

RESOLUTION NO. 14-076

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING
AND REPORTING PROGRAM FOR THE MARRIOTT RESIDENCE INN
121 WILMAR PLACE, APN: 009-631-011
APPLICANT – EXCEL PASO ROBLES, LP

WHEREAS, an application for Planned Development 13-005, Tentative Parcel Map PR 13-0109, and an Oak Tree Removal OTR 13-008 has been filed by Excel Paso Robles, LP; and

WHEREAS, Planned Development 13-005, Tentative Parcel Map PR 13-0109, and Oak Tree Removal OTR 13-008 were filed for development of a Marriott Residence Inn hotel with 128 rooms and ancillary site improvements (the “project”); and

WHEREAS, the project is consistent with the applicable policy and regulatory documents of the City, including the following:

- General Plan Regional Commercial (RC) land use designation – the project would “*provide services that serve the region as a whole*”; and
- Zoning District of Highway Commercial/Planned Development (C2-PD) – the project is a “*permitted*” use in the C2-PD District, and it can be shown to be consistent with the Planned Development provisions to allow a height limit exception, as determined through specific considerations and findings in Chapter 21.16A.070, and it is in compliance with applicable Zoning Code Standards for site development (e.g. setbacks, parking, etc.); and
- Gateway Design Standards – the project is designed with the T2 design standards, including building orientation, setbacks, landscaping and fencing materials; and
- Economic Strategy – the project advances tourism and employment goals of the Economic Strategy to, “*Improve quality of place to attract investment and knowledge workers stimulate investment by establishing distinctive, quality, stable, safe and sustainable physical improvements and attractions that welcome industry, commerce, tourism, employment, and wealth necessary to maintain and enhance quality of life.*”

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000, et seq., and the City’s Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration (MND) was prepared and circulated for a 30-day public review period beginning on February 24, 2014 and concluding March 25, 2014. Comments were received, and the MND was modified to include clarifications on several topics, such as aesthetics, transportation, water resources, and others. Subsequently, the Draft MND was re-circulated for an additional 30-day public review period beginning on April 28, 2014 and concluding on May 27, 2014. The Draft MND/Initial Study dated April 28, 2014 is incorporated by reference into this Resolution, and is on file at the Paso Robles Community Development Department and available online at www.prcity.com/government/departments/commdev/planning/pdf/ResidenceMarriott/; and

WHEREAS, mitigation measures have been incorporated into the MND and will be imposed on the project through the City’s adoption of a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed on the project to address potential environmental effects from: aesthetics; air quality; traffic; biological resources, greenhouse gas emissions; and noise. With the implementation of this mitigation, all potential environmental effects will be reduced to a less than significant level. The “Mitigation Measures Summary” Exhibit A to this Resolution, and the “Mitigation Monitoring and Reporting Program,” Exhibit B to this Resolution, are hereby incorporated herein by reference; and

WHEREAS, mitigation measures set forth in the MMRP are specific and enforceable. The MMRP adequately describes implementation procedures, monitoring responsibility, reporting actions, compliance schedule, and verification of compliance in order to ensure that the Project complies with the adopted mitigation measures; and

WHEREAS, the mitigation measures contained in the MMRP will also be imposed as enforceable conditions of approval; and

WHEREAS, the applicant has executed a Mitigation Agreement whereby the applicant has agreed to incorporate all of the mitigation measures listed in Exhibit B into the project. A copy of the executed Mitigation Agreement is on file in the Community Development Department; and

WHEREAS, public notice of the proposed Draft MND was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, public hearings were conducted by the Planning Commission on March 25, 2014, April 8, 2014 and May 27, 2014, to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the Planned Development, Tentative Parcel Map, Oak Tree Removal, and environmental determination. At the close of this public hearing, the Planning Commission recommended adoption of the MND and approval of the proposed project to the City Council; and

WHEREAS, a public hearing was conducted by the City Council on June 17, 2014, to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the Planned Development, Tentative Parcel Map, Oak Tree Removal, 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 supporting a fair argument that there would be a significant impact on the environment with mitigation measures imposed on the project; and

WHEREAS, pursuant to CEQA the City Council has independently reviewed the Initial Study, the Mitigated Negative Declaration, and all comments received regarding the Mitigated Negative Declaration, and based on the whole record before it finds that the Mitigated Negative Declaration was prepared in compliance with CEQA and the CEQA Guidelines, that there is no substantial evidence that the Project will have a significant effect on the environment with the incorporation of mitigation, and the Mitigated Negative Declaration reflects the independent judgment and analysis of the City Council.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The recitals above are true and correct and incorporated herein in this Resolution.

Section 2. The City Council of the City of El Paso de Robles, based on its independent judgment and analysis, adopts the Mitigated Negative Declaration for the Marriot Residence Inn Project, adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B, and imposes each mitigation measure as a condition of approval, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

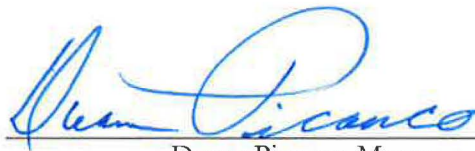
PASSED AND ADOPTED THIS 17th day of June, 2014, by the following roll call vote:

AYES: Steinbeck, Hamon, Martin, Strong, Picanco

NOES:

ABSENT:

ABSTAIN:



Duane Picanco, Mayor

ATTEST:


Caryn Jackson, Deputy City Clerk

EXHIBIT A

Mitigation Measures Summary Marriott Residence Inn

Aesthetics:

MM AES-1:

The applicant shall install site landscaping prior to operation of the project and in accordance with the City approved Landscape Plan. The Landscape Plan shall require the planting of landscaping and trees of various sizes and species around the periphery of the site and parking lot to help reduce the visual impacts of building massing to the satisfaction of the Community Development Director, or his/her

Air Quality and Greenhouse Gas Emissions:

MM AQ-1

The applicant shall implement the following measures to reduce construction-generated fugitive dust emissions:

- a. The applicant shall limit the amount of the disturbed area to the maximum extent feasible;
- b. The applicant shall make use of water trucks or sprinkler systems, in sufficient quantities, to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
- c. The applicant shall spray water on all dirt stock pile areas on an as needed basis;
- d. The applicant shall implement all permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible immediately following completion of any soil disturbing activities, including but not limited to installation of permanent revegetation of the site;
- e. The applicant shall ensure that exposed ground areas, that are planned to be reworked at dates greater than one month after initial grading, are sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. The applicant shall ensure that all disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. The applicant shall ensure that all roadways, driveways, sidewalks, etc. to be paved are completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- h. The applicant shall ensure that construction vehicles not exceed 15 mph on any unpaved surface at the construction site;
- i. The applicant shall ensure that all trucks hauling dirt, sand, soil, or other loose materials are covered or maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. The applicant shall install wheel washers where vehicles enter and exit unpaved roads, or wash off trucks and equipment leaving the site;
- k. The applicant shall sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
- l. All fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

MM AQ-2

The applicant shall reduce emissions through encouraging the use of alternative forms of transportation, providing increased pedestrian access and accessibility to community services and local destinations, reducing vehicle miles traveled within the County, and promoting congestion management efforts through participation in and implementation of the following measures:

- Voluntary Trip Reduction Program (e.g. provide informational materials to employees on trip reduction measures such as ride-sharing, park and ride lots, etc.)
- Local and Regional Transit System Improvements (e.g. installation of the transit stop along project frontage on South Vine Street)
- Bicycling and Bikeway Enhancements (e.g. bike parking racks and storage lockers)
- Hotel shuttle service for hotel guests

MM AQ-3

Prior to any grading activities the applicant shall conduct a geologic evaluation to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the SLOAPCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. These requirements may include but are not limited to:

- a. An Asbestos Dust Mitigation Plan shall be submitted to and approved by the SLOAPCD and submitted with building permits before operations begin, and,
- b. Development and approval of an Asbestos Health and Safety Program (required for some projects). If NOA is not present, an exemption request must be filed with the SLOAPCD. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.
- c. Demolition of onsite structures shall comply with the National Emission Standards for Hazardous Air Emissions (NESHAP) requirements (NESHAP, 40 CFR, Part 61, Subpart M) for the demolition of existing structures. The SLOAPCD is delegated authority by the Environmental Protection Agency (EPA) to implement the Federal Asbestos NESHAP. Prior to demolition of onsite structures, the SLOAPCD shall be notified, per NESHAP requirements.

MM-AQ-4

The applicant shall ensure that, per the air pollution emissions modeling assumptions, 52 % of exterior building materials used are pre-painted prior to installation. Documentation of pre-painted material shall be submitted to the City Planning Department prior to approval of certificate of occupancy.

MM-AQ-5

The applicant shall coordinate with APCD, prior to demolition activities on the project site, to determine if lead removal is required and if a permit is required in order to conduct demolition activities. The applicant shall comply with all requirements of any APCD permit that is required.

MM-AQ-6

The applicant shall comply with all requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP), , prior to any demolition activities on the project site, including but not limited to: 1) providing written notification to APCD, within at least 10 business days of activities commencing that could expose or release asbestos; 2) conducting an asbestos survey to be performed by a Certified Asbestos Inspector; and, 3) complying with all requirements identified by APCD to remove and dispose of any asbestos materials.

MM-AQ-7

The applicant shall not burn any vegetative material on the project site as required by APCD regulations prohibiting developmental burning of vegetative material within San Luis Obispo County.

MM-AQ-8

The applicant shall ensure that all portable equipment, 50 horsepower (hp) or greater, used during construction activities, satisfies California statewide portable equipment registration requirements (issued by the California Air Resources Board) or APCD permit requirements. The following types of equipment may require registration or permitting from the California Air Resources Board or APCD.

For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Internal combustion engines;
- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and,
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

MM-AQ-9

The applicant shall ensure that all operational type equipment has all required APCD permits and meets any applicable permitting requirements of APCD. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's 2012 CEQA Handbook.

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Public utility facilities;
- Boilers;
- Internal combustion engines; and
- Cogeneration facilities.

Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, shall be prioritized or screened for facility wide health risk impacts. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do additional health risk assessment.

Greenhouse Gas Emissions

MM GHG-1

The following mitigation measures shall be implemented to reduce project-generated GHG emissions:

- a. The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.
- b. The project applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees sufficient to reduce project-generated emissions to below 1,150 MTCO_{2e}/year. GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the

purchase of any carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:

1. Use low-VOC cleaning supplies. This requirement shall be reflected in the operational procedures manual for the proposed project.
2. Use low-VOC paint having a VOC content of 100 grams per liter, or less. This requirement shall be reflected in the operational procedures manual for the proposed project.
3. A shuttle shall be provided for hotel guests to provide transportation to and from the Amtrak transit station.
4. The project proponent shall demonstrate that the project-wide lighting efficiency shall be improved by at least 16% relative to current conventional lighting methods through the installation of energy-efficient lighting, (e.g., metal halide, high-pressure sodium, LEDs) for interior and exterior lighting areas. Unnecessary exterior lighting shall be reduced, to the extent practical and where reductions in lighting would not pose a risk to public safety.
5. Utilize low-flow faucets and toilets and water-efficient irrigation systems to reduce energy demands associated with water use.
6. Proposed onsite occupied buildings shall exceed baseline Title 24 Building Envelope Energy Efficiency Standards by a minimum of 10 percent. The baseline GHG emissions from electricity and natural gas usage shall reflect 2008 Title 24 standards with no energy-efficient appliances.
7. Install energy-efficient appliances (i.e., Energy Star rated).
8. Incorporate water-reducing features into building and landscape design, including use of drought-tolerant landscaping, minimizing turfed areas, and installation of water-efficient irrigation systems in accordance with the City of Paso Robles Zoning Code, Chapter 21.22B, Landscape and Irrigation Ordinance.

Biological Resources

MM BIO-1

Migratory Bird Protection.

To the maximum extent possible, the applicant shall conduct site preparation, ground-disturbing, and construction activities outside of the migratory bird breeding season. If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that migratory birds are not occupying the site. If nesting activity is detected the following measures shall be implemented:

- a. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;
- b. The qualified biologist shall determine an appropriate biological buffer zone around active nest sites. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and,
- c. The qualified biologist shall document all active nests and submit a letter report to the City documenting project compliance with the MBTA.

MM BIO-2

San Joaquin Kit Fox Protection.

- a. Prior to construction, a qualified biologist shall conduct a pre-activity survey to identify known or potential dens or any other sign of the species, no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential den or any other sign of the species is identified or detected within the project area, the biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the City. The report will include, at a minimum, survey dates, field personnel, field conditions, survey methodology, and survey results.
- b. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 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 or covered, they shall be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- c. During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site 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 any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- d. Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- e. During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within 3 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 CDFW for care, analysis, or disposition.
- f. Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - If a more solid wire mesh fence is used, 8×12-inch openings near the ground shall be provided every 100 yards.

- g. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

MM BIO-3

Oak Tree Protection.

- a. Prior to site disturbance, the critical root zone (CRZ) of all oak trees with a DBH of 6 inches or greater must be fenced to protect from construction activities.
- b. During the site disturbance and/or construction phase, grading, cutting, or filling within 5 feet of a CRZ of all oak trees with a DBH of 6 inches or greater must be supervised by a certified arborist approved by the City. Such activities beyond 5 feet of a CRZ must be monitored to insure that activities are in accordance with approved plans. Root pruning outside of the CRZ must be done by hand.
- c. Oil, gasoline, chemicals, or other construction materials potentially harmful to oak trees may not be stored in the CRZ of any oak tree with a DBH of 6 inches or greater.
- d. Drains shall be installed according to city specification so as to avoid harm by excessive watering to oak trees with a DBH of 6 inches or greater.
- e. Landscaping within the CRZ of any oak tree with a DBH of 6 inches or greater is limited to indigenous plant species or non-plant material, such as cobbles or wood chips.
- f. Wires, signs, or other similar items shall not be attached to oak trees with a DBH of 6 inches or greater.
- g. For each oak tree removed (DBH of 6 inches or greater), a tree or trees of the same species must be planted with a combined DBH of 25% of the removed tree's DBH within the property's boundary.

Noise

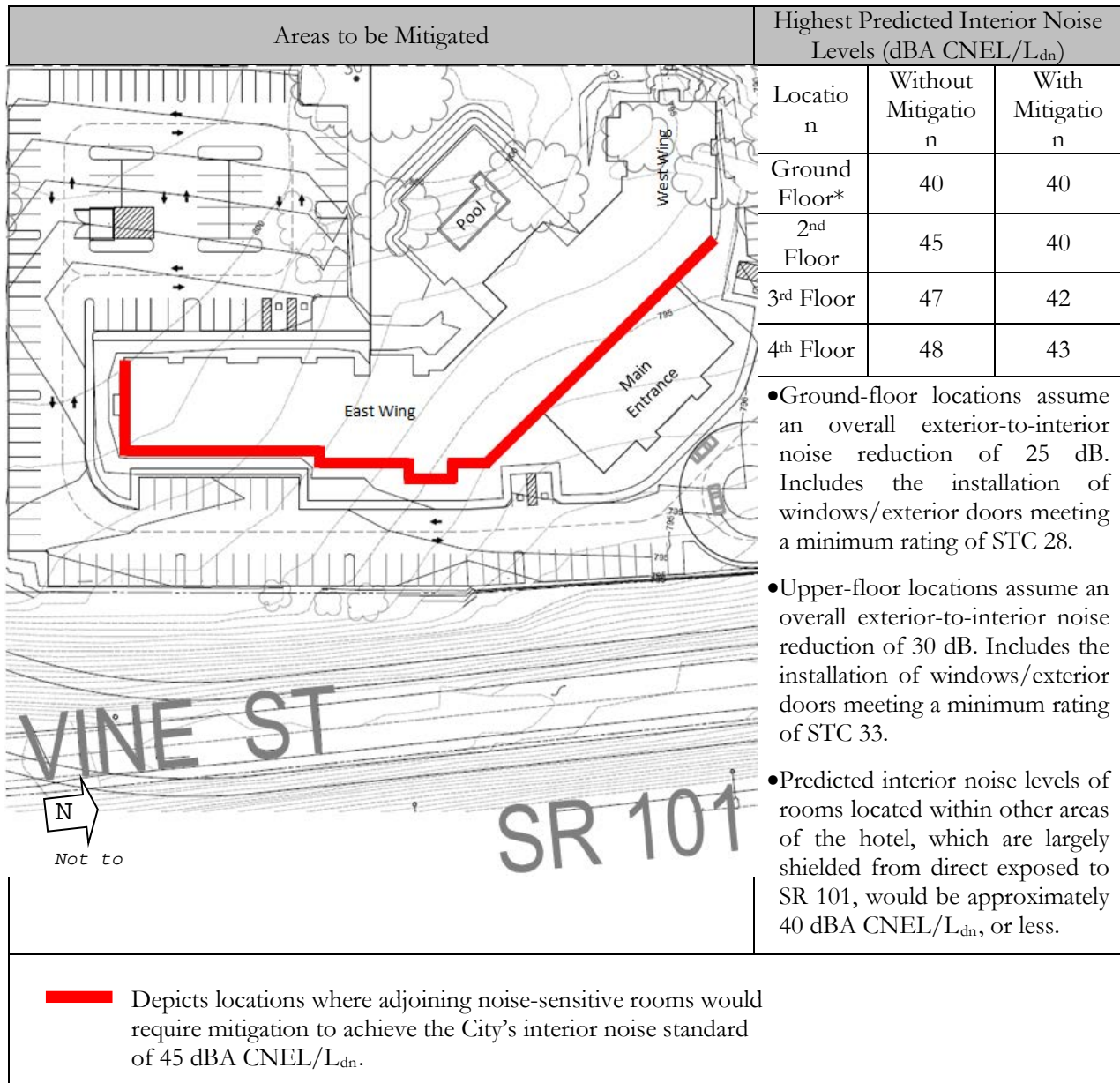
MM N-1

The following measures shall be implemented for noise-sensitive rooms (e.g., guest rooms, meeting rooms, etc.) located along the eastern, northeastern, and southern-most facades of the hotel, within line-of-sight of SR 101 (Recommended areas of mitigation are depicted in Figure 7):

- a. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor shall have a minimum sound transmission class (STC) rating of STC 28. This requirement is also required for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area.
- b. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors shall have a minimum STC 33 rating.
- c. The total window area of noise-sensitive rooms shall not exceed 20 percent of the room's exterior wall area.
- d. The perimeter of window and exterior door frames shall be caulked and sealed airtight to the exterior wall construction.

- e. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar.
- f. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 shall be prohibited.
- g. Exterior walls shall have a minimum STC rating of 35. The construction of exterior walls with siding-on-sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls.

FIGURE 7
PREDICTED INTERIOR NOISE LEVELS



MM N-2

- a. Noise-generating construction activities shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities shall not occur on Sundays or city holidays.
- b. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.

MM TR-1

The Marriott Residence Inn Project shall be required to contribute to the estimated costs of the improvements planned at the U.S. 101/SR 46W interchange through payment of \$330,496, or such other amount consistent with the City's Development Impact Fee Justification Study, and the Engineering News Record price index adjusted every July 1st. This amount, as adjusted, represents the applicant's fair share contribution under the City's Development Impact Fee Program (DIF) in accordance with Council Resolution No. 14-035. Exhibit "B" to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the future phases for the improvement of the interchange of Highways 101-46W.

EXHIBIT B

Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 13-005, TPM PR 13-0109, OTR 13-008/Marriott Residence Inn – Excel Paso Robles, L.P.

Approving Resolution No.: 14-076 by: Planning Commission City Council Date: June 17, 2014

The following environmental mitigation measures were either incorporated into the approved plans or were incorporated into the conditions of approval. Each and every mitigation measure listed below has been found by the approving body indicated above to lessen the level of environmental impact of the project to a level of non-significance. A completed and signed checklist for each mitigation measure indicates that it has been completed. A description of each measure is provided in Exhibit A, attached to this document.

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>AES-1 The applicant shall install site landscaping prior to operation of the project and in accordance with the City approved Landscape Plan. The Landscape Plan shall require the planting of landscaping and trees of various sizes and species around the periphery of the site and parking lot to help reduce the visual impacts of building massing to the satisfaction of the Community Development Director, or his/her</p>	Project	CDD			Prior to certificate of occupancy.
<p>AQ-1 The applicant shall implement the following measures to reduce construction-generated fugitive dust emissions:</p> <ul style="list-style-type: none"> a. The applicant shall limit the amount of the disturbed area to the maximum extent feasible; b. The applicant shall make use of water trucks or sprinkler systems, in sufficient quantities, to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible; c. The applicant shall spray water on all dirt stock pile areas on an as needed basis; d. The applicant shall implement all permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible immediately following completion of any soil disturbing activities, including but not limited to installation of permanent revegetation of the site; e. The applicant shall ensure that exposed ground areas, that are planned to be reworked at dates greater than one month after initial grading, are sown with a fast germinating, non-invasive grass seed and watered until vegetation is established; f. The applicant shall ensure that all disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD; 	Project, ongoing	CDD			Written description, prior to certificate of occupancy.

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>g. The applicant shall ensure that all roadways, driveways, sidewalks, etc. to be paved are completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;</p> <p>h. The applicant shall ensure that construction vehicles not exceed 15 mph on any unpaved surface at the construction site;</p> <p>i. The applicant shall ensure that all trucks hauling dirt, sand, soil, or other loose materials are covered or maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;</p> <p>j. The applicant shall install wheel washers where vehicles enter and exit unpaved roads, or wash off trucks and equipment leaving the site;</p> <p>k. The applicant shall sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.</p> <p>l. All fugitive dust mitigation measures shall be shown on grading and building plans; and</p> <p>m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.</p>					
<p>AQ-2 The applicant shall reduce emissions through encouraging the use of alternative forms of transportation, providing increased pedestrian access and accessibility to community services and local destinations, reducing vehicle miles traveled within the County, and promoting congestion management efforts through participation in and implementation of the following measures:</p> <ul style="list-style-type: none"> • Voluntary Trip Reduction Program (e.g. provide informational materials to employees on trip reduction measures such as ride-sharing, park and ride lots, etc.) • Local and Regional Transit System Improvements (e.g. installation of the transit stop along project frontage on South Vine Street) • Bicycling and Bikeway Enhancements (e.g. bike parking racks and storage lockers) • Hotel shuttle service for hotel guests 	Project	Building Dept			Prior to issuance of grading permit
<p>AQ-3 Prior to any grading activities the applicant shall conduct a geologic evaluation to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the SLOAPCD. If NOA is found at the site, the</p>	Project	Building Dept			Prior to issuance of grading permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>applicant must comply with all requirements outlined in the Asbestos ATCM. These requirements may include but are not limited to:</p> <ul style="list-style-type: none"> a. An Asbestos Dust Mitigation Plan shall be submitted to and approved by the SLOAPCD and submitted with building permits before operations begin, and, b. Development and approval of an Asbestos Health and Safety Program (required for some projects). If NOA is not present, an exemption request must be filed with the SLOAPCD. More information on NOA can be found at http://www.slocleanair.org/business/asbestos.asp. c. Demolition of onsite structures shall comply with the National Emission Standards for Hazardous Air Emissions (NESHAP) requirements (NESHAP, 40 CFR, Part 61, Subpart M) for the demolition of existing structures. The SLOAPCD is delegated authority by the Environmental Protection Agency (EPA) to implement the Federal Asbestos NESHAP. Prior to demolition of onsite structures, the SLOAPCD shall be notified, per NESHAP requirements. 					
<p>AQ-4 The applicant shall ensure that, per the air pollution emissions modeling assumptions, 52 % of exterior building materials used are pre-painted prior to installation. Documentation of pre-painted material shall be submitted to the City Planning Department prior to approval of certificate of occupancy.</p>	Project	Building Dept			Prior to approval of certificate of occupancy
<p>AQ-5 The applicant shall coordinate with APCD, prior to demolition activities on the project site, to determine if lead removal is required and if a permit is required in order to conduct demolition activities. The applicant shall comply with all requirements of any APCD permit that is required.</p>	Project	Building Dept			Prior to issuance of building permit
<p>AQ-6 The applicant shall comply with all requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP), prior to any demolition activities on the project site, including but not limited to: 1) providing written notification to APCD, within at least 10 business days of activities commencing that could expose or release asbestos; 2) conducting an asbestos survey to be performed by a Certified Asbestos Inspector; and, 3) complying with all requirements identified by APCD to remove and dispose of any asbestos materials.</p>	Project	Building Dept			Prior to issuance of building permit
<p>AQ-7 The applicant shall not burn any vegetative material on the project site as required by APCD regulations prohibiting developmental burning of vegetative material within San Luis Obispo County.</p>	Project	Building Dept			Prior to issuance of building permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>AQ-8</p> <p>The applicant shall ensure that all portable equipment, 50 horsepower (hp) or greater, used during construction activities, satisfies California statewide portable equipment registration requirements (issued by the California Air Resources Board) or APCD permit requirements. The following types of equipment may require registration or permitting from the California Air Resources Board or APCD.</p> <p>For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.</p> <p>Power screens, conveyors, diesel engines, and/or crushers; Portable generators and equipment with engines that are 50 hp or greater; Electrical generation plants or the use of standby generator; Internal combustion engines; Rock and pavement crushing; Unconfined abrasive blasting operations; Tub grinders; Trommel screens; and, Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).</p>	Project	Building Dept			Prior to issuance of building permit
<p>AQ-9</p> <p>The applicant shall ensure that all operational type equipment has all required APCD permits and meets any applicable permitting requirements of APCD. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's 2012 CEQA Handbook.</p> <p>Portable generators and equipment with engines that are 50 hp or greater; Electrical generation plants or the use of standby generator; Public utility facilities; Boilers; Internal combustion engines; and Cogeneration facilities.</p> <p>Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, shall be prioritized or screened for facility wide health risk impact. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do additional health risk assessment.</p>	Project	Building Dept			Prior to issuance of building permit
<p>GHG-1</p> <p>The following mitigation measures shall be implemented to reduce project-generated GHG emissions:</p> <ol style="list-style-type: none"> a. The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All 	Project	CDD, Building Dept.			Prior to issuance of building permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>“mandatory” actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the “mandatory” actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City’s CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.</p> <p>b. The project applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees sufficient to reduce project-generated emissions to below 1,150 MTCO₂e/year. GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of any carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:</p> <ol style="list-style-type: none"> 9. Use low-VOC cleaning supplies. This requirement shall be reflected in the operational procedures manual for the proposed project. 10. Use low-VOC paint having a VOC content of 100 grams per liter, or less. This requirement shall be reflected in the operational procedures manual for the proposed project. 11. A shuttle shall be provided for hotel guests to provide transportation to and from the Amtrak transit station. 12. The project proponent shall demonstrate that the project-wide lighting efficiency shall be improved by at least 16% relative to current conventional lighting methods through the installation of energy-efficient lighting, (e.g., metal halide, high-pressure sodium, LEDs) for interior and exterior lighting areas. Unnecessary exterior lighting shall be reduced, to the extent practical and where reductions in lighting would not pose a risk to public safety. 13. Utilize low-flow faucets and toilets and water-efficient irrigation systems to reduce energy demands associated with water use. 14. Proposed onsite occupied buildings shall exceed baseline Title 24 Building Envelope Energy Efficiency Standards by a minimum of 10 percent. The baseline GHG emissions from electricity and natural gas usage shall reflect 2008 Title 24 standards with no energy-efficient appliances. 15. Install energy-efficient appliances (i.e., Energy Star rated). 					

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>16. Incorporate water-reducing features into building and landscape design, including use of drought-tolerant landscaping, minimizing turfed areas, and installation of water-efficient irrigation systems in accordance with the City of Paso Robles Zoning Code, Chapter 21.22B, Landscape and Irrigation Ordinance.</p>					
<p>BIO-1 To the maximum extent possible, the applicant shall conduct site preparation, ground-disturbing, and construction activities outside of the migratory bird breeding season. If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that migratory birds are not occupying the site. If nesting activity is detected the following measures shall be implemented:</p> <p>d. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;</p> <p>e. The qualified biologist shall determine an appropriate biological buffer zone around active nest sites. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and,</p> <p>f. The qualified biologist shall document all active nests and submit a letter report to the City documenting project compliance with the MBTA.</p>	Project	CDD			Prior to issuance of grading permit
<p>BIO-2 Prior to construction, a qualified biologist shall conduct a pre-activity survey to identify known or potential dens or any other sign of the species, no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential den or any other sign of the species is identified or detected within the project area, the biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the City. The report will include, at a minimum, survey dates, field personnel, field</p>	Project	CDD			Prior to issuance of grading permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>conditions, survey methodology, and survey results.</p> <p>b. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 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 or covered, they shall be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.</p> <p>c. During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site 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 any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.</p> <p>d. Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.</p> <p>e. During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within 3 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 CDFW for care, analysis, or disposition.</p> <p>f. Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the</p>					

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>following to provide for kit fox passage:</p> <ul style="list-style-type: none"> • If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches. • If a more solid wire mesh fence is used, 8×12-inch openings near the ground shall be provided every 100 yards. <p>g. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.</p>					
<p>BIO 3</p> <p>a. Prior to site disturbance, the critical root zone (CRZ) of all oak trees with a DBH of 6 inches or greater must be fenced to protect from construction activities.</p> <p>b. During the site disturbance and/or construction phase, grading, cutting, or filling within 5 feet of a CRZ of all oak trees with a DBH of 6 inches or greater must be supervised by a certified arborist approved by the City. Such activities beyond 5 feet of a CRZ must be monitored to insure that activities are in accordance with approved plans. Root pruning outside of the CRZ must be done by hand.</p> <p>c. Oil, gasoline, chemicals, or other construction materials potentially harmful to oak trees may not be stored in the CRZ of any oak tree with a DBH of 6 inches or greater.</p> <p>d. Drains shall be installed according to city specification so as to avoid harm by excessive watering to oak trees with a DBH of 6 inches or greater.</p> <p>e. Landscaping within the CRZ of any oak tree with a DBH of 6 inches or greater is limited to indigenous plant species or non-plant material, such as cobbles or wood chips.</p> <p>f. Wires, signs, or other similar items shall not be attached to oak trees with a DBH of 6 inches or greater.</p> <p>g. For each oak tree removed (DBH of 6 inches or greater), a tree or trees of the same species must be planted with a combined DBH of 25% of the removed tree's DBH within the property's boundary.</p>	Project	CDD			Prior to issuance of grading permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>N-1 The following measures shall be implemented for noise-sensitive rooms (e.g., guest rooms, meeting rooms, etc.) located along the eastern, northeastern, and southern-most facades of the hotel, within line-of-sight of SR 101 (Recommended areas of mitigation are depicted in Figure 7 below):</p> <ul style="list-style-type: none"> h. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor shall have a minimum sound transmission class (STC) rating of STC 28. This requirement is also required for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area. i. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors shall have a minimum STC 33 rating. j. The total window area of noise-sensitive rooms shall not exceed 20 percent of the room's exterior wall area. k. The perimeter of window and exterior door frames shall be caulked and sealed airtight to the exterior wall construction. l. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar. m. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 shall be prohibited. n. Exterior walls shall have a minimum STC rating of 35. The construction of exterior walls with siding-on-sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls. 	Project	Building Dept			Prior to issuance of building permit
<p>N-2</p> <ul style="list-style-type: none"> c. Noise-generating construction activities shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities shall not occur on Sundays or city holidays. d. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, 	Project	CDD, Building Dept			Prior to issuance of building permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.					
TR-1 The Marriott Residence Inn Project shall be required to contribute to the estimated costs of the improvements planned at the U.S. 101/SR 46W interchange through payment of \$330,496, or such other amount consistent with the City's Development Impact Fee Justification Study, and the Engineering News Record price index adjusted every July 1st. This amount, as adjusted, represents the applicant's fair share contribution under the City's Development Impact Fee Program (DIF) in accordance with Council Resolution No. 14-035. Exhibit "B" to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the future phases for the improvement of the interchange of Highways 101-46W.	Project	CDD			Prior to certificate of occupancy

Explanation of Headings:

- Type: Project, ongoing, cumulative
- Monitoring Department or Agency: Department or Agency responsible for monitoring a particular mitigation measure
- Shown on Plans: When a mitigation measure is shown on the plans, this column will be initialed and dated.
- Verified Implementation: When a mitigation measure has been implemented, this column will be initialed and dated.
- Remarks: Area for describing status of ongoing mitigation measure, or for other information.

FIGURE 7
PREDICTED INTERIOR NOISE LEVELS

