismic groundshaking, (3) seismic-related ground failure, including liquefaction, or (4) landslides • Result in substantial soil erosion or loss of topsoil • Be located on unstable soil • Be located on expansive soil • Have soils incapable of supporting proposed septic system use
Hazards and Hazardous Materials	<ul style="list-style-type: none"> • Create a public hazard through transport, use, or disposal of hazardous materials • Create a public hazard through upset or accident involving release of hazardous materials • Emit hazardous emissions or involve handling hazardous materials within one-quarter mile of an existing or proposed school • Be located on a site that is listed as hazardous by CAL-EPA • Result in safety hazards near a public or public-use airport or private airstrip • Impair implementation of an adopted emergency response or evacuation plan • Expose people or structures to risk of loss, injury, or death involving wildland fires
Hydrology and Water Quality	<ul style="list-style-type: none"> • Violate water quality standards or waste discharge requirements • Substantially deplete groundwater supplies or interfere with groundwater recharge • Substantially alter existing drainage patterns, resulting in substantial increase in erosion or surface runoff and causing flooding • Create or contribute to runoff that exceeds drainage system capacity • Otherwise substantially degrade water quality • Place housing within a 100-year flood hazard area • Impede or redirect flood flows within a 100-year flood hazard area • Expose people or structures to significant risk of loss, injury, or death from flooding • Contribute to inundation by seiche, tsunami, or mudflow

(continued next page)

Resource Category	Type of Activity A project may be considered to have a significant environmental effect if it will:
Land Use Planning	<ul style="list-style-type: none"> • Physically divide an established community • Conflict with land use plans, policies, or regulations • Conflict with Habitat Conservation Plans or other type of approved biological habitat management plan
Mineral Resources	<ul style="list-style-type: none"> • Result in loss of a known valuable mineral resource • Result in the loss of availability of a locally important mineral resource identified in an approved land use plan
Noise	<ul style="list-style-type: none"> • Expose persons to noise levels exceeding established standards • Expose persons to excessive groundborne vibration • Substantially increase ambient noise (temporary, periodic, or permanent) • Expose people to excessive noise near a public-use airport or private airstrip
Population and Housing	<ul style="list-style-type: none"> • Induce substantial population growth • Displace a substantial number of existing housing units or people, necessitating construction of replacement housing
Public Services	<ul style="list-style-type: none"> • Result in substantial adverse physical effects from construction of new or altered governmental facilities needed to maintain acceptable service ratios, response times, or other performance objectives for (1) fire protection, (2) police protection, (3) schools, (4) parks, or (5) other public services
Recreation	<ul style="list-style-type: none"> • Increase the use of existing neighborhood and regional parks, resulting in physical deterioration • Result in substantial adverse physical effects from construction of new or altered recreational facilities
Transportation and Traffic	<ul style="list-style-type: none"> • Substantially increase traffic relative to existing load and capacity • Exceed an established level-of-service standard • Result in a change in air traffic patterns • Substantially increase hazards due to design or incompatible uses • Result in inadequate emergency access • Result in inadequate parking capacity • Conflict with adopted alternative transportation policies, plans, or programs
Utilities and Service Systems	<ul style="list-style-type: none"> • Fail to comply with wastewater treatment requirements of Regional Water Quality Control Board • Require or result in the construction of new or expanded water or wastewater treatment facilities • Require or result in the construction of new or expanded stormwater drainage facilities • Exceed existing water supplies • Exceed existing wastewater capacity • Exceed existing landfill capacity • Conflict with federal, state, and local statutes and regulations related to solid waste

less than cumulatively considerable through mitigation, the Initial Study must briefly indicate and explain how the contribution has been mitigated. Guidelines sec. 15064(i)(2).

A Lead Agency may determine that a project's contribution to a cumulative impact is not "cumulatively considerable" if the project will comply with the requirements in a previously approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process. Examples of this concept include project-specific compliance with mitigation measures in a water quality control plan, air quality plan, or integrated waste management plan. Guidelines sec. 15064(i)(3).



Row- f. d. i. i.

Paso Robles Main Street Association

835 12th St. Suite D, Paso Robles, CA 93446 805-238-4103 Fax 805-238-4029

July 31, 2007

RECEIVED
CITY MANAGER

AUG 03 2007

CITY OF PASO ROBLES

Mayor Frank Mecham
and members of the City Council
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

RE: Paso Robles Motorcoach Resort - Ken Mundee

Dear Honorable Mayor Mecham and Members of the City Council:

Ken Mundee has proposed a much-needed motorcoach resort development for the north end of Golden Hill Road. The Downtown Paso Robles Main Street merchants support this development as an asset to our growing tourist-friendly economy. As the "Baby Boomers" retire, these luxury motorcoaches are becoming a very popular way to tour the country, and this development would be specifically tailored to the needs of motorcoaches.

The downtown would greatly benefit from a development of this sort as tourists explore our historic downtown for shopping, dining and wine-tasting experiences. Please favorably consider Mr. Mundee's proposal as an asset to our growing tourist-related economy.

For Better Downtowns Everywhere. . .

Norma Moyer

Norma Moyer
Executive Director

NM:sca

cc: Ken Mundee

7-24-07

City Council: City of El Paso De Robles, 1000 Spring St. Paso Robles, Ca. 93446

Subject : Problems with the General Plan Amendment 06-003/Rezone – Golden Hill Road.

It is requested that a full Environmental Impact Declaration be completed before the project is rezoned. The reasons are specified below.

The rezoning of the area (currently Agricultural/Airport Overlay) into Parks and Open Space/Airport Overlay) actually sounds good. When one thinks of parks/open spaces, one thinks of a city park, golf course or another place where people can go to enjoy themselves. However, this is not the case in the present situation. Make no mistake the rezoning is solely for the benefit of a couple of developers, certainly not a large number of people. It is a euphemism for a park that includes over 600 cement R/V Spaces which in that area in reality amounts to a giant parking lot.

On the face of it this is very inconsistent with the idea of Parks and Open Spaces. This is a Kit Fox area, a winter Migratory path for deer and Eagle Habitat. Only a few people will benefit. An R/V Park of this magnitude seems inconsistent with this and how are these issues going to be addressed?

There are several other problems. Drainage is one. Next to and south of this development is a light industrial complex. This development is not even ten percent filled and already there are drainage problems. It was supposed to be one hundred percent drained to Huera Huera Creek but only two thirds is currently being drained. One third has yet to be connected to any drainage facilities. Additional drainage problems

Paso Robles
JUL 24 2007

exist along Dallons Rd. and Golden Hill Road. Nearly every year flooding occurs on several county parcels on Golden Hill Road, Wisteria and Circle B Springs Rd. At times the flooding has become so serious that a couple of years ago the county filed a complaint with the city to deal with the problem. Nothing has been done and the complaint is still outstanding. Meanwhile the flooding just gets worse every year except in a year of very little rain like last year.

Another problem is the tremendous changes going on in the area causing an already unacceptable traffic problem at Highway 46 and Golden Hill Rd. It is doubtful that simply adding a couple of traffic lanes on Golden Hill Rd. will deal with the problem. As mentioned, the light industrial area adjacent to the proposed development is only 10 percent filled. Paso Robles Ford recently moved into the area. The full impact of this has yet to be determined. West of Paso Robles Ford is another Industrial Park in which the Roads, Lots and Utilities are completed but has yet to have any building. Imagine what additional traffic and other environmental problems this will create when buildings and people are added and this is only the beginning. A huge Lowe's center is in the works for a large area West of Golden Hill Rd. and north of Highway 46. While this is not being opposed it will cause a tremendous amount of additional traffic and other environmental problems. Imagine the addition of 600 R/V spaces that not only include the Huge R/V but usually have a car attached to them.

The large number of R/V's will create additional noise, headlights and pollution which is incompatible with our current development.

Additionally there is a problem to the entrance to the RV Parking lot itself. The current entrance is inadequate. In order to remedy this problem, the developers are

suggesting that the city take county property (my property) which would give them additional space for an entrance. To the west of the proposed project is a private 5 acre agricultural gated community that is an association (Circle B Springs association). They suggest that the gate can be moved outside my property and to the property north of the existing gate and the rest of the people can only enter, not exit the new gate. Evidently, exiting the gate will interfere with their proposed development and therefore will not be permitted. They propose the city take over a county dedicated road which is in the city master plan and extends all the way to Dry creek road. Currently, the road is used privately and is gated. Obviously, the plan is to destroy "Circle B Springs" as an association. We all know that development will eventually require the city to take over the road but to do so now for the benefit of a couple of developers seems very irresponsible. For the benefit of all it would seem that if the project is seriously considered, an alternative entrance would be required. Progress is one thing, Socially Responsible Progress is quite another.

Sincerely,



Dennis Spoolstra, Vineyard Owner

3615 Golden Hill Rd., Paso Robles

c/c Planning Commission

John Falkenstein, City Engineer

Susan De Carli, City Planner

Attorney Belsher



Ms. Susan K. De Carli, AICP
City Planner, Community Development Dept.
City of El Paso de Robles
1000 Spring Street
Paso Robles CA 93446

July 24, 2007

Dear Ms. De Carli:

Thank you for meeting with us this afternoon in regard to the proposed zoning change for the Munde Motorcoach Resort Project. We now have a better idea of the approval process and how we should be participating at this stage.

As we stated, the property for the proposed development is directly across the street from us. We are concerned with a myriad of factors associated with the project, including:

- 1.) Zoning change from agricultural use to open space and recreation use.
- 2.) Potential traffic, pollution and noise effects from simultaneous new projects, when existing changes to Golden Hill Rd. and Highway 46 from prior projects have not been addressed (i.e. gas stations, Water Park).
- 3.) Incompatibility of a motorcoach resort with the existing residential neighborhood.
- 4.) Drastic negative impact on property values and lifestyle changes associated with close proximity to an RV resort.
- 5.) Noise, headlights, and pollution from RV traffic.
- 6.) Impact on wildlife, including eagles, foxes, deer and other animal species.
- 7.) Altering the location of the Circle B Homeowner's Association gates and roads in ways that negatively affect existing residents.
- 8.) Compounding existing city drainage issues that already impact our association at the south gate.

When we purchased our property, we checked into the zoning of the property across the road, and found it to be zoned agricultural. Because our association and surrounding homes about the property, we never dreamed an inappropriate "recreational vehicle" use for this property would be a remote consideration.

The homes located across the street from this zoning change are all million dollar "ranchette" type properties. The RV proposal will do serious damage to the value of our properties and retirement prospects, from financial to environmental impacts.

Sincerely,

Scott and Victoria Berg

Scott and Victoria Berg
3649 Golden Hill Rd.
Paso Robles CA

Circle B Homeowners Association

Golden Hill Road, Paso Robles. California 93446

July 2, 2007

Mr. Ken Munde
Paso Robles Motorcoach Resort
1495 Creston Road, #148
Paso Robles, CA 93446

Dear Mr. Munde:

Thank you for the invitation to a presentation of your proposed Motorcoach Resort on your property adjacent to the Circle B Home Owners Association. However, we are unalterably opposed to such an inappropriate and destructive usage for that agriculturally-zoned acreage, and so are uninterested in attending such a presentation.

Thank you.

Circle B Home Owners

Scott and Victoria Berg

Victoria Berg

Jim and Mabel Bond

Jim & Mabel Bond

Mathew and Lauren Bryant

Mathew & Lauren Bryant

Jeffrey and Jennifer Carey

Jeffrey & Jennifer Carey

Frank and Melissa Cueva

Frank & Melissa Cueva

Joe and Lydia McCowin

Joe & Lydia McCowin

Conrad and Sharon Penn

Conrad & Sharon Penn

Chester Simon

Chester Simon

Dennis and Maria Spoolstra

Dennis & Maria Spoolstra

Brian Thorndyke

Brian Thorndyke

Don and Julie Whitmore

Don & Julie Whitmore

Cc: Ron Whisenand, Planning and Community Development Director
John Falkenstein, City Engineer
Mayor Frank Mecham
City Council Members John Hamon, Gary Nemeth, Duane Picanco, Fred Strong

Jeff Carey 3927 Golden Hill Road Paso Robles, CA 93446 805-226-9485
July 2, 2007

Mr. Ken Munde
1495 Creston Road #148
Paso Robles, CA 93446

Dear Mr. Munde:

We received notice of your meeting to review your proposed development of the property contiguous to Circle B Ranch. We will not attend, as we are opposed to the proposed use.

We are opposed to having a RV Resort for many reasons:

1. We and our neighbors, who will speak for themselves when and if the time is necessary, moved to a low density, gated community for the peace and quiet it offered. With a limit to one single-family unit per five acres, we seemed assured of the density we desired.
2. As a retired Sr. VP and District Mgr. of Grubb & Ellis Commercial Real Estate, I was often called on to voice my opinion about "highest and best" use of land, and which uses are more compatible than others etc,
3. Your proposed use with its very high density does not complement or add to a harmonious mix of uses. In fact it will adversely affect the value of our land, which currently boasts of its peace and quiet.
4. Ag land will eventually disappear from this wine based economy and more cannot be manufactured. Napa is angry at itself for rezoning good grape land as they are running out of usable grape growing acreage.
5. Our opinion is that RVs are mobile homes. Take away the word mobile, and your proposed use is prohibited in the Airport Restricted Use policy.
6. We don't appreciate the fact that you are attempting to use a "technicality" to skirt the intention of the ordinance. We don't appreciate the fact that you cut roads without a permit.
7. Your use coincides with ours for busy times like the weekend and Holidays. A use such as Light Industrial is an example of a compatible neighbor for our use, as their employees are not often present on weekends and Holidays, giving us peace and quiet, at our higher use time frame.
8. There are many issues such as noise, light, congestion, etc. that can become arguments against your use and they will surface in the appropriate time frame.

I have participated in land use issues many times and, with council, am prepared to counter your proposal.

Sincerely,

Copies to: Frank Mecham, Mayor
 John Hamon, Gary Nemeth, Duane Picano and Fred Strong, City Council
 Ron Whisenand, Planning Director
 John Falkenstein, City Engineer
 Circle B Ranch Homeowners Association

Paso Robles

JUN 12 2007

Planning Division

June 10,2007

Mr.Ron Whisenand, Community Development Director
The Paso Robles City Planning Department
1000 Spring Street
Paso Robles, Ca. 93446

Dear Mr. Whisenand:

Re: The City Plot 435 Golden Hill Rd.

I wrote to you back in October about our concern over the development of an RV Park next to us. I understand that as a property owner within 300 feet of the subject property that we were to be notified before any permit was issued. I came home last week; and to my surprise their were survey stakes all over the property and new roads were cut in.

Please inform us on what is happening with this property as soon as possible.

Sincerely,



Sharon Penn
3915 Golden Hill Rd.
Paso Robles, Ca. 93446
e-mail-Penn@tcsn.net

Paso Robles
JUN 15 2007
Planning Division

June 10, 2007

Mayor Frank Mecham
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Dear Mayor Mecham:

As residents of Golden Hill Road, Circle B Estates, we am very concerned about, and opposed to, the proposed RV Park being considered on the property across the street. This property is between Golden Hill Road and Airport Road and known as the Munde property or project..

Last week a grader was cutting a few roads in the property and we are not aware that a permit has been issued for this. We have been told, but have not seen ourselves, that a number of oak trees have been tagged - for possible removal?

Some of the issues that greatly disturb us are:

1. Population density in the Airport corridor. If the development of well spaced homes was denied in the past, why would 600 RV spots be acceptable?
2. Our quiet residential area would be negatively impacted by the constant noise of RV's coming and going at all times of the day and night. The noise of the RV people, their music, parties, pollution, the street lights along the roads, headlights and traffic all would make it prohibitive to live in the Circle B Springs Estates. Property values would plummet.
3. The intersection of Golden Hill Road and Hwy. 46 East, which would be the road to the entrance, is already a congested, unsafe area. Truck traffic is heavy, cars dash in and out of the gas stations and there are times it is necessary to wait through a light to the next light to cross Hwy.46 East.
4. There is already a problem with water runoff from properties near Hwy.46 East.. Because of the grading of the new Business Park on Golden Hill Road north of Hwy. 46 East, the rain runoff has been exacerbated and completely encircles the home of one of our neighbors. Heavy equipment is already moving soil on the Munde property and more grading has the potential to make this problem worse.

Page 2

Mayor Frank Mecham

June 10, 2007

5. What will this development do to the water supply? It is my understanding that city water comes from the same aquifer those of us on wells draw from. Last year water was low and the city was encouraging residents to cut back on usage. This has been another dry year and the extra usage from the Park would endanger the water levels even more. The static level of our water well has dropped over 135 feet in the past five years. Our water pump sits only 60 feet from the static level and only 10 feet above the bottom of our aquifer. With the addition of the proposed RV Park, the demand for their water would certainly lower our aquifer level to the point of requiring residents of Circle B Springs Estates to drill new water wells.
6. We also have concerns about how these added residents, even if transient, will impact the city emergency response services i.e. police, fire and medical. Then there is trash, can that be handled more than adequately?
7. A pair of Golden Eagles have nested on that property since we moved here eight years ago. At this time they have been chased away by the activity of the machinery and may never come back.

Please very carefully consider all the aspects of this RV Park. Needless to say, we am opposed to it and we don't want to see and hear any RV's on the property destroying the beauty of the area.

Sincerely,

Mabel and Jim Bond
3725 Golden Hill Road
Paso Robles, CA 93446
805-237-8930
jbondvineyard@msn.com

- cc The City Council: Gary Nemeth, John Harmon, Duane Picano and Fred Strong
The Planning Commission: Margaret Holstine, Tom Flynn, Ron Johnson, Mike Menath,
Ed Steinbeck, Chuck Treatch and Christie Withers
✓ The Community Development Director: Ron Whisenand
The Emergency Services Director: James L. App

*Copies also received
for Planning Commissioners*

Joseph McCowin, MD
Lydia McCowin
3635 Golden Hill Road
Paso Robles, Ca. 93446
Ph. 805-712-5881 Fax 805-226-917

Paso Robles
JUN 04 2007
Planning Division

May 30, 2007

Mr. Ron Whisenand, Community Development Director
The Paso Robles City Planning Department
1000 Spring Street
Paso Robles, CA 93446

Dear Mr. Whisenand:


We are writing in regards to the proposed zoning change and development of an RV Resort on City Plot 435. We want to inform you of the reasons why we oppose this proposed development.

We are concerned about the water usage, water run off, noise, lights, traffic, and the pollution that such a huge development would have on our community.

We attended a city meeting a few years ago regarding this property. At that time Woody Woodruff owned it and proposed building one home per twenty acres. The City Planners stated they didn't want that type of density in the airport flight path. Certainly the City should oppose the much higher density of 600 RV slots on this property.

We are particularly concerned that there has been a major amount of grading in progress on the property this week and according to the planning department no permit has been issued. This causes us to wonder what amount of development will occur on this property without the proper zoning changes or permits.

Sincerely,



Joseph McCowin MD, Lydia McCowin



August 19, 2007

Mr. Ron Whisenand, Community Development Director
*The Paso Robles Planning Commission
1000 Spring Street
Paso Robles, CA 93446

Paso Robles
AUG 21 2007
Planning Division

RE: MUNDEE PROPERTY - GENERAL PLAN AMENDMENT AND REZONE

Dear Mr. Whisenand and Commissioners:

I live at 3725 Golden Hill Road, directly across the street from the Mundee property and the proposed development of the area. I am very concerned about this project and am opposed to a zoning change to accommodate it. I attended, and spoke, at the Commission meeting on August 14th and appreciate your responsibility to consider all aspects of any proposal before you. I would like to reiterate my concerns:

- **First**, I realize the issue is a General Plan Amendment and Rezoning. but the question, at this time, is actually about the proposed Mundee RV Park development. This has been made clear by Mr. Mundee, the Tribune and at the Planning Commission meeting August 14th.
- **Other Use**. Our neighborhood is a quiet residential area composed of twelve five-acre parcels with very expensive homes on each parcel. An RV park in our front yards will destroy the area and devalue the properties. It is definitely incompatible to the area. There could be other uses for the Mundee property that would make it more of a green buffer zone between residential and the more commercial developments to the East. In fact, I have never been aware of an RV park so close to a residential area. Wouldn't having it further east on 46 be more appropriate? Possibly an eastward extension of Mr. Mundee's existing RV park?
- **Traffic** on Golden Hill Road north of 46 is a safety issue. Repeated many times at the Commission meeting was, "Caltrans will be fixing the intersection"; the problem is the traffic on Golden Hill Road and it appears that Caltrans's accountability is to highways rather than feeder roads. With four gas stations, the frontage road, Dallons drive and the Cuesta traffic, Wisteria and the business park traffic (which will increase as development continues) and the two convenience stores I can't imagine adding RV's to the mix. Plus, most RV'ers pull cars/trucks/ and motorcycles to use while vacationing. Having the entrance planned for Golden Hill Road is irresponsible and asking for more traffic problems.
- **Water**. I am very concerned about the situation with water, both usage and runoff. Water shortage is a fact in the city and county. The Nacimiento water sounds wonderful but a drought is a drought and the lake water will be down just as the water table is for the city and those of us on wells. How will water used for irrigation, clubhouse, spa, pool and up to 600 RV's affect the rest of us. Also, the runoff from the area on the east side of Golden Hill Road is extremely bad during any rain or other above ground water usage.

Page 2

Mr. Ron Whisenand

*The Planning Commission

August 19, 2007

- **Population density** in the airport corridor seems very dangerous to me. There are days the airport is busy, some busier than others, and air flights over the property are common. With the potential of expansion of the airport this is a worry.
- **Lights and noise** are also a big concern, lights from the park lighting itself and lights from the RV's. Since the property slopes up higher than Golden Hill Road all the lights would be flooding our neighborhood and our homes. People who travel in RV's are usually on vacation which doesn't mean going to bed very early. Outside activities, bar-b-q's, music, talking etc. do go on into the evening and night. Our quiet, dark (we have no streetlights) area would be changed dramatically. Since vacationers are doing just that, vacationing, we would all be disturbed by their activities, especially those of us who work and must be up early.
- **EIR.** I do not feel that the *Initial Study*, not dated, is sufficient for a project of this magnitude. A full Environmental Impact Report must be requested before any further plans are made.

Please carefully consider the area and the negative impact an RV Park would have on it.

Please enter this letter into the Administrative Record.

Sincerely,



Mabel Bond
3725 Golden Hill Road
Paso Robles, CA 93446
(805) 237-8930
jbondvineyard@msn.com

* copies to:

Margaret Holstine, Tom Flynn, Ron Johnson, Christie Withers, Ed Steinbeck, Charles Treach
Susan DeCarli, John Falkenstien

Mendez

Handwritten initials/signature

A & T ARBORISTS
 P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



8-16-07

To: All Planning Commission Members of Paso Robles, City Council, Comm. Dev. Dir.
 From: Chip Tamagni and Steven Alvarez, Certified Arborists
 Re: Re-zone approval decision for the Golden Hill Property

We attended the Tuesday 8/14/07 Planning Commission Meeting where the commission decided to continue the decision until Tuesday, 8/28/07. We are greatly concerned with the preservation of oak trees within the City of Paso Robles, "The Pass of the Oaks".

As we stated at the hearing, the subject property is a maturing blue oak forest. New recruitment is poor due to grazing. Many trees on the property are in poor condition as were shown in the slides. However, there are many hundreds of blue oaks (*Quercus douglasii*) that are in fairly good condition and they need to be preserved through proper care and pruning. This will add many years to their lifespan. Eliminating grazing on the property will allow for regeneration in many portions of the property that will not be developed. Removing approximately 5% of the oak tree population consisting of only the poorest quality trees will allow for re-planting of an age class of trees that is virtually non-existent on the property. Leaving this property in an agriculturally zoned status does not appear to be strategically correct with regard to preserving the oak trees.

As stated in section 10.01.010 Purpose and Intent of the Oak Tree Ordinance:

F. Preservation of existing oak trees and opportunities to promote the establishment of new oak trees shall be a focus of the Planning Commission and/of City Council in conjunction with consideration of any development project or development related entitlement. Public education regarding the value of preserving oaks and other trees shall be promoted by the city by the City of Paso Robles.

Approving the re-zoning will set in motion the ability to preserve the oak trees. The preliminary plans we worked with only needed to remove the poorest quality trees. Of the hundreds and hundreds of remaining trees, only a few have any critical root zone encroachment which is extremely minor.

By driving through the Wine Country R.V. Resort, one can help but notice the excellent stewardship of that property presented by the owners. That same stewardship would undoubtedly be applied to this project.

Please show consideration to future generations by recommending a zone change for the property and allow the owners the means to preserve the oak trees.

Chip Tamagni
 Certified Arborist #WE 6436-A

Steven G. Alvarez
 Certified Arborist #WE 0511

Handwritten signatures of Chip Tamagni and Steven G. Alvarez

Paso Robles

chamber of commerce

July 15, 2007

Paso Robles
AUG 22 2007
Planning Division

City of Paso Robles
City Council
1000 Spring Street
Paso Robles, CA 93446

To the Honorable Mayor and Paso Robles City Council:

The City Council in their attempt to revitalize the City of Paso Robles' economic image has made attempts to recruit and draw businesses from all genres to relocate in their domain. In this regard, the Paso Robles Motorcoach Resort project, is an enterprise development, that is willing to enter into a business venture with the city. In so doing, both parties' needs will be met by the projects' ability to independently maintain and facilitate and manage their own property essentials, thus, freeing the city of maintenance accountability. For that reason, this resort project will bring prosperity and assist in generating the much needed revenue to the city's economic tax base status, hence, helping the city's present economic conditions. In contrast, a residential housing project would be both a tax burden on the city in their paying for required essentials (i.e., street and road service, police and fire protection, waste management, school impacts, etc.) as well as be in a major conflict with the Paso Robles Airport Land Use Plan.

In summary, the Paso Robles Motorcoach Resort presence would definitely be an asset to the City of Paso Robles enterprise zone; a reality that would bridge a positive business partnership between the two entities. We would greatly appreciate the council's critical consideration in this significant matter by voting, yes, on this project. Thank you.

Sincerely,



Michael Gibson
President



Paso Robles

AUG 22 2007

Planning Division

August 14th, 2007

Wine County RV Resort
Mr. Ken Mundee
2500 Airport Road
Paso Robles, CA

Dear Ken,

I want to express my sincere appreciation to you for being such a great neighbor. You have obviously put a great deal of time and thought into the development of your business plan, with the primary intent of promoting our beautiful community to visitors from all around the U.S.A. I have personally met many of the visitors to your Wine Country RV Resort, who have shared their experiences in wine tasting, shopping the downtown and dining in our local restaurants. All have expressed their excitement in visiting our community, and in having your resort as a place to call a "home away from home".

I have been closely following your planned Resort Project, and would like to express support for the General Plan Amendment 07-002(b) and Rezone 06-005, of the Mundee Property. Given the surrounding compatible land uses, this property would be best served for the range of recreational uses that you are proposing. The oak trees on this property will prosper in this proposed environment, which includes a Mediterranean-style architecture and landscaping very well suited to our area. The target demographic for the Resort's visitors will be tourists who are very likely to enjoy an extended stay in our community, and in turn, will benefit our local community with tax revenue and contribution to overall sales and jobs in the community.

If I can assist you in any way, please do not hesitate to call. I know you have a great passion in what you do – promoting tourism and hospitality in Paso Robles and wish you well in your endeavors. I will be sending a copy of this correspondence to the County Planning Commission; please consider this my whole-hearted endorsement of your project.

Sincerely,

A handwritten signature in cursive script that reads "Robert L. Hall".

Robert L. Hall, Owner
Robert Hall Winery LLC
3443 Mill Road
Paso Robles, CA 93446

Cc: City of Paso Robles Planning Department
Mr. Ron Whisenand
1000 Spring Street
Paso Robles, CA 93446

Sky River RV

August 14,2007

Paso Robles Planning Commission
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Paso Robles
AUG 22 2007
Planning Division

Re: Rv Park on Golden Hill Road

Dear Sir,

We think that the building of a RV park on Golden Hill road would be a benefit to the community. People using the Rv Park are generally affluent and would bring additional tourism to the surrounding areas increasing revenues for many small businesses and increasing tax revenues.

Mr. Munde has a proven track record for building attractive, well-run establishments. Adding this Rv park will benefit our community, small business owners, improve property values all with minimum impact on the surrounding environment.

Thank you for allowing my views to be presented thru this letter to the members of the planning commission.

Sincerely,



William Wolkoff
President
Sky River Rv



August 15, 2007

Paso Robles

AUG 20 2007

City of Paso Robles

City of Paso Robles
City Council and Planning Commission
1000 Spring Street
Paso Robles, CA 93446

Regarding: Paso Robles Motorcoach Resort, Ken Munde

Dear Honorable Mayor Mecham and Members of the City Council and Planning Commission:

It was with great interest that we learned about Ken Munde's proposal to build the Paso Robles Motorcoach Resort development on Golden Hill Road. As the owner of Eberle Winery, I believe this much-needed facility in Paso Robles would benefit our community immensely.

As host to hundreds of visitors each month, I have taken part in many discussions in my Tasting Room regarding the city's need for such a facility. It is my belief that allowing for the re-zoning of the Paso Robles Motorcoach Resort will generate much-needed tax revenue for the city, while providing a valuable experience for the growing luxury motorcoach industry.

Given the surrounding compatible land uses, the property in question seems ideal for providing the zoning flexibility necessary to meet the City's growing tourist needs. For this reason, Eberle Winery fully supports the Paso Robles Motorcoach Resort.

Sincerely,

W. Gary Eberle
Eberle Winery



CLARK COMPANY

CLARK BUILDING
1031 PINE STREET
PASO ROBLES, CALIFORNIA 93446
TELEPHONE NUMBER (805) 238-7110
FAX: (805) 238-1324



Paso Robles

22 August 2007

AUG 22 2007

Planning Division

City Council
City of Paso Robles
1000 Spring Street
Paso Robles, California 93446

Dear Mayor Meacham and
City Council Members:

It is with great pleasure that I offer my support of the General Plan Amendment 07-002(b) and Rezone 06-005 of the 160±-acre Munde property. The development of the Paso Robles Motorcoach Resort, a luxury recreational vehicle vacation resort, would supply multiple benefits to the city of Paso Robles. From a projected \$400,000 to \$700,000 in Transient Occupancy Tax annually for the city to the incalculable economic impacts, including a much needed, if not vital, reconstruction of Golden Hills Road to support the ever increasing traffic circulation, preservation of Oak trees and abundant generation of income from tourists, the project proposed by Ken Munde would provide valuable benefit to all.

Therefore, without reservation, I respectfully request your favorable consideration of the rezoning of the subject property from Agriculture to Parks and Open Space for the development of Paso Robles Motorcoach Resort.

Sincerely,

Pete Clark

PC:lr

CC: Ken Munde
1495 Creston Road, #148
Paso Robles, California 93446

AUG 22 2007

Planning Division

A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



8-16-07

To: All Planning Commission Members of Paso Robles, City Council, Comm. Dev. Dir.
 From: Chip Tamagni and Steven Alvarez, Certified Arborists
 Re: Re-zone approval decision for the Golden Hill Property

We attended the Tuesday 8/14/07 Planning Commission Meeting where the commission decided to continue the decision until Tuesday, 8/28/07. We are greatly concerned with the preservation of oak trees within the City of Paso Robles, "The Pass of the Oaks".

As we stated at the hearing, the subject property is a maturing blue oak forest. New recruitment is poor due to grazing. Many trees on the property are in poor condition as were shown in the slides. However, there are many hundreds of blue oaks (*Quercus douglasii*) that are in fairly good condition and they need to be preserved through proper care and pruning. This will add many years to their lifespan. Eliminating grazing on the property will allow for regeneration in many portions of the property that will not be developed. Removing approximately 5% of the oak tree population consisting of only the poorest quality trees will allow for re-planting of an age class of trees that is virtually non-existent on the property. Leaving this property in an agriculturally zoned status does not appear to be strategically correct with regard to preserving the oak trees.

As stated in section 10.01.010 Purpose and Intent of the Oak Tree Ordinance:

F. Preservation of existing oak trees and opportunities to promote the establishment of new oak trees ***shall be a focus*** of the Planning Commission and/of City Council in conjunction with consideration of any development project or development related entitlement. Public education regarding the value of preserving oaks and other trees shall be promoted by the city by the City of Paso Robles.

Approving the re-zoning will set in motion the ability to preserve the oak trees. The preliminary plans we worked with only needed to remove the poorest quality trees. Of the hundreds and hundreds of remaining trees, only a few have any critical root zone encroachment which is extremely minor.

By driving through the Wine Country R.V. Resort, one can help but notice the excellent stewardship of that property presented by the owners. That same stewardship would undoubtedly be applied to this project.

Please show consideration to future generations by recommending a zone change for the property and allow the owners the means to preserve the oak trees.

Chip Tamagni
 Certified Arborist #WE 6436-A

Steven G. Alvarez
 Certified Arborist #WE 0511



Paso Robles

AUG 23 2007

VILLA CREEK

Planning Division

August 17, 2007

City of Paso Robles
City Council and Planning Commission
1000 Spring St.
Paso Robles, CA 93446

Re: General Plan Amendment 07-002(b) and Rezone 06-005, Munde Property.

Dear Honorable Mayor Mecham, Members of the City Council and Planning Commission:

I have had the pleasure to review Ken Munde's proposal to re-zone for development of the Paso Robles Motorcoach Resort. This facility would be an incredible asset to our community. It would provide an additional area for visitors to stay locally and enjoy what Paso Robles has to offer. The additional tourism to this community would increase, therefore increasing business for other local restaurants, stores, wineries, etc.

The resort would benefit Paso Robles with additional revenue, but also benefit by preserving Paso's natural environment. This type of facility would allow local wildlife and vegetation to be maintained.

Knowing the desires for Paso Robles this is an ideal development for this area. I fully support Ken's proposal and request that the re-zoning be allowed.

Sincerely,

Erick Cadena
Villa Creek

FIRESTONE

FAMILY ESTATES

August 20, 2007

Wine Country RV Resort
Mr. Ken Mundee
2500 Airport Road
Paso Robles, CA
93446

Paso Robles
438 22 2837
Planning Division

Dear Ken,

I wanted to write and offer my support for your plan to develop the Paso Robles Motorcoach Resort. **(General Plan Amendment -07-002(b) and Rezone 06-005, Mundee Property)** I believe that the development of this type of resort will not only bring thousands of visitors to Paso Robles, but will generate a significant amount of revenue to this community. Over the past six months, Firestone has greatly benefited, along with the winemaking industry as a whole, from the quality of guest that your current resort has attracted, and we are all looking forward to the completion of your next project.

I have appreciated you and your team both as neighbors and partners as we help develop Paso Robles into one of premier winemaking regions in California. The success of this region depends greatly on our ability to attract visitors from all over the country, and I truly believe this project will cement Paso Robles as a vacation destination. Please let me know if there is anything further I can do.

Cheers!



Andrew B. Firestone

Cc: City of Paso Robles Planning Department
Mr. Ron Whisehand
1000 Spring St
Paso Robles, CA
93446

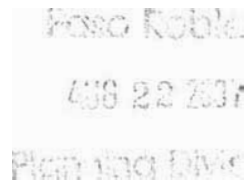
FIRESTONE
VINIARD

CURTIS
WINERY

PROSPERITY
WINES

FIRESTONE WALKER
BREWING CO.

NECTAR ALES



August 21, 2007

Paso Robles Planning Commission
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Subject: Paso Robles Motorcoach Resort

Dear Commissioners,

Since its inception in 2004, The Grapeline has watched the tourism in Paso Robles grow exponentially, especially the luxury motor coaches coming into the area. We strongly support the proposed motorcoach resort, and feel the area slated for development of this resort fits with the other growth happening along Highway 46 East.

The project plan presented by Ken Mundee seems to take into consideration the preservation and enhancement of the land to be used for this project and would be a welcome asset to the continuing upgrade of the Paso Robles area lodgings and resorts. The Grapeline looks forward to seeing this project come to fruition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cathy Sanchez', written over a light-colored rectangular background.

Cathy Sanchez
The Grapeline Wine Country Shuttle
179 Niblick Road, #401
Paso Robles, CA 93446
(805) 239-4747

August 21, 2007

City of Paso Robles
City Council and Planning Commission
1000 Spring Street
Paso Robles, CA 93446

Paso Robles
AUG 22 2007
Planning Division

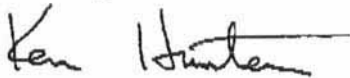
Regarding: Paso Robles Motorcoach Resort

Dear Honorable Mayor Mecham, City Council, and Planning Commissioners:

This letter is being sent to you to voice my support for the proposed Paso Robles Motorcoach Resort. A project of this caliber and amount of tourism it will bring to the area will contribute a large amount of revenue not only to the economy of Paso Robles, but to the city as well.

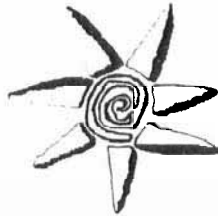
I concur that the Paso Robles Motorcoach Resort would be beneficial to the City of Paso Robles, and I am confident that you and the City Council will seriously consider this project and make the appropriate decision. I support both the general plan amendment and rezone of the 160 acre parcel from Agriculture to Parks and Open Space, and the project development plan. Thank you in advance for your consideration.

Sincerely,



Ken Hunter

August 21, 2007



T O B I N
J A M E S
C E L L A R S

Paso Robles
AUG 22 2007
Planning Division

Mayor Frank Mecham
And members of the
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Regarding: The Paso Robles Motorcoach Resort

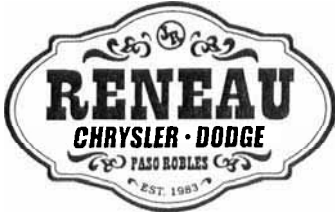
Dear Honorable Mayor Mecham and Members of the City Council,

I am expressing support for the Paso Robles Motorcoach Resort development, proposed by Ken Munde. It has become obvious that Paso Robles is a major destination for many reasons, not the least of which is it's exceptional Wine Country. The Paso Robles Wineries, Hospitality Industries and small businesses have the potential to profit greatly while at the same time offering another great visitor's attraction.

We have many guests and wine club members who appreciate having the opportunity to stay at the current Wine Country RV location; we have heard only praise for the professionalism of it's ownership, staff and amenities. Having seen what Mr. Munde has in mind, I foresee more of these positive attributes on a larger scale, benefiting not only local businesses but our residents as well.

Sincerely,

Lance Silver
Owner
Tobin James Cellars



August 22, 2007

Paso Robles City Council
1000 Spring Street
Paso Robles, CA 93446

Paso Robles
AUG 22 2007
Planning Division

RE: Paso Robles Motor Coach Resort

To Mayor Frank Mecham and City Council Members:

I am writing to you to let you know that I support Ken Munde's Motor Coach Resort and asking you to do the same. This project is a terrific addition to the existing RV parks as well as a benefit to the increasing tourism business that the Paso Robles area is experiencing.

Mr. Munde has a proven record that he can develop, operate, and manage a successful RV park. His current Wine Country RV Park has constant business, is well kept up and has been a benefit to our local economy. People stay at the RV Park, tour our wineries, visit the restaurants, and shops which help our local tax base.

With tourism increasing, RV traveling becoming more popular, and Paso Robles establishing itself as an end destination, the local RV parks are being used and fill up frequently. We do have a need for additional RV parks.

Mr. Munde's plan is well thought out; it will meet the needs of high end RV travelers and not be a blight to the local area. The location would be easy for the bigger RV to get to, but it would be away from the noise and traffic from Highway 46.

I again ask for your support to this worthwhile project.

Sincerely,

J. Scott Reneau

August 17, 2007

Paso Robles
AUG 22 2007
Planning Division

To: Paso Robles Planning Commission

Re: Proposed Motor Coach Resort

Dear Members:

As retirees spending 9 months every year in our 40' motor home, with one of those months here at the beautiful Wine Country RV Resort, we've read with interest about the proposal for another RV Resort including concerns from several residents. Prior to retiring, we had the opportunity to live in several new communities throughout Northern California and existing residents always expressed the same concerns. It's understandable and human nature to see changes as a threat to an existing lifestyle in the way of increased traffic and noise.

I feel, however, after spending the last few years in various RV parks and resorts, that there can be a positive approach to the new facility. We are spending the best years of our lives in a motor home and seeing this awesome country without visiting hotels and busy airports. Quiet time begins at 10:00 pm and the speed limit in RV parks is 5 MPH; better than residential neighborhoods.

We spend money everywhere we visit by eating out and shopping. We visit museums and other local places of interest, all of which employ local residents. Last week, after reading an on-line article about Paso Robles in the Sacramento Bee, we set out to explore the downtown area and found a pleasant surprise. We lived in Sonoma County for years and watched the little town of Healdsburg, similar to the Paso Robles downtown area and central park, grow into a great tourist location with a lot of capital being invested there.

We love Paso Robles, with its close proximity to all the wineries as well as the cool breezes of the Pacific Ocean. We feel there is a need for this type of resort, not just in Paso Robles, but all across the country. Thought you'd like to hear from another perspective; thanks for taking the time to read this.

Warm regards,

Mike and Robin Conner, Tucson, AZ



Paso Robles Electric

◆◆◆
1040 13th Street
Paso Robles, CA 93446
◆
Phone (805) 238-2140
Fax (805) 239-3363

Paso Robles
738 22 2537
Planning Division

August 18, 2007

Ken Mundee
Wine Country RV
2500 Airport Road
Paso Robles, CA

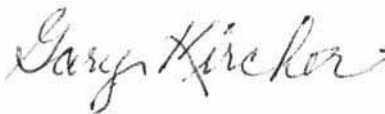
Dear Ken,

I was pleased to read of your newly proposed Golden Hills development. I am sure this project will be an asset to all aspects of Paso's tourism based businesses and attractions. This venture appears to be a somewhat different approach for a destination resort which will compliment the many new , as well as established, motels and hotels in our community.

I was impressed with the artists rendering and layout of your project. I believe this will be an appropriate addition to the north Golden Hills road area. I wouldn't think there would be any adverse traffic or disruptions to the surrounding residential properties in this area.

I wish you well with your project and hope your pending re-zoning is approved. Please let me know if there is anything I can help you with.

Sincerely,



Gary Kircher

ESTRELLA WARBI MUSEUM

4251 Dry Creek Road
Phone: (805) 227-0440 (Voice Mail)

Paso Robles, CA 93446
Website: www.ewarbirds.org

August 21, 2007

Paso Robles

AUG 22 2007

Planning Division

To the City of Paso Robles:

The Board of Directors of the Estrella Warbird Museum would like to be on record as supporting Ken Munde, Owner of Wine Country RV Resort, in his efforts to build a new RV Facility located at the North end of Golden Hill Road.

We have witnessed first hand the care to detail and quality that Wine Country RV exhibits and we are certain that the new project shall be even better. This new park will certainly bring more visitors to the area who will be visiting restaurants, wineries, shops and museums and will only serve to increase revenues to the businesses and city alike.

The current situation at Airport Road and Highway 46 East in the mornings and at quitting time is hazardous to both visitors and locals due to the lack of a signal. With the connection of Golden Hill Road and Dry Creek Road through the project's property, traffic flow will be improved by allowing Airport Rd. traffic the ability to route parallel to Highway 46 and enter into the City without ever crossing Highway 46.

We see only benefits and no adverse effects to the development of this project. We recommend approval of the rezone from Ag to Parks and Open Space and the development of this new facility.

Sincerely,



George Taylor
President Estrella Warbird Museum

August 21, 2007

City of Paso Robles
City Council and Planning Commission
1000 Spring Street
Paso Robles, CA 93446

Paso Robles
AUG 22 2007
Planning Division

Regarding: Paso Robles Motorcoach Resort

Dear Honorable Mayor Mecham, City Council, and Planning Commissioners:

This letter is being sent to you to voice my support for the proposed Paso Robles Motor Coach Resort. A project of this caliber and amount of tourism it will bring to the area will contribute a large amount of revenue not only to the economy of Paso Robles, but to the city as well. As Paso Robles continues to evolve and grow its tourism related economy, many local businesses, which require tourism for a large portion of their success, will only benefit from such a project.

I concur that the Paso Robles Motorcoach Resort would be beneficial to the City of Paso Robles, and I am confident that you and the City Council will seriously consider this project and make the appropriate decision. I support both the general plan amendment and rezone of the 160 acre parcel from Agriculture to Parks and Open Space, and the project development plan. Thank you in advance for your consideration.

Sincerely,



John Carson,



Paso Robles Main Street Association

835 12th St. Suite D. Paso Robles, CA 93446 805-238-4103 Fax 805-238-4029

August 30, 2007

Paso Robles

435 22 237

Planning Division

Mayor Frank Mecham
and members of the City Council
City of Paso Robles .
1000 Spring Street
Paso Robles, CA 93446

RE: Paso Robles Motorcoach Resort - Ken Munde

Dear Honorable Mayor Mecham and Members of the City Council:

Ken Munde has proposed a much-needed motorcoach resort development for the north end of Golden Hill Road. The Downtown Paso Robles Main Street merchants support this development as an asset to our growing tourist-friendly economy. As the "Baby Boomers" retire, these luxury motorcoaches are becoming a very popular way to tour the country, and this development would be specifically tailored to the needs of motorcoaches.

The downtown would greatly benefit from a development of this sort as tourists explore our historic downtown for shopping, dining and wine-tasting experiences. Please favorably consider Mr. Munde's proposal as an asset to our growing tourist-related economy.

For Better Downtowns Everywhere. . .

Norma Moyer
Executive Director

NM:sca

cc: Ken Munde

Vina ██████ Robles

P.O. Box 699
Paso Robles, CA 93447
phone: 1-805-227-4812
fax: 1-805-227-4816
www.vinarobles.com

August 13, 2007

Paso Robles
AUG 22 2007
Planning Division

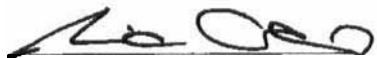
Mr. Ron Whisenand
Community Development Director
City of Paso Robles Planning Department
1000 Spring Street
Paso Robles, CA 93446

Subject: General Plan Amendment 07-002(b) and Rezone 06-005, Mundee Property

Dear Mr. Whisenand:

It has come to our attention that the City is considering a re-zone of the above-referenced parcel from agriculture to Parks and Open Space. The purpose of this letter is to express our support for the proposed re-zone. Given the surrounding compatible land uses, the subject property appears to be an ideal candidate for providing the zoning flexibility necessary to meet the City's growing visitor-serving and recreational needs. The new zoning would allow for a range of recreational uses that represent the highest and best use of the property, and future development would represent a substantial benefit to the City when compared with the existing passive use.

Sincerely,



Vina Robles Winery
Hans - R. Michel, President

cc: Messrs. Ken & William Mundee

Distributed to PC; RW, SD on 8/28/07

City Planning Commission
City of Paso Robles
1000 Spring St.
Paso Robles Ca 93446

8-22-07

Attn: Ron Whisenand, Community Development Director
Tom Flynn
Ron Johnson
Christie Withers
Chuck Treach
Ed Steinbeck
Margaret Holstine

Regarding the meeting of 8-14-07 about the rezoning request 06-003 & 06-005 for the Munde project, many of the attendees had been active since 6:00 am and were unable to stay for the duration of the meeting and address the issues.

We support the idea of a general plan & think that piecemeal rezoning will soon make our area look like some of our neighboring cities, (Oxnard comes to mind).

The City should be responsible for guidelines and specifications, leaving it up to the Developers has led to current problems with:

1. Traffic Congestion & Safety
2. Water Diversion & Runoff
3. Rapid Depletion of Our Aquifer
4. Displacement of Nesting Eagles & Other Wildlife

Additionally the proposed rezoning-Munde project would compromise the Country Setting that attracted the Neighborhood Residents to locate here. These neighbors have Legitimate concerns regarding 24 HR. RV traffic with attendant Headlight glare, Diesel fumes, Noise, Potential for health hazard due to holding tank discharge and reduced Property values.

We urge you to vote no and respect the neighborhood and the environment.

We would like this letter added to the Administrative Record

Patric H. & Darlene R. Gary
1790 Wisteria Ln.
Paso Robles Ca 93446-9809

Patric H. Gary
Darlene R. Gary

Paso Robles
AUG 27 2007
Planning Division

Paso Robles

Distributed to RW; SD; PC on 8/23/07

AUG 23 2007

Planning Division

Jerome H Boxer, CPA, CCP

Sandra Boxer

1660 Circle B Road

Paso Robles, CA 93446-9595

Phone: (805) 238-7222

Fax: (805) 238-4089

E-mail: jhboxer@yahoo.com or sboxer@tcsn.net

August 22, 2007

City Planning Commission
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

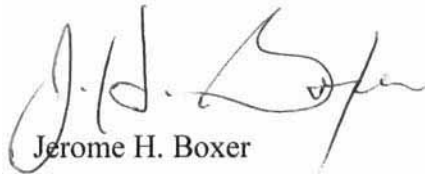
We have many concerns about General Plan Amendment 06-003 and Rezone request 06-005 to amend the land use and designation and zoning for property located on Golden Hill Road north of Highway 46 from 'Agricultural' to 'Parks and Recreation,' permitting the construction of a 600 space RV "park" on the site.

- The approval of this Amendment and Rezoning is potentially capable of generating even more traffic than the addition of the same number of homes on the site, since there are not permanent residents, but mobile residents with the potential of frequent changes in occupancy.
- Highway 46 is often bottled up west of Golden Hill Road, with traffic going onto or across Route 101. It seems, even now, to be carrying a severe overload of traffic several times a day, particularly near the weekends.
- Golden Hill Road, at the intersection with Highway 46 is also a worrisome intersection, with many traffic stoppages that, even now, cannot clear in a single "green light" cycle.
- A new marketplace including Loew's and other retail vendors is scheduled to be built along on Dallons Drive undeniably predicting future additional traffic along this same corridor.
- Cuesta College has grown considerably and now services over three thousand students, with substantial growth anticipated in the reasonably near future. Many of the present students now use, and additional students will inevitably continue to use, Dallons Drive for access to and from a major parking area for the college.
- There is already approval to build about 400 new homes in the same general area generating significant additional traffic.


- The property in question is directly across Golden Hill Road from a number of homes, in county territory, zoned rural/residential and dictating a minimum lot size of 5 acres. The proposed rezoning could seriously affect the property values of the present property owners.
- The designated emergency escape road from the property is Circle B Road, much of which is privately owned and is not maintained by either the County or the City, nor is it designed to carry the amount of traffic that might be generated. If an emergency ever occurred necessitating the use of Circle Road, the amount of traffic forced onto the road would cause a major traffic tie-up, affecting not only the new residents, but also present residents of the area.
- At present, the intersection of Golden Hill Road and Dallons Drive, along with portions of Circle B Road, is often difficult to negotiate because of flooding. Any additional residents or traffic in the area would further exacerbate the problem.

We were not able to stay for the public comment period on August 14 because of the lateness of the hour, and would appreciate the opportunity to address the Commission. Please add our letter to the Administrative Record.

Thank you for your consideration,



Jerome H. Boxer



Sandra Boxer

Attn: Ron Whisenand, Community Development Director
Tom Flynn
Ron Johnson
Christie Withers
Chuck Treach
Ed Steinbeck
Margaret Holstine
Newly appointed Commissioner

Distributed to RW; SD; P.C. on 8-24-07

Frank White
3585 Golden Hill Rd
Paso Robles, CA 93446-9324

Paso Robles
AUG 24 2007
Planning Division

August 22, 2007

City Planning Commission
Attn: Community Development Director
City of Paso Robles
1000 Spring St
Paso Robles, CA 93446

There are a number of reasons to refuse the zone change from Agriculture to Parks and Open Space on Golden Hills Rd north of Rt. 46. The one reason affecting all of us in the area is more traffic. Don't make this situation even more impossible by moving in 600 mobile homes.

Sincerely,



Frank White

Distributed to RW; SD; PC on 8/24/07

Paso Robles

AUG 24 2007

Planning

August 22, 2007
Planning Commission
1000 Spring Street
Paso Robles, California 93446

213 18th Street
Paso Robles, California 93446

Attention : Put into the administrative records.

To whom it may concern:

I have lived in Paso Robles since 1946, when my parents bought their property on 18th St.

I am writing to object to the changing of zoning on Golden Hill Road from rural land to another category to enable a 600 capacity RV park to be built across from a beautiful subdivision containing million dollar homes. I have approved of a lot of our commercial growth, but this is a travesty.

From a beautiful bit of acreage containing grazing cows, to a monstrous RV park, is an unbelievable consideration. They pay high property taxes and never dreamed they would have this intrusion.

Even 100 huge RV's belching diesel fumes, lumbering down a rural roadway past these homes daily is an unbelievable intrusion, let alone 600!

There will be noise, pollution, bright lights, water problems and other traffic problems. There are many children living in this area and nearby areas, this is not safe for them.

Please don't allow this rezoning to pass.

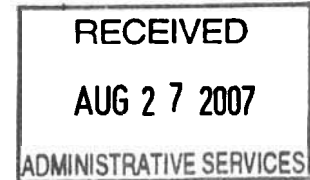
Sincerely,



Rae Ann Anderson

Distributed to PC; RW; SD on 8-27-07

Paso Robles
AUG 27 2007
Planning Division



August 27, 2007

To: Paso Robles Planning Commission

Re: Proposed zoning change on Golden Hill Road

We are opposed to the zone request change for the 160 acre parcel from agriculture to RV park for the following reasons:

1. What is the difference between residential housing and RV's when it comes to being in the flight path of the airport? If houses can't be built there, why should RV's be allowed to park there?
2. Drainage has and will continue to be a problem throughout this entire area
3. Water supplies are scarce. Full hookups for RV's will consume a LOT of water!
4. Noise of generators and pumps from hundreds of RV's is not consistent with the neighborhood.

Please do not approve this request.

Thank you,



BOB AND NANCY LEITH
Paso Robles



Paso Robles
AUG 27 2007
Planning Division

1330 N. Blue Gum St Anaheim Ca 92806

714.630.9490 562.618.8017

To: Mayor Frank Mecham, Members of the City Council, Planning Commission.
From: Ryan Paine
Date: August 27, 2007
Re: General Plan Amendment 07-002(b) & Rezone 06-005

Dear Honorable Mayor Mecham, Members of the City Council, Planning Commissioners:

Ken Munde has proposed a motorcoach resort at the north end of Golden Hill Road which is just north of the Golden Hills Business Park where we are building a new headquarters to relocate our business from Orange County to Paso Robles.

While we support the RV Park as well as growth in this area of town we have two concerns:

First, while we realize there is a traffic plan in consideration, is it adequate to handle the amount of large vehicle traffic that a RV Park of this caliber will attract? The plans that we have reviewed call for a high end park that will attract the very large Class A motor homes, some in excess of 40 feet in length.

While the issue before the commission is only the rezoning of the property the end outcome of the actions taken by the council will be development whether it is the RV Park or some other development.

Second, with the development of the Golden Hill Business Park the chances of a conflict with the owners or users of the RV Park might, at some time in the future, consider any businesses that reside there to be a nuisance. I personally have seen change occur where an entity existed first then gets portrayed as negative after something new comes in. Simply put, the Business Park is here now and RV Park users may not be happy if a business makes noise or some other activity that they may not appreciate. I am of course in no way endorsing abuse or violation of any noise or other ordinances or breaking of any laws, just that this example lends truth to my argument and I hope that when this project proceeds the design and implementation phase takes into account these important issues.

Perhaps a buffer zone or other measure could be included in order to give some space between the business/industrial zone, the residential area, and the RV Park.

Hopefully these comments will be of assistance in giving some insight in implementing this exciting plan to grow our City.

Respectfully,

A handwritten signature in black ink that reads "Ryan Paine". The signature is written in a cursive style with a large, stylized "R" and "P".

Ryan Paine

Project Manager

Safari Properties, LLC

Distributed to PC; RW; SD on 8/28/07

THE BLUEPRINTER
Giant Printing & Scanning
1030 Railroad St., Suite 101, Paso Robles, CA. 93446
805-277-0860

August 27, 2007

City of Paso Robles
Paso Robles Planning Commission
1000 Spring Street
Paso Robles, CA 93446

Paso Robles

AUG 28 2007

Planning Division


RE: Paso Robles Motor Coach Resort

Dear Madam/Sirs:

We have had the opportunity to assist Mr. Munde on his proposal to develop a luxury motor coach resort on Golden Hill Road. With the demographic changes occurring in the country today, a project of this type only serves to accent the quality destination Paso Robles strives to maintain. Additionally, the enhanced tax revenue derived by resort visitors not only positively impacts the city but ancillary small businesses as well.

In light of the surrounding compatible land uses, this project is consistent with type of recreational resort experience Mr. Munde is offering. We urge you to act favorably on Mr. Munde's request to pursue this project.

Sincerely,


Doug and Kathy Schultz

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
DENYING THIS REQUEST FOR
GENERAL PLAN AMENDMENT 06-003 AND REZONE 06-005
FOR PROPERTY LOCATED AT THE NORTH END OF GOLDEN HILL ROAD
(APNs 025-431-037, 038 AND 039), APPLICANT – PASO 160, LLC

WHEREAS, the applicant has requested the City Council consider an amendment to the General Plan Land Use Map and an amendment to the Zoning Map of the subject property to redesignate and rezone this property from Agricultural/Airport Overlay to Parks and Open Space/Airport Overlay; and

WHEREAS, the City of El Paso de Robles adopted a General Plan Update in 2003 which includes establishment of land use designations for property in the City, and goals, policies, and action items to implement the City’s overall community vision; and

WHEREAS, the purpose of the 2003 General Plan, Agricultural land use category is:

- To allow and protect the operation of agricultural uses;
- To provide open space;
- To provide a viable land use in areas impacted by airport operations.

WHEREAS, at its meeting of August 28, 2007, the Planning Commission considered the subject amendment requests, and at the meeting of September 18, 2007 the City Council considered the subject amendments, and made a determination that the requested change in land use would not be compatible with surrounding land uses and would be inconsistent with the City’s 2003 General Plan Update and 2006 Economic Strategy, as follows:

General Plan Policies:

- POLICY LU- 2E: “Purple Belt”(Open Space/Conservation Areas Around the City). Create a distinct “Purple Belt” surrounding the City by taking actions to retain the rural, open space, and agricultural areas.
- GOAL C-3: Biological Resources. As feasible, preserve native vegetation and protected wildlife, habitat areas, and vegetation, through avoidance, impact mitigation, and habitat enhancement.
- GOAL OS-1: Preserve/expand the amount and quality of open space in and around Paso Robles.

Action Item 4. Review development projects to ensure they complement the natural environment and agricultural lands, as applicable, in their location and design.

Action Item 10: Implement strategies that help preserve or protect agriculture, including:

Establishment of agricultural buffer easements, berms and/or vegetative screening, on property proposed for urban development as a condition of approval of discretionary development applications.

Economic Strategy Principles:

1. Support agriculture as a viable industry and visitor attraction by featuring it as the distinguishing community environment.
2. Promote the City as a center of high value agriculture and industry.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles, California, does hereby deny General Plan Amendment 06-003 and Rezone 06-005.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of September, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR
GENERAL PLAN AMENDMENT 06-003 AND REZONE 06-005
FOR PROPERTY LOCATED
AT THE NORTH END OF GOLDEN HILL ROAD
(APNs 025-431-037, 038 AND 039), APPLICANT – PASO 160, LLC

WHEREAS, applications for a General Plan Amendment 06-003 and Rezone 06-005 have been filed by Paso 160, LLC; and

WHEREAS, the applicant has requested the City Council consider the following amendment applications:

- GPA 06-003: a request to amend the General Plan Land Use Map of the subject property from Agricultural/Airport Overlay to Parks and Open Space/Airport Overlay (POS/AP), and
- Rezone 06-005: a request to change the zoning district from Residential Agriculture Planned Development with an Airport Overlay to Parks and Open Space with an Airport Overlay (POS/AP); and

WHEREAS, the City of El Paso de Robles adopted a General Plan Update in 2003 which includes establishment of land use designations for property in the City, and goals, policies, and action items to implement the City's overall community vision; and

WHEREAS, the General Plan Environmental Impact Report (EIR) considered and evaluated potential impacts that may result from implementation of the General Plan, and includes mitigation measures as appropriate; and

WHEREAS, the proposed amendments which would provide for additional tourist-oriented and recreational opportunities that would be consistent with goals and policies of the General Plan; and

WHEREAS, concurrent approval of the proposed rezone to POS/AP and the proposed General Plan Amendment to POS/AP will provide for consistency between the General Plan land use designation and applicable zoning of the property; and

WHEREAS, future development that may be proposed in compliance with the land uses permitted and applicable development standards and regulations in the Zoning Ordinance and the Airport Land Use Plan will be evaluated to determine specific development project impacts; and

WHEREAS, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) to evaluate whether this project would result in environmental impacts, and the City has determined that this project, which is a legislative amendment, will not result in significant environmental impacts if mitigation measures included with the Initial Study that establish the scope of issues for any future development of this property, in addition to project specific development impacts are applied; 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 and a Draft Mitigated Negative Declaration was prepared and circulated for public review and comment; and

WHEREAS, public comments from residents in the vicinity have been received and are incorporated into the public record in regard to the Draft Mitigated Negative Declaration and Initial Study prepared for these amendments; and

WHEREAS, Public Notice of the proposed Draft Mitigated Negative Declaration was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, public hearings were conducted by the Planning Commission on August 14, 2007 and on August 28, 2007, and City Council on September 18, 2007 to consider the Initial Study and the proposed Mitigated Negative Declaration prepared for the proposed amendments, and to accept public testimony on the General Plan Amendment and Rezone (which are included under a separate Resolution and Ordinance), and environmental determination; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the City Council finds that there is no substantial evidence that there would be a significant impact on the environment as a result of the proposed amendments.

WHEREAS, at its meeting of September 18, 2007, the City Council considered the subject amendment requests and determined that the amendments are appropriate for the subject site and are consistent with the City's General Plan and Economic Strategy.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, California, based on its independent judgment, does hereby adopt a Mitigated Negative Declaration for GPA 06-003 and Rezone 06-005 in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA. The City Council finds that the proposed amendments are compatible with the 2003 General Plan Update and principles in the 2006 Economic Strategy.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of September, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING GENERAL PLAN AMENDMENT 06-003
MODIFYING THE GENERAL PLAN DESIGNATION OF
PROPERTY LOCATED AT THE NORTHERN END OF GOLDEN HILL ROAD
FROM AGRICULTURE WITH AN AIRPORT OVERLAY (AG/AP) TO
PARKS AND OPEN SPACE WITH AN AIRPORT OVERLAY (POS/AP)
APPLICANT – PASO 160, LLC
(APNs 025-431-037, -038 AND -039)

WHEREAS, the following application to amend the Land Use Map was filed as General Plan Amendment 06-003, as a General Plan Map Amendment (Land Use Element) to amend the General Plan Land Use Map designation from Agriculture with an Airport Overlay (AG/AP) to Parks and Open Space with the Airport Overlay (POS/AP); and

WHEREAS, the property is located northern end of Golden Hill Road, (APNs 025-431-037, -038 and -039), as shown in Exhibit A, and the applicant is the property owner Paso 160, LLC; and

WHEREAS, at its meetings on August 14, 2007 and August 28, 2007, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this amendment;
- b. Conducted public hearings to obtain public testimony on the parts of this amendment;
- c. Considered public testimony from all parties;
- d. Based on the information contained in the staff report and the Initial Study, the Planning Commission recommended the City Council deny the proposed amendment indicating the proposed amendment to the General Plan would not be appropriate for this property.

WHEREAS, at its meeting of September 18, 2007, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this amendment, including the recommendations of the Planning Commission;
- b. Conducted a public hearing to obtain public testimony on this amendment;
- c. Based on its independent judgment, found that there was no substantial evidence that this amendment would have significant adverse effect on the environment and approved a Mitigated Negative Declaration for this General Plan amendment in accordance with the California Environmental Quality Act;
- d. Based on its independent judgment, found that the proposed General Plan Amendment 06-003 which would amend the land use designation of this property to POS/AP would be consistent with

goals and policies of the General Plan by providing additional tourist-oriented and recreational opportunities, and would be an appropriate land use designation for this property.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, California, finds that the amendment to the General Plan Land Use Element Map is compatible with the surrounding land uses in the vicinity. The City Council also finds that the proposed amendment would support implementation of the 2006 Economic Strategy.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of September, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, City Clerk

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE
REZONING PROPERTY TO PARKS AND OPEN SPACE WITH AN AIRPORT
OVERLAY FOR PROPERTY LOCATED AT THE NORTHERN END OF
GOLDEN HILL ROAD, (APNS 025-431-037, 038 AND 039)
APPLICANT – PASO 160, LLC- KEN MUNDEE
ZONING MAP AMENDMENT 06-005

WHEREAS, the current Zoning of the subject property is Residential Agriculture Planned Development with an Airport Overlay (RA-PD/AP); and

WHEREAS, this is a Zoning Map Amendment request to change the zoning to Parks and Open Space with an Airport Overlay (POS/AP); and

WHEREAS, at its meetings of August 14, 2007, and August 28, 2007 the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Based on the information contained in the staff report and Initial Study prepared for the proposed Zoning Map Amendment that the proposed rezoning would not be appropriate for this property, and recommended the City Council deny the proposed Zoning Map Amendment; and

WHEREAS, based on consideration of information received at its meeting of September 18, 2007, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the recommendation from the Planning Commission's August 14, 2007 and August 28, 2007 public meetings.
- d. Determined that the proposed rezoning would be appropriate for this property and would not conflict with policies in the City's General Plan Land Use Element, and an amendment to the land use designation is being considered concurrently to provide for consistency between the General Plan and property zoning.

- e. Introduced said ordinance for the first reading; and

WHEREAS, on October 2, 2007, the City Council held second reading of said ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

SECTION 1. The zoning map amendment is hereby established on the official Zoning Map as shown in Exhibit A.

SECTION 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 5. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced at a regular meeting of the City Council held on September 18, 2007, and passed and adopted by the City Council of the City of El Paso de Robles on the 2nd day of October, 2007, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
POSTPONING CONSIDERATION OF
GENERAL PLAN AMENDMENT 06-003 AND
REZONE 06-005 FOR PROPERTY LOCATED AT
THE NORTH END OF GOLDEN HILL ROAD, (APNs 025-431-037, 038 AND 039),
APPLICANT – PASO 160, LLC

WHEREAS, the applicant has requested the City Council consider an amendment to the General Plan Land Use Map to redesignate the subject property from Agricultural/Airport Overlay to Parks and Open Space/Airport Overlay, and has requested consideration of a Zoning Map Amendment to rezone the subject property to Parks and Open Space with an Airport Overlay (POS/AP); and

WHEREAS, the applicant has submitted a development application to develop a large-scale recreational vehicle park at the subject property, which cannot be approved unless the property is redesignated and rezoned to POS/AP; and

WHEREAS, the City Council has determined that it is premature to consider the proposed General Plan Amendment and Rezone until the amendments can be considered concurrently with the proposed development plan, since the applicant has specific development intentions for this property that may affect the appropriateness of the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, California, based on its independent judgment, does hereby postpone consideration of the proposed General Plan Amendment and Rezone requests until the proposed development plan is processed concurrently with the amendments.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of September, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, City Clerk