

RESOLUTION NO: 11-016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ADOPTING A
NEGATIVE DECLARATION FOR AN ORDINANCE ESTABLISHING STANDARDS FOR
THE TREATMENT OF HISTORIC RESOURCES
(HISTORIC PRESERVATION ORDINANCE)**

WHEREAS, the City directed that an update to the City's Historic Preservation Program be prepared, including the adoption of a Historic Preservation Ordinance (the "Ordinance"); and

WHEREAS, the Ordinance establishes the procedures and regulations that are necessary to identify, preserve, designate, and maintain historic resources as well as fulfill the City's responsibility under applicable State and Federal laws, including the California Environmental Quality Act (CEQA) and Federal Section 106; and

WHEREAS, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) to evaluate whether the Ordinance would result in significant environmental impacts, and the City has determined that the adoption of this Ordinance will not result in significant environmental impacts; and

WHEREAS, pursuant to CEQA, the CEQA Guidelines, and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Negative Declaration were prepared and circulated for public review and comment; and

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

WHEREAS, a public hearing was conducted by the Planning Commission on November 9, 2010 and by the City Council on January 4, 2011, to consider the Initial Study, the proposed Negative Declaration prepared for the proposed project, and to accept public testimony on the Historic Preservation 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 adoption of said Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, based on its independent judgment, does hereby adopt a Negative Declaration for the Historic Preservation Ordinance, attached hereto as Exhibit A and incorporated herein by reference, in accordance with CEQA, the CEQA Guidelines and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15th day of February, 2011 by the following vote:

AYES: Steinbeck, Strong, Gilman, Hamon, Picanco
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

RESOLUTION NO: 11-016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ADOPTING A
NEGATIVE DECLARATION FOR AN ORDINANCE ESTABLISHING STANDARDS FOR
THE TREATMENT OF HISTORIC RESOURCES
(HISTORIC PRESERVATION ORDINANCE)**

WHEREAS, the City directed that an update to the City's Historic Preservation Program be prepared, including the adoption of a Historic Preservation Ordinance (the "Ordinance"); and

WHEREAS, the Ordinance establishes the procedures and regulations that are necessary to identify, preserve, designate, and maintain historic resources as well as fulfill the City's responsibility under applicable State and Federal laws, including the California Environmental Quality Act (CEQA) and Federal Section 106; and

WHEREAS, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) to evaluate whether the Ordinance would result in significant environmental impacts, and the City has determined that the adoption of this Ordinance will not result in significant environmental impacts; and

WHEREAS, pursuant to CEQA, the CEQA Guidelines, and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Negative Declaration were prepared and circulated for public review and comment; and

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

WHEREAS, a public hearing was conducted by the Planning Commission on November 9, 2010 and by the City Council on January 4, 2011, to consider the Initial Study, the proposed Negative Declaration prepared for the proposed project, and to accept public testimony on the Historic Preservation 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 adoption of said Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, based on its independent judgment, does hereby adopt a Negative Declaration for the Historic Preservation Ordinance, attached hereto as Exhibit A and incorporated herein by reference, in accordance with CEQA, the CEQA Guidelines and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15th day of February, 2011 by the following vote:

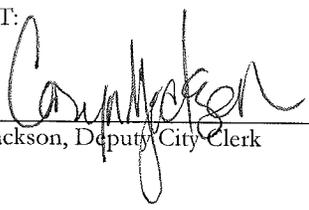
AYES: Steinbeck, Strong, Gilman, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

ATTEST:


Caryn Jackson, Deputy City Clerk


Duane Picanco, Mayor

**ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES**

1. PROJECT TITLE: **Historic Preservation Ordinance**

2. LEAD AGENCY: City of El Paso de Robles
1000 Spring Street
Paso Robles, CA 93446

Contact: Susan DeCarli, AICP
Phone: (805) 237-3970
Email: sdecarli@prcity.com

3. PROJECT LOCATION: **Citywide**

4. PROJECT PROPONENT: City of El Paso de Robles

Contact Person: Ron Whisenand
Community Development Director
Phone: (805) 237-3970
Email: rwhisenand@prcity.com

5. GENERAL PLAN DESIGNATION: Not applicable

6. ZONING: Not applicable

7. PROJECT DESCRIPTION:

The Historic Preservation Ordinance is intended to provide for the recognition, preservation, protection, and use of historic resources in Paso Robles. The ordinance will apply to any buildings, structures, objects, or sites considered to be a historic resource if it is listed in or determined to be eligible for listing in the City's Historic Resources Inventory, or if it meets at least one of the criteria for designating it a Historic Landmark. The ordinance is intended to facilitate compliance with CEQA regarding historic resource protection, consistent with State and Federal criteria and requirements.

8. ENVIRONMENTAL SETTING: This ordinance pertains to historic resources within the City limits of El Paso de Robles.

9. OTHER AGENCIES APPROVAL REQUIRED (AND PERMITS NEEDED): None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature: _____

October 4, 2010
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

I. AESTHETICS: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|---|--------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|---|--------------------------|--------------------------|---|--------------------------|

Discussion: Implementation of the Historic Preservation Ordinance will not likely affect designated scenic vistas since the ordinance applies to historic resources within urbanized areas of the City. However, should there be a historic resource (e.g. historic site) within a designated scenic vista, it is the intent of the ordinance to preserve it. Therefore, this ordinance will likely result in less than significant impacts on scenic vistas.

- | | | | | |
|--|--------------------------|--------------------------|---|--------------------------|
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|--|--------------------------|--------------------------|---|--------------------------|

Discussion: The ordinance will apply to historic resources and is intended to preserve them. If there is a historic resource that is part of a scenic resource, the intent would be to not damage or disturb either resource. Should alterations to a historic resource affect a scenic resource the project would be required to go through the CEQA environmental review process, which would identify potential impacts and appropriate mitigations. Therefore, this ordinance will likely result in less than significant impacts on scenic resources.

- | | | | | |
|---|--------------------------|--------------------------|---|--------------------------|
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|---|--------------------------|--------------------------|---|--------------------------|

Discussion: (See items I.a. & b. above.) The ordinance will likely have a beneficial impact on visual character and quality of visual resources within the City. Potential impacts from implementation of this ordinance would likely be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|---|--------------------------|--------------------------|--------------------------|---|

Discussion: Implementation of the ordinance will not create or result in light or glare. Future modifications to historic resources that may require new light sources shall be consistent with the City's Zoning Code which requires that exterior light sources be shielded and downcast to not result in excessive light and glare.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

Discussion: The proposed ordinance could not result in impacts of converting agricultural uses to non-agricultural uses, or impacts to Agricultural Resources in general since preservation of historic resources would not convert agricultural resources to other uses.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? Discussion: See IIa above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? Discussion: See IIa above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: 11) Discussion: The proposed ordinance would not conflict with or obstruct implementation of the SLO County Clean Air Plan. Future projects proposed for alterations to historic resources would be required to identify and address potential air quality impacts in compliance with applicable standards and thresholds of SLO County APCD, on a case-by-case basis.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11) Discussion: See III.a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 11) Discussion: See III.a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11) Discussion: See III.a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e. Create objectionable odors affecting a substantial number of people? (Source: 11) Discussion: See III.a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	--------------

IV. BIOLOGICAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

Discussion: The proposed ordinance would not affect biological resources either directly or through habitat modification since it provides regulations related to historic resource preservation.

Individual projects proposed for alterations to historic resources on sites with biological resources would be required to identify and address potential biological impacts in compliance with applicable local, State and Federal regulations, on a case-by-case basis.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

Discussion: See IV. a. above.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

Discussion: See IV. a. above.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

Discussion: See IV. a. above.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|---|--------------------------|--------------------------|--------------------------|---|

Discussion: The proposed Historic Preservation Ordinance will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. See IV. a. above.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Discussion: There are currently no applicable community conservation plans in Paso Robles, therefore, the proposed project does not conflict with any approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|---|--------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|--|--------------------------|--------------------------|---|--------------------------|

Discussion: The purpose of the Historic Preservation Ordinance is intended to preserve historic cultural resources. Therefore, the ordinance could not result in substantial adverse impacts to historic resources.

Individual projects proposed for alterations to historic resources would be required to identify and address potential impacts in compliance with CEQA, local, State and Federal regulations on a case-by-case basis.

- | | | | | |
|---|--------------------------|--------------------------|---|--------------------------|
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|---|--------------------------|--------------------------|---|--------------------------|

Discussion: The proposed ordinance would not directly impact archaeological resources. See V.a. above.

- | | | | | |
|---|--------------------------|--------------------------|---|--------------------------|
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|---|--------------------------|--------------------------|---|--------------------------|

Discussion: The proposed ordinance would not directly impact paleontological resources. See V.a. above.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

Discussion: There are no known human remains located in the City outside of the city cemetery. The proposed ordinance would not directly impact potential human remains/resources. If any are encountered during individual project alteration or demolition, the City would contact the SLO County coroners office per adopted procedures.

VI. GEOLOGY AND SOILS: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Discussion: The proposed ordinance would not directly impact people or structures due to geological or soils conditions. Individual projects proposed for alterations to historic resources would be required to

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
identify and address potential impacts in compliance with applicable building codes on a case-by-case basis.				
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3) Discussion: See VI. a.i. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3) Discussion: See VI. a.i. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iv. Landslides? Discussion: See VI. a.i. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3) Discussion: See VI. a.i. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? Discussion: See VI. a.i. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? Discussion: See VI. a.i. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? Discussion: See VI. a.i. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

VII. GREENHOUSE GAS EMISSIONS: Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
---	--------------------------	--------------------------	--------------------------	---

Discussion: VII a & b The proposed ordinance would not directly or indirectly impact or result in greenhouse gas emissions, since the ordinance contains procedural regulations on historic resource preservation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: See VII a. above.				

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Discussion: Implementation of the ordinance will not create or result in significant hazardous materials, or use, transport or dispose of them. Future individual modifications to historic resources may expose existing hazardous materials such as asbestos, which shall require compliance with applicable handling, containment and disposal requirements, on a case-by-case basis.				
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: See VIII a. above.				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: See VIII a. above.				
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: See VIII a. above.				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: See VIII a. above.				
f. For a project within the vicinity of a private airstrip, would the project result in a safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
hazard for people residing or working in the project area? Discussion: Not applicable. There are no private airstrips in the City.				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Discussion: Not applicable. The proposed procedural regulations do not affect emergency response related issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? Discussion: No applicable. The proposed procedural regulations do not affect wildland or wildfire related issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a. Violate any water quality standards or waste discharge requirements? Discussion: Not applicable. The proposed procedural regulations do not affect water quality related issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7) Discussion: Not applicable. The proposed procedural regulations do not affect water quantity related issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10) Discussion: Not applicable. The proposed procedural regulations do not affect drainage/erosion/siltation related issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d. Substantially alter the existing drainage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)</p> <p>Discussion: Not applicable. The proposed procedural regulations do not affect drainage/flooding related issues.</p>				
<p>e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)</p> <p>Discussion: Not applicable. The proposed procedural regulations do not affect runoff related issues.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>f. Otherwise substantially degrade water quality?</p> <p>Discussion: Not applicable. The proposed procedural regulations do not affect water quality related issues.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</p> <p>Discussion: Not applicable. The proposed procedural regulations do not affect flood hazard related issues.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p> <p>Discussion: See IX. g. above.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</p> <p>Discussion: Not applicable. There are no levees or dams within or near the City.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>j. Inundation by mudflow?</p> <p>Discussion: Not applicable. The proposed procedural regulations do not affect mudflow related issues.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?</p> <p>Discussion: Not applicable. The proposed procedural regulations do not affect storm water related issues.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion: :Not applicable. The proposed procedural regulations do not affect water resource related issues.

X. LAND USE AND PLANNING: Would the project:

a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: As a historic preservation regulatory tool, it would not physically divide an established community.				
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion: The proposed ordinance is consistent with City plans and supports policies related to preserving historic resources and community character in the 2003 General Plan, Draft Uptown/Town Center Specific Plan and Zoning Ordinance.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
---	--------------------------	--------------------------	--------------------------	---

Discussion: There are currently no existing habitat conservation plans applicable in the City.

XI. MINERAL RESOURCES: Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: Not applicable. The proposed procedural regulations do not affect mineral resource related issues.				
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion: See XI. a. above.

XII. NOISE: Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
---	--------------------------	--------------------------	--------------------------	---

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ordinance, or applicable standards of other agencies? (Source: 1)				
Discussion: Not applicable. The proposed procedural regulations do not affect or nor will it generate noise.				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: Not applicable. See XII a. above.				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: Not applicable. See XII a. above.				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: Not applicable. See XII a. above.				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: Not applicable. See XII a. above.				

XIII. POPULATION AND HOUSING: Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: Not applicable. The proposed historic preservation ordinance could not result in inducing growth.				
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: See XIII above.				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion: See XIII above.				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

XIV. PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| a. Fire protection? (Sources: 1,10)
Discussion: XIV a - e, not applicable. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b. Police protection? (Sources: 1,10)
Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c. Schools?
Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d. Parks?
Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| e. Other public facilities? (Sources: 1,10)
Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

XV. RECREATION

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
Discussion: XV a & b, not applicable. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?
Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

XVI. TRANSPORTATION/TRAFFIC: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
Discussion: Not applicable. As a historic preservation procedural regulation too, the proposed project could | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
not impact transportation related issues.				
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? Discussion: See XVI a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? Discussion: See XVI a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Discussion: See XVI a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e. Result in inadequate emergency access? Discussion: See XVI a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f. Result in inadequate parking capacity? Discussion: The proposed ordinance will not directly result in parking capacity impacts, however future preservation projects may require a reduction in on-site parking in order to minimize impacts to historic resources. However, this would be determined on a case-by-case basis, and it is not likely that parking capacity will be significantly impacted or otherwise not be mitigated.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? Discussion: The proposed ordinance will not conflict with adopted policies, plans or programs that support alternative transportation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Discussion: XVII a – g, not applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
environmental effects? Discussion: See XVII a. above.				
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Discussion: See XVII a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Discussion: See XVII a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments? Discussion: See XVII a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? Discussion: The proposed ordinance will not directly result in waste disposal, however future historic preservation alterations, renovations or demolitions may result in construction related waste. The City’s municipal landfill has adequate capacity to accommodate potential landfill waste generated by future modifications resulting from implementation of this plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
g. Comply with federal, state, and local statutes and regulations related to solid waste? Discussion: The proposed ordinance complies with local, state and federal regulations related to solid waste.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XVIII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
--	--------------------------	--------------------------	--------------------------	---

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

Discussion: The Historic Preservation Ordinance and its implementation of regulatory procedures would not likely result in impacts to the environment, and would not substantially reduce the habitat of fish or wildlife species, cause a decline in fish or wildlife population.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| b. 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|---|

Discussion: The Historic Preservation Ordinance would not likely have an impact on the environment and would not result in cumulative impacts.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|---|--------------------------|--------------------------|--------------------------|---|

Discussion: The Historic Preservation Ordinance would likely have a beneficial impact on the environment and human beings.

Exhibit:

A – Draft Historic Preservation Ordinance (August 2010)

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).

Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2005	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	Draft Uptown/Town Center Specific Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446