

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT: PLANNED DEVELOPMENT 01-025 & CONDITIONAL USE PERMIT
01-017 - SUBSTANTIAL COMPLIANCE (KING VENTURES)
APN: 025-431-044, 045 & 049**

DATE: NOVEMBER 13, 2007

Needs: For the Planning Commission to review the proposed Vaquero project and determine if it is in substantial compliance with the previously approved Black Ranch project.

Facts:

1. The Master Development Plan for the Black Ranch project was approved by the Planning Commission on February 10, 2004, via Resolutions 04-007, 04-008 & 009. The project consists of the developing the 386 acre site with a 200 room hotel, 80 detached casitas, an 18 hole golf course and a 9 hole golf course with various other resort type amenities such as but not limited to a conference center, restaurant, swimming pool were also included.
2. King Ventures purchased the Black Ranch property in December 2006 and has submitted a comparable resort project for the site, referred to as Vaquero de Los Robles Resort (Vaquero).
3. The Vaquero project has been designed so that Phase I and II of the project would comply with both phases of the Black Ranch project. If the Commission finds that Vaquero is in substantial compliance, King Ventures plans on submitting construction drawings for building plan check as soon as possible.
4. It is expected that the Vaquero project will have future phases that will need to go back through development plan/environmental review process.
5. Included with the staff report is a binder prepared by King Ventures showing the proposed Vaquero development plan and project summary. The summary provides a side by side comparison between Black Ranch entitlements and the proposed Vaquero project (Phase I and II).
6. A condition of approval of the Black Ranch project requires that the specific site planning, grading and oak tree impacts associated with the golf course go back to the Planning Commission for review. It is anticipated that the golf course information will be back before the Planning Commission soon.
7. The Applicant's project overview indicates their desire in the future to submit a subdivision to convert the casitas units into commercial condominium units (see Section 5 of the Project Summary binder). City Staff has expressed concerns with the ownership concept and that the concept

may conflict with the Airport Land Use Plan if the units were ever used for residential purposes. The ownership issues would need to be resolved with future phases, and is not part of this substantial compliance request.

8. If the Commission makes the findings of substantial compliance with the Black Ranch project, all conditions of approval for Black Ranch will stay in effect, including the condition specifically prohibiting residential uses on the site.
9. In conjunction with the approval for Black Ranch, a Mitigated Negative Declaration was approved indicating that the project with implementation of the required mitigation measures will not have a significant impact on the environment. If the Commission makes the findings of substantial compliance for the Vaquero project, all mitigation measures will need to be carried out and implemented.
10. The DRC reviewed the project at their meeting on September 10, 2007 and also went on a field trip to the site on October 29, 2007. The DRC recommended that the Planning Commission make the necessary findings for substantial compliance.

Analysis

and

Conclusions:

Staff has compared the Vaquero project with the original Black Ranch project and it appears that number of hotel rooms/casitas along with the square footage of proposed buildings and uses has either been reduced or is the same as Black Ranch.

The more significant differences between the two projects are the site planning, on-site circulation and building design and architecture. Additionally, the golf course has been reduced from 27 holes to 21.

It appears from the plans and also indicated at the field trip, that the change in the site plan would reduce the physical impacts to the site such as grading and oak tree impacts.

It is important to note, that the issue before the Commission is in relation to the resort portion of the project, not the golf course. As mentioned above it is required that the specific plans for the golf course design, including grading and oak tree impacts, go back to the Planning Commission for review.

While the Vaquero project is quite different from the Black Ranch project in terms of building location and architecture, it does not appear that there would be significant physical/environmental changes since the Vaquero project would reduce impacts to grading and oak trees for the resort portion of the site. Golf course impacts will be studied further in the future.

Consistent with Black Ranch, the Vaquero project would meet the intent of the General Plan, Zoning Code and Economic Strategy by providing end-destination resort type uses.

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

Fiscal

Impact: None.

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

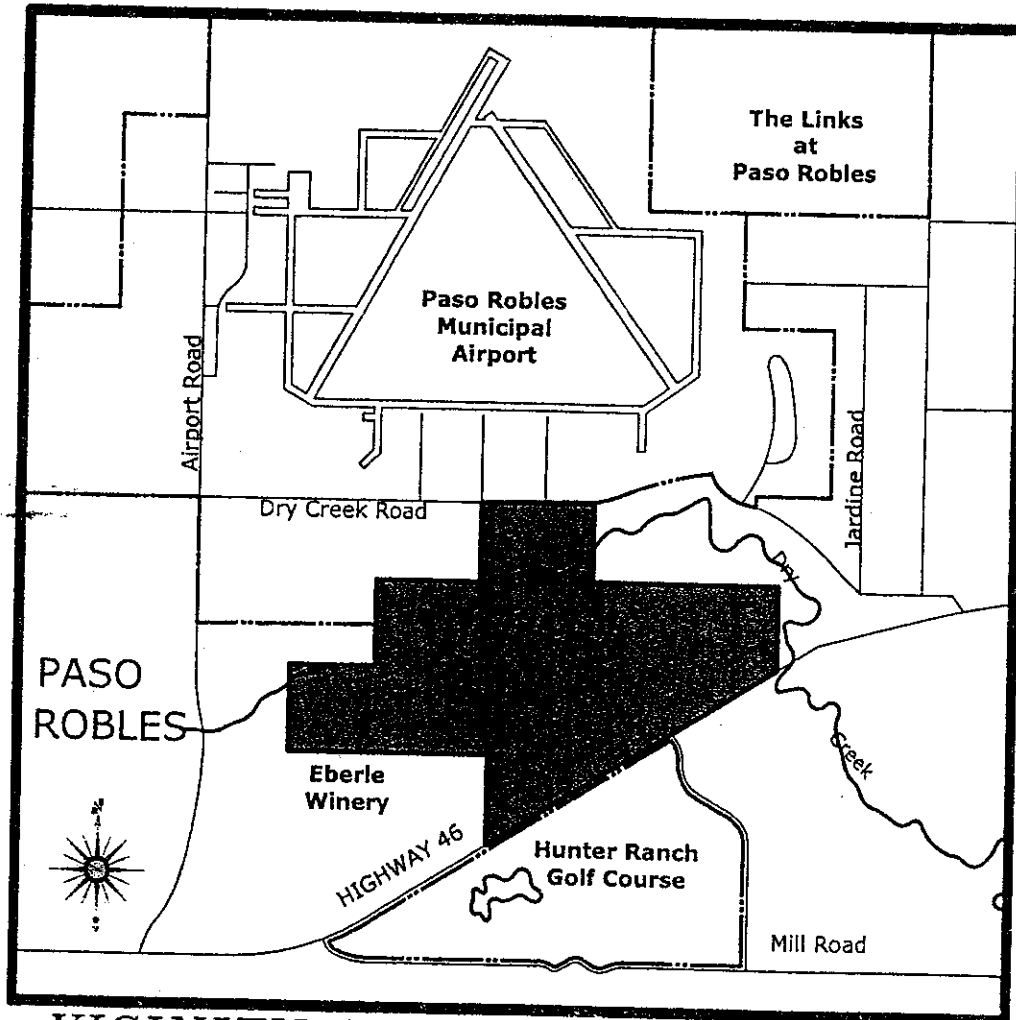
- a. Adopt the attached Resolution making the necessary findings for substantial compliance with the Vaquero project to PD 01-025 & CUP 01-017 (Black Ranch) subject to all standard and site specific conditions of approval within Resolutions 04-007, 04-008 & 04-009;
- b. Amend, modify, or reject the above-listed action;

Report prepared by: Darren Nash, Associate Planner

Attachments:

1. Vicinity Map
2. Resolution 04-007
3. Resolution 04-008
4. Resolution 04-009
5. Resolution to Approve Substantial Compliance with PD 01-025 & CUP 01-017
6. Newspaper and Mail Notice Affidavits

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VICINITY MAP

Not to Scale

Vicinity Map
PD 01-025 & CUP 01-017
(Black Ranch/Vaquero)

RESOLUTION NO.: 04-007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM
FOR PLANNED DEVELOPMENT 01-025 AND CONDITIONAL USE PERMIT 01-017

BLACK RANCH RESORT PROJECT
(RRM DESIGN GROUP FOR MATT MASIA, BLACK'S HATCHERY & TURKEY FARM)
APN: 025-431-044, -045, AND -049

WHEREAS, Planned Development 01-025 has been filed by RRM Design Group on behalf of Mr. Matt Masia for Black's Hatchery & Turkey Farm; and

WHEREAS, Planned Development 01-025 is a proposal to establish a Master Development Plan for the proposed Black Ranch resort project on an approximately 386-acre site north of Highway 46 East, south of Dry Creek Road, and west of Airport Road; and

WHEREAS, Conditional Use Permit 01-017 has been filed in conjunction with the Planned Development application to allow a resort hotel with a golf course and other ancillary facilities in the Parks and Open Space (POS) Zoning District; and

WHEREAS, the proposed Black Ranch resort includes a 200 room hotel with an additional 80 casitas (detached hotel rooms), an 18-hole golf course, a 9-hole executive course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities; and

WHEREAS, the development project applications for the proposed Black Ranch resort would establish the following:

- The Planned Development would establish the site plan, development standards, architectural theme, landscaping, and required infrastructure for the Black Ranch resort; and
- The Conditional Use Permit would establish the allowable land uses for the Black Ranch resort, including authorizing development and operation of a resort hotel and a restaurant with greater than 5,000 square feet of area if determined not to have a significant adverse effect on the economic vitality of the downtown as required by Ordinance 568 N.S.; and

WHEREAS, the General Plan land use designation is POS (Parks and Open Space) and the Zoning Ordinance designation is POS (Parks and Open Space), and

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

WHEREAS, based on the written responses received and the information and analysis contained in the Initial Study, a determination has been made that the proposed Black Ranch resort project qualifies for adoption of a Mitigated Negative Declaration and establishment of a Mitigation Monitoring/Reporting Program/Plan; and

WHEREAS, Public Notice of the proposed Mitigated Negative Declaration and affiliated Mitigation Monitoring/Reporting Program/Plan was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, a FINAL Mitigation Monitoring/Reporting Program/Plan for the Black Ranch resort project was prepared in response to comments received and made available for public review and comment; and

Attachment 2
Resolution 04-007
(Black Ranch)

WHEREAS, this item is an open public hearing that was continued from the meeting on January, 27, 2004; and

WHEREAS, the continued open public hearing was conducted by the Planning Commission on February 10, 2004 to consider the Initial Study, the proposed Mitigated Negative Declaration, and the affiliated Mitigation Monitoring/Reporting Program/Plan prepared for the proposed Black Ranch resort project, and to accept public testimony on the Planned Development, Conditional Use Permit, and environmental determination therefore, and

WHEREAS, the applicant has entered into a signed Mitigation Agreement with the City, which is labeled as Exhibit "A" (attached hereto and incorporated herein) that establishes obligation on the part of the property owner to mitigate the identified environmental effects as set forth therein; 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 Planning Commission finds that there is no substantial evidence that there would be a significant impact on the environment as a result of the development and operation of the proposed project. This finding is based on the signed Mitigation Agreement and the Mitigation Monitoring/Reporting Program/Plan prepared for the proposed Black Ranch resort, as summarized below.

Topic of Mitigation	Condition #
Water Quality	Planned Development Site Specific Condition 11
Air Quality	Planned Development Site Specific Condition 11
Traffic and Circulation	Planned Development Site Specific Condition 11
Biological Resources	Planned Development Site Specific Condition 11

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, that it does hereby adopt a Mitigated Negative Declaration and Mitigation Monitoring/Reporting Program/Plan for Planned Development 01-025 and Conditional Use Permit 01-017 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 27th day of January 24, 2004 by the following roll call vote:

AYES: Johnson, Ferravanti, Mattke, Kemper, Flynn, Steinbeck
NOES: None
ABSENT: Hamon
ABSTAIN: None


CHAIRMAN TOM ELYNN

ATTEST:



ROBERT A. LATA, PLANNING COMMISSION SECRETARY

TRYDER\CURRENT PLANNING\BLACK RANCH MND



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

EXHIBIT A

City of El Paso de Robles

Mitigation Agreement for Proposed Mitigated Negative Declaration

Lead Agency: City of El Paso de Robles, Community Development Department
 1000 Spring Street, Paso Robles, CA 93446

Lead Agency Contact: Tina Ryder, City Planner

File No..... Planned Development 01-025 & CUP 01-017

Applicant/Owner: Mr. Matt Masia

Project Description To construct and operate the Black Ranch resort. The resort includes a 200 room hotel with an additional 80 casitas (detached hotel rooms), an 18-hole golf course, a 9-hole executive course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities on an approximately 386-acre site.

Location: North of Highway 46E, South of Dry Creek Road, and west of Airport Road.

MITIGATION AGREEMENT: As the applicant and property owner,

I hereby agree to implement the following environmental mitigation measures, as identified in Exhibit K, which are necessary (and are hereby incorporated into the project) in order to avoid or reduce any potentially adverse, environmental effects to a point where clearly none would occur as a result of the project's approval.

I also understand that it is foreseeable that there may be additional environmental mitigation measures required by the Planning Commission following its review/consideration of public testimony and written comments received on the Black Ranch resort project and following its review/consideration of the information and analysis contained in the Environmental Initial Study, the proposed "Mitigated Negative Declaration," and associated Mitigation Monitoring/Reporting Program/Plan.

This agreement shall be binding on the applicant/owner and on any successors in interest.

IN WITNESS WHEREOF, the Community Development Director or his assign, representing the City of El Paso de Robles, and the applicant/owner or his legal representative have executed this Agreement on the 20th day of January, 2004.

APPLICANT/OWNER:

BY: *Matt Masia* Date: 01/20/04
 Matt Masia, Black's Hatchery & Turkey Farm

CITY OF EL PASO DE ROBLES

BY: *Tina Ryder* Date: 01/20/04
 Tina Ryder, City Planner

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
PLANNING DIVISION
Draft: July 18, 2002

- 1. PROJECT TITLE:** Planned Development PD 01-025 & Conditional Use Permit CUP 01-017
- Concurrent Entitlements:** PD 01-025
CUP 01-017
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Darren R. Nash, Associate Planner
Phone: (805) 237-3970
- 3. PROJECT LOCATION:** North side of Highway 46 East, south of Dry Creek Road and east of Airport Road (Attachment 1)
- 4. PROJECT PROPONENT:** Black Ranch/Matt Masia
- Contact Person:** RRM Design Group, John Knight
Phone: (805) 543-1794
- 5. GENERAL PLAN DESIGNATION:** POS - Parks and Open Space (347 +/- acres)
AG - Agriculture (39 +/- acres Property fronting Dry Creek Road)
- 6. ZONING:** POS - Parks and Open Space (347 +/- acres)
AG - Agriculture (39 +/- acres Property fronting Dry Creek Road)
- 7. PROJECT DESCRIPTION:** A development application filed by Matt Masia with representative John Knight from RRM Design Group, to develop a resort complex with 200 hotel rooms and 80 casitas on an approximately 386-acre site bounded by Highway 46 East on the south, Dry Creek Road on the north, and Airport Road on the west (also known as the Black Ranch property). The Development application includes a 27-hole golf course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities (Attachment 2).

The Applicant has requested that the project be separated into two development plan phases. The first phase would include the resort with 120 rooms, 40 casitas, 18 golf holes, and a golf clubhouse and conference center. The second phase would include an additional 80 rooms, 40 casitas, a 9-hole executive golf course, and additional conference facilities (APN: 025-431-044, 045, and 049). A more complete project description is attached (Attachment 2).

8. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):

United States Army Corps of Engineers: Wetlands and Stream Crossings
California Department of Fish and Game: Stream Crossings
Air Pollution Control District: Air Emissions
Regional Water Quality Control Board: Storm Water Permits

9. RELATED ENVIRONMENTAL DOCUMENTATION:

This area is included in the City of Paso Robles' 1990 General Plan Update. An Environmental Impact Report (EIR) was certified for the City's General Plan Update. This property was also part of a larger annexation and rezoning done in 1998. The Initial Study done in 1998, along with additional environmental studies and analysis, are listed at the end of this document. These studies were considered during the preparation of this Initial Study.

10. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT:

This Initial Study analyzes the potential impacts associated with a development application to develop a resort complex with 200 hotel rooms and 80 casitas on an approximate 386-acre area bounded by Highway 46 East on the south, Dry Creek Road on the north, and Airport Road on the west (also known as the Black Ranch property). The Development application includes an 18-hole golf course and an additional 9-hole executive golf course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities to be built in two phases. This Initial Study is intended to address the environmental impacts of both phases.

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" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use & Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population & Housing | <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy & Mineral Resources | <input checked="" type="checkbox"/> Aesthetics |
| <input checked="" type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | <input checked="" 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 the mitigation measures described on an attached sheet have been added to the project. **A 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 significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or is "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

Signature

Darren R. Nash

Printed Name

Date

Associate Planner

Title

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 the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.
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. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. "Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," 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). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVII. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

Note: Standard Conditions of Approval: The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers' information, a list of applicable standard conditions identified in the discussions has been provided as an attachment to this document.

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<i>Would the proposal result in or expose people to potential impacts involving:</i>				
<i>Landslides or Mudflows?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The attached source list explains that 1 is the Paso Robles General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING. Would the Proposal:

- a) Conflict with general plan designation or zoning?

Discussion: The 347 +/- acres of land in which the resort and 18-hole golf course are proposed to be located has a General Plan designation of Parks and Open Space (POS) and the zoning is also POS. Table 21.16.200 of the Zoning Code, Permitted Land Uses for All Zones Districts, would allow Resort Hotels with Golf Courses as accessory uses with the approval of a Conditional Use Permit within the POS and AG zones. The 39 +/- acre parcel that is bounded by Dry Creek Road on the north is zoned AG and the plans propose a 9-hole "executive" type course on that part of the site. As previously stated, golf courses are permitted as an accessory to a Resort/Hotel development with the approval of a Conditional Use Permit.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

Discussion: Since the City of Paso Robles has jurisdiction over the property; there are not any existing environmental plans or policies adopted by other agencies.

- c) Be incompatible with existing land use in the vicinity?

Discussion: Surrounding uses include industrial parcels to the north of Dry Creek Road, single family/rural density parcels to the west and east, and the Hunter Ranch Golf Course across Highway 46 to the south. The Hotel/Resort along with the golf course uses could introduce some different land uses to this area of the City.

The size and physical characteristics of the Black Ranch site would allow adequate room to provide vineyards and/or other forms of buffering of recreational and commercial activity from adjoining residential and agricultural uses. Land use incompatibility is not considered a significant impact of the proposal.

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

Discussion: See I.(c).

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

Discussion: The existing pattern of development within the area consists primarily of low density/rural residential development (20-40 acre parcels) and agricultural uses. The proposed resort development will be consistent with the adjoining land uses.

II. POPULATION AND HOUSING. Would the proposal:

- a) Cumulatively exceed official regional or local population projections?

Discussion: No new residential density is proposed or permitted within the site. Based on these factors, this project would not exceed local population projections.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: While development of a visitor serving resort and golf course use would require the extension of sewer and water infrastructure to the site, City General Plan policies would prohibit the introduction of additional residential density in the Airport Area. Also, the POS zoning does not permit residential development. Any additional residential density beyond the current minimum lot size within the Agricultural zoning district would not be expected.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: There are five existing dwelling units within the site. Two of these are mobile homes. All five units were built or moved onto the property over the course of 30 to 40 years as private homes and/or worker quarters and are now currently rented out. These residences would be removed with the construction of the project. These five homes would no longer be part of the rental market.

The City has an aggressive housing program in place that provides subsidies for first time homebuyers and low interest loans for housing related infrastructure and improvements. The elimination of five dwelling units from the City and County's housing market is not considered significant in light of the City's existing housing programs and proportionately higher ratio of affordable homes within San Luis Obispo County.

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

- | | | | | |
|-------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fault rupture? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: This portion of San Luis Obispo County (generally the Paso Robles area) is located at the far southerly end of the Salinas Valley which also extends up into Monterey County. There are two known fault zones on either side of this valley. The San Marco-Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Soils reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standardly-applied conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant.

- | | | | | |
|----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See the response to Section III(a). Based on that response, the potential for exposure of persons or property to seismic hazards is not considered significant.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Seismic ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The City's General Plan contains public safety policies that would require special attention to projects with potential for liquefaction. The seasonal Dry Creek stream channel bisects the site from east to west. If development were proposed in the vicinity of this channel, City policies would require geotechnical

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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documentation as part of development application review. Also, see the response to Section III(a). Based on the above discussion, the potential for exposure of persons or property to seismic hazards, including liquefaction is not considered significant.

- d) Seiche, tsunami, or volcanic hazard?

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

- e) Landslides or Mudflows?

Discussion: The majority of the site is comprised of the Arbuckle series (Positas), and Sesame Loam. These soil complexes are prone to erosion. This is not atypical of surrounding lands that have been developed with golf course (e.g. Hunter Ranch Golf Course) or commercial development (City Airport area). Any development proposal would need to appropriately document the underlying characteristics of the soil where new development was proposed in accordance with City policies and Uniform Building Code. Erosion control measures would be incorporated into any future development proposal to keep standard erosion concerns in check. Based on the above discussion and future standard measures for new development, the potential for landslide is not considered significant.

- f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?

Discussion: See the discussion in Section III(e). In addition to standard erosion control measures being part of the project development, all grading would be subject to standard conditions of approval ensuring that soils conditions are suitable for the proposed structures and improvements. As such, no significant impacts are anticipated.

- g) Subsidence of the land?

Discussion: See the discussion in Sections III (e) and (f) above. No significant adverse impacts are anticipated.

- h) Expansive soils?

Discussion: See the discussion in Sections III (e) and (f) above. No significant adverse impacts are anticipated.

- i) Unique geologic or physical features?

IV. WATER. Would the proposal result in:

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?

Discussion: The City of Paso Robles has standard policies and conditions in place to require all new development to provide detailed grading and drainage information in conjunction with new development. A hydrological study was submitted with the project. The report had the following conclusions:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Imp
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Dry Creek's total watershed consists of 13,490 acres, with the upper sub-watershed being 7,130 acres, and the lower of 6,360 acres. Even though the watershed size of Dry Creek is large, its elongated shape creates long times of concentration and lower peak flow rates as compared to a more circular shaped watershed. The HEC-1 output displays the peak flow rates and times at the watershed's point of concentration, the "wave peak" through the routed creek channel, and nodes of confluence (junctions). Looking at the point of Dry Creek at Black Ranch, the peak flow from Dry Creek will occur 3.75-hours after the peak flow from Black Ranch has left the site and gone downstream in Dry Creek. In more detail, in a 24-hour storm event, Black Ranch will have its peak flow rate at 10.25-hrs. (w/ 482 cfs), while Dry Creek's peak flow rate "wave" will not arrive just upstream of the site until 14.00-hrs. (w/ 1525 cfs). The peak flow rate at the confluence of the Dry Creek and Black Ranch watersheds occurs at 13.92-hrs. (w/ 1585 cfs).

It can be seen that the peak flow or "wave" of storm water coming down Dry Creek to the site will not occur until almost 4-hours after Black Ranch's peak flow rate has already happened and moved downstream. Therefore, it would seem reasonable to say that detention of on-site runoff of Black Ranch to Dry Creek would not be necessary to mitigate increases to Dry Creek's peak flow rates passing through the project. Direct discharge of the project's runoff to Dry Creek would be in conformance with the existing lag between their watersheds.

The City Engineer has reviewed the report and has concluded that Mitigation Measures need to be added to address the channeling of runoff into improved storm drain facilities. A mitigation measure is also needed to ensure adequate protection of oak trees that will remain on-site after construction is complete. With the mitigation measures, drainage impacts are considered to be a less than significant impact at this time.

W-1: Detention and storm drain systems will be channeled to storm drainage facilities to be reviewed and approved by the City Engineer. Storm water discharge from the proposed development will be designed to maintain historic flows to off-site channels.

W-2: Drainage patterns will not be altered to allow new runoff to drain into the drip line of existing oak trees.

- b) Exposure of people or property to water related hazards such as flooding?

Discussion: The seasonal Dry Creek stream channel traverses this site, but the majority of the project area is located outside any floodplain zones as identified by the City of Paso Robles's Flood Hazard Area Map showing 100- and 500-year flood zones. See Attachment 10 to this document for the delineation of flood areas. Based on the standardly-applied conditions of approval utilized by the City, the proposed development is not anticipated to impose any significant adverse flooding impacts.

- c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?
- d) Changes in the amount of surface water in any water body?

Discussion: There are several man-made reservoirs on the project site used for cattle grazing, stock pond purposes. These ponds are proposed to be enhanced in conjunction with the site development. It is understood at this time that these ponds would be under the jurisdiction of the United States Army Corp Engineers because of their wetland characteristics. All future development and/or discharge to these man-

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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made ponds would be subject to Corps permits. However, outside of these man-made features there are not any bodies of water that would be affected by this proposal. The Dry Creek stream channel is discussed in other portions of this Section. No adverse impacts to a body of water are anticipated.

- e) Changes in currents, or the course or direction of water movement?

Discussion: The seasonal Dry Creek stream channel traverses the site from east to west, flowing toward the Huerhuero River seasonal channel. The Dry Creek streambed is located within mapped 100-year flood areas and is also identified within the Biological Resource Assessment Report as having value as a wildlife movement corridor. Although the golf course would be located near the creek, there would not be a change in the course of direction of the creek. There are some bridges that would be placed over the creek in order to connect the two sides, but the course of direction would not be changed. Based on the identified constraints associated with the channel, the development on the site has been designed so as to minimize encroachment and impact to the natural course. Mitigation measures recommended in Section VII (biology) will protect the current perennial watercourse and, therefore, no adverse impact is anticipated.

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

Discussion: There are two wells existing on the Black Ranch site. These wells service the five existing homes and supply the man-made stock ponds as well. One well is located near the Eberle Winery property at the southwest edge of the property. The other well is located northwest of the main stock pond.

The development would require connection to the City's domestic water system. The golf course is likely to be irrigated through the continued active use of the on-site wells. The EIR prepared for the Huerhuero Golf Course (west side of Airport Road, south of Dry Creek Road) analyzed the potential impacts of golf course irrigation on groundwater withdrawal and recharge capabilities. Extensive pump testing was conducted and computer modeling was done to simulate pumping activity for the needs of a golf course. The irrigation needs for the golf course were projected to be 350-acre feet per year. The conclusion of that study was that the proposed Huerhuero golf course well pumping at an annual volume of 350-acre feet per year would not adversely impact wells at distances of 2,000 feet or greater, and that wells at distances from 500 to 2,000 feet would only be marginally impacted.

The projected irrigation needs for the Black Ranch golf course are not expected to exceed those analyzed within the Huerhuero Golf Course EIR. Based on the past analysis conducted for the Huerhuero golf course, the conclusions of that study, and that the existing Black Ranch wells are actively used already, the incremental change in water withdrawal on the site to serve a future golf course would be considered less than significant.

- g) Altered direction or rate of flow of groundwater?

Discussion: See the discussion in Section IV(f) above. Based on that discussion, impacts to groundwater are considered to be less than significant.

- h) Impacts to groundwater quality?

Discussion: Any future use of chemical application to the golf course would be applied in compliance with the

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Agricultural Commissioner's permitting requirements (inclusive of fertilizers and any pesticide application). A standard requirement for golf courses is for all chemical applications to be regulated through an Integrated Golf Course Management Plan (IGCMP) that establishes operational parameters to minimize impacts to groundwater and the surrounding environment. Example operational measures within an IGCMP would be the prohibition of chemical application during heavy rain flows, appropriate storage (including containment) of all herbicides and pesticides, and the limitation on number of times a year that each can be applied. A project specific IGCMP would be required at such time that an actual development application were proposed and permitting of chemical applications would be the purview of the Agricultural Commissioner.

There are six septic systems that exist on the Black Ranch property at this time. Future site development would extend City sewer service to the site and eliminate the need to maintain these ground leach systems. Standard conditions of future project development would require these septic systems to be appropriately abandoned, thereby eliminating an existing potential source of groundwater contaminate.

Based on the above discussions and mitigations to be practiced for future chemical applications, and the elimination of on-site septic systems, potential impacts to groundwater supplies is considered to be potentially significant, but able to be mitigated at the time a project is proposed.

Mitigation practices to be implemented:

W-3: Applied irrigation rates will utilize local evapotranspiration information to reduce the amount of groundwater infiltration by irrigation water.

W-4: Fertilizer will not be applied within 24 hours before a predicted rainfall to minimize leaching by rainwater, and soils will be tested and monitored for nutrient levels to ensure fertilizer application rates match uptake rates by turf grasses. Such monitoring shall be conducted annually by the course management and the results made available to the Agricultural Commissioner.

W-5: The Applicant will develop an Integrated Golf Course Management Program (IGCMP) with specific guidelines on the use of pesticides and fertilizers to reduce the use of chemical applications that could contaminate the ground water. Pest Management practices to be addressed in the Plan are:

- Anti-back siphoning devices shall be used in application equipment to reduce the potential for pesticide contamination of groundwater of other water supplies during irrigation.
- Slow release organic fertilizers will be used wherever possible as an effective biological method to help suppress many turf pathogens.
- The use of bacterial additives to enhance nitrogen uptake and improve turf disease resistance shall be considered when these become commercially available.
- All chemicals shall be applied by or under the supervision of a trained, licensed operator following all manufacturer's directions for proper chemical/fertilization application and container disposal procedures.
- To act as a buffer between turf and natural vegetation zones, a band of native perennial grass shall be established adjacent to the short rough. This buffer will filter the non-point source fertilizer runoff.

i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?

Discussion: See the discussion in Section IV(f) above. Based on that discussion, no substantial reduction in ground water supply is expected.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. AIR QUALITY. Would the proposal:

- a) Violate any air quality standard or contribute to an existing or projected air quality violation?

Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions that would cause local and state standards to be exceeded. The potential for future project development to create adverse air quality impacts falls generally into two categories: Short-term and long-term impacts.

Short-term impacts are associated with the grading and development portion of a project where earthwork generates dust, but the impact ends when construction is complete. Long-term impacts are related to the ongoing operational characteristics of a project and are generally related to vehicular trip generation and the level of offensiveness of the on-site activity being developed.

Morro Group, Inc. Environmental Consultants has prepared a Comprehensive Air Quality Mitigation Plan for the Black Ranch Resort project. The plan has been prepared to assist the APCD in the review of emissions that would result from the project. The plan outlines the short-term and long-term emissions the project would produce and the necessary mitigation measures that would be necessary in order to reduce the amount of emissions to a level of insignificance.

The project was submitted to the APCD for their review and comment. Their initial comments were that the proposed project has the potential to exceed the District Tier II (25lbs./day) CEQA significance thresholds for the construction and operations phase emissions. However, the APCD agreed to consider a comprehensive air quality mitigation plan that would reduce the impacts from the project to a level of insignificance.

In response to the initial comments from APCD, the Applicant submitted a Comprehensive Air Quality Mitigation Plan performed by the Morro Group. The Plan concluded that the proposed development of the Black Ranch Resort could be mitigated to a level of impacts considered to be less than significant. All appropriate and feasible mitigation measures have been assigned to the project to reduce both short-term and long-term project emissions. Implementation of the assigned mitigation measures will reduce short-term construction and long-term operational emissions. A complete listing of the mitigation measures is included in Attachment 9 as well as in the Mitigation Monitoring Table.

Mitigation shall consist of implementing the on-site and off-site mitigation measures contained in the Air Quality Management Plan identified as AQ-1 through AQ-21 in the Mitigation Monitoring Plan.

- b) Expose sensitive receptors to pollutants?

Discussion: The rural development character of the area would result in natural buffering between existing dwelling units and proposed development. However, there would be short-term exposure of people to construction dust and odors. There are dust control measures and construction circulation plans that could be established in the future to help reduce those impacts to the greatest degree possible. Appropriate mitigation measures should be analyzed in conjunction with the quantifying air impacts as described above in Section V(a).

- c) Alter air movement, moisture, or temperature?

- d) Create objectionable odors?

Discussion: No objectionable odors are anticipated with future project development.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- a) Increased vehicle trips or traffic congestion?

Discussion: The conceptual site plan for the Black Ranch project shows two access points for the proposed project. The main access would be located on State Route 46 directly across from Hunter Ranch Golf Course (at one of the existing access points on the property). The conceptual plan also shows potential secondary access via a connection through the Eberle Wine tasting Facility.

A Traffic and Circulation Study was prepared by Associated Traffic Engineers of Santa Barbara at the time of the annexation process. The conclusion of that study is that increased vehicle trips that might result from the project development scenario would not cause any surrounding intersections to operate at less than Level of Service (LOS) C. Maintaining LOS C or better intersections is an established policy of the City's General Plan Circulation Element. Therefore, the traffic analysis conducted at a program level indicated impacts on existing circulation corridors or intersections is less than significant.

With the submittal of the proposed Development Plan and Conditional Use Permit, a revised traffic study, prepared by Associated Traffic Engineers was performed. The study concluded that the project addition of P.M. peak hour traffic would have only a minor effect on the State Route 46/Hunter Ranch Golf Course intersection. The addition of project traffic to the intersection would continue to operate at a Level of Service of C or better (See Attachments 13, 14, 15, 16, 17 and 18).

Although according to the traffic study the project would operate at a Level of Service C or better, which would meet the City's policies, there are mitigation measures the applicant will need to complete prior to beginning construction of the project.

ATE within their traffic study identified that as part of the State Route 46 Corridor Improvement Project, the Black Ranch frontage and main access will be improved. State Route 46 will be improved to a 4-lane expressway from Airport Road to east of Shandon. At the main access, the preliminary design indicates that in addition to widening to 4 lanes, exclusive left-turn and right-turn lanes will be provided on both the eastbound and westbound approaches. The State Route 46 Corridor Improvement Project is scheduled to begin construction Spring 2004 and construction will be completed in 2007 to 2008.

The project was sent to Caltrans for review where Caltrans identified that the project improvements mentioned above would need to be in place prior to construction of the Black Ranch Project. RRM Design Group responded to Caltrans' comments and agreed that the improvements would be made prior to construction. Prior to issuance of a grading permit, the following mitigation measures shall be performed to the State Highway 46 East frontage:

T-1: Construct left turn channelization to accommodate the eastbound SR 46 Northbound Project driveway left turn movement. Left turn channelization shall be constructed to full Caltrans Standards.

T-2: Construct eastbound SR 46 acceleration lane to accommodate the southbound project driveway to eastbound SR 46 left turn movement. The acceleration lane shall be constructed to full Caltrans Standards.

T-3: Construct right turn channelization to accommodate the westbound SR 46 to northbound project driveway right turn movement. Right turn channelization shall be constructed to full Caltrans standards.

- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion: See mitigation measures in VI(a) which outlines the design features that the applicant will

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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construct prior to construction of the project. With the construction of the acceleration and turn lanes, there should not be hazards to safety from design features and the level of potential significance will be reduced to less than significant.

- c) Inadequate emergency access or inadequate access to nearby uses?

Discussion: The City of Paso Robles has public safety policies in place that would require two points of access for emergency response needs of any future recreational/commercial development. The site has three legal access points along the Highway 46 corridor and frontage all the way through to Dry Creek Road. There would not appear to be any problem in providing for two points of access to any future development.

- d) Insufficient parking capacity on-site or off-site?

Discussion: The development plan for the resort area shows a parking lot to handle all of the necessary parking for the resort. It is anticipated that there would be one large lot to serve the resort and that other vehicles such as golf carts would be used to get people around the resort area.

With the future specific development plans for the golf courses, adequate parking would need to be provided with that plan. With the large area of the Black Ranch site, it is not anticipated that parking would be a problem.

- e) Hazards or barriers for pedestrians or bicyclists?

Discussion: There are no existing bike circulation routes or pedestrian paths in the vicinity of the project area, although many of the rural roads within San Luis Obispo County are used for cycling and walking. The development on the site would not interfere with any existing patterns of movement for bicyclists and pedestrians.

- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion: The City of Paso Robles has General Plan policies in place that encourage the development of facilities that will accommodate alternative forms of transportation whenever possible. The project has room on site to accommodate bus and limousine drop off areas, bike racks, and the distribution of bus and bike route information.

- g) Rail, waterborne, or air traffic impacts?

Discussion: The Black Ranch area is located in areas 4 and 5 of the City's adopted Airport Land Use Plan, which would conditionally permit the types of land uses that are programmed for the site at this time. The POS zoning is located outside of the runway climb-out zones and does not conflict with adopted plans. Consistent with City policies for development around the airport area, the requirement to record navigation easements across the property (formalizing the right for air travel above the subject property) will be added as a condition of approval. There are no conflicts with rail or waterborne traffic.

T-4: Record an aviation easement prior to recordation of any final maps or issuance of any building permits.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

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

Discussion: A Biological Resource Assessment was prepared by Gaylene Tupen in 1998 for the project in conjunction with the Black Ranch Annexation (Attachment 5). In addition, Morro Group biologists conducted site visits to the Black Ranch site on July 15, 2001, and September 7, 2001, to characterize the present condition of the property, and to document substantive changes in the environmental setting of the parcel since the 1998 survey (Attachment 6).

The 2001 Biological Assessment concluded that site conditions are similar to 1998. However, riparian habitats formally associated with the ponds located at the central and east central portions of the site have been substantially degraded by cattle grazing and trampling. Pond-side vegetation classified as seasonal freshwater marsh habitat within the 1998 assessment is largely non-existent during the 2001 site surveys. No other substantive changes from those noted within the 1998 survey were noted.

A few special-status plant species have potential to occur on site. These plants are Oval-leaved snapdragon, Salinas milk vetch, dwarf calycadenia, Douglas' spineflower, and Shining navarretia. In addition, occurrence of Salinas Valley goldfields was confirmed during a survey of the southwestern portion of the site. Of these species, only two require listing in this study, the Dwarf calycadenia and the Shining navarretia. A survey for these will be conducted during the appropriate flowering season to identify their presence and location. If found within development areas, the appropriate mitigation noted below will be required.

Special-status wildlife include Kit Fox, San Joaquin Pocket Mouse, American Badger, Northern Harrier, White-tailed Kite, Golden Eagle, Burrowing Owl, and Loggerhead Shrike. Two loggerhead shrikes were observed on the northern portion of the site. Pre-construction surveys will be required for Kit Fox, Burrowing Owl, and American Badger.

Both the 1998 and 2001 surveys are attached to this Initial Study. From the surveys is a list of mitigation measures that once performed would reduce this project to a less than significant impact.

To avoid impacts to special-status plants :

B-1: A qualified botanist shall be retained by the applicant to conduct pre-construction surveys for rare plants in those areas proposed for development on site. These surveys shall be conducted within the appropriate flowering periods for the various species reported from the area and identified previously within this report. If rare plant populations are identified within areas likely disturbed by development, the applicant shall redesign the project to avoid the rare plant populations. Should avoidance not be feasible, the applicant shall translocate the species to other suitable habitat within the project vicinity in accordance with the recommendations of the qualified botanist. Should translocation not be possible, new species shall be planted at a ratio of 2:1. The translocated or replanted species shall be monitored for a period of two (2) years. Replanting shall be performed so that there is no net loss of species after the two (2) year period.

To avoid impacts to special-status animals:

B-2: Immediately prior to commencement of construction activities, retain a qualified biologist (USFWS-approved) to perform pre-construction surveys to monitor all potential Kit Fox dens located within a proposed development area. The pre-construction surveys shall cover all proposed new development areas containing oak woodland or grassland habitats. Because Kit Fox can often be highly transient, pre-construction surveys shall be conducted not more than 30 days in advance of surface disturbance in any particular area. Because the proposed project would likely be developed in phases, a new pre-construction survey shall be conducted in association with each major development phase.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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B-3: During the pre-construction survey, all evidence of habitat utilization within proposed development areas shall be documented by the selected biologist. All dens encountered within the survey areas that meet size criteria for Kit Fox shall be identified with wire pin flags and clearly mapped.

B-4: All dens located within areas proposed for development shall be monitored by the biologist, as appropriate, to determine each den's current utilization status by Kit Fox.

B-5: All Kit Fox dens determined not to be actively utilized shall be hand excavated under the direct supervision of a qualified biologist and immediately filled to prevent re-entry.

B-6: Any dens determined to be occupied by adults or Kit Fox pups must be documented and immediately reported to the appropriate agencies. Dens occupied by adult fox will be hand excavated by the qualified biologist after the Kit Fox has left the den. The excavation will then immediately be filled. If during monitoring a den is found to be occupied by Kit Fox pups, thereby qualifying as a "natal den", the den must be left undisturbed until the young have naturally dispersed. If development proceeds in the immediate vicinity prior to dispersal of the young, an exclusion zone of 150 feet radius shall be established around the entrance to the den. No development and construction activities will be allowed within the exclusion zone established by the qualified biologist, until approval to proceed is provided by USFWS. Specific measures for avoiding impacts to Kit Fox shall be identified and implemented through consultation with USFWS and CDFG, and according to the current protocols for Kit Fox protection.

B-7: Upon completion of the pre-construction surveys, the qualified biologist shall provide a supplemental report to the appropriate representatives of the USFWS and CDFG.

Regardless of the results of the pre-construction surveys, the following measures shall be implemented throughout the duration of proposed construction activities to prevent direct impacts to transient individuals that frequent the subject property and individuals utilizing dens within proposed development areas. Implementation of the following measures will also serve to avoid or minimize disturbance of other important wildlife species that may frequent the area during construction.

B-8: A worker education briefing shall be conducted for all employees involved with construction of the proposed facilities. The educational briefing shall include identification of species of concern within the project vicinity, project mitigation requirements, reporting responsibilities, and penalties for failure of compliance.

B-9: The boundaries of all work areas shall be delineated by flagging or other clearly visible marking to minimize surface disturbance associated with possible vehicle straying.

B-10: Project-related vehicles shall observe a 20-mile per hour speed limit throughout the property to reduce the potential for impacting Kit Fox.

B-11: All construction shall be restricted to within daylight hours to avoid affecting Kit Fox nocturnal activities.

B-12: All holes or trenches shall be thoroughly inspected for trapped animals prior to filling. In the event that a trapped or injured Kit Fox is discovered during construction, the USFWS field office in Ventura and local CDFG representative shall be immediately notified.

B-13: Because Kit Fox are attracted to den-like structures such as pipes, all construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that area stored within work areas for overnight periods shall be thoroughly inspected for Kit Fox before the pipe or culvert is buried, capped, or moved. If a Kit Fox is found inside of a pipe, the pipe shall not be moved until representatives of USFWS and CDFG are notified.

B-14: All food-related trash items shall be disposed of in closed containers and removed from associated construction zones located at the property at least once per week.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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B-15: No firearms or pets shall be allowed on site during construction activities.

Preferred mitigation for the loss of habitats for a special-status species such as Kit Fox typically involves the replacement of habitats lost or modified by project development.

This project is approximately 386 acres and includes roughly 102 acres of golf course, and 38 acres of roadways, parking areas, buildings, and other permanent improvements. The remaining 216 acres will be largely undisturbed and remain in landscaping and open space. The 102 acres of golf course would not restrict travel or movement of the Kit Fox. This is consistent with the previously approved Huerfano Golf Course Environmental Impact Report (EIR). This EIR found that the Golf Course project would result in a "less than significant impact because (1) the project does not result in physical barriers that would discourage foraging or movement, and (2) the vast majority of the highest quality habitat on site is retained within natural open space." Mitigation for permanent improvements shall be provided as noted below.

B-16: Thirty eight (38) acres of permanent improvements shall be mitigated at a 3:1 ratio consistent with the Kit Fox Habitat Evaluation Form (attached). This would require that 114 acres be provided for habitat. This shall be mitigated on site through protection of 114 acres of open space and travel corridors on the Black Ranch property. The property owner shall improve, maintain, and protect the habitat through an easement or

other agreement. The remaining 102 acres of open space and landscaping would be subject to lesser restrictions than the 114 acres and would serve as a buffer between the 114-acre habitat and any proposed improvements.

The conservation area will also serve as replacement habitat for other special-status species potentially occurring on site including, American Badger and Burrowing Owl. General criteria for selection of conservation area are identified below:

Identified replacement habitat shall be contiguous and would preferably be located along an existing wildlife movement corridor (i.e., dry creek, dense areas of oak woodland). Areas recommended for avoidance due to their value as wildlife migration corridor (refer to Figure 2), shall be included as part of the conservation area located on site.

Replacement habitats should reflect the general characteristics of those habitats proposed for disturbance.

Some passive activities may be allowed within the conservation area, as well as maintenance of a limited number of access roads. Allowable uses within the conservation area would be subject to approval by CDFG and USFWS.

Nesting Raptors

B-17: To avoid take of active Raptor nests, necessary tree removals shall be conducted between September 15 and February 15, outside of the typical breeding season. If any tree removals are determined to be necessary between February 15 and September 15, a Raptor nest survey shall be conducted by a qualified biologist prior to project implementation and any planned tree removals. The results of the Raptor nest survey shall be submitted to CDFG, via a letter report. If the biologist determines that a tree slated for removal is being used by Raptors for nesting at that time, construction in the vicinity of the nest shall be avoided until after the young have fledged from the nest and achieved independence. If no nesting is found to occur in the vicinity of proposed development, construction activities could then proceed.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Locally designated species (e.g., heritage trees)?

Discussion: The site is heavily wooded with oak trees, especially within the small arroyos and the southwest portion of the Black Ranch property. Oak trees are characteristic throughout the project area. The conceptual development scenario for the site has the golf course traversing the oak areas with minimal impacts.

There are two areas of development for the project. One is the resort area where actual physical development will occur for the resort building, roads, parking lots and landscaping and the other is the golf course area. Specific survey information has been provided for the resort area. It has been anticipated that the construction of the resort will result in the removal of four oak trees.

Regarding the oak tree impacts in relation to the rest of the development, including the golf courses, specific survey information has not been performed. RRM Design Group has created a schematic impact and tree removal plan (Attachment 4). The plan identifies areas where it is anticipated that oak trees would need to be pruned and possibly removed. Since the golf course design shown on the schematic plans is conceptual, it is anticipated that the design will change, so at this time specific oak tree impacts are not known. However, the current conceptual design that represents a maximized development density shows an impact to approximately 4.75 acres of trees over the 386-acre site. This represents 8% of the trees spread throughout the 59-acre oak woodland canopy.

With the certification of the EIR for the Chandler Ranch in 2000, a threshold for significance was established regarding significant impacts to oak trees. The threshold established that the loss of oak trees would be considered significant when the loss is 10 percent or greater of the individual trees on the parcel.

Oak woodlands are considered a sensitive native habitat. Removal or degradation of any amount of the habitat or individual trees would be considered in many jurisdictions to be a significant impact requiring mitigation. The City of Paso Robles requires City Council authorization prior to tree removal of oak trees with a diameter of six inches or greater. Given the fragility of oak woodland habitats, the difficulty in establishing oaks and the fact the mitigation in the form of new plantings takes decades before significant canopy and habitat is provided, removal of greater than ten percent of oak woodland canopy or individual oak trees would be considered a significant impact.

To minimize impacts to existing oaks and oaks to be preserved:

B-18: No more than 10% of the existing oak trees or canopy may be removed by development of the site.

B-19: Prior to construction, identify oak saplings from the development area that are suitable for relocation. To the extent feasible, saplings should be relocated to adjacent appropriate areas located along the margins of existing oak woodland, and areas proposed for preservation.

B-20: Replace all individual oak trees that cannot be transplanted and that are proposed for removal at a ratio of 4 to 1 replacement ratio, or as otherwise required by the City of Paso Robles Oak Tree Ordinance. Potential oak woodland mitigation sites should closely reflect the characteristics of areas located on site that have naturally occurring woodland expansion.

B-21: Prior to construction, retain a qualified biologist or landscape specialist to clearly mark the drip line area of each tree located outside of, but adjacent to, proposed development areas. The drip line of each tree shall be marked with highly visible flagging or construction fencing.

B-22: During construction, avoid all soil disturbance, compaction, and grading activities within, and adjacent to, the associated drip line of each tree.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant Impact	No Impact
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B-23: Artificial irrigation shall not be located adjacent to or within the drip line of existing oaks trees. Revegetate and/or mulch disturbed areas located near remaining oaks with appropriate native vegetation or mulch.

- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?

Discussion: While there are oak woodlands and varied habitat areas throughout the project area, there are no locally designated natural communities on this site. No adverse impacts are anticipated.

- d) Wetland habitat (e.g., marsh, riparian and vernal pool)?

Discussion: Open Water/Pond, Freshwater Marsh, Riparian Forest, and Riverwash/Seasonal Drainage and Vernal Pool habitats were identified on site. Of these habitat types, only the Open Water/Pond and Freshwater Marsh areas contain wetlands. These habitats are the result of the artificially created stock ponds, three (3) of which occur on the site. The development plans have been designed to avoid development and development impacts around these ponds. Furthermore, the ponds are proposed to be enhanced with native vegetation that will enhance the habitat value of the ponds. To reduce impacts to the ponds and waterways, directly or indirectly, the following measures shall be observed by project development.

Open Water/Pond, Freshwater Marsh, Riparian Forest, and Riverwash/Seasonal Drainage

B-24: Implement erosion control measures during construction and limit construction activities to dry weather to avoid impacts to wetland habitats related to increased runoff and sedimentation from development areas.

B-25: During construction, avoid all cleaning and refueling of equipment and vehicles within the vicinities of existing drainages and associated wetland habitat, as well as in the vicinities of the ponds.

B-26: Following completion of construction-related activities, immediately revegetate all disturbed and barren areas with appropriate native vegetation to reduce the risk of erosion and sedimentation in adjacent drainages.

The Biological Resource Assessment that was conducted did not discover any special status species in and around these wetland areas, but identifies the development sensitivities in building near these features and the need to obtain appropriate permits as required by Trustee and Responsible Agencies. The early identification of these sensitive areas and the ability in the future to adequately review and mitigate impacts on a project-specific level would reduce this to a less than significant impact.

B-27: In development areas, a qualified biologist shall conduct a wetland delineation to determine precise boundaries and total area of affected wetland. Development shall be limited to areas located a minimum of 50 to 10 feet from the upland extent of the wetland boundary. The distance of the wetland setback shall take into account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development.

Vernal Pools

Caltrans biologist Mitch Dallas conducted a site survey in March 2001 where he found Vernal Pool Fairy Shrimp existing in a seasonal vernal pool located near the southwest corner of the Black Ranch. This species is listed as federally endangered by the United States Fish and Wildlife Service, though it has no special status in California. The maximum extent of the Vernal Pool Watershed is identified in Attachment 7. The following mitigation measures shall be incorporated into the project.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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B-28: Prior to construction, the applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Pool #1 and Pool #2. The noted watershed boundary shall be clearly flagged in the field so that the watershed margin is plainly visible.

B-29: The applicant shall reconfigure the proposed golf course to avoid the mapped VPFS watershed required to be delineated. If complete avoidance is not possible or is infeasible, development within the mapped watershed area shall be minimized to the extent practicable. Residual impacts to the mapped watershed (those remaining after minimization) shall be mitigated in coordination with the USFWS.

B-30: During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.

B-31: Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.

B-32: Prior to final project design, and over the next two years after construction, the applicant shall retain a qualified, permitted VPFS biologist to conduct surveys for this species and other sensitive crustaceans within vernal pool habitats of the Black Ranch property. The final project design shall be modified accordingly following the noted surveys and dependent upon their results.

- e) Wildlife dispersal or migration corridors?

Discussion: The Dry Creek streambed serves as a resource for wildlife movement and provides connections to larger movement corridors such as the Huerhuero River. As described in VII(a) above, the preservation of 114 acres of habitat for Kit Fox will serve to mitigate wildlife dispersal and migration corridors.

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

- a) Conflict with adopted energy conservation plans?

Discussion: The rezone and annexation proposals would not conflict with adopted energy conservation policies for the City of Paso Robles.

- b) Use non-renewable resource in a wasteful and inefficient manner?

Discussion: The development of the site would result in increased use of fuel and energy. However, the anticipated energy demands created by the project would be in pace with the overall projected demand that is planning on being met by providers such as Southern California Gas and Pacific Gas and Electric. The impact would be considered less than significant.

- c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?

Discussion: Figure LU-5 (Mineral Resources of Regional Significance) within the City of Paso Robles General Plan does not include this project area within its boundaries and no County resource overlays exist. No adverse impact from this proposal is anticipated.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HAZARDS. Would the proposal involve:

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

Discussion: The project would need to be reviewed for its specific need for storing materials in compliance with local, state, and federal regulations. It is anticipated that whatever is required to store chemicals properly would be abided by and that the risk of accidental explosion would not be a significant impact.

- b) Possible interference with an emergency response plan or emergency evacuation plan?

Discussion: The Fire Marshal has reviewed the project, and with the proposed access points there does not appear to be a significant impact in regard to emergency response.

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

Discussion: No exposure of persons to health hazards is anticipated in conjunction with the development plan and conditional use permit applications.

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

Discussion: Any new site development would need to comply with local and state fire code requirements, including fire sprinklers, on-site fire hydrants, and demonstration of adequate water pressure for appropriate fire flows. These are standard mitigation measures that will be applied as conditions of approval to this project. The potential development of a modern building, improved circulation and access to the site, and irrigated golf course could be considered a positive project impact. No adverse impacts are anticipated.

X. NOISE. Would the proposal result in:

- a) Increases in existing noise levels?

Discussion: The construction of the site is anticipated to generate short-term noise impacts. However, since these are of a short-term nature and there are limited sensitive receptors in the area, noise impacts are determined to be less than significant.

- b) Exposure of people to severe noise levels?

Discussion: The Black Ranch project area is located below and between the two airport runways. The main climb-out zone is to the southwest from runway nine, across Airport Road and Highway 46 East. The City's Noise Element contains Ldn noise contour lines, which generally follow the climb-out pattern, but do not intersect with the Black Ranch project area. Existing dwelling units within the development area would not experience any change in their exposure to the most prominent adjacent noise sources (the City's Airport and Highway 46 East). New development on this site in the future could expose people to these existing noise sources. However, the location of the Black Ranch area in relation to airport noise contours, and the ability to mitigate noise through construction techniques, would indicate that noise exposure would not be an anticipated impact.

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

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

- a) Fire protection?

Discussion: The City currently responds from Station #3, which is located at the airport, and would also automatically dispatch a medical rescue unit from Station #1, which is located downtown. Station #3 is equipped with a structural pumper, crash fire truck, and a smaller crash and rescue vehicle. The development of the property would not have an impact on the City's ability to provide fire services to this area since the City is already doing so. In addition, any new development would be required (in accordance with the City's standard conditions of approval) to comply with all current fire safety requirements including fire sprinkling and on-site fire hydrants. These noted fire safety enhancements, in addition to irrigated improvements, would be a potential beneficial impact of a future project.

- b) Police Protection?

Discussion: The City of Paso Robles currently responds to calls within the project area. City police officers will respond, contain the scene, assist in the incident, and prepare the documentation and follow up reporting.

While the increase in service, as a result of the development of the property, would generate an increased demand on police resources, the impact is anticipated to be less than significant. The uses conditionally permitted and envisioned for development within the POS project area (destination resort, vintners center, golf course and health spa facilities) would typically be low in their police response needs, especially in comparison with other commercial activities. The remaining agricultural portions of the project area, based on their low residential density and rural character, would be similarly low in police response demand needs.

- c) Schools?

Discussion: The POS zoning of the site does not permit residential development and would not generate additional children that would have an impact on the school system. No planned school sites are in the project vicinity to be affected by the proposal, nor is there any anticipated increase in residential density. Therefore no impacts are anticipated.

- d) Maintenance of public facilities, including roads?

Discussion: The majority of adjacent roads to the project area are maintained by either the City of Paso Robles or the State of California (Caltrans). The majority of Dry Creek Road and all of Airport Road adjacent to the development area are maintained by the City. Highway 46 is a State Highway and is maintained by Caltrans. If the project area were developed, there would be no change in maintenance patterns to these roads.

- e) Other governmental services? (Sources: 11, 13)

Discussion: Services such as fire and police, water and sewer, are discussed in other sections. The City of Paso Robles has a franchise agreement with Paso Robles Waste Disposal for solid waste services and they are already servicing this area. Other services currently provided through the County, such as animal control, would remain unchanged. No adverse impacts are anticipated.

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

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

- a) Power or natural gas?

Discussion: Southern California Gas Company provides service to the Paso Robles area. There are existing underground gas service lines that serve properties at the City Airport and its vicinity. At such time that new construction within the project area were proposed, it would be necessary to coordinate construction trenching and site work with Southern California Gas to assure appropriate extension of services. The project is not anticipated to interfere with gas services or create an unmet demand.

- b) Communication systems?

Discussion: The Pacific Bell Company provides service to the Paso Robles and County areas. The project is not anticipated to interfere with phone/communication services.

- c) Local or regional water treatment or distribution facilities?

Discussion: Any future development would need to extend water distribution lines to connect to the City of Paso Robles' domestic water supply. The City has a number of existing wells in the vicinity of the project area (Dry Creek Well and the Fox Well near Airport Road). The closest water line to the project is north of Dry Creek Road. The Applicant's plans propose a looped system that will connect the waterlines near Airport Road to Dry Creek Road. The City's Water Master Plan includes the Black Ranch project area within ultimate build-out projections, and a preliminary concept for distribution lines to this area is included in Attachment 11 (See also the discussion in Section XII (g), below.). With the City's existing water resources, its active participation in the securing of future resources, and master planning in place for future distribution beyond current city boundaries, make potential impacts to water treatment and distribution a less than significant impact.

- d) Sewer or septic tanks?

Discussion: The City's Sewer Master Plan includes the Black Ranch project area within its build-out projections for the airport area. The Master Plan indicates that a 15-inch sewer main is proposed to collect flow from the east side of the Black Ranch area. The preliminary sewer distribution concept for the area would likely involve the construction of a lift station on Airport Road as well as a series of sewer mains along Airport Road and/or Dry Creek Road. The projected wastewater demand from this project is the same as the water projections of 46,980 gallons per day based on the conceptual site programming for the proposed POS area. The Applicant's plans anticipate extending the lines to tie into the public sewer. The amount of wastewater (sewer) demand associated with the project appears to be adequately accommodated within the City's Sewer Master Plans and potential impacts from increased demand would be considered less than significant.

- e) Storm water drainage?

Discussion: The size of the property and the relatively low site coverage proposed for the development would result in less than significant impact to the storm water system. See additional discussion and mitigation measures in Section IV.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) Solid waste disposal?

Discussion: Paso Robles Waste Disposal, a private company, provides solid waste service to the Paso Robles incorporated and unincorporated areas. The City of Paso Robles maintains its own landfill, which consists of 80 acres on Highway 46 East, east of the project area. The City's landfill opened in 1970 and in 1990 was filled to less than half of its capacity. Long-term plans for the landfill include cell expansion to meet projected future General Plan build-out needs. This project area is within the City's Planning Impact Area that was included in the master planning for anticipated future service and capacity needs at the landfill.

Additionally, solid waste service by Paso Robles Waste Disposal and deposits to the landfill are already generated by this area. Impacts from this project are considered less than significant.

- g) Local or regional water supplies?

Discussion: Any future commercial development would need to extend municipal water services in order to provide an appropriate domestic water source. The City of Paso Robles' Water Master Plan includes the Black Ranch area as part of an ultimate build-out scenario. Preliminary infrastructure design within that Master Plan indicate a looped water main from Dry Creek to Airport Road. The golf course is proposed to be irrigated via on-site wells.

Water service needs were projected for the project based on the site programming of the resort, golf course, restaurant, spa and vintner's facility. Daily water demand needs were projected to be a total of 46,980 gallons per day (assuming the golf course would be irrigated via existing on-site wells). Based on the City's Water Master Plan and its accommodation of future service to this area, water service impacts are considered to be less than significant. See additional discussion and mitigation measures in Section IV.

XIII. AESTHETICS. Would the proposal:

- a) Affect a scenic vista or scenic highway?

Discussion: The project area is directly adjacent to Highway 46 East, a heavily traveled east/west corridor and major entrance to the City of Paso Robles. The appearance of the development from Highway 46 would warrant careful consideration, as this is a visually sensitive corridor. The nature of the uses conceptually proposed would provide good potential for enhanced architecture and the extensive use of landscaping and other visually pleasing project features. The future development review process within the City of Paso Robles would provide an appropriate opportunity for detailed review of visual impacts of new development. In order to develop the resort area, approximately 45,000 cubic yards of earth will be moved. The golf course area is anticipated to include an additional 300,000 cubic yards of earth. With the following mitigation measures, impacts to the scenic corridor would be considered mitigated to a level of less than significant.

AE-1: Grading shall be designed to balance on-site. All slopes visible from the highway shall be contoured and graded to appear natural. All slope and graded areas shall be re-planted with native species, grasses, or other landscaping, as indicated on the proposed landscape plan.

- b) Have a demonstrable negative aesthetic effect?

Discussion: Based on the discussion in Section XIII(a), potential aesthetic impacts associated with this project and potential future development would be considered less than significant.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Create light or glare?

Discussion: Standard conditions of approval for the development including any golf course/driving range lighting will required that any exterior light shall be fully shielded, with no exposed lens. Cut-sheets of the light fixtures will be required to be reviewed by City Staff prior to installation.

XIV. CULTURAL RESOURCES. Would the proposal:

a) Disturb paleontological resources?

Discussion: The geologic history of the Paso Robles area would not indicate that there is the potential for paleontological resources to exist or be impacted by the project.

b) Disturb archaeological resources?

Discussion: The Paso Robles area has been classified as territory occupied by the Migueleno Salinan and the Obispeno Chumash Native California populations. Past community populations have been evidenced at several sites within the Paso Robles area and unincorporated portions of the surrounding County. Archaeological records for the Paso Robles area and recent cultural resource surveys conducted for properties in close proximity to this project area (Huerhuero Golf Course by Clay Singer -1996, and the Munde Property by Thor Conway - 1997) did not result in the finding of heritage resources.

An Archaeological Surface Survey has been performed for the Black Ranch site by Thor Conway. The survey was completed on August 24, 2001. The survey concluded as follows:

"The Black Ranch property can be characterized as having low potential for archeological resources based upon the results of the surface survey. It is recommended that further archaeological studies not be required during development of the property".

c) Affect historical resources?

Discussion: The Black Ranch study area does not have historic era structures or roads until 1940's as stated in the study by Thor Conway. Also noted in the study is that the "this cartographic information suggests that there is a low potential for historic era cultural resources older that sixty years old within the study area".

d) Have the potential to cause a physical change, which would affect unique ethnic cultural values?

Discussion: Based on the discussion contained in Section XIV(b&c) above, the potential to impact unique cultural values would be considered less than significant.

e) Restrict existing religious or sacred uses within the potential impact area?

Discussion: Based on the discussion contained in Section XIII(b&c) and the ability to further review potential impacts to cultural resources in conjunction with a specific development proposal, impacts from this rezone and annexation proposal would be considered less than significant.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. RECREATION. Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities?

Discussion: The proposed project does not have the potential to increase residential density within the project area. Typically, increased residential density would be the factor associated with an increased demand/need for recreational facilities. This would provide private recreational facilities that can help in off-setting recreational demands within the surrounding communities. Impacts to recreational needs as a result of this proposal are considered less than significant.

- b) Affect existing recreational opportunities?

Discussion: The closest public recreational area to this project site is Barney Schwartz Regional Park located on the Union Road, south of Highway 46. There is private recreation (the Hunter Ranch Golf Course) located directly across Highway 46 to the south. This project would not have the ability to impact those recreational sources.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Discussion: The project is located in an area where there are identified sensitive and valuable plant and wildlife habitats (See discussion contained in Section VII – Biology). Similarly, there could be potential for cultural resources to exist within the project area. With the inclusion of project specific mitigation measures, implementation of the conditions of approval, and implementation of the mitigation monitoring plan the potential impacts will be mitigated to a less than significant level.

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?

Discussion: The proposed project is consistent with the future service and development expectations associated with the area being within the City of Paso Robles' Sphere of Influence. The development of the project appears to be consistent with the City's General Plan policies.

- c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a

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

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.)

Discussion: The City's General Plan included this area in its framework for future planning (the Planning Impact Area). Additionally, this area has been included within the City's Sewer and Water Master Plans both for capacity and infrastructure design. Traffic analysis has been conducted for the potential build-out of a destination resort, golf course, and vintners facility on both a short- and long-term cumulative impact basis. These studies and documents appropriately document long-range cumulative possibilities associated with this proposal, demonstrating impacts to be less than significant.

- d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: With the incorporation of mitigation measures identified in this document, the project is anticipated to have a less than significant effect on human beings.

RESOLUTION NO.: 04-008

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING THE BLACK RANCH RESORT PROJECT, PLANNED DEVELOPMENT 01-025
(RRM DESIGN GROUP FOR MATT MASIA, BLACK'S HATCHERY & TURKEY FARM)**

APN: 025-431-044, -045, AND -049

WHEREAS, Planned Development 01-025 has been filed by RRM Design Group on behalf of Mr. Matt Masia for Black's Hatchery & Turkey Farm; and

WHEREAS, Planned Development 01-025 is a proposal to establish a Master Development Plan for the proposed Black Ranch resort project on an approximately 386-acre site north of Highway 46 East, south of Dry Creek Road, and west of Airport Road; and

WHEREAS, Conditional Use Permit 01-017 has been filed in conjunction with the Planned Development application to allow a resort hotel with a golf course and other ancillary facilities in the Parks and Open Space (POS) Zoning District; and

WHEREAS, the proposed Black Ranch resort includes a 200 room hotel with an additional 80 casitas (detached hotel rooms), an 18-hole golf course, a 9-hole executive course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities; and

WHEREAS, the development project applications for the proposed Black Ranch resort would establish the following:

- The Planned Development would establish the site plan, development standards, architectural theme, landscaping, phasing, and required infrastructure for the Black Ranch resort; and
- The Conditional Use Permit would establish the allowable land uses for the Black Ranch resort, including authorizing development and operation of a resort hotel and restaurant with greater than 5,000 square feet of area if determined not to have a significant adverse effect on the economic vitality of the downtown as required by Ordinance 568 N.S.; and

WHEREAS, the General Plan land use designation is POS (Parks and Open Space) and the Zoning Ordinance designation is POS (Parks and Open Space), and

WHEREAS, at its January 27, 2004 meeting, the Planning Commission held a duly noticed public hearing on the proposed Black Ranch resort project the public hearing was open and continued at the request of the Applicant in order to allow additional time to review the project conditions; and

WHEREAS, at its February 10, 2004 meeting, the Planning Commission reopened the public hearing to accept public testimony on the proposal, including Planned Development 01-025, Conditional Use Permit 01-017, and the environmental review/determination therefore; and

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

**Attachment 3
Resolution 04-008
(Black Ranch)**

WHEREAS, the proposed project and proposed uses are subject to and consistent with the 1977 Airport Land Use Plan; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Black Ranch resort project qualifies for adoption of a Mitigated Negative Declaration and Mitigation Monitoring/Reporting Program/Plan; and

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

1. The proposed Black Ranch resort project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since it is a destination resort hotel with a golf course and other ancillary/related land uses consistent with the City's Economic Strategy. The proposed Black Ranch resort project is designed to complement adjacent recreational opportunities and the City's existing wine industry. Overnight and dining accommodations are designed to support the guests of the resort facilities.
2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16F (Parks and Open Space District), Chapter 21.16A (Planned Development Overlay District Regulations), and Chapter 21.23B (Development Review), as follows:

- A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City.

Rather, the PD for the Black Ranch resort project implements the City's goals as expressed in its General Plan and its Economic Strategy to develop Paso Robles into an "end-destination" tourist attraction and Central Coast Golf destination. Among other items, implementation of the City's Economic Strategy is to include encouraging and supporting development of "resort-quality" golf courses that would be compatible with the Paso Robles area.

- B. The Black Ranch resort project maintains and enhances the significant natural resources on the site. This has been accomplished through:

- The retention of the majority of the existing oak trees (Separate City Council review/approval to remove three [3] of the existing oak trees is being sought in order to develop the resort);
- The orientation and layout of the developed portion of the Black Ranch site;
- The proposed landscape restoration plan and the extensive tree protection plan; and
- The establishment of a readily identifiable, enhanced architectural style. The Craftsman architectural style is the one selected for the Black Ranch resort, reflecting the character of the early Californian Bungalow. As the architect of record has indicated:

"This style incorporates natural building materials that compliment the site. The natural materials (heavy timbers, natural stone, and wood siding) become and extension of the landscape and appear to be "growing from the soil". This style was carefully designed to fit with the historical landscape and architecture found in the surrounding Paso Robles area. You can find many of the similar architectural details in the historic residential area of Paso Robles. In addition, to the architecture, the site design concentrated on preserving as many natural oaks trees and existing site features as possible. As a result, a very small percentage of oak trees will be affected by the placement of the structures."

- C. The Black Ranch resort project is designed to be sensitive to, and blend in with, the natural character of the site and the surrounding area. This has been accomplished through the following:
- The retention of the existing oak trees as shown on the proposed tree protection plan; and
 - The proposed restoration of the natural landscape as shown on the landscape restoration plan; and
 - The establishment of a readily identifiable, enhanced architectural style; and
 - The relatively limited area of the site that is set-aside for the resort development as shown on the schematic grading and drainage plan.
- D. The Black Ranch resort project is consistent with the purpose and intent of the Planned Development Chapter, the Conditional Use Permit Chapter, and the Parks and Open Space District of the City's Zoning Ordinance; and, further, the Black Ranch resort project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 01-025 subject to the following conditions:

GENERAL CONDITIONS:

1. The Planned Development for the Black Ranch resort project shall not be operative or vested until the following applications have been approved and put into effect:
 - A. Mitigated Negative Declaration and Mitigation Monitoring/Reporting Program/Plan;
 - B. Conditional Use Permit 01-017; and
 - C. Oak Tree Removal Permit.
2. The Black Ranch resort project shall comply with all Conditions of Approval and Exhibits contained in this Resolution and the associated Resolutions for the above-referenced Mitigated Negative Declaration and Mitigation Monitoring/Reporting Plan/Program, Conditional Use Permit, and Oak Tree Removal Permit.
3. The Black Ranch resort project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit A and incorporated by reference herein.

SITE-SPECIFIC CONDITIONS:

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

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

<i>EXHIBIT</i>	<i>DESCRIPTION</i>
A	Standard Conditions of Approval
B	Black Ranch Master Plan – Schematic Landscape Plan
C	Black Ranch Master Plan – Schematic Tree Protection Plan
D	Black Ranch Master Plan – Schematic Landscape Resort Plan
E	Black Ranch Master Plan - Schematic Grading and Drainage Plan
F	Black Ranch Master Plan - Schematic Utility Plan
G	Black Ranch Master Plan – Site Sections
H	Black Ranch Master Plan – Floor Plans & Elevations for the Hotel, Lobby, Restaurant, & Café
I	Black Ranch Master Plan – Casitas Plan and Elevation
J	Black Ranch Master Plan – Clubhouse Plan and Elevations
K	Black Ranch Mitigation Monitoring/Reporting Plan/Program

5. This Master Development Plan for PD 01-025, together with the City’s General Plan, Economic Strategy, and Municipal Code as amended, establishes the conceptual framework for development of the Black Ranch resort project. The Master Development Plan also establishes a Mitigated Negative Declaration for the project (both Phases I and II) and has determined that the Black Ranch project will not have a significant impact on the environment because of the required mitigation measures.
 - A. The Master Development Plan for PD 01-025 authorizes Phase 1 and Phase 2 of the Resort Development for the Black Ranch project (which does not include the golf courses and related amenities, see condition No. 5C below), subject to Development Review Committee (DRC) review and approval of a Final Development Plan (which Plan is to be in substantial compliance with this Master Development Plan, the project Conditions of Approval, and the Mitigation Monitoring/Reporting Plan/Program), DRC review and approval for Phase 1 or 2 of the Resort is to be obtained prior to issuance of any permits for grading, site development, and/or buildings.
 - B. The phasing schedule for development for the Black Ranch resort project is as follows (note: changes may be made to the phasing schedule, building orientation and building size only if found to be in substantial compliance by the Development Review Committee and/or Planning Commission):

Black Ranch Resort & Golf Course Phasing Schedule			
Phases			
Land Use/Facilities	1	2	Total
Resort			
Hotel Rooms	120	80	200
Casitas	40	40	80
Restaurant: Fine Dining	6,000 sf	N/A	6,000 sf (100 seats)
Restaurant: Café	1,500 sf	N/A	1,500 sf
Outdoor Seating	25 tables	N/A	25 tables
Conference Facilities	8,286 sf	6,000 sf	14,286 sf
Wine Information Center	1,500 sf	N/A	1,500 sf
Health Spa	1,500 sf	1,000 sf	2,500 sf
Outdoor Uses	4 tennis courts Pool Hot Tub/Spa Gardens	N/A	4 tennis courts Pool Hot Tub/Spa Gardens
Outdoor Events Areas	South area	North area	2 areas
Bus/Overflow Parking	120 spaces	N/A	120 spaces
Golf/Clubhouse Parking	161 spaces	N/A	161 spaces
Resort Parking	200 spaces	84 spaces	284 spaces
Casitas Parking	40 spaces	40 spaces	80 spaces
Land Use/Facilities			
Land Use/Facilities	1	2	Total
Golf Course			
Golf Course Clubhouse	10,000 sf	N/A	10,000 sf
Championship Golf Course	18 holes	N/A	18 holes
Executive Golf Course	N/A	9 holes	9 holes
Snack Bar/Pro Shop/Restaurant	1,500 sf	N/A	1,500 sf
Golf Cart Storage Building	6,000 sf	N/A	6,000 sf
Satellite Restroom	250 sf	N/A	250 sf
Maintenance Building	6,000 sf	N/A	6,000 sf
Driving Range	289,061 sf	N/A	289,061 sf
Putting Green	76,699 sf	N/A	76,699 sf
Chipping Green	21,303 sf	N/A	21,303 sf

C. Phase I and II of the Golf Course including all associated buildings is subject to Planning Commission review and approval. The Planning Commission shall review and approve the Final Development Plan for the golf course (which plan is to be in substantial compliance with this Master Development Plan, the project Conditions of Approval, and the Mitigation Monitoring/Reporting Plan/Program). The Planning Commission's review will focus on, but not be limited to the details of grading/drainage, impacts on oak trees, oak tree protection measures, golf course amenities, landscaping associated with the golf course, irrigation and lighting. No new environmental review shall be required if the project is in substantial compliance as determined by the Planning Commission.

6. This Master Development Plan for PD 01-025, the Black Ranch resort project, together with the City's General Plan, Economic Strategy, and Municipal Code as amended, Conditional Use Permit 01-017, and the Oak Tree Permit allows for development and operation of the following land uses:

A. Permitted Land Uses for Black Ranch

1. Resort Hotel with 200 rooms and 80 casitas (detached hotel rooms)
2. Restaurant – Café (1,500 square feet with an outdoor seating area with 25 tables)
3. Wine Information Center (1,500 square feet)
4. Gardens

B. Permitted Accessory/Ancillary Land Uses for Black Ranch

1. Golf Course with an 18-hole Championship Course and a 9-hole Executive Course
2. Driving Range, Putting Green, and Chipping Green
3. Golf Course Clubhouse (10,000 square feet)
4. Snack Bar/Pro Shop/Restroom (1,500 square feet)
5. Satellite Restroom (250 square feet)
6. Golf Cart Storage Building (6,000 square feet)
7. Maintenance Building (6,000 square feet)
8. Health Spa (1,500 square feet)
9. Pool, Hot Tub/Spa, and Tennis Courts (4 courts) for the Resort Hotel and casitas
10. Restaurant – “Fine Dining” (6,000 square feet, approximately 100 seats)
11. Conference Facilities and Meeting Rooms (14,286 square feet)
12. Administrative/Professional Offices in the hotel and in the clubhouse
13. Outdoor Events in the designated areas in the north and south portions of the site
14. Crop production (includes dry and irrigated farming, orchards, vineyards) if conforming to Section 21.16E.040 of the Zoning Ordinance
15. Temporary Construction Yard in connection with a valid building permit on the site of the building permit or on an immediately adjacent site, subject to issuance of a Temporary Use Permit.
16. Temporary Trailer and/or Building for use as a construction office subject to issuance of a Temporary Use Permit.

C. Conditionally Permitted Land Uses for Black Ranch

1. Temporary Special Events with over 400 guests subject to a review and approval of a Temporary Use Permit; the TUP application shall include parking plans, security and traffic control plans, in addition to the other application requirements. Temporary Special Events less than 400 guests do not need a TUP or any City review, unless the special events are above and beyond the usual conference or on-going activities of the resort/golf course (example: a golf tournament or wedding may not need a TUP, but a fire works show or rock concert would need a TUP). It is the responsibility of the operator to identify uses that may need special need by the Police Department.

2. The land uses listed below are not expressly authorized through the Master Development Plan for Black Ranch (PD 01-025) and Conditional Use Permit 01-017. While not expressly authorized herein, any of the following land uses or combination thereof may be established as part of the Black Ranch resort project subject to issuance of a separate or amended Conditional Use Permit:
 - a) Additional restaurants as an accessory to the resort (outdoor seating and liquor service included);
 - b) Additional tennis courts;
 - c) Racquetball and/or handball courts;
 - d) Ball fields, playgrounds, stadiums, and amphitheaters;
 - e) Museums and/or art galleries;
 - f) Public Facilities;
 - g) Parks and/or playgrounds; and
 - h) Public Utilities Facilities

D. Prohibited Land Uses for Black Ranch

1. Residential land uses are prohibited as a part of the Black Ranch resort. This prohibition is consistent with the POS General Plan and Zoning designations and is in accordance with General Plan Land Use Policy LU-1B (Airport Land Use Compatibility), which states that new residential development is an undesirable land use within the Airport Influence Area and which requires the City to prohibit further subdivision of land within the Airport Land Use Review Area (AP Overlay Area) and/or to prohibit changes to General Plan land use designations or a site's zoning in such a manner that would accommodate additional dwelling units.
 2. Residential land uses are prohibited within the Black Ranch resort since the site located within the Airport Influence Area of the Paso Robles Municipal Airport and the Airport Land Use Review Area (AP Overlay Area).
 3. The Casitas (detached hotel rooms) shall only be used for transient occupancy use where the length of stay is limited to no longer than 30 days. Longer stay rental use is prohibited.
7. Prior to issuance of any permits for grading, site development, and/or buildings, a Final Development Plan for Phase 1 of the Black Ranch resort project shall be filed with the City for Development Review Committee review and approval (which Plan is to be in substantial compliance with the Master Plan).
- A. The Final Development Plan submittal is to be accompanied by submittal of the detailed plans of: (1) the building architecture, (2) the colors, textures, materials, and finishes of the buildings, site amenities, and appurtenant facilities, (3) the site and building lighting, (4) the landscaping, the oak tree protection measures, and the landscape irrigation, (5) the signage program, (6) the precise grading and drainage, (7) the water system, (8) the sewer system, and (9) the street improvements.
 - B. The Final Development Plan and the accompanying detailed plans are to be in substantial conformance with Exhibits B through K, which Exhibits have been incorporated into this Resolution as per Site Specific Condition No. 4.
 - C. The Final Development Plan and the accompanying detailed plans are to incorporate use of natural building materials that complement the site and the elevations of the buildings, and structures are to be in an architectural style as per the plans, drawings, and details included with the PD application.
 - D. All accessory elements including but in no way limited to trash enclosures, mechanical screens, decorative paving, fountains, outdoor lighting, building mounted lighting, tables, chairs, benches,

and wall/fences shall be consistent with the architectural theme established for the Black Ranch resort project as shown on the Exhibits B through L.

- E. Night lighting will be designed and directed to avoid visibility from Highway 46 and shall not conflict with airport operations. Cut sheets of outdoor lighting equipment shall be submitted to the Community Development Department prior to installation for review and approval.
8. This Master Development Plan for PD 01-025 includes a Phasing Plan for the construction of the Black Ranch resort project. The project has been divided into two (2) separate phases.
- A. Unless permits have been issued for Phase 1 and site work has begun, the approval of Planned Development 01-025 shall expire on January 27, 2010. This January 27, 2010 expiration date may be extended an additional year by the Planning Commission if, prior to the expiration date, a complete time extension application has been filed with the City along with the appropriate fees.
- B. If permits have been issued for Phase 1 and site work has been initiated prior to January 27, 2010, the subsequent phase shall have the following expiration date: Phase 2 – January 27, 2014. This Phase 2 expiration date may be extended an additional year by the Planning Commission if the Phase 1 timeframe for project initiation has been extended.
9. Prior to issuance of any permits for grading, site development, and/or buildings, the property-owner shall grant and record an avigation easement to the City, in a form approved by the City Attorney, over the entire project area.
10. Per Section 21.16F.040 (Development Standards) of Chapter 21.16F (Parks and Open Space District), standards for development of buildings and structures (setbacks, building separations, grading limitations, architectural requirements, etc...) shall be the same as those specified for the R-1 District, except as follows:
- All buildings shall be setback at least 30 feet from the right-of-way of Highway 46 East.
 - All buildings shall be setback 30 feet from Dry Creek Road.
 - All buildings shall be setback 10 feet from the eastern and western property lines
 - No buildings or structures shall be placed with the limits of the watershed surrounding each of the vernal pools shown on Exhibits B through F and Exhibit K (attached hereto and incorporated herein by reference).
 - Maximum building height shall be in accordance with the height identified on the approval plans and shall be a maximum of 40-feet above finish grade.

ENVIRONMENTAL MITIGATION AND MITIGATION MONITORING PLAN/PROGRAM

11. The Black Ranch resort project shall be constructed and operated in substantial conformance with the environmental mitigation measures and mitigation monitoring/reporting program/plan requirements set forth in Exhibit K (attached hereto and incorporated herein by reference). Among other items, the environmental mitigation measures and mitigation monitoring/reporting program/plan requirements address San Joaquin Kit Fox Habitat Preservation, retention of Wetlands and Vernal Pools, and Oak Tree protection and preservation in accordance with the City's Oak Tree Preservation Ordinance No. 835 N.S., unless specifically authorized by the City Council to be removed.

A brief overview of the requirements relating to each of these three (3) environmental issue areas are presented below (refer to Exhibit K for the project specific measures and monitoring/reporting requirements to be satisfied).

A. San Joaquin Kit Fox/Habitat Preservation (Mitigation Measure B-1)

Prior to the issuance of permits for grading/construction or prior to final inspection of any grading/construction permits, the applicant shall provide for habitat preservation, in a form

acceptable to the CA Fish & Game Department, in an amount equal to three acres of habitat, or fraction thereof, for each acre of development, or fraction thereof. The applicant shall have the ability to enter into an agreement with CA Fish & Game Department for payment of an in-lieu fee not to exceed \$2500 per acre to The Nature Conservancy for a total replacement habitat of 383.4 acres based on the score from the Kit Fox Evaluation Form and Procedure and the CA Fish & Game replacement of 3-acres for each of the 127.8-acres lost.

B. San Joaquin Kit Fox Protective Measures for Implementation Before and During Construction (Mitigation Measures B-2 through B-11)

There are 10 protective measures that are to be implemented either (1) prior to the issuance of permits for grading/construction or (2) during construction to ensure that the construction activities do not have a direct impact on the San Joaquin Kit Fox.

C. Vernal Pools Mapping (Mitigation Measure B-18)

Prior to construction, the Applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Vernal Pools #1 and #2 and shall complete surveys of these potential vernal pools in winter and spring. The watershed boundary shall be clearly flagged in the field so that it is plainly visible.

D. Retention of Wetlands and Vernal Pools (Mitigation Measure B-19)

Prior to Final Development Plan approval, the applicant shall reconfigure the Master Plan for the Black Ranch resort project, including the golf course, to avoid site disturbance, grading, utility trenching, landscaping, site improvements, golf course pathways, walkways, et cetera within the mapped watershed of the Vernal Pools and identified wetland areas to satisfaction of the City, any State Trustee Agency having jurisdiction by law over natural resources (ie, wetlands and vernal pools), CA Fish & Game, and any Responsible Agency which has discretionary approval power over the project (eg, USFWS). Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.

E. Vernal Pools: Impact Avoidance (Mitigation Measure B-20)

Prior to final project design and continuing for a period of two years after construction (or other duration of time as may be required by the USFWS), the Applicant shall retain a qualified, permitted Vernal Pools Field Survey biologist to conduct field surveys to ensure that the golf course and other improvements are not adversely impacting the Vernal Pool Habitat. The final project design of the Master Plan for the Black Ranch resort project shall be modified to avoid disturbance of the mapped vernal pools following the noted surveys and dependent upon their results.

- Prior to issuance of a grading or building permit, the applicants Biologist shall confirm with the California Department of Fish and Game that because the project will be redesigned to stay out of any areas of the property identified as wetland or vernal pool, that all of the concerns have been addressed and no mitigation is necessary. The applicant shall provide written documentation that the necessary agencies have acknowledged that there is no need for mitigation.

F. Vernal Pools: Conservation Easement (Mitigation Measure B-21)

Prior to Final Development Plan review/approval for Phase 1 of the Black Ranch resort project, the applicant shall record a conservation easement (or other mechanism) against the property in a manner and form acceptable to the City Attorney and the Community Development Director or his/her designee to provide for protection in perpetuity for the vernal pools and their watersheds, including, but not limited to use restrictions and on-going management program.

G. Site Preparation & Grading Limitations (Mitigation Measure B-22)

During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed and the identified vernal pools and their watersheds. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.

H. Oak Tree Protection and Preservation (Mitigation Measures B-12 to B-16)

- i. **General Requirements.** The existing Oak trees located on the project site shall be protected and preserved as required in City's Oak Tree Preservation Ordinance No. 835 N.S, as codified in Chapter 10.01 - Oak Tree Preservation of the Municipal Code, unless specifically authorized by the City Council to be removed. None of the three (3) oak trees shown for removal as part of the Black Ranch resort project have been authorized for removal as part of this Master Development Plan. Any proposed oak tree removal is subject to separate City Council review and approval as set forth in the City's Oak Tree Preservation Ordinance. Any oak trees that may subsequently be approved for removal by the City Council shall be replaced as so required by the City's Oak Tree Preservation Ordinance (Title 10 of the Municipal Code).
- ii. **Oak Tree Retention or Removal (Phase 1).** A modified Master Plan and conceptual site plan for Phase 1 of the Black Ranch resort project shall be submitted to the Development Review Committee for verification that:
 - a) The footprints of the hotel buildings have been modified so that the three (3) oak trees shown for removal are retained; or
 - b) Modified plans, drawings, and documents showing where (a) the three (3) existing oak trees will be transplanted on the site if feasible or (b) where the replacement oak trees will be planted at the replacement ratio specified in the City's Oak Tree Preservation Ordinance, if removal is so authorized by separate action of the City Council. If transplanting is proposed, a cash deposit equal to the appraised value of the tree or trees shall be deposited with the City. The appraised value and length of time that the security shall be held will be established by an International Society of Arboriculture (ISA) certified arborist hired by the City at the applicant's cost.
- iii. **Constructive Notice.** Prior to Development Review Committee review/approval of any Final Development Plans for the Black Ranch resort project, constructive notice of the City's Oak Tree Preservation Ordinance and its requirements, the environmental mitigation measures to be implemented for the Black Ranch project as set forth in Exhibit K (attached hereto and incorporated herein by reference), and the Conditions shall be recorded against the property in a manner and form acceptable to the City Attorney and Community Development Director or his/her designee.

ENGINEERING SITE-SPECIFIC CONDITIONS

12. Two sources of water shall be provided to the project as shown on the preliminary utility plan. Backflow prevention devices shall be installed at all points of connection.
13. The applicant shall extend a 16-inch water main from the existing 16-inch main in Airport Road to the project, and through the project in accordance with the City Water Master Plan and as approved by the City Engineer. Easements shall be dedicated to the City for the placement and maintenance of the 16-inch water main.

14. Prior to occupancy of the first building, the applicant shall extend a City sewer line to the project frontage on Highway 46 East in accordance with plans approved by the City Engineer.
15. The applicant shall enter into an agreement not to protest the formation of an assessment district for the future improvement of Dry Creek Road, the realignment of Airport Road and intersection improvements at Airport Road and Highway 46 East.
16. Prior to issuance of any permits for grading, site development, and/or buildings, the property-owner shall provide an irrevocable offer of dedication of public right-of-way to the City, 50-feet wide from the centerline of Dry Creek Road, adjacent to the subject property.
17. Prior to issuance of any permits for grading, site development, and/or buildings, the property owner or his authorized representative shall submit improvement plans:
 - A. For City Engineer review/approval as to their compliance with: (i) these project Conditions of Approval; (ii) the recommendations of the ATE Traffic and Circulation Study for Black Ranch; (iii) the environmental mitigation measures and mitigation monitoring plan/program requirements in Exhibit K (attached hereto and incorporated herein by reference); and (iv) City standards.
 - B. For City Engineer verification that all applicable Caltrans requirements, conditions, and permits as set forth in their letters dated May 1, 2002 and February 1, 2002 have been and/or will be satisfactorily addressed.
18. In conjunction with the afore-mentioned public improvements and prior to issuance of any building permits, the property owner or his authorized representative shall construct any or all improvements to the site's main entrance/exit along Highway 46 East as recommended by the Traffic Engineer's Report and in substantial compliance with the environmental mitigation measures and mitigation monitoring plan/program requirements set forth in Exhibit K (attached hereto and incorporated herein by reference).
19. The property owner or his authorized representative may request, from the City Council, reimbursement of expenses for the 16-inch water main extension, which are over and above the proportionate share required for the Black Ranch resort project.
20. The property owner or his authorized representative may request, from the City Council, reimbursement of expenses for the sanitary sewer facilities, which are over and above the proportionate share required for the Black Ranch resort project.
21. Prior to issuance of any building permits, storm water detention facilities shall be designed and constructed at all discharge points within the project. Natural water courses draining from the project property shall be protected from silt (during construction and permanently) and from nuisance water generated from landscape irrigation, agricultural activity or any other source.
22. Prior to issuance of any building permits, the property owner or his authorized representative shall assign the overlying water rights of the property to the City of Paso Robles in accordance with the City Council policies and directions at that time, in a form acceptable to the City's Public Works Department and the City Attorney. This condition does not apply to hot springs.
23. All domestic water uses, landscape irrigation and golf course irrigation shall be obtained by connection to the City water system unless the City Council, upon request of the applicant, specifically approves the use of private sources of water for any of the purposes listed.

EMERGENCY SERVICES/FIRE SITE-SPECIFIC CONDITIONS

24. All secondary and emergency access roads shall meet Uniform Fire Code Specifications as amended and as follows: (a) width shall be 24 feet or as approved by the City's Emergency Services/Fire Department;

(b) vertical clearance shall be 13 feet-6 inches; and (c) all weather surfaces shall be provided to allow for all weather driving capabilities and to conform to the requirements contained in the Zoning Ordinance.

25. Prior to start of construction, information shall be submitted to the Emergency Services/Fire Department showing that required fire flows can be provided to meet all project demands.
26. A directory or annunciator board shall be placed at road entrances showing building locations and numbers.
27. The provision of on-site water mains, hydrants and adequate flow and pressure are standard City requirements. Unless waived by the Fire Chief, fire alarm and fire sprinkler systems shall be installed in all new resort structures.
28. Bridges constructed on primary roads and secondary roads shall be designed and constructed to be capable of supporting the imposed loads of all Emergency Services/Fire Department apparatus.

PASSED AND ADOPTED THIS 10th day of February, 2004 by the following Roll Call Vote:

AYES: Johnson, Ferravanti, Mattke, Kemper, Flynn, Steinbeck

NOES: None

ABSENT: Hamon

ABSTAIN: None


CHAIRMAN TOM FLYNN 3/9/04

ATTEST:


ROBERT A. LATA, PLANNING COMMISSION SECRETARY

H:\darren\PD\BlackRanch\PD 01-025 Resolution

EXHIBIT A OF RESOLUTION

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

PROJECT #: PD 01-025

APPROVING BODY: PLANNING COMMISSION

DATE OF APPROVAL: JANUARY 27, 2004

APPLICANT: RRM DESIGN GROUP FOR MR. MATT MASIA, REPRESENTATIVE
FOR BLACK'S HATCHERY & TURKEY FARM (PROPERTY OWNER)

LOCATION: NORTH OF HIGHWAY 46 EAST, SOUTH OF DRY CREEK ROAD, AND
WEST OF AIRPORT ROAD, PASO ROBLES
(APN 025-431-044, -045, & -049)

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

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

A. GENERAL CONDITIONS:

- 1. This project approval shall expire on January 27, 2010 unless a time extension request is filed with the Community Development Department prior to expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 4. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.
- 5. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a \$25.00 filing fee for the Notice of Determination and an \$850.00 fee for a Mitigated Negative Declaration payable to "County of San Luis Obispo." This fee is to be submitted to the Community Development Department within 24 hours of project approval so that it can be forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.

- 6. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 7. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.
- 10. All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
- 11. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- 12. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.
- 13. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 14. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 15. The following areas shall be placed in the Landscape and Lighting District:

The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).
- 16. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb.
- 17. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

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

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

- 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.
- 2. Prior to the issuance of building permits, the
 - Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:
 - a. A detailed site plan indicating the location of all buildings, structures, parking areas, walking pathways, gardens, the golf course and associated golf cart pathways, outdoor storage areas, maintenance buildings, outdoor patios, outdoor amenities, walls, fences, lighting, signs, and trash enclosures;
 - b. A detailed landscape and irrigation plan;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other: See other requirements as noted in the Planning Commission Resolution for PD 01-025.
- 3. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

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

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

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

APPLICANT: RRM Design Group PREPARED BY: JF
REPRESENTATIVE: Mr. John Knight CHECKED BY: _____
PROJECT: PD 01-025 & CUP 01-017 TO PLANNING: _____

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

D. PRIOR TO ANY PLAN CHECK:

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

E. PRIOR TO ISSUANCE OF A GRADING PERMIT:

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

F. PRIOR TO ANY SITE WORK:

1. All off-site public improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to the Public Works Department Standards and Specifications.
2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater, and Street Division heads.

- 3. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a Construction Zone Drainage and Erosion Control Plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- 4. Any construction within an existing street shall require a Traffic Control Plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.
- 5. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
- 6. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:
Dry Creek Road Collector Street A-11
- 7. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
 - a. Public Utilities Easement;
 - b. Water Line Easement;
 - c. Sewer Facilities Easement;
 - d. Landscape Easement;
 - e. Storm Drain Easement.

G. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- 3. When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 5. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks per Fire Department recommendation.
- 6. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:

- a. Street lights;
 - b. Parkway and open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
7. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) - in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V - the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
8. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California.

H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

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

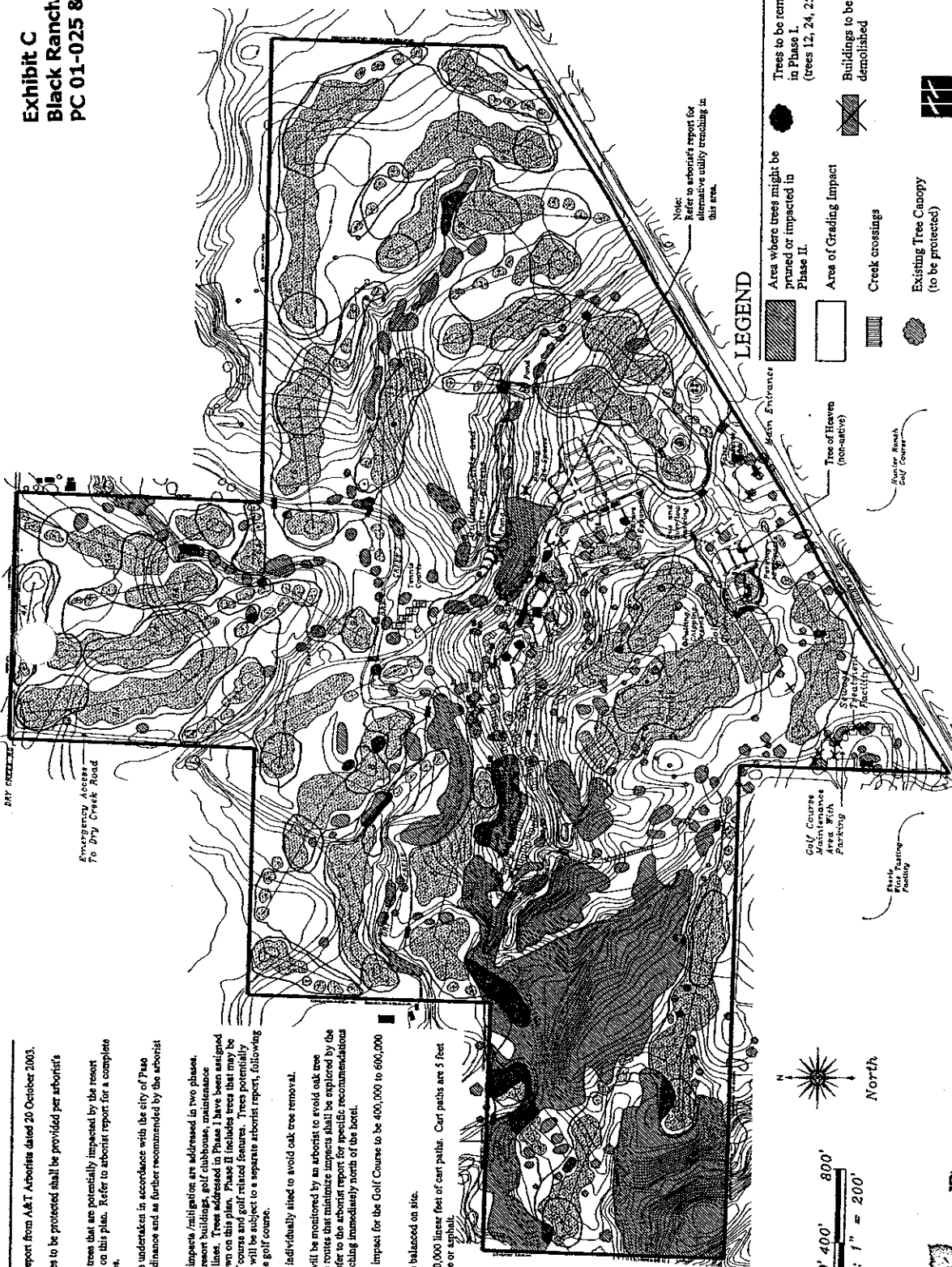
- 9. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.
- 10. The applicant shall install all utilities (sewer,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

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

I. GENERAL CONDITIONS

- 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/ residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
- 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
- 4. If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.

- 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
- 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
- 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
- 8. Provisions shall be made to update the Fire Department Run Book.



LEGEND

- Area where trees might be pruned or impacted in Phase II.
- Area of Grading Impact
- Creek crossings
- Trees to be removed in Phase I (trees 12, 24, 25)
- Buildings to be demolished
- Existing Tree Canopy (to be protected)

Note: Refer to arborist report for alternative utility trenching in this area.



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BLACK RANCH MASTER PLAN

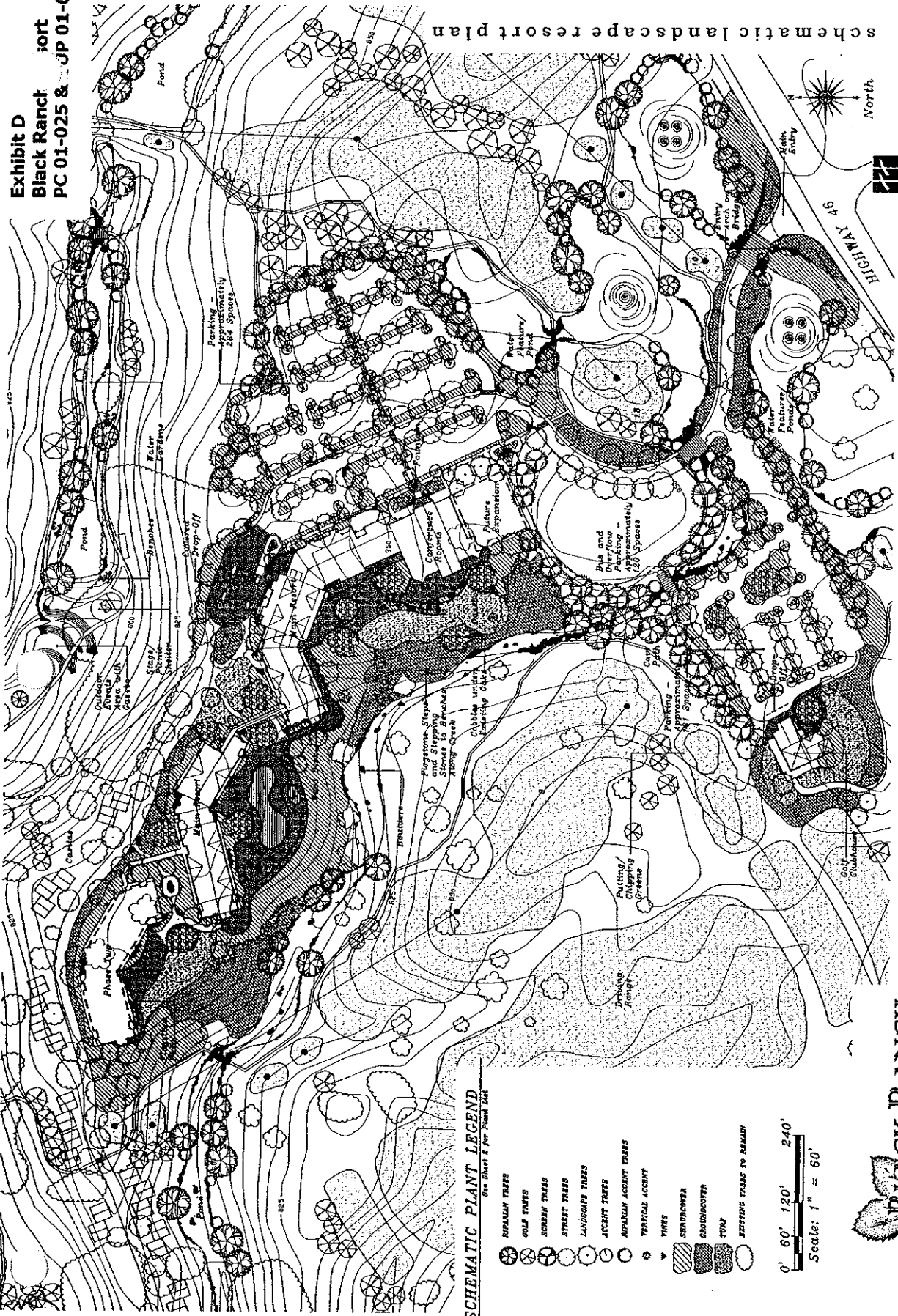
Paso Robles, California



0' 200' 400' 800'
 Scale: 1" = 200'



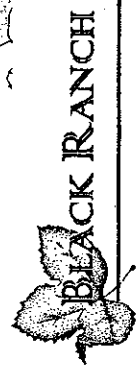
- Notes:**
1. Refer to report from A&T Arborists dated 26 October 2003.
 2. Mitigation for trees to be protected shall be provided per arborist report.
 3. Not all numbered trees that are potentially impacted by the resort buildings are shown on this plan. Refer to arborist report for a complete list of numbered trees.
 4. All activities to be undertaken in accordance with the city of Paso Robles Oak Tree Ordinance and as further recommended by the arborist report.
 5. Potential oak tree impacts/mitigation are addressed in two phases. Phase I includes the resort buildings, golf clubhouse, maintenance facilities, and utility lines. Trees addressed in Phase I have been assigned numbers and are shown on this plan. Phase II includes trees that may be impacted by the golf course and golf related features. Trees potentially impacted in Phase II will be subject to a separate arborist report, following the final design of the golf course.
 6. All castles will be individually staked to avoid oak tree removal.
 7. Utility trenching will be monitored by an arborist to avoid oak tree impacts. Alternative routes that minimize impacts shall be explored by the project engineer. Refer to the arborist report for specific recommendations regarding utility trenching immediately north of the hotel.
 8. Estimated grading impact for the Golf Course to be 400,000 to 600,000 cubic yards.
 9. All cut & fill to be balanced on site.
 10. Approximately 40,000 linear feet of earthen paths. Earthen paths are 5 feet wide and are concrete or asphalt.



SCHEMATIC PLANT LEGEND
 See Sheet 2 For Plant List

- ⊗ ROMANIAN TREES
- ⊗ GOLF TREES
- ⊗ SCRUB TREES
- ⊗ STREET TREES
- ⊗ LANDSCAPE TREES
- ⊗ ACCENT TREES
- ⊗ SPANISH ACCENT TREES
- ⊗ PARTIAL ACCENT
- ⊗ TREES
- ▨ SEMICOVER
- ▨ GROUNDCOVER
- ▨ TURF
- EXISTING TREES TO REMAIN

0' 60' 120' 240'
 Scale: 1" = 60'



BLACK RANCH
 paso robles, california

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 paso robles, california

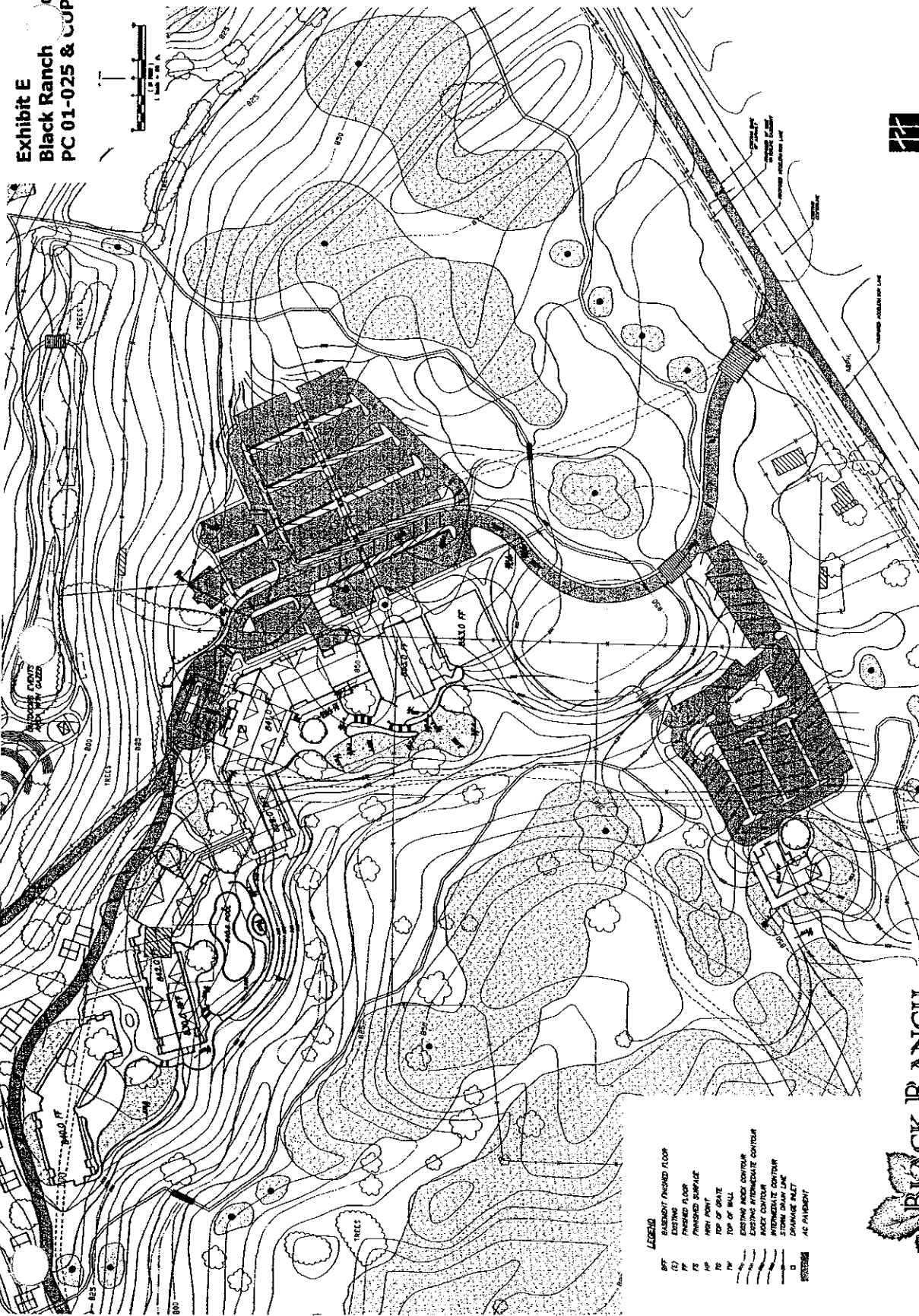


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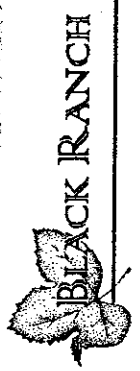
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September 14, 2001



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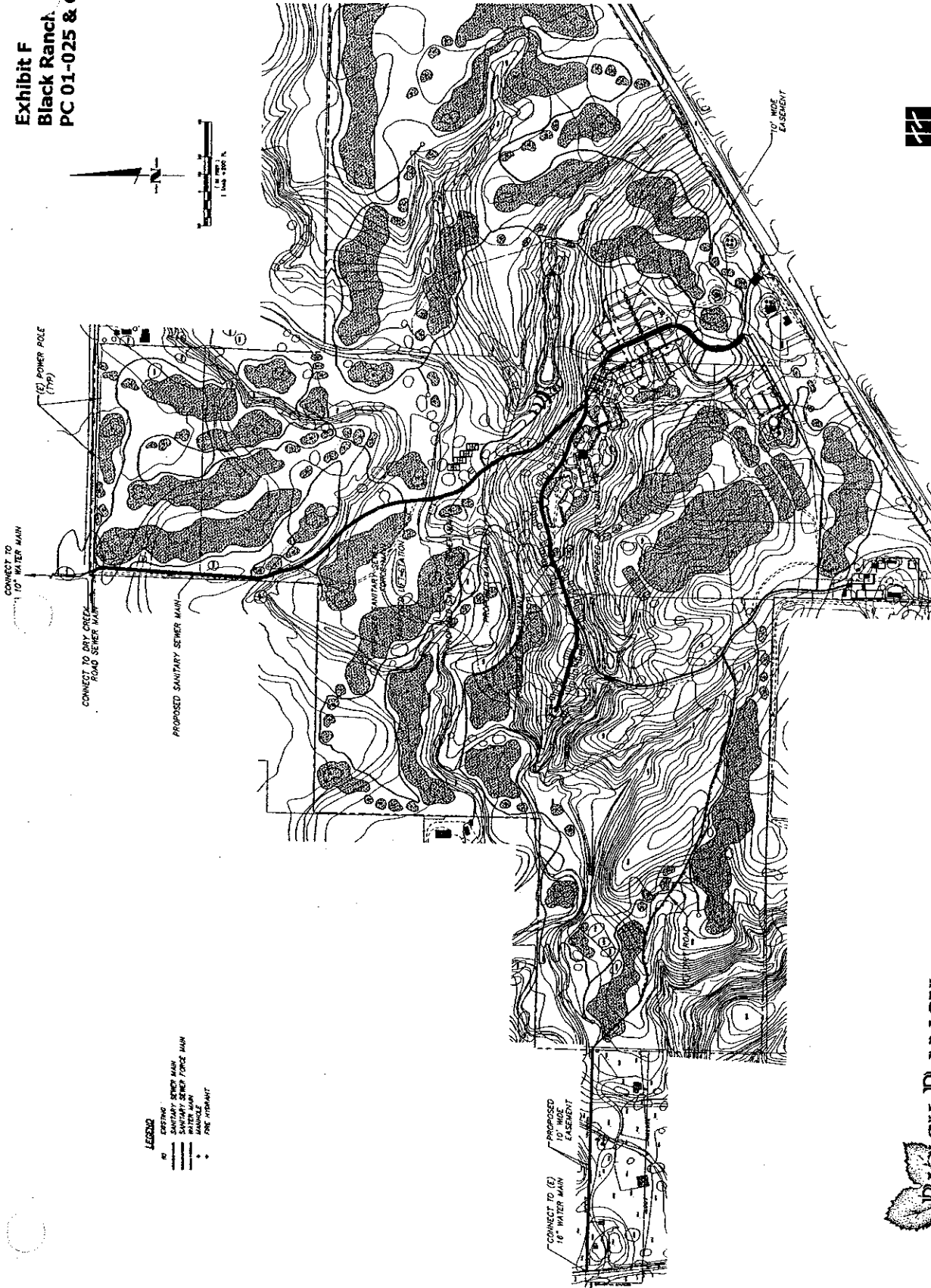
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 *All drawings shall be read in accordance with the RRM Design Group Standard Drawing Manual.



Section 5
 scale: 1"=20.0'



Section 4
 scale: 1"=20.0'



Section 3
 scale: 1"=20.0'

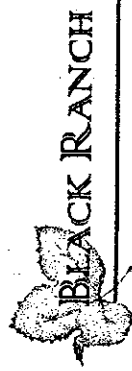


Section 2
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Section 1
 scale: 1"=20.0'

Site sections



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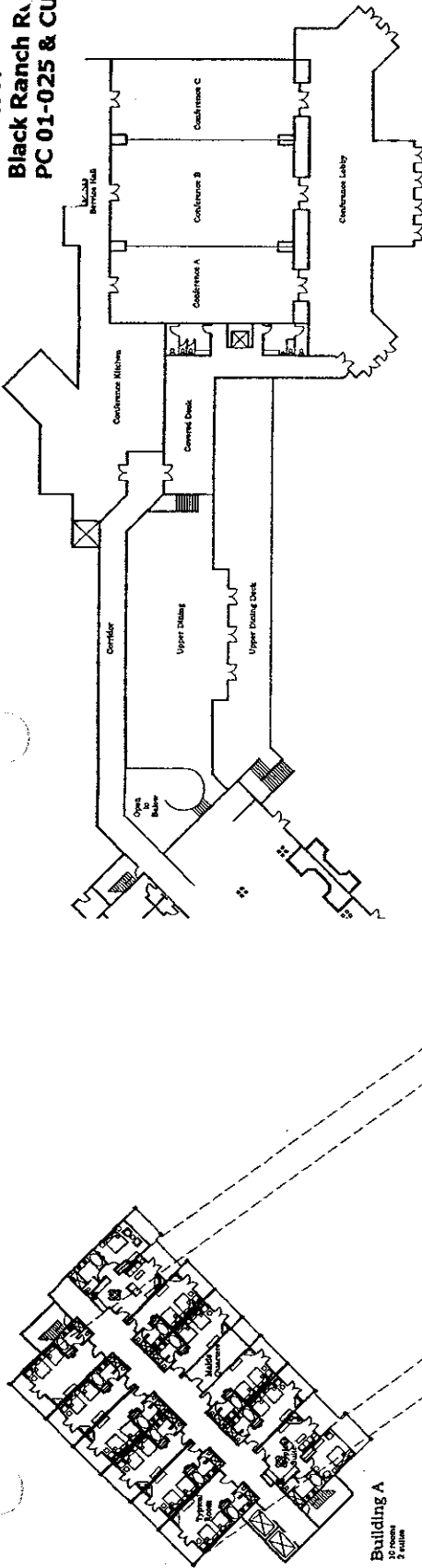
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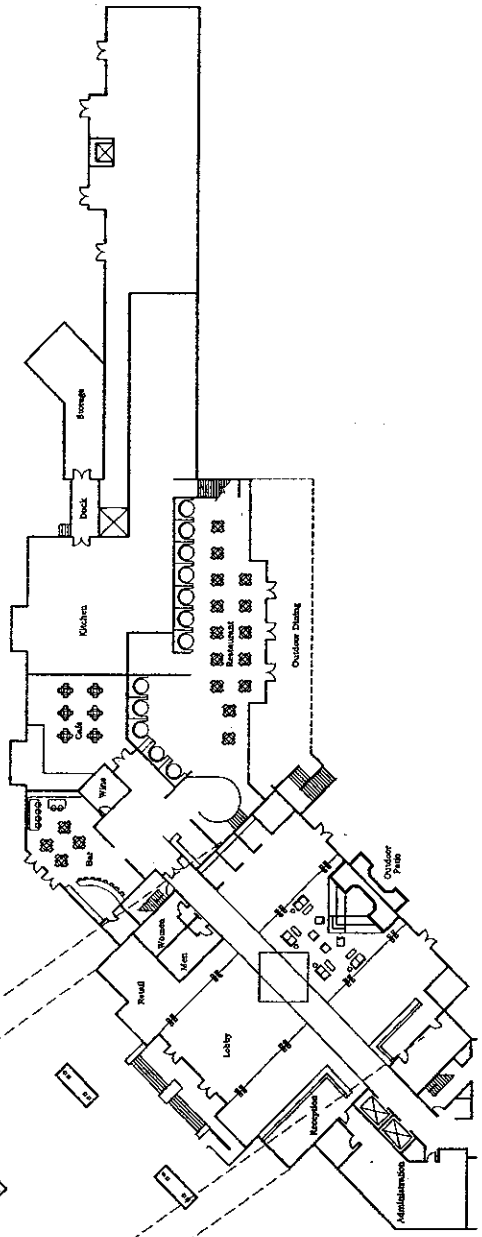
7 of 13



Second Floor
scale: 1/16" = 1'-0"

Third Floor
scale: 1/16" = 1'-0"

lobby, hotel, restaurant / cafe



First Floor
scale: 1/16" = 1'-0"



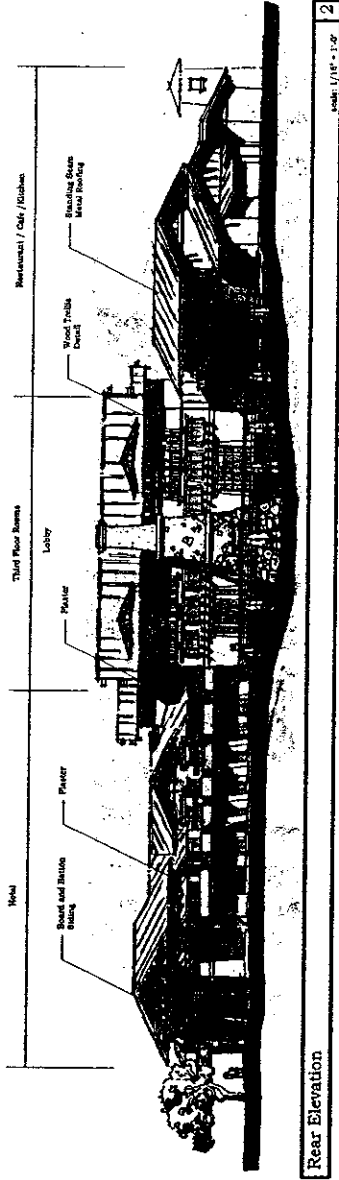
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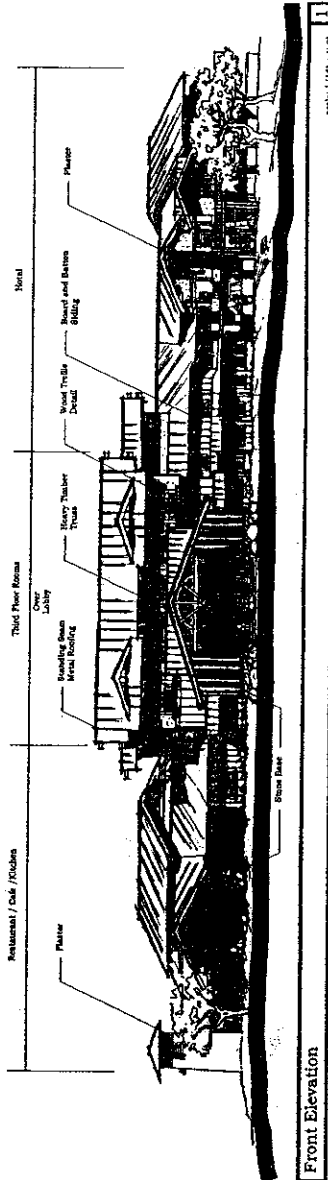


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Rear Elevation



Front Elevation



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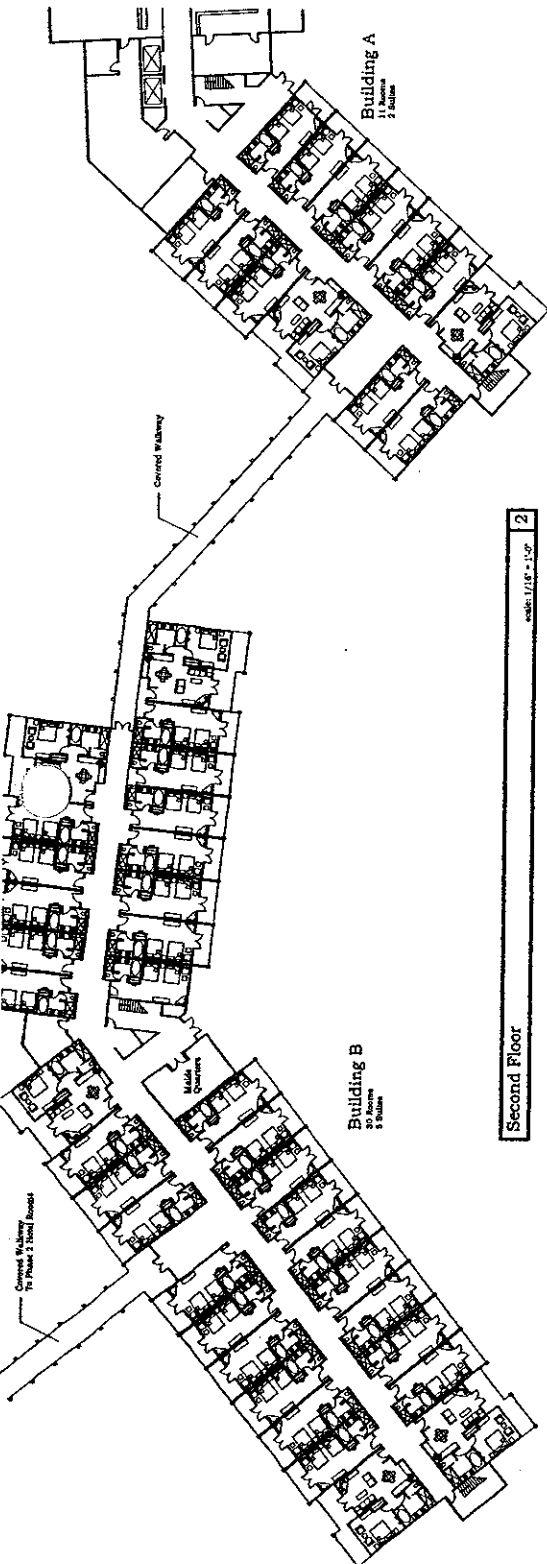
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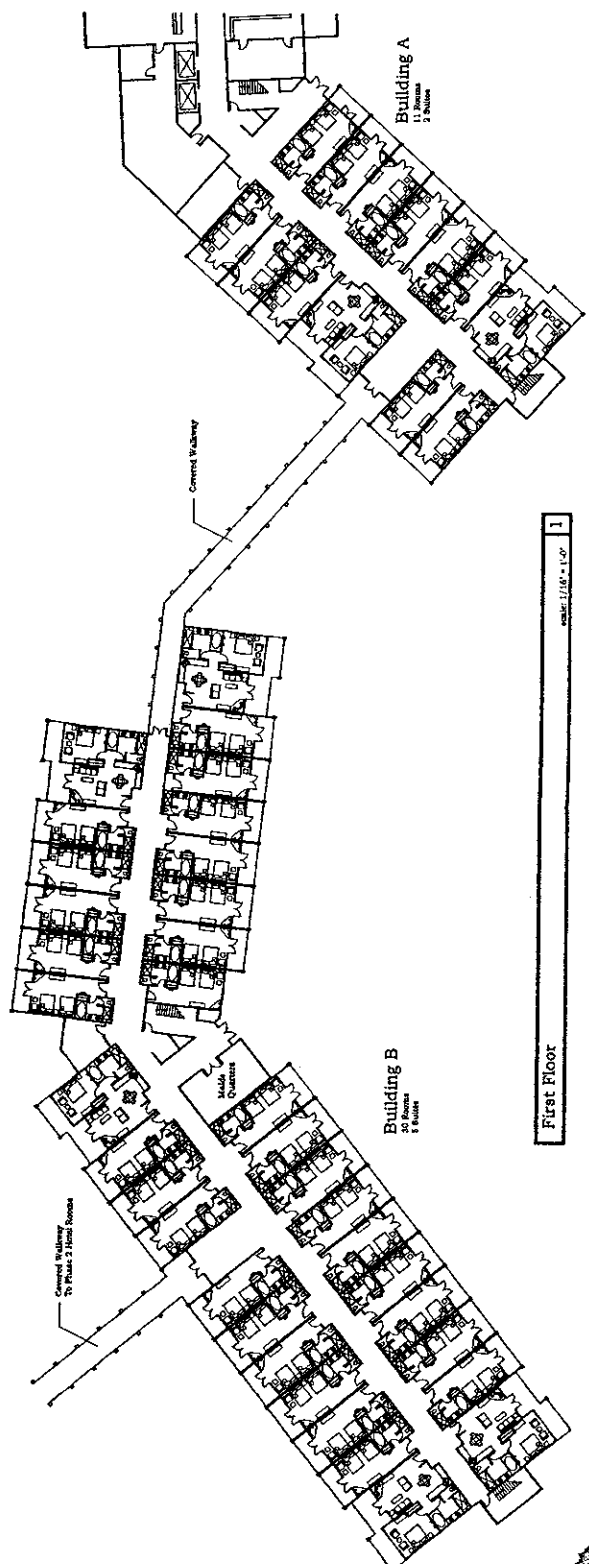
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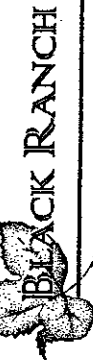
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Second Floor scale: 1/16" = 1'-0"



First Floor scale: 1/16" = 1'-0"



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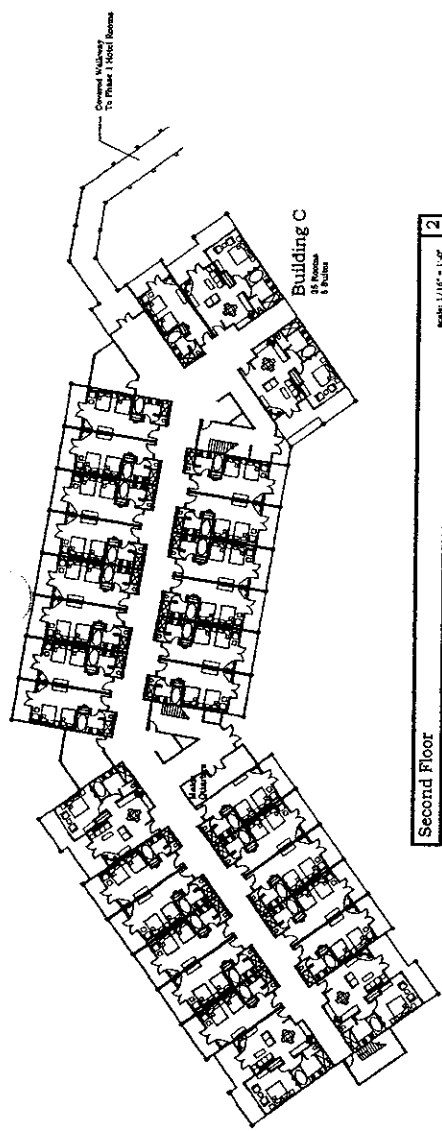
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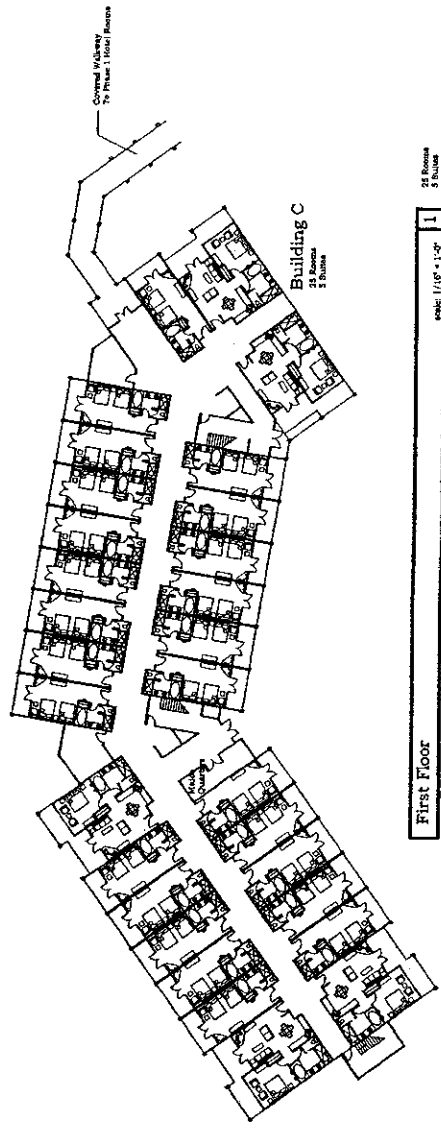
September 14, 2001
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Hotel phase 2

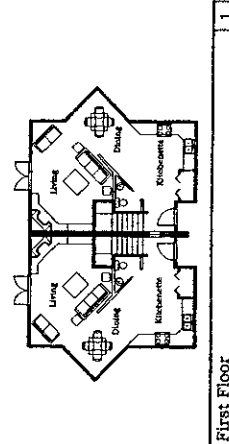
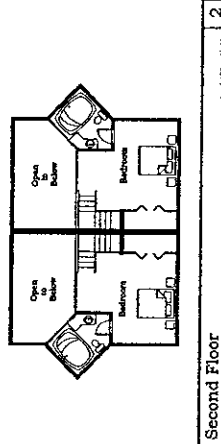
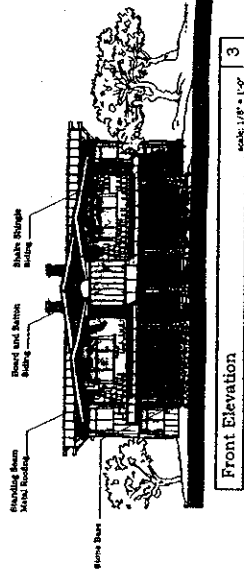
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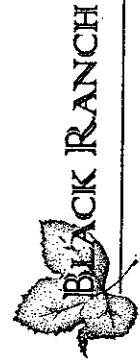
Second Floor
scale: 1/16" = 1'-0" 2



First Floor
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casitas plan and elevation



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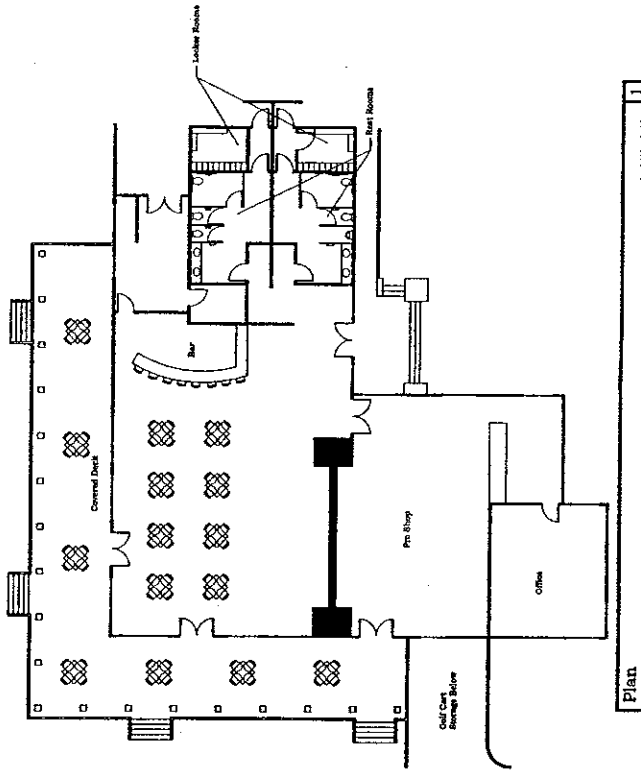
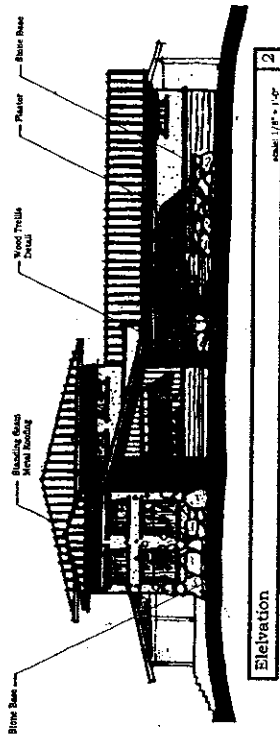


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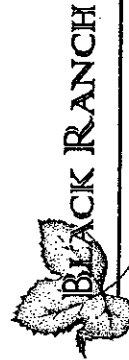
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clubhouse



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 SEPTEMBER 14, 2001

**EXHIBIT K: Environmental Mitigation Measures and Mitigation Monitoring/Reporting Program/Plan
Planned Development 01-025 and Conditional Use Permit 01-017 (Black Ranch Resort)**

The following environmental mitigation measures and mitigation monitoring/reporting program/plan shall be implemented for the Black Ranch resort project to the satisfaction of the City. The responsibility for implementation and monitoring/reporting compliance is listed below; the Black Ranch resort project has been modified by the applicant so as to incorporate the environmental mitigation measures into the project design in order to avoid and/or mitigate the potential impacts to a less than significant level.

The City and the property owner may delegate the authority and environmental quality assurance to a third-party Environmental Monitor (EM). If an EM is retained, he/she shall monitor and report on the activities in the manner noted in the table below. The EM may be one or more individuals depending on the specialty involved.

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
IV(a) Water Quality	<p>W-1: Detention and storm drain systems will be channeled to storm drainage facilities to be reviewed and approved by the City Engineer.</p> <p>Storm water discharge from the proposed development will be designed to maintain historic flows to offsite channels.</p> <p>W-2: Drainage patterns will not be altered to allow new runoff to drain into the drip line of existing oak trees.</p>	City Engineer	<p>Process (W-1 & W-2): Grading & site improvement plans Construction drawings Milestone (W-1 & W-2): Prior to issuance of permits for construction or grading</p>	<p>Approved By: Date:</p>
IV (h) Water Quality	W-3: Submit final grading and drainage plans for review and approval by the City Engineer.	City Engineer	<p>Process (W-3): Grading & site improvement plans Construction drawings Milestone (W-3) : Prior to issuance of permits for construction or grading</p>	<p>Approved By: Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
IV(h) Water Quality	W-4: Applied irrigation rates will utilize local evapotranspiration information to reduce the amount of groundwater infiltration by irrigation water.	Project Planner	W-4 Process: Landscape & irrigation plans Construction drawings W-4 Milestone: Prior to issuance of permits for construction or grading	Approved By: Date:
IV(h) Water Quality	W-5: Fertilizer shall not be applied within 24 hours before a predicted rainfall in order to minimize leaching by rainwater. Soils shall be periodically tested and monitored for nutrient levels so as to ensure fertilizer application rates match uptake rates by turf grasses.	On-site facility manager	Process (W-5): On-going monitoring Submittal of annual report to City Milestone (W-5): On-going	Approved By: Date:
IV(h) Water Quality	W-6: The property owner or his authorized representative shall develop an Integrated Golf Course Management Program (IGCMP) for City review and approval. The IGCMP shall include: 1. Specific guidelines on the use of pesticides and fertilizers to reduce the use of chemical applications that could contaminate the ground water. 2. Pest Management practices to be implemented: <ul style="list-style-type: none"> • Anti-back siphoning devices • Slow release organic fertilizers where practicable • Bacterial additives to enhance nitrogen uptake and improve turf disease resistance shall be considered when these become commercially available. • All chemical fertilizers to be applied by and/or under the supervision of a trained, licensed operator, and in conformance with the manufacturer's specifications. • A band of native perennial grass shall be established adjacent to the short rough. This buffer will filter the non-point source fertilizer runoff. 	On-site facility manager Project Planner	W-6 Process: Landscape & irrigation plans for the golf course Construction drawings IGCMP W-6 Milestone: <i>Plans/Drawings and IGCMP:</i> Prior to issuance of permits for construction or grading <i>IGCMP Implementation:</i> On-going implementation responsibility of on-site facility manager	Approved By: Date:

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
V(a) Air Quality	AQ-1, AQ-2, and AQ-3: Prior to demolition of any existing buildings or structures, the property owner or his authorized representative shall: <ul style="list-style-type: none"> • Have the building inspected and building materials sampled and tested to determine the presence or absence of asbestos in accordance with EPA, state, and local requirements; • Make the inspection reports and testing results available to the City and San Luis Obispo County Air Pollution Control District (APCD). • Provide a minimum notice of 10 working days to the APCD before asbestos stripping or removal work begins. • Demolition may begin when it is determined that asbestos containing materials are not present, and all notification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) are met. • If asbestos containing materials are present, demolition activity must be done in compliance with the NESHAP. • If proof of inspection and building material testing cannot be provided to the APCD, demolition activity will be required to stop and may not resume until so authorized by APCD. 	Construction Manager	Process: Demolition plans Milestone: Prior to issuance of a demolition permit by the City	Approved By: Date:
V(a) Air Quality	AQ-4: If it is determined that portable engines will be utilized, the contractor shall contact APCD and obtain a permit to operate portable engines prior to commencement of construction. Alternatively, portable equipment may be registered in the statewide portable equipment registration program	Construction Manager	Process: Grading & site improvement plans Construction drawings and documents Milestone : Prior to issuance of permits for construction or grading	Approved By: Date:

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
V(a) Air Quality	<p>AQ-5: Oxidizing soot filters shall be installed on 5 pieces of equipment expected to see the heaviest use or which have the highest emissions during construction. Where catalytic soot filters are determined to be unsuitable, the owner shall install and use an oxidation catalyst.</p> <ul style="list-style-type: none"> • Suitability is to be determined by an authorized representative of the filter manufacturer, or an independent California Licensed Mechanical Engineer who will submit, for APCD approval, a Suitability Report identifying and explaining the particular constraints to using the preferred catalytic soot filter. • Installations must be conducted according to manufacturer's specifications. • Proof that the catalytic soot filters have been installed must be provided to the APCD. • The APCD shall be notified prior to operation of the equipment with the filters installed. • Acceptable proof may be in the form of visual inspection by APCD staff or submittal of filter serial numbers and photos of the equipment with the installed filters. 	Construction Manager	<p>Process: Grading & site improvement plans Construction drawings and documents</p> <p>Milestone : Prior to issuance of permits for construction or grading</p>	<p>Approved By:</p> <p>Date:</p>
V(a) Air Quality	<p>AQ-6: Use of reformulated diesel fuel. All off-road and portable diesel powered equipment shall be fueled exclusively with CARB certified diesel.</p>	Construction Manager	<p>Process: Grading & site improvement plans Construction drawings and documents</p> <p>Milestone : Prior to issuance of permits for construction or grading</p>	<p>Approved By:</p> <p>Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
V(a) Air Quality	AQ-7: Use 1996 or newer heavy duty off road vehicles to the extent feasible.	Construction Manager	Process: Grading & site improvement plans Construction drawings and documents Milestone : Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-8: Use of Caterpillar pre-chamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of oxides of nitrogen.	Construction Manager	Process: Grading & site improvement plans Construction drawings/documents Milestone : Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-9: Electrify equipment where possible.	Construction Manager	Process: Grading & site improvement plans Construction drawings/documents Milestone : Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-10: Maintain equipment in tune per manufacturer's specifications, except as otherwise required by these environmental mitigation measures	Construction Manager	Process: Grading & site improvement plans Construction drawings & documents Milestone : Prior to issuance of permits for construction or grading	Approved By: Date:

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
V(a) Air Quality	AQ-11: Install catalytic converters on gasoline-powered equipment.	Construction Manager	Process: Grading & site improvement plans Milestone : Construction drawings & documents Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-12: Use Compressed Natural Gas or propane on-site mobile equipment instead of diesel-powered equipment.	Construction Manager	Process: Grading & site improvement plans Milestone : Construction drawings & documents Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-13: A Dust Control Plan (DCP) shall be prepared and approved by the APCD prior to commencement of construction activities. The DCP is to include: <ul style="list-style-type: none"> • Detailed dust mitigation measures and provisions for monitoring for dust during construction; • Designation of a person or persons to monitor implementation of the DCP, to handle complaints, and to maintain a daily dust observation log shall be filled out as necessary; • Reducing the amount of the disturbed area where possible; • Use of water trucks or sprinkler systems to prevent airborne dust from leaving the site and increased watering frequency whenever wind speeds exceed 15 mph. Reclaimed water is to be used where possible; • Daily spraying of all dirt stock-pile areas as needed; • Implementation of permanent dust control measures as soon as possible following completion of any soil disturbing activities; 	Construction Manager	Process: Grading & site improvement plans Milestone : Construction drawings & documents Prior to issuance of permits for construction or grading	Approved By: Date:

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS MONITORING MILESTONE	VERIFICATION OF COMPLIANCE
V(a) Air Quality	<ul style="list-style-type: none"> • Reworking of exposed ground areas at dates greater than one month after initial grading by sowing the areas with a fast-germinating native grass seed and watering them until vegetation is established; • Stabilization of all disturbed soil areas not subject to revegetation using approved chemical soil binders; jute netting, or other methods approved in advance by the City and APCD; • Paving of roadways, driveways, sidewalks, etc... to be completed as soon as possible; • Completion of building pads as soon as possible after grading unless seeding or soil binders are used; • Prohibition of vehicle speeds in excess of 15 mph for all construction vehicles on any unpaved surface; • Covering of all trucks hauling dirt, sand, or other loose materials or maintenance of at least two feet of free board (minimum vertical distance between top of load and top of trailer); • Installation of wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; • Street sweeping at the end of each day if visible soil material is carried onto adjacent paved roads; and • Implementation of all PM10 mitigation measures as shown on grading and building plans. 	Construction Manager	Process: Grading & site improvement plans Construction drawings & documents Milestone : Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-14: A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.	Construction Manager	Process: Grading & site improvement plans Construction drawings & documents Milestone : Prior to issuance of permits for construction or grading	Approved By: Date:

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
V(a) Air Quality	<p>AQ-15: Construction emissions in excess of 5 tons/qr after implementation of short-term mitigation measures would require an offset at a rate of \$8,500 per ton.</p> <p>AQ-15: The proposed project exceeds the APCD threshold of 25 lbs/day for ROG and NO_x long-term emissions; therefore, the Applicant is required to include all of the APCD Standard Mitigation Measures, all feasible Discretionary Mitigation Measures, and all Off-Site Mitigation Measures. The mitigation measures included in this section shall be enforced in order to mitigate the project to the extent feasible.</p>	Construction Manager	<p>Process: Grading & site improvement plans</p> <p>Construction drawings & documents</p> <p>Milestone : T-2: Construct eastbound SR 46 acceleration lane to accommodate the southbound project driveway to eastbound SR 46 left turn movement. The acceleration lane shall be constructed to full Caltrans Standards</p>	<p>Approved By:</p> <p>Date:</p>
V(a) Air Quality	<p>AQ-16: Standard Site Design Measures</p> <ul style="list-style-type: none"> • Orient buildings toward streets with convenient pedestrian and transit access; parking in rear. • Provide preferential carpool parking. • Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees 	Project Architect	<p>Process: Grading & site improvement plans</p> <p>Construction drawings & documents</p> <p>Milestone : Prior to issuance of permits for construction or grading</p>	<p>Approved By:</p> <p>Date:</p>
V(a) Air Quality	<p>AQ-17: Standard Energy Efficiency Measures</p> <ul style="list-style-type: none"> • Increase walls and attic insulation beyond Title 24 requirements. • Orient buildings to maximize natural heating and cooling. 	Project Architect	<p>Process: Grading & site improvement plans</p> <p>Construction drawings & documents</p> <p>Milestone : Prior to issuance of permits for construction or grading</p>	<p>Approved By:</p> <p>Date:</p>
V(a) Air Quality	<p>AQ-18: Discretionary Transportation Demand Management Measures:</p> <ul style="list-style-type: none"> • Establish an Employee Trip Reduction Program; • Designate a transportation/rideshare coordinator. • Provide guests with electric carts; • Provide shuttle/mini bus service for employees, special events, airport services, and services to 	On-site facility manager	<p>Process: Grading & site improvement plans</p> <p>Construction drawings & documents</p> <p>Milestone : Prior to issuance of permits for construction or grading</p>	<p>Approved By:</p> <p>Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
V(a) Air Quality	<ul style="list-style-type: none"> downtown Paso Robles, as appropriate; Provide on-site banking ATM and postal services, if applicable. Provide pedestrian pathways throughout the facility. Cater to group activities using buses and vanpools. Provide on-site eating, refrigeration, vending for employees. 	On-site facility manager	Process: Grading & site improvement plans Milestone: Construction drawings & documents Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-19: Discretionary Energy Efficient Measures <ul style="list-style-type: none"> Shade tree planting along southern exposures of buildings to reduce summer cooling needs. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. Use built-in energy efficient appliances, where applicable. Use double-paned windows. Use sodium parking lot and streetlights. Use energy efficient interior lighting. Electrify golf carts. 	Project Architect Project Landscape Architect	Process: Grading, site improvement, construction, and landscape plans Milestone: Construction drawings & documents Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-20: Off-site Mitigation Measures <ul style="list-style-type: none"> Operational emissions in excess of 25 lbs/day after implementation of long-term mitigation measures shall be offset at a rate of \$8,500/ton. Incorporation of an Employee Trip Reduction Program Use of electric golf carts by guests and staff. 	On-site facility manager	Process: Grading & site improvement plans Milestone: Construction drawings & documents Prior to issuance of permits for construction or grading	Approved By: Date:
V(a) Air Quality	AQ-21: To fully mitigate the impacts from this project, off-site mitigation is required. The District determined that \$15,000 of off-site mitigation is required to be incorporated into the project. Placement of the required \$15,000 off-site mitigation fee into a specified program or in-lieu fee agreement shall be in place prior to commencement of construction activities.	Construction Manager	Process: Grading & site improvement plans Milestone: Construction drawings & documents Prior to issuance of permits for construction or grading	Approved By: Date:

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
VI(a) Air Quality	<p>The following is a list of potential options that could be funded:</p> <ul style="list-style-type: none"> • Clean transit bus replacement/repower • Public transit service • Vanpool programs/subsidies • Rideshare assistance programs • Clean school bus replacement/repower/filters 	Construction Manager	<p>Milestone : APCD written sign-off to be submitted to the City prior to issuance of permits for construction or grading</p> <p>Prior to issuance of permits for construction or grading</p>	<p>Approved By: Date:</p>
VI(a) & VI(b) Transportation	<p>T-1: Construct a left turn channelization to accommodate the eastbound SR 46 Northbound Project driveway left turn movement. Left turn channelization shall be constructed to Caltrans standards</p> <p>T-2: Construct eastbound SR 46 acceleration lane to accommodate the southbound project driveway to eastbound SR 46 left turn movement. The acceleration lane shall be constructed to full Caltrans Standards.</p> <p>T-3: Construct right turn channelization to accommodate the westbound SR 46 to northbound project driveway right turn movement. Right turn channelization shall be constructed to full Caltrans standards.</p>	City Engineer	<p>Process: Grading plans, On-site improvement plans; and Off-site improvement plans</p> <p>Milestone: Prior to issuance of permits for construction or grading,</p> <p>The following items (in addition to the regular submittals) shall be submitted to the City Engineer:</p> <ul style="list-style-type: none"> • Caltrans written sign-off; • Caltrans approval of the Highway 46 improvement and site improvement plans; and • Caltrans encroachment permit. 	<p>Approved By: Date:</p>
VI(g) Transportation	<p>T-4: Recordation of an avigation easement prior to issuance of any permits for grading or construction.</p>	City Engineer	<p>Process: Grading and improvement plans</p> <p>Milestone: Prior to issuance of permits for construction or grading</p>	<p>Approved By: Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS MONITORING MILESTONE	VERIFICATION OF COMPLIANCE
VII (a) Biological Resources	<p>B-1: A qualified botanist shall be retained by the Applicant to conduct pre construction surveys for rare plants in those areas proposed for development on site.</p> <p>These surveys shall be conducted within the appropriate flowering periods for the various species reported from the area and as were identified in the prior reports.</p> <p>If rare plant populations are identified within areas likely disturbed by development, the Applicant shall redesign the project to avoid the rare plant populations</p> <p><i>Should avoidance not be feasible, the Applicant shall translocate the species to other suitable habitat within the project vicinity in accordance with the recommendations of the qualified botanist, subject to review and approval of the CA Fish & Game Department and the US Fish & Wildlife Service, as appropriate.</i></p> <p><i>Should translocation not be possible, new species shall be planted at a ratio of 2:1. The translocated or replanted species shall be monitored for a period of two years or as otherwise approved by the the CA Fish & Game Department and the US Fish & Wildlife Service, as appropriate.</i></p> <p><i>Replanting shall be performed so that there is no net loss of species after the two (2) year period or as may otherwise be approved by the CA Fish & Game Department and the US Fish & Wildlife Service, as appropriate.</i></p>	Project Applicant	<p>Process: Grading & site improvement plans</p> <p>Construction drawings & documents</p> <p>Milestones:</p> <p>Prior to issuance of permits for construction or grading</p> <p>On-going implementation by on-site facilities manager</p>	<p>Approved By:</p> <p>Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
VII(a) Biological Resources	<p>B-2: San Joaquin Kit Fox/Habitat Preservation Prior to the issuance of permits for grading/construction or prior to final inspection of any grading/construction permits, the applicant shall provide for habitat preservation, in a form acceptable to the CA Fish & Game Department, in an amount equal to three acres of habitat, or fraction thereof, for each acre of development, or fraction thereof. The applicant shall have the ability to enter into an agreement with CA Fish & Game Department for payment of an in-lieu fee of \$2500 per acre to The Nature Conservancy for a total replacement habitat of 383.4 acres based on the score from the Kit Fox Evaluation Form and Procedure and the CA Fish & Game replacement of 3-acres for each of the 127.8-acres lost.</p> <p>B-3 through B-11: San Joaquin Kit Fox Protective Measures Before and During Construction</p> <p>B-3: Within 30 days prior to initiation of construction, the applicant shall hire a qualified biologist acceptable to the U.S. Fish and Wildlife Service, CA Fish & Game Department, and the Community Development Director or his designee, to conduct a pre-construction survey for active kit fox dens</p> <p>B-4: Before any grading or construction activities commence, all personnel associated with the project shall attend a worker education program regarding the sensitive biological resources potentially occurring in the project area (i.e., San Joaquin kit fox). This program is to include information on the kit fox, its life histories and careful review of the mitigation measures to be implemented in order to avoid or reduce impacts.</p>	<p>Monitor: Project Applicant or Authorized Representative</p> <p>Monitors: Project Applicant; Biologist of Record ISA Certified Arborist Landscape Architect Project Architect On-site construction manager</p>	<p>Process: Grading & site improvement plans Construction drawings & documents</p> <p>Milestone: Prior to the issuance of permits for grading and construction, a letter shall be submitted to the Community Development Department providing verification of compliance with the habitat preservation requirements.</p> <p>Process: Grading & site improvement plans Construction drawings & documents</p> <p>Milestone: Prior to issuance of permits for grading and construction, the above-referenced plans, drawings, and documents shall be submitted to the City. Prior to issuance of permits for grading and construction, written confirmation of compliance with the pre-construction survey requirements shall be submitted to the City On-going implementation to be monitored by on-site construction manager</p>	<p>Approved By: Date:</p> <p>Approved By: Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
VII(a) Biological Resources	<p>A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project.</p> <p>The Community Development Department shall be notified of the time that the applicant intends to hold this meeting.</p> <p>B-5: To prevent entrapment of the kit fox during the construction phase of the project, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.</p> <p>B-6: During the construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at the project site for one or more overnight periods shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary will be moved only once to remove it from the path of activity, until the kit fox has escaped.</p>	<p>Monitors:</p> <p>Project Applicant;</p> <p>Biologist of Record</p> <p>ISA Certified Arborist</p> <p>Landscape Architect</p> <p>Project Architect</p> <p>On-site construction manager</p>	<p>Process:</p> <p>Grading & site improvement plans Construction drawings & documents</p> <p>Milestone:</p> <p>Prior to issuance of permits for grading and construction, the above-referenced plans, drawings, and documents shall be submitted to the City.</p> <p>Prior to issuance of permits for grading and construction, written confirmation of compliance with the pre-construction survey requirements shall be submitted to the City</p> <p>On-going implementation to be monitored by on-site construction manager</p>	<p>Approved By:</p> <p>Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS MONITORING MILESTONE	VERIFICATION OF COMPLIANCE
VII(a) Biological Resources	<p>B-7: All food-related trash items such as wrappers, cans, bottles, and food scraps generated during the construction phase shall be disposed of in closed containers only and regularly removed from the site. Food items may attract kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.</p> <p>B-8: Use of pesticides shall be in compliance with all local, state and federal regulations. (This is necessary to prevent primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which kit foxes depend.)</p> <p>B-9: Any contractor or employee that inadvertently kills or injures a kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to a supervisor overseeing the project. In the event that such observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the CA Fish & Game Department by telephone. Formal notification shall also be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CA Fish & Game Department for care, analysis, or disposition.</p> <p>B-10: So as not to attract red fox, coyotes, or domestic dogs to the area, all waste products shall be disposed of in a manner that would not attract these animals.</p> <p>B-11: If any potential or known San Joaquin kit fox dens are subsequently observed during the required pre-construction survey, the following mitigation measures shall apply:</p>	<p>Monitors:</p> <p>Project Applicant;</p> <p>Biologist of Record</p> <p>ISA Certified Arborist</p> <p>Landscape Architect</p> <p>Project Architect</p> <p>On-site construction manager</p>	<p>Process:</p> <p>Grading & site improvement plans Construction drawings & documents</p> <p>Milestone:</p> <p>Prior to issuance of permits for grading and construction, the above-referenced plans, drawings, and documents shall be submitted to the City.</p> <p>Prior to issuance of permits for grading and construction, written confirmation of compliance with the pre-construction survey requirements shall be submitted to the City</p> <p>On-going implementation to be monitored by on-site construction manager</p>	<p>Approved By:</p> <p>Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS MONITORING MILESTONE	VERIFICATION OF COMPLIANCE
VII(a) Biological Resources	<p>(a) Fenced exclusion zones shall be established by a qualified biologist around all kit fox dens that can be avoided but may be inadvertently impacted by project activities; exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:</p> <ul style="list-style-type: none"> • Potential kit fox den: 50 feet • Known kit fox den: 100 feet • Kit fox pupping den: 150 feet <p>(b) Only essential vehicle operation on existing roads (if the exclusion zone intersects a road) and simple foot traffic shall be permitted within these exclusion zones. Otherwise, all project activities such as vehicle operation, materials storage, etc., shall be prohibited. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If specified exclusion zones cannot be observed for any reason, the U.S. Fish and Wildlife Service and CA Fish & Game Department shall be contacted for guidance prior to ground disturbing activities on or near the subject den or burrow.</p> <p>(c) If any known or potential San Joaquin kit fox dens are discovered within the designated project area which shall be unavoidably destroyed by the proposed project, excavation of kit fox dens shall not proceed without authorization from the U.S. Fish and Wildlife Service and CA Fish & Game Department. A copy of any such authorization received shall be provided to the City for its records.</p>	<p>Monitors: Project Applicant; Biologist of Record ISA Certified Arborist Landscape Architect Project Architect On-site construction manager</p>	<p>Process: Grading & site improvement plans Construction drawings & documents</p> <p>Milestone: Prior to issuance of permits for grading and construction, the above-referenced plans, drawings, and documents shall be submitted to the City.</p> <p>Prior to issuance of permits for grading and construction, written confirmation of compliance with the pre-construction survey requirements shall be submitted to the City</p> <p>On-going implementation to be monitored by on-site construction manager</p>	<p>Approved By: Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS MONITORING MILESTONE	VERIFICATION OF COMPLIANCE
VII(b) Biological Resources	<p>B-12: Oak Trees</p> <p>The tree protection requirements set forth in the following documents, reports, and exhibits shall be implemented to the satisfaction of the City as an integral element of the project design, construction, and operation:</p> <ul style="list-style-type: none"> The Oak Woodland/Oak Savanna Protective/Avoidance Measures contained in the June 1998 Preliminary Biological Resources Assessment by Gaylene Tupin, Biologist, including the limitation that no more than 10% of the existing oak trees or canopy may be removed by development of the site; The Black Ranch Master Plan Schematic Tree Protection Plan by RRM Design Group; The Black Ranch Master Plan Landscape Resort Plan by RRM Design Group; The Black Ranch Master Plan Schematic Grading and Drainage Plan for Phase 1; The Arborists and Vegetation Report dated by Steven Alvarez and Chup Tamagni dated September 29, 2003; and The City's Oak Tree Preservation Ordinance. <p>All requirements, protective measures, construction monitoring requirements, and landscape arborist required certifications and inspections shall be identified on the appropriate parts of the grading and site improvement plans, the construction drawings and documents, and shall be cross-referenced, where appropriate.</p>	ISA Certified Arborist of Record	<p>Process: Grading & site improvement plans Landscape architectural plans Construction drawings & documents</p> <p>Milestone: Prior to the issuance of permits for grading and construction, All requirements, protective measures, construction monitoring requirements, and landscape arborist required certifications and inspections shall be identified on the appropriate parts of the grading and site improvement plans, the construction drawings and documents, and the landscape architectural plans and shall be cross-referenced, where appropriate.</p> <p>The ISA certified arborist of record shall submit a written statement to the City for its files: (a) Acknowledging incorporation of the tree protection requirements into the construction drawings, (b) Listing how the project manager and construction supervisor will ensure that all workers are informed about the requirements, (c) Establishing the on-site construction monitoring program to be implemented by the ISA certified arborist, and (d) Agreeing to provide City with a final inspection report.</p>	Approved By: Date:

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
<p>VII(b) Biological Resources</p>	<p>The plans, drawings, and documents submitted to the City for review/approval as to verification of compliance with protective measures/requirements and the construction monitoring/inspection requirements shall also incorporate the following:</p> <p>B-13: Oak Woodland/Savanna Restoration</p> <p>Oak saplings within the development area that are suitable for relocation shall be identified and, to the extent feasible, these saplings should be relocated on-site in those areas located along the margins of existing oak woodland, and areas proposed for preservation.</p> <p>B-14: Oak Tree Retention or Removal (Phase 1)</p> <p>A modified site plan for the hotel retaining the three (3) oak trees shown for removal; or</p> <p>Modified plans, drawings, and documents showing where (a) the three (3) existing oak trees will be transplanted on the site if feasible or (b) where the replacement oak trees will be planted at the replacement ratio specified in the City's Oak Tree Preservation Ordinance, if removal is so authorized by separate action of the City Council.</p> <p>B-15: Oak Tree Protection Measures</p> <p>Prior to construction, the applicant is to retain a qualified biologist or ISA Certified Arborist to clearly mark the drip line area of each oak tree located outside of, but adjacent to, any on-site areas to be disturbed through site preparation, grading, site improvements, and building construction. The drip line of each tree shall be marked with highly visible flagging or construction fencing.</p>	<p>ISA Certified Arborist of Record</p>	<p>Process: Grading & site improvement plans Landscape architectural plans Construction drawings & documents</p> <p>Milestone: Prior to the issuance of permits for grading and construction, All requirements, protective measures, construction monitoring requirements, and landscape arborist required certifications and inspections shall be identified on the appropriate parts of the grading and site improvement plans, the construction drawings and documents, and the landscape architectural plans and shall be cross-referenced, where appropriate.</p> <p>The ISA certified arborist of record shall submit a written statement to the City for its files: (a) Acknowledging incorporation of the tree protection requirements into the construction drawings, (b) Listing how the project manager and construction supervisor will ensure that all workers are informed about the requirements, (c) Establishing the on-site construction monitoring program to be implemented by the ISA certified arborist, and (d) Agreeing to provide City with a final inspection report.</p>	<p>Approved by: Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
VII(b) Biological Resources	<p>B-16: Oak Trees Constructive notice of the City's Oak Tree Preservation Ordinance and its requirements, the environmental mitigation measures to be implemented for the Black Ranch project, and the Conditions shall be recorded against the property in a manner and form acceptable to the City Attorney and Community Development Director or his/her designee.</p>	Project Planner	<p>Process: Final Development Plan</p> <p>Milestone: Prior to Development Review Committee review/approval of the Final Development Plan for Phase 1 of the Black Ranch resort project</p>	<p>Approved by:</p> <p>Date:</p>
VII (d) Biological Resources	<p>B-17: Wetland Delineation Within areas identified for development, including site disturbance, grading, utility trenching, landscaping, site improvements, golf course pathways, walkways, etc... a qualified biologist (USFWS approved) shall conduct a wetland delineation to determine precise boundaries and total area of affected wetland. Development shall be limited to areas located a minimum of 50 to 10 feet from the upland extent of the wetland boundary. The distance of the wetland setback shall be as approved by USFWS and shall take into account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development.</p>	<p>Monitors: Project Applicant; Biologist of Record ISA Certified Arborist Landscape Architect Project Architect On-site construction manager</p>	<p>Process: Final Development Plan Grading & site improvement plans Construction drawings & documents</p> <p>Milestone: Prior to issuance of permits for grading and construction, the above-referenced plans, drawings, and documents shall be submitted to the City. Prior to issuance of permits for grading and construction, written confirmation of compliance with the wetland delineation requirements and mitigation measures shall be submitted to the City On-going implementation to be monitored by the on-site construction manager and the biologist of record</p>	<p>Approved by:</p> <p>Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
<p>VII (d) Biological Resources</p>	<p>B-18: Vernal Pools Mapping Prior to construction, the Applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Vernal Pools #1 and #2 and shall complete surveys of these potential vernal pools in winter and spring. The watershed boundary shall be clearly flagged in the field so that it is plainly visible.</p> <p>B-19: Retention of Wetlands and Vernal Pools The Applicant shall reconfigure the Master Plan for the Black Ranch resort project, including the golf course, to avoid site disturbance, grading, utility trenching, landscaping, site improvements, golf course pathways, walkways, et cetera within the mapped watershed of the Vernal Pools and identified wetland areas to satisfaction of the City, any State Trustee Agency having jurisdiction by law over natural resources (ie, wetlands and vernal pools), CA Fish & Game, and any Responsible Agency which has discretionary approval power over the project (eg, USFWS). Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.</p> <p>B-20: Vernal Pools: Impact Avoidance Prior to final project design and continuing for a period of two years after construction (or other duration of time as may be required by the USFWS), the Applicant shall retain a qualified, permitted Vernal Pools Field Survey biologist to conduct surveys for this species and other sensitive crustaceans within vernal pool habitats of the Black Ranch property. The final project design of the Master Plan for the Black Ranch resort project shall be modified to avoid disturbance of the mapped vernal pools following the noted surveys and dependent upon their results.</p>	<p>Monitors: Same as B-17</p> <p>Monitors: Same as B-17</p>	<p>Process: Final Development Plan Grading & site improvement plans Construction drawings & documents</p> <p>Milestone: Prior to Development Review Committee review/approval of the Final Development Plan Prior to issuance of permits for grading and construction, the above-referenced plans, drawings, and documents shall be submitted to the City. Prior to issuance of permits for grading and construction, written confirmation of compliance with the wetland delineation requirements and mitigation measures shall be submitted to the City On-going implementation to be monitored by the on-site construction manager and the biologist of record</p>	<p>Approved by: Date: Approved by: Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
VII (d) Biological Resources	<p>B-21: Vernal Pools: Conservation Easement</p> <p>Prior to final project design and continuing for a period of two years after construction (or other duration of time as may be required by the USFWS), the Applicant shall retain a qualified, permitted Vernal Pools Field Survey biologist to conduct field surveys to ensure that the golf course and other improvements are not adversely impacting the Vernal Pool Habitat. The final project design of the Master Plan for the Black Ranch resort project shall be modified to avoid disturbance of the mapped vernal pools following the noted surveys and dependent upon their results.</p> <ul style="list-style-type: none"> ▪ Prior to issuance of a grading or building permit, the applicants Biologist shall confirm with the California Department of Fish and Game that because the project will be redesigned to stay out of any areas of the property identified as wetland or vernal pool, that all of the concerns have been addressed and no mitigation is necessary. The applicant shall provide written documentation that the necessary agencies have acknowledged that there is no need for mitigation. <p>B-22: Site Preparation & Grading Limitations</p> <p>During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed and the identified vernal pools and their watersheds. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.</p>	<p>Monitors:</p> <p>Project Applicant Biologist of Record ISA Certified Arborist Landscape Architect Project Architect On-site construction manager</p> <p>Project Applicant</p>	<p>Process:</p> <p>Revised Master Plan for Black Ranch Final Development Plan Grading & site improvement plans Construction drawings & documents</p> <p>Milestone:</p> <p>Prior to, or concurrent with, Final Development Plan review/approval, a revised Master Plan for Black Ranch shall be submitted to the City's Development Review Committee for review/approval as to implementation of all of the biological mitigation measures affecting the site development.</p> <p>Prior to issuance of permits for grading and construction: (a) the above-referenced plans, drawings, and documents shall be submitted to the City; and (b) written confirmation of compliance with the wetland delineation requirements, vernal pools avoidance requirements, and applicable mitigation measures shall be submitted to the City</p> <p>On-going implementation to be monitored by the on-site construction manager and the biologist of record</p>	<p>Approved by:</p> <p>Date:</p>

IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY FOR MONITORING	MONITORING PROCESS	VERIFICATION OF COMPLIANCE
XIII(a) Aesthetics	AE-1: Grading shall be designed to balance on-site. All slopes visible from the highway shall be contoured and graded to appear natural. All slope and graded areas shall be re-planted with native species, grasses, or other landscaping, as indicated on the proposed landscape plan.	Project Engineer Project Landscape Architect	Process: Final Development Plan Grading & site improvement plans Construction drawings & documents Milestone: Prior to issuance of permits for grading and construction	Approved by: Date:

RESOLUTION NO.: 04-009

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 01-017 FOR THE BLACK RANCH RESORT PROJECT
(RRM DESIGN GROUP FOR MATT MASIA, BLACK'S HATCHERY & TURKEY FARM)**

APN: 025-431-044, -045, AND -049

WHEREAS, Conditional Use Permit 01-017 has been filed by RRM Design Group on behalf of Mr. Matt Masia for Black's Hatchery & Turkey Farm; and

WHEREAS, Conditional Use Permit 01-017 has been filed in conjunction with an application for a Planned Development to allow a resort hotel with a golf course and other ancillary facilities in the Parks and Open Space (POS) Zoning District; and

WHEREAS, Planned Development 01-025 is a proposal to establish a Master Development Plan for the proposed Black Ranch resort project on an approximately 386-acre site north of Highway 46 East, south of Dry Creek Road, and west of Airport Road; and

WHEREAS, the proposed Black Ranch resort includes a 200 room hotel with an additional 80 casitas, an 18-hole golf course, a 9-hole executive course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities; and

WHEREAS, the development project applications for the proposed Black Ranch resort would establish the following:

- The Planned Development would establish the site plan, development standards, architectural theme, landscaping, and required infrastructure for the Black Ranch resort; and
- The Conditional Use Permit would establish the allowable land uses for the Black Ranch resort, including authorizing development and operation of a resort hotel and restaurant with greater than 5,000 square feet of area if determined not to have a significant adverse effect on the economic vitality of the downtown as required by Ordinance 568 N.S.; and

WHEREAS, the General Plan land use designation is POS (Parks and Open Space) and the Zoning Ordinance designation is POS (Parks and Open Space), and

WHEREAS, at its January 27, 2004 meeting, the Planning Commission held a duly noticed public hearing on the proposed Black Ranch resort project the public hearing was open and continued at the request of the Applicant in order to allow additional time to review the project conditions; and

WHEREAS, at its February 10, 2004 meeting, the Planning Commission reopened the public hearing to accept public testimony on the proposal, including Planned Development 01-025, Conditional Use Permit 01-017, and the environmental review/determination therefore; and

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

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Black Ranch resort project qualifies for adoption of a Mitigated Negative Declaration and Mitigation Monitoring/Reporting Program/Plan; and

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

- That the establishment, maintenance and operation for the Black Ranch resort, including the requested land uses applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, nor will it be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
- That establishment, maintenance and operation for the Black Ranch resort, including the requested land uses applied for, will not, under the circumstances of the particular case, have significant adverse impacts on the economic vitality of the downtown, since it is a destination resort hotel with a golf course and other ancillary/related land uses consistent with the City's Economic Strategy. The proposed Black Ranch resort project is designed to complement adjacent recreational opportunities and the City's existing wine industry. Overnight and dining accommodations are designed to support the guests of the resort facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 01-017 subject to the following conditions:

SITE SPECIFIC CONDITIONS

1. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 01-025 and its exhibits.
2. Approval of this Conditional Use Permit shall run concurrently with the Planned Development approval, and shall expire under the same conditions of that entitlement (2 years, with additional one year time extension increments permitted to be considered). However, once the project/site development is complete, the CUP will run indefinitely (in accordance with the provisions of the City's Zoning Ordinance).
3. All on-site operations shall be in conformance with the City's performance standards contained in Section 21.21.040 (General Performance Standards Applicable to All Uses) of the City's Zoning Ordinance.
4. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary

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

5. This Conditional Use Permit 01-017 allows for development and operation of the following land uses:

A. Permitted Land Uses for Black Ranch

1. Resort Hotel with 200 rooms and 80 casitas (detached hotel rooms)
2. Restaurant – Café (1,500 square feet with an outdoor seating area with 25 tables)
3. Wine Information Center (1,500 square feet)
4. Gardens

B. Permitted Accessory/Ancillary Land Uses for Black Ranch

1. Golf Course with an 18-hole Championship Course and a 9-hole Executive Course
2. Driving Range, Putting Green, and Chipping Green
3. Golf Course Clubhouse (10,000 square feet)
4. Snack Bar/Pro Shop/Restroom (1,500 square feet)
5. Satellite Restroom (250 square feet)
6. Golf Cart Storage Building (6,000 square feet)
7. Maintenance Building (6,000 square feet)
8. Health Spa (1,500 square feet)
9. Pool, Hot Tub/Spa, and Tennis Courts (4 courts) for the Resort Hotel and casitas
10. Restaurant – “Fine Dining” (6,000 square feet, approximately 100 seats)
11. Conference Facilities and Meeting Rooms (14,286 square feet)
12. Administrative/Professional Offices in the hotel and in the clubhouse
13. Outdoor Events in the designated areas in the north and south portions of the site
14. Crop production (includes dry and irrigated farming, orchards, vineyards) if conforming to Section 21.16E.040 of the Zoning Ordinance
15. Temporary Construction Yard in connection with a valid building permit on the site of the building permit or on an immediately adjacent site, subject to issuance of a Temporary Use Permit.
16. Temporary Trailer and/or Building for use as a construction office subject to issuance of a Temporary Use Permit.

C. Conditionally Permitted Land Uses for Black Ranch

1. Temporary Special Events of 300 or less guests subject to the review and approval of the Community Development Director or designee as to compliance with the terms and conditions of Conditional Use Permit 01-017 and the following provision that the Resort/Spa Hotel and Golf Course Owner and/or Operator shall work with the City to:
 - a) Mitigate and/or abate noise related to any outdoor special events that are scheduled to be held before 9am or after 9pm; and
 - b) Establish maximum standards for acceptable noise levels during the outdoor special event. In the absence of a specific standard being established, the noise level measured at the property line shall not exceed 65 dB/L_{dn} (Any noise levels above the established standard shall be subject to nuisance abatement and/or revocation of the Temporary Use Permit).

2. Temporary Special Events of 300 to 400 guests subject to the review and approval of:
 - a) The Community Development Director or designee as to compliance with the terms and conditions of Conditional Use Permit 01-017 and the following provision that the Resort/Spa Hotel and Golf Course Owner and/or Operator shall work with the City to:
 - i) Mitigate and/or abate noise related to any outdoor special events that are scheduled to be held before 9am or after 9pm; and
 - ii) Establish maximum standards for acceptable noise levels during the outdoor special event. In the absence of a specific standard being established, the noise level measured at the property line shall not exceed 65 dB/L_{dn} (Any noise levels above the established standard shall be subject to nuisance abatement and/or revocation of the Temporary Special Event Permit).
 - b) A security and traffic control plan by the Police Department (which plan is to be approved at least 10-days before the event or, subject to Police Department concurrence, a standard plan may be placed on file with the Police Department).
3. Temporary Special Events with over 400 guests subject to the review and approval of a Temporary Use Permit; the TUP application shall include parking plans, security and traffic control plans, and noise mitigation plans, in addition to the other application requirements.
4. The land uses listed below are not expressly authorized through the Master Development Plan for Black Ranch (PD 01-025) and Conditional Use Permit 01-017. While not expressly authorized herein, any of the following land uses or combination thereof may be established as part of the Black Ranch resort project subject to issuance of a separate or amended Conditional Use Permit:
 - a) Additional restaurants as an accessory to the resort (outdoor seating and liquor service included);
 - b) Additional tennis courts;
 - c) Racquetball and/or handball courts;
 - d) Ball fields, playgrounds, stadiums, and amphitheaters;
 - e) Museums and/or art galleries;
 - f) Public Facilities;
 - g) Parks and/or playgrounds; and
 - h) Public Utilities Facilities

D. Prohibited Land Uses for Black Ranch

1. Residential land uses are prohibited as a part of the Black Ranch resort. This prohibition is consistent with the POS General Plan and Zoning designations and is in accordance with General Plan Land Use Policy LU-1B (Airport Land Use Compatibility), which states that

new residential development is an undesirable land use within the Airport Influence Area and which requires the City to prohibit further subdivision of land within the Airport Land Use Review Area (AP Overlay Area) and/or to prohibit changes to General Plan land use designations or a site's zoning in such a manner that would accommodate additional dwelling units.

2. Residential land uses are prohibited within the Black Ranch resort since the site located within the Airport Influence Area of the Paso Robles Municipal Airport and the Airport Land Use Review Area (AP Overlay Area).

PASSED AND ADOPTED THIS 10th day of February, 2004 by the following roll call vote:

AYES: Johnson, Ferravanti, Mattke, Kemper, Flynn, Steinbeck

NOES: None

ABSENT: Hamon

ABSTAIN: None


CHAIRMAN TOM FLYNN

ATTEST:



ROBERT A. LATA, PLANNING COMMISSION SECRETARY

TRYDER/CURRENT PLANNING/BLACK RANCH CUP

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES APPROVING
SUBSTANTIAL COMPLIANCE WITH
PLANNED DEVELOPMENT 01-025 & CONDITIONAL USE PERMIT 01-017
(BLACK RANCH / VAQUERO)
APN: 025-431-044, 045 & 049

WHEREAS, PD 01-025 & CUP 0-017 (The Black Ranch project) was approved by the Planning Commission on February 10, 2004, via Resolutions 04-007, 04-008 & 04-009; and

WHEREAS, the Black Ranch resort is located on the approximate 386-acre site north of Highway 46 East, south of Dry Creek Road, and west of Airport Road directly across Highway 46 East from the entrance to the Hunter Ranch Golf Course; and

WHEREAS, the Black Ranch resort includes the development of a 200 room hotel with an additional 80 casitas (detached hotel rooms), an 18-hole golf course, a 9-hole executive course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities; and

WHEREAS, King Ventures purchased the project and have submitted a revised resort project known as Vaquero de Los Robles Resort (Vaquero); and

WHEREAS, the intent of the Vaquero project (Phases I and II) is to substantially comply with the Black Ranch project in terms of the number of hotel/casitas units, golf course, spa facilities, and other amenities similar to Black Ranch; and

WHEREAS, although there would be differences in site planning and on-site circulation, impacts to site grading and oak tree impacts would be less; and

WHEREAS, consistent with the Black Ranch project, the specific site planning, design, grading and oak tree impacts for the golf course would need to go back before the Planning Commission for review and approval; and

WHEREAS, in the future if King Ventures wishes to expand the resort beyond Phases I and II, the expanded project would need to go back through the development plan process including environmental review; and

WHEREAS, at its November 13, 2007 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including the substantial compliance with Planned Development 01-025 & CUP 01-017 and related applications; and

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

1. The proposed Vaquero de Los Robles project (Vaquero), is consistent with the Black Ranch project in terms of the number of hotel/casitas units, golf course and related amenities, site disturbance, and on-site grading and oak tree impacts, and therefore would not be detrimental to the City's efforts to revitalize Downtown Paso Robles, since it is a destination resort hotel with a golf course and other ancillary/related land uses consistent with the City's Economic Strategy;
2. The proposed resort project is designed to complement adjacent recreational opportunities and the City's existing wine industry as well as offer overnight and dining accommodations designed to support the guests of the resort facilities;
3. Since the Vaquero project is consistent in scope and physical disturbance to the site and would be subject to the existing environmental mitigation measures applied to the Black Ranch, the Vaquero project would not have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby make the necessary findings that the Vaquero de Los Robles project is in substantial compliance with Planned Development 01-025 & CUP 01-017, subject to the following conditions:

1. All conditions with in Resolutions 04-007, 04-008 and 04-009 shall remain in full effect and be complied with at the time as indicated by said resolutions, except for the change in site planning, architectural style and other site amenities, which shall comply with the Vaquero Development Plan and Project Summary, attached as Exhibit A.
2. All environmental mitigation measures shall be complied with as outlined in Resolutions 04-007, 04-008 and 04-009 and associated mitigation monitoring program.
3. Future phases or modification to the project that go beyond the approved plans shall require additional analysis and permitting.

PASSED AND ADOPTED THIS 13th day of November, 2007 by the following Roll Call Vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

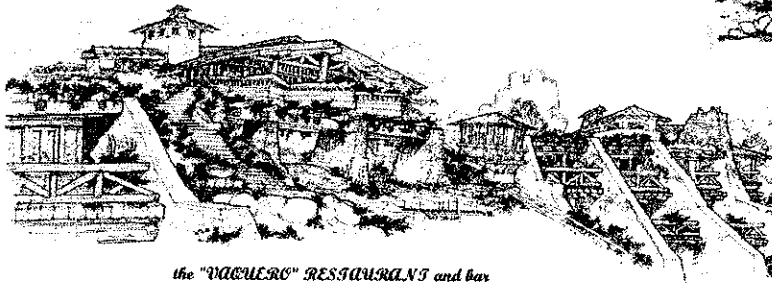
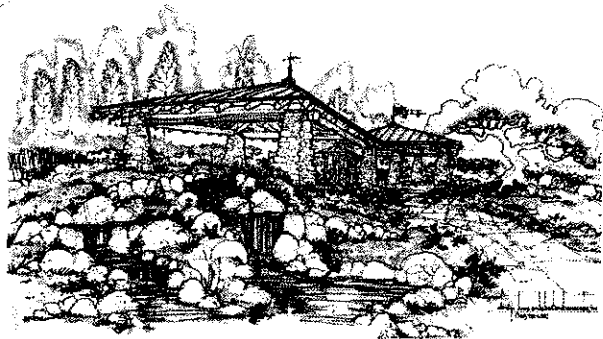
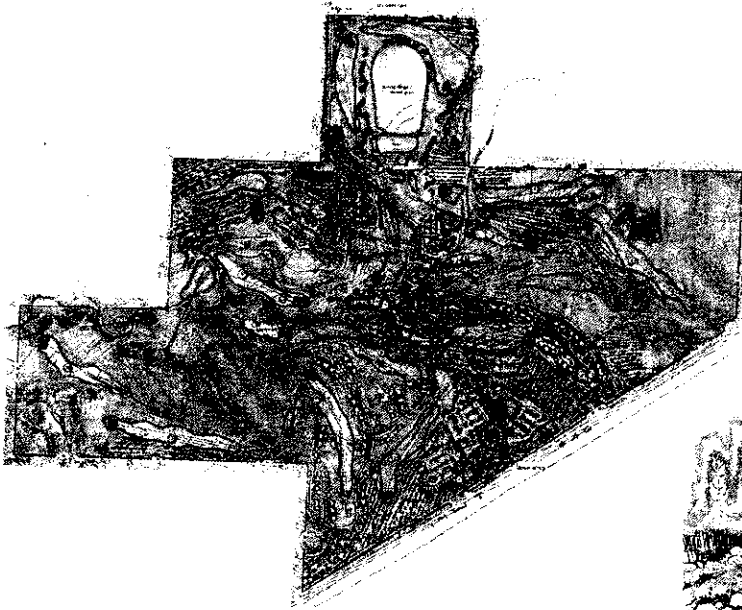
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VAQUERO de los Robles Resort

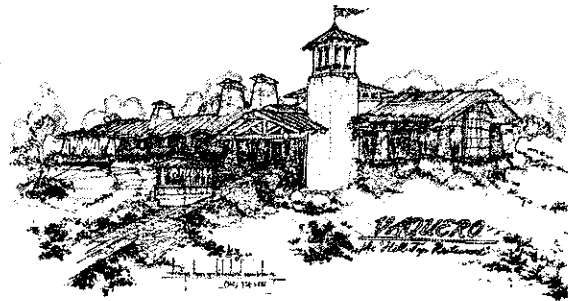
Highway 46

(formerly Black Ranch)

at Paso Robles, California

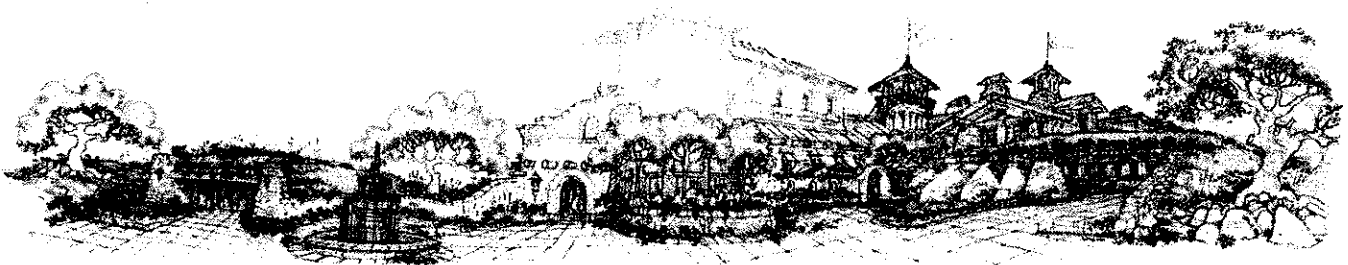


the "VAQUERO" RESTAURANT and bar



*VAQUERO
the 100 Top Restaurant*

Development Plan and Project Summary



July 2007

Exhibit A
Development Plan & Project Summary
(Vaquero/Black Ranch)

leisure is a lifestyle



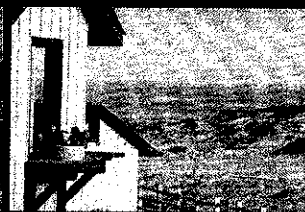
Inn at Oyster Point

South San Francisco
(800) 642-2720
www.InnatOysterPoint.com



Costanoa Lodge & Camp

Pescadero
(877) 262-7848
www.Costanoa.com



Marina Dunes Resort

Marina, on Monterey Bay
(877) 944-3863
www.MarinaDunes.com



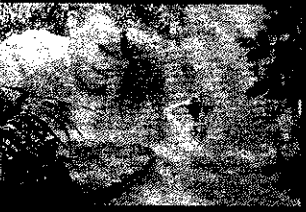
Inn at Morro Bay

Morro Bay
(800) 321-9566
www.InnatMorroBay.com



Apple Farm Inn

San Luis Obispo
(800) 255-2040
www.AppleFarm.com



Sycamore Mineral Springs

Avila Beach
(800) 234-5831
www.SycamoreSprings.com



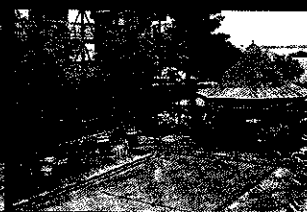
Cliffs Resort

Shell Beach
(800) 826-7827
www.CliffsResort.com



Sea Venture Resort

Pismo Beach
(800) 662-5545
www.SeaVenture.com



Royal Scandinavian Inn

Solvang
(800) 624-5572
www.SolvangRSI.com



Two Bunch Palms

Desert Hot Springs
(800) 472-4334
www.TwoBunchPalms.com

BOUTIQUE HOTEL COLLECTION

www.BoutiqueHotelCollection.com

800.928.9970

VAQUERO de los Robles Resort

The concept for the resort at VAQUERO is to establish a destination meetings and conference facility that will bring gatherings, both large and more intimate, to the Paso Robles wine country.

Once at VAQUERO, guests will have access to 4 diamond guest rooms, including traditional hotel rooms, upscale hotel suites and our distinctive individual casitas bungalows spread throughout the oak lined property.

Visitors to VAQUERO will be treated to an 18-hole golf course, 3-hole golf teaching academy, vineyards, a wine center and tasting room, fine dining and all day faire restaurant facilities, world class wine bar and lounge, acres of hiking trails, a recreational center including pool, tennis and fitness center, and a resort concierge to direct our guests to all the amenities the Paso community has to offer.

- **Section 1**
Overview and Introduction

- **Section 2**
Side-By-Side Project
Comparison to
2004 Mascia Approvals

- **Section 3**
Site Plan and Project Details

- **Section 4**
Hotel Lodging Plans
Bungalow Casitas Units

- **Section 5**
Commercial Ownership

- **Section 6**
Visitor & Wine Center Plans
Conference Center Plans
Funiculars (fixed rail tram)

- **Section 7**
Infrastructure and Phasing

- **Section 8**
Biology & Traffic Analyses

Section 1

Overview and Introduction



August 14, 2007

VAQUERO de los ROBLES RESORT at Black Ranch, Paso Robles

Overview

Our primary goals fall into the following general categories and objectives:

- Introduce additional emphasis on viticulture by expanding adding vineyards and a wine concierge to the site
- Maintain the emphasis on the stand alone, detached "casitas" visitor bungalow units located within clusters among the oaks of the site
- Introduction a "corporate retreat" unit ("hacienda") that will accommodate small group meetings in a secluded compound
 - Introduce an emphasis on water features throughout the site by adding walking trails around expanded pools
 - Reduce the golf holes from 27 to 21, including a single 18-hole golf course and a 3-hole academy training area
- Modify the routing plan for the golf course to more efficiently use available lands, and introduce an instructional golf academy to expand conferencing synergy
 - Establish within the new routing plan a concept that allows golfers to play 6, 9, 12, 15, 18 or 21 holes in multiple combinations to facilitate longer or shorter rounds, dependent on their individual time demands
 - Defer a "stand alone" restaurant and instead include a fine dining restaurant along with an all-day cafe and lounge within the main hotel complex

These elements have been conceptualized to maximize consistency of the first 2 phases with the original City of Paso Robles approvals.

Hotel Unit Concepts

We have enclosed a sketch of the floor and elevation plans for our stand alone "casitas" units in Section 4 of this packet. These designs are fashioned after our project in Monterey, at Marina Dunes Resort. I would invite you to visit our website at www.KingVentures.net to see how this and our other properties compare.

The "casitas" units will be a centerpiece of Vaquero, affording visitors extremely private and intimate accommodations. Our desire is to joint venture the ownership of a casitas unit with a local winery or other business interests. The resort would be the managing entity and the unit would solely be used as visitor serving. Other than investment profits, the only other benefit to the winery and investor is the ability to provide advance reservations for their guests at the hotel and golf course.

To accomplish this, we prepare and record a commercial condominium tract map, followed by a commercial condo air space plan. This would allow the airspace subdivision of the casitas units, and the opportunity to offer a commercial condominium interest to investors. Appropriate use restrictions and cc&r's would be recorded against the title to the property to insure this. In every respect these units would operate as a hotel.

In addition to the hotel rooms, we will introduce a new "corporate retreat" guest facility, which will include detached building clusters of 6 or so rooms and a small meetings space that will serve smaller gatherings. These units would also accommodate family reunions, weddings and similar small group activities. An initial unit is planned in the area between holes 9-10-11, and if successful we could present similar options to the City for consideration in later phases.

Hotel Guest Services

Mr. King and his hotel operations now total some dozen sites in California. We have recently placed a significant new emphasis on our "Health and Wellness" division of the hotel operations. Properties such as Sycamore Mineral Springs, Avila Hot Springs and Two Bunch Palms in the Coachella Valley provide guests with much more than traditional "spa" services. We want to appoint the spa approved at Black Ranch as a more complete health and wellness facility. These facilities would be available to visitors to Vaquero as well as the general public, but would not include a general fitness-style membership format.

Golf Concepts

Our thoughts concerning golf revolve around making the course "fun" and convenient to our visitors. By this we are thinking that the course will not be a "pro-am championship" style course, but rather a course that will be memorable for its setting and physical design rather than its difficulty. We believe that the golf originally set forth was an

exceptional design, but was very long and geared to tournament play. We envision a shorter course with forgiving design within landforms that minimize grading in favor of a layout that hugs canyons, river bed washes, waterways and lakes, clusters of oak trees and functioning vineyards.

We also see the opportunity to make Vaquero truly a destination resort by providing a golf school and training academy that would lure all levels of skills to learn how to improve their golfing experience. The golf academy would be linked to the conferencing center and facilities, taking full advantage of attending instructional classes both on the greens and within the classroom setting. Our redesign of the golf layout is also driven by state of the art irrigation practices, and a desire to use the property more efficiently in order to offer the additional features we are presenting.

But I also indicated we wanted this to be "fun" and convenient to our visitors. By this we envision an unconventional routing layout that would be based on three 6-hole patterns. This will afford our golfers the opportunity to play a "short" round of 6 holes, or combine it with any grouping of holes, along with the 3-hole teaching facility, when it is not in use. We feel more and more people that play golf would welcome the flexibility of shortening or lengthening their experiences dependent on their unique time demands.

Outdoor Events Center

The original approvals for Black Ranch included visitor activities, with varying levels of use standards based on the size of events planned. We are prepared to follow the standards established under the Planned Development approval.

What we would like to do in the future is explore a more comprehensive plan for staging outdoor events, such as concerts and large group gatherings, but we recognize this would be a significant departure from the approved Planned Development. For that reason we see this element being a matter to discuss at a future time.

Project Phasing

The original 2-phased Black Ranch approvals are outlined in detail in the enclosed "Project Summary" matrix, and is compared side-by-side to our 2-phase proposal, within Section 7 of this packet.

Biological and Traffic Analyses

Follow-up biological and traffic engineering materials are included in Section 8 of this packet to aide the Commission in evaluating the consistency of this project with the approved plans.

In summary, our project includes:

	<u>Phase 1</u>	<u>Phase 2</u>	<u>Totals</u>
Hotel units	160	40	200
Hacienda units	51	28	79
Corporate units	0	1	1
Visitor Units	211	69	280
Restaurant Cafe	--	2,500 sf	2,500 sf
Hotel Lounge and Fine Dining Restaurant	5,000 sf	--	5,000 sf
Restaurants	7,500 sf	--	7,500 sf
Conference Center	14,500 sf		14,500 sf
Wine Center	1,500 sf		1,500 sf
Health Spa	2,500 sf		2,500 sf
Golf Course		18 holes	18 holes
Teaching Academy/Driving Range		3 holes	3 holes
Club House		5,800 sf	
Maintenance and Storage	6,000 sf 6,000 sf		
Parking	382 spaces	255 spaces	637 spaces

Section 2

Side-By-Side Project Comparison to
2004 Mascia Approvals

VAQUERO de los ROBLES RESORT at Black Ranch
Paso Robles, California

RRM / Mascia Black Ranch		Approved Development Project (in 2 phases)		King Ventures - Vaquero de los Robles		Proposed Construction Project (in 2 phases)	
Hotel	Hotel Rooms Casitas Hotel Bungalows subtotal =>	200 units 80 units 280 units		Hotel	Hotel Rooms Casitas Hotel Bungalows Hacienda Retreat Hotel subtotal =>	200 units 79 units 1 units 280 units	
Dining	Freestanding Restaurant Hotel Cafe	6,000 sq feet 1,500 sq feet 7,500 sq feet		Dining	Freestanding Restaurant Hotel Cafe Hotel Restaurant/Lounge	0 sq feet 2,500 sq feet 5,000 sq feet 7,500 sq feet	
Conference Center		14,286 sq feet		Conference Center		14,500 sq feet	
Wine / Visitors Center		1,500 sq feet		Wine / Visitors Center		1,500 sq feet	
Health Spa		2,500 sq feet		Health Spa		2,500 sq feet	
Golf Course	Championship Course Executive Course Driving Range Club House Cart Storage Maintenance	18 holes 9 holes 1 10,000 sq feet 6,000 sq feet 6,000 sq feet		Golf Course	Championship Course Golf Academy Driving Range Club House / Academy Cart Storage Maintenance	18 holes 3 holes 1 5,800 sq feet 6,000 sq feet 6,000 sq feet	
Parking	Hotel Units Casitas Units Freestanding Restaurant Conference Center Wine / Visitor Center Health Spa Golf / Clubhouse Bus/RV/overflow parking	284 spaces 80 sps incl above incl above incl above incl above 161 sps 120 sps 645 sps		Parking	Hotel Units Casitas Units Hacienda Retreat Hotel Freestanding Restaurant Conference Center Wine / Visitor Center Health Spa Golf / Clubhouse / Academy Bus/RV/overflow parking	244 spaces 94 sps 1 sps na 78 sps 20 sps 10 sps 155 sps 35 sps 637 sps	

VAQUERO de los ROBLES RESORT at Black Ranch
Paso Robles, California

Project Summary

Parking Calculations

Approved Project - PD#01-025 and CUP#01-017

Land Uses	Phase 1		Phase 2		Code Req'd	Approved
	Phase 1	Phase 2	Phase 1	Phase 2		
Hotel Units	120	80	w/restaur	1.5 sps/unit	300	284
"Casitas" Units	40	40	w/o restaur	1 sps/unit	80	80
Corporate Retreat "Hacienda" Units	na	na	w/o restaur	1 sps/unit	0	0
Subtotals =>	160	120	Subtotal =>		380	364
	hotel rms	hotel rms				
Free-standing Restaurant Fine Dining 100 seats	6,000 sf		incl above	incl above	incl above	incl above
Restaurant Cafe 25 tables = 100 seats	1,500 sf		incl above	incl above	incl above	incl above
Hotel Restaurant / Lounge not specified	0 sf		incl above	incl above	incl above	incl above
Subtotals =>	7,500 sf	7,500 restaurant	Subtotal =>		0	0
Conference Center (reference as busoverflow)	14,286 sf		1 space per	100sf net	143	120
Wine / Visitors Center	1,500 sf		1 space per	250sf gross	6	incl above
Health Spa and Hot Tubs	2,500 sf		1 space per	250sf gross	10	incl above
Subtotals =>	18,286 sf	11,286	Subtotal =>		159	120
Golf Course Championship chip/putting greens, range	18 holes	7,000	approx. 6 sps	per hole	108	108
Golf Course Executive	9 holes		approx. 6 sps	per hole	54	53
Golf Course Teaching Facility within/Range	0 holes		approx. 6 sps	per hole	na	na
Golf Club House	10,000 sf		incl above		incl above	incl above
Golf Cart Storage	6,000 sf		incl above		incl above	incl above
Maintenance Bldg	6,000 sf		incl above		incl above	incl above
Subtotals =>	22,000 sf	22,000			162	161
Totals =>	47,786 sf	40,786	Totals =>		701	645
		Phase 1	Phase 2		Code Req'd	Approved

Shared Parking ratio => -56 7.97%

Proposed Modifications (7/10/07 Updates)

	Phase 1	Phase 2	Subtotal's	Parking Req'd	Proposed
Hotel Conference w/restaurar	60	0	60	90	100
Hotel Spa w/o restaurant	0	40	40	40	40
Casitas w/o restaurant	79	0	79	79	94
East/West Hotels w/o restaur:	50	50	100	100	104
Hacienda Corporate Retreats	1	0	1	1	1
Subtotals =>	190	90	280	310	339
			hotel rms	parking	parking
Free-standing Restaurant	0	0	0	na	0
Restaurant Cafe	2,500	0	2,500	incl above	incl above
Hotel Restaurant / Lounge	5,000	0	5,000	incl above	incl above
Subtotals =>	7,500	0	7,500		
	sq feet		restaurant		
Conference Center	14,500	0	14,500	102	113
Wine / Visitors Center	1,500	0	1,500	6	20
Health Spa and Hot Tubs	0	2,500	2,500	10	10
Subtotals =>	16,000	2,500	18,500	118	143
			sf area	parking	parking
Golf Course Championship	18 holes	-	18 holes	108	130
Teaching Facility within/Range	3 holes	-	3 holes	18	25
Golf Club House	5,000	0	5,000	incl above	incl above
Golf Cart Storage	2,000	4,000	6,000	incl above	incl above
Maintenance Bldg	3,000	3,000	6,000	incl above	incl above
Subtotals =>	10,000	7,000	17,000	126	155
Totals =>	33,500	9,500	43,000	554	637
	Phase 1	Phase 2	Totals	Required	Proposed

Extra Parking provided : 84 15.09%

AREAS of DISTURBANCE Comparisons

Project Summary

Approved Project - PD#01-025 and CUP#01-017

Site Disturbance Areas in Acres, Lineal Feet and/or Sq Feet		% of Site	Lineal Feet	Square Feet
Land Uses				
Hotel and Retail Building (building footprints)	3.1 acres	0.80%		135,036
"Casitas" Units (building footprints)	7.0 acres	1.80%		304,920
Sewer Treatment Plant	3.9 acres	1.01%		168,884
Subtotals =>	14.0 acres	3.61%		608,840 square feet
Circulation				
Parking Lots	7.4 acres	1.91%		322,344
Roads	4.2 acres	1.08%	x's 24' wide	182,952
Cart Paths	7.1 acres	1.83%	x's 6' wide	309,276
Subtotals =>	18.7 acres	4.82%	36,600 lineal feet	814,572 square feet
Golf and Undeveloped				
Golf Course	106.8 acres	27.53%		4,652,208
Undeveloped	248.5 acres	64.05%		10,824,660
Subtotals =>	355.3 acres	91.57%		15,476,868 square feet
Totals =>	386 acres	100.00%	36,600 lineal feet	16,901,280 square feet

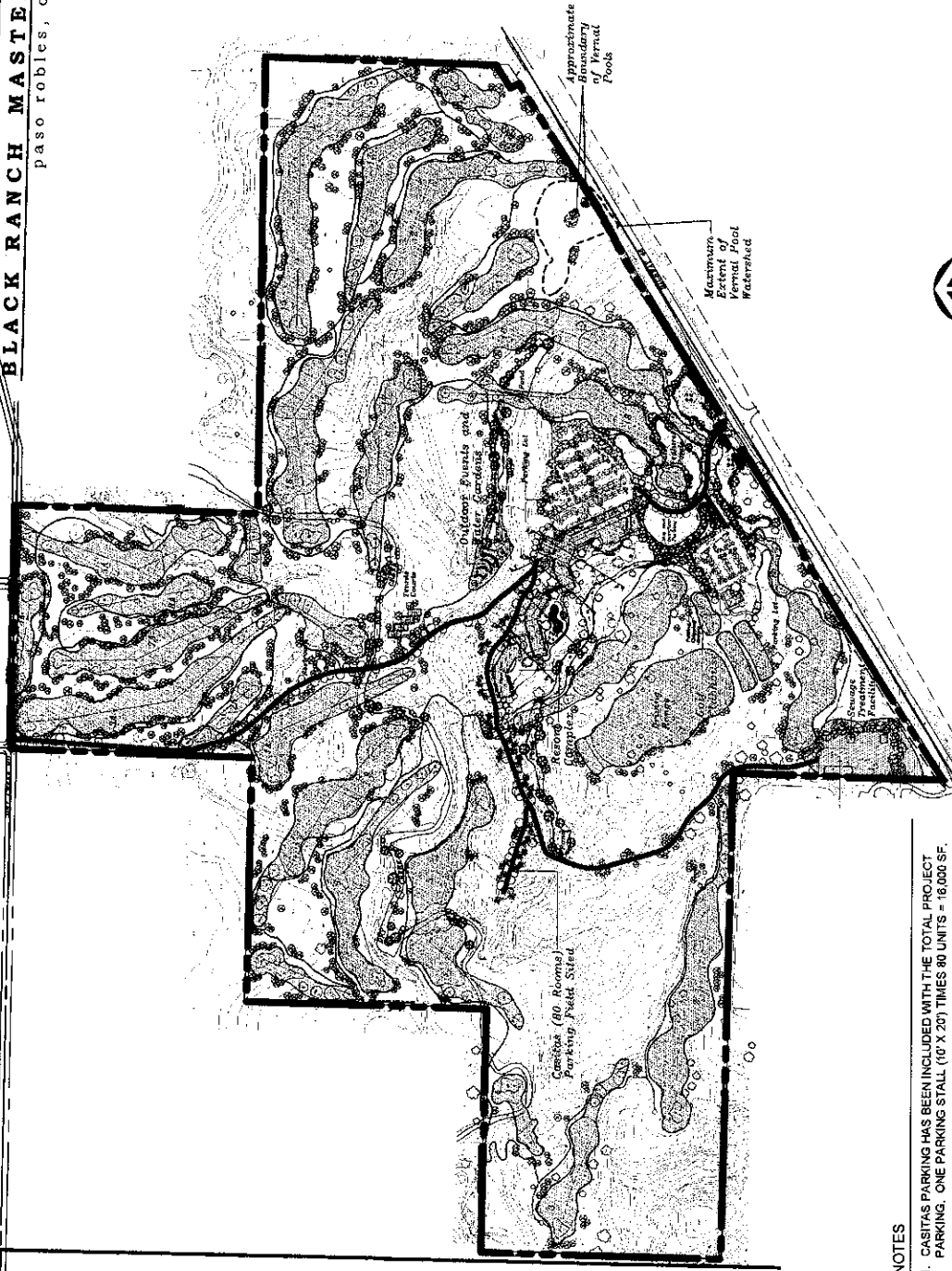
Proposed Modifications (7/10/07 Updates)

Site Disturbance Areas in Acres, Lineal Feet and/or Sq Feet		% of Site	Lineal Feet	Square Feet	increase or (decrease)
Land Uses					
Hotel and Retail Buildings (building footprints)	3.8 acres	0.98%		165,528	0.18%
"Casitas" & "Retreat" (building footprints)	7.1 acres	1.83%		309,276	0.93%
Sewer Treatment Plant	na	0.00%		0	-1.01%
Subtotals =>	10.9 acres	2.81%		474,804 square feet	-0.80%
Circulation					
Parking Lots	7.2 acres	1.86%		313,632	-0.05%
Roads	10.8 acres	2.78%	x's 24' wide	470,448	1.70%
Cart Paths	5.0 acres	1.29%	x's 6' wide	217,800	-0.54%
Subtotals =>	23.0 acres	5.93%	47,200 lineal feet	1,001,880 square feet	1.11%
Golf, Vineyards and Undeveloped					
Golf Course	76.5 acres	19.72%		3,332,340	-7.81%
Vineyards/Undeveloped <small>(vineyards up to 100 acres)</small>	277.6 acres	71.55%		12,092,256	7.50%
Subtotals =>	354.1 acres	91.25%		15,424,596 square feet	-0.31%
Totals =>	386 acres	100.00%	47,200 lineal feet	16,901,280 square feet	

BLACK RANCH MASTER PLAN
 Paso Robles, California

LEGEND:

	GOLF	106.8 AC	27%
	HOTEL/RETAIL	3.1 AC	1%
	PARKING	7.4 AC	2%
	CASITAS	7.0 AC	2%
	ROADS (7,700 LF)	4.2 AC	1%
	CART PATHS (28,914 LF)	7.1 AC	2%
	SEWER TREATMENT	3.9 AC	1%
AREA OF PROJECT FEATURES = 139.5 AC.			36%
OPEN/UNDEVELOPED AREA = 246.5 AC.			64%
TOTAL SITE AREA = 386.0 AC.			100%



NOTES

- CASITAS PARKING HAS BEEN INCLUDED WITH THE TOTAL PROJECT PARKING. ONE PARKING STALL (10' X 20') TIMES 80 UNITS = 16,000 SF.
- CART PATH AREA IS BASED ON THE LINEAR FOOTAGE OF PATHS AND AN ASSUMED PATH WIDTH OF 8 FEET.
- ROAD AREA IS BASED ON THE LINEAR FOOTAGE OF PROPOSED ROADS MULTIPLIED BY A 24 FT WIDE TYPICAL ROAD SECTION.

APPROVED AREAS OF DISTURBANCE

PROJECT FEATURES SUMMARY FOR

Vaquero de los Robles

PREPARED BY:
 JULY, 2007
 JOB#: 2-3427.100



LEGEND:

	GOLF	76.5 AC	19%
	HOTEL/RETAIL	3.8 AC	1%
	PARKING	7.2 AC	2%
	CASITAS & RETREAT	7.1 AC	2%
	ROADS	(10,874 LF) 10.8 AC	3%
	CART PATHS (27,696 LF)	5.0 AC	1%
	SEWER TREATMENT	N/A	N/A

AREA OF PROJECT FEATURES = 110.4 AC. 28%
 VINEYARDS & OPEN/UNDEVELOPED AREA 277.8 AC. 72%
 TOTAL SITE AREA = 388.0 AC. 100%

PROPOSED AREAS OF DISTURBANCE
 PROJECT FEATURES SUMMARY
 FOR
Vaquero de los Robles

PREPARED BY

 JULY, 2007
 JOB#: 2-3427.100

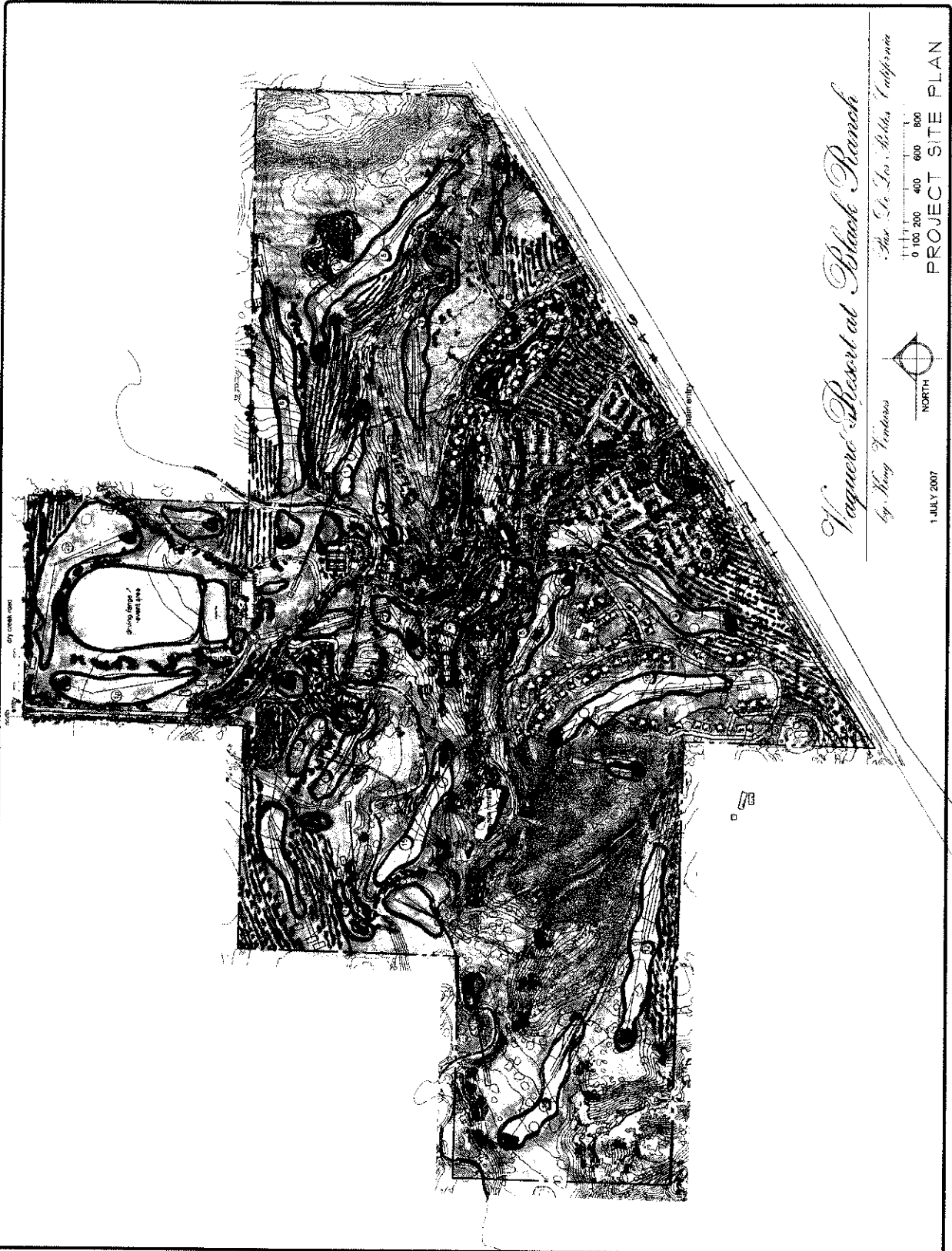
NOTES

- CASITAS PARKING HAS BEEN INCLUDED WITH THE TOTAL PROJECT PARKING. ONE PARKING STALL (10' X 20') TIMES 75 UNITS = 15,000 SF.
- CART PATH AREA IS BASED ON THE LINEAR FOOTAGE OF PATHS AND AN ASSUMED PATH WIDTH OF 8 FEET.
- ROAD AREA IS BASED ON THE LINEAR FOOTAGE OF PROPOSED ROADS MULTIPLIED BY A 24 FT WIDE TYPICAL ROAD SECTION.

SCALE: 1"=600'

Section 3

Site Plan and Project Details



Vaquero Resort at Black Ranch

by King Hansen

Black Ranch, Palmdale, California

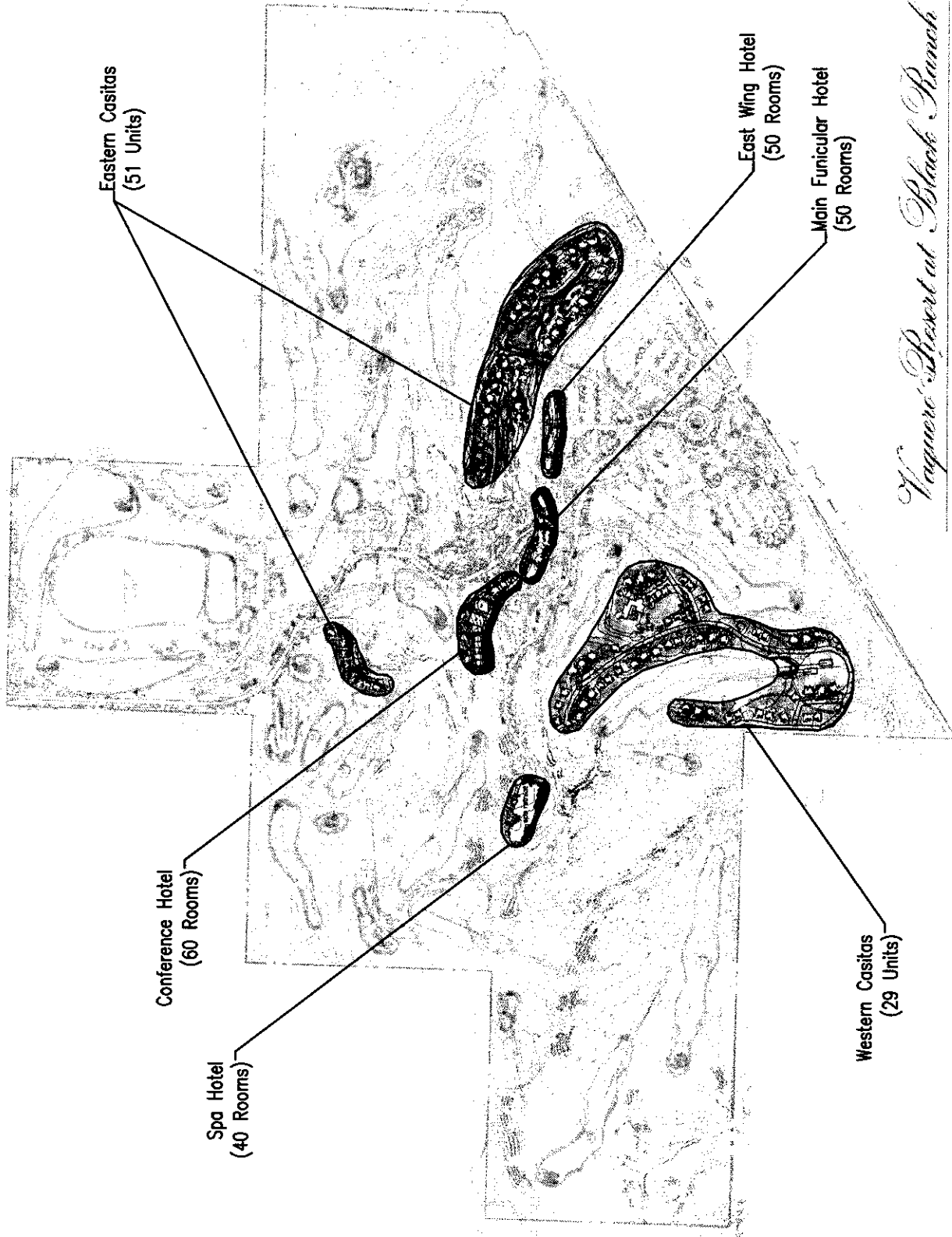
1 JULY 2007



0 100 200 400 600 800
PROJECT SITE PLAN

Section 4

Hotel Lodging Plans
Bungalow Casitas Units



Yagueri Resort at Black Ranch
 By: King Ventures
 For: The Los Angeles Convention Center

1 JULY 2007
 NORTH
 0 100 200 400 600 800
 PROJECT SITE PLAN

Hotel Delineation



VAQUERO Resort Hotel Units

The hotel units are broken down into the following sub groups:

- **Main Funicular Hotel and Lobby** **50 rooms** **Central Porte Cochere'**
This hotel facility includes the main check in lobby, the primary fine dining restaurant, wine bar and lounge. The building is designed to step down the bluff face in this area for a total 4 stories. As one drives up to the check in area, the building will appear to be 2 stories in height, with 2 additional floors stepping down the bluff face.

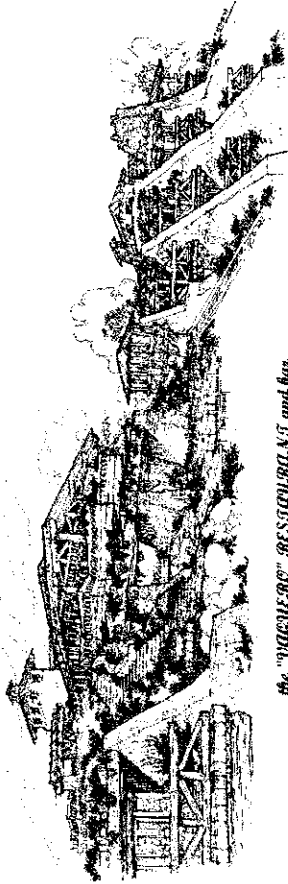
- **Eastern Wing Main Hotel** **50 rooms** **Near Eastern Casitas**
This hotel wing is an extension of the main hotel. This building includes 2 stories of hotel rooms.

- **Conference Hotel** **60 rooms** **West and adjoining Main Hotel**
This facility includes the conference center (14,500 sq ft total) on two floors. The upper floor includes 10,000 sq ft of exhibit and meeting halls, with various break out configurations possible with folding walls/partitions. The lower floor includes another 4,500 sq ft of meetings space, and storage to support the various uses of the center. In addition to 2 stories of meetings space, there are hotel rooms to the west and east of the central conference area. There are 10 rooms per floor times 3 floors in each wing, for a total of 60 hotel rooms.

- **Spa Hotel** **40 rooms** **East of Conference Hotel**
The Spa Hotel facility includes a 2,500 sq ft area dedicated to the spa treatments and operations, and includes another 40 hotel rooms on two stories to the west of the spa facility. The Spa Hotel is a total of 2 stories in height, with options for dispersed clusters of units rather than a single building under consideration.

- **Casitas Clusters** **Total of 80 units**
 - **Eastern Casitas** **51 units** **includes 5 units at Golf Hole 18 lake**
The eastern casitas cluster includes 46 detached bungalow units, and an additional 5 casitas are included at the lake/reservoir for golf located around Hole #18 green.

 - **Western Casitas** **29 units** **between 9-10-11 holes**
1 corporate retreat Hacienda
The western casitas cluster includes 28 detached units located in a courtyard-style area between and along golf Holes #9-#10-#11. 1 corporate retreat hacienda is proposed fronting Hole #10 in this area for a total of 29 units.



the "VAQUERO" RESTAURANT and bars
 Bridge Hotel with Funicular Perspective



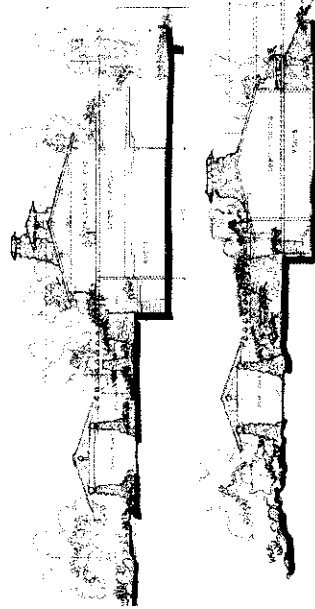
Main Funicular Hotel Partial Site Plan

Legend

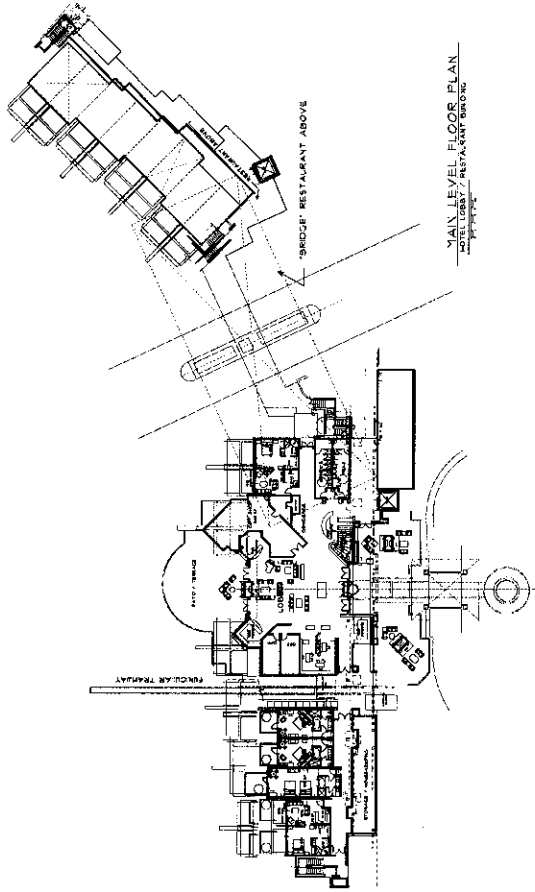
MAIN FUNICULAR HOTEL

This hotel is designed for 50 hotel rooms and contains what is referred to as "The Bridge" Restaurant. This restaurant is extended over a vehicle driveway that provides access northerly from the main hotel area to the central recreation area and golf course. This hotel includes the primary resort check-in lobby, and is where guests will valet their vehicles (should they choose) and pick up golf carts to access various facilities and areas of the resort.

The building is set at four levels, two above grade and two additional levels stepping down the bluff face for a total of four. Access between floors is proposed via a funicular (fixed rail people mover).



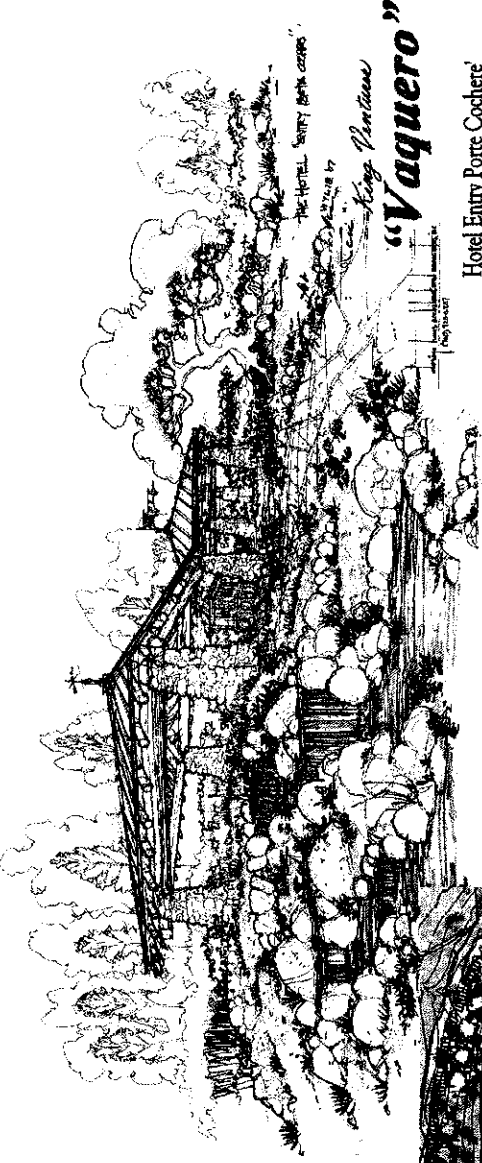
Cross Sections



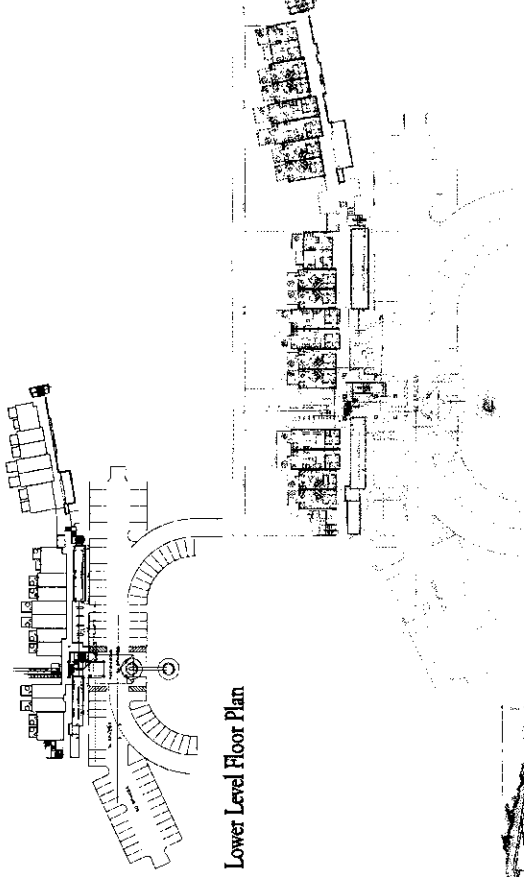
the "BRIDGE" RESTAURANT / HOTEL / LOBBY COMPLEX
 FOUR STORES 50 / 2 ROOMS AT "MAIN-LOBBY LEVEL"
 TOTAL ROOMS 50 / 2 ROOMS AT "MAIN-LOBBY LEVEL"
 10 ROOMS AT "JIFFER LEVEL, 4 ROOMS AT EACH OF LOWER LEVELS"

Main Lobby Floor Plan

Main Funicular Hotel - Bridge Restaurant



Hotel Entry Porte Cochere



Lower Level Floor Plan

Main Level Floor Plan

East Wing Hotel



Legend

EAST WING HOTEL

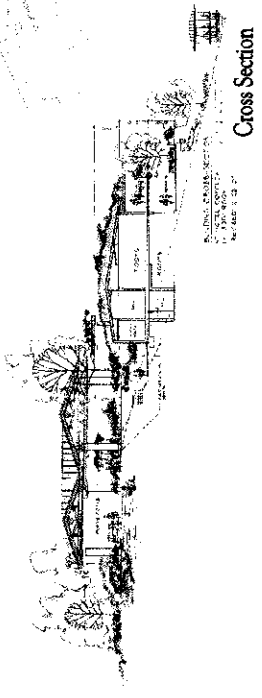
This hotel complex is designed to include 50 rooms and is an extension of the Main Funicular Hotel design theme. This hotel extends easterly from the Main Hotel and follows the top of the bluff ridge running east-west through the site.

Unique to this East Wing Hotel is the placement of the hotel rooms. They are set in 2 stories to step down the hill and bluff face. As you drive up to the porte cochere for this hotel the guest will look easterly through the open air access point over the hotel, that is stepping down the bluff face.

Sod or landscaped roofs (similar to some of the casitas units) are proposed to hide the units from the porte cochere level as shown in the cross section view. Access between floors is proposed via a funicular (fixed rail people mover).



East Wing Hotel Partial Site Plan



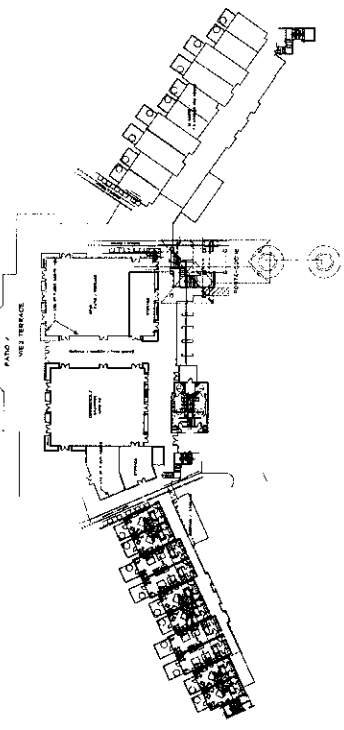
Cross Section



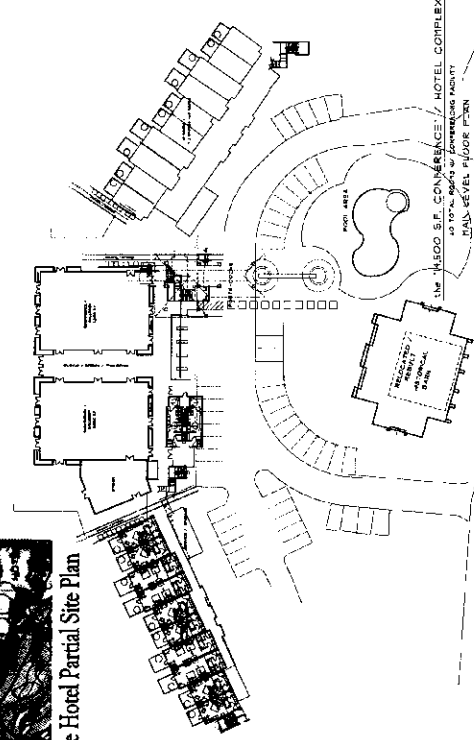
Panorama Perspective



Conference Hotel Partial Site Plan



Lower Level Floor Plan



Main Level Floor Plan

Conference Hotel

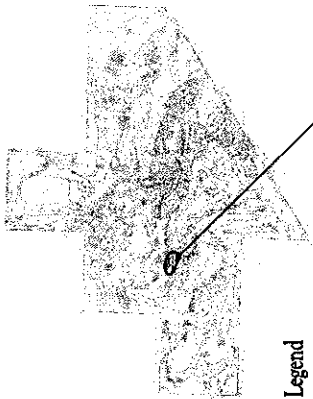


Legend

CONFERENCE HOTEL

The centerpiece of Vaquero Resort, the conference center hotel is located in the virtual center of the resort property. The Conference Hotel includes 14,500 sq ft of conference ballrooms, and it also houses the cafe restaurant.

The Conference Hotel includes 60 hotel rooms and is designed as 2 stories in height. This complex may also serve as the golf starter facility, pro shop and the midpoint of the golf course routing. Final golf course design routing presently underway is considering making this building the start-finish location, but still maintaining a club house and facilities at the driving range and golf teaching academy to the north, nearer Dry Creek Road.



Legend

SPA HOTEL

The spa hotel is located the furthest west on the site of the consolidated hotel rooms. This facility has been located on the western edge of the visitor facilities to maintain greater levels of privacy for the treatments and programs to be offered there.

A total of 40 hotel rooms are planned in and around the spa, and depending on final architectural and site planning decisions, some of the rooms may be in smaller clusters of 4 to 8 rooms, rather than all 40 rooms in one building. This would allow the treatment rooms and facilities to be dispersed around these rooms, perhaps clustering spa services with select rooms to enhance the experience for visitors that may be coming to Vaquero for a specific treatment service.



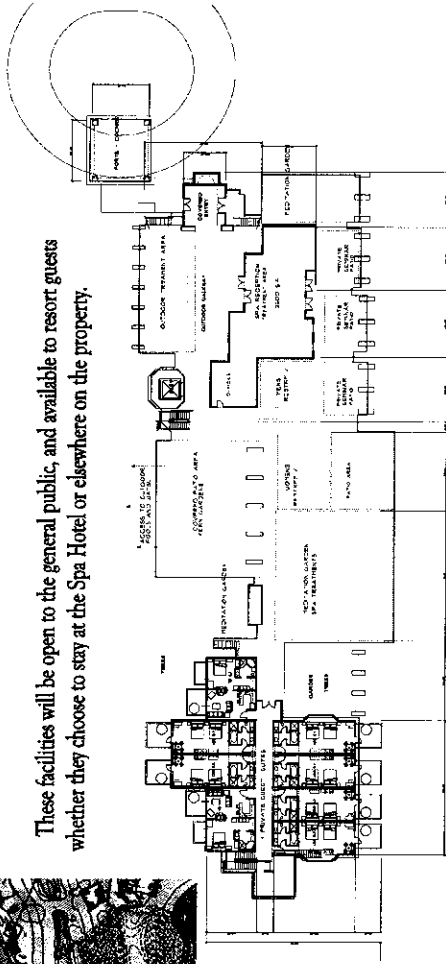
Partial Site Plan

HEALTH SPA

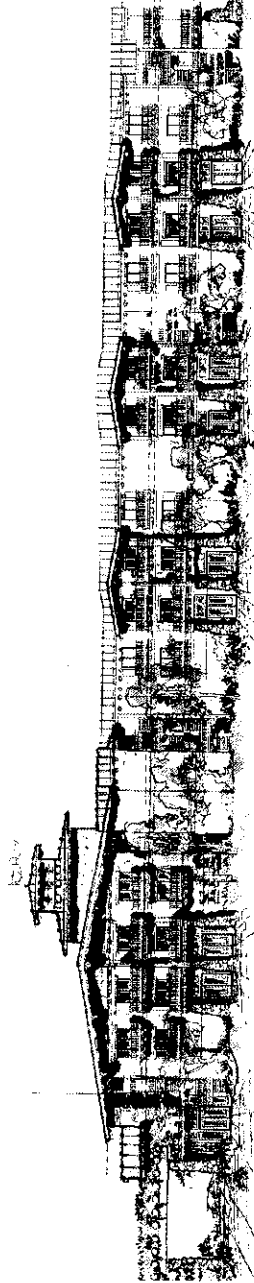
The Spa at VAQUERO is designed to facilitate a wide range of treatments, from traditional massage techniques to aroma therapies to reflexology and trigger point techniques. Meditation and yoga facilities will be created in and around the buildings of the Spa. Visitors will also be able to partake in skin and body care, scalp, face, hands and feet specialty treatments.

Extensive use of aquatic therapies, such as watsu, water shiatsu, water dance, aqua soma and wasserbaden (underwater watsu) will be showcased at VAQUERO Resort.

These facilities will be open to the general public, and available to resort guests whether they choose to stay at the Spa Hotel or elsewhere on the property.



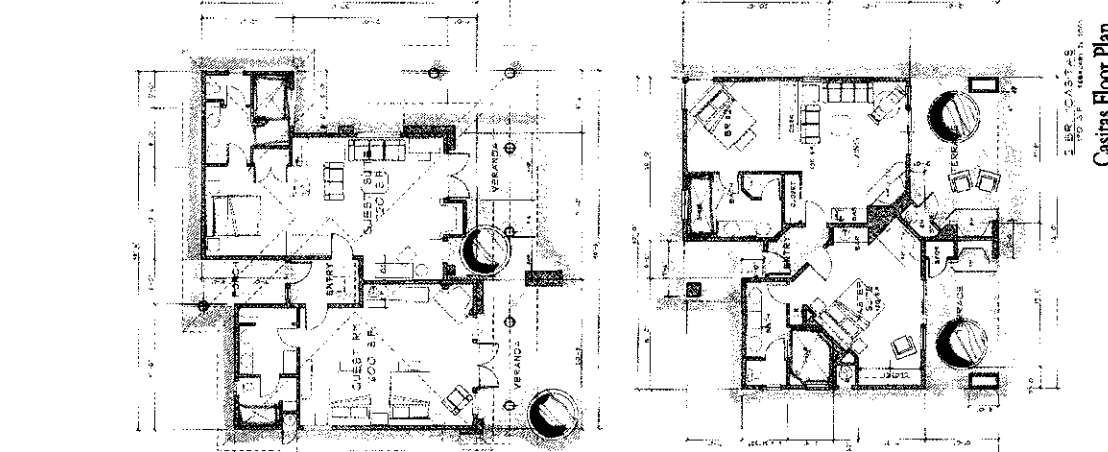
Spa Hotel Floor Plan



Elevation

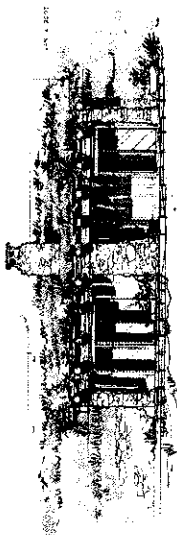
King

Spa Hotel

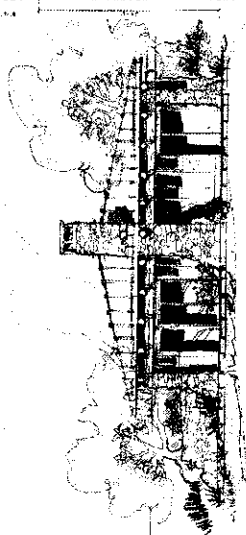


Casitas Floor Plan

Casitas Bungalow Units



FRONT ELEVATION

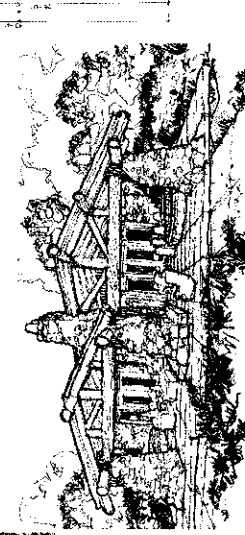


SIDE ELEVATION



REAR ELEVATION

Casitas Elevations



Rear Unit Elevation



Western Cluster Partial Site Plan



Eastern Cluster Partial Site Plan

Legend

EAST and WEST CASITAS BUNGALOWS

Onestory casitas bungalows are grouped in two main areas of the resort. We refer to them as the western and eastern casitas clusters. Access to the casitas' are planned via golf carts assigned to guests. The casitas' in the eastern cluster (46 units plus 5 at the golf lake) are arranged along water features that exist on the site, and will be cleaned up and improved with circulating water, waterfalls and patio areas. Several of these eastern casitas are also proposed to be built into the sloping terrain of the site, allowing for the use of landscaped or sod roofs to further hide the units. Each casitas has a patio area with a fireplace for visitor use.

The western casitas cluster

(29 units) occurs to the northwest of the wine and visitor's center, and is situated in the interior of three golf holes traversing the site in this area. The western casitas and a corporate retreat 'hacienda' facing the wine center will have the similar patio and single story configuration as the eastern cluster, but will occur above ground in all cases.

The hacienda retreat unit is envisioned to include 4 to 6 sleeping rooms to accommodate small executive get-togethers. This single story building is similar in architecture to the casitas units, and will be clustered around a courtyard pool and patio space. These retreat units are also thought to be ideal for small family reunion and wedding parties.

Section 5

Commercial Ownership



July 12, 2007

**Re: Outline of Casitas Hotel Units - Commercial Hotel-Ownership;
VAQUERO de los ROBLES RESORT, Paso Robles**

The "Casitas" as a Hotel Land Use

The 2004 Black Ranch approval provided for the construction of up to 80 detached hotel bungalow units, termed "casitas". These casitas were clustered in various locations of the property and provided an alternative to "traditional" hotel rooms within larger scale buildings.

For the Vaquero Resort project, we wish to maintain these casitas units, as they fit well into the site, allowing for maintenance of trees and placement of units without extensive grading operations.

The approvals granted in 2004 required, among other things, that the casitas units were to be operated and occupied by transient visitors, identical in all respects to the traditional hotel room operations. No changes in this requirement are presented under the Vaquero presentation.

Commercial Condominium Ownership of a Casitas Unit

While the look and appearance of the casitas units will continue to be a single story, 2 bedroom bungalow (see enclosed plans in Section 4), the airspace of each unit would be subdivided and made available to investors under a joint venture partnership with the resort owner. The resort would maintain 50% interest in each airspace unit, and would be the management entity responsible for operations, maintenance, repair and replacement for the units. The resort would handle all reservations and hotel management services, including payment of business license and transient occupancy taxes to the City of Paso Robles, and the investor co-owners would not be permitted to manage or rent their unit to parties independently of the resort.

The commercial investment would entitle the co-owner to priority advance reservations for the casitas unit and golf, but the investor and his or her guests, would pay a per-night fee comparable to a discounted rack or government rate. The investor and all guests would also be responsible for all TOT payments for their respective stays. The co-owner will not be entitled to any free or extended stay use of their casitas unit.

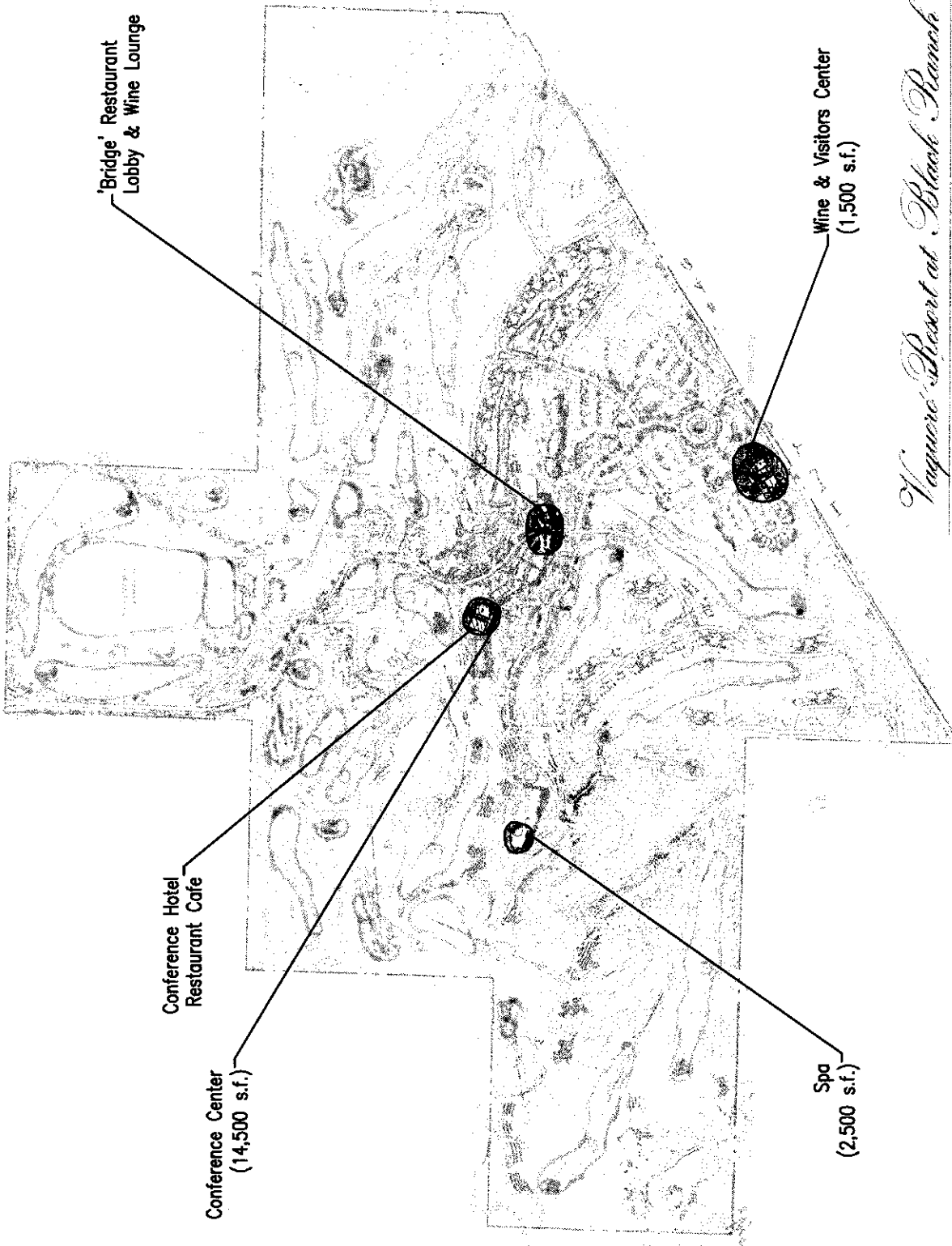
Deed Restrictions to Accompany Final Tract Map and Condo Plan

These operating restrictions would be placed on each casitas unit by recording a "Declaration of Use and Operational Restrictions and Requirements" against the title of each airspace unit. Operating standards and reporting requirements would be met through submittal of materials to meet City oversight needs.

VAQcasitasdescription

Section 6

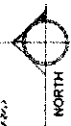
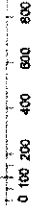
Visitor & Wine Center Plans
Conference Center Plans
Funiculars (fixed rail tram)



Vagueres Resort at Black Ranch

San Luis Obispo, California

by King Architects

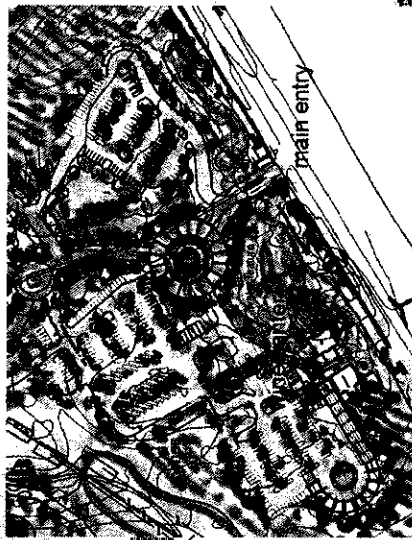


1 JULY 2007

PROJECT SITE PLAN

Resort Services and Retail Outlets

Visitor & Wine Center Partial Site Plan



Legend

VISITOR CENTER and WINE TASTING

VAQUERO's Visitor Center at the Highway 46 entrance to the resort includes several public and resort administrative functions combined into this single complex.

The Wine Tasting facility (1,500 sq ft) is designed to showcase the Paso Robles region's growing viticulture industry. VAQUERO will include a number of acres (up to 100) dedicated to varieties suited to the regions climate. The resort concierge located in this area is also envisioned to include an on site wineries concierge to assist travelers unfamiliar with the area to locate and enjoy what the region has to offer.

The Visitor's Center is also designed to welcome resort guests to the property, and to allow both hotel guests and golfers to exchange their personal vehicles for a golf cart to access the property. Visitor parking will be accommodated at the Visitor's Center, and will include some golf cart storage and maintenance space built into the facility.

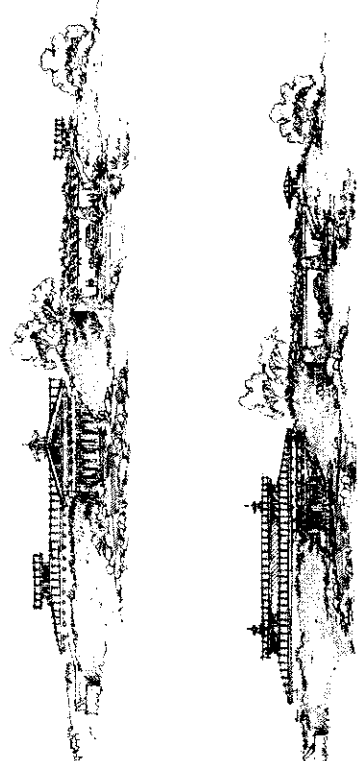
Administrative space for the resort rounds out this grouping of buildings. General hotel management, golf course administration and management, buildings and grounds maintenance, accounting functions and the host of employees dedicated to the guest experience will be located at this entrance to the property.

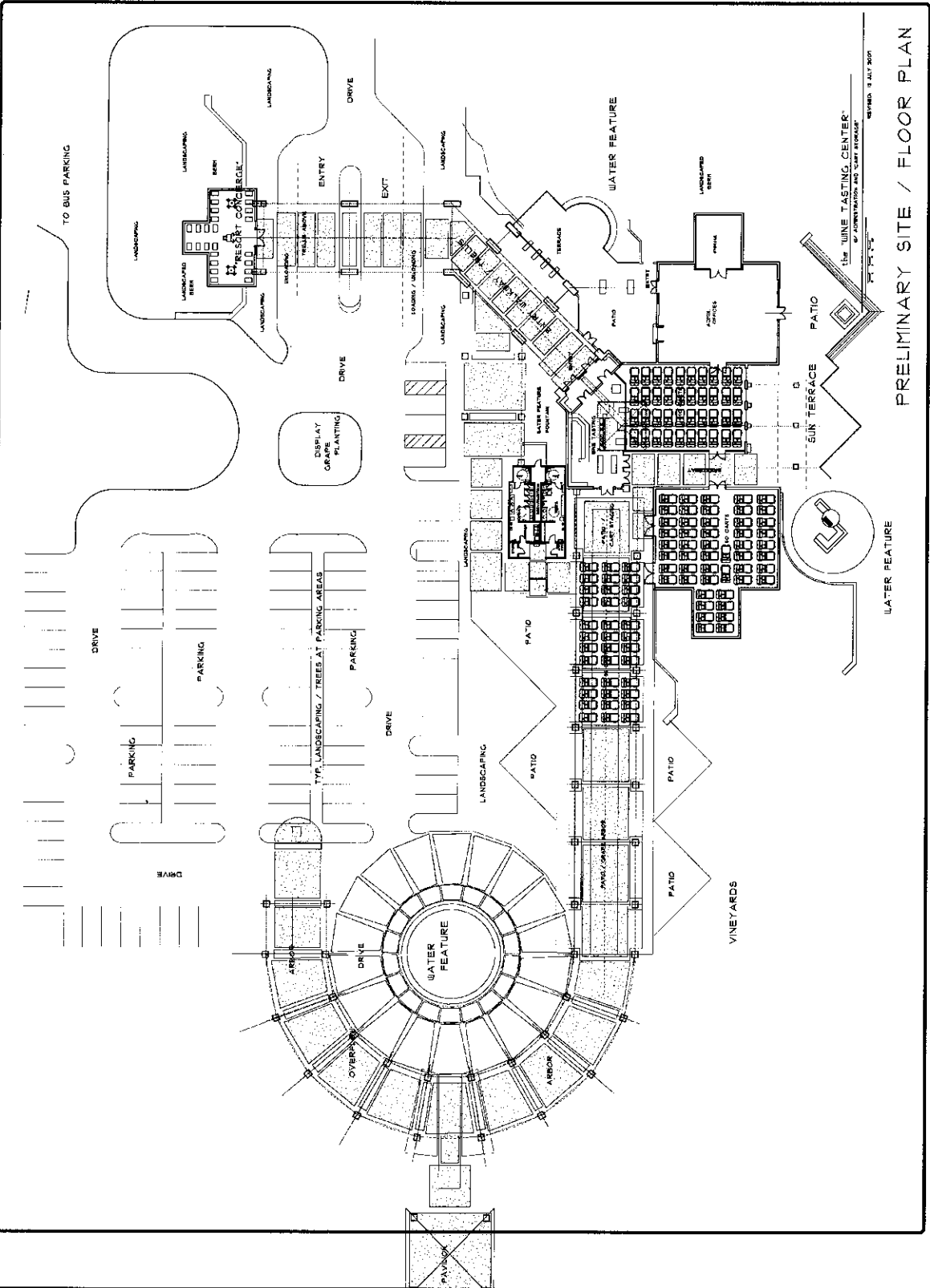
Elevations



Perspective Sketch

Visitor Center Wine Tasting



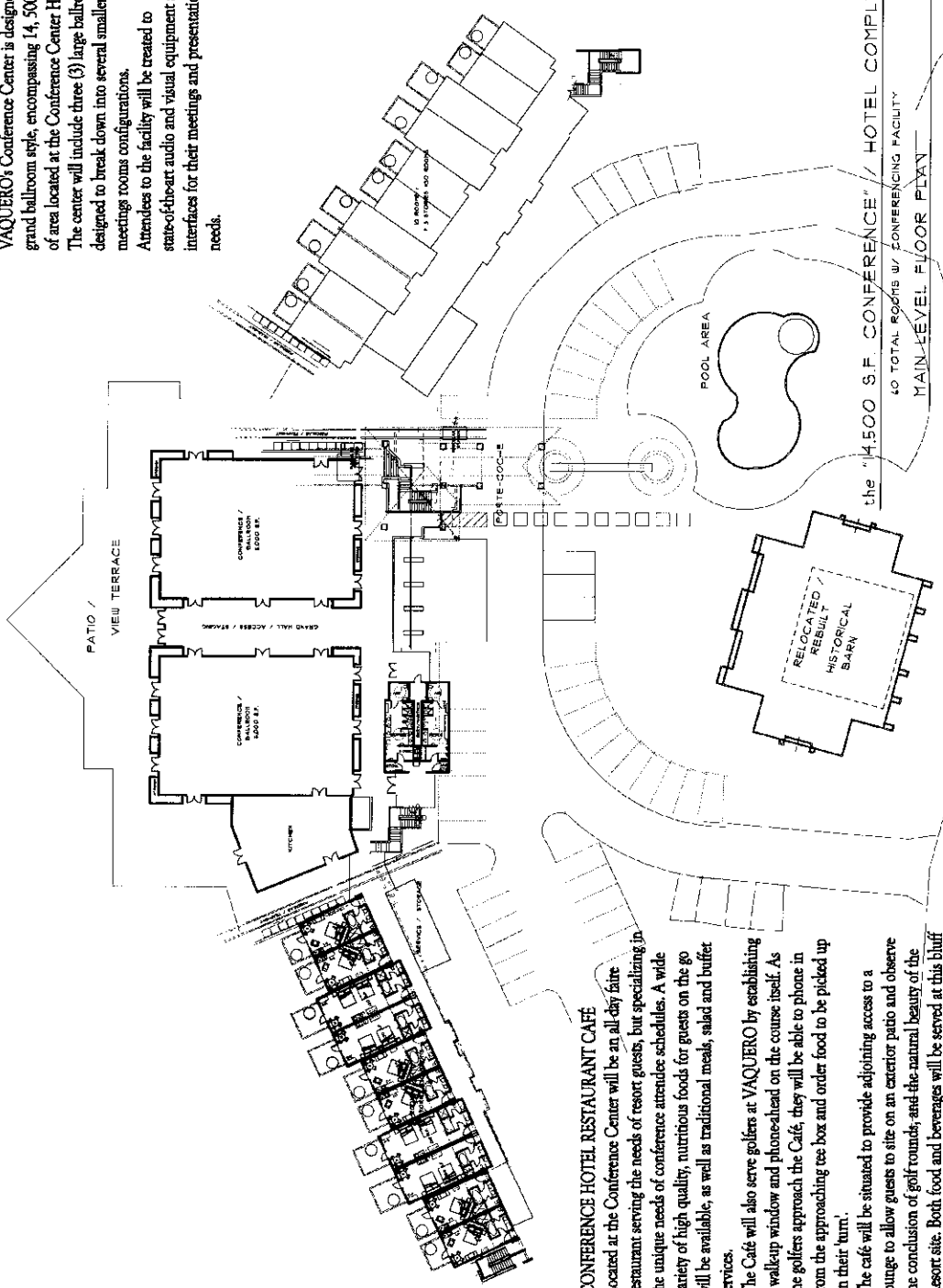


PRELIMINARY SITE / FLOOR PLAN

REVISION 13 JULY 2011

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CONFERENCE CENTER
 VAQUERO's Conference Center is designed in grand ballroom style, encompassing 14,500 sq ft of area located at the Conference Center Hotel. The center will include three (3) large ballrooms, designed to break down into several smaller meetings rooms configurations. Attendees to the facility will be treated to state-of-the-art audio and visual equipment and interfaces for their meetings and presentation needs.

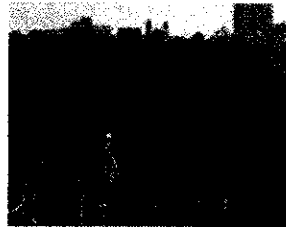
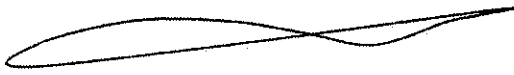


CONFERENCE HOTEL RESTAURANT CAFÉ
 Located at the Conference Center will be an all day faire restaurant serving the needs of resort guests, but specializing in the unique needs of conference attendee schedules. A wide variety of high quality, nutritious foods for guests on the go will be available, as well as traditional meals, salad and buffet services.
 The Café will also serve golfers at VAQUERO by establishing a walkup window and phone-ahead on the course itself. As the golfers approach the Café, they will be able to phone in from the approaching tee box and order food to be picked up on their 'turn'.
 The café will be situated to provide adjoining access to a lounge to allow guests to sit on an exterior patio and observe the conclusion of golf rounds, and the natural beauty of the Resort site. Both food and beverages will be served at this bluff top Café.

the "4,500 SF CONFERENCE" / HOTEL COMPLEX
 40 TOTAL ROOMS w/ CONFERRING FACILITY
 MAIN-LEVEL FLOOR PLAN
 SCALE: 1/4"=1'-0"
 REVISION: 13 JULY 2007

PRELIMINARY SITE / FLOOR PLAN

VAQUERO de los Robles Resort



Funiculars —
fixed rail
cable cars

Duquesne Incline, Pittsburg

One of the guiding design principles for our resort at VAQUERO is to introduce the hotel and related uses on the property by taking advantage of the wide range of topographic relief of the site. This is to say we have attempted to present the hotel buildings along the prominent east-west bluff ridge running through the property and to step the hotel buildings down the bluff faces, essentially 'digging in' the visitor uses and stepping the buildings down these slopes to reduce massing and to provide a feel that the buildings are flowing with the terrain.

Funicular railways date back to the 1700's and became popular in the United States in the 1800's, generally attributed to periods of waterway canal building, as a relatively cost effective solution to moving workers and equipment up and down steep slopes. Angels Flight in Los Angeles is probably one of the closest and well known funiculars.

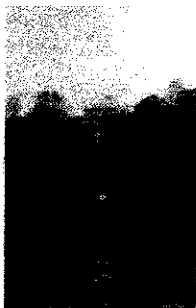


Wellington Cable Car

Funiculars are typically a pair of cable cars tethered on a closed cable loop that alternatively move up and down a railway, by using the weight of the descending vehicle to reduce the energy required to pull the ascending vehicle up the incline. Funiculars can also be a single tram unit operating along the same principles.



Montmartre Funicular, Paris



4th Street Elevator
Dubuque, Iowa



Monongahela
Incline,
Pittsburg

At VAQUERO Resort, funiculars will be installed to serve as elevators for the Main and East Wing Hotel buildings. A funicular will also extend from the Main Hotel to the Recreation Center below the bluff face and ridge. This additional railway will provide guests the option of accessing the pool and recreation areas without hiking up and down this hill.

Section 7

Infrastructure and Phasing



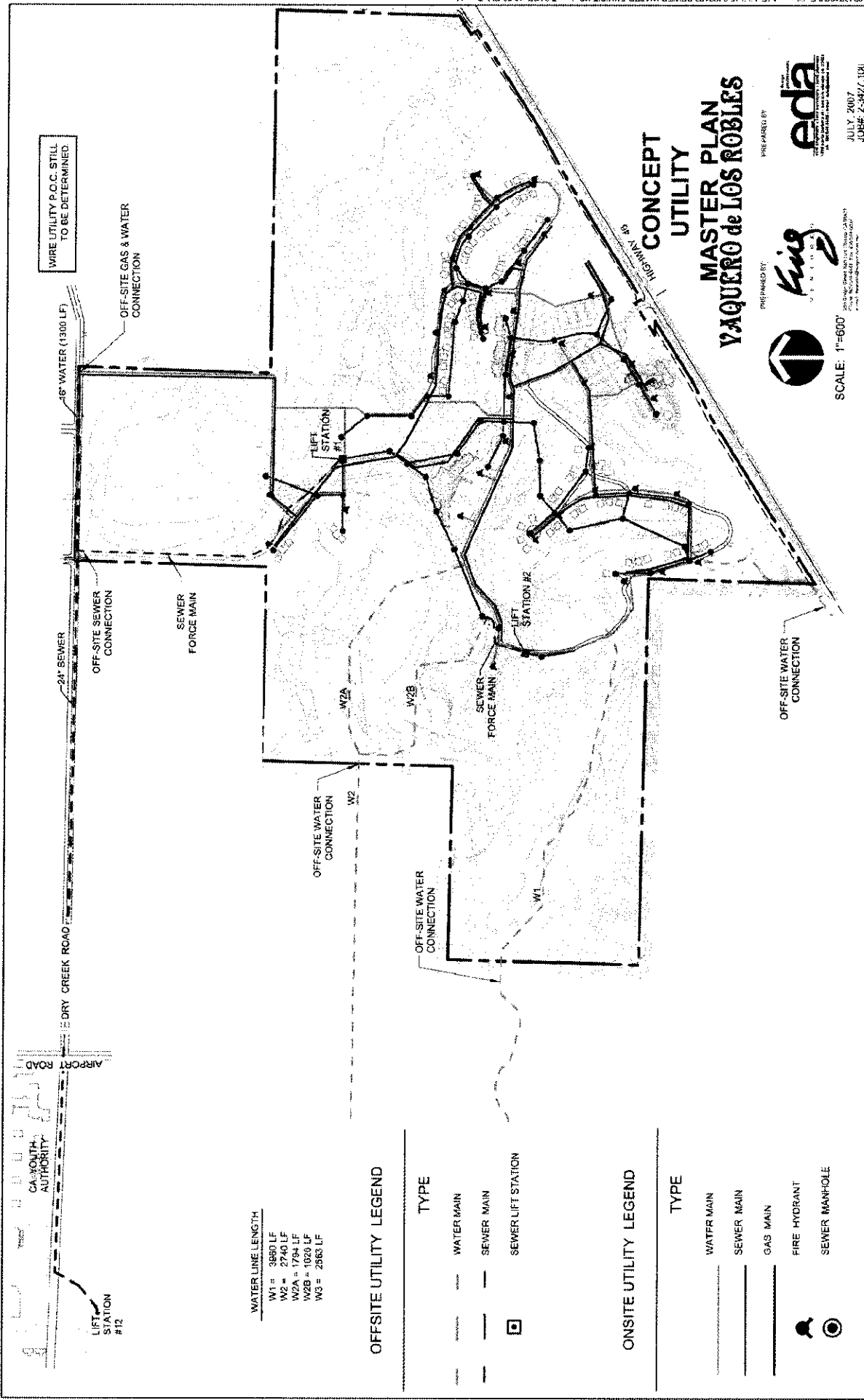
VAQUERO Resort Infrastructure and Construction Phasing

The conditions of approval prescribe various requirements for water, wastewater, circulation and storm water improvements, both on-site and off-site.

These conditions will be addressed as follows:

- **Water Infrastructure** **Phase 1**
Conditions require a "looped" water main system for service between Airport Road and Dry Creek Road. This plan can be accomplished in one of 3 ways being studied with the City Engineer and staff. A final improvement plan will be constructed in Phase 1.
- **Wastewater Disposal** **Phase 1**
On-site collection and conveyance systems will tie into an extension of City wastewater collection lines down Dry Creek Road. The specifics of these systems will be approved by the City Engineer and constructed with the Phase 1 project.
- **Storm Drainage Improvements** **Phase 1 / 2**
Storm drainage detention facilities will be completed prior to initiating buildings construction in Phase 1. Expansion of both storm water and ornamental water features are planned in conjunction with the wetlands enhancement, vernal pools and oak woodlands protection features of the mitigation monitoring conditions of approval.
- **Dry Creek Road Improvements** **Phase 1 / 2**
Initial improvements in Phase 1 include: (a) dedication of right-of-way to the City for widening; (b) agreement to participate in an area-wide assessment district to coordinate improvements of the road; and (c) widening and a project entry at Dry Creek Road for the resort project. We anticipate the City's assessment district will complete area-wide improvements near our Phase 2 project timing.
- **Highway 46 Improvements** **Phase 1** **In coordination w/Caltrans**
Improvements required include: (1) left turn channelization for east bound vehicles; (2) west bound acceleration and deceleration lanes at the project entry. These improvements were conditioned before building permits. Now that Caltrans has programmed the project, we believe limiting Highway 46 access and utilizing Dry Creek Road for construction access would allow construction to take place prior to the State's highway improvements being finalized.
- **On-site and Emergency Access** **Phase 1 / 2**
The resort includes the main entrance planned at Highway 46. Additionally, a secondary access for right-turn-only movements exists on Highway 46 at the far eastern end of the site. Discussions with adjoining Eberle Vineyards concerning joint emergency access will also be Pursued.

VAQresortdescription



WIRE UTILITY P.O.C. STILL TO BE DETERMINED

6" WATER (1300 LF)

OFF-SITE GAS & WATER CONNECTION

24" SEWER

OFF-SITE SEWER CONNECTION

SEWER FORCE MAIN

LIFT STATION #1

W2A

W2B

SEWER FORCE MAIN

LIFT STATION #2

OFF-SITE WATER CONNECTION

W3

OFF-SITE WATER CONNECTION

W1

OFF-SITE WATER CONNECTION

AIRPORT ROAD

CASAVOUTH AUTHORITY

DRY CREEK ROAD

CONCEPT UTILITY

MASTER PLAN VAQUERO de los ROBLES

PREPARED BY



SCALE: 1"=600'



PREPARED BY

BILLY J. 2007
JOB# 2-0427-106

WATER LINE LENGTH

W1 =	3860 LF
W2 =	2740 LF
W2A =	1794 LF
W2B =	1020 LF
W3 =	2583 LF

OFFSITE UTILITY LEGEND

TYPE	
---	WATER MAIN
---	SEWER MAIN
□	SEWER LIFT STATION

ONSITE UTILITY LEGEND

TYPE	
---	WATER MAIN
---	SEWER MAIN
---	GAS MAIN
●	FIRE HYDRANT
○	SEWER MANHOLE



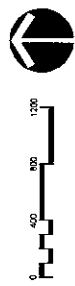
OFF-SITE WATER MAIN ROUTES

FOR

VAQUERO de Los ROBLES



215 Bridge Street, San Luis Obispo, CA 93401
 Phone: (805) 781-5877
 Fax: (805) 781-5878
 e-mail: edabrown@kingarch.com



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 Phone: (805) 781-5877
 Fax: (805) 781-5878
 e-mail: edabrown@kingarch.com

Section 8

Biology & Traffic Analyses

July 19, 2007

David Watson, AICP
King Ventures
285 Bridge Street
San Luis Obispo, CA 93401

SUBJECT: King Ventures Vaquero at Black Ranch Vernal Pool Watershed Mapping in Compliance with Resolution 04-008 General Condition 11(C) and Mitigation Measure B-18

Dear David:

David Wolff Environmental (DWE) is pleased to provide this letter documenting the vernal pool watershed mapping in compliance with Resolution 04-008 General Condition 11(C) and Mitigation Measure B-18 for the Vaquero at Black Ranch project in Paso Robles. I have conducted this study at your request based on the review of available background information and field surveys of the areas mapped with vernal pools.

Vernal pools on the Black Ranch project site were identified through the environmental review process in 2002 for the Black Ranch project and mapped on project plans prepared by RRM Design Group. Earlier biological resources reports prepared for the Black Ranch project in 1998 and 2001 did not acknowledge the presence of vernal pools. The vernal pool discovery was a result of the Caltrans Highway 46 corridor study that identified two vernal pools just north of the highway in the southeast area of the project site. Federally listed vernal pool fairy shrimp (*Branchinecta lynchi*) were positively identified in the northernmost vernal pool and suspected but not observed in the southern pool near the property line fence.

The extent of the two vernal pools and their approximate watershed were shown on a September 9, 2002 map prepared by RRM Design Group. David Wolff, DWE Principal Ecologist, conducted a field survey of the vernal pool area on April 11 and June 19, 2007 to field locate the vernal pools with King Ventures representatives David Watson and Deborah Bowdey. During the June 19th field survey, David Wolff flagged the limits of the two vernal pools and the associated combined watershed of the both pools that was then surveyed and mapped by an EDA Design Professionals survey team. We designated the southern and northern pools as vernal pool #1 and #2 respectively.

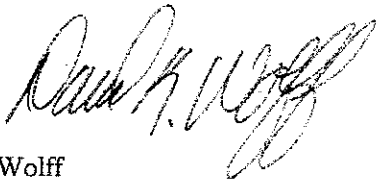
The EDA survey map on one-foot contours showed the vernal pools and watershed approximately 200 feet to the east of the RRM mapping. While confident of the field location and mapping based on observed topographic drainage pattern and vernal pool plants, DWE contacted Caltrans biologist Mitch Dallas who had discovered the vernal pools to confirm the location. Mr. Dallas provided photographs of the two pools that confirmed the DWE field location and EDA survey mapping of the location and extent of the vernal pools and associated watershed. As such, I consider the DWE field mapping and EDA survey of the vernal pools and watershed as accurate and should supersede any previous mapping efforts of the two vernal pools on the Vaquero at Black Ranch project site.

The attached Figure 1 provides the Caltrans photographs from the 2001 discovery. Figure 2 provides the surveyed location and extent of the vernal pools and associated watershed based on the DWE field flagging and EDA surveying on the one-foot contour topographic map in compliance with General Condition 11(C) and Mitigation Measure B-18.

))))

Thank you very much for the opportunity to provide biological resources consulting services. Please contact me if you have any questions or need any additional information.

Very truly yours,



David K. Wolff
Principal Ecologist
Certified Professional Wetland Scientist

Attachments:

- Figure 1 - Vernal Pool Photographs
- Figure 2 - Vernal Pool Watershed Map

FIGURE 1 – VERNAL POOL PHOTOGRAPHS
SOURCE: MITCH DALLAS, CALTRANS, 2001



Photo 1 – Vernal pool #1 looking north at southern property fence along Hwy 46



Photo 2 – Vernal pool #2 approximately 275 feet north of the property fence on Hwy 46

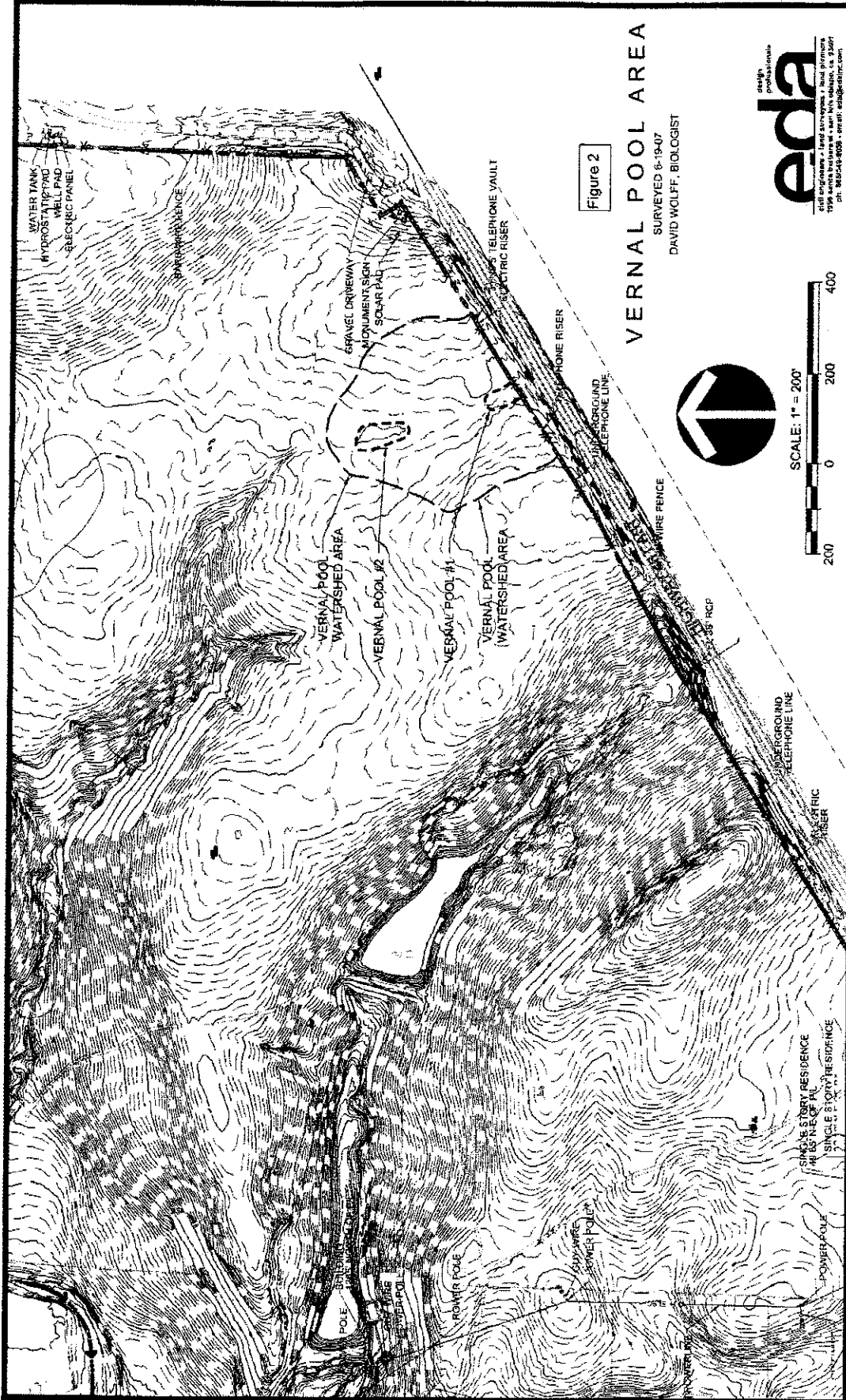
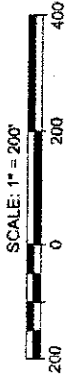


Figure 2

VERNAL POOL AREA

SURVEYED 8-19-07
DAVID WOLFF, BIOLOGIST



design
programs

eda

land architecture • landscape architecture • interior architecture
1500 15th Street, Suite 1000
Berkeley, CA 94710
Tel: 415.841.9000 • Fax: 415.841.9001
www.eda-berkeley.com



ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.
Scott A. Schell, AICP

July 31, 2007

07074L01.WPD

David Watson
King Ventures
285 Bridge Street
San Luis Obispo, CA 93401

TRIP GENERATION COMPARATIVE ANALYSIS FOR THE VAQUERO AT BLACK RANCH PROJECT, PASO ROBLES, CALIFORNIA

Pursuant to your request, Associated Transportation Engineers (ATE) is providing the following trip generation analysis for the Vaquero at Black Ranch Project. The project is located along Highway 46 in the City of Paso Robles. The project was approved by the City of Paso Robles and included a 280-unit resort hotel, a free standing restaurant, a winery/visitors center, and a 27 hole golf course.

The proposed project includes many of the same components as the approved project with the following changes:

- The number of hotel rooms has been reduced and the number of bungalows has increased, but the total number of rooms, 280, remains the same.
- The golf course has been reduced from 27 to 18 holes.
- The free-standing restaurant is incorporated as a restaurant within the hotel.

The purpose of this analysis is to compare the trip generation of the approved project with the trip generation of the proposed project to determine if the proposed uses would generate additional traffic, and thus create potential impacts not considered in the traffic analysis for the approved project.

Trip Generation Analysis

Trip generation estimates were calculated for the approved and proposed land uses based on rates published in the Institute of Transportation Engineers (ITE) trip generation manual.¹ The Institute of Transportation Engineers trip generation publication does not contain trip generation rates for wineries. Trip generation estimates for the proposed winery were developed using rates gathered from local winery studies along the Central Coast of California. The trip generation estimates are summarized in Table 1. Detailed trip generation calculations are shown on Exhibit A.

Table 1
Trip Generation Comparison

Land Use	Average Daily Trips	A.M. Peak Hour	P.M. Peak Hour
Proposed Project	2,041	144	190
Approved Project	2,903	168	260
Difference	-862	-24	-70

The proposed project would generate 2,041 Average Daily Trips, with 144 trips occurring during the A.M. peak hour and 190 trips occurring during the P.M. peak hour. The approved project would generate 2,903 Average Daily Trips, with 168 trips occurring during the A.M. peak hour and 260 trips occurring during the P.M. peak hour. The difference between the proposed and approved project is 862 less Average Daily Trips, 24 less A.M. peak hour trips, and 70 less P.M. peak hour trips, as shown in Table 1.

Parking

Parking for the Vaquero at Black Ranch was evaluated by ATE using Chapter 21.22 of the El Paso De Robles Municipal Code and project data provided by King Ventures.

Hotel: The hotel with restaurant, casitas, east/west hotels, and the hacienda corporate retreat has 280 total rooms, which requires a minimum of 310 parking spaces plus employee parking. The plan proposes 339 parking spaces, which allows for 29 employees working the largest shift. (Section 21.22.040B1-2)

¹ Trip Generation, Institute of Transportation Engineers, 7th Edition, 2003.

Conference Center: There are 113 parking spaces proposed for the Conference Center and there must be one parking space per 100 square foot of net floor area to meet code requirements. Therefore, the net floor area of the conference center must be less than or equal to 11,300 square feet. (Section 21.22.040C1)

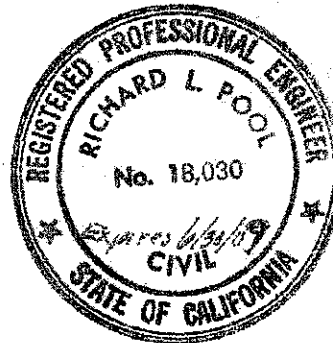
Wine/Visitors Center and Health Spa: Retail and Service establishments should provide one parking space per 250 square feet of gross floor area. The proposed project offers a total of 30 parking spaces, which exceeds the zoning requirements of the 4,000 square foot retail space by 14 parking spaces. (Section 21.22.040D17)

Golf Course: The requirements for this land use is not specified in El Paso De Robles Municipal Code. According to the previously approved project, six parking spaces per hole was approved. The proposed project provides more than 6 parking spaces per hole.

It should be noted that the parking calculations are for each land use. Many of the hotel patrons will also use the other facilities which could reduce the number of overall parking spaces necessary for the development. A parking demand study would give a more accurate assessment of the parking needed for the proposed project.

Associated Transportation Engineers


By: Richard L. Pool, P.E.
President



RLP/JJK

Attachment: Exhibit A - Vaquero at Black Ranch - Trip Generation Calculations

EXHIBIT A

Vaquero at Black Ranch - Trip Generation Calculations

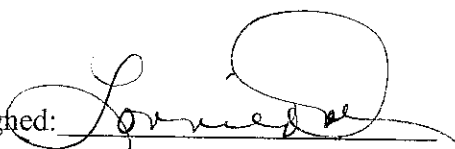
Associated Transportation Engineers Trip Generation Worksheet							
VAQUERO AT BLACK RANCH PROJECT - APPROVED PROJECT							
Land Use	Size	ADT		A.M.		P.M.	
		Rate	Trips	Rate	Trips	Rate	Trips
1. Resort Hotel (a)	280 Units	4.89	1,370	0.37	104	0.49	137
2. Free Standing Restaurant	6,000 sq.ft.	89.95	540	0.81	5	7.49	45
3. Winery / Visitors Center (b)	1,500 sq.ft.	18.60	28	0.00	0	2.43	4
4. Golf Course	27 Holes	35.74	965	2.22	60	2.74	74
Project Total:			2,903		168		260
Notes:							
(a) Assumes 100% Occupancy. Resort Hotel includes Cafe, Conference Center, and Health Spa.							
(b) ITE data not available. Winery / Visitors Center trip generation based on local studies.							

Associated Transportation Engineers Trip Generation Worksheet							
VAQUERO AT BLACK RANCH PROJECT - PROPOSED PROJECT							
Land Use	Size	ADT		A.M.		P.M.	
		Rate	Trips	Rate	Trips	Rate	Trips
1. Resort Hotel (a)	280 Units	4.89	1,370	0.37	104	0.49	137
2. Winery / Visitors Center (b)	1,500 sq.ft.	18.60	28	0.00	0	2.43	4
3. Golf Course	18 Holes	35.74	643	2.22	40	2.74	49
Project Total:			2,041		144		190
Notes:							
(a) Assumes 100% Occupancy. Resort Hotel includes Restaurant/Lounge, Cafe, Conference Center, and Health Spa.							
(b) ITE data not available. Winery / Visitors Center trip generation based on local studies.							

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development 01-025 & Conditional Use Permit 01-017 Substantial Compliance (Black Ranch/Vaquero) on this 31st day of October 2007.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

forms\mailaffi.691

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

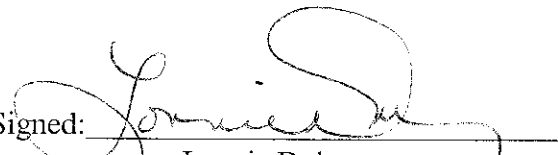
Newspaper: Tribune

Date of Publication: November 1, 2007

Meeting Date: November 13, 2007

Project: Planned Development 01-025
& Conditional Use Permit
01-017 finding of Substantial
Compliance (King Ventures/
Vaquero formerly Black Ranch)

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

Signed: 
Lonnie Dolan

forms/newsaffi.691

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider a request by King Ventures for the Planning Commission to make findings of substantial compliance with their proposed Vaquero project with the previously approved Black Ranch project (PD 01-025 & Conditional Use Permit 01-017).

The Black Ranch project was approved by the Planning Commission on February 10, 2004, consisting of the following program:

Planned Development 01-025 & Conditional Use Permit 01-017: to develop a resort complex with 200 hotel rooms and 80 casitas on an approximate 386 acre area bounded by Hwy 46 East on the South, Dry Creek Road on the North, and Airport Road on the East (also known as the Black Ranch property). The Development application includes an 18-hole golf course as well as an additional 9-hole executive course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities. (APN: 025-431-044, 045, & 049)

Since the project was previously approved, the only issue before the Planning Commission will be the determination of whether the Vaquero project is in substantial compliance with the Black Ranch project.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, November 13, 2007, at which time all interested parties may appear and be heard.

Comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

The proposed project will be available for review at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, on the Thursday before the scheduled date of this hearing.

If you challenge the substantial compliance application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Darren R. Nash, Associate Planner
November 1, 2007

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