TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

- SUBJECT: GENERAL PLAN AMENDMENT 09-001, REZONE 09-001, PD 08-001, CUP 08-001, LOT LINE ADJUSTMENT 07-0293 (PASO ROBLES MOTORCOACH RESORT – PASO 160, LLC)
- DATE: FEBRUARY 24, 2009
- Needs: To consider applications filed by North Coast Engineering, on behalf of Paso 160 LLC, to consider the development of a 332 space Recreational Vehicle (RV) Resort.
- Facts: 1. The 160 acre site is located at the northern end of Golden Hill Road, on the east side of the road (see Attachment 1, Vicinity Map).
 - 2. The site has a General Plan Land Use designation of Agriculture (AG). The Zoning designation is Residential Agriculture (RA).
 - 3. The site is located within the Airport Overlay area as indicated on the General Plan Land Use map, with portions of the site are located within Airport Safety Zones 4 & 5.
 - 4. The 160 acre site is currently comprised of three parcels. The applicants are proposing to reconfigure the three parcels with a Lot Line Adjustment (PRAL 07-093), where Parcel 1 would be 58.8 acres, Parcel 2 would be 68.6 acres, and Parcel 3 would be 21.4 acres. See Attachment 2, which shows the proposed orientation of the three parcels.
 - 5. General Plan Amendment 09-001 and Rezone 09-001 propose the following changes:
 - **Parcel 1**: change the zoning designation from Residential Agriculture (RA) to Agriculture (AG), and retain the current AG land use designation;
 - Parcel 2: amend the land use designation from Agriculture (AG) to Parks & Open Space (POS) and change the zoning designation from Residential Agriculture (RA) to Parks & Open Space (POS);
 - ^o **Parcel 3**: change the zoning designation from Residential Agriculture (RA) to Agriculture with a Planned Development Overlay (AG-PD), and retain the current AG land use designation.

- 6. Planned Development 08-001 & Conditional Use Permit 08-001 proposes the following:
 - **Parcel 1**: this parcel would be dedicated to the City for public use as Open Space;
 - ^o **Parcel 2**: establish the 332-space Paso Robles Motorcoach Resort;
 - **Parcel 3**: use PD Overlay district to limit future uses to agricultural related uses such as winery, wine tasting and vineyards.
- 7. Planned Development 08-001 along with CUP 08-001 would establish the architectural, landscape and site development standards to demonstrate how the RV resort is proposed to be developed on Parcel 2.
- 8. The project was reviewed by the Development Review Committee (DRC) at their meetings on February 9, 2009 and February 17, 2009.
- 9. 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 Mitigated Negative Declaration was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that potentially significant environmental impacts can be mitigated to a less than significant level, and that with implementation of mitigation measures that the PR Motorcoach project may qualify for issuance of a Mitigated Negative Declaration (MND).
- 10. The proposed mitigation measures are related to biological resources, traffic, air quality and hazard related impacts. Mitigation measures have been incorporated into the attached Resolution recommending approval of the project to the City Council.
- 11. The Initial Study is currently in the 30-day public review process with the Office of Planning and Research, State Clearinghouse. The review period for the MND started on February 9, 2009 and will end on March 17, 2009, which is when this project is scheduled to go before the City Council.
- 12. Since the development will involve a General Plan Amendment and Rezone, the action of the Planning Commission will be to make recommendations to the Council.

Analysis And

Conclusion: The applicant is proposing this General Plan Amendment and Rezone request to accommodate a 332 space Motorcoach Resort. The purpose of the Agricultural land use category in the General Plan is primarily to allow for agricultural land uses and open space. The Parks and Open Space land use category is intended to allow open space and recreational land uses.

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

If the Commission supports and the City Council approves a change in the land use and zoning designations to POS, the next step is to evaluate the proposed motorcoach project. The applicants have submitted PD and CUP applications showing how they propose to develop the Paso Robles Motorcoach Resort project.

Through the use of a Lot Line Adjustment, the three existing parcels would be reconfigured to conform more appropriately to the topography, land forms and proposed future uses. Only one of the three parcels, Parcel 2, is proposed for development. Nearly two thirds (65%) of the project site is planned to be preserved as open space and for agricultural uses.

The applicants initially proposed a project that would accommodate 600 RV spaces. However, in response to input received from neighbors, the City and outside agencies, the project was scaled down to 332 spaces. Each space is designed to accommodate a motorcoach, an area to park a support/visitor vehicle and allow for the occupants to utilize the remaining site area. The spaces range in size from approximately 3,000 square feet to over 1/4 of an acre, with the average being in excess of 4,500 square feet.

Trails and walkable roads connect the spaces to a number of recreational and community areas including swimming pools, exercise facilities, common rooms, and gathering areas. Although not a part of the current proposal, the applicants are anticipating that the the open space area between the industrial park and the RV Park (Parcel 3) will be planted as a vineyard and may contain future winery production and tasking.

Project issues include:

Drainage:

North Coast Engineering has designed the project to utilize many low-impact development techniques for on-site storm water retention and drainage. Larger sites, narrow roads and ample open space facilitate on-site storm water retention and ground water recharge. Impermeable area is limited to the roads, RV parking spaces and the community center pads. With the minimization of permeable surfaces and inclusion of

infiltration areas on-site rainfall would be largely absorbed into the local aquifer or follow historic flow patterns to the Huer Huero Creek.

A majority of the RV spaces are designed with individual onsite biofiltration and infiltration systems. Additionally, area-wide biofiltration and storm water detention areas are proposed. By capturing storm water on site, storm water quality will be addressed through natural filtration systems, opposed to more traditional techniques of collecting storm water in pipes and trying to treat it downstream.

Property owners in the Circle B neighborhood west of the proposed project site historically have had concerns regarding storm water and potential flooding impacts to their properties. The Circle B area developed in the County, is relatively flat. No comprehensive drainage system was incorporated with the development of these County properties. The proposed resort site is comprised of a relatively small portion of the total watershed area. Nevertheless, existing residents have expressed concerns about the existing conditions. Recognizing this, North Coast Engineering's approach to onsite drainage is to design the project so that it would meet or exceed the City Standards for the City of Paso Robles and comply with the requirements of the Regional Water Quality Control Board. Additionally, improvements to the existing termination of Golden Hill Road could improve existing localized flooding issues.

Traffic:

A Traffic Study was prepared by Associated Traffic Engineers (ATE) in January 2008 to study the traffic and potential circulation impacts that may result from the proposed RV Resort. The traffic study incorporates information in the traffic study for the Regency Center project prepared in August, 2007. These studies indicate that all of the intersections along the Highway 46E corridor will deteriorate below acceptable levels as defined in the current Circulation Element of the General Plan, but that with improvements installed with the Regency Center project that the level of service will comply with the City's General Plan thresholds.

The Motorcoach traffic study references the City's on-going studies including development of a new city-wide traffic model and Circulation Element. It suggests that the applicant participate in the traffic improvement projects that are recommended in the City's on-going studies. Participation typically occurs through the payment of Traffic Impact Fees. In accordance with General Plan policy, the City Council will update the traffic mitigation fees in accordance with an updated Circulation Element. The applicant should be aware that mitigation fees are collected upon occupancy in the amount in effect at that time.

Caltrans reviewed the traffic study for the project and submitted a comment letter (Attachment D-2). Caltrans concludes that the best way to mitigate this project, and other projects in this area of the City is for the City to collect appropriate traffic impact fees to fund improvements that will be needed.

Typically all development projects are required to construct frontage improvements in accordance with the Circulation Element. In this case the Circulation Element calls for the extension of Golden Hill Road north to connect to Dry Creek Road. A bridge over the Huer Huero is needed for this connection. The applicant has submitted a preliminary design for the northerly extension of Golden Hill Road but due to the great expense, have asked the City Council to waive the requirement. The Commission should fell free to weigh in on this request. Due to topographic constraints and projected traffic demands the northerly extension of Golden Hill Road is designed as a two lane road with bike lanes. The road improvements are proposed to be constructed in phases along with the resort development.

Biology:

A Biology Report was prepared in December 2006 and was updated in January 2008 by Althouse and Meade for this project. The report identified that the project site has six designated habitat types including annual grassland, blue oak woodland, riparian, ephemeral drainage, vernal pool, and seasonal wetland.

The report also indicates that there are more than 108 animal species, including 11 special status species, have the potential to occur on the project site. Site surveys in 2006 observed Golden eagle and documented active nesting onsite (2 adults and 1 juvenile). The Golden eagle is a fully protected species under the California Endangered Species Act (CESA), and they are federally protected.

The property is within a strategic section of the San Joaquin Kit Fox (SJKF) migration corridor, therefore specific, unique project design and mitigation measures are incorporated into this project, as recommended through consultation with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG). The applicant modified the site development plan to reduce the area of impact to the San Joaquin Kit Fox habitat and migration corridor by reducing the proposed area to be developed and by increasing the width of the migration corridor by an additional 250 feet from the previous iteration of the project. Additionally, Althouse and Meade provided a supplemental letter (See Exhibit E-2) providing additional on and off-site mitigation measures in addition to the standard kit fox mitigations.

The applicant has also consulted with the agencies regarding an existing Golden Eagle nest and associated regulations. Additional site construction and operational mitigations were submitted to protect them from potential impacts. The project biologist submitted detailed onsite mitigation strategies to avoid and reduce potential impacts to these species. These mitigation measures are provided in the Mitigated Negative Declaration resolution in Attachment 8. The project is designed to avoid all the vernal pool locations and areas with protected floral species.

Oak Trees

A & T Arborists prepared an Arborist Report for the project site, which includes an inventory and survey of all trees (blue oaks and valley oaks) on the property. The inventory documented approximately 336 oak trees are located within the development area of the project (approximately 600 are located on the total site). A total of 33 oak trees are proposed to be removed to accommodate this project and the extension of Golden Hill Road. Five of the trees are already dead, and most of the trees proposed to be removed are in poor to very poor health. The development will be required to mitigate the tree removals and replant new oak trees in compliance with the City's Oak Tree Ordinance. The Arborist report is attached to the Initial Study.

Land Use Compatibility:

The project has been designed to take advantage of the natural topography and natural features of the site, including the existing oak trees and orientation to the Huer Huero Creek. Additionally, the project has been designed to try and screen views from the Circle B neighbors. Screening methods include using the existing oak tree woodlands, constructing a decorative masonry screen wall on top of a berm and the planting landscaping between the wall and Golden Hill Road.

Airport Compatibility:

The General Plan and Zoning amendment were considered by the Airport Land Use Commission (ALUC) back in 2007, and more recently in 2008 with the current project. The ALUC made findings that the amendments were compatible with the Airport Land Use Plan (ALUP). RV parks are considered a compatible use in the ALUP, as long as they can comply with the maximum person per acre requirements required by the Airport Land Use Plan. The 332 space RV Park over the 68.6 acre site complies with the ALUP density standards.

Policy Compliance:

The General Plan Land Use Element Purple Belt Policies state:

- POLICY LU- 2E: "Purple Belt" (Open Space/Conservation Areas Around the City). Create a distinct "Purple Belt" surrounding the City by taking actions to retain the rural, open space, and agricultural areas.
- GOAL OS-1: Preserve/expand the amount and quality of open space in and around Paso Robles.
- POLICY OS-1A: Open Space/Purple Belt. Develop an open space plan/program for establishing an open space/ purple belt (agricultural preserve area) surrounding the City.

The Land Use Element of the General Plan state that the purpose of the Parks and Open Space Land Use Category is as follows:

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

The General Plan Land Use Category Summary (Table LU-4) describes the Parks and Open Space Category as:

• Public and private properties that are to be used only for open space and recreation. Parks, City-owned land in the Salinas River and along creeks and steep, wooded hillsides, golf courses, hotel and motels in close proximity to golf courses, and commercial recreation.

Additionally, the 2006 Economic Strategy encourages promotion of local industry, products, services and destinations, and more specifically encourages that property owners to "*expand and diversify hotel productions, including end-destination resorts*".

While either of the AG or POS land use categories could be consistent with the intent of the City's Purple Belt policies in the General Plan. The proposed RV resort has been designed to utilize the natural amenities of the site, including the topography, the oak woodlands and dedicating Parcel 1 (60-acre portion of the Huer Huero Creek channel) to the City as Open Space.

The Paso Robles Motorcoach project along with the suggested conditions of approval and the mitigation measures would comply with the General Plan, Zoning Code and Economic Strategy, since they all support transient lodging uses and would support and encourage the development of a resort project on this site, assuming that the Commission and Council approve the applicants request to change the land use and zoning designations to POS.

Policy

Reference: General Plan Land Use Element; General Plan Update EIR certified in 2003; Zoning Code and California Environmental Quality Act (CEQA), Airport Land Use Plan, Economic Strategy.

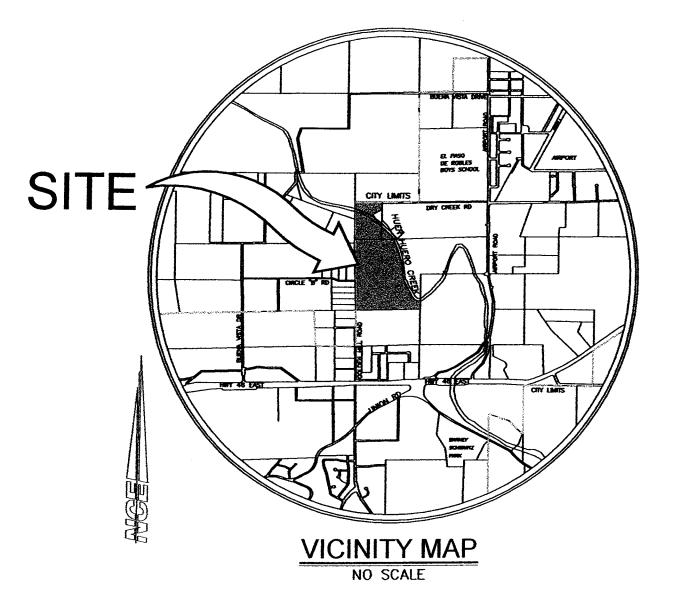
Fiscal Impact: None

- Options: After consideration of all public testimony, that the Planning Commission may choose the following options:
 - a. 1. Recommend the City Council adopt a Resolution approving a Mitigated Negative Declaration for the project;
 - 2. Recommend the City Council adopt a Resolution adopting GPA 09-001;
 - 3. Recommend the City Council adopt an Ordinance to rezone the project site for Rezone 09-001;
 - 4. Recommend the City Council adopt a Resolution adopting PD 08- 001, subject to site specific and standard conditions of approval;
 - 5. Recommend the City Council adopt a Resolution adopting Conditional Use Permit 08-001, subject to site specific and standard conditions of approval;
 - 6. Recommend the City Council adopt a Resolution adopting Lot Line Adjustment 07-0293, subject to site specific and standard conditions of approval; or
 - b. Amend, modify or reject the foregoing option.

Prepared by Darren Nash, Associate Planner

Attachments:

- 1. Vicinity Map
- 2. City Engineer Memo
- 3. Applicant's Project Description
- 4. Initial Study
- 5. Resolution recommending to the City Council approval of a Mitigated Negative Declaration
- 6. Resolution recommending to the City Council approval of the GPA, Rezone, PD, CUP and LLA
- 7. Newspaper and Mail Notice Affidavits



Attachment 1 Vicinity Map GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) -

MEMORANDUM

TO:Darren NashFROM:John FalkenstienSUBJECT:PD 08-001 Paso Robles Motorcoach ResortDATE:February 11, 2009

Grading, Drainage and Storm Water Quality

The City is obligated by the Regional Water Quality Control Board to require that this project implement low impact development best management practices to mitigate impacts to the quality of storm water run-off and to limit the increase in the rate and volume of storm water run-off to the maximum extent practical.

As the City continues to negotiate a long-term hydro-modification mitigation strategy with the Regional Board, standards for control of storm water run-off will change. The mitigation measures provided on the preliminary grading and drainage plans are consistent with anticipated standards. More grass lined swales in lieu of curbs and gutters, and other LID practices may be required.

Traffic

The traffic study dated January 11, 2008, is based primarily on information found in the study for the Regency Center produced in August, 2007. These studies indicate that all of the intersections along the Highway 46E corridor will deteriorate below acceptable levels as defined by the current circulation element of the General Plan.

The City is in the process of developing a new City-wide traffic model for the purposes of updating the circulation element. In addition to verification of current studies, the model will test the effectiveness of a series of road connections not currently included in the Circulation Element. These include parallel routes that may help mitigate impacts of City developments on highway 46E and improved access across the highway, most likely at Union Road.

The Motorcoach traffic study references the City's on-going studies and indicates that the applicant should participate in the projects that are recommended. Participation typically occurs through impact fees. In accordance with General Plan policy, the City Council will update the traffic mitigation fees in accordance with an updated Circulation Element. The applicant should be aware that mitigation fees are collected upon occupancy in the amount in effect at that time.

Streets

Typically all development projects construct improvements to adjacent streets in accordance with the Circulation Element. In this case the Circulation Element provides for the extension of Golden Hill Road north to Dry Creek Road. A bridge over the Huer Huero is needed for this connection. The applicant has submitted a preliminary design for the northerly extension of Golden Hill Road. Due to topographic constraints and projected traffic demands the northerly extension of Golden Hill Road is designed as a two lane road with bike lanes. The road will be constructed in phases along with the resort development.

Sewer and Water

Sanitary sewer is available to the project from the City's main trunk line traversing the site and serving the airport area.

Water is available from a 12-inch water main in Golden Hill Road. This main will be extended northerly as Golden Hill Road is developed.

Floodplain

Portions of the project are located in an A Zone as indicated on Flood Insurance Rate Maps prepared by FEMA. In an A Zone no base flood information has been determined. In accordance with the City's floodplain ordinance the applicant will be required to submit a floodplain study prepared by a civil engineer demonstrating that the placement of fill along the Huer Huero will not encroach into the floodway or substantially raise the height of flooding on adjacent properties. The study must state that the project will comply with all provisions of the City's floodplain ordinance.

Recommended Conditions

Low impact development best management practices shall be incorporated into the project grading plans in accordance with City standards at the time of permitting.

The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.

Golden Hill Road shall be constructed in general conformance to the preliminary plans, plans approved by the City Engineer, and in accordance with the phasing plan proposed.

A 12-inch water main shall be extended in Golden Hill Road in accordance with plans approved by the City Engineer and in accordance with the phasing plan proposed.

Prior to development of phases 5, 6, 7 and 8, the applicant shall provide a floodplain study prepared by a civil engineer demonstrating compliance with the City's floodplain ordinance.

PASO ROBLES MOTORCOACH RESORT

12-16-08

Introduction

The City of Paso Robles currently has one Recreational Vehicle Resort, Wine Country RV Resort located on Airport Road. The highly popular resort, consisting of 166 spaces, serves visitors to the Paso Robles area and has been in business since 2002.

Based on the feedback the owners received from the RV community, it became apparent that there was a demand for additional RV Resorts to serve the Paso Robles area. Particularly noticeable was the need for a very high quality resort that could cater to larger RVs and more affluent travelers.

A 160 acre site at the north end of Golden Hill Road seemed to be the perfect place to create such a resort in Paso Robles. The rural ambiance of gently rolling hills, studded with oaks, connecting with the Huer Huero Creek was a fit for a resort on this property. The site provided ample areas for high quality and spacious RV sites, while respecting the existing environment.

What is a Motorcoach Resort?

Motorcoach Resorts differ from regular RV parks by catering to the upper end of the RV traveling population. Only the high-end motorcoaches (or class A coaches over 35 feet in length) will be granted entry into the resort. Individual sites are improved to a point of perfection; landscaping is meticulously manicured and clear rules maintain the order and exquisite ambiance of the resort. Sites are larger, more individualized and typically have more privacy and physical amenities. The visitors tend to be successful, wealthy, highly educated and well traveled. Some are retired, but many work with a relaxed or flexible work lifestyle.

Resorts of this type are found throughout the United States and there are a number of them in California. The successful resorts craft their amenities and environment to fit the local character. The visitors expect a "Sense of Place" as opposed to a place to park the RV for the night.

Many of these individuals travel a good part of the year and may "park hop", staying at sites in numerous resorts across the country and travel from resort to resort throughout the year. While the visitors of these outdoor resorts typically maintain permanent residency in some other location, it is their desire and privilege to tour other parts of the country in comfortable, personalized accommodations. Rather than renting hotel rooms and packing and unpacking as they travel, the traveler can load up their motorcoach once before leaving for a trip and travel for months at a time before returning home again.

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Attachment 3 Applicant's Project Description GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) As a result, people traveling in this lifestyle typically spend a great deal of money on a motorcoach that they can feel comfortable staying in, with plenty of space and amenities while away from home. Additionally they tend to take advantage of local golf courses, wineries, restaurants, supermarkets and other local commercial services.

Location

The proposed Resort site is located at the current end of Golden Hill Road, north of Highway 46. To the south is the Golden Hill Business Park, which has begun to fill with new buildings and businesses. To the north, across the Huer Huero Creek the properties are agricultural, with vineyards, located outside of the City limits. Currently the owner, Jan Kris Vineyards, is proposing to construct a crush facility and has applied to the County for approval. The area to the west is a large lot residential subdivision in the County. Most of the lots are 5 acres or larger. The average distance from the project property line to these homes is approximately 135 feet. The area to the east is the abandoned City wastewater plant and a parcel owned by Tom Erskine zoned Parks and Open Space. In the future, Golden Hill Road will extend to the north through the Resort property and connect to Dry Creek Road as part of the City of Paso Robles Circulation Plan. Refer to Exhibit A for a vicinity map.

Existing Land Use

Currently under the City of Paso Robles General Plan, this property is designated Agriculture. In the Zoning Code, the designation is Residential Agriculture with a Planned Development Overlay (RA PD).

The property has been historically vacant and the only agricultural use has been limited to grazing a small number of cattle. The land of this area consist of soils that are not largely suited for intensive agricultural use and there are no prime soils on the property. The prominent soil type on the property is type 200 (Sesame sandy loam), which has a classification of Type IV irrigated or non-irrigated. The remaining soils classifications fall between III and VIII, with the dominant soil type being one of type IV. There are no class I or class II soils. Due to the topography, number of oak trees, and river area, it does not generally lend itself well to agricultural uses. The southern portion of the property adjacent to the Golden Hill Business Park is the only area that would have a limited potential for agricultural and agriculturally related uses.

The property currently has 3 legal parcels. The parcels are 36.0, 79.9 and 44.6 acres for a total of 160.5 acres.

Project Overview

Paso Robles Motorcoach Resort is proposing to create a resort of approximately 332 motorcoach sites on the 160.5 acre property. Through the use of a Lot Line Adjustment, the three existing parcels will be reconfigured to conform more appropriately to the topography, land forms and proposed future uses. Only one of the three parcels, Parcel 2, is proposed for development. Nearly two thirds (65%) of the project site is to be preserved as open space and for agricultural uses.

Parcel 1- Public Open Space-Huer Huero Creek

Proposed Parcel 1, consisting of 58.8 acres, encompasses the Huer Huero Creek and is proposed to be offered to the City for public use as Open Space. This parcel is currently zoned Residential Agriculture with a PD Overlay. The request is to rezone the property to Agriculture. The "residential" component of the current zoning is clearly in conflict with the Airport Land Use plan. The centerpiece of the natural environment of the site is the Huer Huero Creek. The proposed 58.8 acres of open space with hundreds of oaks will provide a unique and highly enjoyable environment for the visitors to the resort, as well as public access to Huer Huero Creek. Public access will be available on both sides of the creek through the offer of dedication for Golden Hill Road.

This parcel provides a number of public benefits for hiking, biking, horseback riding and an essential link in what someday will be a Huer Huero Creek Plan, similar to the Salinas River Plan, currently in progress. Additionally, being adjacent to current City owned property (the abandoned wastewater plant) the value to the community is enhanced. This parcel configuration, agricultural zoning, and dedication to the City exceed the expectations of the City's Purple Belt Policy by providing a buffer within the City limits.

Parcel 2- Motorcoach Resort

Proposed Parcel 2, consisting of 68.6 acres is subject to a General Plan Amendment to change the land use from Agriculture to Parks and Open Space. This parcel, located in the middle of the property, is the proposed site for the Motorcoach Resort. The 332 Motorcoach sites are limited to this parcel. Each site is designed to comfortably accommodate a motorcoach, an area to park a support/visitor vehicle and plenty of room for the occupants to enjoy their surroundings, barbequing, and relaxing. The sites range in size from approximately 3,000 sf to over 1/4 of an acre, with the average being in excess of 4,500 sf.

Trails and walkable roads connect the sites to a number of recreational and community areas including swimming pools, exercise facilities, common rooms, and gathering areas.

Parcel 3- Agriculture

Proposed Parcel 3, consisting of 21.4 acres, is located at the southerly end of the property adjacent to the Golden Hill Business Park. It is proposed to rezone this property from Residential Agriculture to Agriculture. It is intended that this parcel act as a buffer for the Motorcoach Resort from the business park to the south and from the neighbors to the west. A vineyard is proposed for this property to separate and enhance the entrance to the Resort. No development is planned for this parcel at this time. A restrictive covenant is proposed to be applied to this parcel to prohibit future land use changes such as rezoning to a different land use and to restrict the parcel to agriculturally zoned uses in perpetuity. Additional proposed land use restrictions on the property limit future allowed uses to less than those currently allowed in the Agriculture zone. This restriction would be recorded as constructive notice on the title for the property.

The owner is offering an access easement through this property to the Open Space parcel for City crews to access the creek for maintenance purposes.

Project Concept Development

Project Design

To address the expectations of the upper end of the RV community, it is necessary to provide a very high quality, luxurious, relaxing environment. Site amenities must be top notch.

To assist with local knowledge and technical expertise, the property owners engaged North Coast Engineering (NCE) acting as Project Manager, providing base mapping, site layout, grading and drainage design, hydrological and hydraulic analysis, and survey services including oak tree locations and plotting of easements. Dan Meade and Lynne Dee Althouse of Althouse and Meade provided biological consultation and input on resource avoidance and protection. Ron Wolff provided architectural design and Casey Patterson designed the landscaping. Artistic and aesthetic input was provided by local artist Steve Kalar. Chip Tamagni and Steve Alvarez of A & T Arborists provided professional arborist advice and analysis for the protection of the oak tree resources on the property.

Considerable time was spent on the site hand selecting individual motorcoach sites, factoring in: visibility, views, accessibility, prevailing winds, grading, drainage, oak tree impacts, solar access, and general ambiance. This approach resulted in the creation of unique, low impact, highly desirable sites. Roads were located to minimize grading, impacts to trees and known biological resources.

The combination of operational, consumer, and technical expertise provided a solid basis for creating a high quality Motorcoach Resort in the City of Paso Robles.

Project Function

The function and operation of the Resort is of utmost importance to the visitors. On arrival, the guests will be greeted by a welcome center with a guarded gate, manned 24 hours a day. Most of the arrivals and departures will be during daylight hours. Visitors will not be allowed to tow boats, ATV's or other trailers behind the Motorcoach, only tow vehicles will be allowed.

Onsite amenities include 3 pool, club house, and recreation areas as well as areas where visitors can purchase basic necessities without leaving the resort. Generous open space areas combined with ample recreational opportunities will prove to be very attractive to the visitors.

Landscape maintenance will be performed on a regular basis and trash removal from the sites will be provided daily.

Visitors will be limited to a stay of a maximum of 30 consecutive days.

PROJECT PHASING CONCEPT

The Paso Robles Motorcoach Resort will be constructed in phases, corresponding with the phasing plan. Phases will be developed in the sequence listed, with the potential of developing smaller increments in sub-phases or more than one phase occurring at the same time. Modification of the phase limits or the sequencing of phases would be approved by staff through the standard process.

Grading activities for the construction of the project will also be phased. Grading permits will be issued by the City of Paso Robles corresponding with the area of proposed disturbance. San Joaquin Kit Fox (SJKF) mitigation fees will be required for the same corresponding area of disturbance prior to issuance of the necessary grading permit. It will be the developer's option to pay SJKF mitigation fees for the entire project with the first phase of grading.

Offsite improvements shall include the construction of Golden Hill Road, between the southerly boundary line and the resort entrance, consistent with the Concept Plan included in the CUP plans. This portion of Golden Hill Road shall be completed and accepted by the City prior to issuance of occupancy for the first phase of the resort, or 48 sites. The balance of Golden Hill Road, to the southerly limit of the Huer-Huero bridge, will not be constructed with the resort, but the resort developer will pay in lieu fees to the City corresponding with the cost of constructing the road per the Concept Plan. A total cost for the construction of the remaining portion of Golden Hill Road will be determined and agreed upon by the City Engineer. The cost will be prorated by site, to be paid to the City as the resort is developed and occupancy is granted. The Huer-Huero bridge and the balance of Golden Hill Road north of the bridge are regional improvements, to be paid for through the City's AB1600 fee program. The Paso Robles Motorcoach Resort will

pay traffic impact fees toward the construction of the future improvements with payment of development impact fees.

Community Outreach and Public Input

Neighborhood Input

The project property owners felt that it was very important to communicate early in the process their ideas and intentions for their property with the neighbors.

In October of 2006, the project property owners contacted the Circle B Homeowners Association (neighboring properties in the County) to offer a meeting to explain their proposed plan. The Circle B homeowners declined to meet.

In July of 2007, the project property owners sent an invitation to all the neighbors in the area to attend an open house to review conceptual site plans for the project and discuss any issues the neighbors might have. The neighbors responded with a letter signed by 10 local property owners rejecting the offer to meet and review the project. The open house was held on July 9th. Two of the neighbors attended. They reviewed the project, shared their comments and concerns. Some of their suggestions were incorporated into the plan and the plans were revised. A week later NCE met with one additional neighbor.

In early December of 2007, the neighbors were again invited to an open house to review a revised version of the project. The open house was attended by 5 of the neighbors. The revised site plan and development concept was generally well received.

An additional meeting with the neighboring property owners is scheduled to take place prior to the Planning Commission hearing.

Native American Input

The project was referred, as required by State law, to the Native American tribes familiar with the cultural heritage of Native Americans of this area. Site visits in 2007 by the local representative of the Northern Chumash resulted in a determination that the only recommendation would be to avoid impacts to the eagle nest identified in the Althouse and Meade biological review.

Public Input

There has been considerable opportunity for the public to provide input on the proposed Resort through a number of public hearings, both at the Planning Commission and City Council. The project was noticed by the City consistent with public noticing requirements. Additionally, numerous articles appeared in local newspapers, keeping the public further informed.

The first public hearing was held at the Planning Commission on August 28, 2007. Several members of the public spoke, some in support of the GPA and Rezone, and some against. The Planning Commission voted 4-2-1 to recommend to the City Council that the GPA/Rezone be denied.

The second public hearing was the City Council hearing of September 18, 2007. Twenty members of the public spoke. The City Council could not agree on a decision and the GPA/Rezone was denied by lack of action by the Council.

The original application to the City was for a General Plan Amendment and Rezone. While the GPA and Rezone was being processed by the City the site specific design was being prepared by the project applicants and their consultants. At the time of the initial application it was the policy of the City to require the GPA and Rezone to be processed and approved prior to the review and approval of the associated Development Plan. It became clear through the Planning Commission and City Council review process that this policy would not be appropriate in this case. The Council clearly expressed the desire to review the proposed resort details as part of the GPA/Rezone process.

The property owners have prepared an application to the City including all of the components for project approval.

Local Business Input

The property owners have also met with the Paso Robles Chamber of Commerce, Main Street, local wineries and businesses and have had very strong support for the Resort. They have received numerous letters of support.

Consistency with City of Paso Robles General Plan, Goals and Objectives

The proposed Paso Robles Motorcoach Resort is consistent with and furthers many of the goals and objectives of the City of Paso Robles.

The Paso Robles Economic Strategy

The proposed project furthers many of the goals of the Paso Robles Economic Strategy. As a high quality destination resort, this project would attract numerous visitors. Additionally, it takes an underutilized piece of property and maximizes the value of the property for the community. The City General Plan requires new development to be financially neutral. This project goes beyond that requirement by contributing a significant sum of money to the community in the form of Transient Occupancy Tax (TOT). Based on an average occupancy rate of 60%, it is estimated that the completed Motorcoach Resort would generate approximately \$600,000 a year in TOT.

The economic impact of this proposed project would be highly positive for the City of Paso Robles, not only from the collection of the taxes, but the spin-off effects of the visitors to the community. Visitors will be spending money in restaurants, wineries, stores, and for fuel, while not having impacts on schools and very little other impacts on city facilities and services. According to the California Travel Parks Association, visitors to these types of resorts spend an average of \$200 a day for these services. It is estimated that this resort would generate over \$16,000,000 a year in spinoff sales and services and generate over \$1,100,000 a year in sales tax.

The project would contribute in excess of \$1,000,000 to the City's AB1600 Development Impact Fees Program.

The completed project is expected to employ 20 people in full-time positions and 10 people in part-time positions. A full time staff will operate the resort and will be assisted by various part time support personnel. Additional enhancements to job creation for the community as a whole will occur due to the increased demand for services from the visitors to the Paso Robles Motorcoach Resort.

A less measurable but significant benefit would be the potential for intellectual and business development resulting from the visitors experiencing the area who may be encouraged to bring business to Paso Robles as well as engage with existing businesses.

Paso Robles Circulation Element

The proposed project site performs an important role in providing the opportunity to further the goals of the Circulation Element of the General Plan. Golden Hill Road, as identified in the Circulation Element, is an important, if not vital, link for future traffic circulation. Golden Hill Road would be constructed through this property to connect with a bridge over the Huer Huero Creek to Dry Creek Road, another vital link for traffic circulation. See attached Exhibit B.

The Huer Huero Creek bridge is included in the City's AB1600 Development Impact Fee Program for a total of \$14,000,000. This demonstrates a commitment to complete this portion of the City's Circulation Plan. The importance of this link has been recently reinforced by new traffic studies performed by CalTrans and traffic studies prepared for the Lowes Regional Commercial project, approved at the intersection of Golden Hill Road and Highway 46.

Local Traffic Circulation Impacts

The literal implementation of the current Paso Robles Circulation Element requirements for the construction of Golden Hill Road would result in significant impacts to the residents of the Circle B neighborhood. See Exhibit C.

When the Circle B area Tract Map (Tract 1576) was approved by the County the conditions of approval required an Offer of Dedication of a 25' wide strip of their property. An additional 15' Offer of Dedication from the Motorcoach Resort parcel provided the minimum 40' of access that the County required for the approval of their project. See Exhibit D.

The City Circulation Element currently requires an Offer of Dedication of 100' and road improvements for two traffic lanes in each direction with a landscaped median. Taking into account the current alignment of Golden Hill Road constructed by the Golden Hill Business Park, the future improvement to Golden Hill Road would replace the existing private road in the Circle B neighborhood. The existing 25' Offer of Dedication on the Circle B side of the property line would be used as well as 75' of the Motorcoach property. The Circle B residents would be fronting on an arterial road. A number of oaks would require alsoremoval due to the design characteristics of the City Standard Arterial.

The Motorcoach Resort is proposing an alternative alignment and road design to reduce these impacts. In consultation with the City Engineer a low impact, topographically sensitive design approach is being suggested. The alternative would be a reduced street width constructed completely on the project property. The offer of dedication would remain at a 100' minimum and would also be totally within the project property. Meandering travel lanes would significantly reduce oak tree impacts. The existing private road serving the Circle B residents would remain essentially intact. A new gate would be constructed by the project to provide safe access to the Circle B neighborhood off of the new Golden Hill Road. The existing Circle B Road gate would be used for exit only. See Exhibit E.

Airport Land Use Plan

The vast majority of the property is located in Airport Land Use Zone 5. A very small portion, located at the southeast corner of the property in the Huer Huero Creek, is located in Airport Land Use Zone 3. The proposed use of an RV resort is classified as transient lodging in the Airport Land Use Plan, and is an allowed use. It is not uncommon for an RV park to be located close to an airport. The people that frequent these types of facilities are accustomed to airport associated noise, and being transient, are not stakeholders in the community, and would therefore have very little concern with the operations of the airport. On June 20, 2007, at a public hearing, the Airport Land Use Plan.

Oak Tree Impacts

There are a large number of oak trees on the property. They are sparse in the southerly area of the property increasing in density to the north, particularly on the slopes adjacent to the Huer Huero Creek. The arborist describes these woodland areas as an "aging forest", in need of thinning of diseased trees, pruning of the older, heavier limbs and planting of young trees to prolong the longevity of the oak woodland character of the project.

Early in the design process for the resort, North Coast Engineering surveyed all the trees potentially impacted by the development. The trees were field surveyed, measured, cataloged and drafted into the base map for the site plan. A & T Arborists rated every tree based on City Oak Tree Ordinance requirements.

As a result of careful design, it was possible to design the Resort without removing any healthy oak trees. The only trees proposed for removal for the Resort are rated 2 or less on a scale of 0-10 with 0 being dead and 10 being a specimen tree with perfect shape, structure and foliage. A total of 5 dead trees and 19 trees rated 1 and 2 are proposed for removal for the Resort. Only one tree with a rating of 3 is proposed for removal.

The design for Golden Hill Road within the public right of way will require the removal of 9 oak trees. Four of these trees would be considered healthy with a rating of 3 or better. The five others are rated 2 or lower. The road design specifically avoided oak tree impacts as much as possible, while maintaining the design standards required by the City.

Area Drainage

Property owners in the Circle B area west of the proposed project site historically have had concerns and problems regarding storm water and flooding impacts to their properties. The Circle B area, developed in the County, is relatively flat. No comprehensive drainage design was done with the development of the County properties in this area. The proposed resort site makes up a relatively small portion of the total watershed area. Nevertheless, existing residents have expressed concerns about the existing conditions. Recognizing this, the approach to the drainage design is to respect those concerns. As proposed, the project design would meet or exceed the City Standards for the City of Paso Robles and be required to comply with the requirements of the Regional Water Quality Control Board. The focus of the drainage design would be to utilize low impact development design to reduce impacts downstream. Additionally, improvements to the existing termination of Golden Hill Road could improve existing localized flooding issues.

Low Impact Development

The character of the project lends itself to the utilization of numerous low impact development techniques. Larger sites, narrow roads and ample open space facilitate onsite storm water recharge. With the minimization of permeable surfaces and inclusion of infiltration areas on sites and in open space, initial and regular rainfall events would be largely absorbed into the local aquifer.

It is proposed that the majority of the sites employ individual onsite biofiltration and infiltration. Additionally, area-wide biofiltration and storm water detention areas are proposed. By capturing storm water as it hits the ground the issues of storm water quality are easily handled, as opposed to more traditional techniques of collecting storm water in pipes and trying to treat it downstream.

Wetland and Habitat Restoration

Early in the site review process specific emphasis was placed on the relation of the Huer Huero Creek to the proposed project. In a series of site visits Althouse and Meade proposed a creek restoration plan in conjunction with proposed fill areas adjacent to the creek. It was felt that by re-contouring the overflow area adjacent to the project that the result would provide for better maintained flows, habitat improvement and opportunities to remove exotic plant species and replace them with native species. Due to the relation of the normal high water line, it is unlikely that a permit is necessary from the Army Corps of Engineers. A streambed alteration permit would be required from the Department of Fish and Game.

To confirm the validity of the restoration plan concept a Hydrological analysis of Huer Huero Creek was prepared by NCE.

Project Utilities

Public sewer and water is available to the project site. Currently there is a 12" water line in Golden Hill Road and a sewer line runs through the property. Private sewer lift stations would have to be constructed to serve a number of the phases of the project. The existing overhead utilities on the west side of the project would be placed underground.

RESOLUTION NO:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES RECOMMENDING THAT THE CITY COUNCIL APPROVE A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT 09-001, REZONE 09-001, PD 08-001, CUP 08-001 AND LOT LINE ADJUSTMENT 07-0293 NORTH END OF GOLDEN HILL ROAD, APN 025-435-005, 006 and 007 APPLICANT – PASO 160, LLC – MCCURDY PASO ROBLES MOTORCOACH RESORT

WHEREAS, the Paso Robles Motorcoach Project consists of General Plan Amendment 09-001, Rezone 09-001, Planned Development 08-001, Conditional Use Permit 08-001 and Lot Line Adjustment 07-093; and

WHEREAS, the project has been filed by North Coast Engineering on behalf of Paso 160, LLC to construct a 332 space RV resort on the 160 acre site located at the northern terminus of Golden Hill Road, North of Highway 46 East; and

WHEREAS, the 160 acre site is currently comprised of three parcels, the applicants are proposing to reconfigure the three parcels via Lot Line Adjustment 07-093, where Parcel 1 would be 58.8 acres, Parcel 2 would be 68.6 acres and Parcel 3 would be 21.4 acres; and

WHEREAS, General Plan Amendment 09-001 and Rezone 09-001 propose the following changes:

- **Parcels 1**: change the zoning designation from Residential Agriculture (RA) to Agriculture (AG) and retain the current AG land use designation;
- Parcel 2: amend the land use designation from Agriculture (AG) to Parks & Open Space (POS) and change the zoning designation from Residential Agriculture (RA) to Parks & Open Space (POS);
- Parcels 3: change the zoning designation from Residential Agriculture (RA) to Agriculture with a Planned Development Overlay (AG-PD) and retain the current AG land use designation;

WHEREAS, Planned Development 08-001 & Conditional Use Permit 08-001 proposes the following:

- **Parcel 1**: this parcel would be dedicated to the City for public use as Open Space;
- **Parcel 2**: establish the 332-space Paso Robles Motorcoach Resort;

• **Parcel 3**: use PD Overlay district to limit future uses to agricultural related uses such as winery, wine tasting and vineyards;

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 Project qualifies for adoption of a Mitigated Negative Declaration; and

WHEREAS, an Initial Study was prepared for this project (Attached as Exhibit A) which concludes and proposes that a Mitigated Negative Declaration be approved; and

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

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the Mitigation Agreement and mitigation measures; and

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, recommend that the City Council approve a Mitigated Negative Declaration for General Plan Amendment 09-001, Rezone 09-001, Planned Development 08-001, Conditional Use Permit 08-001 and Lot Line Adjustment 07-093 in accordance with the California Environmental Quality Act, subject to the mitigation measures outlined in Exhibit B Mitigation Summary.

PASSED AND ADOPTED THIS 24th day of February 2009, by the following roll call vote:

AYES: NOES: ABSENT: ABSTAIN:

CHAIRMAN CHARLES TREATCH

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

CITY OF PASO ROBLES – PLANNING DIVISION INITIAL STUDY

1. GENERAL PROJECT INFORMATION

PROJECT TITLE:	Paso Robles Motorcoach Resort (GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001, & PRAL 07-0293)
LEAD AGENCY:	City of Paso Robles - 1000 Spring Street, Paso Robles, CA 93446
Contact: Telephone:	Darren Nash, Associate Planner (805) 237-3970
PROJECT LOCATION:	Golden Hill Road north of Highway 46 (APN 025-435-005, 006 and 007)
PROJECT PROPONENT:	Applicant: Paso 160, LLC- Doug McCurdy P.O. Box 4964, Paso Robles, CA 93447 Representative: Larry Werner-North Coast Engineering
LEAD AGENCY CONTACT/ INITIAL STUDY PREPARED BY:	Darren Nash, Associate Planner
Telephone: Facsimile: E-Mail:	(805) 237-3970 (805) 237-3904 dnash@prcity.com
GENERAL PLAN DESIGNATION:	Agriculture (AG)/Airport Overlay Zone 4 and Zone 3C
ZONING:	Residential Agriculture Planned Development (RA PD)

2. PROJECT DESCRIPTION

Paso Robles Motorcoach Resort is proposing to create a resort of approximately 332 motorcoach sites on the 160.5 acre property. Through the use of a Lot Line Adjustment, the three existing parcels will be reconfigured to conform more appropriately to the topography, land forms and proposed future uses. Only one of the three parcels, Parcel 2, is proposed for development. Nearly two thirds (65%) of the project site is to be preserved as open space and for agricultural uses.

Parcel 1- Public Open Space-Huer Huero Creek

Proposed Parcel 1, consisting of 58.8 acres, encompasses the Huer Huero Creek and is proposed to be offered to the City for public use as Open Space. This parcel is currently zoned Residential Agriculture with a PD Overlay. The request is to rezone the property to Agriculture. The "residential" component of the current zoning is clearly in conflict with the Airport Land Use plan. The centerpiece of the natural environment of the site is the Huer Huero Creek. The proposed 58.8 acres of open space with hundreds of oaks will provide a unique and highly enjoyable environment for the visitors to the resort, as well as public access to Huer Huero Creek. Public access will be available on both sides of the creek through the offer of dedication for Golden Hill Road.

This parcel provides a number of potential public benefits for habitat protection, hiking, biking, horseback riding and an essential link in what someday could be a Huer Huero Creek Plan, similar to the Salinas River Plan, currently in progress. Additionally, being adjacent to current City owned property (the abandoned wastewater plant) the value to the community is enhanced. This parcel configuration, agricultural zoning, and

dedication to the City fulfills the expectations of the City's Purple Belt Policy by providing a buffer within the City limits.

Parcel 2- Motorcoach Resort

Proposed Parcel 2, consisting of 68.6 acres is subject to a General Plan Amendment to change the land use from Agriculture to Parks and Open Space. This parcel, located in the middle of the property, is the proposed site for the Motorcoach Resort. The 332 Motorcoach sites are limited to this parcel. Each site is designed to comfortably accommodate a motorcoach, an area to park a support/visitor vehicle and plenty of room for the occupants to enjoy their surroundings, barbequing, and relaxing. The sites range in size from approximately 3,000 sf to over 1/4 of an acre, with the average being in excess of 4,500 sf.

Trails and walkable roads connect the sites to a number of recreational and community areas including swimming pools, exercise facilities, common rooms, and gathering areas.

Parcel 3- Agriculture

Proposed Parcel 3, consisting of 21.4 acres, is located at the southerly end of the property adjacent to the Golden Hill Business Park. It is proposed to rezone this property from Residential Agriculture to Agriculture. It is intended that this parcel act as a buffer for the Motorcoach Resort from the business park to the south and from the neighbors to the west. A vineyard is proposed for this property to separate and enhance the entrance to the Resort. No development is planned for this parcel at this time. A restrictive covenant is proposed to be applied to this parcel to prohibit future land use changes such as rezoning to a different land use and to restrict the parcel to agriculturally zoned uses in perpetuity. Additional proposed land use restrictions on the property limit future allowed uses to less than those currently allowed in the Agriculture zone. This restriction would be recorded as constructive notice on the title for the property.

The owner is offering an access easement through this property to the Open Space parcel for City crews to access the creek for maintenance purposes.

Project Phasing Plan

The Paso Robles Motorcoach Resort will be constructed in phases, corresponding with the phasing plan. Phases will be developed in the sequence listed, with the potential of developing smaller increments in sub-phases or more than one phase occurring at the same time. Modification of the phase limits or the sequencing of phases would be approved by staff through the standard process.

Grading activities for the construction of the project will also be phased. Grading permits will be issued by the City of Paso Robles corresponding with the area of proposed disturbance. San Joaquin Kit Fox (SJKF) mitigation fees will be required for the same corresponding area of disturbance prior to issuance of the necessary grading permit. It will be the developer's option to pay SJKF mitigation fees for the entire project with the first phase of grading.

Offsite improvements shall include the construction of Golden Hill Road, between the southerly boundary line and the resort entrance, consistent with the Concept Plan included in the CUP plans. This portion of Golden Hill Road shall be completed and accepted by the City prior to issuance of occupancy for the first phase of the resort, or 48 sites. The balance of Golden Hill Road, to the southerly limit of the Huer-Huero bridge, will not be constructed with the resort, but the resort developer will pay in lieu fees to the City corresponding with the cost of constructing the road per the Concept Plan. A total cost for the construction of the remaining portion of Golden Hill Road will be determined and agreed upon by the City Engineer. The cost will be prorated by site, to be paid to the City as the resort is developed and occupancy is granted. The Huer-Huero bridge and the balance of Golden Hill Road north of the bridge are regional improvements, to be paid for through the City's AB1600 fee program. The Paso Robles Motorcoach Resort will pay traffic impact fees toward the construction of the future improvements with payment of development impact fees.

Environmental Analysis

The site is not currently in active agricultural production. The property does not have prime soils. Historical use of the site has been limited to grazing a small amount of cattle on the property. Remnants of past agricultural use include a 12x5 foot concrete pad, watering trough, circular concrete pad for a water tank and a water pump. The site is otherwise undeveloped with site topography consisting of rolling hills densely vegetated with a mature blue oak forest. Valley oaks are also present near Huerhuero Creek. The total number of oak trees located on the project site is approaching 600. 336 of those trees are located within the general development area of the project and were surveyed into the plans. Of the 336 trees, 9 trees are proposed to be removed as a result of the construction of the extension of Golden Hill Road. 24 trees (5 are considered dead) are proposed to be removed for the development of the RV resort. Surrounding land uses include light industrial uses to the south, Huerhuero Creek and agriculture to the north and east, and rural residential development to the west.

The applicant has provided supplemental assessments as requested by the City for biology, oak trees, cultural resources, and traffic circulation. The site contains blue oak woodland, riparian habitat associated with Huerhuero Creek, and vernal pools that provide potential habitat for the federally listed endangered fairy shrimp. Nesting birds and sensitive plants also occur on the site. Bats, badgers, and western spadefoot toad may also occur on the site. The site is within the strategic section of the San Joaquin Kit Fox migration corridor. Golden eagles use the grasslands on the property for hunting and nest in oak trees on the property.

This initial study evaluates the potential environmental impacts of the proposed General Plan Amendment, Rezone and development plan. The development plan proposes a project that includes a 332-space luxury recreational vehicle vacation resort with health spa, tennis courts, swimming pool, jacuzzi, showers, and laundry facilities.

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

This project also includes the extension of Golden Hill Road to the north, this extension is consistent with the Circulation Element of the General Plan which calls for Golden Hill Road to extend and connect with Dry Creek Road. The construction of the road would be phased with the phasing of the project. Ultimately, a bridge will need to be constructed over the Huer Huero Creek to allow for the connection with Dry Creek Road.

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

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

4. EARLIER ENVIRONMENTAL ANALYSIS AND RELATED ENVIRONMENTAL DOCUMENTATION:

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

5. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR THE PROJECT:

This Initial Study relies on expert opinion supported by the facts, technical studies, and technical appendices of the City of El Paso de Robles General Plan EIR. These documents are incorporated herein by reference. They

provide substantial evidence to document the basis upon which the City has arrived at its environmental determination regarding various resources.

6. PURPOSES OF AN INITIAL STUDY

The purposes of an Initial Study for a Development Project Application are:

- A. To provide the City with sufficient information and analysis to use as the basis for deciding whether to prepare an Environmental Impact Report, a Mitigated Negative Declaration, or a Negative Declaration for a site specific development project proposal;
- B. To enable the Applicant of a site specific development project proposal or the City as the lead agency to modify a project, mitigating adverse impacts before an Environmental Impact Report is required to be prepared, thereby enabling the proposed Project to qualify for issuance of a Negative Declaration or a Mitigated Negative Declaration;
- C. To facilitate environmental assessment early in the design of a project;
- D. To eliminate unnecessary EIRs;
- E. To explain the reasons for determining that potentially significant effects would not be significant;
- F. To determine if a previously prepared EIR could be used for the project;
- G. To assist in the preparation of an Environmental Impact Report if one is required; and
- H. To provide documentation of the factual basis for the finding of no significant effect as set forth in a Negative Declaration or a Mitigated Negative Declaration prepared for the a project.

7. EXPLANATION OF ANSWERS FOUND ON THE ENVIRONMENTAL CHECKLIST FORM

A. Scope of Environmental Review

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

B. Evaluation of Environmental Impacts

- 1. A brief explanation is required for all answers to the questions presented on the following Environmental Checklist Form, except where the answer is that the proposed project will have "No Impact." The "No Impact" answers are to be adequately supported by the information sources cited in the parentheses following each question or as otherwise explained in the introductory remarks. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors and/or general standards. The basis for the "No Impact" answers on the following Environmental Checklist Form is explained in further detail in this Initial Study in Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 10 (Context of Environmental Analysis for the Project).
- 2. All answers on the following Environmental Checklist Form must take into account the whole action involved with the project, including implementation. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

- 3. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.
- 4. Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. Mitigation Measures from Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) may be cross-referenced).
- 5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). See Section 4 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 11 (Earlier Analysis and Background Materials) of this Initial Study.
- 6. References to the information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the Environmental Checklist Form. See Section 11 (Earlier Analysis and Related Environmental Documentation). Other sources used or individuals contacted are cited where appropriate.
- 7. The following Environmental Checklist Form generally is the same as the one contained in Title 14, California Code of Regulations, with some modifications to reflect the City's needs and requirements.
- 8. Standard Conditions of Approval: The City imposes standard conditions of approval on Projects. These conditions are considered to be components of and/or modifications to the Project and some reduce or minimize environmental impacts to a level of insignificance. Because they are considered part of the Project, they have not been identified as mitigation measures. For the readers' information, the standard conditions identified in this Initial Study are available for review at the Community Development Department.
- 9. Certification Statement: The statements made in this Initial Study and those made in the documents referenced herein present the data and information that are required to satisfy the provisions of the California Environmental Quality Act (CEQA) Statutes and Guidelines, as well as the City's Procedures for Implementing CEQA. Further, the facts, statements, information, and analysis presented are true and correct in accordance with standard business practices of qualified professionals with expertise in the development review process, including building, planning, and engineering.

8. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The proposed project may potentially affect the environmental factors checked below, and may involve at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," if so indicated on the following Environmental Checklist Form (Pages 8 to.15)

□ Land Use & Planning	✓ Transportation/Circulation	□ Public Services
□ Population & Housing	Biological Resources	□ Utilities & Service Systems
Geological Problems	□ Energy & Mineral Resources	□Aesthetics
□ Water	Hazards	Cultural Resources
Air Quality	□ Noise	□ Recreation
	□ Mandatory Findings of Significanc	e

9. ENVIRONMENTAL DETERMINATION: On the basis of this initial evaluation: I find that:

The proposed project could not have a significant effect on the environment; and, therefore, a NEGATIVE DECLARATION will be prepared.	
Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. Therefore, a MITIGATED NEGATIVE DECLARATION will be prepared.	V
The proposed project may have a significant effect on the environment; and, therefore an ENVIRONMENTAL IMPACT REPORT is required.	
The proposed project may have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or is "potentially significant unless mitigated."	

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

Signature:

Date:

January 29, 2009

Darren Nash, Associate Planner

10 Environmental Checklist Form		Potentially Significant		
ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
 I. LAND USE AND PLANNING. Would the Proposal: a) Conflict with general plan designation or zoning? (Sources: 1 & 8) 			V	

Discussion: The entire 160 acre property currently has a General Plan Land Use designation of Agriculture (AG) and a zoning designation of Residential Agriculture Planned Development (RA-PD). The property currently consists of three separate parcels.

The proposed project via a lot line adjustment would re-orient the parcels (Parcels 1, 2 & 3) in a manner that would better follow the existing topography and overall provide for the proposed project. Also necessary is the request to change the land use and zoning designation for the parcels as follows:

Parcel 1, 36 acres: retain the existing AG land use designation and change the zoning to Agriculture (AG) to be consistent with the land use. Parcel 1, which is the portion of the site that contains the Heur Huero Creek would be dedicated to the City as open space.

Parcel 2, 79.9 acres: would change the land use and zoning designation to Parks and Open Space (POS) to allow for the development of the 332-space luxury recreational vehicle vacation resort with health spa, tennis courts, swimming pool, jacuzzi, showers, and laundry facilities.

Parcel 3, 44.6 acres: retain the existing AG land use designation and change the zoning to Agriculture (AG). In conjunction with the rezone, by utilizing the Planned Development Overlay provided in the Zoning Code, future uses of Parcel 3 would be limited to agricultural related uses.

The City's General Plan and Land Use Map include the subject property in the Airport Overlay Designation (Zone 3A and Zone 4), which requires review of proposed General Plan or Zoning Amendments by the Airport Land Use Commission (ALUC) for a determination of consistency with the Airport Land Use Plan (ALUP). The City submitted the project description to the ALUC for consideration at their August 20, 2008 meeting, and the ALUC made the requisite finding of consistency.

With the conditions of approval along with any required environmental mitigation measures, conflict with the general plan or zoning designations with the development of the RV park will be less than significant.

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

Discussion: As noted above, the project site includes an Airport Overlay (AP) and is therefore subject to special review by the Airport Land Use Commission for consistency with the Airport Land Use Plan (ALUP). The ALUC found the proposed GPA/RZ to be consistent with the ALUP on August 20, 2008.

The project applicants along with City Staff have had multiple meetings and correspondence with several agencies including the California Department of Fish and Game, US Fish and Wildlife Service, US Army Corps of Engineers and Regional Water Quality Control Board.

In order to address specific concerns from Department of Fish and Game and US Fish and Wildlife Service related to biological impacts, the project has been redesigned. It is anticipated that the most recent redesign will address the concerns from these agencies.

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

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

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

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

Examples of permitted uses in Parks/Open Space zoning include agricultural uses and facilities, wholesale nurseries, wine-tasting rooms, convention centers, and public parks. Conditionally permitted uses in the POS zone include, but are not limited to, equestrian facilities, wineries, golf courses, ball fields, recreational vehicle parks, hotels, and motels. Conditionally permitted uses are uses that may be compatible and consistent with the specific zoning district but for which potential impacts that may result from specific uses can be addressed through implementation of conditionally permitted uses in the proposed Parks and Open Space zone, would not be incompatible with surrounding land uses since it would allow for relatively low density uses and activities that would not affect the function of AG uses or industrial uses. Potential impacts to the low density residential area to the west can be addressed through site development design features such as setbacks, screening, light and noise control and other measures.

Additionally, to ensure compatibility of the proposed Paso Robles Motorcoach project, the applicants are proposing to re-designate Parcel 3 as Agriculture, anticipating vineyard/wine tasting type uses which would provide for a significant buffer area.

The potential compatibility issues from the proposed project, such as light, noise, and traffic, have been addressed through project specific mitigation measures and/or conditions of approval. Therefore, it is determined that designation and zoning of Parks and Open Space for the proposed General Plan amendment and rezoning, and Agriculture for Parcel 3, along with the development of the 332 space RV Resort, will result in less than significant impacts to existing uses in the project vicinity.

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

Discussion: The General Plan EIR included an evaluation of the City's agricultural resources, which indicates the underlying soil on this property is not prime, of statewide importance, or unique farmland. Historical and existing agricultural uses include cattle grazing on the project site, and there are vineyards north of the property. Use of the site for cattle grazing has been limited and not reliant on soils. Potential use of the site for this proposed project would not result in significant impacts to AG resources or operations.

Additionally, since the property is not considered to have prime soils and is in the vicinity of an existing residential neighborhood and industrial uses, agricultural uses such as farming may not be the best use of the site in terns of neighborhood compatibility.

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

Therefore, the proposed amendments and development of the RV Resort project will result in less than significant impacts to agricultural resources or operations.

e)	Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (Sources: 1 & 3)				V
Dis	scussion: The project site is currently designated for agr	icultural producti	on and locat	ted adjacent to a	other

Discussion: The project site is currently designated for agricultural production and located adjacent to other similar land use designations. The general plan amendment/rezone and will not disrupt or divide the established community. Additionally, the establishment of the RV Resort project would disrupt or divide the established community.

II. POPULATION AND HOUSING. Would the proposal:

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

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

b)	Induce substantial growth in an area either directly or		\checkmark	
	indirectly (e.g., through projects in an undeveloped area			
	or extension of major infrastructure)? (Sources: 1 & 3)			

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

Concurrent with the proposed project, there will be discussions and actions by the Planning Commission and ultimately by the City Council to determine the timing of Golden Hill Road and whether it will be extended entirely with this project or not.

However the extension of services that may occur as a result of the proposed GPA/rezone and the development of the RV resort project are not anticipated to induce substantial growth.

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

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

10 Environmental Checklist Form		Potentially Significant		
ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
existing housing.				
III.GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:				

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

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

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

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

 $\mathbf{\nabla}$

 \mathbf{N}

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

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

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

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

Discussion: d. and e. The project site is not located near bodies of water or volcanic hazards, nor is the site located in an area subject to landslides. A portion of Huerhuero Creek is located on the project site, and future development would be set back and constructed to allow for flows from large storm events. The project has been designed in accordance with the Preliminary Biological Assessment (Althouse & Meade, December 2006, updated January 2008) prepared for the project, which identifies a 100-foot buffer from the edge of riparian resources (refer to Section VII Biological Resources). The proposed GPA/RZ along with the project is not anticipated to expose people to potential impacts from landslides or mudflows.

10 Environmental Checklist Form		Potentially Significant		
ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
 f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 2, 3, & 4) 	□ 1,		V	
g) Subsidence of the land? (Sources: 1, 2, & 3)				\checkmark
h) Expansive soils? (Sources: 4)			\checkmark	
i) Unique geologic or physical features? (Sources:1 & 3)				

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

IV. WATER. Would the proposal result in:

a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources:1, 3, & 7)		V	
b)	Exposure of people or property to water related hazards such as flooding? (Sources: 1, 3, & 7)		\checkmark	
c)	Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 1, 3, & 7)		V	

Discussion: a –c:

Paso Robles Motorcoach Resort is proposing to create a resort of approximately 332 motorcoach spaces on the 160.5 acres. Through the use of a Lot Line Adjustment, the three existing parcels will be reconfigured to conform more appropriately to the topography, land forms and proposed future uses. Only one of the three parcels, Parcel 2, is proposed for development. Nearly two thirds (65%) of the project site is to be preserved as open space and for agricultural uses.

Proposed Parcel 2, consisting of 68.6 acres is subject to a General Plan Amendment to change the land use from Agriculture to Parks and Open Space. Each space is designed to comfortably accommodate a motorcoach, an area to park a support/visitor vehicle and allow for the occupants to remaining site area. The spaces range in size from approximately 3,000 sf to over 1/4 of an acre, with the average being in excess of 4,500 sf.

Trails and walkable roads connect the spaces to a number of recreational and community areas including swimming pools, exercise facilities, common rooms, and gathering areas.

The character of the project lends itself to the utilization of numerous low impact development techniques.

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

Larger sites, narrow roads and ample open space facilitate on-site storm water retention and ground water recharge. Impermeable area is limited to the roads, RV parking spaces and the community center pads. With the minimization of permeable surfaces and inclusion of infiltration areas on sites rainfall would be largely absorbed into the local aquifer or follow historic flow patterns to the Huer Huero Creek.

A majority of the sites employ individual onsite biofiltration and infiltration systems. Additionally, area-wide biofiltration and storm water detention areas are proposed. By capturing storm water on site, storm water quality will be addressed through natural filtration systems, opposed to more traditional techniques of collecting storm water in pipes and trying to treat it downstream.

Property owners in the Circle B neighborhood west of the proposed project site historically have had concerns and problems regarding storm water and flooding impacts to their properties. The Circle B area, developed in the County, is relatively flat. No comprehensive drainage system was incorporated with the development of these County properties. The proposed resort site is comprised of a relatively small portion of the total watershed area. Nevertheless, existing residents have expressed concerns about the existing conditions. Recognizing this, the approach to the site drainage design is to address those concerns. As proposed, the project design would meet or exceed the City Standards for the City of Paso Robles and be required to comply with the requirements of the Regional Water Quality Control Board. The focus of the drainage design would be to utilize low impact development design to reduce impacts downstream. Additionally, improvements to the existing termination of Golden Hill Road could improve existing localized flooding issues.

With the significant amount of permeable surfaces, along with the utilization of LID techniques proposed with the project, impacts to storm water in relation to surface water absorption rate, drainage pattern, and water quality will be less than significant.

Discussion: d: Since the project is being designed to absorb storm water into on-site biofiltration areas that will allow the water to percolate into the local aquifer and not into a water body, changes in the amount of surface water in any water body will be less than significant.

e)	Changes in currents, or the course or direction of water		\checkmark
	movement? (Sources: 1, 3, & 7)		

Discussion: e: As discussed above, the project will have minimal pervious surfaces and will be designed to incorporate LID techniques. There will not be changes in currents, or the course or direction of water movement.

f)	Change in the quantity of ground waters, either through		\checkmark	
	direct additions or withdrawals, or through interception			
	of an aquifer by cuts or excavations or through			
	substantial loss of groundwater recharge capability?			
	(Sources: 1,3, & 7)			

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

Discussion: f: The proposed project would be connected to City water to provide potable water to each RV site, as well as water for the club houses, accessory buildings, and landscaping. RV parks are typically not high water users. The project landscaping is proposed to be drought tolerant. The area of the site where a majority of the grading is proposed is significantly higher in relation to the water table, and therefore impacts to the aquifer by cuts or excavation would be less than significant.

The site is designated in the general plan as Agriculture, with anticipation that the site would be used for Ag uses permitted in the zoning ordinance. A water usage analysis was prepared by North Coast Engineering that compared the water usage of agricultural activities such as if a vineyard was located on the site which is a typical agricultural use in the area. The water use projections for the RV Park are based on actual water use from an existing RV Park near the subject site. The calculation for the vineyard is based on an assumption of 80 acres of planted vineyards. The analysis indicates that the 332 space RV park would use approximately 11,096,808 gallons of water per year and the vineyard would use approximately 47,790,640 gallons per year. The analysis concludes that the vineyard would use four times the amount of water the RV resort would use. The analysis used for these calculations is attached as Exhibit G.

Therefore Impacts from the project versus what the property may otherwise likely be used for are less than what was anticipated with the General Plan and therefore would result in less than significant impacts on water resources. Additionally, 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 will be less than significant.

g) (Altered direction or rate of flow of groundwater? Sources: 1, 3, & 7)			\checkmark
Dis	ccussion: g: This project will not alter the direction or rate	of flow of gro	und water.	
h)	Impacts to groundwater quality? (Sources: 1, 3, & 7)			\checkmark
Dis	cussion:h: See discussion above for a-c regarding LID tec	hniques.		
i)	Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 1, 3, & 7)			Ø

Discussion: a - i: The change in zoning from Rural Agriculture to Parks and Open Space would allow for the RV Resort with a Conditional Use Permit. Generally, taking in consideration the water useage for the RV park and the fact that approximately 65-percent of the site will be preserved for open space, impacts to the availability of groundwater would be less than significant. Additionally, taking into consideration an alternative AG use such as vineyards, this project will not have significant demand on ground water.

V. AIR QUALITY. Would the proposal:

a) Violate any air quality standard or contribute to an \Box

10 En	vironmental Checklist Form		Potentially Significant		
ISSUE	ES (and Supporting Information Sources):	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	existing or projected air quality violation? (Sources: 1, 3, & 7)				
b)	Expose sensitive receptors to pollutants? (Sources: 1, 3, & 7)		V		
c)	Alter air movement, moisture, or temperature? (Sources: 1, 3, & 7)				\checkmark
d) Di	Create objectionable odors? scussion $a - d$:				

The resort project has been reviewed by the San Luis Obispo Air Pollution Control District. See the attached letter (Attachment C) from the APCD indicating the necessary mitigation measures for the construction and operation phases of the project to reduce emissions from this project to a less than significant level. The mitigation measures are described as follows:

- APCD-1 Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, as exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.
- **APCD-2** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
 - a. Reduce the amount of the disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stockpile areas should be sprayed daily as needed.
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off

	Potentially		
	Significant		
Potentially	Unless	Less Than	
Significant	Mitigation	Significant	
Impact	Incorporated	Impact	No Impact

ISSUES (and Supporting Information Sources):

trucks and equipment leaving the site.

- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible
- **APCD-3** Construction Permit Requirements:

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.
- APCD-4 <u>Develop a comprehensive Construction Activity Management Plan</u> designed to minimize the amount of large construction equipment operating during any given time period. <u>The plan should</u> be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:
 - Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
 - Limit the length of the construction work-day period, if necessary; and,
 - Phase construction activities, if appropriate.

APCD-5 Standard NOx Control Measures for Construction Equipment

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. <u>These measures</u> are applicable to all projects where construction equipment will be used:

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit.

APCD 6 OPERATIONAL PHASE MITIGATION

Greenhouse Gas Impacts and Mitigation

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

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEOA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO2) will be approximately 7,277 pounds per day in the summer and 6,906 pounds per day in the winter. While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts. Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption; •
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons;
- Include pedestrian amenities that provide improved connectivity to existing amenities; •
- Securing shuttle services; •
- Green building techniques such as:
 - Installing outdoor electrical outlets to encourage the use of electric appliances and tools; 0
 - Planting of native, drought resistant landscaping; 0
 - Use of locally or nearby produced building materials; and, 0
 - Use of renewable or reclaimed building materials. 0

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Portable generators and equipment with engines that 50 hp or greater; •
- Electric generation plants or the use of standby generator; and
- Cogeneration facilities. •

VI. TRANSPORTATION/CIRCULATION.

Would the proposal result in:

a) Increased vehicle trips or traffic congestion? \mathbf{N}

10 Environmental Checklist Form

Potentially		
Significant		
Unless	Less Than	
Mitigation	Significant	
Incorporated	Impact	No Impact
	Significant Unless Mitigation	SignificantUnlessLess ThanMitigationSignificant

ISSUES (and Supporting Information Sources):

(Sources: 1, 3, & 7)

Discussion: A Traffic Study was prepared by Associated Traffic Engineers (ATE) in January 2008 (Attachment D) to study the traffic and circulation affects of the proposed RV Resort project at the north end of Golden Hill Road.

The City Engineer reviewed the traffic study and provided the following determinations and conclusions:

The traffic study dated January 11, 2008, is based primarily on information found in the study for the Regency Center produced in August, 2007. These studies indicate that all of the intersections along the Highway 46E corridor will deteriorate below acceptable levels as defined by the current circulation element of the General Plan.

The City is in the process of developing a new City-wide traffic model for the purposes of updating the circulation element. In addition to verification of current studies, the model will test the effectiveness of a series of road connections not currently included in the Circulation Element. These include parallel routes that may help mitigate impacts of City developments on highway 46E and improved access across the highway, most likely at Union Road.

The Motorcoach traffic study references the City's on-going studies and indicates that the applicant should participate in the projects that are recommended. Participation typically occurs through impact fees. In accordance with General Plan policy, the City Council will update the traffic mitigation fees in accordance with an updated Circulation Element. The applicant should be aware that mitigation fees are collected upon occupancy in the amount in effect at that time.

Larry Newland, Transportation Planning Branch Manager, South for Caltrans District 5, reviewed the traffic study for the project and submitted a letter (attachment D-2) concluding that the best way to mitigate this project, and other projects in this area of the City was for the City to collect appropriate traffic impact fees to fund improvements that will be needed. The specific mitigation requiring the applicant to pay traffic impact and other development impact fees will be applied to this project. See mitigation measure T-1, below.

Typically all development projects construct improvements to adjacent streets in accordance with the Circulation Element. In this case the Circulation Element provides for the extension of Golden Hill Road north to Dry Creek Road. A bridge over the Huer Huero is needed for this connection. The applicant has submitted a preliminary design for the northerly extension of Golden Hill Road. Due to topographic constraints and projected traffic demands the northerly extension of Golden Hill Road is designed as a two lane road with bike lanes. The road will be constructed in phases along with the resort development.

As a result of the implementation of the mitigation measures, the increase in traffic trips and congestion created by this project will be less than significant. The mitigation measures are included as follows:

- T-1. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.
- T-2. Golden Hill Road shall be constructed in general conformance to the preliminary plans, plans approved by the City Engineer, and in accordance with the phasing plan proposed.

b)	Hazards to safety from design features (e.g., sharp		\checkmark
	curves or dangerous intersections) or incompatible uses		

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

(e.g., farm equipment)? (Sources: 1, 3, & 7)

Discussion: The project has been designed to have an entrance road off of Golden Hill Road. RVs will enter and leave the project from the one main entrance/exit. The entrance/exit has been designed to intersect Golden Hill road in a relatively flat area that will have plenty of site distance from traffic traveling on Golden Hill Road. Additionally it is not anticipated that there will be any conflicts with the Circle B residents entering and exiting Circle B Road. Therefore, this project will not result in hazards to safety from design features or incompatible uses.

c) Inadequate emergency access or inadequate access to \Box \Box \Box \bigtriangledown nearby uses? (Sources:1, 3, & 7)

Discussion: As mentioned above the main entry and exit for the site is the main driveway located at the south end of the project. There is a secondary emergency access proposed to be located about midway along the project frontage on Golden Hill Road. The plan has been reviewed and accepted by the Emergency Services Department and therefore this project will not result in inadequate emergency access or inadequate access to nearby uses.

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

Discussion: The parking necessary to meet the Zoning Code requirements has been designed into the project, therefore there will not be an impact.

e) Hazards or barriers for pedestrians or bicyclists?

Discussion: The improvements required for Golden Hill Road will include the construction of a bike path as well as sidewalk. The project will not create a hazard or barriers for pedestrians or bicyclists.

 f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
 (Sources: 1 & 8)

The project will provide a private shuttle service for tenants of the RV park, but it will not necessitate the need to install a public bus stop. The project is not located on a current bus route.

g) Rail, waterborne or air traffic impacts?

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

VII.BIOLOGICAL RESOURCES.

Would the proposal result in impacts to:

a) Endangered, threatened or rare species or their habitats \Box \Box \Box \Box

10 Environmental Checklist Form ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
(including but not limited to: plants, fish, insects, animals, and birds)?				
b) Locally designated species (e.g., heritage trees)?		\checkmark		
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?				
d) Wetland habitat (e.g., marsh, riparian and vernal pool)?		\checkmark		
e) Wildlife dispersal or migration corridors?		\checkmark		

Discussion a - e: The project site has six designated habitat types including annual grassland, blue oak woodland, riparian, ephemeral drainage, vernal pool, and seasonal wetland. The California Natural Diversity Database (CNDDB) identified several sensitive species with the potential to occur within the project area. A Biology Report was prepared December 2006, which was updated January 2008, attached as Exhibit E (Althouse & Meade). Additionally, a floristic survey was conducted from May through July 2006 (Althouse & Meade) that identified 162 species of plants on the property including 110 native species, 52 introduced species, with one special-status plant (shinning navarretia [Navarretia nigelliformis ssp. radians]) mapped on the site. Other special-status botanical species with the potential to occur (but not identified) include: Salinas Valley goldfields (Lasthenia leptalea), round-leaved erodium (Erodium macrophyllum), Douglas' spineflower (Chorizanthe douglasii) Obispo Indian paintbrush (Castilleja densiflora obispoensis), and dwarf calycadenia (Calycadenia villosa).

More than 108 animal species, including 11 special status species, have the potential to occur on the project site. Site surveys in 2006 observed Golden eagle (Aquila chrysaetos) and documented active nesting onsite (2 adults and 1 juvenile). (Althouse & Meade). The Golden eagle is a fully protected species under the California Endangered Species Act (CESA), and they are federally protected.

Other zoological species with the potential to occur include pallid bat (Antrozous pallidus), burrowing owl (Athene cunicularia), vernal pool fairy shrimp (Branchinecta lynchi), white-tailed kite (Elanus leucurus), loggerhead shrike (Lanius ludovicianus), California linderiella (Linderiella occidentalis), western spadefoot toad (Spea hammondii), American badger (Taxidea taxus), and San Joaquin Kit Fox(SJKF) (Volpes macrotis mutica).

The property is within a strategic section of the SJKF migration corridor, therefore specific, unique project design and mitigation measures are incorporated into this project as recommended through consultation with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG). The applicant modified the site development plan to reduce the area of impact to the San Joaquin Kit Fox habitat and migration corridor by reducing the proposed area to be developed and by increasing the width of the migration corridor by an additional 250 feet. Additionally, Althouse and Meade provided a supplemental letter (See Exhibit E-2) providing additional mitigation measures that would requires some on and off site improvements in addition to the standard kit fox mitigation measures.

There are no wetlands on the property or designated natural communities. Oak woodland and grassland are the prominent vegetation types on the property. Vernal pools, a sensitive natural community of local concern, are present on the property, however, after conducting vernal pool surveys it has been determined that they do not contain the federally protected Fairy Shrimp species.

10 Environmental Checklist Form	Potentially Significant		
Potentially ISSUES (and Supporting Information Sources): Impact		Less Than Significant Impact	No Impact

The applicant has also consulted with the agencies regarding Golden Eagle nesting birds and associated regulations. Additional site construction and operational mitigations were submitted to protect them from potential impacts. The project biologist submitted detailed onsite mitigation strategies to avoid and reduce potential impacts to these species. These mitigation measures are provided below. The project is designed to avoid all the vernal pool locations and areas with floral species shining nararretia.

A & T Arborists prepared an Arborist Report for the project site, which includes an inventory and survey of all trees (blue oaks and valley oaks) on the property. The inventory documented approximately 336 oak trees are located within the development area of the project (approximately 600 are located on the total site). A total of 33 oak trees are proposed to be removed to accommodate this project and the extension of Golden Hill Road. Five of the trees are already dead, and most of the trees proposed to be removed are in poor to very poor health. The development will be required to mitigate the tree removals and replant new oak trees in compliance with the City's Oak Tree Ordinance. The Arborist report is provided in attachment C, and the oak tree mitigation measures are included below.

The proposed project will have impacts on biological resources, however, with the implementation of the following mitigation measures, biological impacts will be less than significant:

- **BR-1.** Avoidance and protection of vernal pools on the property. Vernal pools shall be avoided and protected where possible. If listed fairy shrimp species are found in vernal pools on the property, the vernal pools shall be avoided and a 50-foot setback distance shall be observed for all activities. If rare species are not found and vernal pools cannot be avoided, a vernal pool mitigation plan shall be prepared by a qualified biologist that specifies creation of vernal pool habitat in kind at a one to one ratio within open space areas on the property.
- **BR-2.** Interpretive signs shall be developed in cooperation with the project biologist to inform guests at the Resort of the sensitive biological resources located on and near the property. Signs shall be placed on at least two sides of all vernal pools or vernal pool complexes that remain within the project open space areas. The signs shall provide general information about vernal pools in the Paso Robles region, including potential rare species that could be present.
- **BR-3.** Tree canopies and trunks within 50 feet of proposed disturbance zones should be mapped and numbered by a certified arborist or qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed.
- **BR-4.** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.
- **BR-5.** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.
- **BR-6.** Impacts to oak trees shall be assessed by a licensed arborist. Mitigations for impacted trees shall comply with the City of Paso Robles tree ordinance.
- **BR-7.** Replacement oaks for removed trees must be equivalent to 25% of the diameter of the removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30" removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5 inch trees, or three 2.5 inch trees, or any other combination totaling 7.5 inches. A minimum

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

of two 24 inch box, 1.5 inch trees shall be required for each oak tree removed.

- **BR-8.** Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be of local origin, and of the same species as was impacted or removed.
- **BR-9.** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A 500-foot buffer shall be observed from occupied nests of all special status species (refer to BR-12 and BR-13). A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.
- **BR-10.** To prevent disturbance to nesting eagles, if construction is planned between January 30th and August 15th, a pre-construction survey should be conducted to determine if eagles are present. If eagles are not present after March 15th, work could commence. If eagles are present on the nest, work within 500 feet of the occupied nest should be delayed until after either adult eagles have left the nest, or eagle chicks have fledged and are no longer dependant on the nest as determined by a qualified biologist. At the commencement of work, a qualified biologist should monitor the eagles. If commencement of construction disturbs the eagles, the qualified monitor would be authorized to stop construction activity within range of the nest that causes disturbance to the eagles. Work within that area could commence once the eagle chicks have fledged and are no longer dependant on the nest.
- **BR-11.** If the project design cannot avoid shining navarretia on the property, a mitigation and monitoring plan shall be developed by the project biologist to replace lost navarretia habitat at a 1:1 ratio on-site. The mitigation plan will provide details on appropriate mitigation sites, seed collection and distribution methods, and maintenance and monitoring requirements.
- **BR-12.** Interpretive signs shall be developed in cooperation with the project biologist to inform guests at the Resort of the sensitive biological resources located on and near the property. Signage shall be placed on all sides of the rare plant occurrence, and shall have specific information about the plant and its ecology, including photographs.
- **BR-13.** All occupied nests shall be mapped using GPS or survey equipment. The mapped locations shall be placed on a copy of the grading plans with a 500-foot buffer indicated. Work shall not be allowed within the 500 foot buffer while the nest is in use by eagles. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.
- **BR-14.** Occupied nests of special status bird species that are within 500 feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependant on the nest, work can commence.
- BR-15. Interpretive signs shall be developed in cooperation with the project biologist to inform guests at the

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

Resort of the sensitive biological resources located on and near the property. If the golden eagle nest continues to be occupied seasonally at the time the Resort opens to the public, signs shall be placed on the hilltop to exclude entry within approximately 300 feet of the eagle nest.

- **BR-16.** Prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.
- **BR-17.** The following supplemental measures for kit fox protection are from the December 17, 2008 letter from Dan Meade of Althouse and Meade, Inc. The following measures when employed on the site, would reduce potential impacts to the San Joaquin Kit Fox. The consideration of these additional measures and the substantial widening of the proposed open space corridor, adjusctment of the offsite mitigation requirements may be appropriate. The reduction of the mitigation ratio for kit fox payments from four to one to three to one can be made with review and approval by the Department of Fish and Game.
 - Kit fox friendly fencing shall be incorporated into all fences on the property. For chain link, wildlife, 1. no-climb, or other wire fences with openings, at ground level less than eight inches square, kit fox passages shall be made in the fences every 100 yards. Passsages shall be created by cutting wire and placing spreader bars to form a smooth 8-inch wide by 12-inch high, or as specified by the Endangered Species Recovery Program. In solid walls, an 8-inch diameter concrete pipe shall be placed at ground level in the wall every 100 yards.
 - 2. Four SJKF escape dens and a chambered den shall be constructed as per guidelines provided in the Endangered Species Recovery Program. The precise location of each den shall be designated in the field by a qualified kit fox biologist.
 - 3. BR-31. All pets on the property shall be kept on a leash at all times. Owners shall be required to clean up after their pets. Resort maintenance personnel shall conduct daily clean up on the property to remove pet waste.
 - 4. BR 32. Lighting shall be shielded to prevent direct lighting of the riparian corridor. All lighting shall be directed down and shall be low intensity.
 - 5. BR 33. Use of poisons including rodenticides on the property should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe labels and other restrictions, mandated by the U.S. Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent poison must be utilized, zinc phosphate should b used because of proven lower risk to kit fox. (U.S. Fish and Wildlife Service, 1999).
 - 6. Quiet hours shall be observed after 10 pm every night to reduce disturbance. Generators will not be permitted to run at the resort at any time.
 - 7. Speed limits. To avoid accidental injury to animals on the property a speed limit of 10 miles per hour shall be enforced on the property for all vehicles. Speed limits shall be posted at the entrance gate and throughout roadways on the property.
 - 8. To enhance habitat for use by kit fox vegetation management shall be conducted on neighborhood properties, including the City sewer facility on the north bank of the Heur Heuro Creek adjacent to the Paso Robles Motorcoach Resort property. Work shall consist of removal of overgrown vegetation and removal of barrier fence when appropriate.
 - 9. Neighborhood fencing improvements shall be conducted where fencing is a barrier to kit fox movement on properties adjacent to the Paso Robles Motorcoach property. Improvements will consist

ISSUES (and Supporting Information Sources):

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of either replacement of fences with kit fox friendly fencing, or creation of kit fox passages in existing fences every 100 yards where feasible.

- BR-18. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:
 - a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 219.3 (73.1 disturbed area x3) acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$548,250**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Purchase **219.3** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$<u>548,250</u>. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-19. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following

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ISSUES (and Supporting Information Sources):	Impact	Incorporated	Impact	No Impact

monitoring activities:

i. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

Potentially

- ii. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-26. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **Prior to or during project activities,** if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- iv. In addition, the qualified biologist shall implement the following measures:
 - 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - Potential kit fox den: 50 feet
 - Known or active kit fox den: 100 feet
 - Kit fox pupping den: 150 feet
 - 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
 - 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

ISSUES (and Supporting Information Sources):

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the City Planning Division.

- **BR-20.** Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.
- **BR-21.** During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.
- **BR-22.** Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- **BR-23.** During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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.
- **BR-24.** During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.
- **BR-25.** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin 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.
- **BR-26.** Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

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ISSUES (and Supporting Information Sources):

- **BR-27.** During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. In addition, formal notification shall 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 CDFG for care, analysis, or disposition.
- **BR-28.** Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - ii. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards
 - iii. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines

Monitoring (San Joaquin Kit Fox Measures BR-18 to BR-26): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

BR-29. A pre-construction survey shall be conducted within thirty days of beginning work on the project to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of Paso Robles.

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

VIII. ENERGY AND MINERAL RESOURCES. Would the

proposal:

a) Conflict with adopted energy conservation plans?

10 Environmental Checklist Form		Potentially Significant		
ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
(Sources: 1)				
Discussion: The proposed project will not conflict with constructed on the site will be required to comply with California	-		on plans. Th	e structures
b) Use non-renewable resources in a wasteful and inefficient manner? (Sources: 1)				
Discussion: The project will not use or promote the use of manner.	non-renewabl	e resource in a	a wasteful an	d inefficient
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Sources: 1, 7)				V
Discussion: The project is not located in an area of known region and the residents of the State.	mineral resour	rces that would	l be of future	value to the
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)?			V	
Discussion: The proposed project does not include the use, not result in a risk of accidental explosion or release of haza			ardous mater	ials and will
b) Possible interference with an emergency response plan or emergency evacuation plan? (Sources: 1 & 7)				
Discussion: The proposed project will not interfere with a plan since it is not a designated emergency response lo emergency.				
c) The creation of any health hazard or potential hazards?		\checkmark		
Discussion: All projects in the Airport SubArea/Overlay, in consistent with the ALUP (Refer to ALUP Section 4.5). The outer approach and departure zones with a small portion Incorporation of the mitigation measures identified below potentially significant effects of airport-related hazards to a	e majority of of the site in will ensure of	the site is loca Zone 3 for tun compliance wit	ated in Safety rning and sia	v Zone 4 for leline zones.

Hazard Mitigation Measures H-1 – Airport and Aircraft Safety: Development of any new land use on the project site shall not create an undue

10 Environmental Checklist Form

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Significant	Mitigation	Significant	
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ISSUES (and Supporting Information Sources):

public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).

Handley Property Airport Safety Areas	Maximum Land Use Density (persons/acre)	Maximum Single Acre Land Use Density (persons/acre)	Maximum Percent Open Space (% gross area)
Safety Zone 3	60	120	25^{2}
Safety Zone 4	40	120	20^{2}

I No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.

²When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

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

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

H-4 - Bird Attractants: No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large, artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.

H-5 Avigation Easements: At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.

H-6 Real Estate Disclosure: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.

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

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

X. NOISE. Would the proposal result in:

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

10 Environmental Checklist Form		Potentially Significant		
ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Discussion: The project will not likely result in a significant in will implement night time curfew hours for noise of 10pm. Con construction noise; however, construction noise will be limited	nstruction act	tivities may res	sult in short-t	term

\mathbf{v} \mathbf{v}	b)	Exposure of people to severe noise levels? (Source: 3)				
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Discussion: The proposed project is not anticipated to expose people to severe noise levels. The RV Park is considered transient in nature and therefore not subject to special regulations regarding airport noise.

XI. PUBLIC SERVICES. Would the proposal have an effect

upon, or result in a need for new or altered government

services in any of the	he following areas:
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a) Fire protection? (Sources: 1, 3, 6, & 7)		\checkmark	
b) Police Protection? (Sources: 1, 3, & 7)			
c) Schools? (Sources: 1, 3, & 7)			\checkmark
 d) Maintenance of public facilities, including roads? (Sources: 1, 3, & 7) 			
e) Other governmental services? (Sources: 1,3, & 7)		\checkmark	

Discussion: a.-e. The proposed project includes a General Plan Amendment (GPA) and zoning change from Agriculture to Park and Open Space (POS), along with the proposal to develop a 332 space RV Resort. It is not anticipated that this project will impact governmental services to a significant level.

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? (Sources: 1, 3, & 7) \Box \mathbf{N} b) Communication systems? (Sources: 1, 3, & 7) \mathbf{N} c) Local or regional water treatment or distribution \mathbf{N} facilities? (Sources: 1, 3, & 7) d) Sewer or septic tanks? (Sources: 1, 3, 7, & 8) \mathbf{N} \Box e) Storm water drainage? (Sources: 1, 3, & 7) ∇

f) Solid waste disposal? (Sources: 1, 3, & 7)

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10 Environmental Checklist Form	Potentially Significant	Potentially Significant Unless Mitigation	Less Than Significant	
ISSUES (and Supporting Information Sources):	Impact	Incorporated	Impact	No Impact
g) Local or regional water supplies? (Sources: 1, 3, & 7)			V	

Discussion: a.-g. The proposed project includes a General Plan Amendment (GPA) and zoning change from Agriculture to Park and Open Space (POS), along with the proposal to develop a 332 space RV Resort. The project will require extending utility services to the site including sewer and water service and others such as gas, power and cable TV. The project will be required to mitigate impacts in the form of facilities or development impact fees.

XIII. AESTHETICS. Would the proposal:

a) Affect a scenic vista or scenic highway? (Sources: 1, 3,		\checkmark
 & 7) b) Have a demonstrable negative aesthetic effect? (Sources: 1, 3, & 7) 		

Discussion for a-b: Golden Hill Road is not considered scenic highway and this site would not be considered a scenic vista. However, the Circle B residences who live on large single family residential parcels to the east have voiced concerns with this project, mainly aesthetic visual concerns.

The designers of the project have taken particular care to design the project in an manner that places the RV spaces in areas of the site that are less visible from a public street and Circle B residences to the west. Additionally the project has been designed to have a decorative screen wall along with dense landscaping to further help screen the RVs from views of the Circle B properties.

Since the site is not located on a scenic highway of vista, and since the project has been designed to screen the views from the Circle B residential properties, the project would not have a demonstrable negative aesthetic effect.

c) Create light or glare? (Sources: 1, 3, 7, & 8) \Box \Box \Box

Discussion: Elevated light levels may be experienced on site as a result from this development on the project site, but all light fixtures will be shielded and downcast as required per city regulations.

XIV. CULTURAL RESOURCES. Would the proposal:

a)	Disturb paleontological resources? (Sources: 1, 3, & 7)			\checkmark
b)	Disturb archaeological resources? (Sources: 1, 3, & 7)		\checkmark	
c)	Affect historical resources? (Sources: 1, 3, & 7)			\checkmark
d)	Have the potential to cause a physical change which would affect unique ethnic cultural values? (Sources: 1, 3, & 7)			V
e)	Restrict existing religious or sacred uses within the			\checkmark

10 Enviro

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

potential impact area? (Sources: 1, 3, & 7)

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

Cultural Resources Mitigation Measures

- **CR-1:** Prior to issuance of development permits, the applicant shall retain a qualified historic archaeologist to monitor initial grubbing and grading on the site and to develop a recovery program if necessary. The monitor shall have the authority to stop work in the event potentially significant cultural resources are discovered.
- **CR-2**: In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease, and the Community Development Director shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b.In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Community Development Director so that proper disposition may be accomplished.

XV.RECREATION. Would the proposal:

Increase the demand for neighborhood or regional parks $\mathbf{\nabla}$ a) or other recreational facilities? (Sources: 1, 3, & 7)

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

b) Affect existing recreational opportunities? (Sources 1, 3, \mathbf{N} & 7)

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

XVI.MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the \mathbf{N}

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

habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: 1 & 3)

Discussion: With the proposed conditions of approval along with required mitigation measures, the proposed project will not in itself degrade the quality of the environment or impact habitat or populations of listed plant animal species. Significant existing natural resources have been identified on the project site and mitigation measures are recommended to minimize potential impacts from the project to less than significant levels.

b)	Does the project have the potential to achieve short- term, to the disadvantage of long-term environmental goals?				V
	(Sources: 1 & 3) scussion: The project will not likely have a potential to ac vironmental goals.	hieve short-	term, to the a	lisadvantage o	f long-term
c)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: 1 & 3)				
Dis	scussion: The project will not result in significant cumulative	e impacts.			
d)	Does the project have environmental effects that will cause substantial adverse effects on human beings,				\checkmark

either directly or indirectly? (Sources: 1 & 3)

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

11. EARLIER ANALYSIS AND BACKGROUND MATERIALS

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

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

Exhibit A-1 – Vicinity Map

Exhibit A-2 – Site Plan

Exhibit A-3 – Creek Front Modification Map

Exhibit B – Mitigation Summary Table

The following Exhibits (C thru H) are available upon request in the Community Development Department as well as on the City website at <u>www.prcity.com</u>

Exhibit C – APCD Letter

Exhibit D-1 – Traffic and Circulation Study

Exhibit D-2 Letter from Larry Newland, Caltrans District 5

Exhibit E-1 – Preliminary Biological Assessment

Exhibit E-2 – Althouse & Meade Dec. 17, 2008 letter

Exhibit E-3 – Dry Season Sampling

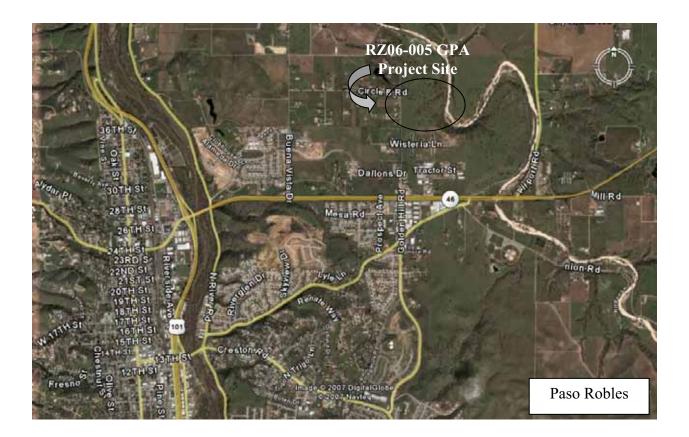
Exhibit E-4 – Althouse & Meade Sept. 27, 2007 letter

Exhibit E-5 – Kit Fox Habitat Evaluation Form

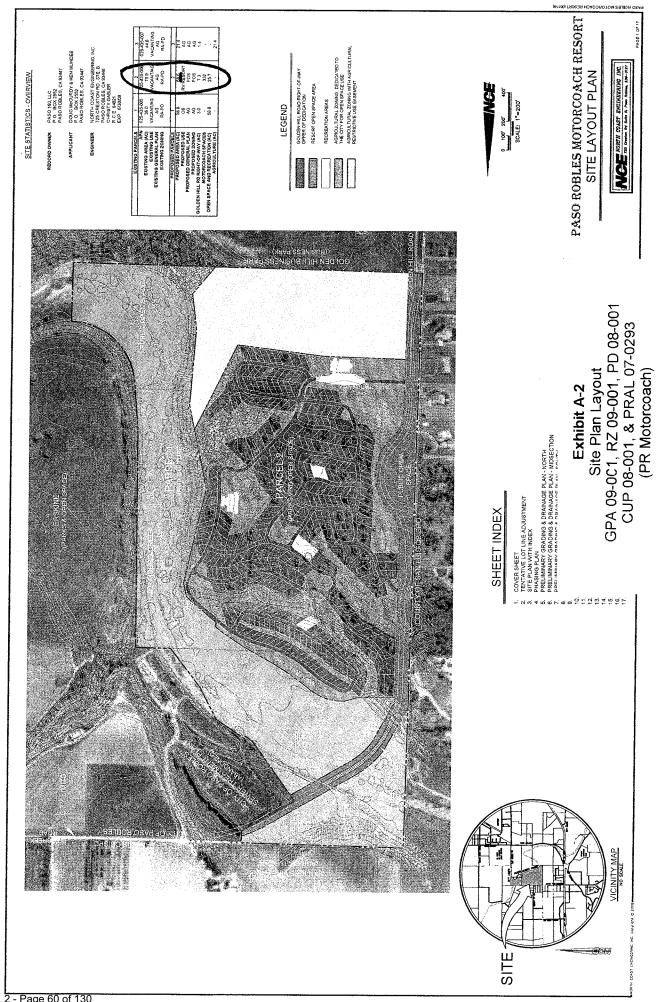
Exhibit F - Arborist Report

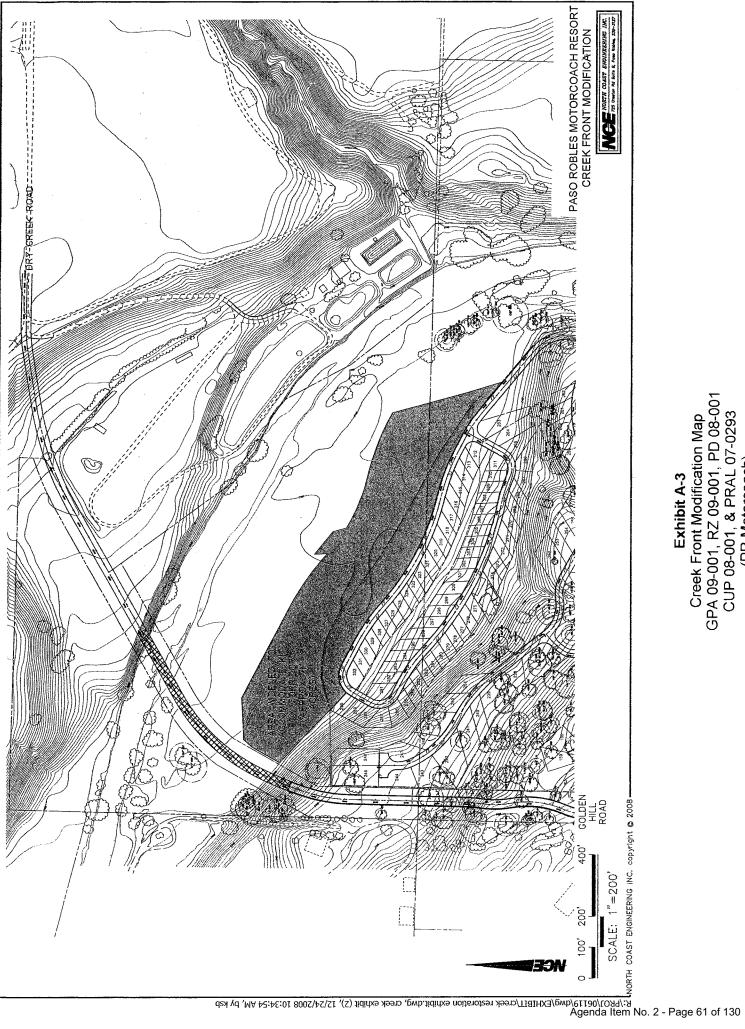
Exhibit G - Cultural Resource Investigation

Exhibit H – Water Usage Analysis



Mundee General Plan Amendment and Rezone Golden Hill Rd, north of Highway 46 City of Paso Robles





Creek Front Modification Map GPA 09-001, RZ 09-001, PD 08-001 CUP 08-001, & PRAL 07-0293 (PR Motorcoach)

Exhibit A-3

<u>Air Quality Mitigation Measures:</u>

- **APCD-1** Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, as exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.
- **APCD-2** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
 - a. Reduce the amount of the disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stockpile areas should be sprayed daily as needed.
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
 - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible
- **APCD-3** Construction Permit Requirements:

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;

- Tub grinders; and
- Trommel screens.
- APCD-4 <u>Develop a comprehensive Construction Activity Management Plan</u> designed to minimize the amount of large construction equipment operating during any given time period. <u>The</u> plan should be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:
 - Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
 - Limit the length of the construction work-day period, if necessary; and,
 - Phase construction activities, if appropriate.

APCD-5 Standard NOx Control Measures for Construction Equipment

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. <u>These</u> measures are applicable to all projects where construction equipment will be used:

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit.

APCD 6 OPERATIONAL PHASE MITIGATION

Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO2) will be approximately 7,277 pounds per day in the summer and 6,906 pounds per day in the winter. <u>While</u> <u>statewide/global thresholds have not yet been defined for GHG impacts, SLO County</u> APCD recommends the implementation of feasible mitigation measures that minimize

project related GHG impacts. Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption;
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons;
- Include pedestrian amenities that provide improved connectivity to existing amenities;

- Securing shuttle services;
- Green building techniques such as:
 - Installing outdoor electrical outlets to encourage the use of electric appliances and tools;
 - Planting of native, drought resistant landscaping;
 - Use of locally or nearby produced building materials; and,
 - Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Portable generators and equipment with engines that 50 hp or greater;
- Electric generation plants or the use of standby generator; and
- Cogeneration facilities.

Traffic Impact Mitigation Measures:

- **T-1**. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.
- **T-2**. Golden Hill Road shall be constructed in general conformance to the preliminary plans, plans approved by the City Engineer, and in accordance with the phasing plan proposed.

Biological Resources Mitigation Measures

- **BR-30.** Avoidance and protection of vernal pools on the property. Vernal pools shall be avoided and protected where possible. If listed fairy shrimp species are found in vernal pools on the property, the vernal pools shall be avoided and a 50-foot setback distance shall be observed for all activities. If rare species are not found and vernal pools cannot be avoided, a vernal pool mitigation plan shall be prepared by a qualified biologist that specifies creation of vernal pool habitat in kind at a one to one ratio within open space areas on the property.
- **BR-31.** Interpretive signs shall be developed in cooperation with the project biologist to inform guests at the Resort of the sensitive biological resources located on and near the property. Signs shall be placed on at least two sides of all vernal pools or vernal pool complexes that remain within the project open space areas. The signs shall provide general information about vernal pools in the Paso Robles region, including potential rare species that could be present.
- **BR-32.** Tree canopies and trunks within 50 feet of proposed disturbance zones should be mapped and numbered by a certified arborist or qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed.
- **BR-33.** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.
- **BR-34.** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.
- **BR-35.** Impacts to oak trees shall be assessed by a licensed arborist. Mitigations for impacted trees shall comply with the City of Paso Robles tree ordinance.

- **BR-36.** Replacement oaks for removed trees must be equivalent to 25% of the diameter of the removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30" removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5 inch trees, or three 2.5 inch trees, or any other combination totaling 7.5 inches. A minimum of two 24 inch box, 1.5 inch trees shall be required for each oak tree removed.
- **BR-37.** Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be of local origin, and of the same species as was impacted or removed.
- **BR-38.** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting birds urveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A 500-foot buffer shall be observed from occupied nests of all special status species (refer to BR-12 and BR-13). A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.
- **BR-39.** To prevent disturbance to nesting eagles, if construction is planned between January 30th and August 15th, a pre-construction survey should be conducted to determine if eagles are present. If eagles are not present after March 15th, work could commence. If eagles are present on the nest, work within 500 feet of the occupied nest should be delayed until after either adult eagles have left the nest, or eagle chicks have fledged and are no longer dependant on the nest as determined by a qualified biologist. At the commencement of work, a qualified biologist should be authorized to stop construction activity within range of the nest that causes disturbance to the eagles. Work within that area could commence once the eagle chicks have fledged and are no longer dependant on the nest.
- **BR-40.** If the project design cannot avoid shining navarretia on the property, a mitigation and monitoring plan shall be developed by the project biologist to replace lost navarretia habitat at a 1:1 ratio on-site. The mitigation plan will provide details on appropriate mitigation sites, seed collection and distribution methods, and maintenance and monitoring requirements.
- **BR-41.** Interpretive signs shall be developed in cooperation with the project biologist to inform guests at the Resort of the sensitive biological resources located on and near the property. Signage shall be placed on all sides of the rare plant occurrence, and shall have specific information about the plant and its ecology, including photographs.
- **BR-42.** All occupied nests shall be mapped using GPS or survey equipment. The mapped locations shall be placed on a copy of the grading plans with a 500-foot buffer indicated. Work shall not be allowed within the 500 foot buffer while the nest is in use by eagles. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.
- **BR-43.** Occupied nests of special status bird species that are within 500 feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependant on the nest, work can commence.
- **BR-44.** Interpretive signs shall be developed in cooperation with the project biologist to inform guests at the Resort of the sensitive biological resources located on and near the property. If the golden eagle nest continues to be occupied seasonally at the time the Resort opens to the public, signs shall be placed on the hilltop to exclude entry within approximately 300 feet of the eagle nest.

- **BR-45.** Prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.
- **BR-46.** The following supplemental measures for kit fox protection are from the December 17, 2008 letter from Dan Meade of Althouse and Meade, Inc. The following measures when employed on the site, would reduce potential impacts to the San Joaquin Kit Fox. The consideration of these additional measures and the substantial widening of the proposed open space corridor, adjusctment of the offsite mitigation requirements may be appropriate. The reduction of the mitigation ratio for kit fox payments from four to one to three to one can be made with review and approval by the Department of Fish and Game.
 - 1. Kit fox friendly fencing shall be incorporated into all fences on the property. For chain link, wildlife, no-climb, or other wire fences with openings, at ground level less than eight inches square, kit fox passages shall be made in the fences every 100 yards. Passsages shall be created by cutting wire and placing spreader bars to form a smooth 8-inch wide by 12-inch high, or as specified by the Endangered Species Recovery Program. In solid walls, an 8-inch diameter concrete pipe shall be placed at ground level in the wall every 100 yards.
 - 2. Four SJKF escape dens and a chambered den shall be constructed as per guidelines provided in the Endangered Species Recovery Program. The precise location of each den shall be designated in the field by a qualified kit fox biologist.
 - 3. BR-31. All pets on the property shall be kept on a leash at all times. Owners shall be required to clean up after their pets. Resort maintenance personnel shall conduct daily clean up on the property to remove pet waste.
 - 4. BR 32. Lighting shall be shielded to prevent direct lighting of the riparian corridor. All lighting shall be directed down and shall be low intensity.
 - 5. BR 33. Use of poisons including rodenticides on the property should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe labels and other restrictions, mandated by the U.S. Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent poison must be utilized, zinc phosphate should b used because of proven lower risk to kit fox. (U.S. Fish and Wildlife Service, 1999).
 - 6. Quiet hours shall be observed after 10 pm every night to reduce disturbance. Generators will not be permitted to run at the resort at any time.
 - 7. Speed limits. To avoid accidental injury to animals on the property a speed limit of 10 miles per hour shall be enforced on the property for all vehicles. Speed limits shall be posted at the entrance gate and throughout roadways on the property.
 - 8. To enhance habitat for use by kit fox vegetation management shall be conducted on neighborhood properties, including the City sewer facility on the north bank of the Heur Heuro Creek adjacent to the Paso Robles Motorcoach Resort property. Work shall consist of removal of overgrown vegetation and removal of barrier fence when appropriate.
 - 9. Neighborhood fencing improvements shall be conducted where fencing is a barrier to kit fox movement on properties adjacent to the Paso Robles Motorcoach property. Improvements will consist of either replacement of fences with kit fox friendly fencing, or creation of kit fox passages in existing fences every 100 yards where feasible.
- **BR-47.** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **219.3 (73.1 disturbed area x3)** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

c. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$548,250**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Purchase **219.3** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$548,250. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- **BR-48.** Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:
 - v. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
 - vi. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-26. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist

recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.

vii. **Prior to or during project activities,** if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

viii. In addition, the qualified biologist shall implement the following measures:

- 4. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - Potential kit fox den: 50 feet
 - Known or active kit fox den: 100 feet
 - Kit fox pupping den: 150 feet
- 5. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
- 6. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the City Planning Division.

- **BR-49.** Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.
- **BR-50.** During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.
- **BR-51.** Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and

distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

- **BR-52.** During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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.
- **BR-53.** During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.
- **BR-54.** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin 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.
- **BR-55.** Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- **BR-56.** During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. In addition, formal notification shall 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 CDFG for care, analysis, or disposition.
- **BR-57.** Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - iv. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - v. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards
 - vi. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines

Monitoring (San Joaquin Kit Fox Measures BR-18 to BR-26): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

BR-58. A pre-construction survey shall be conducted within thirty days of beginning work on the project to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of Paso Robles.

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

Hazard Mitigation Measures

H-1 – Airport and Aircraft Safety: Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).

Handley Property Airport Safety Areas	Maximum Land Use Density (persons/acre)	Maximum Single Acre Land Use Density (persons/acre)	Maximum Percent Open Space (% gross area)
Safety Zone 3	60	120	25^2
Safety Zone 4	40	120	20^2

1 No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.

²When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

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

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

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

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

H-5 Avigation Easements: At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.

H-6 Real Estate Disclosure: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.

Cultural Resources Mitigation Measures

- **CR-1:** Prior to issuance of development permits, the applicant shall retain a qualified historic archaeologist to monitor initial grubbing and grading on the site and to develop a recovery program if necessary. The monitor shall have the authority to stop work in the event potentially significant cultural resources are discovered.
- **CR-2**: In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - c. Construction activities shall cease, and the Community Development Director shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - d. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Community Development Director so that proper disposition may be accomplished.

DRAFT RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT 09-001, REZONE 09-001, PD 08-001, CUP 08-001 AND LOT LINE ADJUSTMENT 07-0293 NORTH END OF GOLDEN HILL ROAD, APN 025-435-005, 006 and 007 APPLICANT – PASO 160, LLC – MCCURDY PASO ROBLES MOTORCOACH RESORT

WHEREAS, the Paso Robles Motorcoach Project consists of General Plan Amendment 09-001, Rezone 09-001, Planned Development 08-001, Conditional Use Permit 08-001 and Lot Line Adjustment 07-093; and

WHEREAS, the project has been filed by North Coast Engineering on behalf of Paso 160, LLC to construct a 332 space RV resort on the 160 acre site located at the northern terminus of Golden Hill Road, North of Highway 46 East; and

WHEREAS, the 160 acre site is currently comprised of three parcels, the applicants are proposing to reconfigure the three parcels via Lot Line Adjustment 07-093, where Parcel 1 would be 58.8 acres, Parcel 2 would be 68.6 acres and Parcel 3 would be 21.4 acres; and

WHEREAS, General Plan Amendment 09-001 and Rezone 09-001 propose the following changes:

- **Parcels 1**: change the zoning designation from Residential Agriculture (RA) to Agriculture (AG) and retain the current AG land use designation;
- Parcel 2: amend the land use designation from Agriculture (AG) to Parks & Open Space (POS) and change the zoning designation from Residential Agriculture (RA) to Parks & Open Space (POS);
- **Parcels 3**: change the zoning designation from Residential Agriculture (RA) to Agriculture with a Planned Development Overlay (AG-PD) and retain the current AG land use designation;
- WHEREAS, Planned Development 08-001 & Conditional Use Permit 08-001 proposes the following:
- **Parcel 1**: this parcel would be dedicated to the City for public use as Open Space;
- **Parcel 2**: establish the 332-space Paso Robles Motorcoach Resort;
- **Parcel 3**: use PD Overlay district to limit future uses to agricultural related uses such as winery, wine tasting and vineyards;

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, the Planning Commission held a duly noticed public hearing on February 24, 2009 on this project to accept public testimony on GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 and LLA 07-093 and associated environmental review; and

WHEREAS, the Planning Commission recommended that the City Council approve GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 and LLA 07-093; and

WHEREAS, based on the information and analysis contained in the Initial Study, the Planning Commission recommends that the City Council make a determination that the proposed project will not result in significant environmental impacts and it is appropriate for the City Council to adopt a Mitigated Negative Declaration; and

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

- 1. The Paso Robles Motorcoach Resort is consistent with the adopted codes, policies, standards and plans of the City; since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for Recreational Parks in the Parks and Open Space zoning districts; and
- 2. The Paso Robles Motorcoach Resort will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; since the project will be required to comply with the recommended conditions of approval, including any environmental mitigation measures, and comply with any building and fire codes; and
- 3. The Paso Robles Motorcoach Resort accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors and the public right-of-way; in this particular case, the project site is not located in a City gateway area or a scenic corridor and has minimal frontage to the public street, however, based on the project being designed to fit the subject site and based on the site plan, architecture and landscaping, the proposed development will accommodate the aesthetic quality of the City as a whole; and
- 4. The Paso Robles Motorcoach Resort is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts, because the project has been designed to allow for significant buffers, including setbacks, screen walls and landscaping from the residential neighborhoods to the west and additionally as a result of the site planning, building architecture and environmental mitigation.
- 5. The Paso Robles Motorcoach Resort is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. as a result of the project being designed to limit the amount of grading and oak tree impacts by developing in the flatter areas of the site, which allows for the preservation of the existing hillsides and oak trees; and

- 6. The Paso Robles Motorcoach Resort contributes to the orderly development of the City as a whole, since the project will utilize the existing infrastructure in Golden Hill Road, consisting of sewer water and other utilities; and
- 7. The Paso Robles Motorcoach Resort as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing a hotel/resort type use in close proximity to golf courses and commercial recreation.
- 8. The Paso Robles Motorcoach Resort would be consistent with the Economic Strategy, since it would allow for the expansion and diversification of hotel-projects, by providing an end-destination full-service resort.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the City Council of the City of El Paso de Robles approve GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 and LLA 07-093, subject to the following conditions:

PLANNING:

- 1. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney's fees, incurred by City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.
- 2. Lot Line Adjustment 07-093 allows the reconfiguration of the existing parcels as shown on Exhibit C, where Parcel 1 would be 58.8 acres, Parcel 2 would be 68.6 acres and Parcel 3 would be 21.4 acres.
- 3. General Plan Amendment 09-001 and Rezone 09-001 would allow the following changes:
 - **Parcels 1**: change the zoning designation from Residential Agriculture (RA) to Agriculture (AG) and retain the current AG land use designation;
 - Parcel 2: amend the land use designation from Agriculture (AG) to Parks & Open Space (POS) and change the zoning designation from Residential Agriculture (RA) to Parks & Open Space (POS);
 - ^o **Parcels 3**: change the zoning designation from Residential Agriculture (RA) to Agriculture with a Planned Development Overlay (AG-PD) and retain the current AG land use designation.
- 4. Planned Development 08-001 & Conditional Use Permit 08-001 would allow the following:
 - ^o **Parcel 1**: dedicate to the City for public use as Open Space;
 - ^o **Parcel 2**: establish the 332-space Paso Robles Motorcoach Resort;

- **Parcel 3**: limit future uses to agricultural related uses such as winery, wine tasting and vineyards;
- 5. The project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
А	Standard Conditions
В	Cover Sheet
С	Tentative Lot Line Adjustment
D	Site Plan
E	Phasing Plan
F1-F3	Prelim. Grading/Drainage
G	Grading Concepts
Н	Creek Restoration Area
Ι	Underground Plan
J1-J2	Site Cross Sections
Κ	Details
L1-L4	Golden Hill Road
M1-M3	Registration Building Details
N1-N3	Pool House Details
01-03	Clubhouse Details
P1-P2	Guardhouse Details
Q1-Q2	Misc. Items
R	Outdoor Lighting
S1-S10	Landscape Plans

- 6. Prior to the issuance of a building permit, staff shall review the following items to insure substantial compliance with the above listed Exhibits:
 - a. final site details such as landscaping, decorative paving, benches, exterior lighting and any other site planning details;
 - b. Architectural elevations, including final materials, colors and details;
 - c. Equipment such as back flow devices, transformers, a/c condensers and appropriate screening methods for both visual and noise. Back flow should not be visible from Golden Hill Road;
 - d. Final grading and drainage plans.
 - e. signage
- 7. The project is proposed to be developed in 7 phases (see Exhibit E). In the event that the applicant wishes to change the phasing order, after verification by the City Engineer that there are no concerns, the DRC can approve the phasing change request.
- 8. Prior to the issuance of a grading permit, the applicants will need to provide an Oak Tree Replacement plan that indicates the location and timing of the planting of the required oak tree replacement trees.

- 9. In the event if in the future there is request to add additional impervious concrete or asphalt to the project, the request will need to be approved by both the Engineering and Planning Divisions to insure the addition of the impervious surface is consistent with the Low Impact Development plan for this project.
- 10. Prior to or in conjunction with the recordation of LLA 07-093, an Agriculture Conservation Easement shall be placed on Parcel 3. The easement may indicate the intent of future uses to be winery related such as, a wine production facility, vineyards, wine tasting room, and combination of those uses. The proposal for the development of Parcel 3 will need to go through the development plan (PD) process through the Planning Commission.

ENVIRONMENTAL MITIGATION MEASURES

11. All environmental mitigation measures shall be completed as described in the attached Mitigation Summary (Attachment B).

ENGINEERING:

- 12. Low impact development best management practices shall be incorporated into the project grading plans in accordance with City standards at the time of permitting.
- 13. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.
- 14. Golden Hill Road shall be constructed in general conformance to the preliminary plans, plans approved by the City Engineer, and in accordance with the phasing plan proposed.
- 15. A 12-inch water main shall be extended in Golden Hill Road in accordance with plans approved by the City Engineer and in accordance with the phasing plan proposed.
- 16. Prior to development of phases 5, 6, 7 and 8, the applicant shall provide a floodplain study prepared by a civil engineer demonstrating compliance with the City's floodplain ordinance.

EMERGENCY SERVICES

- 17. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.
- 18. Provide fire hydrants at not greater than five hundred (500) foot intervals.
- 19. Provide central station monitored fire sprinkler system for all buildings greater than five thousand (5,000) square feet.
- 20. Provide fire department connection to the fire sprinkler system on the address side of the building for all buildings with fire sprinklers.

- 21. Provide exterior fire alarm enunciator panel in weather proof enclosure on the address side of the building for all buildings with fire sprinklers.
- 22. Provide Knox Box fire department rapid entry device on address side of the building for all buildings that will be accessed by the public and/or that have fire sprinkler systems.

PASSED AND ADOPTED THIS 24th day of February, 2009 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN CHARLES TREATCH

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

EXHBIT A OF RESOLUTION

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

PROJECT #:	PD 08-001 et al
APPROVING BODY:	PLANNING COMMISSION
DATE OF APPROVAL:	FEBRUARY 24, 2009
APPLICANT:	PR MOTORCOACH
LOCATION	NORTH END OF GOLDEN HILL ROAD

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

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

A. GENERAL CONDITIONS:

- This project approval shall expire on <u>February 24, 2012 (See Planned Development</u> <u>Approval Resolution)</u> 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 \$______.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- \boxtimes 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.

- \boxtimes 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:

Note: No

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.

\boxtimes 2. Prior to the issuance of building permits, the

- Development Review Committee shall approve the following:
- Planning Division Staff shall approve the following:
 - □ a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - \Box b. A detailed landscape plan;
 - ☐ c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other: See site specific conditions in PD 08-001 Resolution
- ☐ 3. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

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

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

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

APPLICANT:PR RVPREPARED BY: JFREPRESENTATIVE:NCECHECKED BY: ____PROJECT:PD 08-001TO 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.

S. 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:

 Golden Hill Road
 Arterial

 A-1
 Street Name

 City Standard
 Standard Drawing No.
- 7. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
 - a. Public Utilities Easement;
 - b. Water Line Easement;

- □ c. Sewer Facilities Easement;
- □ d. Landscape Easement;
- e. Storm Drain Easement.

G. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- ☑ 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- ☑ 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- 3. When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.
- 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:
 - \Box 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.
- 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.
- G. 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).
- \Box 9. Any utility trenching in existing streets shall be overlaid to restore a smooth riding

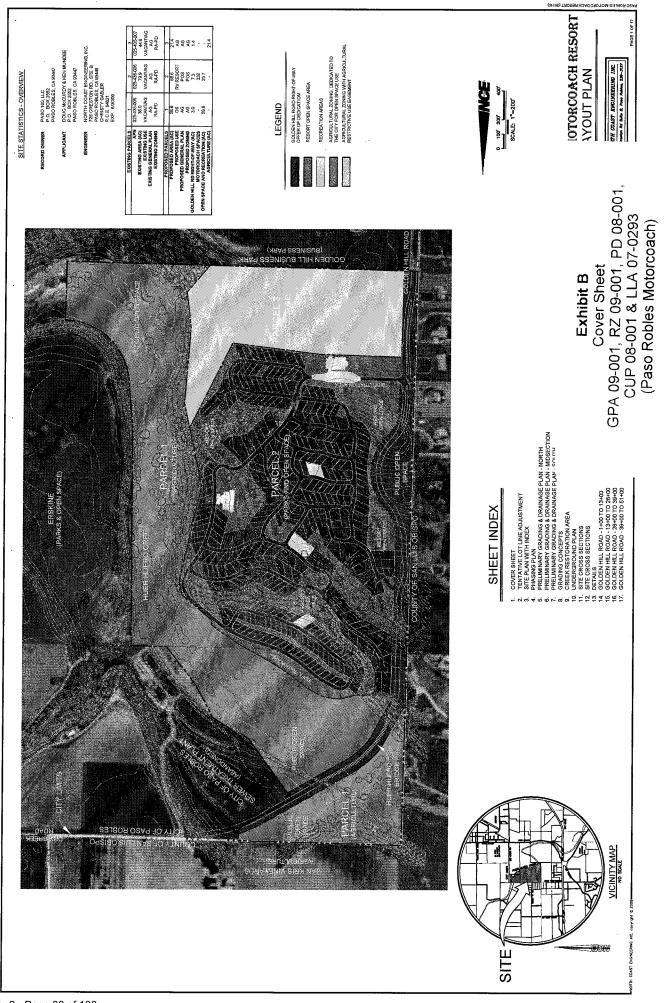
surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.

- ☑ 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.
- \boxtimes 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.
- ☑ 13. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

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

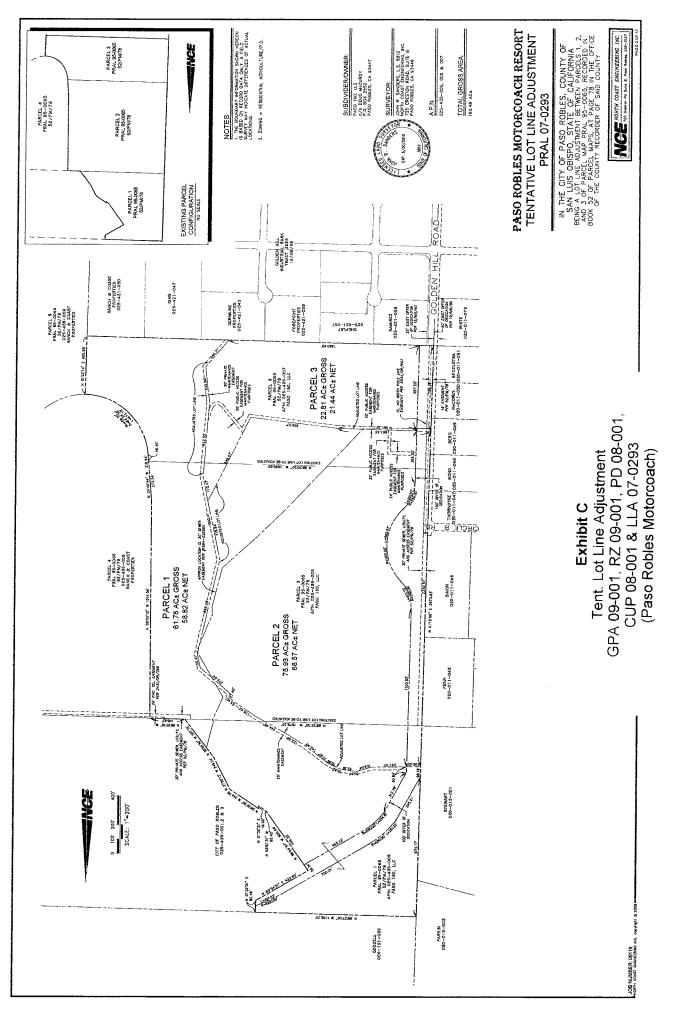
I. GENERAL CONDITIONS

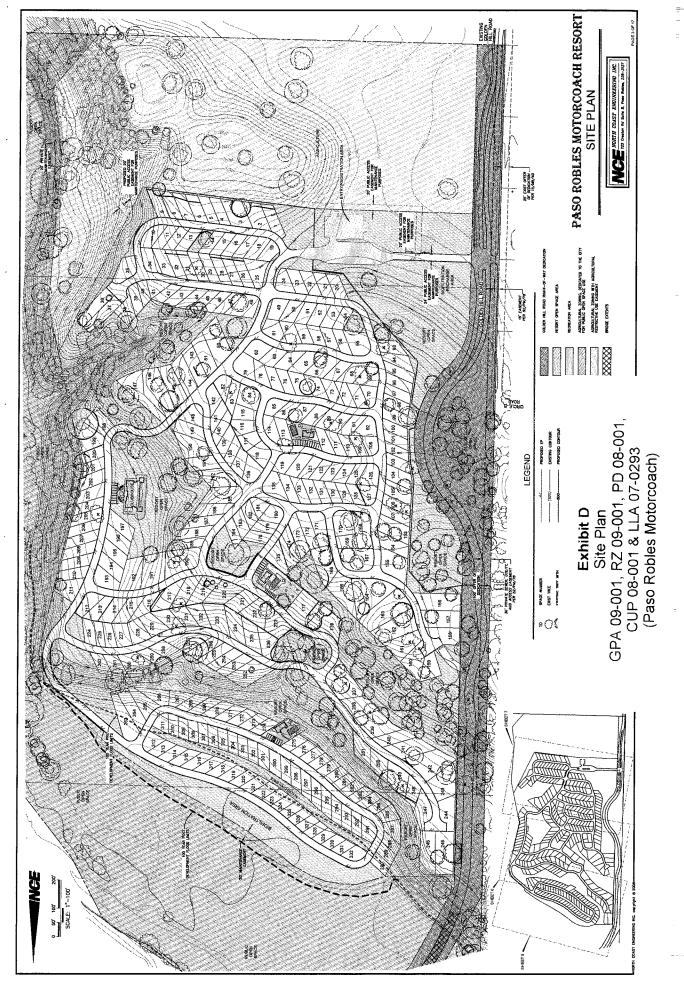
- □ 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/ residential shall be 300 feet. On-site hydrants shall be placed as required by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

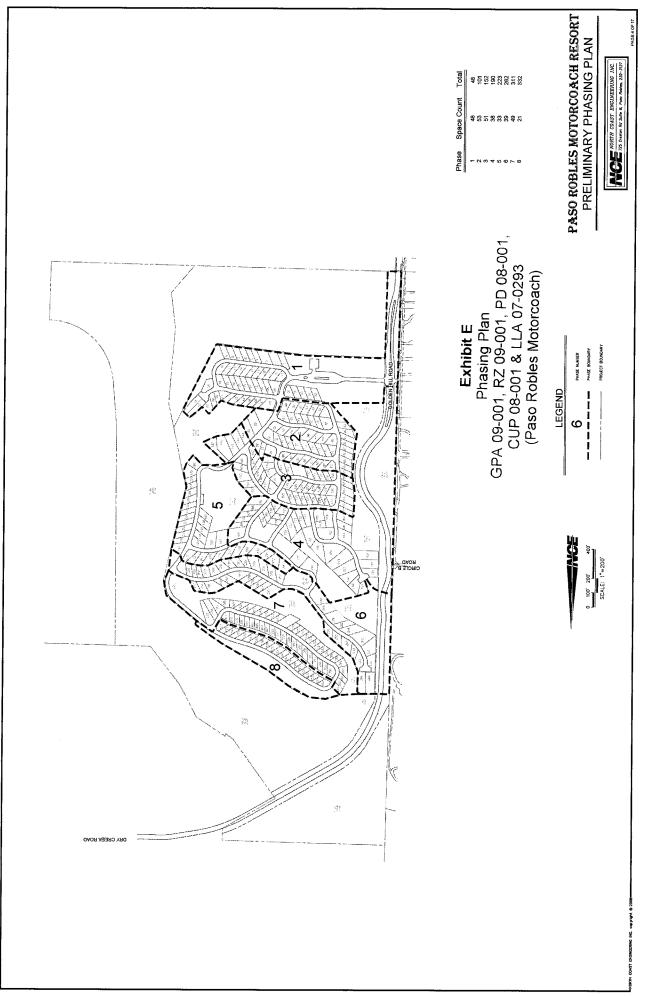


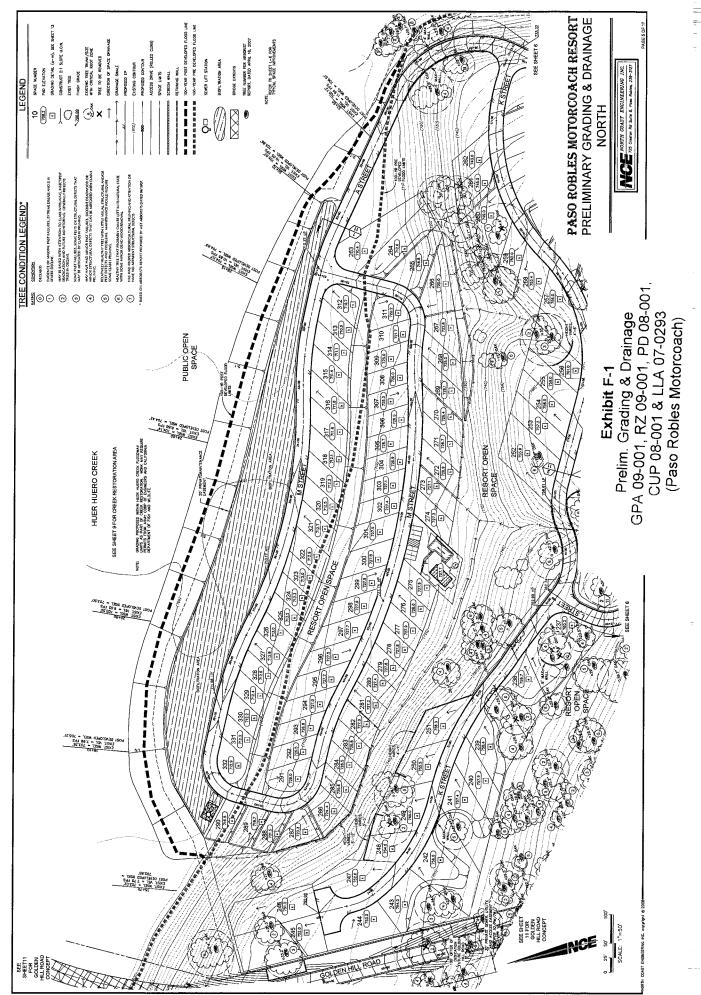
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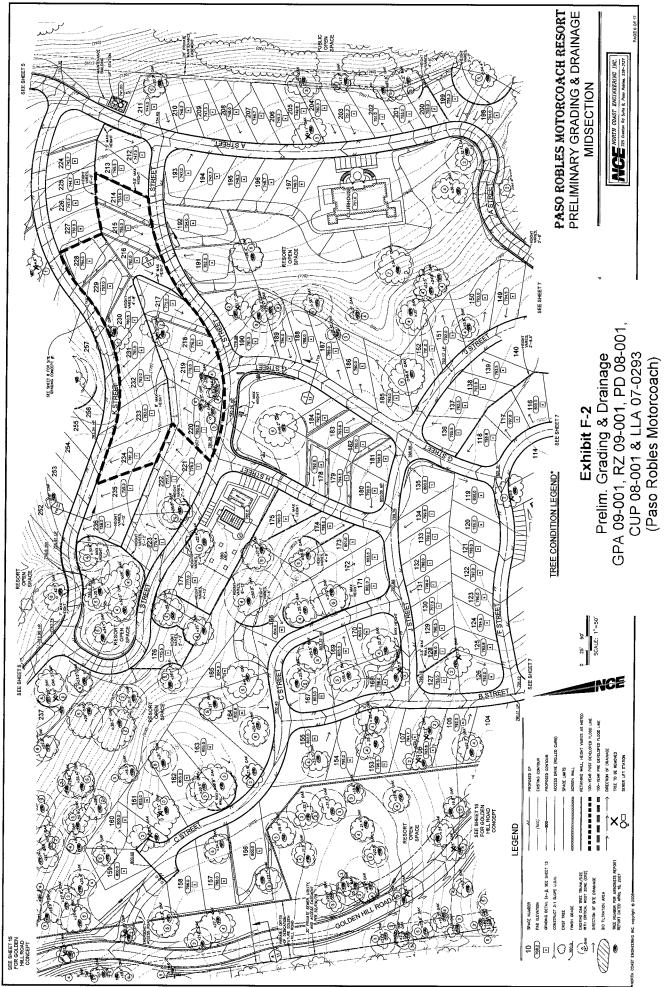
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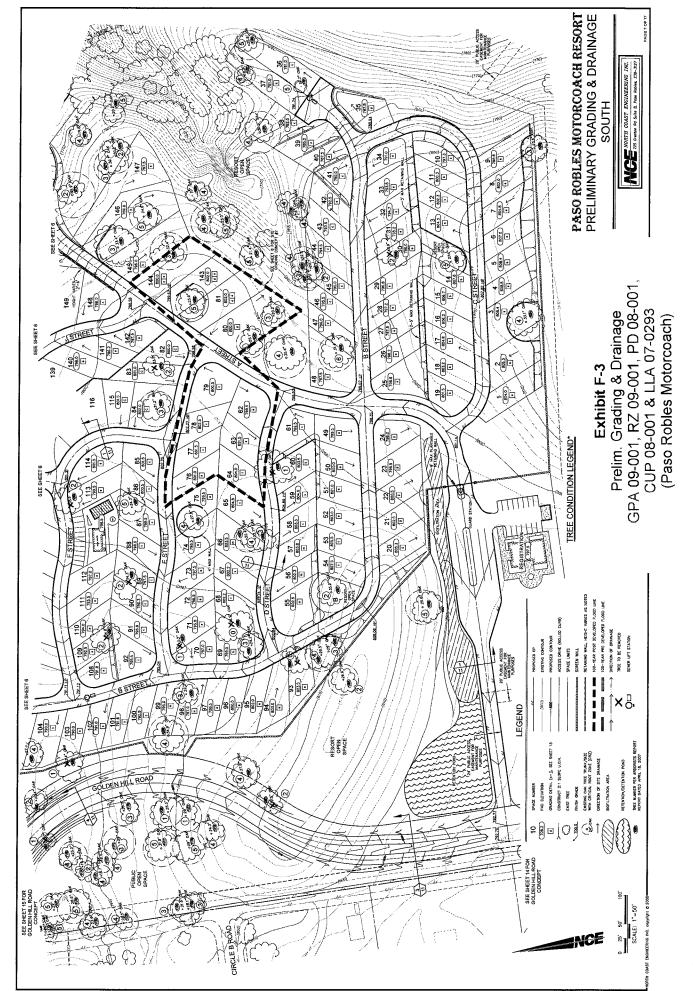




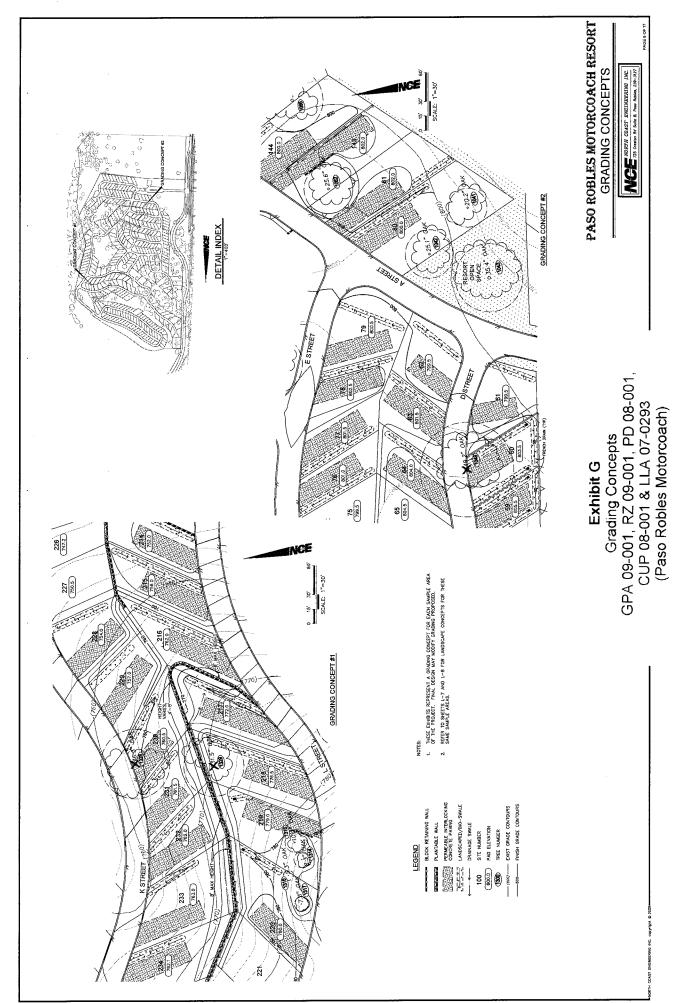


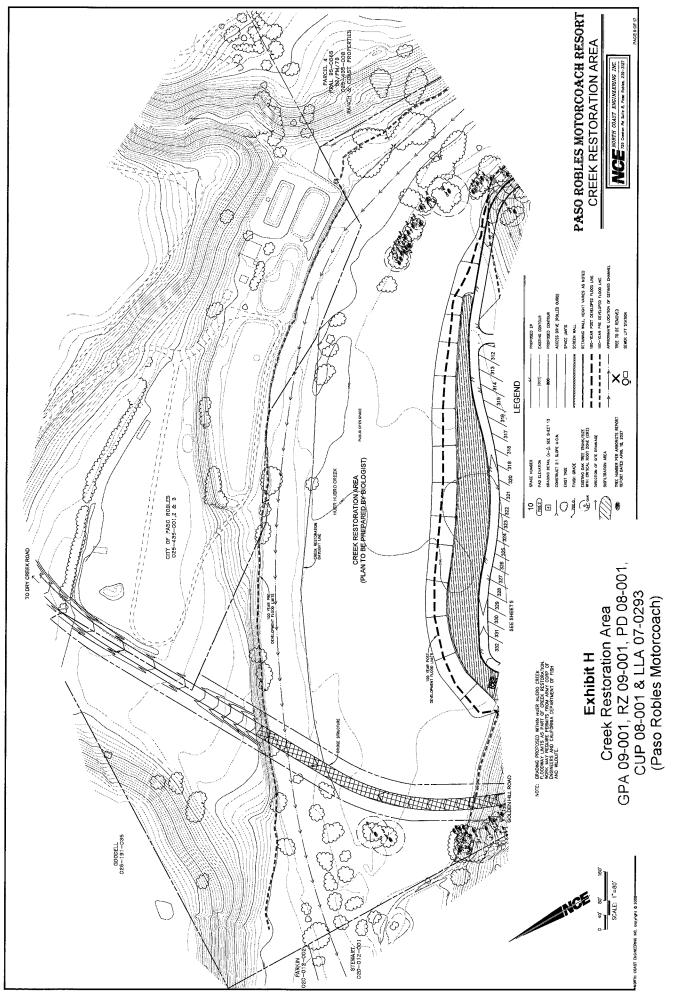


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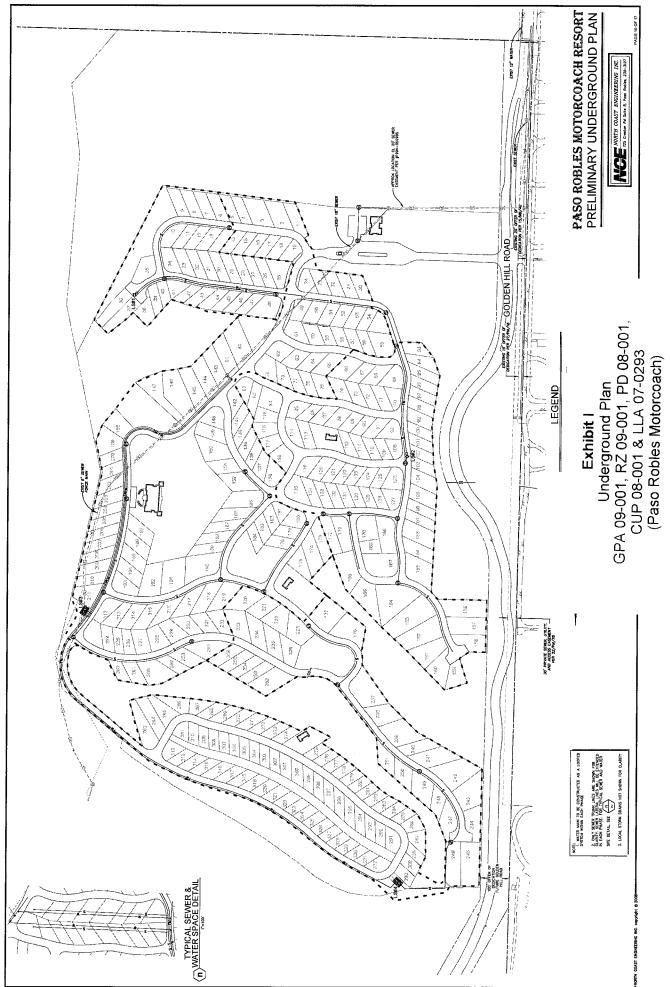


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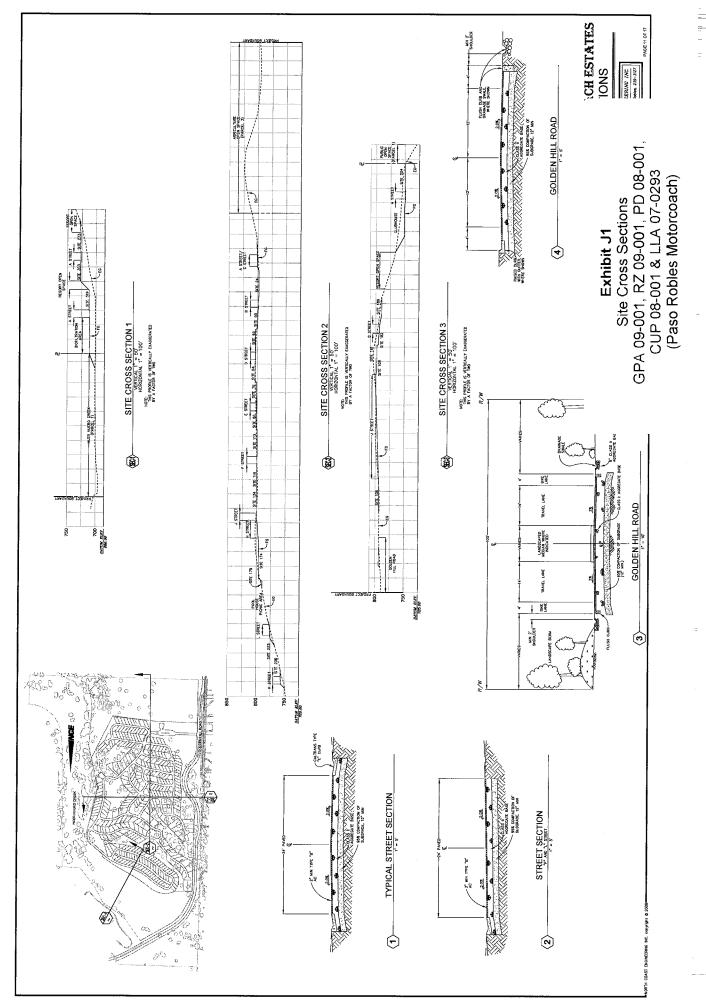


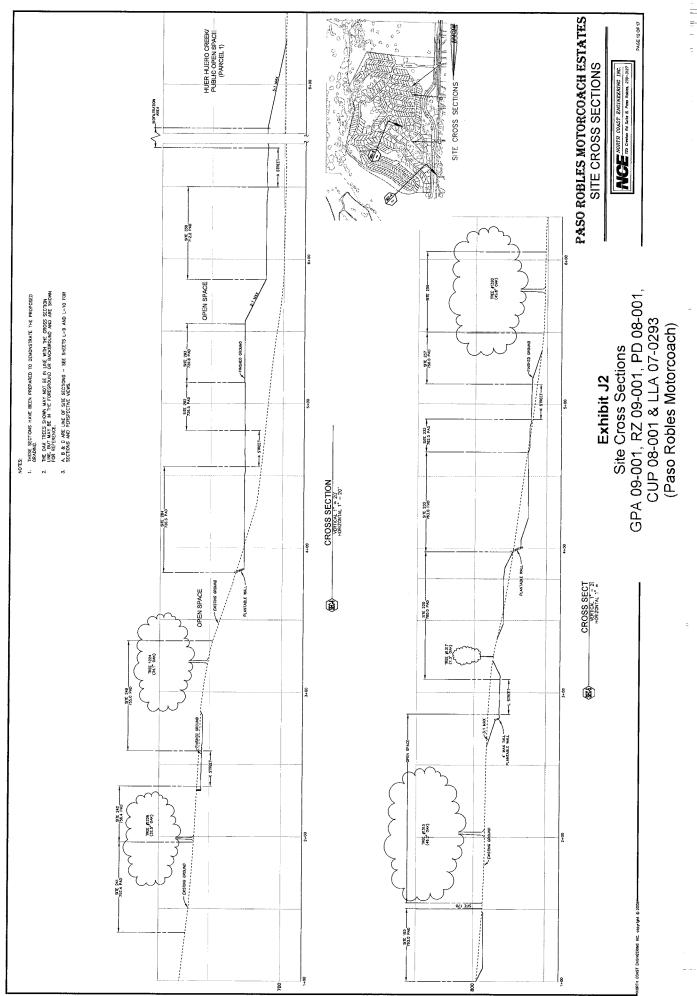
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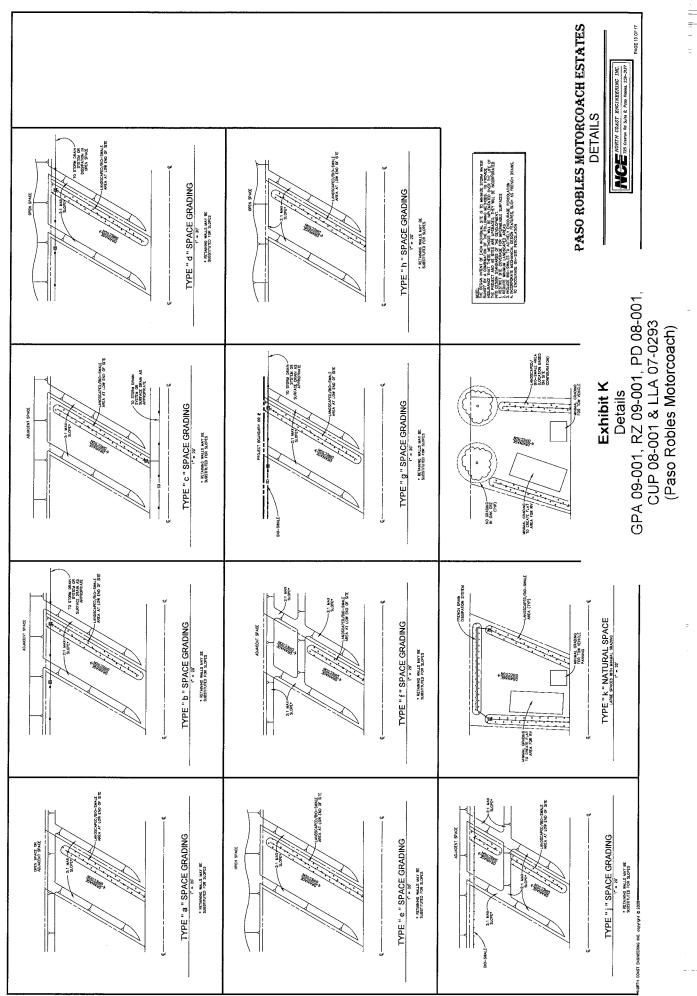


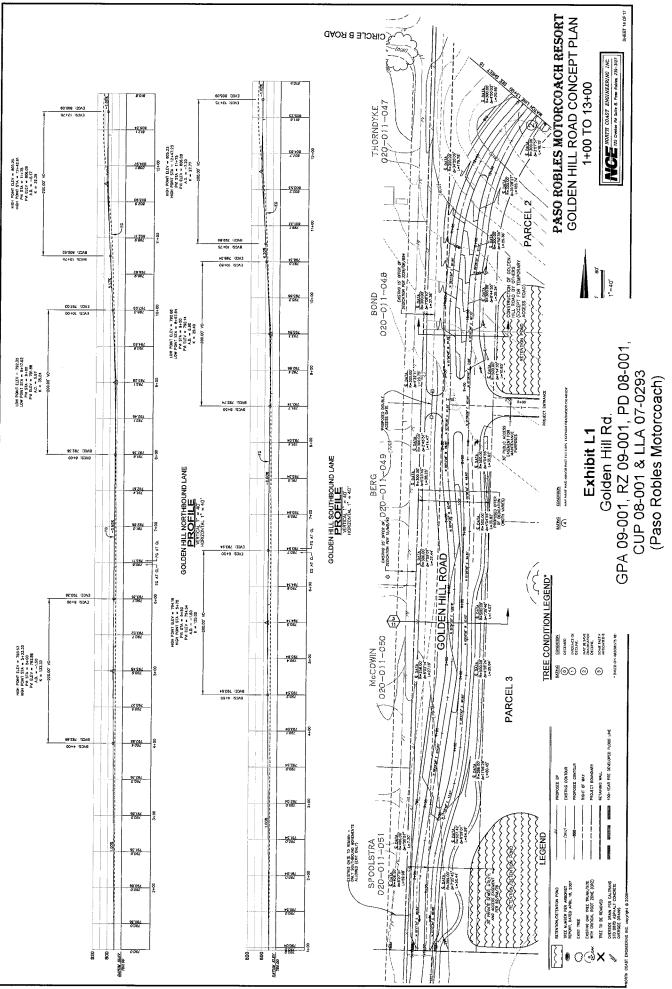
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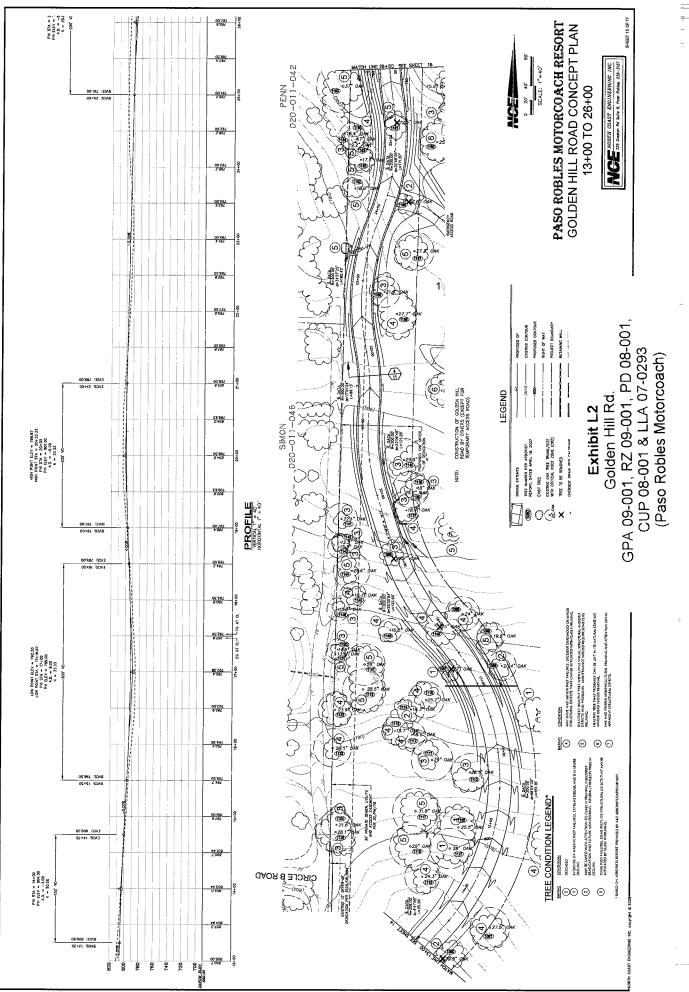
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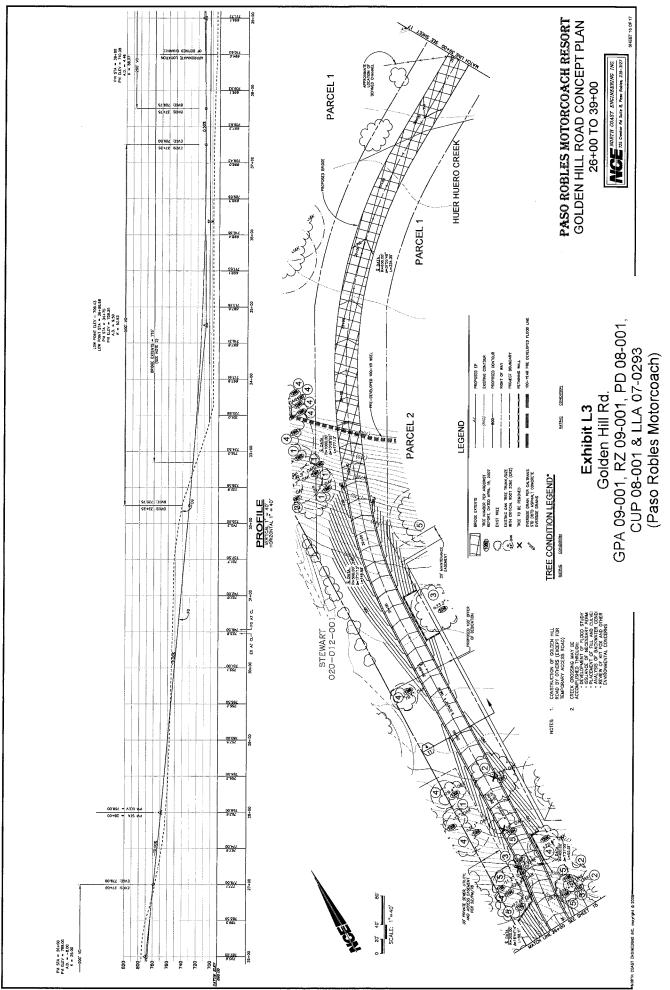












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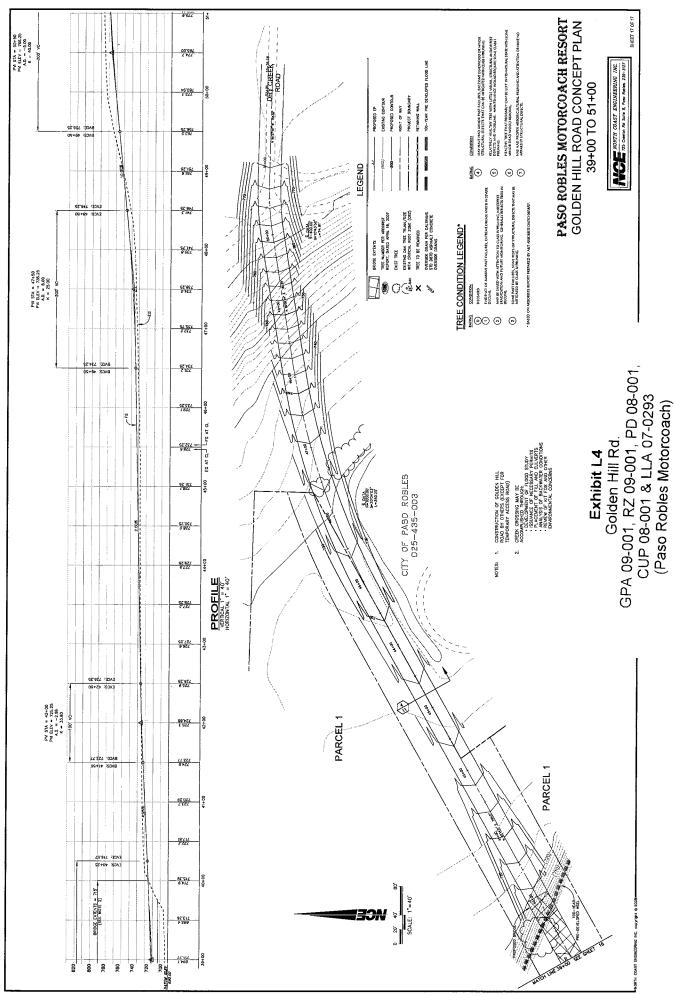
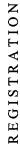


Exhibit M1 Registration Building Details GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) 

FEB 7, 2007

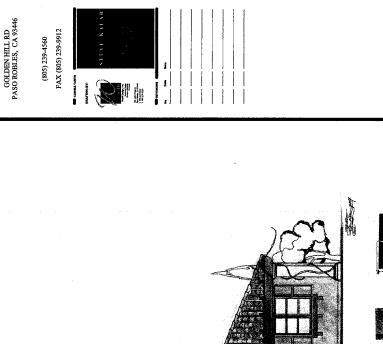
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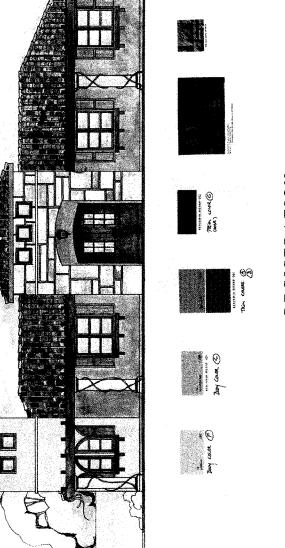
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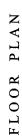
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PASO ROBLES MOTORCOACH RESORT







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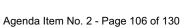
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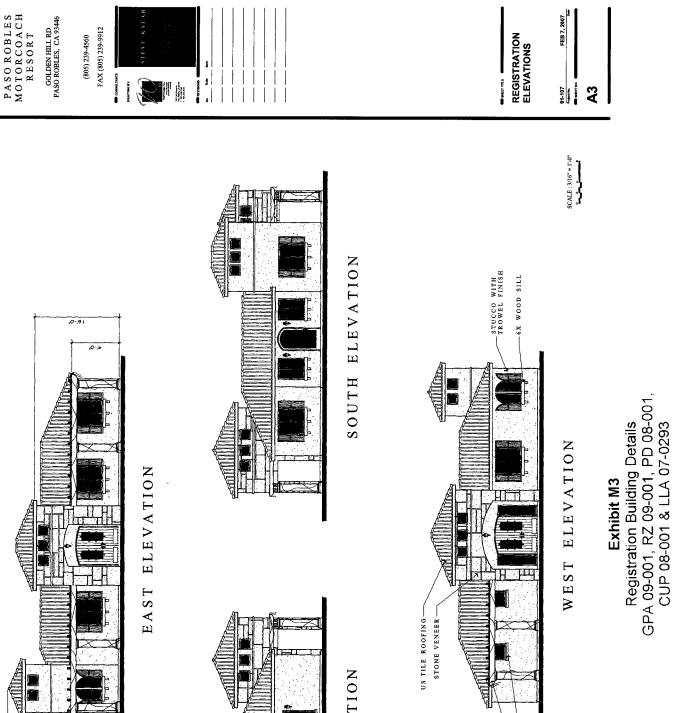
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(Paso Robles Motorcoach)

Exhibit N1 Pool House Details GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) FEB 7, 2007

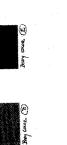
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POOLHOUSE COLOR & MATERIALS SCHEDULE

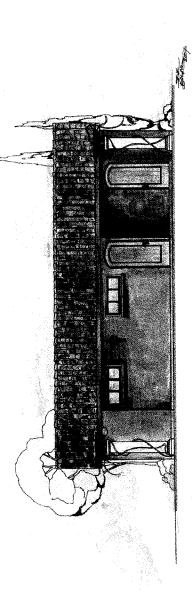
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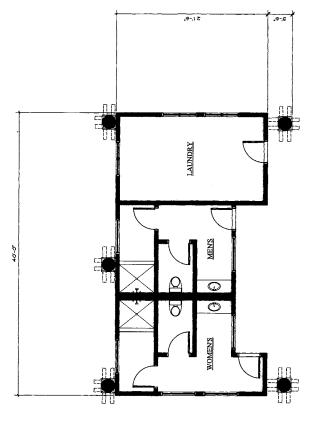
Agenda Item No. 2 - Page 108 of 130

FEB 7, 2007 POOLHOUSE FLOOR PLAN 01-107 Project Ho. **A**5

SCALE : 1/4" = 1'-0"

Pool House Details GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) Exhibit N2

FLOOR PLAN



PASO ROBLES MOTORCOACH RESORT GOLDEN HILL RD PASO ROBLES, CA 93446 FAX (805) 239-9912 (805) 239-4560 8 CONSULTANT STUTINO BY: INCINEMONIA

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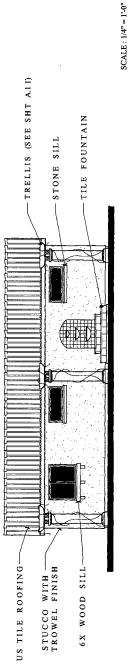
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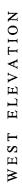
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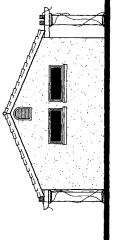




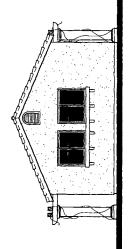








EAST ELEVATION





PASO ROBLES MOTORCOACH RESORT

GOLDEN HILL RD PASO ROBLES, CA 93446

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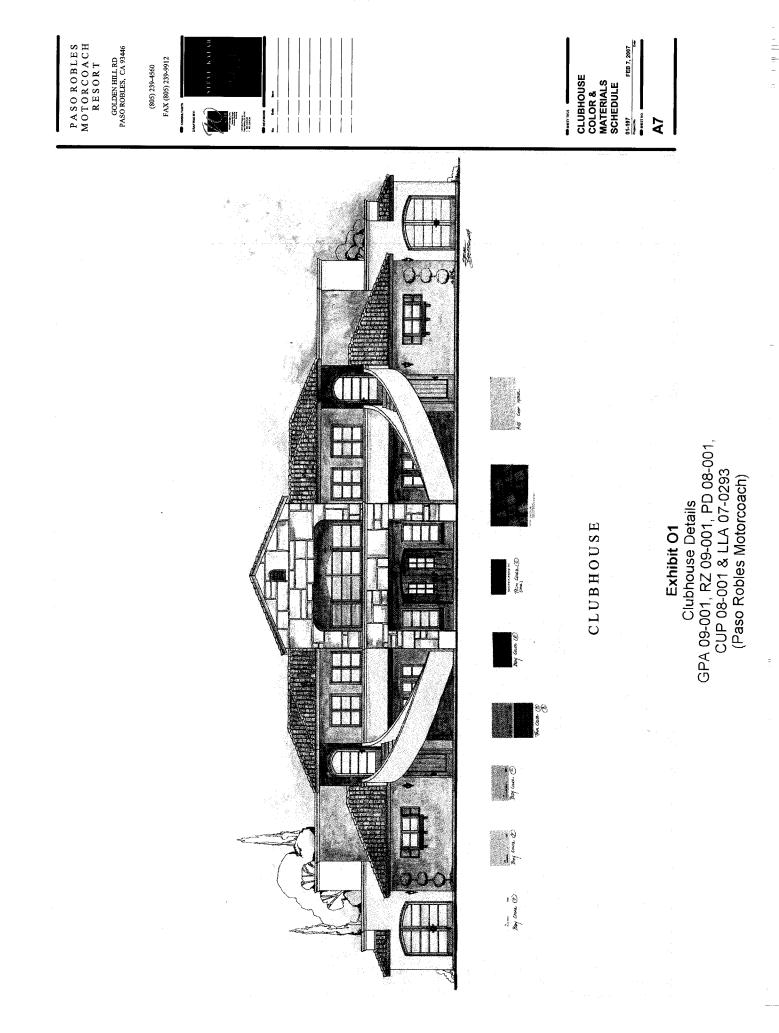
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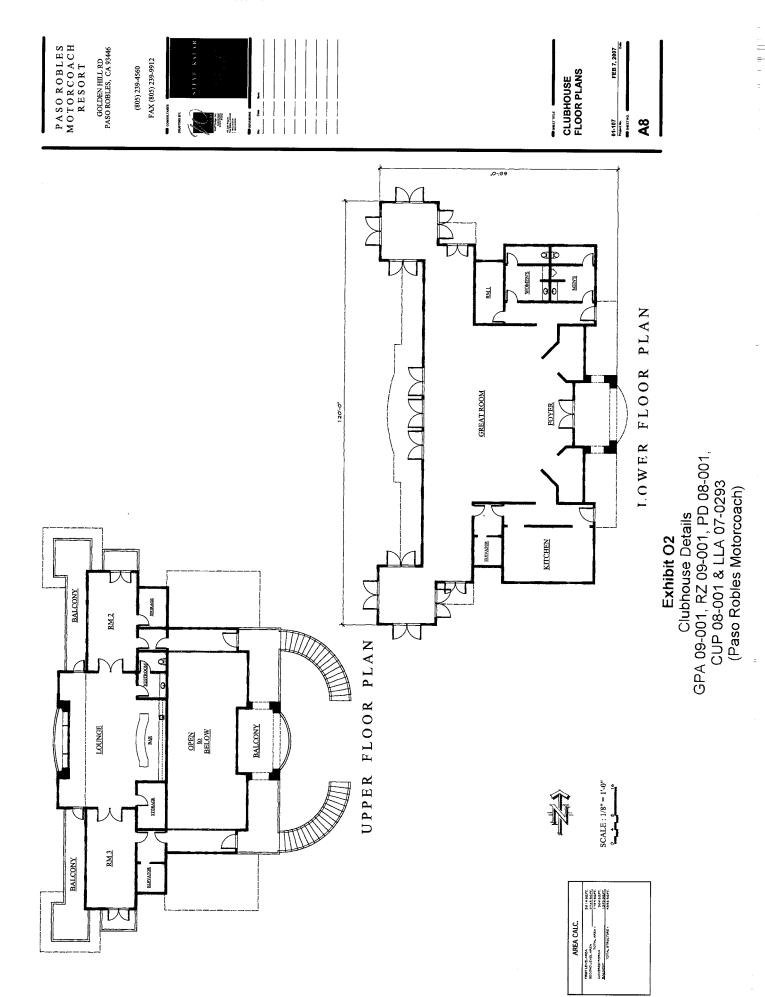
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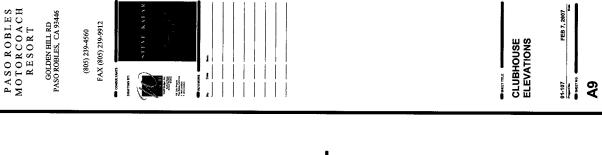


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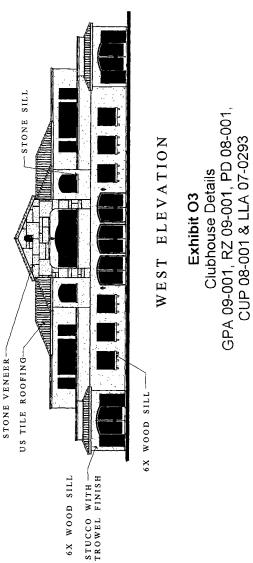
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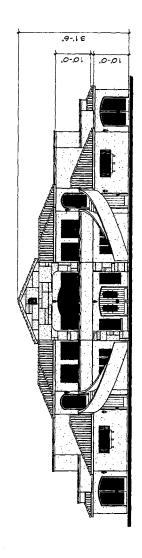
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 SOUTH ELEVATION

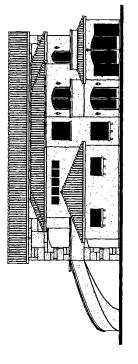
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(Paso Robles Motorcoach)





EAST ELEVATION



NORTH ELEVATION

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Exhibit P1 Gaurdhouse Details GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) FEB 7, 2007

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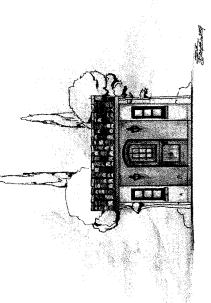
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GUARDHOUSE COLOR & MATERIALS SCHEDULE

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GUARDHOUSE





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PASO ROBLES MOTORCOACH RESORT

GOLDEN HILL RD PASO ROBLES, CA 93446

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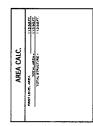


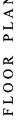
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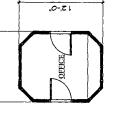
FEB 7, 2007 GUARDHOUSE FLOOR PLAN & ELEVATIONS Cover mue A11 01-107 Project No.

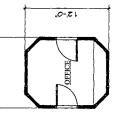


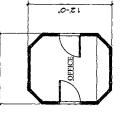
FLOOR PLAN

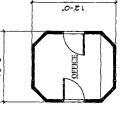


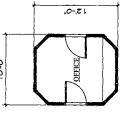


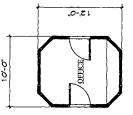


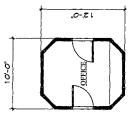


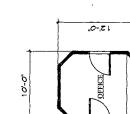


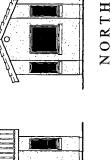


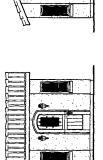












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PASO ROBLES MOTORCOACH RESORT

GOLDEN HILL RD PASO ROBLES, CA 93446

FAX (805) 239-9912

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(805) 239-4560



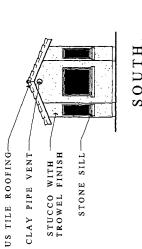
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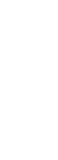




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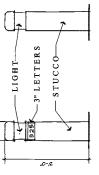
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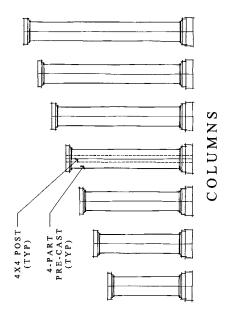
MISC ITEMS







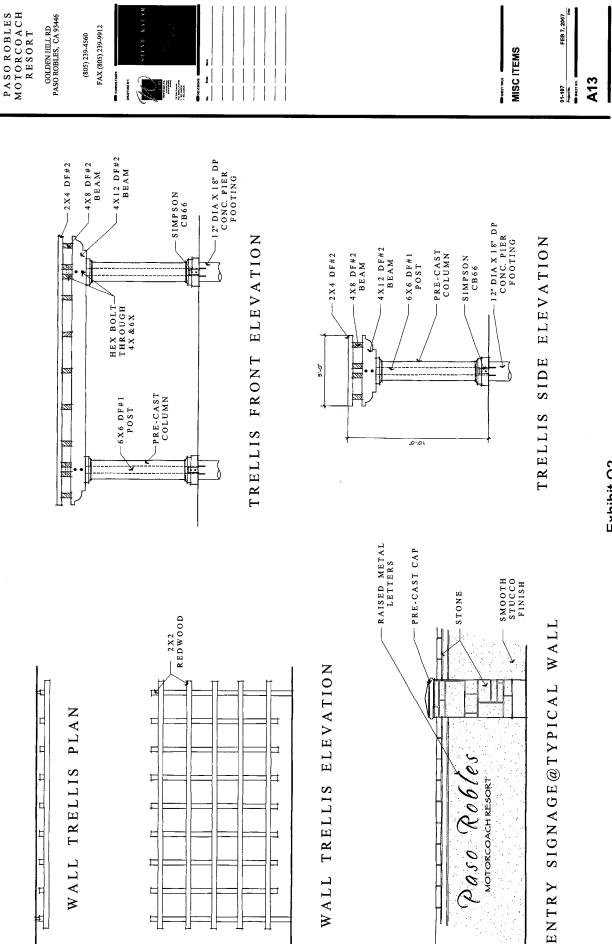
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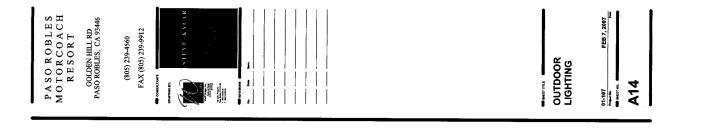
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Exhibit Q2 Misc. Items GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) 

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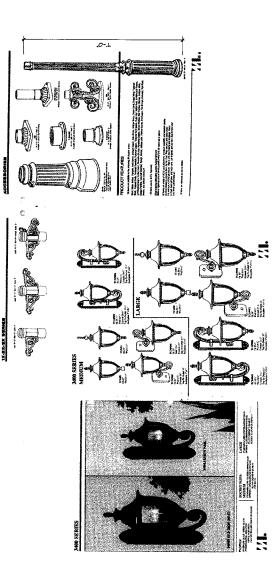
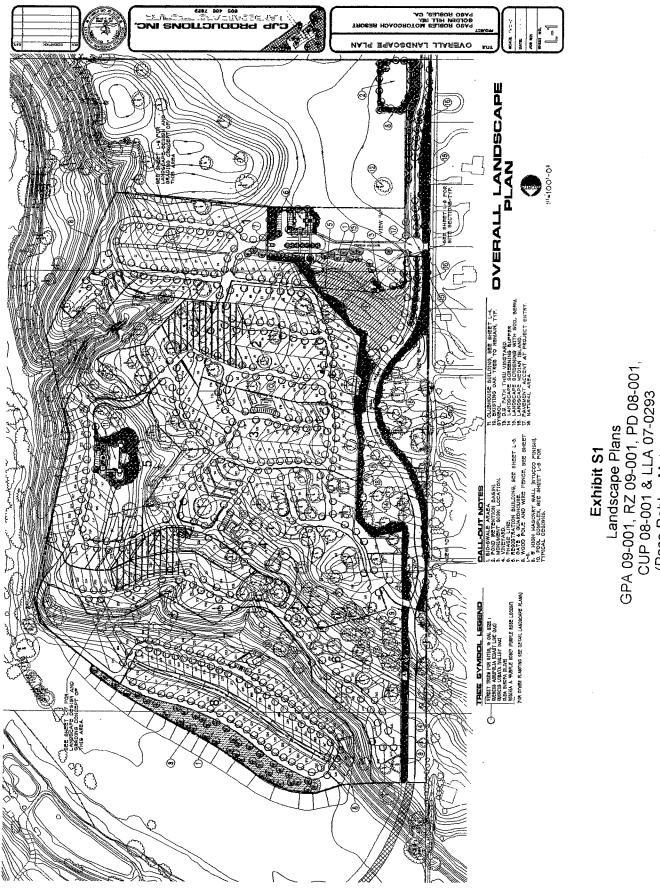
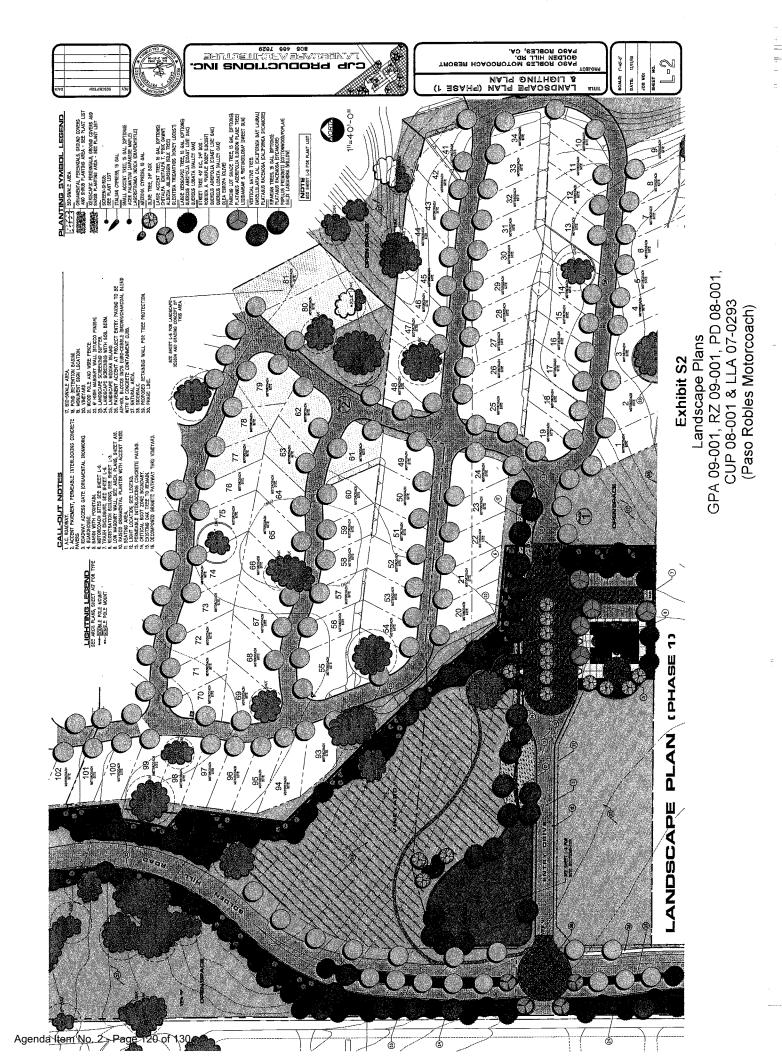
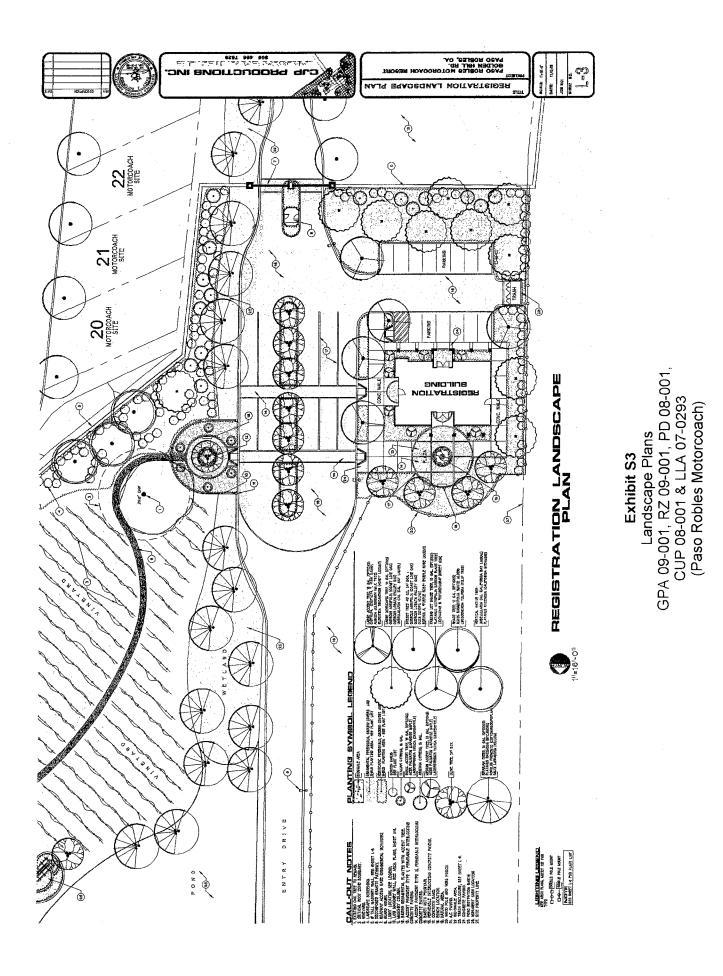


Exhibit R Outdoor Lighting GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach) 

(Paso Robles Motorcoach)





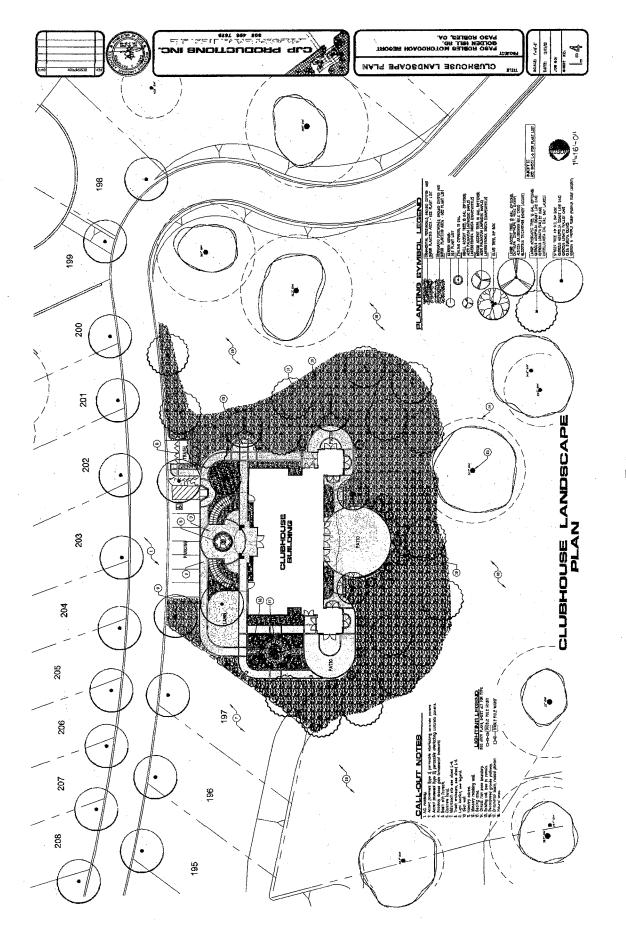
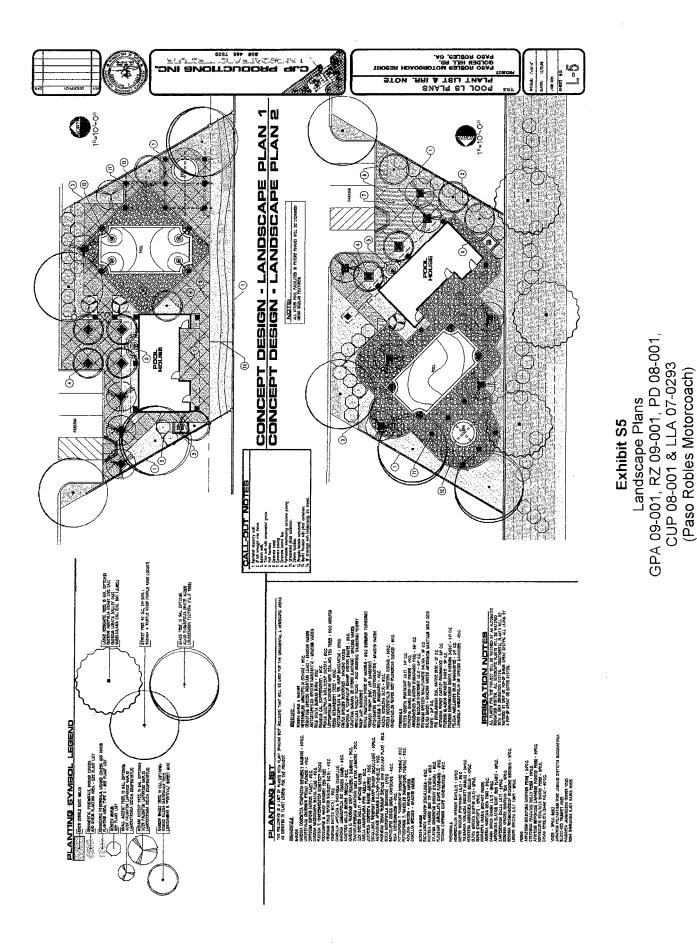
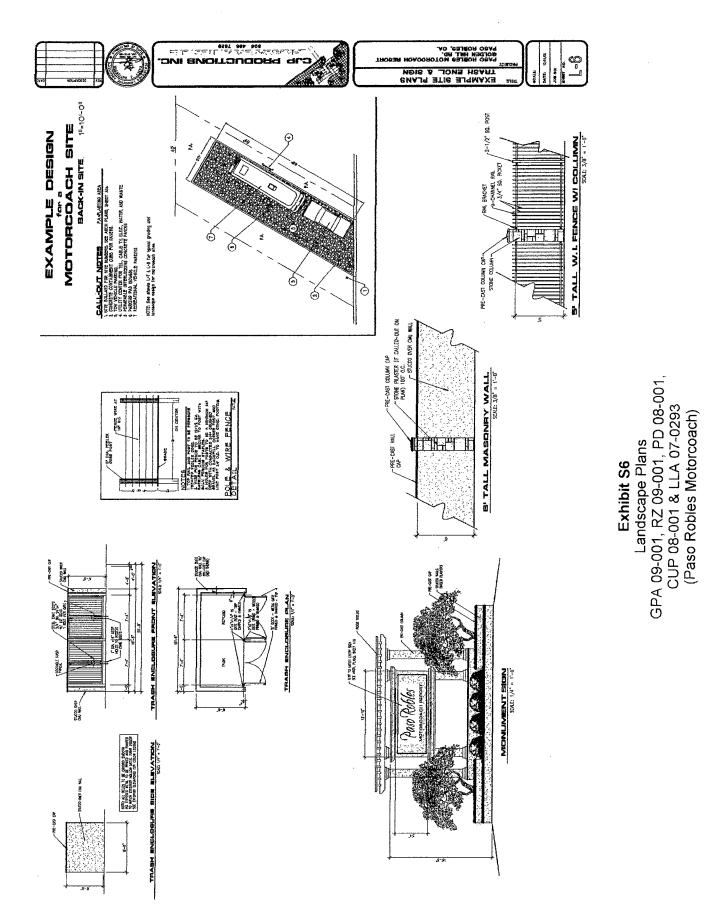
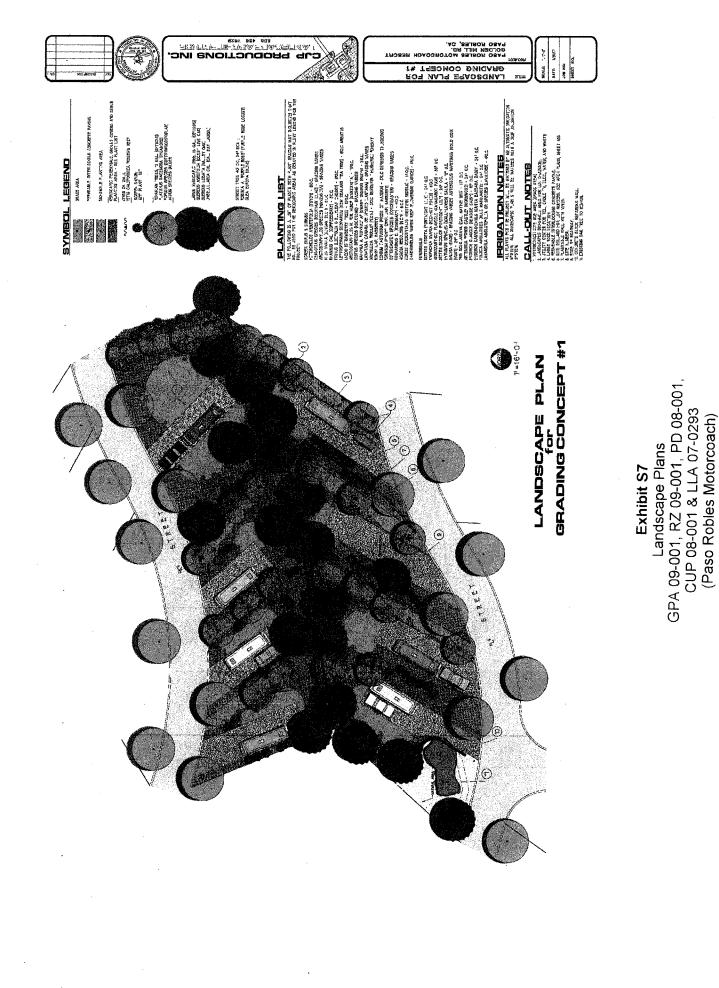


Exhibit S4 Landscape Plans GPA 09-001, RZ 09-001, PD 08-001, CUP 08-001 & LLA 07-0293 (Paso Robles Motorcoach)

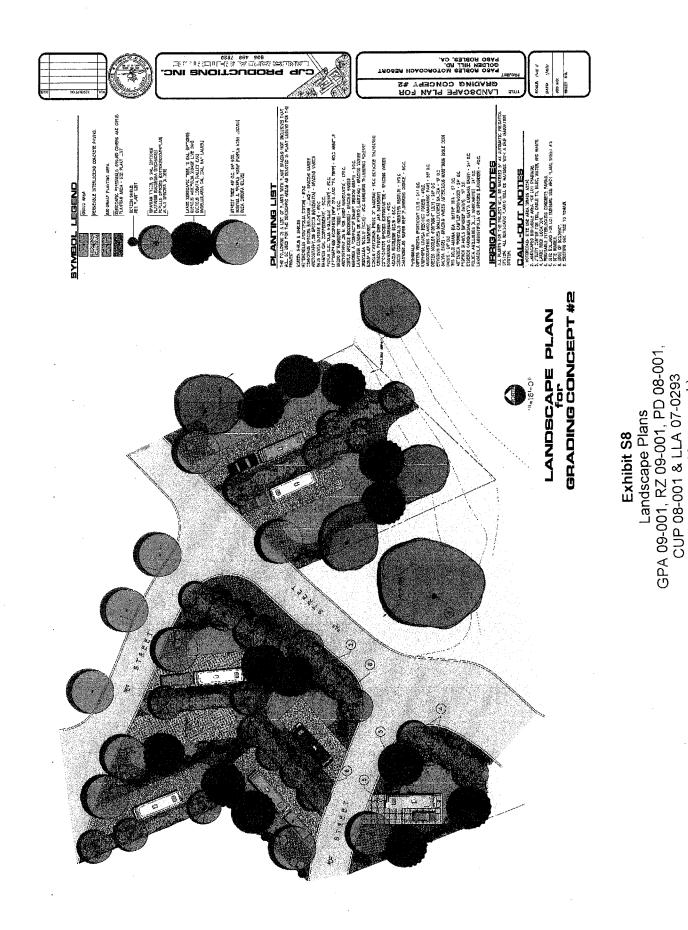




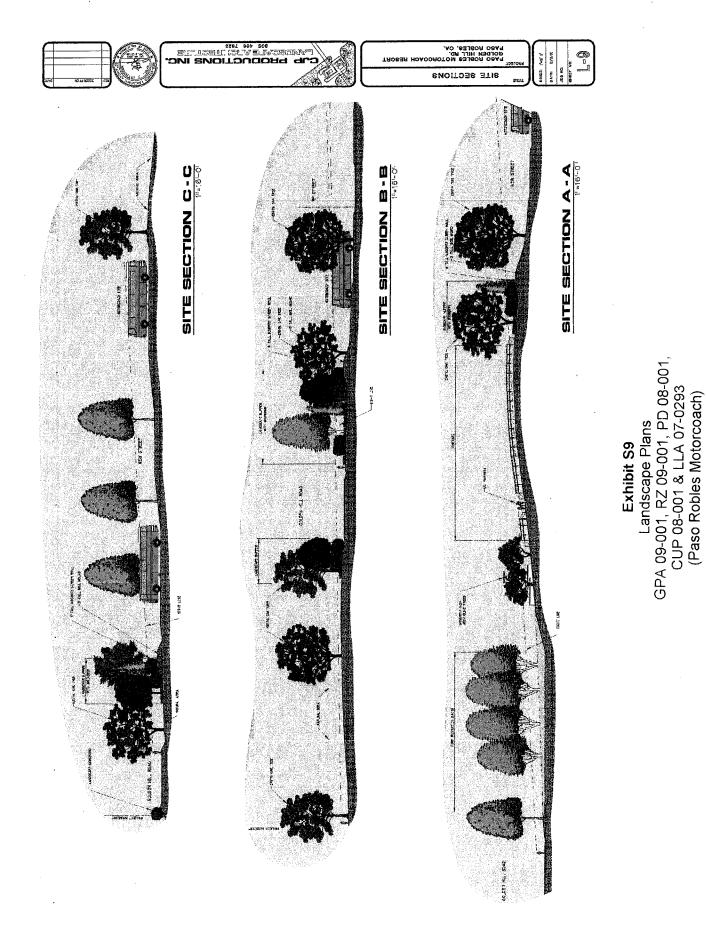


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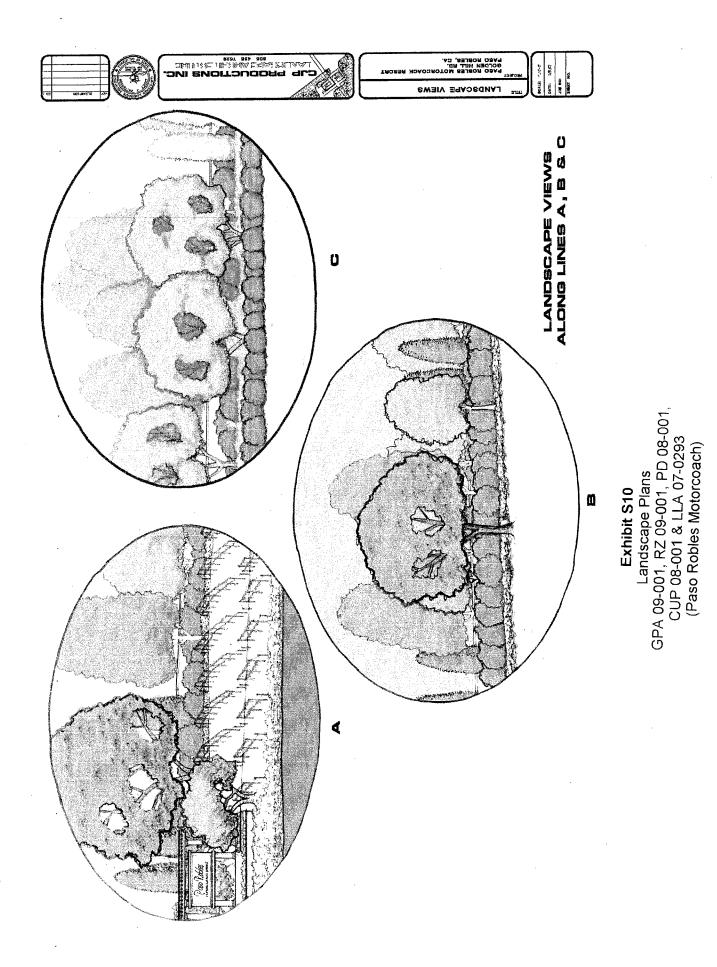
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OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Lonnie Dolan</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for <u>General Plan Amendment 09-001</u>, <u>Rezone, 09-</u> <u>001</u>, <u>Planned Development 08-001</u>, <u>Conditional Use Permit 08-001</u>, <u>Lot Line Adjustment PRAL</u> <u>07-0293 (PR Motorcoach Resort)</u> on this <u>6th</u> day of <u>February 2009</u>.

City of El Paso de Robles Community Development Department Planning Division

Signed: Lonnie Dolan

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PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper: Tribune

Date of Publication: February 5, 2009

Hearing Date:

February 24, 2009 (Planning Commission)

Project:General Plan Amendment09-001, et al (Paso Robles Motorcoach)

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.

igned: Lonnie Dolan

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