

TO: Planning Commission

FROM: Ed Gallagher, Community Development Director

SUBJECT: Planned Development (PD 13-005), Tentative Parcel Map (PR 13-0109), and Oak Tree Removal (OTR 13-008), and Mitigated Negative Declaration for Marriott Residence Inn

DATE: May 27, 2014

NEEDS: For the Planning Commission to consider recommendations to the City Council to adopt a Mitigated Negative Declaration (MND), a mitigation monitoring program, and approve entitlements for Planned Development (PD 13-005), Tentative Parcel Map (PR 13-0109), and Oak Tree Removal (OTR 13-008) for the Marriott Residence Inn located at 121 Wilmar Place (the "Project Approvals")

FACTS:

1. Pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000, et seq. ("CEQA")), and the State CEQA Guidelines (California Code of Regulations, Article 14, Sections 15000, et seq.), City staff prepared an Initial Study of the potential environmental effects of the proposed project. Based upon the findings contained in that Initial Study, staff determined that there was no substantial evidence that the proposed project would have a significant effect on the environment with the implementation of mitigation measures. Staff subsequently prepared a Mitigated Negative Declaration. Thereafter, staff provided public notice of the public comment period and of the intent to adopt the Negative Declaration as required by law. The public comment period originally commenced on February 24, 2014 and expired on March 25, 2014.
2. The Planning Commission considered the Project Approvals at the Commission's meeting on March 25, 2014.
2. The Commission received two comment letters from Mr. Greg Sanders, an attorney representing an adjacent property owned by Quorum Realty Fund. The first letter was received on March 25th, and the second letter was received on March 31st.
3. Given the timing of the letters and the scope of issues raised, staff requested that the Planning Commission continue the hearing on this matter on both March 25th and April 8th. The hearing was continued on April 8th until May 27th to allow time for staff to respond to the comment letters and make clarifying language changes in the MND. Although not legally required to do so, the City elected to recirculate the MND for an additional 30-day public review period. The MND was re-circulated to the affected public agencies and for public review starting on April 28, 2014 and concluding on May 27, 2014.

ANALYSIS & CONCLUSION: The Planning Commission received a full presentation of the proposed project at the Commission's meeting on March 25, 2014. The applicant subsequently made one minor modification to the project to add five additional parking spaces to ensure there are adequate parking spaces for hotel employees. This change is reflected in the revised MND project description and site plan. No other changes to the project

have been made and no new or increased environmental effects will result from this minor modification.

Several sections of the draft MND were modified to clarify the environmental analysis and these changes are reflected in the recirculated MND. In general, the modifications to the draft MND are clarifications and provide additional information in response to issues raised in the correspondence received from Mr. Sanders. Modifications occurred in most sections of the MND, except for the section on Mineral Resources and Recreation, since no changes were deemed necessary. The most relevant issues related to: aesthetics, water resources, and traffic impacts.

Staff's clarifications to the aesthetics section details the findings necessary for the City Council to approve a height limit exception for the project. The applicant is proposing that the hotel structure exceed the 50 foot height limit in the Planned Development (PD) Overlay Zone. Included within the Project Approvals is a request to exceed this height limit to allow for a maximum of 66 feet. . In particular, the Zoning Code requires that the City Council consider any proposed height limit exception under the Planned Development (PD) Overlay Zone.

Staff's clarification to the water resources section of the MND reconfirms that the City has an adequate water supply to serve this project. In particular, the City's 2010 Urban Water Management Plan already considered this site for commercial type uses, including hotels, and determined that adequate water exists for this type of development. Further, the City has implemented a number of conservation measures and plans to obtain water from alternative sources, further supporting the finding that adequate water will be available to serve the Project.

The clarifications to the traffic discussion reconfirms that the project can adequately mitigate potential cumulative and Year 2035 traffic impacts through the payment of the projects' proportional share of transportation impact fees into the City's Development Impact Fee (DIF) program. The payment of funds into the City's DIF program will be used to implement improvements at the 101 SB/SR 46 W interchange as already analyzed and studied by Caltrans in its December 2009 initial study and mitigated negative declaration. The payment of fees into the City's DIF program will adequately mitigate any potential cumulative and Year 2035 traffic impact.

Finally, a clarification should be noted in regard to mitigation measure GHG-1. The applicant has two options to choose from to mitigate Greenhouse Gas (GHG) emissions - either, (a) compliance with the Climate Action Plan – Consistency Checklist; or (b) payment of off-site in-lieu fees (or a combination thereof, if necessary) as articulated in the recirculated MND and in the mitigation monitoring program. Either option is expected to fully mitigate the potentially significant GHG emissions impact to a level of insignificance, but as written originally, it appeared both options in the mitigation measure were required to be implemented. Instead, the applicant can choose either option, and if City staff determines the greenhouse gas emissions amount is not adequately reduced, the second option in the mitigation measure may be triggered.

The correspondence from Mr. Sanders also raised several legal questions that are addressed through a separate response from the City Attorney. A copy of the City Attorney's response letter is provided in Attachment 8.

As noted in the “Facts” of this report, the revised draft MND was re-circulated for public review for an additional 30 days. A copy of the draft MND was sent to the State Clearinghouse, Office of Planning and Research for distribution to affected agencies in full compliance with CEQA. Additionally, as a courtesy, a copy of the MND was sent to the neighboring property owner, Quorum Realty, as well as Mr. Sanders at the beginning of the 30-day public review period. A copy of the draft MND and all special studies were posted on the City’s website, and a copy was also made available in the City Library and Community Development Department.

Policy

Reference: City of Paso Robles 2003 General Plan Update and EIR, Economic Strategy, Zoning Ordinance, Gateway Design Standards, 2010 Urban Water Management Plan, 2007 Sewer Master Plan, CEQA.

Fiscal

Impact: No fiscal impacts identified.

Options:

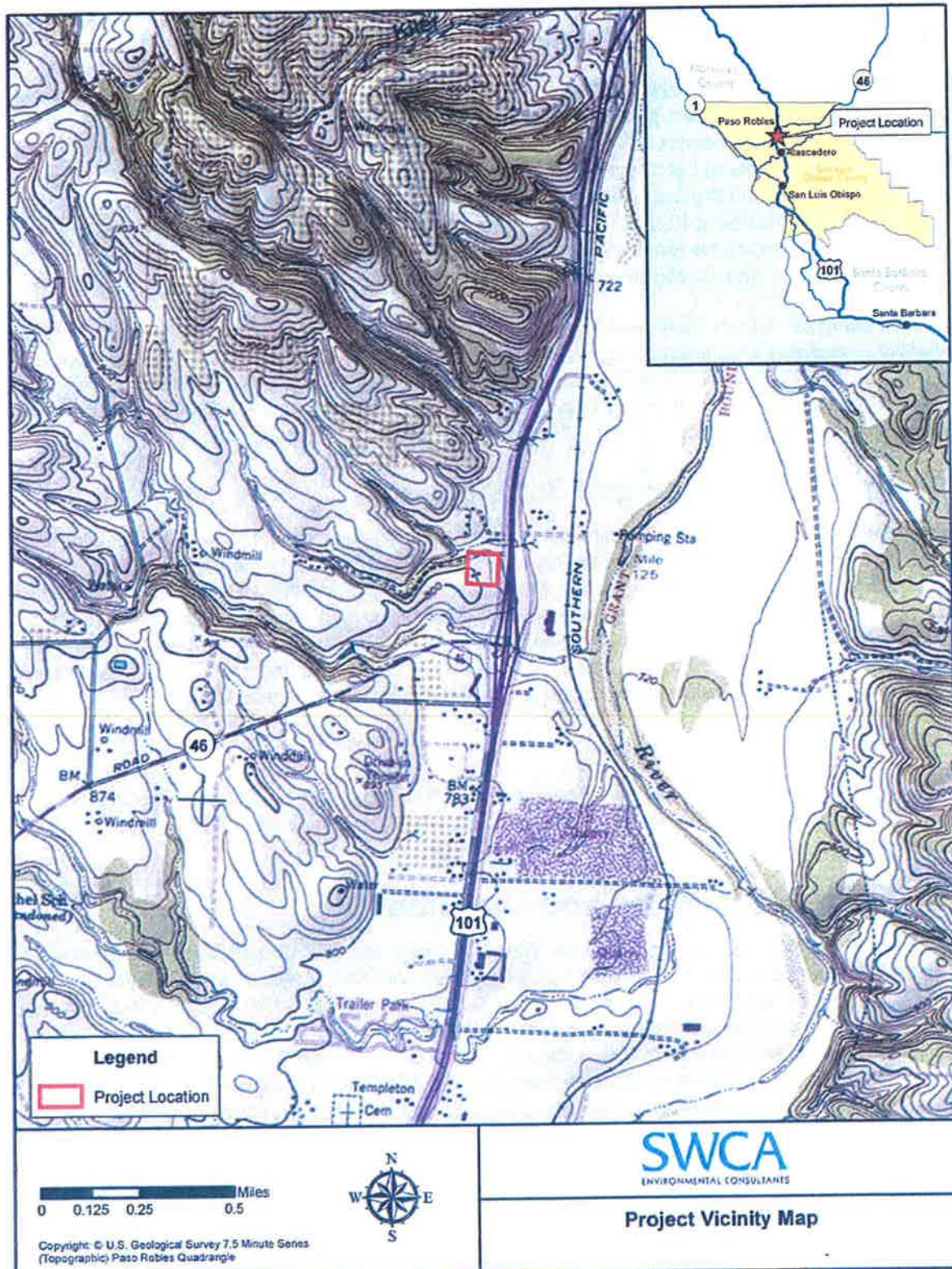
After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

- (1) a. Recommend that the City Council adopt a resolution to adopt the draft Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
 - b. Recommend that the City Council adopt a resolution to approve Planned Development 13-003, including a Height Exception under the Planned Development Overlay Zone, as specified in Section 21.16A.010;
 - c. Recommend that the City Council adopt a resolution to approve Tentative Parcel Map PR 13-0101;
 - d. Recommend that the City Council adopt a resolution to approve Oak Tree Removal Permit 13-008.
- b. Amend, modify, or reject the above-listed action.

Attachments:

- 1 – Vicinity Map
- 2 – Site Plan and Landscape Plan
- 3 – Tentative Parcel Map
- 4 – Initial Study and Mitigated Negative Declaration
- 5 – Resolution to Approve of a Draft Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- 6 – Resolution to Approve of Planned Development 13-005 and Tentative Parcel Map PR 0109
- 7 – Resolution for the City Council to approve Oak Tree Removal 13-008
- 8 – Response Letter from City Attorney
- 9 – Memo from City Engineer
- 10 - Public Hearing Notices

Residence Inn Project



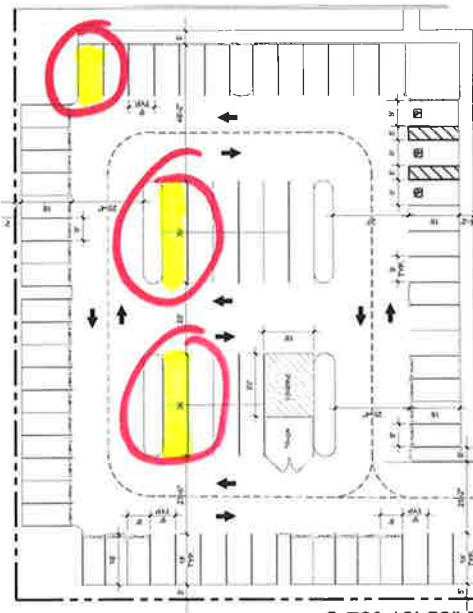




MARRIOTT RESIDENCE INN
PASO ROBLES CALIFORNIA



*** Revised Site Plan**
140 Parking Spaces
(5 additional spaces in yellow)



NOTE:
SEE CIVIL DWGS FOR INFORMATION ON FOLLOWING ITEMS:
1. PROPOSED 50' PRIVATE ROAD AND UTILITY EASEMENT
2. EXISTING STRUCTURES
3. EXISTING TREES



LEGEND

TREES

- Street & Near Existing Oaks**
7' to 10' tall, 4" to 6" dbh, 10-15' spread
- Building Encompassments**
North & East Encompassments
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- South & West Encompassments**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Building & Pool Encompassments**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Open Space**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 10' x 10' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 15' x 15' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 20' x 20' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 30' x 30' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 40' x 40' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 50' x 50' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 60' x 60' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 70' x 70' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 80' x 80' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 90' x 90' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Planting in 100' x 100' Grid**
10' to 15' tall, 4" to 6" dbh, 10-15' spread

SHRUBS & GROUND COVER

- Screen, Shrub, Juice Retaining Wall**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Shrub Area Transition**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Building Encompassments**
North & East Encompassments
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- South & West Encompassments**
10' to 15' tall, 4" to 6" dbh, 10-15' spread

LEGEND EXISTING TREES

- Existing Oak Trees to Retain**
10' to 15' tall, 4" to 6" dbh, 10-15' spread
- Existing Oak Trees to be removed**
10' to 15' tall, 4" to 6" dbh, 10-15' spread

SECTION A-A
Screen Planting at Retaining Wall
Not to Scale

IRRIGATION CONCEPT:
INSTALLLED THROUGHOUT THE PROJECT. EACH CIRCUIT SHALL BE
A HYDROZONE WITH UNIFORM EXPOSURE. CONTROLLER WITH ON-SITE WEATHER
STATION SHALL GOVERN RUN TIMES.

LANDSCAPE AREA IS 34,000 S.F. INCLUDING OFF-SITE PLANTINGS INSTALLED TO PROVIDE
SCREENING OF PARKING AND ATTRACTIVE ENTRY EXPERIENCE AND EROSION CONTROL ON
SHADED SLOPES ALONG ENTRY DRIVE. PLANT CHOICES AND IRRIGATION DESIGN SHALL
COMPLY WITH CITY WATER EFFICIENT LANDSCAPE ORDINANCE.

NATIVE OAKS SHALL BE PLANTED IN MATOS COMPLIANT WITH THE CITY OAK TREE
ORDINANCE TO MITIGATE OAK TREE REMOVALS AND IMPACTS

SMOOTH, ROUNDED COBBLES
WITH 4" TO 6" DIAMETER SET
WEED BARRIER FABRIC, TYPICAL

PAVERS
TREES SHALL BE 24" BOX
MULTI-STEM SPECIMENS

TREES & SHRUBS
TO SCREEN RETAINING WALL
FROM VINE STREET &
HIGHWAY 101

TREES & SHRUBS
PLANTING
FROM VINE STREET &
HIGHWAY 101

TALL SCREEN SHRUBS
(6" TO 8" TALL) TO SCREEN
FROM VINE STREET &
HIGHWAY 101

GRASS VINES
APPROXIMATE FUTURE VINE STREET NOW GRADING LIMIT

VINE STREET
TO DOWNTOWN

ENTRY DRIVE
PLACE BARRIERS TO
SCREEN BACKSLOW
DRIVES

STAMPED CONCRETE
ENTRY DRIVE

**NON-NATIVE TREES TO BE
REMOVED**



**GENE FONG
ASSOCIATES**
1550 WESTWOOD BLVD
LOS ANGELES, CA 90024
916-590-7800 916-590-7818



Conceptual Landscape Plan



Attachment 3 Tentative Parcel Map Preliminary Grading & Drainage Plan



WALLACE GROUP
 CIVIL AND MECHANICAL ENGINEERING
 1000 WILSON AVENUE, SUITE 100
 WILSON, CALIFORNIA 95758
 TEL: (916) 385-1100
 FAX: (916) 385-1101
 WWW.WALLACEGROUP.COM

617 CLARKSON COUNTY
 SAN LUIS OBISPO, CA 95051
 TEL: (831) 438-1100
 FAX: (831) 438-1101
 WWW.WALLACEGROUP.COM



PROJECT
 MARROTT RESIDENT INN
 PASO ROBLES, CA

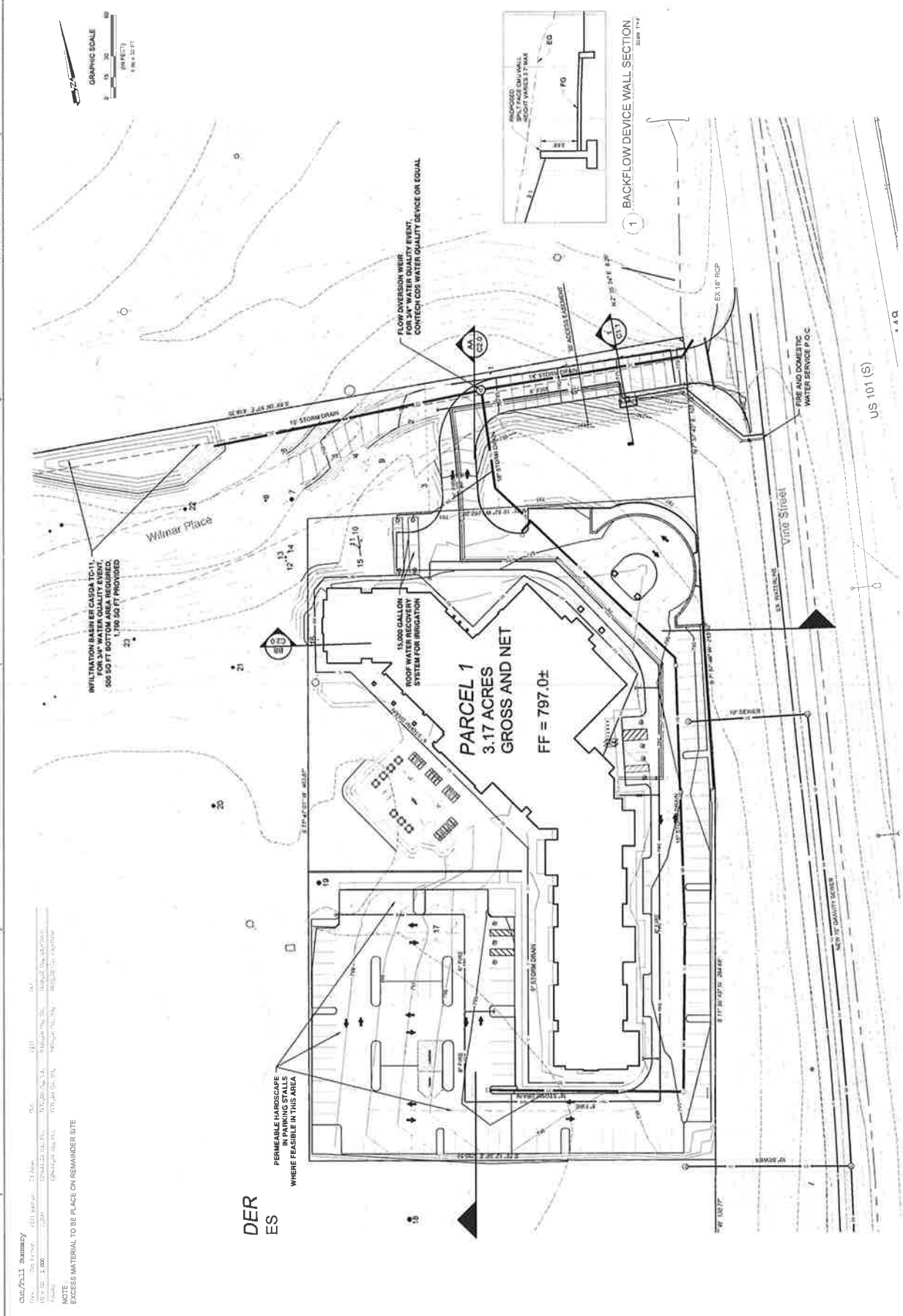
DATE
 08/11/11

SCALE
 AS SHOWN

PRELIMINARY GRADING AND UTILITY PLAN

DRAWING NO.
 C1.1

2 OF 3



Cut/Fill Summary

Station	Cut	Fill
10+00 - 10+20	12.50	0.00
10+20 - 10+40	12.50	0.00
10+40 - 10+60	12.50	0.00
10+60 - 10+80	12.50	0.00
10+80 - 11+00	12.50	0.00
Total	50.00	0.00

NOTE:
 EXCESS MATERIAL TO BE PLACED ON REMAINDER SITE



INTEGRATION BASIN PER CALIFORNIA TITLE 23, CHAPTER 1.5, ARTICLE 15.1.1 FOR 3M WATER QUALITY EVENT, 500 SQ FT BOTTOM AREA REQUIRED, 1700 SQ FT PROVIDED

PERMEABLE HARDSCAPE IN PARKING STALLS WHERE FEASIBLE IN THIS AREA



DER ES

PARCEL 1
 3.17 ACRES
 GROSS AND NET
 FF = 797.0±

12\"/>

14\"/>

16\"/>

18\"/>

20\"/>

22\"/>

24\"/>

26\"/>

28\"/>

30\"/>

FROM REDUCED PLANS
ORIGINAL SCALE 1/8" = 1'-0" INCHES

WALLACE GROUP
 200 W. HANCOCK BLVD., SUITE 200
 ANAHEIM, CA 92801
 TEL: 714.944.1100
 FAX: 714.944.1101
 WWW.WALLACEGROUP.COM

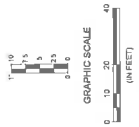
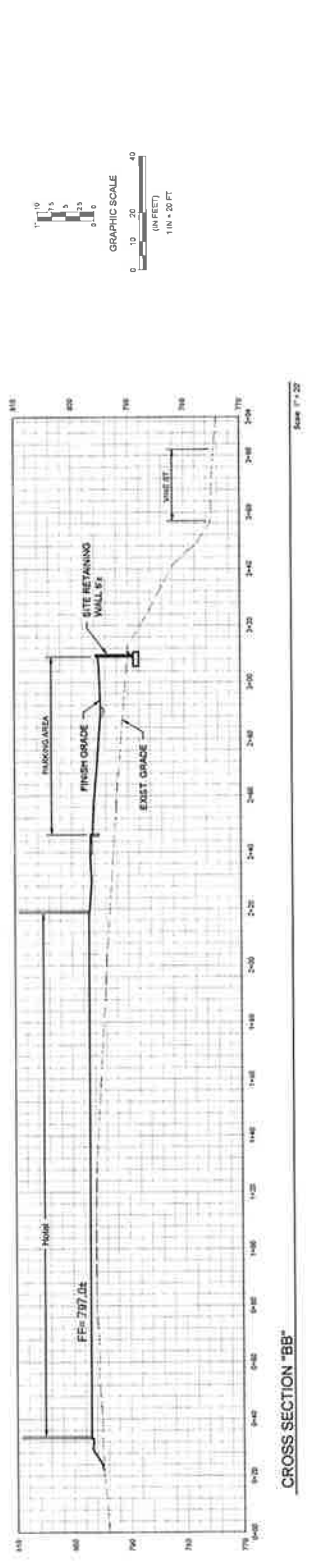
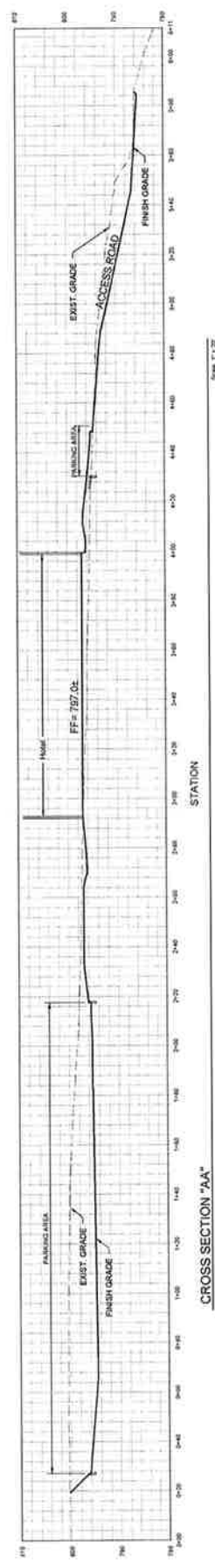
812 CLAYTON COURT
 SAN LUIS OBISPO, CA 95070
 TEL: 831.438.2200
 FAX: 831.438.2201
 WWW.WALLACEGROUP.COM



SIGNATURE
 TITLE
 PROJECT NO.
 SHEET NO.
 DATE
 DRAWING NO.
 C2.0
 3 OF 3

Marriott Resident Inn
 Paso Robles Ca.
 SITE CROSS SECTIONS

DATE: 11/20/2010
 DRAWN BY: KIM
 CHECKED BY: JESSIE
 DATE: 11/20/10
 DRAWING NO. C2.0
 3 OF 3



ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
AND MITIGATED NEGATIVE DECLARATION
CITY OF PASO ROBLES
April 28, 2014

- 1. PROJECT TITLE:** Residence Inn by Marriott
- Concurrent Entitlements:** Planned Development (PD 13-005)
Tentative Parcel Map (PR 13-0109)
Oak Tree Removal (OTR 13-008)
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Susan DeCarli
Phone: (805) 237-3970
Email: sdecarli@prcity.com
- 3. PROJECT LOCATION:** 121 Wilmar Place (Vine Street & Wilmar Place)
Paso Robles, CA 93446
(See Attachment 1, Vicinity Map)
- Assessor Parcel Number 009-631-011
- 4. PROJECT PROPONENT:** Excel Paso Robles, LP
- Contact Person:** Rob Miller/Wallace Group
Phone: (805) 544-4011
Email: Robm@wallacegroup.us
- 5. GENERAL PLAN DESIGNATION:** Regional Commercial (RC)
- 6. ZONING:** Commercial Highway – Planned Development (C2-PD)
- 7. PUBLIC REVIEW PERIOD:** April 28, 2014 through May 27, 2014
- 8. PROJECT DESCRIPTION:**

This is a proposal to establish a 4-story, extended-stay hotel with 128 guest rooms. The building is proposed to be an average of 53 feet in height, with roof and tower elements that project up to between 60 and 66 feet in height. The hotel architectural design theme is Mediterranean, and includes use of stucco and stone veneer exterior finish materials, and clay tile roofing.

The guest rooms include: 75 studio rooms; 24 studio/double queens; 26 1-bedroom units; and three 2-bedroom units, with a total building square footage of 98,500 square feet. In compliance with the applicable City Zoning Code standards, the site includes 140 surface parking spaces allowing for one space per guest room and 12 spaces for employees. Parking spaces include standard, compact and handicapped accessible parking stalls, plus motorcycle spaces and bicycle parking racks. The existing dirt access driveway (Wilmar Place) will be improved with paving to 25 feet wide and approximately 200 feet in length. A new transit stop is planned to be installed along the project frontage on South Vine Street. The exact location shall be determined in collaboration between the City and the San Luis Obispo Regional Transit Authority (SLORTA), to accommodate local and regional transit needs,

(e.g. SLORTA, Route 9), and shall be shown on final frontage improvement plans. See Attachment 2 - Site Plan, Attachment 4 - Elevations, and Attachment 5 - Floor Plans. The hotel will include ancillary guest facilities including:

- breakfast lounge for hotel guests
- meeting rooms
- fitness center
- business center
- wine tasting bar
- outdoor pool, BBQ and patio terraces

The total existing lot area is 12.6 acres. The proposal includes a tentative parcel map to subdivide the property into a 3.17 acre parcel and a “remainder” lot of 9.44 acres. The hotel is proposed on the 3.17 acre parcel. The hotel site has an existing single-family home (originally constructed in 1951) which would be removed upon approval of the hotel. The home is not on the City’s adopted Historic Inventory, nor does it have relevant characteristics or qualities to be considered historic. It is not known at this time if the home has materials such as asbestos or lead paint that would need to be handled with special permits through the SLO County Air District. The project incorporates standard mitigations and conditions of approval that require the building to be assessed for said toxins, and utilize standard practices for removal (as permitted) through the Air District prior to commencement of demolition. See Attachment 2, Site Plan and Attachment 7, Air Quality Study.

- 9. ENVIRONMENTAL SETTING:** The project site is located at the northwest quadrant of US Highway 101 and State Route 46 West. Properties located to the north and west are within the jurisdiction of San Luis Obispo County, and are designated in the County’s Land Use Ordinance as Agriculture and Residential Suburban. The existing site is accessed from South Vine Street along an unimproved access road, Wilmar Place.

The existing landform of the property consists of flat areas to rolling hills. There are several oak trees located on the property near the area of the proposed hotel. The applicant has requested removal of five oak trees that are either in poor health and/or would be a constraint to the proposed development. The proposed hotel would be within the area already disturbed by the existing home site, which has ruderal vegetation. The balance of the site is vegetated with Savanna grassland habitat. The biological report did not identify any protected botanical or animal species on the site.

A road realignment design and environmental analysis to realign South Vine Street with SR 46 West through the applicant’s property (along the southern-most area) connecting to SR 46 West adjacent to Gahan Place has been completed and approved by Caltrans. The general realignment is identified in the City’s Circulation Element, however neither the City or Caltrans are committed to this specific alignment, so long as the future connection of South Vine Street aligns with the extension of Gahan Place on the south side of SR 46W. The applicant has adequate access from South Vine Street to serve this project and the hotel does not need access from the road realignment. As shown on the Preliminary Grading Plan (Attachment 2), the proposed lot split demonstrates that if a future road realignment through the proposed “remainder lot” were to occur, that it would not impact access or utilities for the hotel site (Parcel 1). Traffic impacts, which are evaluated in Section XVI Transportation of this study, indicate that development of the proposed hotel would not require dedication of this potential future road alignment because it does not meet the nexus requirements for dedication as mitigation. Traffic impacts for the project are mitigated by the payment of impact fees in accordance with Council Resolution No. 14-035. Exhibit “B” to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Traffic Improvement Needs List. The Needs List includes the improvement of the interchange of Highways 101-46W. This improvement project is a separate multi-phase project between the state, county and city that will reduce interregional, regional and local congestions through the US 101/State Route 46 West interchange. The improvement project was analyzed in a Project Approval/Environmental Document or (PAED) and in a separate IS/MND prepared by Caltrans and the City of Paso Robles dated December 2009 (SCH #2008051102). Phase I

of the U.S. 101/SR 46 project (the re-alignment of Theatre Drive) has been constructed and is in operation, which has reduced traffic congestion in this location. Phase 2 of this project is the future realignment of Vine Street. All future phases of the interchange improvement project comprise Item #30 on the Needs List.

Since the proposed hotel site does not conflict with this potential road alignment (since it is not within the footprint of the alignment) it does not conflict with the Circulation Element, and would not preclude future opportunities for this alignment location. There are no firm assumptions regarding the actual future location of the South Vine Street road realignment location, and therefore no further study of road realignments is required with this environmental analysis.

The property is within the City limits and is zoned for commercial development, including hotels. The land use classification and potential commercial development of this property was included in the 2010 Urban Water Master Plan. If this project is approved, the property would be served with municipal water service for potable and irrigation water needs. A more thorough discussion of municipal water supply and the City's ability to serve development anticipated in the Urban Water Master Plan is provided in Section IX, Hydrology and Water Quality.

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

No other permits are required from other agencies for implementation of this project. However, should improvements occur within the Caltrans right-of-way, Caltrans will have authority on design specifications and permits necessary for implementation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature: _____

Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance

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

I. AESTHETICS: Would the project:

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

Discussion: The project site is located at the northwest corner of Highway 101 and State Route 46 West (SR 46W). This location is identified as a “gateway” to the City in the City’s Gateway Design Standards. It is also designated in the General Plan, Conservation Element (Figure C-3), as being in a scenic view corridor. The property is visible from Highway 101, SR 46W, properties east of Highway 101, and South Vine Street.

The project site is elevated above South Vine Street, and it is located in the foreground of a largely rural, undeveloped landscape with rural home sites, vineyards, and open space. Properties to the south are developed with hotels of a similar scale as the proposed project, and regional commercial development is located further south. Urban light-industrial and highway-oriented development exists across Highway 101 to the east. Therefore, the property is surrounded by a mix of land uses, development intensities, and building forms.

The primary “long” view of the site and surroundings is from northbound Highway 101 towards the northwest. The project will not impact the long view of the rural landscape beyond it since it would not extend up into the hillsides to the north or northwest and/or otherwise block these views, nor would it impact ridgeline views, arroyos, riparian habitat, or oak woodlands on surrounding properties. The applicant submitted visual simulation images that depict the proposed development superimposed on the site. (See Attachment 3, Visual Simulations.)

To reduce potential visual impacts that may result from development in scenic vistas, project site and architectural design needs to be designed so that it is compatible with the surrounding landscape by providing well-articulated, attractive architecture that transitions well into the site, that presents elevation massing that is in scale with the surroundings, adds visual interest to the site, and contributes to an overall positive aesthetic quality of the area.

The proposed project includes a four-story, 128-room hotel building and ancillary site improvements. (See the full Project Description on the Title Page of this Initial Study, #8.) The development envelope and building is set deep into the site. (See Attachment 2 – Site Plan and Attachment 4 - Elevations.) The front elevation includes a one-story porte-cochere and entrance lobby. The single-story element helps transition the building into the site by providing reduced massing at the entrance. The closest portion of the building footprint would be setback approximately 110 feet from South Vine Street. The majority of the building is proposed to be set back about 120 feet or more from South Vine Street. The primary views of the site are from Highway 101. The nearest point of the hotel to Highway 101 (southbound) is approximately 220 feet. The setback of the hotel from the most visible point (northbound on Highway 101) is approximately 300 feet. The earliest view of the site (northbound on Highway 101, just after crossing SR 46W) is approximately 500 feet away, and it is over 600 feet from SR 46W. These setback distances help reduce the visual massing of the hotel as viewed from the highways.

Most of the roof elements are proposed to be 53 feet in height with a few architectural features that would extend up to between 60 and 66 feet in height. The maximum building height permitted in the C2 zone is 50 feet. However, since the project is in a Planned Development (PD) Overlay Zone, an applicant may request approval to exceed this height limit if it can be demonstrated that it the project would meet the “Purpose and Intent” of Section 21.16A.010, PD Overlay Zone, which is provided below. The City must consider six specific criteria, as listed below in Section 21.16A.010 (i), in addition to the required findings contained at

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

21.16A.070. Ultimate approval of a PD Overlay to allow for an exception to the City’s height standard is required to be approved by the City Council, subject to specific “findings” of consistency and compatibility. While the narrative above generally describes how the criteria is considered, formal consideration notes follow the code section below.

“21.16A.010 Purpose and intent. The purpose and intent of the planned development (PD) district zoning overlay is to provide for innovation and flexibility in the design of residential, commercial and industrial developments. Approval of a planned development can allow modification of certain development standards as specified in [Section 21.16A.030](#). Such modification shall be permitted only when it can be demonstrated to the satisfaction of the planning commission and city council that it would result in better design or greater public benefit.

- i. Encourage establishment of specific building heights for an individual planned development project where it is determined that allowing the buildings to exceed the height limitations of the zoning ordinance would be appropriate based on due consideration of:

 - 1. The proportion, scale, and nature of the project;*
 - 2. The visual quality and aesthetics of the project;*
 - 3. The design of the project;*
 - 4. The project's compatibility with the established character of surrounding development;*
 - 5. The project's ability to not create an adverse visual impact or otherwise have a negative effect on public views from nearby roads and other public vantage points; and*
 - 6. The project's risk to fire life-safety when considering building safety features and emergency response capability.”**

Response to PD Overlay Zone considerations:

- 1. The proposed hotel building includes significant building articulation, incorporating numerous projections and recesses along the building façades, undulations in roofline profile roof types such as hip and gable, and flat parapets. The buildings mass incorporates a tripartite design, utilizing three distinct components, a substantial base, refined middle, and articulated crown (roof). This placement of building mass produces a building that is balanced and in proper proportion and scale, and an interesting attractive silhouette against the hills and sky beyond.
- 2. The proposed hotel is designed with a Mediterranean architectural design theme in keeping with the regional design imperative of the Central California Coast, and Paso Robles in particular. Of special consideration was the culture of the surrounding wineries. Within these themes, there is a unique warmth and quality of place that their architecture provides. The design of this project will also achieve this by providing quality building materials. This, along with the depth of building articulation noted in No.1 above, will create a strong, inviting attractive warm texture. This is demonstrated through use of authentic Mediterranean materials and elements of old-world craftsmanship. This includes use of clay barrel tile roofing materials, use of earth-toned stucco exterior building wall colors, and liberal use of El Dorado finish stone veneer for the foundation and the first story, as well as on several vertical building pylons. Additionally, the building fenestration incorporates wrought-iron balcony features and awnings, and framed by trim. Projected eaves adorned with exposed rafter tails provide shade, and are substantially pronounced with thick fascia beams. The overall composition of design and materials will result in a high-quality design identical to the architectural themes mentioned above.

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

3. As noted above in both considerations #2 and #3, the design of the project is of an overall scale and massing that would be complemented by taller roofline features, and will thereby provide balance to the overall design and scale of the project.
4. As noted in the narrative above, there are similarly scaled hotel developments located to the south of the proposed project site (e.g. Hampton Inn and La Bellasera Hotel), thus the proposed project would continue this development pattern incorporating similar and compatible architectural design themes and building scale. For instance, the Hampton Inn is designed with aspects of California Craftsman design themes and it is of a similar scale of the proposed project with 3-stories (with raised ceilings heights), and a front parapet that mimics the height of a 4-story building. Additionally, the La Bellasera Hotel is designed with a Mediterranean architectural design theme and is also of a similar scale as the proposed development with 4-stories and a raised front parapet. Therefore, the proposed hotel, including taller roofline projections, would be similar to and complementary with the existing established development pattern and height of hotels in the vicinity.
5. As noted above, per the General Plan, Conservation Element (Figure C-3), the project site is located in a scenic view corridor. The project will be visible from public views, including Ramada Drive, Highway 101 and SR 46W. As noted in the narrative above, the building would be located deep into the site, ranging between 200 to 500 feet or more from public views. When buildings are located at an increased distance from a view, they appear smaller in scale and result in reduced visual impacts. Coupled with high-quality architectural design and materials, the visual impact of the proposed hotel, including taller roofline projections would not have adverse impacts as viewed from public vantage points.
6. Item #6 was included in the Zoning Code prior to subsequent building codes that now require fire sprinklers to be installed throughout buildings this size. Specifically, compliance with Municipal Code Chapter 17.04.030 (D), requires automatic sprinkler systems be provided for all new buildings that exceed 5,000 square feet. The 2013 California Fire Code includes the same code requirements.

In consideration of the above criteria, exceeding the height limit of 50 feet, the roofline would provide an attractive, better design that is well articulated and a better public benefit, as compared to a building that complies with the height limit, but that would present an unarticulated, “box-like” building design. The City has recently approved other similar requests to exceed the 50 foot height limit for two other hotels including the Oxford Suites and the Ayers Hotel. The architectural projections up to 60 and 66 feet are ornamental and do not provide habitable space.

Some of the building massing and height is mitigated through the setbacks, as well as through foundation, perimeter and parking lot landscaping. The proposed landscaping, trees and setbacks help to soften the building massing. The applicant suggests that the project would make a more positive impact on the site and surrounding through use of the taller roofline elements because it would provide balance with the scale of the proposed building. The applicant’s letter requesting flexibility in the height limit standard is provided in Attachment 6.

The project is consistent with the Gateway Design Standards since it adheres to the design guidance of the Gateway Design Standards by orienting the building footprint and entrance toward South Vine Street. The site plan provides the required parking in separate smaller parking bays along the side and to the rear of the site. Parking areas proposed along South Vine Street are reduced to single-loaded automobile spaces (plus motorcycle spaces) so that the parking lot is not a visually dominant feature of the front elevation of the project.

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

With significant setbacks incorporated into the site design the visual impact of the proposed project on the scenic vista and gateway can be determined to be reduced to a less than significant level. Additionally, a mitigation measure to plant trees of various sizes and species (in accordance with the approved Landscape Plan) around the periphery of the site and parking lot is incorporated to further reduce the visual impact of the proposed development.

- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Discussion: There are no scenic resources such as rock outcroppings or historic buildings located on the site. Among the oak trees located on the property, there is one 40-inch dbh oak tree that will be preserved and be incorporated into the site plan as a “focal” point and scenic resource. Four of the five oak trees proposed for removal are in very poor health and are not readily visible from the public right-of-way. The fifth tree proposed for removal (tree #17 – 9 inches dbh), is in good health, however it is small and not is not visually prominent compared to the larger surrounding oak trees that are proposed to be maintained on the site. In accordance with the City’s Oak Tree Preservation Ordinance, oak tree removals require compensatory replacement of oak trees at a ratio of 25% of the diameter of all oak trees that are 6 inches or greater diameter at breast height (dbh) to be removed. This will enhance the scenic aspects of the site since the trees proposed for removal are mostly in decline and the new, healthy oak trees will be incorporated into the landscape plan. Therefore, the project would not result in significant impacts to scenic resources.

- c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion: The visual quality of the site is moderate since it has a lot of undeveloped open grassland visible from nearby roads, however, as noted, there is an existing older, not well-maintained home, outbuildings, and storage of miscellaneous junk located toward the center of the site.

The proposed project would replace the existing older home and outbuildings. While the project will alter the visual character of the existing site, the new development provides ample open space areas and landscaping that would improve and be compatible with the visual quality of the surrounding areas. As shown on the building elevations, the architecture is proposed to incorporate façade and roofline articulation, and quality building materials including use of stone veneer and clay tile roofing. The site will include rural landscaping and fencing materials surrounding the property to blend the project into the site and surroundings to the extent possible. Therefore, the proposed project would not likely significantly degrade the existing visual character of quality of the site and its surroundings.

- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10)

Discussion: The existing site is minimally developed with one residence which produces little to no light or glare. The proposed building and site lighting will introduce new light sources in a location that is primarily dark. Any new light fixtures will be required to comply with the City’s regulations to shield lights and be downcast to control light from shedding onto adjacent property and reduce night sky light impacts. The project incorporates standard conditions of approval to ensure lights are downcast and shielded (versus

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

radiant), and that parking lot lighting fixtures be the minimum necessary to ensure site safety. Therefore, the proposed project will result in less than significant impacts from light or glare.

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

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion: The project site is designated in the General Plan and is zoned on the City's Zoning Map for commercial development. The property is not identified in the City General Plan, Conservation Element (Figure C-1, Important Farmland Map) as having either prime, unique or farmland of statewide importance. Farming is not conducted on the site. Therefore, the project would result in impacts on converting prime or other significant soils to urban land uses.

- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion: The site is not under Williamson Act contract, nor is it currently used for agricultural purposes.

- c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))?

Discussion: There are no forest land or timberland resources within the City of Paso Robles.

- d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion: See II c. above.

- e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Discussion: The adjacent property (270 acres) to the west and northwest are used for light-duty cattle grazing. No other agricultural activities are conducted within the near vicinity of the project site. Properties to the south and east are zoned and developed as regional commercial and/or light manufacturing. Development of this site for lodging would not have a significant impact to agricultural or forestry resources.

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

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

- a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: Attachment 5)

Discussion: An Air Quality Analysis was prepared by AMBIENT Consulting for this project. (See Attachment 6.) The study evaluated project consistency with the SLO County Air Pollution Control District Clean Air Plan (APCD CAP), in particular with land use and transportation control measures. These measures include: campus-based trip reduction; voluntary trip reduction program; local transit system improvements; regional transit improvements; bicycling and bikeway enhancements; and others.

The CAP also includes various land use policies to encourage the use of alternative forms of transportation, increase pedestrian access and accessibility to community services and local destinations, reduce vehicle miles traveled within the County, and promote congestion management efforts.

The study notes that the project is located within two miles of the Amtrak and multi-modal transportation station. The project will include hotel shuttle service for hotel guests. Additionally, (per the Traffic and Circulation Study prepared by Associated Transportation Engineers for this project) the site is served by the “Paso Express”, a local fixed-route transit system on South Vine Street and a new transit stop is planned to be installed along the project frontage on South Vine Street. The exact location shall be determined in collaboration between the City and the San Luis Obispo County Regional Transit Authority (SLORTA). The local transit system also connects to the regional transit system provided by SLORTA. SLORTA provides service to surrounding destinations and communities.

In addition, consistent with the City’s Bicycle Master Plan, South Vine Street provides bicycle connection for this project via a (red paved) bicycle lane that connects to the center of Paso Robles, as well as points south. The site plan also includes bike racks and bike lockers per City parking regulations. Lastly, the site will be served with pedestrian sidewalks with the South Vine Street realignment project (whichever alternative is constructed in the future.) This will provide for pedestrian connection to restaurants and retail businesses on the south side of SR 46W. Therefore, considering these measures, the project does not conflict with the SLO County APCD CAP. MM AQ-2 would implement the above measures to ensure consistency with the SLO County APCD CAP.

- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)

Discussion: The northern area of San Luis Obispo County occasionally exceeds ozone levels (both federal and state standards). The Air Quality Impact Study indicates that the project would exceed local thresholds for construction-related emissions, however the study also includes mitigation measures that can be employed to reduce those emissions to less than significant levels. In particular, the study indicates that the project would exceed maximum daily emission of ROG+NOx, particulate matter and fugitive dust. Implementation of mitigation measures MM AQ-1 (see Attachment 1, MMRP), which includes 13 construction-related mitigation measures will ensure compliance with SLO Co. APCD’s 20% opacity limit (APCD Rule 401), nuisance rule (APCD Rule 402). With implementation of these mitigation measures fugitive PM emissions would be reduced to approximately 7.22 lbs/day and approximately 0.03 tons/quarter, potential short-term construction emissions would be less than significant level.

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

- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 11)
- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: See III b. above. Short-term increases in emissions would occur during the construction process. Construction-generated emissions are of a temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact. The construction of the proposed project would result in the temporary generation of emissions associated with site grading and excavation, paving, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces. Short-term construction emissions would result in increased emissions of ozone-precursor pollutants (i.e., ROG and NO_x) and emissions of particulate matter (PM₁₀). Emissions of airborne PM are largely dependent on the amount of ground disturbance associated with site preparation activities and can result in increased concentrations of PM that can adversely affect nearby sensitive land uses. Because estimated emissions of ROG and NO_x occurring during initial site preparation and grading would exceed applicable thresholds, this impact would be considered potentially significant.

With mitigation measures included in the Mitigation Measure Summary, (Attachment 14), which includes SLOAPCD-recommended *Standard Mitigation Measures for Construction Equipment*, and additional mitigation measures included to encourage the reuse and recycling of construction materials and the use of heavy-duty construction equipment meeting CARB's Tier 3 engine emission standards, short-term construction-generated emissions would be reduced to below 2.5 tons/quarter and would not exceed SLOCAPCD significance thresholds. With mitigation measures incorporated, this impact would be considered less than significant. See MM AQ-8.

Long-term operational emissions associated with the proposed project would predominantly be the result of mobile sources. To a lesser extent, emissions associated with area sources, such as landscape maintenance activities, as well as, use of electricity and natural gas would also contribute to increased emissions.

Operational emissions were quantified using the CalEEMod computer program based on the default modeling parameters contained in the model for San Luis Obispo County. Operational emissions were compared to the SLOCAPCD's significance thresholds in Table 11 of the Air Quality Study. As indicated in Table 11, operational emissions are not projected to exceed SLOCAPCD's significance thresholds. Therefore, as noted in item III b., long-term operational emissions attributable to the proposed project would be considered less than significant.

- d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11)
- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Localized concentrations of CO are the primary concern in areas located near congested roadway intersections. Access to the hotel site would be via South Vine Street. Based on the traffic analysis prepared

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

for the proposed project, nearby signalized intersections at South Vine Street and SR 46W are projected to operate at LOS C or better, under existing-plus-project conditions. With implementation of planned future roadway improvements, nearby signalized intersections are projected to improve under cumulative conditions and long-term (year 2025) due to congestion relief improvements at the intersection. Additionally, there are no sensitive receptors in the nearby vicinity that could be affected by localized pollutant concentrations. Therefore, this impact would be considered less than significant.

However, there are naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). In accordance with ARB Air Toxics Control Measure (ATCM), prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM (SLOAPCD 2012).

Based on a review of the SLOAPCD’s map depicting potential areas of NOA, the project site is located in an area that has been identified as having a potential for NOA. As a result, the disturbance and potential exposure to NOA is considered to have a potentially significant impact. A map of areas within the County potentially containing NOA is included in Appendix A.

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings, particularly older structures constructed prior to 1970. Asbestos can also be found in utility pipes/pipelines (Transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM.

The project site will require demolition of an onsite residential structure, which was initially constructed in 1951. As a result, demolition of this structure has the potential to result in the disturbance of ACM. The disturbance and potential exposure to ACM during demolition of the onsite structure is considered to have a potentially significant impact.

Mitigation Measure AQ-3, AQ-5 and AQ-6 includes measures for the control of localized pollutant concentrations, as recommended by the SLOAPCD. With implementation of these measures, this impact would be considered less than significant.

- e. Create objectionable odors affecting a substantial number of people? (Source: 11)

Discussion: The proposed project would not result in the installation of any equipment or processes that would be considered major odor-emission sources. However, construction of the proposed project would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel-exhaust, may be considered objectionable by some people. In addition pavement coatings and architectural coatings used during project construction would also emit temporary odors. However, construction-generated emissions would occur intermittently throughout the workday and would dissipate rapidly within increasing distance from the source. As a result, short-term construction activities would not expose a substantial number of people to frequent odorous emissions. Additionally, there are no

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

residences located in the near vicinity of the project site that could be exposed to objectionable odors. For these reasons, potential exposure of sensitive receptors to odorous emissions would be considered less than significant.

IV. BIOLOGICAL RESOURCES: Would the project:

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

Discussion: A Biological Resources Assessment (BSA) was prepared by SWCA Environmental Consultants for this project (November 2013, see Attachment 8). The project would disturb 3.3 acres of primarily ruderal habitat. The development area has an existing home located on it.

The property has been disturbed from agricultural practices including disking and mowing. No special-status plant species were observed nor are special-status plant species expected to occur within the BSA. However, several oak trees within the project impact area and are protected under the Oak Tree Preservation Ordinance.

Birds protected under the Migratory Bird Treaty Act (MBTA) are expected to occur on the property and may utilize the oak trees and weedy areas within the BSA for nesting and foraging purposes. White-tailed kite and Swainson’s hawk may nest in the large oak trees. Both species forage in open grasslands and fallow fields characteristic of the property and surrounding land. White-tailed kite is a year-round resident of San Luis Obispo County while Swainson’s hawk occurrences are rare in the county (Sibley 2003). The nearest known occurrence of Swainson’s hawk is approximately 20 miles northeast of the property (CNDDDB 2013). Burrowing owls may use small mammal burrows if present on the property. The likelihood of this species occurring within the BSA is low since burrowing owl is not a common resident to the Paso Robles area. The nearest known occurrence of this species is a wintering population at Camp Roberts, approximately 15 miles north of the BSA (CNDDDB 2013). Avoidance and Mitigation Measure BIO-1 has been provided to ensure that project activities avoid impacts to migratory nesting birds and to ensure that burrowing owls are not present prior to the start of construction.

The property does not contain suitable denning habitat for San Joaquin kit fox. The Salinas River serves as a wildlife corridor for the purposes of foraging for the species. Due to the property’s distance (0.2 miles) to the Salinas River and US 101, which is a likely barrier to movement, there is a low likelihood that San Joaquin kit fox may pass through the project area. The project area is not located within the any of the habitat replacement areas shown on the San Luis Obispo County Kit Fox Standard Mitigation Ratios Area Map. A San Joaquin kit fox Habitat Evaluation Form was not completed as part of this study since it is not warranted. However, since there are San Joaquin kit fox occurrences within a 10-mile radius of the project area, standard San Joaquin kit fox avoidance measures will be implemented during project construction (refer to Avoidance and Mitigation Measures BIO-2 through BIO-7).

The property contains two large valley oak trees, one large blue oak (*Quercus douglasii*), and as many as 30 small native oak species that may meet the qualifications for protection under the City Oak Tree Preservation Ordinance (2002). This ordinance applies to all oak species native to Paso Robles with a

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

DBH equal to or greater than 6 inches and their corresponding critical root zone. Mitigation plantings are required for removal of qualifying oak trees, and all others remaining in the BSA must be protected (refer to Avoidance and Mitigation Measures BIO-8 through BIO-14). Riparian habitat is not present within the BSA or on the property. As proposed, the project would have no direct or indirect effect on wetland or riparian habitat. The proposed project will have no direct or indirect effect on the movement of resident or migratory fish and wildlife species.

Avoidance and mitigation measures included in the Mitigation Measures Summary will be applied (via a Mitigation Monitoring and Reporting Program that would be adopted with the project, if approved) to ensure the potential impacts to these habitats and species are less than significant.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Discussion: There is no riparian habitat located on this property. However, there are several oak trees on the property that are within the area of disturbance of the project. The applicant has proposed to remove 5 oak trees and to trim other remaining trees for maintenance purposes. Oak trees that are 6 inches in diameter (dbh) are protected under the City’s Oak Tree Protection Ordinance. The proposed removals, if approved, would require oak tree replacement mitigation pursuant to the City’s ordinance that would require planting a minimum of 25% of the total combined diameter of all oak trees to be removed. Tree protection is also required for work that may occur within the “critical root zone” of remaining trees. An Arborist Report (see Attachment 9) was prepared for this project which identifies oak tree mitigations to reduce potential impacts to a less than significant level. Mitigations help protect the health of oak trees that can be impacted by activities such as watering in the root zone or stacking materials or equipment in this area. Grading or other site disturbances in the root zone are controlled with mitigation measures to protect tree roots by requiring hand cutting of roots, etc. With implementation and use of special techniques for site disturbance as described in the measures, no significant effects will result from the proposed project.

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

Discussion: Per the Biological Resources Assessment, there are no wetlands, waterways or other hydrological features located on the project site, or within the near vicinity that could be affected by the proposed project. Therefore, the project will not result in impacts to hydrological features and/or resources.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native

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

resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion: See detailed response item IV (a) above. The biological study prepared for this project indicates that the site is not suitable for denning of San Joaquin Kit Fox and that migration for this species is typically contained to the east of the Salinas River due to the Highway 101 barrier. However, as noted above, mitigations have been included in the study in the case that they use the site for migration. No sensitive bird species were identified on the site, however, in accordance with the MBTA, specific mitigations are included to ensure that nesting birds are not significantly impacted by the construction of the proposed project.

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

Discussion: See IV b. above. The project would not conflict with any local policies or ordinances established to protect biological resources.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no Habitat Conservation Plans or other related plans applicable in the City of Paso Robles.

V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion (a-d): There are no historic resources (as defined), located on the site. Although the existing house was built in 1951, it does not exhibit any architectural characteristics or qualities that would meet the criteria of the State Office of Historic Preservation as a candidate for listing as a local, state or national historic resource as either a point of interest, landmark or district. The house is not included on the City's Historic Resource Inventory. The architectural design and theme consists of a single-story, ranch-style house with no ornamentation, unique or special design features. It displays significant deferred maintenance,

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

including broken windows, peeling exterior paint, etc. Specifically, the house does not possess sufficient character defining features, integrity of location, design, setting, materials, workmanship, feeling, or association, and does not meet at least one of the following criteria:

1. It reflects special elements of the City’s historical, archaeological, cultural, social, economic, aesthetic, engineering, or architectural development;
- 2) It is identified with persons or events significant in local, state, or national history;
- 3) It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or whether the building or structure represents an established and familiar visual feature of a neighborhood or community of the city; or
- 4) It has yielded or has the potential to yield, information important to the history or prehistory of Paso Robles, California, or the nation.

There are also no archaeological or paleontological resources known to be present on the site or in the near vicinity. Since the property is not located within proximity to a creek or river or known cultural resource it is unlikely that there are resources located on the site.

There are no known human remains on the project site, however, per conditions of approval incorporated into the project, if human remains are found during site disturbance, all grading and/or construction activities shall stop, and the County Coroner shall be contacted to investigate.

Therefore, this project will result in less than significant impacts on cultural resources.

VI. GEOLOGY AND SOILS: Would the project:

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

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 the Salinas Rivers valley. The Rinconada Fault system runs on the west side of the valley, and grazes the City on its western boundary. The San Andreas Fault is on the east side of the valley and is situated about 30 miles east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the California Building Code (CBC) 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 and geotechnical reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. There are no Alquist-Priolo Earthquake Fault Zones within City limits.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: The proposed project will be constructed to current CBC codes. 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 this project including adequate structural design and not constructing over active or potentially active faults. Therefore, impacts that may result from seismic ground shaking are considered less than significant.				
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 and soil conditions. Per the Geotechnical Engineering Report prepared by Earth Systems Pacific (September 2013, see Attachment 9), which confirms that the site has a low potential for ground failure and liquefaction. Therefore, impacts related to seismic-related ground failure are determined to be less than significant.				
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: Per the General Plan Safety Element, the project site is in an area that is designated as a low-risk area for landslides. Therefore, potential impacts due to landslides would be less than significant.				
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated. The geotechnical study prepared includes standard requirements to assure soil stability due to erosion, including submission of an erosion control plan to be approved by the City Engineer prior to commencement of site grading.				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See response to item a.iii, above, the Geotechnical Report prepared for this project did not identify that this site is an unstable geologic unit that would be subject to on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.				
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code, creating substantial risks to life or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

property?

Discussion: In accordance with the City’s Local Hazard Mitigation Plan, Figure 6-7, Expansive Soils Map, the project site is identified to have a potential moderate risk for expansive soils. This condition is common throughout the City. Application of standard California Building Code requirements for structures, risks associated with moderately expansive soils can be addressed through routine implementation of building construction methods to stabilize foundations, sheer walls, roofing, etc. to reduce the potential for creating substantial risks to life or property to a less than significant level.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Discussion: The development will be connected to the City’s municipal wastewater system. Therefore, there would not be impacts related use of septic tanks.

VII. GREENHOUSE GAS EMISSIONS: Would the project:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion: A Greenhouse Gas Impact Assessment was prepared by AMBIENT Consultants to evaluate potential Greenhouse Gas (GHG) emissions that may result from the project. (November 2013, see Attachment 6)

The SLO County APCD adopted a GHG emissions threshold for projects in 2012 that establishes that it would be considered a potentially significant effect if projects exceed 1,150 metric tons of CO2 emissions per year (MTCO2e/year) of GHG. The proposed project would result in 1,768.14 (both construction and operational emissions) annually, and annualized emissions of 9,809 MTCO2e (assuming a 25-year life of the project).

There are two options (or combination thereof) that the project proponent must select to reduce the exceedance of GHG to a less than significant level. Mitigation options include the following:

- a. The applicant shall demonstrate compliance with the City of Paso Robles’ Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various “mandatory”, as well as, “voluntary” measures. All “mandatory” actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the “mandatory” actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City’s CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.
- b. The applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees to the SLOAPCD, sufficient to reduce project-generated emissions to below 1,150 MTCO2e/year. Based on the analysis of offsite mitigation discussed below, offsite mitigation would be required for a total of 9,809 MTCO2e. At the time of this report, the SLOAPCD’s offsite GHG mitigation fee had not yet been

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

adopted. In the event that SLOAPCD’s offsite mitigation fee has not been adopted at the time that payment of the offsite mitigation fee is due, project-generated excess GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:

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

If the applicant chooses (a) above (the CAP Consistency Checklist), the applicant will be obligated to follow through with the mandatory measures of the CAP. (If all mandated measures cannot be met, then the applicant can incorporate voluntary measures to meet the reduction targets. Under those circumstances, a new GHG model would need to be prepared to calculate estimated reductions with voluntary measures.) With this option, GHG reduction is accomplished through numerous onsite energy efficiency measures, transportation-related efficiencies, and other measures.

If the applicant chooses (b) above, estimated GHG emissions, with implementation of (b) above are summarized in Table 18 below. As noted, implementation of the proposed mitigation measures would reduce operational GHG emissions to approximately 1,651.31 MTCO₂e/year. Although reduced, operational emissions would continue to exceed SLOAPCD’s significance threshold of 1,150 MTCO₂e/year. As a result, offsite mitigation would be required.

Future operational GHG emissions are projected to steadily decrease due, in part, to continued improvements in vehicle emission standards and fleet-wide emissions. Therefore, to determine the total amount of offsite mitigation required, annual operational GHG emissions were quantified for each year of operation over the assumed 25-year life of the project, with implementation of the GHG-reduction measures identified in (b) above. Amortized construction-generated GHG emissions (i.e., 11.40 MTCO₂e/year) and removed emissions associated with the existing land use were included. Net increases in operational GHG emissions exceeding SLOAPCD’s annual significance threshold were identified as excess GHG emissions. Annual operational GHG emissions over the project life are summarized in Table 19 below. As noted, excess GHG emissions

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

would range from 501.31 MTCO₂e in year 2015 to 340.87 MTCO₂e in year 2040. Excess GHG emissions requiring offsite mitigation would total 9,809 MTCO₂e.

Table 18
 Operational Greenhouse Gas Emissions
 Without Mitigation

Source	GHG Emissions (MTCO ₂ e/Year)
Area Source	.01
Energy Use	913.38
Motor Vehicles	825.08
Waste Generation	31.13
Water Use and Conveyance	9.30
Total Project-Generated Emissions:	1,778.91
Emissions From Onsite Use to be Removed:	-22.17
Construction (Amortized)	11.40
Net Increase in Emissions:	1,768.14
SLOAPCD Significance Threshold:	1,150
Exceeds Significance Threshold?	Yes
Refer to Appendix C for modeling assumptions and results.	

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

Table 19
Excess GHG Emissions to be Mitigated

Year	GHG Emissions (MTCO2e/year)					
	Amortized Construction Emissions	Removed Emissions	Project-Generated Emissions	Total Emissions	SLOAPCD Significance Threshold	Excess Emissions
2015	11.40	22.17	1,662.08	1,651.31	1,150	501.31
2016	11.40	21.74	1,642.36	1,632.02	1,150	482.02
2017	11.40	21.26	1,620.15	1,610.29	1,150	460.29
2018	11.40	20.78	1,598.03	1,588.66	1,150	438.66
2019	11.40	20.32	1,577.14	1,568.22	1,150	418.22
2020	11.40	19.81	1,553.71	1,545.30	1,150	395.30
2021	11.40	19.67	1,547.54	1,539.26	1,150	389.26
2022	11.40	19.54	1,541.36	1,533.22	1,150	383.22
2023	11.40	19.40	1,535.19	1,527.18	1,150	377.18
2024	11.40	19.27	1,529.01	1,521.14	1,150	371.14
2025	11.40	19.13	1,522.84	1,515.10	1,150	365.10
2026	11.40	19.07	1,519.69	1,512.02	1,150	362.02
2027	11.40	19.00	1,516.54	1,508.94	1,150	358.94
2028	11.40	18.93	1,513.39	1,505.86	1,150	355.86
2029	11.40	18.86	1,510.24	1,502.78	1,150	352.78
2030	11.40	18.79	1,507.09	1,499.70	1,150	349.70
2031	11.40	18.77	1,506.19	1,498.81	1,150	348.81
2032	11.40	18.75	1,505.28	1,497.93	1,150	347.93
2033	11.40	18.73	1,504.38	1,497.05	1,150	347.05
2034	11.40	18.71	1,503.48	1,496.17	1,150	346.17
2035	11.40	18.69	1,502.58	1,495.28	1,150	345.28
2036	11.40	18.67	1,501.67	1,494.40	1,150	344.40
2037	11.40	18.65	1,500.77	1,493.52	1,150	343.52
2038	11.40	18.63	1,499.87	1,492.64	1,150	342.64
2039	11.40	18.61	1,498.97	1,491.75	1,150	341.75
2040	11.40	18.59	1,498.06	1,490.87	1,150	340.87
Total Excess Emissions:						9,809.4
<p>Totals may not sum due to rounding.</p> <p>Amortized construction emissions and removed emissions associated with the existing land use are based on a 25-year operational period.</p> <p>Project-generated emissions include reductions associated with implementation of MM GHG-1,b,1-8.</p> <p>Excess emissions represent total net increase in emissions exceeding the SLOAPCD significance threshold over a 25-year operational period,</p> <p>Refer to Appendix C for modeling assumptions and results.</p>						

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

Discussion: With implementation of GHG-reduction mitigation measures sufficient to reduce project-related GHG's to below the SLO APCD's GHG threshold of significance (1,150 MTCO₂e/year), this impact would be considered less than significant, and would not conflict with the policies of SLO APCD or the City's CAP.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The project would use industry-standard landscape and building maintenance products which would be stored in compliance with all applicable safety requirements. The project does not include use of, transport, storage or disposal of hazardous materials that would create a significant hazard to the public or environment.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: See VIII a. above.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The proposed hotel project will not emit hazardous materials and will not impact schools since there are no schools within the vicinity.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project site is not identified as a hazardous site per Government Code Section 65962.5.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: (VIII e & f) The project site is not located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip.				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The City does not have <i>adopted</i> emergency response or evacuation plans. Per the City Emergency Services Battalion Chief, the proposed location does not pose a risk that would impair City response to emergencies.				
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Per the 2003 General Plan Safety Element, and the Public Review Draft of the 2014 Local Hazard Mitigation Plan Update, the project is not in the vicinity of wildland fire hazard areas.				

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: A Storm Water Quality Management Plan was prepared by Wallace Group (November 2013, see Attachment 11) for this project. The plan identifies specific post-construction Best Management Practices that have been incorporated into the project in compliance with State Water Board requirements to meet water quality standards and discharge requirements. The project will apply conditions of approval to comply with these standards. With the imposition of these regulatory requirements, no impact would result as these regulatory requirements are designed to ensure that water quality standards are maintained.

The proposed project is designed to retain stormwater on-site through installation of various low-impact development (LID) features. The project has been designed to reduce impervious surfaces, preserve existing vegetation, and promote groundwater recharge by employing bioretention through implementation of these measures. Thus, water quality standards will be maintained and discharge requirements will be in compliance

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

with State and local regulations. Therefore, impacts to water quality and discharge will be less than significant.

- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The project property is within the City limits and it is zoned to allow for commercial development, including hotels. The City’s municipal water supply is composed of groundwater from the Paso Robles Groundwater Basin, an allocation of the Salinas River underflow, and a surface water allocation from the Nacimiento Lake pipeline project.

In light of the current drought situation and reports of declining groundwater levels in the Paso Robles Groundwater Basin (“the basin”), the City established a groundwater stewardship policy to not expand dependency on the basin over historic use levels/pumping from the City’s peak (pumping) year of 2007. Additionally, to address drought concerns, and in compliance with State law and water reduction requirements, the City has implemented a comprehensive water conservation program to reduce water consumption citywide since 2009. The City has exceeded State-required water conservation measures since the program was established. Additionally, the City augmented water supply and treatment capacity by procuring surface water from Lake Nacimiento and construction of delivery facilities to the City. This project will not affect the amount of groundwater that the City withdraws from the Paso Robles Groundwater Basin. Per the City’s 2010 Urban Water Management Plan (UWMP), page 21:

“The City is progressing with its plans for a water treatment plant (WTP) to treat surface water received from Lake Nacimiento. The WTP is being designed to treat 4 million gallons per day (mgd), with construction to begin in 2015. The WTP can be expanded to treat 6 mgd to meet future demands (Paso Robles website, October 13, 2010). Specific facilities include a water treatment plant, treated water reservoir and pump station, transmission pipeline, appurtenances and other site improvements (Padre, 2008). Half of the initial 4,000 AFY Nacimiento allocation and half of the 4 mgd Phase 1 treatment plant capacity are to replace lost well production capacity and improve water quality. The remaining capacity is to provide for new development. In order to limit reliance on the highly-stressed groundwater basin new development—per City policy—is required to be served with surface and recycled water. Therefore, the second 1,400 AFY Nacimiento allocation, the 2 mgd treatment plant expansion, and recycled water infrastructure will be funded by development.”

The project proponent would be required to pay development impact fees for water service expansion and availability to mitigate its proportionate share of related impacts. Additionally, the City assigns “duty” factors that anticipate the amount of water supply necessary to serve various types of land uses. These factors are derived from determining the average water demands for each zoning district in the City. In this circumstance, the water supply necessary for development of commercial land uses permitted in the C2 Zone

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

includes hotels, as well as other uses, and is incorporated into the water demand assumptions of the UWMP. As noted above, the City has augmented future reliance on groundwater resources to surface water resources, and commercial development has been accounted for in the overall water projections and demand for the City. As noted in the Project Description, the proposed project would be served with the City’s municipal water supply system. Since the City’s water supply, as documented in the UWMP, is not reliant on increased groundwater pumping for new development, it demonstrates adequate water supply procured from Lake Nacimiento to accommodate the projected growth in the City and it demonstrates that this project will have adequate water supply available, and will not further deplete or in any way affect, change or increase water demands on the basin.

In addition, in compliance with recently adopted updates to the applicable code sections of the California Green Building Code (adopted by the City in 2013), the project will be required to install more restrictive water-conserving plumbing fixtures than what would have previously been required in 2010 when the UWMP was adopted. The City also implements the State Landscape Water Conservation regulations, which requires further reductions in water demand for landscaping. Additionally, in compliance with the City’s Climate Action Plan adopted in 2013, “Project Consistency Checklist”, Appendix C, the applicant will be incorporating landscape water fixtures and drought-resistant landscaping that will achieve a 20 percent reduction in water demand above what is required by State law. Thus, the project will implement *all* best management practices available to reduce water demands over “business-as-usual” and what is anticipated in the UWMP. Therefore, this project will result in less than significant impacts to the groundwater supplies used by the City.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The drainage pattern on the site would not be substantially altered with development of this project since site development will generally maintain the existing, historic drainage pattern of the property, and new hydromodification drainage will be maintained on the site. Additionally, surface flow would be directed to drainage areas for percolation into bioswale drainage features on the property. There are no streams, creeks or rivers on or near the project site that could be impacted from this project or result in erosion or siltation on- or off-site. Therefore, impacts to drainage patterns and facilities would less than significant.

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: See IX c. above. Drainage resulting from development of this property will be maintained onsite and will not contribute to flooding on- or off-site. Thus, flooding impacts from the project are considered less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: As noted in IX a. above, per the Stormwater Management Plan prepared for this project, surface drainage will be managed onsite and will not significantly add to offsite drainage facilities. Additionally, onsite LID drainage facilities will be designed to clean pollutants before they enter the groundwater basin. Therefore, drainage impacts that may result from this project would be less than significant.				
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See answers IX a. – e. This project will result in less than significant impacts to water quality.				
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: There is no housing associated with this project nor is there any housing in the near vicinity downstream from the site, and the site is not within or near a flood hazard area. Therefore, this project could not result in flood-related impacts to housing.				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See IX g. above. The property is not within or near a 100-year flood hazard area.				
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See IX h. above. Additionally, there are no levees or dams in the City.				
j. Inundation by mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: In accordance with the Paso Robles General Plan, there are no mudflow hazards located on or near the project site. Therefore, the project could not result in mudflow inundation impacts.				
k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project will implement the City's Storm Water Management Plan - Best Management Practices. Therefore, it would not conflict with these measures.				
l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion: The project will incorporate all feasible means to manage water runoff on the project site. There are no wetland or riparian areas in the near vicinity, therefore, the project could not result in impacts to aquatic habitat.

X. LAND USE AND PLANNING: Would the project:

- a. Physically divide an established community?

Discussion: The project is largely surrounded by undeveloped, vacant property to the west and north. Highway 101 is located to the east and SR 46W is located to the south. There is no established community within the project vicinity. Therefore, the project will not physically divide an established community.

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion: As a regional commercial land use, the proposed hotel is consistent with the General Plan Land Use Designation of Regional Commercial and Highway Commercial zoning. The project proponent is requesting a PD Overlay be approved for the project to allow an exception to the 50 foot height limit of the C2-PD zoning district. As demonstrated in Section I, Aesthetics (of this study), exceeding the height limit would not result in significant aesthetic-related environmental effects, and in compliance with meeting specific criteria and making established findings, the project would not conflict with the applicable zoning.

The project site design is also consistent with the Gateway Design Standards. There are no other plans that apply to the property. Therefore, the project does not conflict with applicable plans or policies adopted to avoid or mitigate environmental effects.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore, there could be no conflicts with conservation plans.

XI. MINERAL RESOURCES: Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1)

Discussion: There are no known mineral resources at this project site.

- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)

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

Discussion: There are no known mineral resources at this project site.

XII. NOISE: Would the project result in:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1)
- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: A Noise Impact Assessment Study was prepared for this project by AMBIENT Consulting, (November 2013, see Attachment 11). The study identifies the potential external and internal noise exposure that may be experienced in the future from noise generated in the vicinity - primarily noise from Highway 101, and future noise impacts after realignment of South Vine Street (as shown on the preliminary grading plan). The potential noise levels were then compared with the General Plan Noise Element thresholds to determine if noise impacts would be potentially significant.

Per the City's General Plan, Noise Element, the noise level threshold of significance for interior noise levels is 45 dBA CNEL/Ldn, and for outdoor activity areas it is 65 dBA CNEL/Ldn. With the existing road alignment and/or future road realignment the project would have a projected exterior range from approximately 46 to 63 dBA CNEL/Ldn, which would not exceed the applicable threshold. However, interior noise levels for upper floors that would be adjacent to So. Vine Street would result in noise levels that exceed these thresholds, and would therefore result in potentially significant impacts. The Noise Study includes eight construction-related measures (MM N-1 a. – h.) to baffle interior noise levels from exterior noise sources. These measures includes using specific glazing with maximum dimensions, door frame construction methods, exterior wall construction methods, and others, to meet the interior noise standard consistent with the City's Noise Elements. Therefore, with implementation of the mitigation measures recommended, potential impact can be determined to be less than significant. See Attachment 14, Mitigation Measures Summary.

- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project may result in short-term construction groundborne vibration from machinery, however, the construction noise is not anticipated to be excessive nor operate in evening hours, and would be less than the industry (Caltrans) standard thresholds for vibration that would cause structural damage and/or annoyance of (0.2 and 0.1 in/sec ppv, respectively at a distance of 500 feet). Since the City does not have adopted groundborne vibration or groundborne noise level thresholds, it would be suitable to implement the Caltrans standard for these effects. Therefore, impacts from groundborne vibration noise would be considered less than significant.

- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Per the Noise Study prepared for this project, it will not create significant land use-related noise or traffic generated noise. Therefore, the project would not result in contributing permanent increases in ambient noise levels.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion: The Noise Study prepared for this project provides information on typical construction equipment noise levels. The study indicates (in Table 8) that short-term increases in construction noise may have a potential to be significant. Potential short-term construction related impacts will be reduced through mitigation measures (MM N-1 a & b), to control of duration and hours of construction related noise as well as implementation of noise baffling equipment for use on standard construction engine equipment and equipment maintenance requirements. Implementation of these measures will reduce noise to a less than significant level. See Attachment 14, Mitigation Measures Summary.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project is not located within an airport area subject to an airport land use plan, and will thus not be impacted by airport related noise.

XIII. POPULATION AND HOUSING: Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion (a-c): The proposed hotel project will create jobs that can be absorbed by the local and regional employment market, and will therefore not create the demand for new housing or population growth or displace housing or people.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

There is only one house on the project site that would be demolished with the construction of the project. As such, the project would not displace a substantial number of existing housing.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

As noted above, there is only one house on the project site. The house is occupied by a single tenant occupant. Therefore, displacement of one person would not constitute “displacement of a substantial number of people, necessitating construction of replacement housing”.

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

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Fire protection? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Police protection? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Other public facilities? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion (a-e): The proposed project will not result in a significant demand for additional new services since it is not proposing to include new neighborhoods or a significantly large scale development that cannot be provided services through existing resources, and the incremental impacts to services can be mitigated through payment of standard development impact fees. Therefore, impacts that may result from this project on public services are considered less than significant.

XV. RECREATION

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion (a&b):

The proposed commercial development project will not encourage new housing demands, therefore it will not result in an increase in demand for recreational facilities or accelerate deterioration of recreational facilities.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

XVI. TRANSPORTATION/TRAFFIC: Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

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

circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Discussion: A Traffic Impact Study was prepared by ATE Associates for this project (August 2013, see Attachment 12). The traffic study estimates: existing traffic conditions; traffic that would be generated from the project; impacts to surrounding facilities including South Vine Street; and intersection and freeway operations. It also projects traffic impacts to these facilities in the future at year 2035 and cumulative impacts of the project with other approved development and development “in the planning pipeline”. Additionally, the study evaluated: project access on South Vine Street; alternative transportation needs; and improvements for pedestrians, bicyclists and transit. The study was prepared in the context of the City’s Circulation Element as well as Caltrans standards and County circulation planning.

The traffic study indicates that the existing traffic in addition to project generated traffic would not exceed adopted standards and thresholds for existing service capacity on surrounding intersection or freeway operations. However, the project would exceed adopted thresholds during the project plus cumulative scenario at certain intersections. In particular, the intersections that comprise the west side of SR 46W/US 101 interchange (SR 46 W/US 101 SB and SR 46W/Vine Street) are forecast to operate at LOS D during the P.M. peak hour under the cumulative plus project scenario. This would be in excess of the LOS C Caltrans standard.

The project would also exceed thresholds during the Year 2035 scenario at certain intersections and freeway segments. In particular, the project would cause an additional 11 northbound trips to occur on U.S. 101 N on the segment north of SR 46. This segment would operate at LOS F during Year 2035 and the project would further exacerbate this segment. Further, in Year 2035, the U.S. 101/SR 46W interchange is forecast to operate at LOS E-F. The project would add traffic and contribute to the impact at this interchange.

Based on the above impacts in the cumulative plus project, and Year 2035 plus project scenarios, the applicant would need to mitigate its share of impacts to these facilities by participating in (i.e., contributing its fair share of the cost of) planned future improvements to the intersection of South Vine Street and Highway 101, and operations of Highway 101. It should be noted that the cumulative and Year 2035 impacts take into account forecasted regional traffic and Year 2035 traffic in addition to the project’s traffic. Thus, the project alone would not cause impacts to the respective intersections, interchanges and freeway segments during the cumulative and Year 2035 scenario. As such, the project alone would not be responsible for funding or constructing all anticipated improvements.

Improvements to these facilities have already been identified and analyzed by Caltrans and the City in a separate IS/MND prepared in December 2009 (SCH # 2008051102) and in a Project Approval/Environmental Document or PAED. In fact, the improvements are a separate multi-phase project between the state, county and city that will reduce interregional, regional and local congestion through the US 101/State Route 46 West interchange. The improvement project has been identified by Caltrans as regional traffic, coupled with anticipated development projects in the region, will eventually degrade operations at the U.S. 101/SR 46 W interchange.

Phase I (re-alignment of Theatre Drive) has been constructed and is in operation, which has reduced traffic

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

congestion in this location. Phase 2 of this project is the future realignment of Vine Street as detailed in the Traffic Study prepared for this Project and in the PAED. All future phases of the interchange improvement project are identified in the City’s Development Impact Fee (DIF) program in accordance with Council Resolution No. 14-035. Exhibit “B” to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the improvement of the interchange of Highways 101-46W. The specific amount of DIF fees to be paid by the applicant relative to the proposed project will depend on the current rate of fees applicable at the time of occupancy. However, as part of a prior entitlement that the landowner applied for, but which was not constructed, the landowner previously paid approximately \$270,900 in 2006 toward improvements constructed at the southbound exit at the interchange, which is part of the overall regional interchange improvement project. With implementation of applying both of these fees (the previously paid fair-share of the interchange improvements and the additional DIF fees to be calculated at time of project occupancy), the project will have mitigated its fair share of impacts to transportation facilities. Therefore, with mitigation measures incorporated, impacts to transportation facilities will be less than significant, and the project would be consistent with applicable plans and policies. See Attachment 14, Mitigation Measures Summary.

The traffic study analysis on project access at South Vine Street and Wilmar Place indicates that a stop-sign controlled intersection would be adequate to provide safe access to the site. ATE Associates conducted a field review of the Vine Street/Wilmar Place intersection to determine the adequacy of the sight distances. The Caltrans Highway Design Manual (6th Edition) sight distance standards were used to determine adequacy of the sight distances at the intersection. The posted speed limit along this segment of Vine Street is 45 MPH. Floating car surveys found that vehicles travel within the posted speed limit (the floating car surveys found speeds slightly less than 45 MPH for southbound Vine Street because those vehicles are released from the signal at Route 46W, and then climb a slight hill between Rout 46W and Wilmar Place).

Based on Caltrans criteria, the minimum required sight distance from Wilmar Place is 495 feet. The measured sight distance looking to the north is more than 1,100 feet, well in excess of the minimum. The sight distance looking to the south is limited by a crest vertical curve on Vine Street, however, sight distance to the south as measured in the field is about 590 feet, which exceeds the 495-foot minimum recommended in the Caltrans design manual. Thus, adequate sight distances are available at the Vine Street/Wilmar Place intersection.

Additionally, the project will be served with transit and it is connected to the City’s bicycle transportation system with a class II bike lane on South Vine Street. It will also include connection to surrounding properties with sidewalks.

- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion: See XVI a. above. Additionally, the project site will be served with a transit stop on Vine Street to facilitate employee transportation demands and reduce congestion, as well as provide shuttle services to the multi-modal transportation center for guests. Mitigation measures have been incorporated to provide these services. Therefore, impacts related to congestion management will be mitigated to a less than significant level.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project site is not located within an airport land use planning area.				
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: There are no hazardous design features associated with this project that could result in safety hazard impacts from this project.				
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project will not impede emergency access, and per the City Engineering Standards and Specifications, City Zoning Code, Section 22.22.080, and the California Fire Code, the project access is designed in compliance with all emergency access safety features to City emergency access standards (e.g. a paved 25 foot wide access driveway, required turning radius and turnarounds, etc.).				
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project incorporates multi-modal transportation facilities and access such as bike lanes, sidewalks, and walkways, and a transit stop on the project frontage along Vine Street. Therefore, it does not conflict with policies and plans regarding these facilities.				

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: The project will comply with all applicable wastewater treatment requirements as required by the City, the Regional Water Quality Control Board, and the State Water Board. Therefore, there will be less than significant impacts resulting from wastewater treatment from this project.				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

environmental effects?

Discussion: Per the City’s General Plan EIR, Urban Water Management Plan, Sewer System Management Plan (SSMP), Wastewater Master Plan (WWMP), the City’s water and wastewater treatment facilities in the vicinity and at the wastewater and water treatment plants are adequately sized, including planned facility upgrades, to provide water needed for this project and to treat resulting effluent. The applicant will be required to pay for utility connections and associated improvements, as well as development impact fees to offset and mitigate the projects proportional share of impact to these facilities. Therefore, this project will not result in the need to construct new facilities.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: All new stormwater resulting from this project will be managed on the project site, and will not enter existing storm water drainage facilities or require expansion of new drainage facilities. Per the Storm Water Control Plan prepared for this project, stormwater will be controlled through several types of facilities. These include constructing the parking lot and flatwork areas to convey stormwater to landscaped bioswales, installation of pervious paving materials in the rear parking lot area, installing a rooftop drainage cistern system for use on landscaping, and a drainage retention basin. Therefore, the project will not impact the City’s storm water drainage facilities.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As noted in section IX on Hydrology, the project can be served with existing water resource allocations available and will not require expansion of new water resource entitlements.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Per the WWMP, the capacity of the City’s wastewater treatment plant is 4.9 million gallons per day (MGD). Existing flows to the wastewater treatment plant are approximately 2.9 MGD, so the plant has a remaining capacity of 2 MGD.

Based on data from other existing hotels of similar size, wastewater generation by the proposed project would not exceed 20,000 gallons per day. This would require up to 1% of the remaining capacity of the wastewater treatment plan. Therefore, it can be determined that the City has adequate capacity to accommodate the wastewater estimated to be produced by the proposed project.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f. Be served by a landfill with sufficient permitted capacity to accommodate the | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

project's solid waste disposal needs?

Discussion: Per the City's 2010 Landfill Master Plan, the City's landfill has adequate capacity to accommodate construction-related and operational solid waste disposal for this project. Landfill design capacity permitted (as of 2013) is 6,495,000 cubic yards, with a maximum of up to 75,000 tons/year. The City's overall waste stream averages about 45,000 tons/year, inclusive of residential and non-residential hauling rates. Based on General Plan build-out projections, landfill capacity is documented to be sufficient until at least 2051. The 5-year Joint Technical Update (currently in process of being updated) projects capacity until 2071. However, the landfill plan includes numerous zero-waste and renewable energy production programs that are designed to reduce the waste stream and extend the life of the capacity much further.

An analysis of another hotel project currently under construction (Ayres Hotel - 134,000 s.f. which is 27% larger than the proposed Marriott Hotel - 98,000 s.f.), the Ayres Hotel estimated that it will result in approximately 10.02 tons of construction and debris (C&D) solid waste (including a 50% diversion rate). Since the proposed project is 27% smaller, it is estimated that it would result in 7.32 tons of C&D solid waste.

Based on capacity information of the City's Landfill capacity, annual waste stream and estimated C&D, it can be determined that the City's landfill has adequate capacity to accommodate the proposed projects solid waste disposal needs.

- g. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion: The project proponent will be required to comply with the City's adopted Municipal Code which encompasses the California Green Building Code for C&D waste, as well as landfill permit tonnage limitations (see XVII (f) above). Based on averages of typical hotel waste streams (which are included in the landfill capacity analysis of the 2010 Landfill Master Plan), as well as an estimate of C&D waste, the proposed project will comply with local and state solid waste regulations. Local and State solid waste regulations are in compliance with the federal solid waste regulations of the Environmental Protection Agency. Therefore, the proposed project will comply with all applicable solid waste regulations.³

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion: As noted within this environmental analysis on biological resources with the mitigation measures incorporated, the project-related impacts to habitat for wildlife species will be less than significant with mitigation measures incorporated. There will be no impact to fish habitat as well as no impact to fish and wildlife populations. Therefore, impacts to fish, wildlife, of plant habitat is less than significant.

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

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The analyses prepared for this project demonstrate that potentially significant impacts that may result from implementation of this project will not:

- individually; and/or
- in connection with effects of past projects, and/or
- in connection with current projects; and/or
- in connection with probable future projects, result in cumulatively considerable significant impacts.

Based on substantial evidence in the record, potential impacts identified related to aesthetics, biological resources, air quality, GHG emissions, traffic are not cumulatively considerable. There are no other development projects currently being considered in the near vicinity. There are no probable future projects being contemplated at this time. The City received an application for annexation of property in the vicinity, however, because it has been “suspended” from further processing at that applicant’s request, it would therefore be speculative to consider cumulative impacts from it, and it would not be considered substantial evidence (CEQA Guideline, section 15064(f)(5)).

Aesthetics: Potentially significant impacts related to aesthetics are analyzed in Section I of this Initial Study. The analysis demonstrates that the project would be consistent with General Plan policies related compatibility, architectural quality, as well as general visual quality. The project is consistent with the standards in the Gateway Design Standards, and the City Zoning Code for the PD Overlay Zone. Consistency is achieved through architectural design, materials, site design, landscaping, building placement and building orientation. Through consideration of specific design criteria in General Plan, Gateway Design Standards and Zoning Code, the proposed project is determined to be compatible with the surrounding character of existing development, (e.g. other hotels), and it would not significantly diminish the surroundings where it would be located since it would not significantly impact the surrounding hillsides, ridgelines, oak trees, and other natural features, and it would improve the view of the existing site by removing a dilapidated structure and replace it with the proposed hotel project.

As noted, the project would be compatible and consistent with existing (past) hotel projects in the vicinity. While the existing hotels are located to the south of the project site (across SR 46W), they draw viewers to look to the west (towards them) because they are located above grade of the highway and present a visual attraction. Development to the east of the site across Highway 101 consists of light industrial, highway oriented and/or regional commercial land uses (e.g. fast-food restaurants, RV service, mini-storage, tire store, and miscellaneous land uses). These uses are separated by a significant distance (e.g. between 300 – 1,000 feet by frontage roads, a 4-lane highway with dual center dividers, and the highway interchange on- and –off ramps), and therefore, do not bare a close visual relationship to the project site, particularly in light of visual attractions on the west side of Highway 101. There are no other developments projects currently being considered in the near vicinity. A mitigation measure has been included in the Mitigation Monitoring and Reporting Program (see Attachment 14), to incorporate site landscaping per the attached Landscape Plan to help reduce potential visual impacts of the site. Therefore, there is no substantial evidence supporting a “fair

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

argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to aesthetics. (CEQA Guidelines, Section 15064 (f)(1))

Biological Resources: The Biological Resource Assessment indicates that there are no special, endangered or otherwise protected plants or animal species located on the site. However, since the migration corridor for the San Joaquin Kit Fox is located near the site across Highway 101 on the eastern side of the Salinas River, as a precaution, mitigation measures are incorporated to ensure that impacts related to this species, including preconstruction surveys and special site construction methods to ensure that kit fox are not harmed (see BRA, pages 29 & 30) and potential impacts are reduced to less than significant levels, which would also reduce potential cumulative impacts to a less than significant level. Since there are no protected species on the site, and with mitigation measures incorporated to ensure the safety of kit fox that may inadvertently use the site as a migration corridor, impacts to this species in light of past projects would be less than significant. There are no current projects that are being considered at this time within the project vicinity.

Oak tree replacements are also required so that impacts that may occur as a result of loss of oak trees would be addressed, and that cumulative impacts that might otherwise occur without oak tree replacements would be reduced to a less than significant level. As noted above, there are no current projects being considered that would result in significant cumulative impacts related to biological resources in the near vicinity.

Therefore, there is no substantial evidence supporting a “fair argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to biological resources. (CEQA Guidelines, Section 15064 (f)(1))

Air Quality: The Air Quality report prepared for this project indicates that the project may result in potentially significant short-term construction-related air quality impacts. Several mitigation measures are incorporated with this analysis to reduce those short-term impacts to a less than significant level. With these measures incorporated, cumulative impacts as a result of construction-related emissions would be less than significant. Therefore, there is no substantial evidence supporting a “fair argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to air quality. (CEQA Guidelines, Section 15064 (f)(1))

GHG Emissions: The GHG Analysis prepared for this project indicates that the project would exceed locally adopted thresholds for GHG emissions. The applicant shall reduce emissions to a less than significant level by implementing onsite GHG emission reductions and one of two options: 1) offsite emission reductions measures in coordination with CAPCOA, SLOAPCD and the City; or 2) demonstration of compliance with the City’s Climate Action Plan, Project Consistency Checklist. Cumulative impacts of GHG emissions would therefore be reduced to a less than significant level. Therefore, there is no substantial evidence supporting a “fair argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to GHG emissions. (CEQA Guidelines, Section 15064 (f)(1))

Traffic: The Traffic Impact Study prepared for this project indicates that the proposed project may contribute to significant cumulative traffic-related impacts. Mitigation measures have been incorporated into this Mitigated Negative Declaration to reduce the cumulative traffic impacts to a less than significant level. The applicant will be required to mitigate for these impacts through payment of Development Impact Fees (DIF) in accordance with Council Resolution No. 14-035. Exhibit “B” to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the improvement of the interchange of Highways 101-46W. The specific amount of DIF fees to be paid relative to the proposed project will depend on the current rate of fees applicable at the time of project occupancy. Contribution of a project’s fair share of costs for planned future regional traffic improvement projects is recognized as adequate mitigation for such impacts. Therefore, there

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

is no substantial evidence supporting a “fair argument” that this project would result in an unmitigated considerable contribution to a significant cumulative impact related to traffic. (CEQA Guidelines, Section 15064 (f)(1))

With mitigation measures applied to this project it will not result in impacts that are individually limited or cumulatively considerable. All mitigation measures discussed herein will be included in the adoption of a Mitigation Monitoring and Reporting Program, enforceable by the City, if the project is approved.

Water: The 2010 Urban Water Master Plan indicates that anticipated water demand will continue to be met with the anticipated water supply that will be available to the City. In fact, the supply of water is forecasted to be in excess of total anticipated demand through the Year 2035. See, Tables 20-22 of the 2010 Urban Water Master Plan. Further, as stated in the Hydrology and Water Quality discussion in Section IX b. above, the current drought situation is unlikely to change these conclusions. The City’s municipal water supply is composed of groundwater from the Paso Robles Groundwater Basin, an allocation of the Salinas River underflow, and a surface water allocation from the Nacimiento Lake pipeline project. Current drought conditions may have caused declining groundwater levels in the Paso Robles Groundwater Basin. Even so, the City has established a groundwater stewardship policy to not expand dependency on the basin over historic use levels/pumping from the City’s peak (pumping) year of 2007. Additionally, to address drought concerns, and in compliance with State law and water reduction requirements, the City has implemented a comprehensive water conservation program to reduce water consumption citywide since 2009. The City has exceeded State-required water conservation measures since the program was established. Additionally, the City augmented water supply and treatment capacity by procuring surface water from Lake Nacimiento and construction of delivery facilities to the City. As such, water supply will be in excess of demand through 2035 and this project, combined with other projects, is not anticipated to result in any cumulative water supply impact even in light of current drought conditions.

- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: With mitigation measures applied as noted in VXIII b. above the project will not cause substantial adverse effects on human beings, either directly or indirectly.

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2010	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446
14	Gateway Design Standards	Community Development Department
15	Paso Robles Bicycle Master Plan	Same as above
16	Development Impact Fees (DIF) in accordance with Council Resolution No. 14-035, and related Justification Study prepared by David Taussig & Associates dated March 20, 2014.	Community Development Department
17	Initial Study/Mitigated Negative Declaration prepared by Caltrans and the City of Paso Robles dated December 2009	Community Development Department

(SCH # 2008051102) and related Project
Approval/Environmental Document (PAED)

18

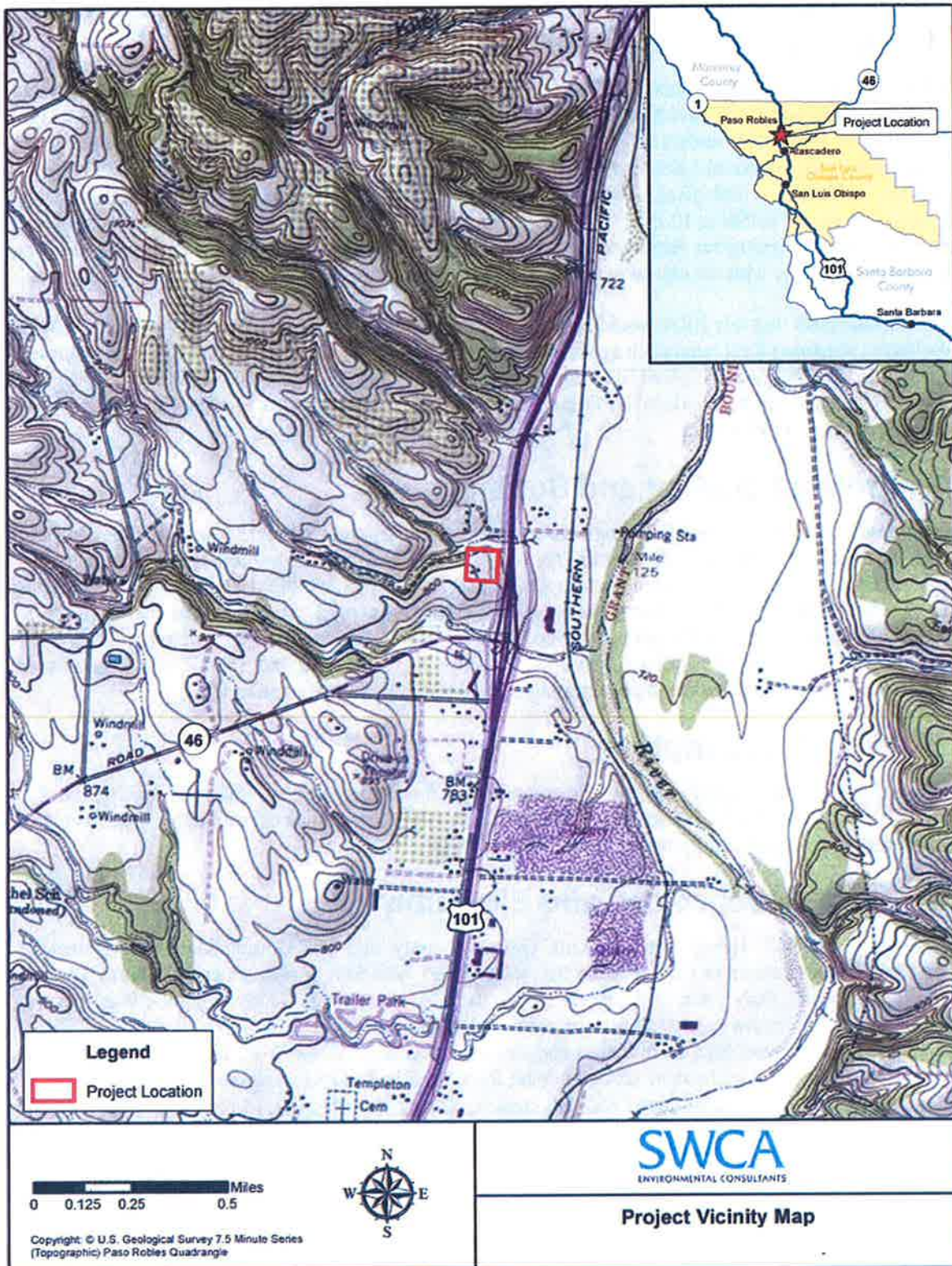
City of Paso Robles Climate Action Plan

Community Development
Department

Attachments:

1. Vicinity Map
2. Site Plan
3. Visual Simulations
4. Elevations
5. Floor Plans
6. Applicant PD Overlay Letter
7. Air Quality and GHG Assessment
8. Biological Study
9. Arborist Report
10. Geological Study
11. Storm Water Quality Management Plan
12. Noise Assessment
13. Traffic Study
14. Mitigation Measures Summary
15. Mitigation Monitoring and Reporting Program

Residence Inn Project

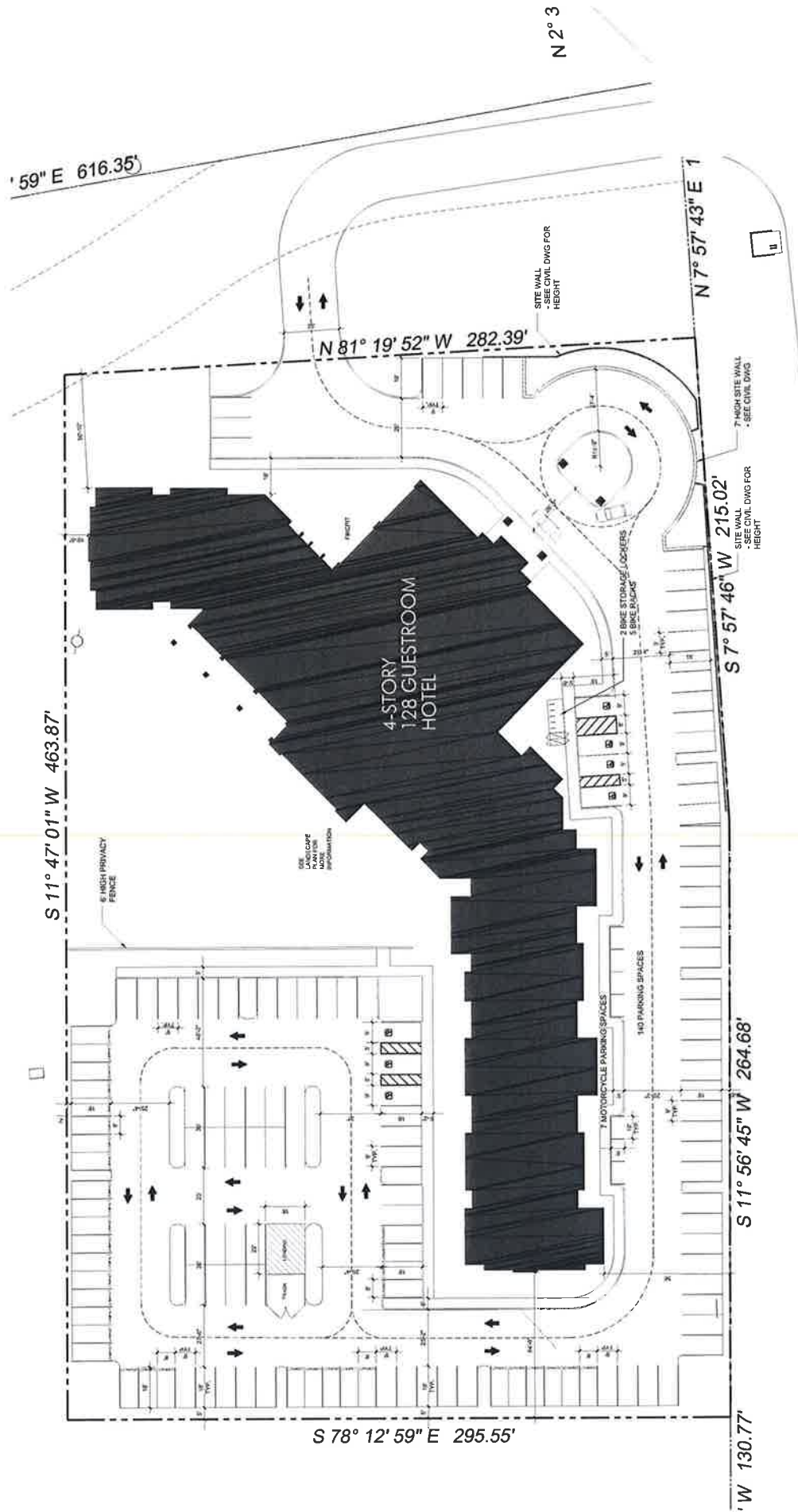




Attachment 2
Site Plan



MARRIOTT RESIDENCE INN
PASO ROBLES CALIFORNIA



NOTE:
SEE CIVIL DWGS FOR INFORMATION ON FOLLOWING ITEMS:
1. EXISTING UTILITIES
2. EXISTING STRUCTURES
3. EXISTING TREES



LEGEND

- TREES**
- Slender & Near-Casting Oaks
Quercus agrifolia, Q. douglasii
Fringed-leaved Oak
Q. agrifolia, Q. douglasii
 - Building Environmentals
North & East Coast
Arbutus menziesii
 - Building & Plant Environmentals
South & West Coast
Cercocarpus betuloides, Quercus agrifolia, Q. douglasii
 - Leguminosae
Albizia julibrissin, Mimulus lewisii
 - Other
Quercus agrifolia, Q. douglasii
 - Palms
Livistona chinensis, Phoenix paludosa

SHRUBS & GROUND COVER

- Screen, Slender
Nerium oleander, Yucca filifera, Yucca schottlandii
- Slender & Near-Casting Oaks
Quercus agrifolia, Q. douglasii
- Building & Plant Environmentals
South & West Coast
Cercocarpus betuloides, Quercus agrifolia, Q. douglasii

LEGEND-EXISTING TREES

- Existing Non-Oak Trees
- Existing Oak Trees in Removal
- Existing Oak Trees to be Retained

Scale: 1" = 20'-0"

Conceptual Landscape Plan

FOR REDUCED PLANS
ORIGINAL SCALE IS 3/4" = 1'-0"

WALLACE GROUP
 10000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 (303) 733-1100
 www.wallacegroup.com

48 CLARION COURT
 SUITE 100
 PASO ROBLES, CA 93523
 (805) 844-1111

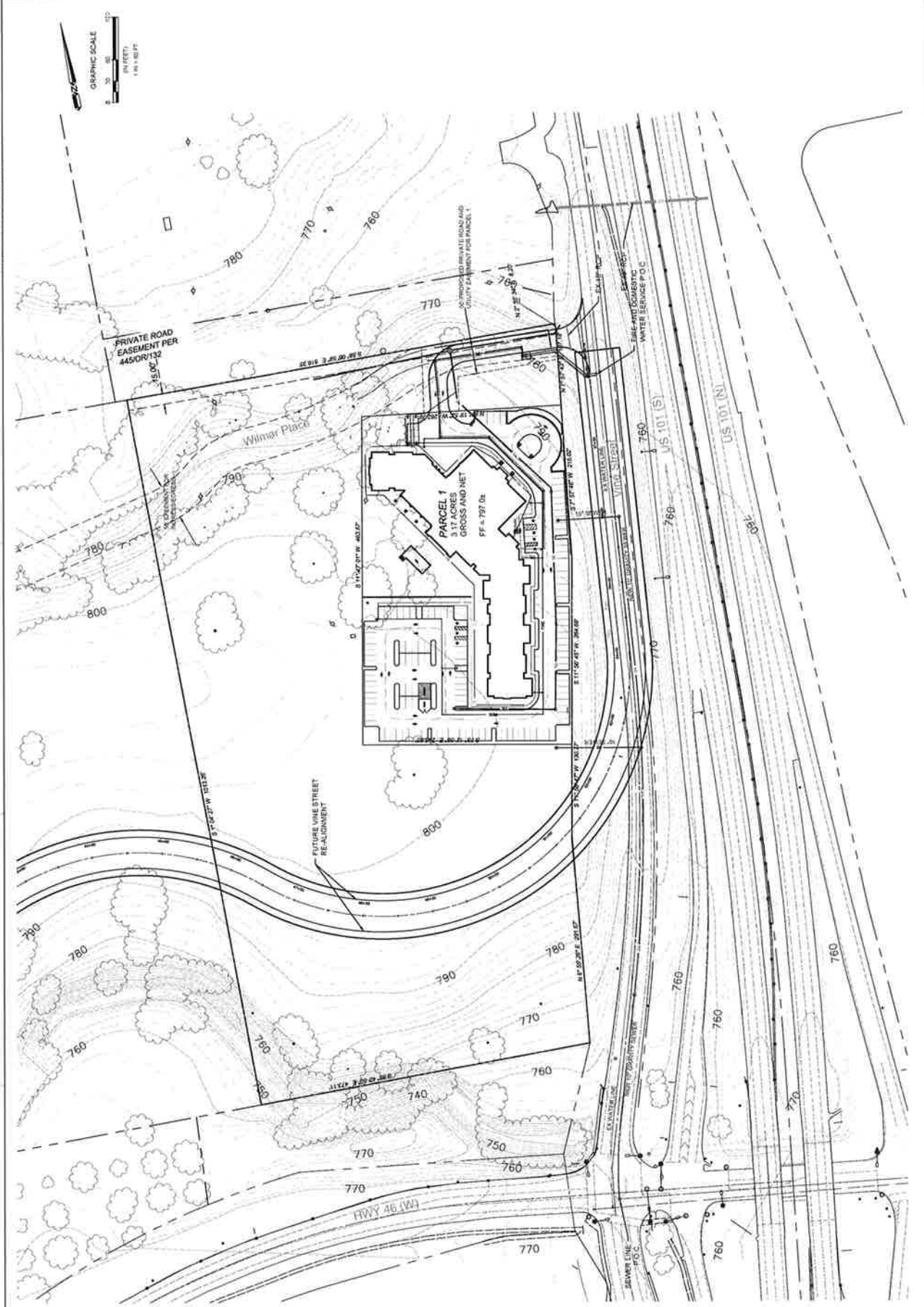


PROJECT: MARIOTT RESIDENT INN
DATE: 12/22/23

PREPARED BY: WALLACE GROUP
CHECKED BY: WALLACE GROUP
DATE: 12/22/23

PRELIMINARY GRADING AND UTILITY PLAN
 Paso Robles Ca
 Marriott Resident Inn

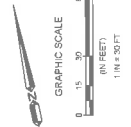
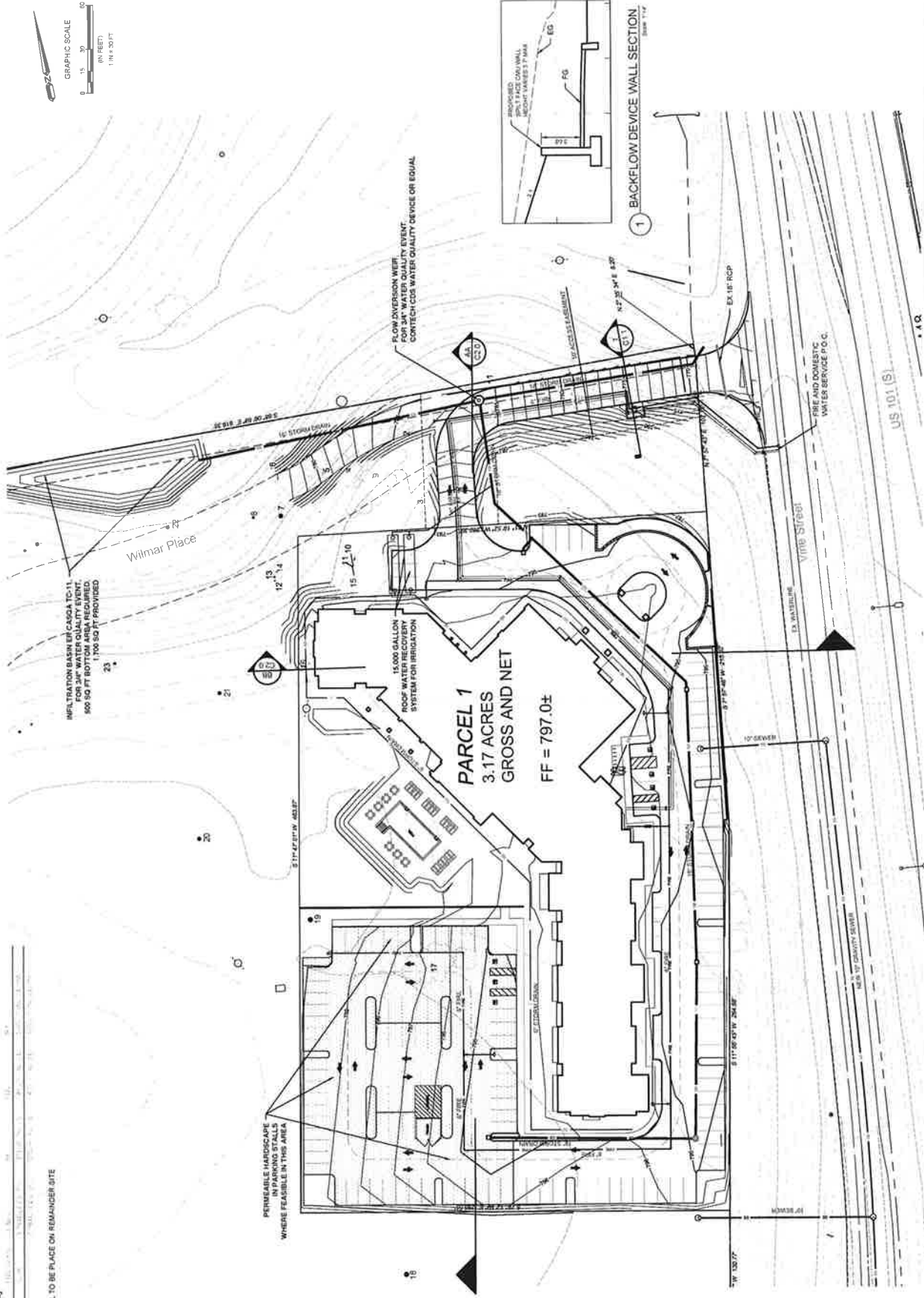
DRAWING NO: C1.0
1 OF 3



FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES

Out/Full Summary
1:500

NOTE:
EXCESS MATERIAL TO BE PLACED ON REMAINING SITE



WALLACE GROUP
1000 W. WASHINGTON
SUNNYVALE, CA 94086
TEL: 415.353.1000
WWW.WALLACEGROUP.COM

612 CLARKSON COURT
SUNNYVALE, CA 94086
TEL: 415.353.1000
WWW.WALLACEGROUP.COM



DATE: 08/08/2011
DRAWN BY: [Name]
CHECKED BY: [Name]

PRELIMINARY GRADING AND UTILITY PLAN
Paso Robles Ca
Marriott Resident Inn

DATE: 08/08/2011
DRAWN BY: [Name]
CHECKED BY: [Name]

DRAWING NO: C1.1
2 OF 3

RECEIVED

FEB 14 2014

City of Paso Robles
Community Development Department



VISUAL SIMULATION NOTE:

This visual simulation is a CEQA-level analysis to accurately depict the position, scale and height of the proposed building and proposed tree planting.

The viewing positions are representative of the viewer experience on north and south bound U.S. 101.

Tree heights are depicted at 10 - 15 year maturity. Seasonal colors and textures are depicted to display variety of season, flower and leaf color, not a specific season.

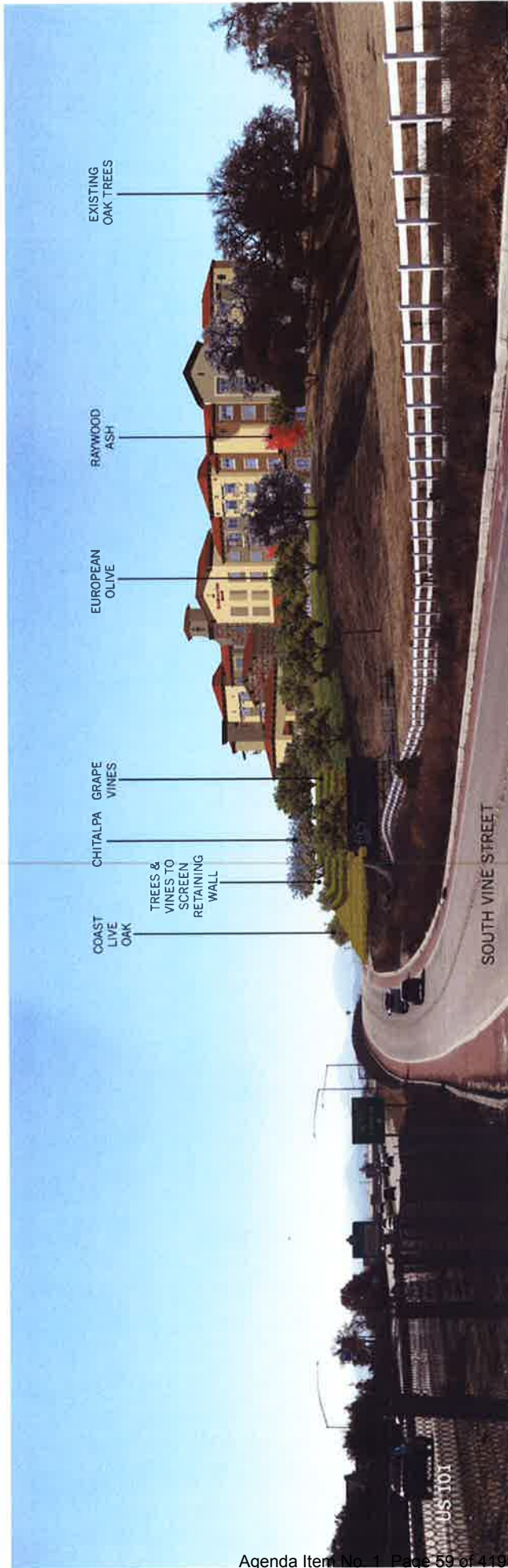


RESIDENCE INN
PASO ROBLES, CA

Visual Simulation
View from Northbound US 101



Final Report Project 210402



VISUAL SIMULATION NOTE:

This visual simulation is a CEQA-level analysis to accurately depict the position, scale and height of the proposed building and proposed tree planting.

The viewing positions are representative of the viewer experience on north and south bound U.S. 101.

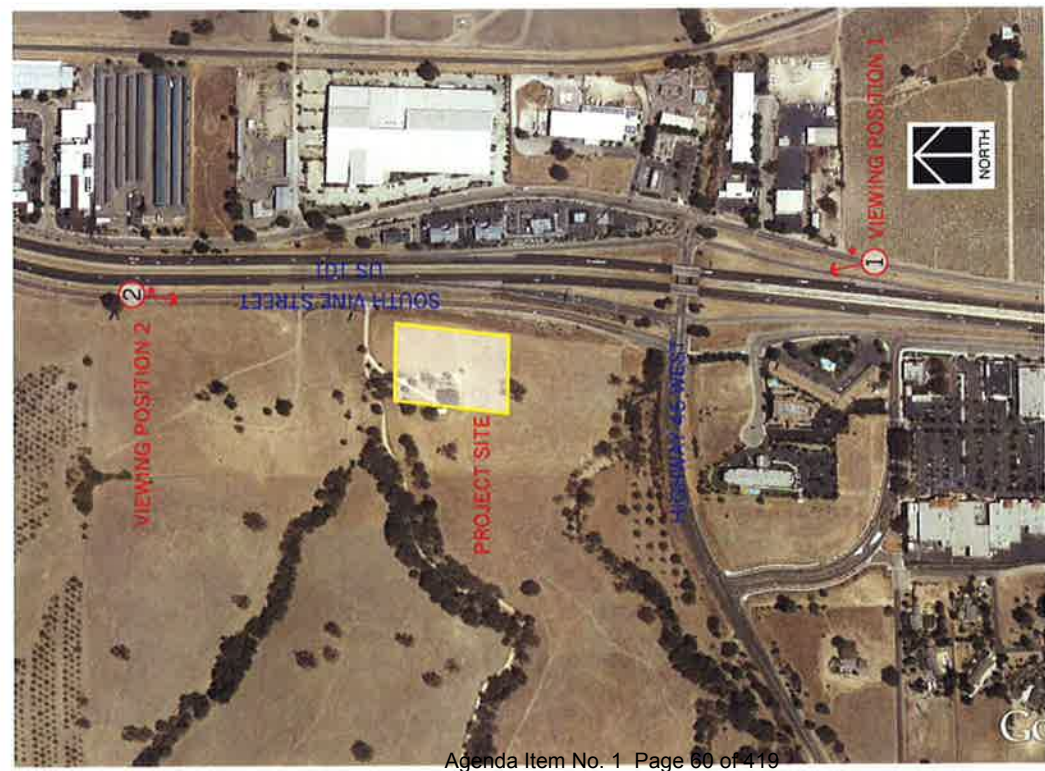
Tree heights are depicted at 10 - 15 year maturity. Seasonal colors and textures are depicted to display variety of season, flower and leaf color, not a specific season.



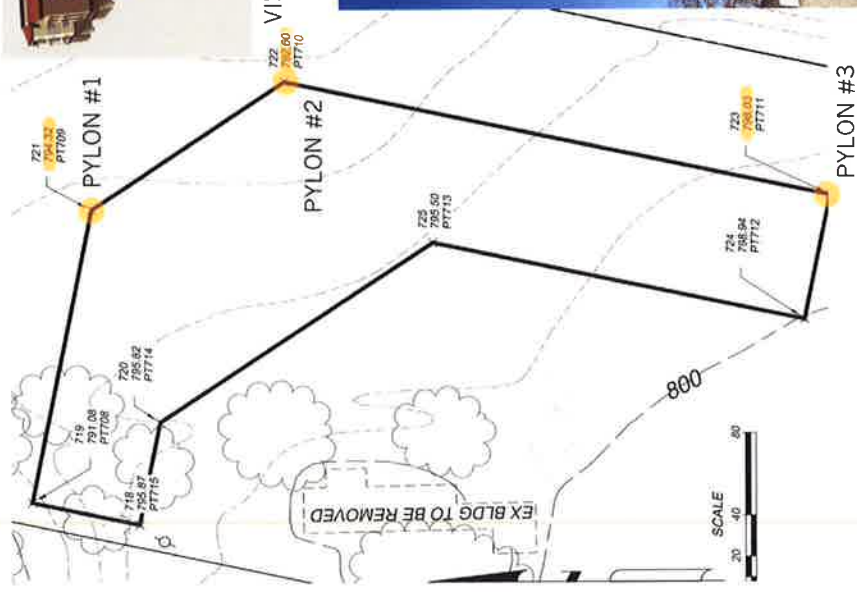
RESIDENCE INN
PASO ROBLES, CA

Visual Simulation
View from Southbound US 101





VIEWING POSITIONS
NOT TO SCALE



PYLON LOCATIONS & SURVEYED
BUILDING CORNERS AND ELEVATIONS
(SURVEY DATA PROVIDED BY WALLACE & ASSOC.)



VIEW OF THREE DIMENSIONAL COMPUTER MODEL
(MODEL PROVIDED BY GFA ARCHITECTS)



20' PYLON
(ONE OF THREE PLACED AT SURVEYED BUILDING CORNERS)



RESIDENCE INN
PASO ROBLES, CA



Figure
3

Visual Simulation

Viewing locations and methodology

Project Number: 131422-02 Date: 04/15/2015

RESIDENCE INN BY MARRIOTT

P A S O R O B L E S , C A L I F O R N I A



PROJECT SUMMARY:

PROJECT INFORMATION
 ADDRESS: PASO ROBLES, CA
 PROJECT DESCRIPTION: RESIDENCE INN BY MARRIOTT
 OCCUPANCY TYPE: R-1
 BUILDING HEIGHT: 66'-0" ATT
 BUILDING FLOOR AREA: 56,500 SF (SEE BREAKDOWN BELOW)
 NUMBER OF GUEST ROOMS: 128 ROOMS (SEE BREAKDOWN BELOW)

SITE INFORMATION
 SITE AREA: 132,264 SF
 APPROX.: 30,000 SF (3.17 ACRE)
 BUILDING FOOT PRINT: 30,000 SF
 FLOOR AREA RATIO: 0.71 F.A.R.

LEVELS	STUDIO	STUDIO DEL. QUEEN	1-BEDROOM	2-BEDROOM	TOTAL	GROSS SF
(G1) GROUND	17	6	5	5	29	25,000 SF
(L2) SECOND	28	6	7	1	33	25,000 SF
(L3) THIRD	25	6	7	1	36	25,500 SF
(L4) FOURTH	25	6	7	1	36	25,500 SF
TOTAL	75	24	20	8	128	96,000 SF

PARKING INFORMATION	PROVIDED	
	TYPE	PERCENTAGE
SURFACE PARKING	7	5%
STANDARD	97	68%
COMPACT	35	25%
TOTAL	140	100%

SHEET INDEX:

- ARCHITECTURAL
 - A1 COVER SHEET
 - A2 SITE PLAN
 - A3.1 GROUND FLOOR PLAN
 - A3.2 2ND FLOOR PLAN
 - A3.3 3RD AND 4TH FLOOR PLAN
 - A4.1 BUILDING ELEVATIONS
 - A4.2 BUILDING ELEVATIONS
- COLOR / MATERIAL BOARD
- LANDSCAPE
 - CONCEPTUAL LANDSCAPE PLAN
- CIVIL ENGINEER
 - C1.0 PRELIM UTILITY
 - C1.1 PRELIM UTILITY
 - C2.0 SITE CF

PROJECT DIRECTORY:

OWNER:
 EXCEL HOTEL GROUP
 11500 SIPPERS RANCH BLVD
 SUITE 1000
 SAN DIEGO, CA 92131
 (858) 671-4909
 CONTACT: SURESH PATEL

ARCHITECT:
 GENE FONG ASSOCIATES
 11800 WILSON BLVD
 LOS ANGELES, CA 90024
 (310) 208-7250
 (310) 208-7516 FAX
 CONTACT: GENE FONG
 CIVIL ENGINEER

WALLACE GROUP
 617 CLARION COURT
 WALNUT GROVE, CA 94011
 (925) 544-4011
 (925) 544-4284 FAX
 CONTACT: ROBERT MILLER

VICINITY MAP:



NO.	ITEM
1	PLANNER

SUBMITT

NO.	ITEM
1	PLANNER


GENE FONG ASSOCIATES
 11800 WILSON BLVD
 LOS ANGELES, CA 90024
 DATE: 3/24/2014
 JOB NO: 1333



MARRIOTT RESIDENCE INN

PASO ROBLES CALIFORNIA

PERSPECTIVE VIEW

N 13



A8.0

DATE: 3/24/2014
JOB NO: 1333

GENE FONG ASSOCIATES
1120 WESTWOOD BLVD
PASO ROBLES, CA 93271



LOOKING NORTHWEST FROM PARKING AREA



LOOKING SOUTH JUST WEST OF ENTRY DRIVE



LOOKING AT GATEHOUSE FROM COURTYARD



LOOKING NORTH EAST FROM PARKING AREA



MARRIOTT RESIDENCE INN
PASO ROBLES CALIFORNIA

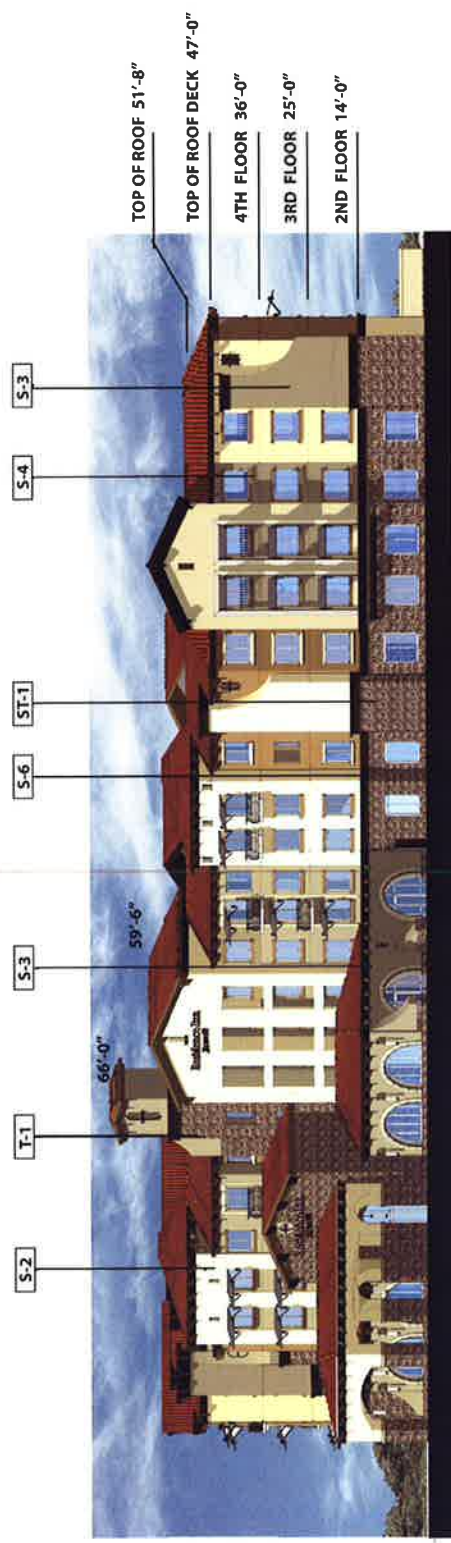
PERSPECTIVE VIEWS
N.T.S.



DATE: 3/24/2014
JOB NO: 1333

GENE FONG ASSOCIATES
1530 WESTWOOD BLVD
SUITE 200
PASO ROBLES, CA 93271
TEL: 805-782-7880 FAX: 805-782-7818

A8.4



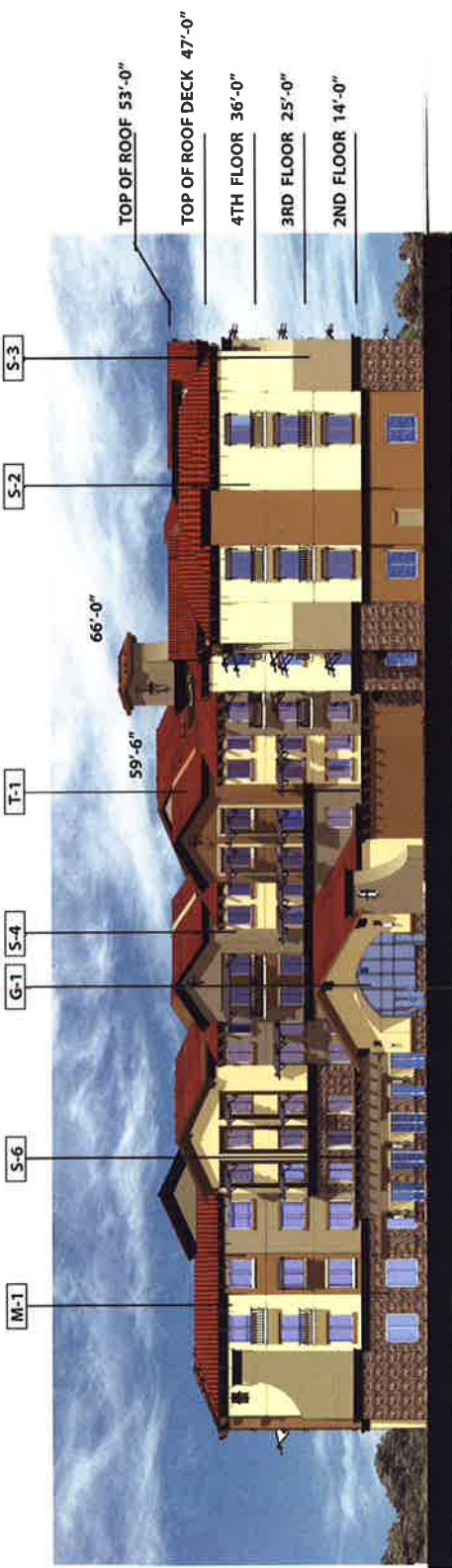
NORTH ELEVATION



EAST ELEVATION (FACING SOUTH VINE STREET)

- S-1 STUCCO WINDOW CASING, INTERIOR FINISH, WARRIOR MARBIA
- S-2 STUCCO EXTERIOR, INTERIOR FINISH, ALMOND
- S-3 STUCCO EXTERIOR, INTERIOR FINISH, AGAVE
- S-4 STUCCO EXTERIOR, INTERIOR FINISH, SANDALS
- S-5 STUCCO EXTERIOR, INTERIOR FINISH, COMBERG
- S-6 STUCCO EXTERIOR, INTERIOR FINISH, MADRAN
- S-4 STUCCO EXTERIOR, INTERIOR FINISH, MADRAN
- S-4 STUCCO EXTERIOR, INTERIOR FINISH, MADRAN
- S-5 STUCCO EXTERIOR, INTERIOR FINISH, COMBERG
- S-4 STUCCO EXTERIOR, INTERIOR FINISH, SANDALS
- S-3 STUCCO EXTERIOR, INTERIOR FINISH, AGAVE
- S-2 STUCCO EXTERIOR, INTERIOR FINISH, ALMOND
- S-1 STUCCO WINDOW CASING, INTERIOR FINISH, WARRIOR MARBIA
- S-1 STUCCO WINDOW CASING, INTERIOR FINISH, WARRIOR MARBIA
- M-1 WINDOW MULLIONS, ALUMINUM, MEDIUM BRONZE
- M-2 WINDOW MULLIONS, ALUMINUM, MEDIUM BRONZE
- M-3 WINDOW MULLIONS, ALUMINUM, MEDIUM BRONZE
- T-1 MARBLE ROOF TILE, TERRAZZO
- T-1 MARBLE ROOF TILE, TERRAZZO
- T-1 MARBLE ROOF TILE, TERRAZZO





SOUTH ELEVATION



WEST ELEVATION

- M-1 STUCCO WINDOW INSETS
MULTI-PANEL USA COLORS
MARRIOTT
- S-2 STUCCO EXTERIOR
MULTI-PANEL USA COLORS
ALMOND
- S-3 STUCCO EXTERIOR
MULTI-PANEL USA COLORS
AGAVE
- S-4 STUCCO EXTERIOR
MULTI-PANEL USA COLORS
SABLE
- S-5 STUCCO WINDOW TRIM
MULTI-PANEL USA COLORS
SOMBRERO
- S-6 STUCCO TRIMLINE
MULTI-PANEL USA COLORS
MARRIOTT
- ST-1 STUCCO TRIMLINE
ELBORADO STONE
CIVIC TRAPEZ
- M-2 WINDOW WILLOWS
MEDIUM BRONZE
- M-3 WINDOW LIGHT REFIN
DURR EDWARDS
DART BUCKLE
- S-1 MARBLE WINDOW TILES
MARRIOTT
MARRIOTT
- S-2 WINDOW GLASS
MARRIOTT
MARRIOTT



MARRIOTT RESIDENCE INN
PASO ROBLES CALIFORNIA

BUILDING ELEVATIONS

JANUARY 21, 2014
JOB NO. 1333



GENE FONG ASSOCIATES
1100 WESTWOOD BLVD
LOS ANGELES, CA 90024
310-556-1500 310-556-7788

A4.2



S-1 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
MARADA



S-2 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
ALMOND



S-3 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
AGAVE



S-4 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
SADDLE



S-5 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
SOMBRERO



S-6 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
MADARA



M-1 WINDOW/MULLIONS
KAWNEER
MEDIUM BRONZE



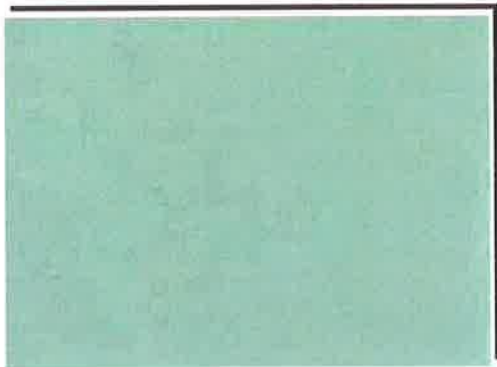
M-2 WROUGHT IRON - PAINT TO MATCH
DE 6360
DARK ENGINE



ST-1 STONE VENEER
EL DORADO STONE - CYRUS RIDGE



T-1 BARREL ROOF TILE
MCA SIERRA



G-1 CLEAR GLAZING
WITH AL STOREFRONT SYSTEM (M1)



MARRIOTT RESIDENCE INN

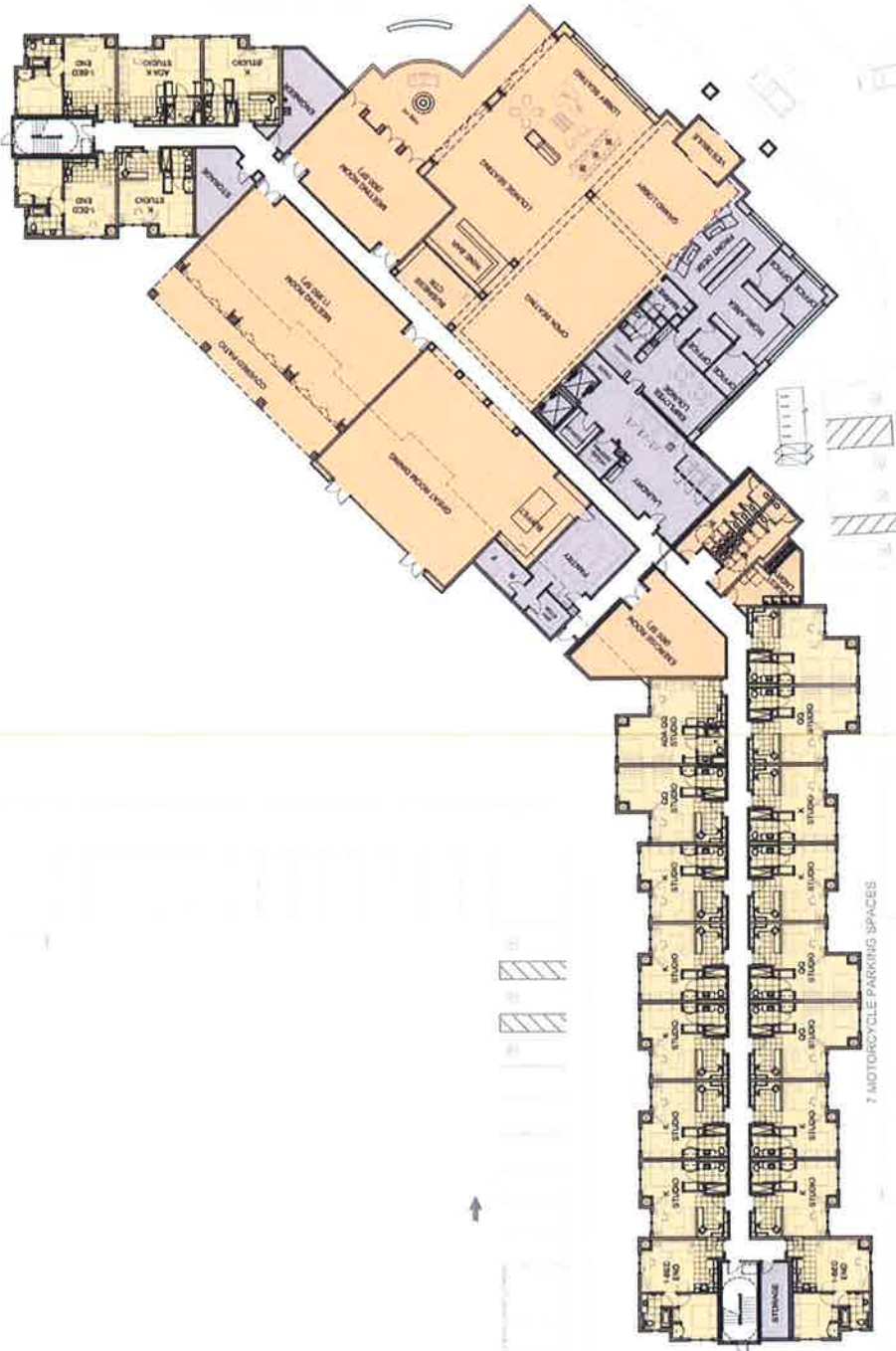
PASO ROBLES CALIFORNIA

MATERIALS & FINISHES



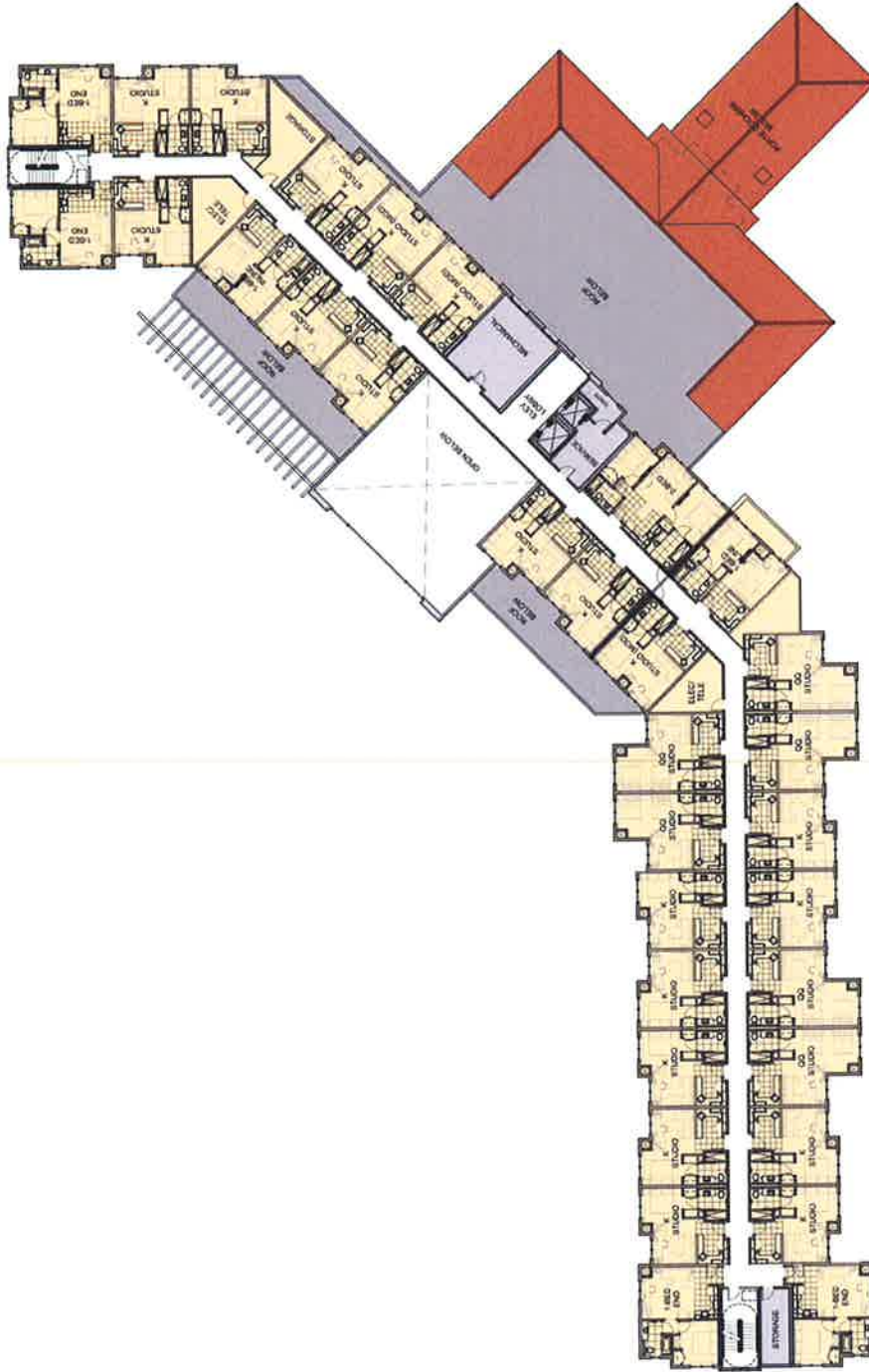
DATE: 12/2/2013
JOB NO: 1333

Attachment 5
Floor Plans



MARRIOTT RESIDENCE INN
PASO ROBLES CALIFORNIA





GENE FONG ASSOCIATES
 1300 AMERICAN BLVD
 SUITE 1000 PASADENA, CA 91106-3000

DATE: 3/24/2014
 JOB NO: 1333

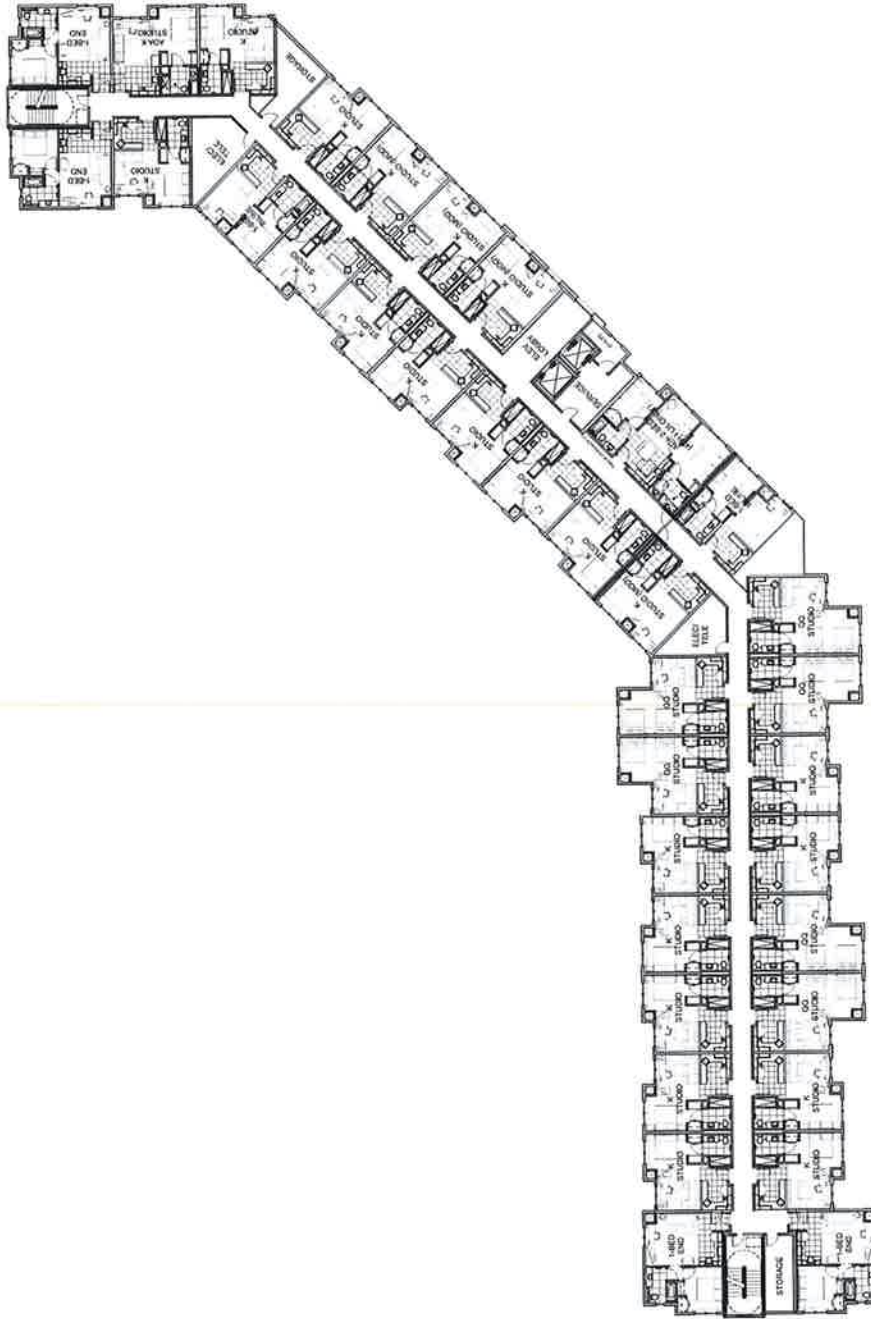
A3.2

SECOND FLOOR PLAN



MARRIOTT RESIDENCE INN
 PASO ROBLES CALIFORNIA





GENE FONG
ASSOCIATES
1100 WESTMOUNTAIN BLVD
SUITE 200
PASADENA, CA 91106

DATE: 3/24/2014
JOB NO: 1333

A3.3

TYPICAL FLOOR PLAN (3RD AND 4TH)



MARRIOTT RESIDENCE INN
PASADENA, CALIFORNIA





RE: Planned Development (PO-13-005)
Completeness Review Letter
Response providing justification for exceeding building height of 50'

In response to your question regarding the exceeding building height of 50', the following is our justification for the exceeding height.

The Residence Inn by Marriott building massing on average is approximately 40'. This average height fills the majority of the linear length of the building. Therefore, it becomes necessary to create architectural interest by varying the height and break up the massing. The solution is to raise certain elements so that they achieve a proportional composition that is aesthetically sound. In addition to this strategy, a focal point, or single element of hierarchy, balances these lower elements. It establishes and proclaims prominence when viewed from afar, as so many towers have throughout history.

The Residence Inn design has three levels of hierarchy. The lower level of the building massing are approximately 35' high. The next level is approximately 50' high, which constitutes a smaller portion of the building. Finally, the level with the highest hierarchy is the single element of 66' in height. The prominence of this higher level signifies that this project in the City of Paso Robles is unique and special, and should be visited. This single tower of 66' achieves this.

Another reason for this height variation is visibility. While the project is greatly visible from Highway 101, this is not the case from South Vine Street, where the elevation from this street and the natural terrain blocks views into the site from passing motorists. This higher level tower helps alleviate this barrier via increased visibility of the tower to the surrounding areas.

Altogether, this hierarchy design creates a pleasing skyline and provides a sense of depth and complexity to the building structure.

1130 WESTWOOD BLVD.
LOS ANGELES, CA 90024
310 • 209 • 7520
310 • 209 • 7516 FAX

AIR QUALITY & GREENHOUSE GAS IMPACT ASSESSMENT

FOR THE PROPOSED

SOUTH VINE STREET HOTEL PROJECT PASO ROBLES, CA

NOVEMBER 2013

PREPARED FOR:

Excel Hotel Group
10660 Scripps Ranch Blvd.
Suite 100
San Diego, CA 92131

PREPARED BY:



827 JACKSON DRIVE
PASO ROBLES, CA 93446
TEL: 805.226.2727

TABLE OF CONTENTS

Introduction.....	1
Air Quality	1
Setting.....	1
Regulatory Framework.....	7
Impacts Analysis	10
Greenhouse Gases and Climate Change	24
Setting.....	24
Regulatory Framework.....	24
Impacts Analysis	29
References.....	35

LIST OF TABLES

Table 1	Common Pollutants & Adverse Effects	4
Table 2	Recommendations on Siting New Sensitive Land Uses Near Air Pollutant Sources	6
Table 3	Summary of Ambient Air Quality Standards & Attainment Designations.....	8
Table 4	Summary of Project-Related Air Quality Impacts	10
Table 5	Existing Onsite Emissions.....	12
Table 6	Hotel Guest Survey Information	13
Table 7	SLOAPCD Thresholds of Significance for Construction Impacts.....	13
Table 8	SLOAPCD Thresholds of Significance for Operational Impacts.....	14
Table 9	Estimated Daily Construction Emissions Without Mitigation	17
Table 10	Estimated Quarterly Construction Emissions Without Mitigation	18
Table 11	Summary of Estimated Construction Emissions Without Mitigation in Comparison to SLOAPCD Significance Thresholds	18
Table 12	Estimated Daily Operational Emissions Without Mitigation	20
Table 13	Estimated Annual Operational Emissions Without Mitigation	20
Table 14	Summary of Estimated Operational Emissions in Comparison to SLOAPCD Significance Thresholds	21
Table 15	SLOAPCD Greenhouse Gas Thresholds of Significance.....	28
Table 16	Summary of Project-Related Greenhouse Gas Emissions Impacts.....	29
Table 17	Annual Construction-Generated GHG Emissions.....	30
Table 18	Operational Greenhouse Gas Emissions Without Mitigation	31
Table 19	Excess GHG Emissions to be Mitigated	34

LIST OF FIGURES

Figure 1	City of Paso Robles Community-wide GHG Emissions by Sector (2005)	29
----------	---	----

APPENDICES

Appendix A:	Areas of Known Naturally Occurring Asbestos & SLOAPCD Asbestos Demolition/Renovation Notification Form
Appendix C:	City of Paso Robles Climate Action Plan, CAP Consistency Worksheet
Appendix C:	Emissions Modeling

LIST OF COMMON TERMS & ACRONYMS

AAM	Annual Arithmetic Mean
ADT	Average Daily Traffic
APCD	Air Pollution Control District
AQAP	Air Quality Attainment Plan
CAAQS	California Ambient Air Quality Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CEQA	California Environmental Quality Act
CH ₄	Methane
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO ₂ e	Carbon Dioxide Equivalent
DPM	Diesel-Exhaust Particulate Matter or Diesel-Exhaust PM
DRRP	Diesel Risk Reduction Plan
FCAA	Federal Clean Air Act
GHG	Greenhouse Gases
HAP	Hazardous Air Pollutant
IPCC	Intergovernmental Panel on Climate Change
LOS	Level of Service
N ₂ O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards or National AAQS
NESHAPs	National Emission Standards for HAPs
NO _x	Oxides of Nitrogen
OAP	Ozone Attainment Plan
O ₃	Ozone
Pb	Lead
PM	Particulate Matter
PM ₁₀	Particulate Matter (less than 10 µm)
PM _{2.5}	Particulate Matter (less than 2.5 µm)
ppb	Parts per Billion
ppm	Parts per Million
ROG	Reactive Organic Gases
SIP	State Implementation Plan
SLOAPCD	San Luis Obispo County Air Pollution Control District
SO ₂	Sulfur Dioxide
SCCAB	South Central Coast Air Basin
TAC	Toxic Air Contaminant
µg/m ³	Micrograms per cubic meter
U.S. EPA	United State Environmental Protection Agency
VMT	Vehicle Miles Traveled

INTRODUCTION

This report provides an analysis of air quality and greenhouse gas impacts associated with the proposed South Vine Street Hotel project. The proposed hotel is generally located northwest of the State Route 101 (SR 101) and Highway 46 West interchange, within the City of Paso Robles.

The proposed project includes the development of a 125-room hotel located on an approximate 3.29 acre site. An existing residential dwelling, totaling approximately 1,448 square feet; as well as, several out buildings are located on the project site. The existing structures would be demolished. The proposed project is anticipated to begin construction in 2014.

AIR QUALITY

This section describes the existing air quality environment in the project vicinity and identifies potential air quality impacts associated with the proposed project. Project impacts are evaluated relative to applicable ambient air quality standards and thresholds of significance. Mitigation measures have been identified for significant air quality impacts. Emissions modeling assumptions and output files are included in **Appendix C**.

SETTING

Paso Robles is located in San Luis Obispo County, which is part of the South Central Coast Air Basin (SCCAB) and within the jurisdiction of the County of San Luis Obispo Air Pollution Control District (SLOAPCD). Air quality in the SCCAB is influenced by a variety of factors, including topography, local and regional meteorology. Factors affecting regional and local air quality are discussed below.

TOPOGRAPHY, METEOROLOGY & CLIMATE

Topography

The City of Paso Robles is located in the upper Salinas River Valley. The Paso Robles area is bordered on the south and west by the rugged mountainous ridges of the Santa Lucia Coastal Range, to the east by the low hills of the La Panza and Temblor ranges, and to the north by the low hills and flat-topped mesas of the Diablo Range. The highest elevations in the vicinity are located in the Santa Lucia Coastal Range, where many peaks are 2,000 to 3,400 feet above mean sea level. Substantial ridgelines are distributed throughout the western, southern, and eastern portions of the City. The effects of the Pacific Ocean are diminished inland and by these major intervening terrain features.

Local and Regional Meteorology

The climate of the county can be generally characterized as Mediterranean, with warm, dry summers and cooler, relatively damp winters. Along the coast, mild temperatures are the rule throughout the year due to the moderating influence of the Pacific Ocean. This effect is diminished inland in proportion to distance from the ocean or by major intervening terrain features, such as the coastal mountain ranges. As a result, inland areas are characterized by a considerably wider range of temperature conditions. Maximum summer temperatures average about 70 degrees Fahrenheit near the coast, while inland valleys are often in the high 90s.

Minimum winter temperatures average from the low 30s along the coast to the low 20s inland (SLOAPCD 2001).

Regional meteorology is largely dominated by a persistent high pressure area which commonly resides over the eastern Pacific Ocean. Seasonal variations in the strength and position of this pressure cell cause seasonal changes in the weather patterns of the area. The Pacific High remains generally fixed several hundred miles offshore from May through September, enhancing onshore winds and opposing offshore winds. During spring and early summer, as the onshore breezes pass over the cool water of the ocean, fog and low clouds often form in the marine air layer along the coast. Surface heating in the interior valleys dissipates the marine layer as it moves inland (SLOAPCD 2001).

From November through April the Pacific High tends to migrate southward, allowing northern storms to move across the county. About 90 percent of the total annual rainfall is received during this period. Winter conditions are usually mild, with intermittent periods of precipitation followed by mostly clear days. Rainfall amounts can vary considerably among different regions in the county. In the Coastal Plain, annual rainfall averages 16 to 28 inches, while the Upper Salinas River Valley generally receives about 12 to 20 inches of rain. The Carrizo Plain is the driest area of the county with less than 12 inches of rain in a typical year (SLOAPCD 2001).

Airflow around the county plays an important role in the movement and dispersion of pollutants. The speed and direction of local winds are controlled by the location and strength of the Pacific High pressure system and other global patterns, by topographical factors, and by circulation patterns resulting from temperature differences between the land and sea. In spring and summer months, when the Pacific High attains its greatest strength, onshore winds from the northwest generally prevail during the day. At night, as the sea breeze dies, weak drainage winds flow down the coastal mountains and valleys to form a light, easterly land breeze (SLOAPCD 2001).

In the Fall, onshore surface winds decline and the marine layer grows shallow, allowing an occasional reversal to a weak offshore flow. This, along with the diurnal alternation of land-sea breeze circulation, can sometimes produce a "sloshing" effect. Under these conditions, pollutants may accumulate over the ocean for a period of one or more days and are subsequently carried back onshore with the return of the sea breeze. Strong inversions can form at this time, "trapping" pollutants near the surface (SLOAPCD 2001).

This effect is intensified when the Pacific High weakens or moves inland to the east. This may produce a "Santa Ana" condition in which air, often pollutant-laden, is transported into the county from the east and southeast. This can occur over a period of several days until the high pressure system returns to its normal location, breaking the pattern. The breakup of a Santa Ana condition may result in relatively stagnant conditions and a buildup of pollutants offshore. The onset of the typical daytime sea breeze can bring these pollutants back onshore, where they combine with local emissions to cause high pollutant concentrations. Not all occurrences of the "post Santa Ana" condition lead to high ambient pollutant levels, but it does play an important role in the air pollution meteorology of the county (SLOAPCD 2001).

Atmospheric Stability and Dispersion

Air pollutant concentrations are primarily determined by the amount of pollutant emissions in an area and the degree to which these pollutants are dispersed into the atmosphere. The stability of the atmosphere is one of the key factors affecting pollutant dispersion. Atmospheric stability

regulates the amount of vertical and horizontal air exchange, or mixing, that can occur within a given air basin. Restricted mixing and low wind speeds are generally associated with a high degree of stability in the atmosphere. These conditions are characteristic of temperature inversions (SLOAPCD 2001).

In the atmosphere, air temperatures normally decrease as altitude increases. At varying distances above the earth's surface, however, a reversal of this gradient can occur. This condition, termed an inversion, is simply a warm layer of air above a layer of cooler air, and it has the effect of limiting the vertical dispersion of pollutants. The height of the inversion determines the size of the mixing volume trapped below. Inversion strength or intensity is measured by the thickness of the layer and the difference in temperature between the base and the top of the inversion. The strength of the inversion determines how easily it can be broken by winds or solar heating (SLOAPCD 2001).

Several types of inversions are common to this area. Weak, surface inversions are caused by radiational cooling of air in contact with the cold surface of the earth at night. In valleys and low lying areas this condition is intensified by the addition of cold air flowing downslope from the hills and pooling on the valley floor. Surface inversions are a common occurrence throughout the county during the winter, particularly on cold mornings when the inversion is strongest. As the morning sun warms the earth and the air near the ground, the inversion lifts, gradually dissipating as the day progresses. During the late spring and early summer months, cool air over the ocean can intrude under the relatively warmer air over land, causing a marine inversion. These inversions can restrict dispersion along the coast, but they are typically shallow and will dissipate with surface heating (SLOAPCD 2001).

In contrast, in the summertime the presence of the Pacific high pressure cell can cause the air mass aloft to sink. As the air descends, compressional heating warms it to a temperature higher than the air below. This highly stable atmospheric condition, termed a subsidence inversion, is common to all of coastal California and can act as a nearly impenetrable lid to the vertical mixing of pollutants. The base of the inversion typically ranges from 1000 to 2500 feet above sea level; however, levels as low as 250 feet, among the lowest anywhere in the state, have been recorded on the coastal plateau in San Luis Obispo county. The strength of these inversions makes them difficult to disrupt. Consequently, they can persist for one or more days, causing air stagnation and the buildup of pollutants. Highest or worst-case ozone levels are often associated with the presence of this type of inversion (SLOAPCD 2001).

CRITERIA AIR POLLUTANTS

For the protection of public health and welfare, the Clean Air Act (CAA) required that the United States Environmental Protection Agency (U.S. EPA) establish National Ambient Air Quality Standards (NAAQS) for various pollutants. These pollutants are referred to as "criteria" pollutants because the US EPA publishes criteria documents to justify the choice of standards. These standards define the maximum amount of an air pollutant that can be present in ambient air without harm to the public's health. An ambient air quality standard is generally specified as a concentration averaged over a specific time period, such as one hour, eight hours, 24 hours, or one year. The different averaging times and concentrations are meant to protect against different exposure effects. The CAA allows states to adopt additional or more health-protective standards. The air quality regulatory framework and ambient air quality standards are discussed in greater detail later in this report.

Human Health & Welfare Effects

Common air pollutants and associated adverse health and welfare effects are summarized in **Table 1**. Within the SCCAB, the air pollutants of primary concern, with regard to human health, include ozone, particulate matter (PM) and carbon monoxide (CO). As depicted in **Table 1**, exposure to increased pollutant concentrations of ozone, PM and CO can result in various heart and lung ailments, cardiovascular and nervous system impairment, and death.

**Table 1
Common Pollutants & Adverse Effects**

Pollutant	Human Health & Welfare Effects
Particulate Matter (PM ₁₀ & PM _{2.5})	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; aggravated asthma; development of chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility (haze).
Ozone (O ₃)	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield. Damages rubber, some textiles and dyes.
Sulfur Dioxide (SO ₂)	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel; damage crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	Reduces the ability of blood to deliver oxygen to vital tissues, effecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO ₂)	Respiratory irritant; aggravates lung and heart problems. Precursor to ozone and acid rain. Contributes to global warming, and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead	Anemia, high blood pressure, brain and kidney damage, neurological disorders, cancer, lowered IQ. Affects animals, plants, and aquatic ecosystems.

Source: CAPCOA 2013

ODORS

Typically odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from the psychological (i.e. irritation, anger, or anxiety) to the physiological, including circulatory and respiratory effects, nausea, vomiting, and headache.

Neither the state nor the federal governments have adopted rules or regulations for the control of odor sources. The SLOAPCD does not have an individual rule or regulation that specifically addresses odors; however, odors would be applicable to SLOAPCD's *Rule 204, Nuisance*. Any actions related to odors would be based on citizen complaints to local governments and the SLOAPCD. The SLOAPCD recommends that odor impacts be addressed in a qualitative manner. Such an analysis shall determine if the Project results in excessive nuisance odors, as defined under the California Code of Regulations, Health & Safety Code Section 41700, air quality public nuisance.

TOXIC AIR CONTAMINANTS

Toxic air contaminants (TACs) are air pollutants that may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air, but due to their high toxicity, they may pose a threat to public health even at very low concentrations. Because there is no threshold level below which adverse health impacts are not expected to occur, TACs differ from criteria pollutants for which acceptable levels of exposure can be determined and for which state and federal governments have set ambient air quality standards. TACs, therefore, are not considered "criteria pollutants" under either the Federal Clean Air Act (FCAA) or the California Clean Air Act (CCAA), and are thus not subject to National or State AAQS. TACs are not considered criteria pollutants in that the federal and California Clean Air Acts do not address them specifically through the setting of National or State AAQS. Instead, the U.S. EPA and CARB regulate Hazardous Air Pollutants (HAPs) and TACs, respectively, through statutes and regulations that generally require the use of the maximum or best available control technology to limit emissions. In conjunction with District rules, these federal and state statutes and regulations establish the regulatory framework for TACs. At the national levels, the U.S. EPA has established National Emission Standards for HAPs (NESHAPs), in accordance with the requirements of the FCAA and subsequent amendments. These are technology-based source-specific regulations that limit allowable emissions of HAPs.

Within California, TACs are regulated primarily through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588). The Tanner Act sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB designates a substance as a TAC. Existing sources of TACs that are subject to the Air Toxics Hot Spots Information and Assessment Act are required to: (1) prepare a toxic emissions inventory; (2) prepare a risk assessment if emissions are significant; (3) notify the public of significant risk levels; and (4) prepare and implement risk reduction measures.

At the state level, the CARB has authority for the regulation of emissions from motor vehicles, fuels, and consumer products. Most recently, Diesel-exhaust particulate matter (DPM) was added to the CARB list of TACs. DPM is the primary TACs of concern for mobile sources. Of all controlled TACs, emissions of DPM are estimated to be responsible for about 70 percent of the total ambient TAC risk. The CARB has made the reduction of the public's exposure to DPM one of its highest priorities, with an aggressive plan to require cleaner diesel fuel and cleaner diesel engines and vehicles (CARB 2005).

At the local level, air districts have the authority over stationary or industrial sources. All projects that require air quality permits from the SLOAPCD are evaluated for TAC emissions. The SLOAPCD limits emissions and public exposure to TACs through a number of programs. The SLOAPCD prioritizes TAC-emitting stationary sources, based on the quantity and toxicity of the TAC emissions and the proximity of the facilities to sensitive receptors. The SLOAPCD requires a comprehensive health risk assessment for facilities that are classified in the significant-risk category, pursuant to AB 2588. No major existing sources of TACs have been identified in the project area.

Land Use Compatibility with TAC Emission Sources

The CARB published an informational guide entitled: *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) in 2005. The purpose of this guide is to provide information to aid local jurisdictions in addressing issues and concerns related to the placement of sensitive land uses near major sources of air pollution. The CARB's Handbook includes recommended separation distances for various land uses that are based on relatively conservative estimations of emissions based on source-specific information. However, these recommendations are not site specific and should not be interpreted as defined "buffer zones". It is also important to note that the recommendations of the Handbook are advisory and need to be balanced with other State and local policies (CARB 2005). Depending on site and project-specific conditions, an assessment of potential increases in exposure to TACs may be warranted for proposed development projects located within the distances identified. CARB-recommended separation distances for various sources of emissions are summarized in **Table 2**.

**Table 2
Recommendations on Siting New Sensitive Land Uses
Near Air Pollutant Sources**

Source Category	Advisory Recommendations
Freeways and High-Traffic Roads	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
Distribution Centers	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). • Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.
Rail Yards	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. • Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	<ul style="list-style-type: none"> • Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the CARB on the status of pending analyses of health risks.
Refineries	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.
Chrome Platers	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners Using Perchloroethylene	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with 3 or more machines, consult with the local air district. • Do not site new sensitive land uses in the same building with perchloroethylene dry cleaning operations.
Gasoline Dispensing Facilities	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50 foot separation is recommended for typical gas dispensing facilities.
<p><i>Recommendations are advisory, are not site specific, and may not fully account for future reductions in emissions, including those resulting from compliance with existing/future regulatory requirements.</i> Source: CARB 2005</p>	

ASBESTOS

Asbestos is the common name for a group of naturally-occurring fibrous silicate minerals that can separate into thin but strong and durable fibers. Naturally-occurring asbestos, which was identified as a TAC in 1986 by CARB, is located in many parts of California and is commonly associated with ultramafic rock. The project site is located near areas that are likely to contain ultramafic rock. A map depicting known areas of naturally occurring areas within the County is included in **Appendix A**.

REGULATORY FRAMEWORK

Air quality within the SCCAB is regulated by several jurisdictions including the U.S. EPA, CARB, and the SLOAPCD. Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. Although U.S. EPA regulations may not be superseded, both state and local regulations may be more stringent.

FEDERAL

U.S. Environmental Protection Agency

At the federal level, the U.S. EPA has been charged with implementing national air quality programs. The U.S. EPA's air quality mandates are drawn primarily from the FCAA, which was signed into law in 1970. Congress substantially amended the FCAA in 1977 and again in 1990.

Federal Clean Air Act

The FCAA required the US EPA to establish National Ambient Air Quality Standards (NAAQS or National AAQS), and also set deadlines for their attainment. Two types of NAAQS have been established: primary standards, which protect public health, and secondary standards, which protect public welfare from non-health-related adverse effects, such as visibility restrictions. NAAQS are summarized in **Table 3**.

The FCAA also required each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The FCAA Amendments of 1990 added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies. The U.S. EPA has responsibility to review all state SIPs to determine conformance with the mandates of the FCAA, and the amendments thereof, and determine if implementation will achieve air quality goals. If the U.S. EPA determines a SIP to be inadequate, a Federal Implementation Plan (FIP) may be prepared for the nonattainment area that imposes additional control measures.

**Table 3
Summary of Ambient Air Quality Standards & Attainment Designations**

Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary ^(a)	Attainment Status
Ozone (O ₃)	1-hour	0.09 ppm	Non-Attainment	–	Not Designated***
	8-hour	0.070 ppm		0.075 ppm	
Particulate Matter (PM ₁₀)	AAM	20 µg/m ³	Non-Attainment	–	Unclassified/Attainment
	24-hour	50 µg/m ³		150 µg/m ³	
Fine Particulate Matter (PM _{2.5})	AAM	12 µg/m ³	Attainment	12 µg/m ³	Unclassified/Attainment
	24-hour	No Standard		35 µg/m ³	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment	35 ppm	Attainment/Maintenance
	8-hour	9 ppm		9 ppm	
	8-hour (Lake Tahoe)	6 ppm		–	
Nitrogen Dioxide (NO ₂)	AAM	0.030 ppm	Attainment	0.053 ppm	Unclassified
	1-hour	0.18 ppm		100 ppm	
Sulfur Dioxide (SO ₂)	AAM	–	Attainment	0.03 ppm	Unclassified
	24-hour	0.04 ppm		0.14 ppm	
	3-hour	–		0.5 ppm (1300 µg/m ³)**	
	1-hour	0.25 ppm		75 ppb	
Lead	30-day Average	1.5 µg/m ³	Attainment	–	No Attainment Information
	Calendar Quarter	–		1.5 µg/m ³	
	Rolling 3-Month Average	–		0.15 µg/m ³	
Sulfates	24-hour	25 µg/m ³	Attainment	No Federal Standards	
Hydrogen Sulfide	1-hour	0.03 ppm (42 µg/m ³)	Attainment		
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m ³)	No Information Available		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/kilometer-visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when the relative humidity is less than 70%.	Attainment		

* For more information on standards visit :<http://ww.arb.ca.gov/research/aaqs/aaqs2.pdf>

** Secondary Standard

*** San Luis Obispo County ozone attainment status is pending.

Source: SLOAPCD 2013; ARB 2013

STATE

California Air Resources Board

The CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act of 1988. Other CARB duties include monitoring air quality (in conjunction with air monitoring networks maintained by air pollution control districts and air quality management districts, establishing California Ambient Air Quality Standards (CAAQS), which in many cases are more stringent than the NAAQS, and setting emissions standards for new motor vehicles. The CAAQS are summarized in **Table 3**. The emission standards established for motor vehicles differ depending on various factors including the model year, and the type of vehicle, fuel and engine used.

California Clean Air Act

The CCAA requires that all air districts in the state endeavor to achieve and maintain CAAQS for Ozone, CO, SO₂, and NO₂ by the earliest practical date.

The CCAA specifies that districts focus particular attention on reducing the emissions from transportation and area-wide emission sources, and the act provides districts with authority to regulate indirect sources. Each district plan is required to either (1) achieve a five percent annual reduction, averaged over consecutive 3-year periods, in district-wide emissions of each non-attainment pollutant or its precursors, or (2) to provide for implementation of all feasible measures to reduce emissions. Any planning effort for air quality attainment would thus need to consider both state and federal planning requirements.

Assembly Bills 1807 & 2588 - Toxic Air Contaminants

Within California, TACs are regulated primarily through AB 1807 (Tanner Air Toxics Act) and AB 2588 (Air Toxics Hot Spots Information and Assessment Act of 1987). The Tanner Air Toxics Act sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB designates a substance as a TAC. Existing sources of TACs that are subject to the Air Toxics Hot Spots Information and Assessment Act are required to: (1) prepare a toxic emissions inventory; (2) prepare a risk assessment if emissions are significant; (3) notify the public of significant risk levels; and (4) prepare and implement risk reduction measures.

LOCAL

County of San Luis Obispo Air Pollution Control District

The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the region are maintained. Responsibilities of the SLOAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the FCAA and the CCAA.

As noted earlier in this report, the SCCAB is currently designated nonattainment for the State ozone and PM₁₀ ambient air quality standards. In accordance with California Clean Air Act requirements, the SLOAPCD is required to develop a plan to achieve and maintain the state ozone standard by the earliest practicable date. The Clean Air Plan (CAP) outlines the SLOAPCD's strategies to reduce ozone precursor emissions from a wide variety of stationary and mobile sources. The 2001 CAP was adopted by the Air Pollution Control Board at their hearing on March 26, 2002.

Ambient Air Quality & Attainment

Most populated areas of San Luis Obispo County enjoyed good air quality, however, ozone levels exceeding both federal and state standards are often measured on numerous days in the rural eastern portion of the county due to transported pollution. A few exceedances also typically occur in the north county inland and other areas due to locally formed emissions, as well as, transported pollution from wildfires. As noted in **Table 3**, the County is currently designated nonattainment for the state ozone and PM₁₀ standard (SLOAPCD 2013).

IMPACT ANALYSIS

Air quality impacts attributable to the proposed project are summarized in **Table 4**.

**Table 4
Summary of Project-Related Air Quality Impacts**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY				
A) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

METHODOLOGY

Short-term Impacts

Short-term construction emissions associated with the proposed project were calculated using the CalEEMod, version 2013.2.2, computer program. According to the project applicant, the proposed project is anticipated to open in year 2015 with construction of the proposed project occurring in year 2014. Construction activity durations were based largely on information provided by the project applicant and assumes an overall construction period of approximately 6 months. Equipment use, employee trips, equipment load factors and emission factors were based default parameters contained in the model. Based on information provided by the project applicant, the site is not anticipated to require extensive grading and no soil is anticipated to be imported to or exported from the site. In addition, architectural coating application is anticipated to occur concurrent with and during the latter approximately one-half of the anticipated building construction phase. It is important to note that the exterior of the proposed hotel would be largely constructed utilizing prefinished building materials and materials that would not require the application of architectural coatings. Based on information provided by the project engineer, a total of approximately 25,420 square feet of exterior area would require the application of architectural coatings. A total of approximately 2,805 square feet (floor area) of existing structures would be demolished, including an existing approximately 1,448 square-foot residence and various out buildings. Mitigated construction emissions were quantified assuming application of dust control practices, including the application of water a minimum of 3 times daily and a speed limit of 15 mph for onsite unpaved surfaces, based on the default reductions identified in the model.

Net increases in emissions were quantified in comparison to existing emissions associated with the onsite residential land uses, which would be removed as part of the proposed project. Existing onsite residential emissions were quantified based on default parameters contained in the CalEEMod computer program and are summarized in **Table 5**. Modeling assumptions and output files are included in **Appendix C** of this report.

Long-term Impacts

Long-term operational emissions of criteria air pollutants associated with the proposed project were calculated using the CalEEMod, version 2013.2.2, computer program. The CalEEMod program includes quantification of emissions from various emission sources, including energy use, area sources, and motor vehicle trips. Non-transportation source emissions were quantified based largely on the proposed land uses and default parameters contained in the model. All other modeling assumptions, including assumptions related to landscape maintenance, water use, and solid waste generation, were based on model default parameters. The use of off-road equipment would not be required for project operations and was not included in the emissions modeling.

Motor vehicle emissions were quantified based on a vehicle trip-generation rate of 4.72 trips per room, derived from the *City of Paso Robles General Plan 2011 Circulation Element Update, Appendix B, Table 2, Land Use Categories* (2011). Average in-bound and out-bound vehicle trip lengths for hotel guests were quantified based on survey data obtained from a similar hotel located in Pismo Beach for the year 2012 (refer to **Table 6**). Vehicle trip distances for in-County destinations, including coastal communities and attractions, such as Hearst Castle, Cambria, and Morro Bay, were also included in the calculation. Based on this calculation the average vehicle travel length for hotel guests was 13 miles. An average vehicle trip length of 13 miles was also assumed for employees and in-County guests. Mitigated operational emissions were also quantified based on the default reductions identified in the model for the following measures:

- Increased Transit Accessibility (Measure LUT-5): The proposed hotel would provide shuttle services for guests to and from the downtown transit station, which is located approximately 2 miles from the project site. Shuttle services to various other local destinations would also be provided.
- Use low-VOC cleaning products.
- Use low-VOC paint for interior and exterior areas having a VOC content of 100 grams per liter, or less.
- Install high-efficiency lighting in exterior areas.
- Install energy-efficient appliances (e.g., clothes washer, fan, refrigerator, dish washer, etc.).
- Install low-flow water fixtures.
- Install water-efficient irrigation systems.

Net increases in emissions were quantified in comparison to existing emissions associated with the onsite residential land uses, which would be removed as part of the proposed project. Existing onsite residential emissions were quantified based on default parameters contained in the CalEEMod computer program and are summarized in **Table 5**. Modeling assumptions and output files are included in **Appendix C** of this report.

**Table 5
Existing Onsite Emissions**

Source	Daily Emissions (lbs/day)							
	ROG	NO _x	ROG+NO _x	CO	PM ₁₀			Total ⁽¹⁾
					Fugitive	Exhaust	Total ⁽¹⁾	
Year 2014-Summer	0.114	0.225	0.339	0.890	0.090	0.004	0.094	0.094
Year 2014-Winter	0.120	0.239	0.358	0.938	0.090	0.004	0.094	0.094
Year 2015-Summer	0.107	0.204	0.311	0.805	0.090	0.004	0.094	0.094
Year 2015-Winter	0.112	0.216	0.328	0.849	0.090	0.004	0.094	0.094
Source	Annual Emissions (tons/year)							MTCO _{2e}
	ROG	NO _x	ROG+NO _x	CO	PM ₁₀			
					Fugitive	Exhaust	Total ⁽¹⁾	
Year 2014	0.020	0.041	0.061	0.156	0.015	0.001	0.016	22.599
Year 2015	0.019	0.037	0.056	0.141	0.015	0.001	0.016	22.174
<i>Totals may not sum due to rounding. MTCO_{2e}=Metric Tons of Carbon Dioxide Equivalent Refer to Appendix C for modeling output files and assumptions.</i>								

**Table 6
Hotel Guest Survey Information**

Guest Originations & Destinations (Out of County Regions)	Percent on Annual Guests (Year 2012)
Sacramento Valley & Northern San Joaquin Valley	24.2%
Southern San Joaquin Valley (Kern County)	8.8%
Northern & Central California Regions	12.7%
Southern California	45.4%
San Luis Obispo County	9%
<i>Based on guest survey data obtained from a similar hotel located in Pismo Beach for the year 2012. Refer to Appendix C for additional information regarding estimated vehicle trip distances.</i>	

THRESHOLDS OF SIGNIFICANCE

To assist in the evaluation of air quality impacts, the SLOAPCD has developed recommended significance thresholds, which are contained in the SLOAPCD's *CEQA Air Quality Handbook* (2012). For the purposes of this analysis, project emissions are considered potentially significant impacts if any of the following SLOAPCD thresholds are exceeded:

Construction Impacts

The threshold criteria established by the SLOAPCD to determine the significance and appropriate mitigation level for a project's short-term construction emissions are presented in **Table 7** and discussed, as follows (SLOAPCD 2012):

**Table 7
SLOAPCD Thresholds of Significance for Construction Impacts**

Pollutant	Threshold ⁽¹⁾		
	Daily (lbs/day)	Quarterly Tier 1 (tons)	Quarterly Tier 2 (tons)
Ozone Precursors (ROG + NO _x) ⁽²⁾	137	2.5	6.3
Diesel Particulate Matter (DPM) ⁽²⁾	7	0.13	0.32
Fugitive Particulate Matter (PM ₁₀), Dust	None	2.5	None
^{1.} Daily and quarterly emissions thresholds are based on the California Health & Safety Code and the CARB Carl Moyer Guidelines. ^{2.} Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5 tons PM ₁₀ quarterly threshold.			

ROG and NO_x Emissions

- Daily: For construction projects expected to be completed in less than one quarter (90 days), exceedance of the 137 lb/day threshold requires Standard Mitigation Measures;
- Quarterly – Tier 1: For construction projects lasting more than one quarter, exceedance of the 2.5 ton/qtr threshold requires Standard Mitigation Measures and Best Available Control Technology (BACT) for construction equipment. If implementation of the Standard Mitigation and BACT measures cannot bring the project below the threshold, off-site mitigation may be necessary; and,
- Quarterly – Tier 2: For construction projects lasting more than one quarter, exceedance of the 6.3 ton/qtr threshold requires Standard Mitigation Measures, BACT, implementation of a Construction Activity Management Plan (CAMP), and off-site mitigation.

Diesel Particulate Matter (DPM) Emissions

- Daily: For construction projects expected to be completed in less than one quarter, exceedance of the 7 lb/day threshold requires Standard Mitigation Measures;
- Quarterly - Tier 1: For construction projects lasting more than one quarter, exceedance of the 0.13 tons/quarter threshold requires Standard Mitigation Measures, BACT for construction equipment; and,
- Quarterly - Tier 2: For construction projects lasting more than one quarter, exceedance of the 0.32 ton/qr threshold requires Standard Mitigation Measures, BACT, implementation of a CAMP, and off-site mitigation.

Fugitive Particulate Matter (PM₁₀), Dust Emissions

- Quarterly: Exceedance of the 2.5 ton/qr threshold requires Fugitive PM₁₀ Mitigation Measures and may require the implementation of a CAMP.

Operational Impacts

Criteria Air Pollutants

The threshold criteria established by the SLOAPCD to determine the significance and appropriate mitigation level for long-term operational emissions from a project are presented in **Table 8**.

**Table 8
SLOAPCD Thresholds of Significance for Operational Impacts**

Pollutant	Threshold ⁽¹⁾	
	Daily (lbs/day)	Annual (tons/year)
Ozone Precursors (ROG + NO _x) ⁽²⁾	25	25
Diesel Particulate Matter (DPM) ⁽²⁾	1.25	None
Fugitive Particulate Matter (PM ₁₀), Dust	25	25
CO	550	None
<i>1. Daily and annual emissions thresholds are based on the California Health & Safety Code Division 26, Part 3, Chapter 10, Section 40918 and the CARB Carl Moyer Guidelines for DPM.</i>		
<i>2. CalEEMod – use winter operational emission data to compare to operational thresholds.</i>		

Toxic Air Contaminants

If a project has the potential to emit toxic or hazardous air pollutants, or is located in close proximity to sensitive receptors, impacts may be considered significant due to increased cancer risk for the affected population, even at a very low level of emissions. For the evaluation of such projects, the SLOAPCD recommends the use of the following thresholds:

- Type A Projects: new proposed land use projects that generate toxic air contaminants (such as gasoline stations, distribution facilities or asphalt batch plants) that impact sensitive receptors. Air districts across California are uniform in their recommendation to use the significance thresholds that have been established under each district's "Hot Spots" and permitting programs. The SLOAPCD has defined the excess cancer risk significance threshold at 10 in a million for Type A projects in SLO County; and,
- Type B Projects: new land use projects that will place sensitive receptors (e.g., residential units) in close proximity to existing toxics sources (e.g., freeway). The APCD has

established a CEQA health risk threshold of 89 in-a-million for the analysis of projects proposed in close proximity to toxic sources. This value represents the population weighted average health risk caused by ambient background concentrations of toxic air contaminants in San Luis Obispo County. The SLOAPCD recommends Health Risk screening and, if necessary, Health Risk Assessment (HRA) for any residential or sensitive receptor development proposed in proximity to toxic sources.

Localized CO Concentrations

Localized CO concentrations associated with the proposed project would be considered less-than-significant impact if: (1) Traffic generated by the proposed project would not result in deterioration of intersection level of service (LOS) to LOS E or F; or (2) the project would not contribute additional traffic to an intersection that already operates at LOS of E or F (Caltrans 1996).

Odors

Screening of potential odor impacts is typically recommended for the following two situations:

- Projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate; and
- Residential or other sensitive receptor projects or other projects that may attract people locating near existing odor sources.

If the proposed project would locate receptors and known odor sources within one mile of each other, a full analysis of odor impacts is recommended. Known odor sources of primary concern, as identified by the SLOAPCD, include: landfills, transfer stations, asphalt batch plants, rendering plants, petroleum refineries, and painting/coating operations, as well as, composting, food processing, wastewater treatment, chemical manufacturing, and feedlot/dairy facilities.

PROJECT IMPACTS AND MITIGATION MEASURES

A. Would the project conflict with or obstruct implementation of the applicable air quality plan?

According to the SLOAPCD's *CEQA Air Quality Handbook (2012)*, a consistency analysis with the Clean Air Plan is required for a Program Level environmental review, and may be necessary for a Project Level environmental review, depending on the project being considered. Project-Level environmental reviews which may require consistency analysis with the Clean Air Plan and Smart/Strategic Growth Principles adopted by lead agencies include: subdivisions, large residential developments and large commercial/industrial developments. For such projects, evaluation of consistency is based on a comparison of the proposed project with the land use and transportation control measures and strategies outlined in the Clean Air Plan. If the project is consistent with these measures, the project is considered consistent with the Clean Air Plan.

The Clean Air Plan includes a variety of policies and strategies, including land use policies intended to result in reductions in overall vehicle miles traveled, as well as, various transportation control measures. The Clean Air Plan would reduce emissions through implementation of the following adopted control measures:

- Campus-Based Trip Reduction
- Voluntary Trip Reduction Program

- Local Transit System Improvements
- Regional Transit Improvements
- Bicycling and Bikeway Enhancements
- Park and Ride Lots
- Motor Vehicle Inspection and Control Program
- Traffic Flow Improvements
- Telecommuting, Teleconferencing, and Telelearning

The Clean Air Plan also includes various land use policies to encourage the use of alternative forms of transportation, increase pedestrian access and accessibility to community services and local destinations, reduce vehicle miles traveled within the County, and promote congestion management efforts.

The proposed project is located within the City of Paso Robles within approximately 2.0 miles of the Amtrak station. The proposed project will include measures to promote the use of nearby transit, including a hotel shuttle service for hotel guests. Furthermore, as noted in “Impact C” below, the proposed project would not result in operational emissions that would exceed SLOAPCD’s significance thresholds for criteria air pollutants. For these reasons, the proposed project would not conflict with or obstruct continued implementation of the CAP. This impact is considered *less than significant*.

B. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

As noted in Impact C, below, short-term construction activities may result in localized concentrations of pollutants that could adversely affect nearby sensitive receptors. As a result, this impact is considered *potentially significant*. Refer to “Impact C” and “Impact D” of this report for more detailed discussions of air quality impacts attributable to the proposed project and recommended mitigation measures.

Mitigation Measures

Implementation of Mitigation Measure AQ-1 and AQ-2, as identified in “Impact C” and “Impact D” below, would reduce this impact to a *less-than-significant* level.

C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Short-term Construction Emissions

Construction-generated emissions are of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact. The construction of the proposed project would result in the temporary generation of emissions associated with site grading and excavation, paving, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces. Short-term construction emissions would result in increased emissions of ozone-precursor pollutants (i.e., ROG and NO_x) and emissions of PM. Emissions of ozone-

precursors would result from the operation of on- and off-road motorized vehicles and equipment. Emissions of airborne PM are largely dependent on the amount of ground disturbance associated with site preparation activities and can result in increased concentrations of PM that can adversely affect nearby sensitive land uses.

Estimated daily emissions for summer and winter conditions are summarized in **Table 9**. Estimated quarterly emissions are summarized in **Table 10**. Maximum daily and quarterly emissions, in comparison to SLOAPCD's significance thresholds are summarized in **Table 11**.

Table 9
Estimated Daily Construction Emissions Without Mitigation

Construction Period/Phase	Daily Emissions (lbs)	
	ROG+NO _x	DPM
Summer Conditions		
Demolition	54.75	2.54
Site Preparation	63.17	3.14
Grading/Excavation	45.19	2.37
Building Construction	41.19	2.31
Paving	23.61	1.25
Architectural Coating	61.48	0.25
Maximum Construction-Generated Emissions:	126.28	3.82
Less Emissions From Onsite Use to be Removed:	-0.34	0
Maximum Net Increase in Emissions:	125.94	3.82
SLOAPCD Significance Thresholds:	137	7
Exceed SLOAPCD Thesholds?:	No	No
Winter Conditions		
Demolition	54.78	2.54
Site Preparation	63.20	3.14
Grading/Excavation	45.21	2.37
Building Construction	41.54	2.32
Paving	23.64	1.26
Architectural Coating	61.51	0.25
Maximum Construction-Generated Emissions:	126.69	3.82
Less Emissions From Onsite Use to be Removed:	-0.36	0
Maximum Net Increase in Emissions:	126.33	3.82
SLOAPCD Significance Thresholds:	137	7
Exceed SLOAPCD Thesholds?:	No	No
<p><i>Maximum Daily Emissions: Assumes that facility construction, paving, and application of architectural coatings could potentially occur simultaneously on any given day.</i></p> <p><i>Totals may not sum due to rounding.</i></p> <p><i>Refer to Appendix C for modeling assumptions and results.</i></p>		

Table 10
Estimated Quarterly Construction Emissions Without Mitigation

Quarter	Quarterly Emissions (tons)			
	ROG+NO _x	PM ₁₀		
		Exhaust	Dust	Total
Year 2014, Quarter 1	1.46	0.08	0.10	0.18
Year 2014, Quarter 2	1.28	0.04	0.02	0.06
Year 2014, Quarter 3	2.40	0.04	0.02	0.06
SLOAPCD Significance Thresholds:	2.5	0.13	2.5	--
Exceed SLOAPCD Thresholds?:	No	No	No	None

*Totals may not sum due to rounding.
Includes reductions associated with the removal of existing land use for year 2014.
Refer to **Appendix C** for modeling assumptions and results.*

Table 11
**Summary of Estimated Construction Emissions Without Mitigation
in Comparison to SLOAPCD Significance Thresholds**

Criteria	Project Emissions	SLOAPCD Significance Threshold	Exceed Significance Threshold?
Maximum Daily Emissions (ROG+NO _x):	126.33 lbs/day	137 lbs/day	No
Maximum Daily Emissions (DPM):	3.82 lbs/day	7.0 lbs/day	No
Maximum Quarterly Emissions (ROG+NO _x):	2.4 tons/qtr	2.5 tons/qtr	No
Maximum Quarterly Emissions (DPM):	0.08 tons/qtr	0.13 tons/qtr	No
Maximum Quarterly Emissions (Fugitive PM):	0.10 tons/qtr	2.5 tons/qtr	No

*Quarterly thresholds are based on the more conservative Tier 1 thresholds.
Includes reductions associated with the removal of existing land use for year 2014.
Refer to **Appendix C** for modeling assumptions and results.*

As indicated, maximum daily emissions of ROG+NO_x would total approximately 126 lbs/day and emissions of DPM would total approximately 3.8 lbs/day. Estimated quarterly emissions would total approximately 2.4 tons of ROG+NO_x, 0.08 tons of DPM, and 0.10 tons of fugitive dust. Construction-generated emissions would not exceed SLOAPCD's daily or quarterly significance thresholds. Fugitive dust generated during construction may, however, result in localized pollutant concentrations that could result in increased nuisance concerns to nearby land uses. For this reason, this impact is considered **potentially significant**.

Mitigation Measures

MM AQ-1: The following SLOAPCD-recommended measures shall be implemented to minimize nuisance impacts associated with construction-generated fugitive dust emissions:

- 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 (non-potable) water should be used whenever possible;
- c. All dirt stock pile 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 planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive 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;
- l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Significance After Mitigation

The above SLOAPCD-recommended mitigation measures have been incorporated to ensure compliance with SLOAPCD's 20-percent opacity limit (APCD Rule 401), nuisance rule (APCD Rule 402), and for the purpose of minimizing nuisance impacts to nearby receptors. With mitigation, fugitive PM emissions would be reduced to approximately 7.22 lbs/day and approximately 0.03 tons/quarter. With mitigation, this impact would be considered *less than significant*.

Long-term Operational Emissions

Long-term operational emissions associated with the proposed project would be predominantly associated with mobile sources. To a lesser extent, emissions associated with area sources, such as landscape maintenance activities, as well as, use of electricity and natural gas would also contribute to increased emissions.

Daily unmitigated operational emissions for summer and winter conditions are summarized in **Table 12**. **Table 13** provides a summary of unmitigated annual operational emissions. Daily and annual

unmitigated operational emissions in comparison to SLOAPCD significance thresholds are summarized in **Table 14**. As depicted, operational emissions would be slightly higher during winter conditions. Maximum daily winter operational emissions would total approximately 21.23 lbs/day ROG+NO_x, 37.46 lbs/day CO, 3.91 lbs/day of fugitive PM₁₀, and 0.28 lbs/day of exhaust PM₁₀. Maximum annual emissions of ROG+NO_x would total approximately 3.83 tons/year of ROG+NO_x and 0.69 tons/year of fugitive PM₁₀. Operational emissions would not exceed SLOAPCD's significance thresholds. As a result, this impact is considered **less than significant**.

Table 12
Estimated Daily Operational Emissions Without Mitigation

Source	Daily Emissions (lbs/day)						
	ROG	NO _x	ROG+NO _x	CO	PM ₁₀		
					Fugitive	Exhaust	Total
Summer Conditions							
Project Emissions:	9.59	11.16	20.74	35.56	4.00	0.29	4.29
Less Emissions From Existing Use:	0.10	0.20	0.31	0.81	0.09	0.004	0.09
Net Increase:	9.48	10.95	20.43	34.76	3.91	0.28	4.19
SLOAPCD Significance Thresholds:	--	--	25	550	25	1.25	--
Exceed SLOAPCD Thresholds?:	--	--	No	No	No	No	--
Winter Conditions							
Project Emissions:	9.86	11.70	21.56	38.31	4.00	0.29	4.29
Less Emissions From Onsite Use to be Removed:	0.11	0.22	0.33	0.85	0.09	0.004	0.09
Net Increase:	9.75	11.48	21.23	37.46	3.91	0.28	4.20
SLOAPCD Significance Thresholds:	--	--	25	550	25	1.25	--
Exceed SLOAPCD Thresholds?:	--	--	No	No	No	No	--
<i>Totals may not sum due to rounding. Refer to Appendix C for modeling output files and assumptions.</i>							

Table 13
Estimated Annual Operational Emissions Without Mitigation

Source	Annual Emissions (tons/year)						
	ROG	NO _x	ROG+NO _x	CO	PM ₁₀		
					Fugitive	Exhaust	Total
Project Emissions:	1.76	2.13	3.89	6.72	0.71	0.05	0.76
Less Emissions From Existing Use:	0.02	0.04	0.06	0.14	0.02	0.001	0.02
Net Increase:	1.74	2.09	3.83	6.58	0.69	0.05	0.75
SLOAPCD Significance Thresholds:	--	--	25	--	25	--	--
Exceed SLOAPCD Thresholds?:	--	--	No	--	No	--	--

**Table 13
Estimated Annual Operational Emissions Without Mitigation**

Source	Annual Emissions (tons/year)						
	ROG	NO _x	ROG+NO _x	CO	PM ₁₀		
					Fugitive	Exhaust	Total
<i>Totals may not sum due to rounding. Refer to Appendix C for modeling output files and assumptions.</i>							

**Table 14
Summary of Estimated Operational Emissions
in Comparison to SLOAPCD Significance Thresholds**

Criteria	Project Emissions	SLOAPCD Significance Threshold	Exceed Significance Threshold?
Maximum Daily ROG+NO _x Emissions (Winter):	21.23 lbs/day	25 lbs/day	No
Maximum Daily CO Emissions:	37.46 lbs/day	550 lbs/day	No
Maximum Daily DPM Emissions:	0.28 lbs/day	1.25 lbs/day	No
Maximum Daily Fugitive PM Emissions:	3.91 lbs/day	25 lbs/day	No
Maximum Annual ROG+NO _x Emissions:	3.83 tons/year	25 tons/year	No
Maximum Annual Fugitive PM Emissions:	0.69 tons/year	25 tons/year	No
<i>Refer to Appendix C for modeling output files and assumptions.</i>			

D. Would the project expose sensitive receptors to substantial pollutant concentrations?

Localized CO Concentrations

Localized concentrations of CO are of primary concern in areas located near congested roadway intersections. Of particular concern are intersections that are projected to operate at unacceptable levels of service (LOS) E or F.

Access to the hotel site would be provided via the adjacent roadway segment of South Vine Street. Based on the traffic analysis prepared for this project, nearby roadway intersections are not anticipated to operate at unacceptable LOS E or F. As a result, the proposed hotel project would not be anticipated to result in or contribute to unacceptable levels of service (i.e., LOS E or F) at nearby signalized intersections. In addition, the proposed project would not result in emissions of CO in excess of the SLOAPCD's significance threshold of 550 lbs/day. Localized concentrations of CO are considered to be **less than significant**.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). In accordance with ARB Air Toxics Control Measure (ATCM), prior to any grading activities a geologic evaluation should be conducted to determine

if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM (SLOAPCD 2012).

Based on a review of the SLOAPCD's map depicting potential areas of NOA, the project site is located in an area that has been identified as having a potential for NOA. As a result, the disturbance and potential exposure to NOA is considered to have a *potentially significant impact*. A map of areas within the County potentially containing NOA is included in Appendix A.

Asbestos Material in Demolition

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings, particularly older structures constructed prior to 1970. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM.

The project site will require demolition of an onsite residential structure, which was initially constructed in 1951. As a result, demolition of this structure has the potential to result in the disturbance of ACM. The disturbance and potential exposure to ACM during demolition of the onsite structure is considered to have a *potentially significant impact*.

Construction-Generated PM

Implementation of the proposed project would result in the generation of fugitive PM emitted during construction. Fugitive PM emissions are primarily associated with earth-moving and material handling activities, as well as, vehicle travel on unpaved and paved surfaces. Fugitive PM emissions can result in localized concentrations of PM that could adversely impact nearby land uses and receptors. As noted in Impact C, localized uncontrolled concentrations of fugitive PM would be considered to have a *potentially significant impact*

Mitigation Measure AQ-2:

1. Implement **MM AQ-1**, as identified in "Impact C" above.
2. Prior to any grading activities a geologic evaluation shall be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the SLOAPCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. These requirements may include but are not limited to:
 - a. Development of an Asbestos Dust Mitigation Plan which must be approved by the SLOAPCD before operations begin, and,

b. Development and approval of an Asbestos Health and Safety Program (required for some projects).
If NOA is not present, an exemption request must be filed with the SLOAPCD. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.

2. Demolition of onsite structures shall comply with the National Emission Standards for Hazardous Air Emissions (NESHAP) requirements (NESHAP, 40 CFR, Part 61, Subpart M) for the demolition of existing structures. The SLOAPCD is delegated authority by the Environmental Protection Agency (EPA) to implement the Federal Asbestos NESHAP. Prior to demolition of onsite structures, the SLOAPCD shall be notified, per NESHAP requirements. SLOAPCD notification form and reporting requirements are included in **Appendix A**. Additional information may be obtained at website url: <http://slocleanair.org/business/asbestos.php>.

Significance After Mitigation

Mitigation Measure **AQ-2** includes measures for the control of localized pollutant concentrations, as recommended by the SLOAPCD. With implementation of **MM AQ-2**, this impact would be considered less than significant.

E. Would the project create objectionable odors affecting a substantial number of people?

The occurrence and severity of odor impacts depends on numerous factors, including: the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors. While offensive odors rarely cause any physical harm, they still can be very unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and regulatory agencies. Projects with the potential to frequently expose members of the public to objectionable odors would be deemed to have a significant impact.

The proposed project would not result in the installation of any equipment or processes that would be considered major odor-emission sources. However, construction of the proposed project would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel-exhaust, may be considered objectionable by some people. In addition pavement coatings and architectural coatings used during project construction would also emit temporary odors. However, construction-generated emissions would occur intermittently throughout the workday and would dissipate rapidly with increasing distance from the source. As a result, short-term construction activities would not expose a substantial number of people to frequent odorous emissions. For these reasons, potential exposure of sensitive receptors to odorous emissions would be considered *less than significant*.

GREENHOUSE GASES AND CLIMATE CHANGE

This section describes the existing setting related to climate change, including a summary of the regulatory framework and the local greenhouse gas (GHG) emissions inventory. Potential GHG impacts associated with the proposed project are evaluated and mitigation measures have been identified for significant impacts. Emissions modeling assumptions and output files are included in **Appendix C**.

SETTING

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the earth's climate system. An ever-increasing body of scientific research attributes these climatological changes to GHG emissions, particularly those generated from the production and use of fossil fuels.

While climate change has been a concern for several decades, the establishment of the Intergovernmental Panel on Climate Change (IPCC) by the United Nations and World Meteorological Organization in 1988 has led to increased efforts devoted to GHG emissions reduction and climate change research and policy. These efforts are primarily concerned with the emissions of GHGs generated by human activity including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF₆), HFC-23 (fluoroform), HFC-134a (s, s, s, 2-tetrafluoroethane), and HFC-152a (difluoroethane).

In the U.S., the main source of GHG emissions is electricity generation, followed by transportation. In California, however, transportation sources (including passenger cars, light-duty trucks, other trucks, buses, and motorcycles) make up the largest source of GHG-emitting sources. The dominant GHG emitted is CO₂, mostly from fossil fuel combustion. There are typically two terms used when discussing the impacts of climate change: "Greenhouse Gas Mitigation" and "Adaptation." "Greenhouse Gas Mitigation" is a term for reducing GHG emissions to reduce or "mitigate" the impacts of climate change. "Adaptation" refers to the effort of planning for and adapting to impacts resulting from climate change, such as adjusting transportation design standards to withstand more intense storms and higher sea levels (Caltrans 2013).

REGULATORY FRAMEWORK

FEDERAL

Executive Order 13514 (October 5, 2009): This order is focused on reducing GHGs internally in federal agency missions, programs and operations, but also directs federal agencies to participate in the Interagency Climate Change Adaptation Task Force, which is engaged in developing a national strategy for adaptation to climate change.

U.S. EPA's authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Clean Air Act and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing Act and EPA's assessment of the scientific evidence that

form the basis for EPA's regulatory actions. U.S. EPA in conjunction with NHTSA issued the first of a series of GHG emission standards for new cars and light-duty vehicles in April 2010.

The U.S. EPA and the National Highway Traffic Safety Administration are taking coordinated steps to enable the production of a new generation of clean vehicles with reduced GHG emissions and improved fuel efficiency from on-road vehicles and engines. These next steps include developing the first-ever GHG regulations for heavy-duty engines and vehicles, as well as additional light-duty vehicle GHG regulations.

The final combined standards that made up the first phase of this national program apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. The standards implemented by this program are expected to reduce GHG emissions by an estimated 960 million metric tons (MMT) and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012-2016).

On August 28, 2012, U.S. EPA and NHTSA issued a joint Final Rulemaking to extend the National Program for fuel economy standards to model year 2017 through 2025 passenger vehicles. Over the lifetime of the model year 2017-2025 standards this program is projected to save approximately four billion barrels of oil and two billion metric tons of GHG emissions.

The complementary U.S. EPA and NHTSA standards that make up the Heavy-Duty National Program apply to combination tractors (semi-trucks), heavy-duty pickup trucks and vans, and vocational vehicles (including buses and refuse or utility trucks). Together, these standards will cut GHG emissions and domestic oil use significantly. This program responds to President Barack Obama's 2010 request to jointly establish GHG emissions and fuel efficiency standards for the medium- and heavy-duty highway vehicle sector. The agencies estimate that the combined standards will reduce CO₂ emissions by about 270 MMT and save about 530 million barrels of oil over the life of model year 2014 to 2018 heavy duty vehicles (Caltrans 2013).

STATE

Assembly Bill 1493, Pavley, Vehicular Emissions: Greenhouse Gases, 2002: This bill requires CARB to develop and implement regulations to reduce automobile and light truck GHG emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year.

Executive Order S-3-05 (June 1, 2005): The goal of this EO is to reduce California's GHG emissions to 1) year 2000 levels by 2010, 2) year 1990 levels by 2020, and 3) 80 percent below the year 1990 levels by 2050. In 2006, this goal was further reinforced with the passage of AB 32.

Assembly Bill 32, Núñez and Pavley, The Global Warming Solutions Act of 2006: AB 32 sets the same overall GHG emissions reduction goals as outlined in EO S-3-05, while further mandating that CARB create a scoping plan and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases."

Executive Order S-20-06 (October 18, 2006): This order establishes the responsibilities and roles of the Secretary of the CalEPA and state agencies with regard to climate change.

Executive Order S-01-07 (January 18, 2007): This order set forth the low carbon fuel standard for California. Under this EO, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by 2020.

Senate Bill 97 Chapter 185, 2007, Greenhouse Gas Emissions: This bill required the Governor's Office of Planning and Research to develop recommended amendments to the CEQA Guidelines for addressing GHG emissions. The amendments became effective on March 18, 2010.

Senate Bill 375, Chapter 728, 2008, Sustainable Communities and Climate Protection: This bill requires the CARB to set regional emissions reduction targets from passenger vehicles. The Metropolitan Planning Organization (MPO) for each region must then develop a "Sustainable Communities Strategy" (SCS) that integrates transportation, land-use, and housing policies to plan for the achievement of the emissions target for their region.

Senate Bill 391 Chapter 585, 2009 California Transportation Plan: This bill requires the State's long-range transportation plan to meet California's climate change goals under AB 32.

CALIFORNIA BUILDING CODE

The California Building Code contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The California Building Code is adopted every three years by the Building Standards Commission (BSC). In the interim, the BSC also adopts annual updates to make necessary mid-term corrections. The CBC standards apply statewide; however, a local jurisdiction may amend a CBC standard if it makes a finding that the amendment is reasonably necessary due to local climatic, geological, or topographical conditions.

Green Building Standards

In essence, green buildings standards are indistinguishable from any other building standards. Both are contained in the California Building Code and regulate the construction of new buildings and improvements. The only practical distinction between the two is that whereas the focus of traditional building standards has been protecting public health and safety, the focus of green building standards is to improve environmental performance.

AB 32, which mandates the reduction in greenhouse gas emissions in California to 1990 levels by 2020, increased the urgency around the adoption of green building standards. In its scoping plan for the implementation of AB 32, the CARB identified energy use as the second largest contributor to California's GHG emissions, constituting roughly 25 percent of all such emissions. In recommending a green building strategy as one element of the scoping plan, the CARB estimated that green building standards would reduce GHG emissions by approximately 26 million metric tons of CO₂e (MMTCO₂e) by 2020 (BSC 2011).

2010 Green Building Code

On January 12, 2010, the Building Standards Commission adopted the *2010 California Green Building Standards Code*, also known as the 2010 CALGreen Code. In addition to the new statewide mandates, CALGreen encourages local governments to adopt more stringent voluntary provisions, know as Tier 1 and Tier 2 provisions, to further reduce greenhouse gas emissions, improve energy efficiency, and conserve natural resources. If a local government adopts one of the tiers, the provisions become mandates for all new construction within that

jurisdiction. The most significant features of the 2010 CALGreen Code include the following (BSC 2011):

- 20 percent mandatory reduction in indoor water use, with voluntary goal standards for 30, 35 and 40 percent reductions;
- Separate indoor and outdoor water meters to measure nonresidential buildings' indoor and outdoor water use with a requirement for moisture-sensing irrigation systems for larger landscape projects;
- Diversion of 50 percent of construction waste from landfills, increasing voluntarily to 65 and 75 percent for new homes and 80 percent for commercial projects;
- Mandatory periodic inspections of energy systems (*i.e.*, heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity according to their design efficiencies;
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board.

SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

The SLOAPCD is a local public agency with the primary mission of realizing and preserving clean air for all county residents and businesses. Responsibilities of the SLOAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by federal and state regulatory requirements.

GHG Significance Thresholds

The SLOAPCD recently adopted recommended GHG significance thresholds. These thresholds are based on AB 32 GHG emission reduction goals, which take into consideration the emission reduction strategies outlined in ARB's Scoping Plan. The GHG significance thresholds include one qualitative threshold and two quantitative thresholds options for evaluation of operational GHG emissions. The qualitative threshold option is based on a consistency analysis in comparison to a Qualified Greenhouse Gas Reduction Strategy, or equitably similar adopted policies, ordinances and programs. If a project complies with a Qualified Greenhouse Gas Reduction Strategy that is specifically applicable to the project, then the project would be considered less than significant. The two quantitative threshold options include: 1) a bright-line threshold of 1,150 MTCO₂e/year; and 2) an efficiency threshold of 4.9 MTCO₂e/service population (residents+employees)/year. An additional GHG significance threshold of 10,000 MTCO₂e/year is proposed for industrial stationary sources. The applicable GHG significance threshold to be used would depend on the type of project being proposed. Projects with GHG emissions that do not exceed the selected threshold would be considered to have a less-than-significant impact. The APCD's GHG emission thresholds are summarized in **Table 15**.

Table 15
SLOAPCD Greenhouse Gas Thresholds of Significance

Project	Draft Threshold
Projects other than Stationary Sources	1. Compliance with Qualified GHG Reduction Strategy; or 2. 1,150 MT CO ₂ e/year; or 3. 4.9 MT CO ₂ e/SP/year (residents+employees)
Stationary Sources (Industrial)	10,000 MT CO ₂ e/year
Construction	Amortized over the project life and added to operation GHG emissions
<i>Source: SLOAPCD 2012</i>	

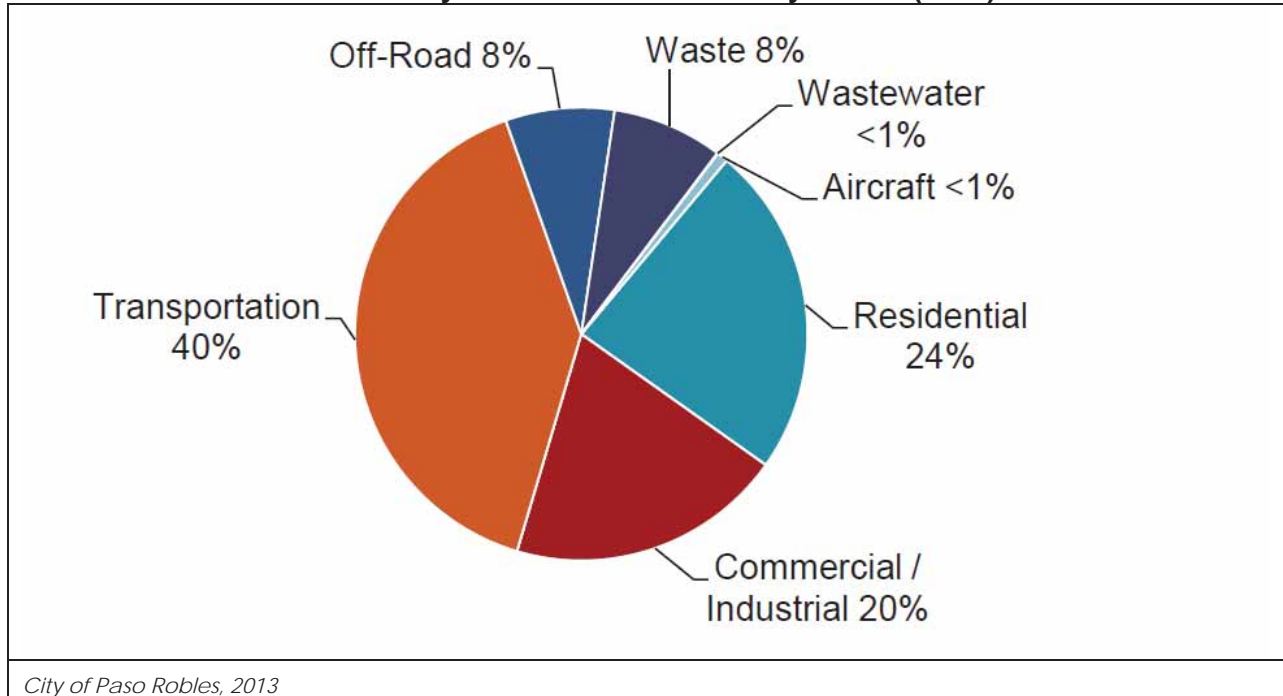
CITY OF PASO ROBLES CLIMATE ACTION PLAN

The City of Paso Robles Climate Action Plan (CAP) was adopted by the City Council on November 18th, 2013. The CAP is a long-range plan to reduce greenhouse gas (GHG) emissions from City government operations and community activities within Paso Robles and prepare for the anticipated effects of climate change. The CAP will also help achieve multiple community goals such as lowering energy costs, reducing air pollution, supporting local economic development, and improving public health and quality of life (City of Paso Robles, 2013).

According to the GHG emissions inventory identified in the CAP, in 2005, the Paso Robles community emitted approximately 169,557 metric tons of carbon dioxide equivalent GHG emissions (MT CO₂e), as a result of activities that took place within the transportation, residential energy use, commercial and industrial energy use, off-road vehicles and equipment, solid waste, aircraft and wastewater sectors. As shown in **Figure 1**, the largest contributors of GHG emissions were the transportation (40 percent), residential energy use (24 percent) and commercial/industrial energy use (20 percent) sectors. The remainder of emissions resulted from the solid waste (eight percent), off-road vehicles and equipment (8 percent), aircraft (less than one percent), and wastewater (less than one percent) sectors (City of Paso Robles, 2013).

In accordance with SLOAPCD-recommended significance thresholds, as discussed above, projects that are determined to be consistent with the GHG-reduction plan, or in this case the CAP, would be considered to have a less-than-significant impact. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in **Appendix C**.

Figure 1
City of Paso Robles
Community-wide GHG Emissions by Sector (2005)



IMPACT ANALYSIS

GHG impacts attributable to the proposed project are summarized in **Table 16**.

Table 16
Summary of Project-Related Greenhouse Gas Emissions Impacts

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS				
A) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

METHODOLOGY

The methodologies used for quantification of GHG emissions are consistent with those discussed earlier in this report for the quantification of criteria air pollutants. Modeling assumptions and output files are included in **Appendix C** of this report.

THRESHOLDS OF SIGNIFICANCE

In accordance with SLOAPCD recommended significance thresholds, the proposed project would be considered to have a potentially significant impact if:

1. Project-generated emissions exceed 1,150 MTCO₂e/year; or
2. The project is not consistent with the City's Climate Action Plan.

PROJECT IMPACTS AND MITIGATION MEASURES

A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? and

B. Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Estimated GHG emissions attributable to future development would be primarily associated with increases of CO₂ from mobile sources. To a lesser extent, other GHG pollutants, such as CH₄ and N₂O, would also be generated. Short-term and long-term GHG emissions associated with the development of the proposed project are discussed in greater detail, as follows:

Short-term Greenhouse Gas Emissions

Estimated increases in GHG emissions associated with construction of the proposed project are summarized in **Table 17**. Based on the modeling conducted, annual emissions of greenhouse gases associated with construction of the proposed project would total approximately 285 MTCO₂e, which averages approximately 22.60 MTCO₂e/year when amortized over the assumed 25-year life of the project. There would also be a small amount of GHG emissions from waste generated during construction; however, this amount is speculative. Actual emissions may vary, depending on the final construction schedules, equipment required, and activities conducted.

Table 17
Annual Construction-Generated GHG Emissions

	GHG Emissions (MTCO ₂ e/Year)
Project-Generated Emissions:	307.61
Less Emissions From Onsite Use to be Removed:	-22.60
Total:	285.01
Amortized Annual Emissions ⁽¹⁾ :	11.40
<p>1. Based on modeled year 2014 operational emissions for the existing onsite residential dwelling, which would be removed upon initiation of project construction.</p> <p>2. Based on a project life of 25 years.</p> <p>Refer to Appendix C for modeling assumptions and results.</p>	

Long-term Greenhouse Gas Emissions

Estimated long-term increases in GHG emissions associated with the proposed project are summarized in **Table 18**. Based on the modeling conducted, operational GHG emissions would be predominantly associated with mobile sources and energy use. To a lesser extent, GHG emissions would also be associated with solid waste generation, as well as, water use and conveyance. Total net increases in GHG emissions during the initial year of operation (year 2015) would total approximately 1,779 MTCO_{2e}/year. After accounting for removed emissions from the existing land use (-22.17 MTCO_{2e}/year) and the inclusion of amortized construction-generated emissions (11.40 MTCO_{2e}/year) the net increase in annual emissions would total approximately 1,768 MTCO_{2e}/year, which would exceed SLOAPCD's significance threshold of 1,150 MTCO_{2e}/year. Project-generated GHG emissions would be considered to have a *potentially significant* impact on the environment, which could conflict with implementation of the City's CAP.

Table 18
Operational Greenhouse Gas Emissions
Without Mitigation

Source	GHG Emissions (MTCO _{2e} /Year)
Area Source	.01
Energy Use	913.38
Motor Vehicles	825.08
Waste Generation	31.13
Water Use and Conveyance	9.30
Total Project-Generated Emissions:	1,778.91
Less Emissions From Onsite Use to be Removed:	-22.17
Construction (Amortized)	11.40
Net Increase in Emissions:	1,768.14
SLOAPCD Significance Threshold:	1,150
Exceeds Significance Threshold?:	Yes
<i>Refer to Appendix C for modeling assumptions and results.</i>	

Mitigation Measure

MM GHG-1: The following mitigation measures, or a combination thereof, shall be implemented to reduce project-generated GHG emissions:

- a) The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in **Appendix C**.

Biological Resources Assessment for Residence Inn Project in Paso Robles, San Luis Obispo County, California

Prepared for:

Excel Hotel Group

Prepared by:

SWCA Environmental Consultants

November 2013

**BIOLOGICAL RESOURCES ASSESSMENT FOR THE
RESIDENCE INN PROJECT IN PASO ROBLES,
SAN LUIS OBISPO COUNTY, CALIFORNIA**

Prepared for

Excel Hotel Group
10660 Scripps Ranch Boulevard, Suite 100
San Diego, California 92131
Attn: Suresh Patel
(858) 621-4908 x101

Prepared by

Jackie Hancock, Biologist

SWCA Environmental Consultants
1422 Monterey Street, C200
San Luis Obispo, California 93401
(805) 543-7095
www.swca.com

SWCA Project No. 26831

November 13, 2013

Reporting Biologist: Jackie Hancock, SWCA Environmental Consultants

“As a County-approved biologist, I hereby certify that this Biological Resources Assessment was prepared according to the Guidelines established by the County of San Luis Obispo Department of Planning and Building and that the statements furnished in the report and associated maps are true and correct to the best of my knowledge and belief; and I further certify that I was present throughout the site visit(s) associated with this report.”



Signature

(Jon Claxton for Jackie Hancock)

November 13, 2013

Date

EXECUTIVE SUMMARY/SYNOPSIS

SWCA Environmental Consultants (SWCA) has prepared this Biological Resources Assessment (BRA) at the request of Excel Hotel Group for the Residence Inn Project (project). The purpose of this BRA is to document the biological resources on the property and identify impacts that could occur from development of the proposed hotel facility. The property is located at 121 Wilmar Place in Paso Robles, San Luis Obispo County, and is currently being used for property rental. The proposed project would convert 3.3 acres of the 17.5-acre property into a commercial hotel. The habitat type of the entire biological study area (BSA) is considered ruderal/developed. The property and BSA have been heavily impacted by decades of historic agricultural practices (i.e., disking and mowing) and provides low habitat value for wildlife species. No special-status plant species were observed nor are expected to occur on the property or within the BSA based on the past agricultural practices observed during site visits and distance to any known occurrences. However, it should be noted that several mature oak trees (*Quercus* spp.) are located on the western half of the BSA and are considered a sensitive resource by the County of San Luis Obispo and are protected by the City of El Paso de Robles Oak Tree Preservation Ordinance.

Despite the ruderal condition of the property and BSA, there is still potential for sensitive wildlife species to occur on the site based on presence of suitable foraging, roosting, or nesting habitat. Three large oak trees (greater than 30 feet in height) may potentially be used by a Swainson's hawk (*Buteo swainsoni*), white-tailed kite (*Elanus leucurus*), or other raptor species during the typical nesting season (February 15-September 15). Migratory nesting birds may also use the oak trees or weedy areas within the BSA and along Wilmar Place for nesting and foraging purposes. Small mammal burrows could potentially be used by burrowing owls (*Athene cunicularia*). Due to the property's distance to the Salinas River and separation by U.S. Highway 101, there is a very low likelihood that San Joaquin kit foxes (*Vulpes macrotis*) may pass through the project area. The property and BSA do not contain suitable denning habitat for San Joaquin kit fox; however, foxes are known to utilize the Salinas River as a wildlife corridor for the purposes of foraging. Avoidance and Mitigation Measures are provided in Section 5.3 of this BRA to ensure that project activities avoid impacts to migratory nesting birds, burrowing owl, San Joaquin kit fox, and oak trees prior to and during construction.

CONTENTS

EXECUTIVE SUMMARY/SYNOPSIS..... i

1 INTRODUCTION 1

 1.1 Purpose of Biological Resources Assessment 1

 1.2 Project Location and Setting 1

 1.3 Project Description 1

 1.4 Soils, Topography, and Elevation..... 1

2 METHODOLOGY 5

 2.1 Literature Review 5

 2.2 Site Visit 5

3 HABITAT TYPES..... 5

 3.1 Ruderal and Developed 5

 3.2 Special-status Species..... 5

 3.2.1 Special-status Plant Species..... 6

 3.2.2 Special-status Animal Species 18

4 REGULATORY OVERVIEW..... 26

 4.1 Federal Policies and Regulations..... 26

 4.1.1 Federal Endangered Species Act of 1973 26

 4.1.2 Migratory Bird Treaty Act of 1918..... 26

 4.2 State Policies and Regulations..... 26

 4.2.1 California Endangered Species Act 26

 4.2.2 California Fish and Game Code..... 26

 4.2.3 California Department of Fish and Wildlife 26

 4.3 Local Policies and Regulations..... 27

 4.3.1 City of El Paso de Robles Oak Tree Preservation Ordinance..... 27

5 IMPACT ASSESSMENT AND MITIGATION 27

 5.1 Sufficiency of Biological Data 27

 5.2 Impacts 27

 5.2.1 Project Effect on Unique or Special-status Species or their Habitats 27

 5.2.2 Project Effect on Extent, Diversity, or Quality of Native or Other Important
Vegetation 28

 5.2.3 Project Effect on Wetland or Riparian Habitat 28

 5.2.4 Project Effect on Movement of Resident or Migratory Fish and Wildlife Species 28

 5.3 Avoidance and Mitigation Measures 29

6 REFERENCES 31

TABLES

Table 1. Special-status Plant Species Investigated for Potential Occurrence 7
Table 2. Special-status Wildlife Species Investigated for Potential Occurrence 19

FIGURES

Figure 1. Project Vicinity Map 2
Figure 2. Project Location Map 3
Figure 3. Habitat Map 4

APPENDICES

Appendix A. Photo Documentation
Appendix B. Project Plans

1 INTRODUCTION

1.1 Purpose of Biological Resources Assessment

SWCA Environmental Consultants (SWCA) has prepared this Biological Resources Assessment (BRA) at the request of Excel Hotel Group for the Residence Inn Project (project). The purpose of this BRA is to document the biological resources on the property and identify impacts that could occur from development of the proposed hotel facility. This analysis is based on the preliminary site plans and has taken into consideration biological resources, such as sensitive habitats, plant, and animal species, which are known to occur within a 10-mile vicinity of the project site. For those instances where potential impacts to sensitive biological resources may occur, SWCA has proposed mitigation measures and best management practices with the objective of avoiding or minimizing the impacts.

SWCA understands that this BRA would be used by Excel Hotel Group, the County of San Luis Obispo Department of Planning and Building (County), and affected state or federal regulatory agencies during the environmental review process for the proposed project. This BRA has been prepared in accordance with the County's *Standard Guidelines for Biological Resources Assessments*, last updated in December 2009.

1.2 Project Location and Setting

The proposed project includes a 3.3-acre development area that is located at 121 Wilmar Place in Paso Robles, San Luis Obispo County, California (refer to Figures 1 and 2). The development area is located at the northeast corner of the 17.5-acre parcel (Assessor's Parcel Number 009-631-011). The property is currently fallow and includes a ranch house and shed in the central portion of the parcel (refer to Appendix A, Photos 1 and 2). The property is bordered by grazing land to the west and north, South Vine Street and U.S. Highway 101 (US 101) parallel the property to the east, and State Route 46 is located perpendicular to the south. Representative photographs are provided in Appendix A.

1.3 Project Description

As proposed, the project would convert 3.3 acres of the 17.5-acre parcel into a hotel and parking lot. The entrance to the facility would be located on Wilmar Place, with the entrance off of South Vine Street. The site plan for the proposed facility is included as Appendix B.

1.4 Soils, Topography, and Elevation

According to the Soil Survey for San Luis Obispo County and the United States Department of Agriculture Natural Resources Conservation Service (NRCS) Web Soil Survey, soils in the study area are primarily Lockwood shaly loam 2–9 percent slopes, with Nacimiento-Los Osos complex 9–30 percent slopes in the northwestern corner of the project site. Lockwood shaly loam is a well-drained soil that consists of channery loam from 0–26 inches and channery clay loam from 26–62 inches. Nacimiento soil is a well-drained soil that consists of silty clay loam from 0–28 inches and weathered bedrock from 28–32 inches. Los Osos soil is a well-drained soil that consists of clay loam from 0–14 inches, clay from 14–24 inches, and weathered bedrock from 24–28 inches. The property is located on a flat terrace with a gentle 15-foot decline to Wilmar Place Road to the north. The elevation is approximately 770–803 feet. Water drains from southeast to northwest and towards the low point in the parcel's topography (refer to Appendix A, Photo 3). Habitat within the biology study area (BSA) are limited to ruderal/developed areas. The following is a description of each habitat type as it relates to the BSA. Three mature valley oak (*Quercus lobata*) trees occur in the developed area on the parcel (refer to Appendix A, Photos 4 and 5), but will not be disturbed according to the project drawing (refer to Appendix B).

Figure 1. Project Vicinity Map

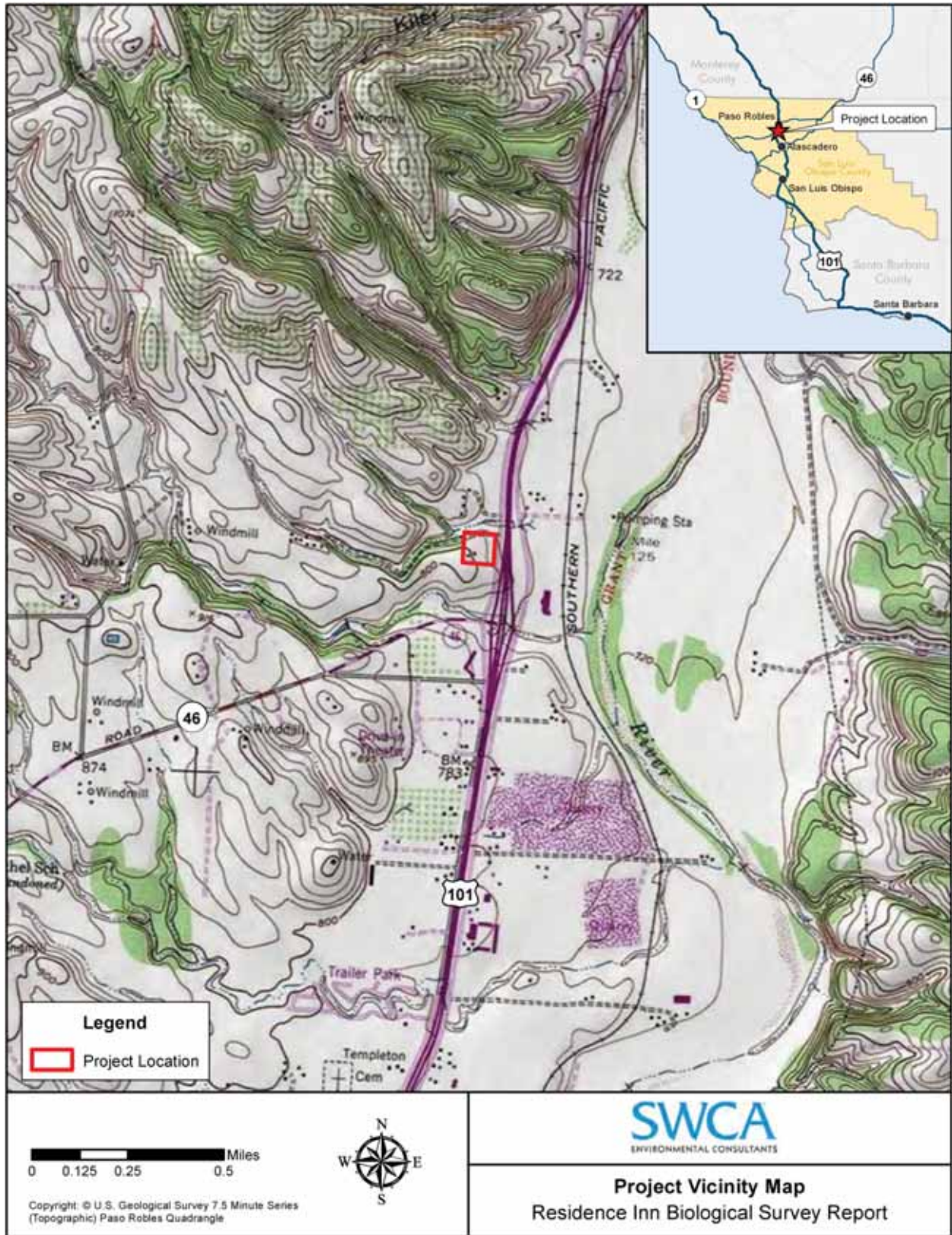


Figure 2. Project Location Map



Figure 3. Habitat Map



2 METHODOLOGY

2.1 Literature Review

SWCA conducted a literature review to gain insight on what species have known occurrences in the project vicinity. The review was initiated with a query of the most recent version of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) to identify reported occurrences of sensitive resources within the Templeton U.S. Geological Survey 7.5-minute quadrangle and the surrounding eight quadrangles: Creston, York Mountain, Santa Margarita, Morro Bay North, Atascadero, Paso Robles, Estrella, and Adelaida.

In addition to the CNDDDB query, the California Native Plant Society (CNPS) Electronic Inventory of Rare and Endangered Plants of California (2013) were reviewed to provide additional information on rare plants that are known to occur in the area. Existing environmental documents and various reports prepared by SWCA were also reviewed for background information and recent findings information.

2.2 Site Visit

A biological survey was not conducted for this project since the reporting period was outside of the normal flowering season for most plant species. Two site visits were made by SWCA Senior Biologists Jon Claxton and Jackie Hancock on August 14 and 26, 2013, respectively. The purpose of the site visits were to: (1) characterize the existing conditions within the BSA; and (2) identify those biological resources that could be impacted by future development. Land conditions were photographed and tree species were inventoried. No protocol-level surveys for special-status wildlife species were conducted as part of this study.

3 HABITAT TYPES

3.1 Ruderal and Developed

Ruderal (disturbed) habitat is used to describe areas within the BSA that have been permanently altered by past land use practices, development, and/or ground disturbance, including disking and mowing, that support an assemblage of weedy, non-native plants (Holland and Keil 1995) There are approximately 2.3 acres of ruderal habitat and 1.0 acres of developed land within the proposed project boundaries. These areas are dominated by non-native grass and bare dirt. The ruderal and developed areas within the BSA provide low habitat value for wildlife species. However, birds may use cleared areas for dusting and for obtaining gravel needed in their digestion. The buildings and trees in the developed area may be used for roosting and nesting sites. A small mosaic of oak woodland and non-native grassland (less than 5% of the BSA) is interspersed around the developed area and road edges that may provide nesting and foraging habitat for migratory birds.

3.2 Special-status Species

The following describes those sensitive biotic resources that have been documented within an approximate 10-mile radius of the property. Sensitive biotic resources include sensitive plant and/or animal species as described below.

3.2.1 Special-status Plant Species

For the purposes of this section, special-status plant species are defined as the following:

- Plants listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (FESA) (50 Code of Federal Regulations [CFR] 17.12 for listed plants and various notices in the Federal Register for proposed species).
- Plants that are candidates for possible future listing as threatened or endangered under the FESA.
- Plants that meet the definitions of rare or endangered species under the California Environmental Quality Act (CEQA) (State CEQA Guidelines §15380).
- Plants considered by the CNPS to be “rare, threatened, or endangered” in California (Lists 1B and 2 in CNPS 2013).
- Plants listed by CNPS as plants about which we need more information and plants of limited distribution (Lists 3 and 4 in CNPS 2013).
- Plants listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (14 California Code of Regulations [CCR] 670.5).
- Plants listed under the California Native Plant Protection Act (California Fish and Game Code §1900 et seq.).
- Plants considered sensitive by other federal agencies (i.e., U.S. Forest Service, Bureau of Land Management), state and local agencies, or jurisdictions.

Based on the literature review for this project, a total of 45 special-status plant species have been documented in a 10-mile radius of the BSA (refer to Table 1). Because the plant list presented in Table 1 is considered regional, SWCA evaluated the listed species to identify which special-status plant species have the potential to occur within the BSA. This analysis compared the known habitat requirements of those 45 species to the BSA’s existing conditions, elevation, and soils. Due to the disturbed nature of the BSA and property from past agricultural activities (e.g., disking and mowing), special-status plant species are not expected to occur on the property.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
oval-leaved snapdragon <i>Antirrhinum ovatum</i>	Annual herb; California endemic; chaparral, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland; clay or gypsum, often alkaline soil. 200–1,000 meters.	May–November	-- / -- / 4.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities (e.g., tilling and grazing), special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.
Santa Lucia manzanita <i>Arctostaphylos luciana</i>	Evergreen shrub; occurs on Chaparral with shale outcrops. 350–850 meters.	February–March	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. No <i>Arctostaphylos</i> species were observed within the BSA. Chaparral and shale outcrops were not present within the BSA. Species is known to occur at higher elevations than the BSA.
Santa Margarita manzanita <i>Arctostaphylos pilosula</i>	Evergreen shrub; California endemic; closed-cone coniferous forest, chaparral, and cismontane woodland habitats; shale soil. 170–1,100 meters.	December–April	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. No <i>Arctostaphylos</i> species were observed within the BSA.
Miles's milk-vetch <i>Astragalus didymocarpus</i> var. <i>milesianus</i>	Annual herb; California endemic; coastal scrub; clay soil. 20–90 meters.	March–June	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Coastal scrub does not occur within the BSA. Species is known to occur at lower elevation than the BSA.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
San Joaquin spearscale <i>Atriplex joaquiniana</i>	Annual herb; California endemic; chenopod scrub, meadows and seeps, playas, valley and foothill grassland; alkaline soil. 1–835 meters.	April–October	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. No <i>Atriplex</i> species were observed within the BSA.
round-leaved filaree <i>California macrophylla</i>	Annual herb; cismontane woodland, valley and foothill grassland; clay soil. 15–1,200 meters.	March–May	-- / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA.
San Luis mariposa-lily <i>Calochortus obispoensis</i>	Bulbiferous herb; California endemic; chaparral, coastal scrub, and valley and foothill grassland habitat; serpentinite soil. 75–730 meters.	May–July	-- / -- / 1B.2	Suitable Conditions Absent Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Serpentine soils do not occur within the BSA.
San Luis Obispo mariposa-lily <i>Calochortus simulans</i>	Bulbiferous herb; California endemic; chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland; sandy, granitic, serpentinite soil. 395–1,100 meters.	April–May	-- / -- / 1B.3	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species. Species occurs at higher elevation than the BSA.
dwarf calycadenia <i>Calycadenia villosa</i>	Annual herb; California endemic; chaparral, cismontane woodland, meadows and seeps, valley and foothill grassland; rocky, fine soils. 240–1,350 meters.	May–October	-- / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Santa Cruz mountains pussypaws <i>Calyptidium parryi</i> var. <i>hesseae</i>	Annual herb; California endemic; chaparral, cismontane woodland; sandy or gravely openings. 305–1,530 meters.	May–August	-- / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. Species occurs at higher elevation than the BSA.
Hardham's evening primrose <i>Camissonia hardhamiae</i>	Annual herb; California endemic; chaparral, cismontane woodland; sandy, decomposed carbonate, disturbed or burned areas. 140–945 meters.	March–May	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
San Luis Obispo sedge <i>Carex obispoensis</i>	Rhizomatous herb; California endemic; closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, and valley and foothill grassland; often serpentine seeps, sometimes gabbro; often on clay soils. 10–790 meters.	April–June	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.
San Luis Obispo owl's-clover <i>Castilleja densiflora</i> ssp. <i>obispoensis</i>	Annual herb; California endemic; valley and foothill grassland; sometimes serpentine. 10–400 meters.	March–May	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.
Lemmon's jewel-flower <i>Caulanthus lemmonii</i>	Annual herb; California endemic; valley and foothill grassland; sometimes serpentine. 80–1,220 meters.	March–May	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Serpentine soils were not present within the BSA.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Brewer's spineflower <i>Chorizanthe breweri</i>	Annual herb; California endemic; closed coniferous forest, chaparral, cismontane woodland, and coastal scrub habitats; gravelly or rocky serpentine soil. 45–800 meters.	May–August	-- / -- / 1B.3	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
straight-awned spineflower <i>Chorizanthe rectispina</i>	Annual herb; California endemic; chaparral, cismontane woodland, coastal scrub, and valley and foothill grassland habitats. 85–1,035 meters.	May–July	-- / -- / 1B.3	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA.
Chorro Creek bog thistle <i>Cirsium fontinale</i> var. <i>obispoense</i>	Perennial herb; California endemic; chaparral and cismontane woodland habitats in association with serpentine seeps. 35–380 meters.	February–July	FE / SE / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
Cuesta Ridge Thistle <i>Cirsium occidentale</i> var. <i>lucianum</i>	Perennial herb; chaparral (serpentine); often on steep rocky slopes and/or disturbed roadsides. 500–750 meters.	April–June	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. Species occurs at higher elevations than the BSA.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
dune larkspur <i>Delphinium parryi</i> ssp. <i>blochmaniae</i>	Perennial herb. Occurs in maritime chaparral and coastal dunes with sandy or rocky soils. 0–200 meters.	April–May	--/--/1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. Species occurs at lower elevations than the BSA.
Eastwood's larkspur <i>Delphinium parryi</i> ssp. <i>eastwoodiae</i>	Perennial herb; chaparral and valley and foothill grassland (serpentine, coastal). 75–500 meters.	February–March	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.
umbrella larkspur <i>Delphinium umbracolorum</i>	Perennial herb; California endemic; cismontane woodland. 400–1,600 meters.	April–June	-- / -- / 1B.3	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat conditions were not observed within the BSA for this species. Species occurs at higher elevations than the BSA.
Betty's dudleya <i>Dudleya abramsii</i> ssp. <i>bettinae</i>	Perennial herb; California endemic; chaparral, coastal scrub and valley and foothill grassland habitats; serpentine and rocky soil. 20–180 meters.	May–July	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species. Species occurs at lower elevations than the BSA.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Blochman's dudleya <i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	Perennial herb; coastal bluff scrub, chaparral, coastal scrub, and valley and foothill grassland habitats; rocky soil, often clay or serpentine. 5–450 meters.	April–June	-- / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
yellow-flowered eriastrum <i>Eriastrum luteum</i>	Annual herb; California endemic; broad-leaved upland forest, chaparral, and cismontane woodland habitats; sandy or gravelly soil. 290–1,000 meters.	May–June	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
Blochman's leafy daisy <i>Erigeron blochmaniae</i>	Rhizomatous herb; California endemic; coastal dune and coastal scrub habitats. 3–45 meters.	June–August	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat conditions were not observed within the BSA for this species. Species occurs at lower elevations than the BSA.
Temblor buckwheat <i>Eriogonum temblorense</i>	Annual herb; Valley and Foothill Grassland (clay or sandstone). 300–1,000 meters.	April–September	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species. Species occurs at higher elevations than the BSA.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Ojai fritillary <i>Fritillaria ojaiensis</i>	Bulbiferous herb occurs in broadleaf upland forest, chaparral, and lower montane coniferous forest on rocky soils. 300–998 meters.	March–May	--/--/1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. Species occurs at higher elevation than the BSA.
San Benito fritillary <i>Fritillaria viridea</i>	Bulbiferous herb; California endemic; chaparral on serpentine soil. 200–1,525 meters.	March–May	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
mesa horkelia <i>Horkelia cuneata</i> ssp. <i>puberula</i>	Perennial herb; California endemic; chaparral, cismontane woodland, and coastal scrub habitats; sandy or gravelly soil. 70–810 meters.	February–September	-- / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
Kellogg's horkelia <i>Horkelia cuneata</i> ssp. <i>sericea</i>	Perennial herb; California endemic; closed-cone coniferous forest; chaparral (maritime); coastal dunes, coastal scrub; sandy or gravelly, openings. 10–200 meters.	April–September	-- / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. Species occurs at lower elevations than the BSA.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Santa Lucia dwarf rush <i>Juncus luciensis</i>	Annual herb; California endemic; chaparral, Great Basin scrub, lower montane coniferous forest, meadows and seeps, vernal pool. 300–2,040 meters.	April–July	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. Species occurs at higher elevations than the BSA.
pale-yellow layia <i>Layia heterotricha</i>	Annual herb; California endemic; cismontane woodland, coastal scrub, pinyon and juniper woodland, valley and foothill grassland; alkaline or clay soil. 300–1,705 meters.	March–June	-- / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species. Species occurs at higher elevation than the BSA.
Jones's layia <i>Layia jonesii</i>	Annual herb; California endemic; chaparral and valley and foothill grassland habitats; clay or serpentine soils. 5–400 meters.	March–May	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.
Jared's pepper-grass <i>Lepidium jaredii</i> ssp. <i>jaredii</i>	Annual herb; California endemic; valley and foothill grassland; alkaline, adobe soils. 335–1,005 meters.	March–May	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species. Species occurs at higher elevations than the BSA.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Carmel Valley bush-mallow <i>Malacothamnus palmeri</i> var. <i>involutus</i>	Deciduous shrub; California endemic; chaparral, cismontane woodland, coastal scrub. 30–1,100 meters.	May–October	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat was not observed within the BSA for this species.
Santa Lucia bush-mallow <i>Malacothamnus palmeri</i> var. <i>palmeri</i>	Deciduous shrub; California endemic; chaparral on rocky soils. 60–360 meters.	May–July	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
Palmer's monardella <i>Monardella palmeri</i>	Rhizomatous herb; California endemic; chaparral and cismontane woodland habitats on serpentinite soil. 200–800 meters.	June–August	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
woodland woollythreads <i>Monolopia gracilis</i>	Annual herb; broadleaved upland forest, chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland (serpentine). 100–1,200 meters.	February–July	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.
spreading navarretia <i>Navarretia fossalis</i>	Annual herb; chenopod scrub, marshes and swamps (assorted shallow freshwater), playas, vernal pools. 30–1,300 meters.	April–June	FT / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat was not observed within the BSA for this species.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
shining navarretia <i>Navarretia nigelliformis</i> ssp. <i>radians</i>	Annual herb; California endemic; cismontane woodland, valley and foothill grassland, vernal pools. 76–1,000 meters.	April–July	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA.
hooked popcorn-flower <i>Plagiobothrys uncinatus</i>	Annual herb; California endemic; chaparral (sandy); cismontane woodland, valley and foothill grassland. 300–760 meters.	April–May	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Species occurs at higher elevation than the BSA.
Cuesta Pass checkerbloom <i>Sidalcea hickmanii</i> ssp. <i>anomala</i>	Perennial herb; California endemic; closed-cone coniferous forest, chaparral; rocky, serpentine soil. 600–800 meters.	May–June	-- / SR / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species. Species occurs at higher elevations than the BSA.
most beautiful jewel-flower <i>Streptanthus albidus</i> ssp. <i>peramoenus</i>	Annual herb; California endemic; chaparral, cismontane woodland, and valley and foothill grassland; serpentine soil. 110–1,000 meters.	April–June	-- / -- / 1B.2	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Suitable soil conditions were not observed within the BSA for this species.
California seablite <i>Suaeda californica</i>	Evergreen shrub; California endemic; marshes and swamps (coastal salt). 110–1,000 meters.	April–June	FE / -- / 1B.1	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat was not observed within the BSA for this species.

Table 1. Special-status Plant Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Cook's triteleia <i>Triteleia ixioides</i> ssp. <i>cookii</i>	Bulbiferous herb; California endemic; closed-cone coniferous forest, cismontane woodland; serpentine seeps. 150–700 meters.	May–June	-- / -- / 1B.3	Suitable Conditions Absent: Due to the disturbed nature of the site from past agricultural activities, special-status plant species are not expected to occur within the BSA. Habitat and soil conditions were not observed within the BSA for this species.
Natural Communities of Concern				
northern interior cypress forest	An open serotinous forest that is often found on dry, rocky soils. Often associated with serpentine soils. Vegetation consists of dense to sparse stands of Cupressus species.			Absent: This natural community was not observed within the BSA.
Valley Oak Woodland	Highly variable climax woodland dominated by valley oak (<i>Quercus lobata</i>) usually below 6,000 meters. Occurs in the Sacramento and San Joaquin valleys, and valleys of the Coast Ranges			Absent: This natural community was not observed within the BSA.

General references: CDFW 2008, Baldwin et al 2012, CNDDDB 2013

Status Codes

--= No status

Federal:

FE = Federal Endangered

FT = Federal Threatened

State:

SE = State Endangered

ST = State Threatened

SR = State Rare

California Native Plant Society (CNPS):

List 1B = rare, threatened, or endangered in California and elsewhere.

List 2 = rare, threatened, or endangered in California, but more common elsewhere.

List 3 = plants that about which more information is needed.

List 4 = a watch list plants of limited distribution.

Threat Code:

.1 = Seriously endangered I California (over 80% of occurrences threatened / high degree and immediacy of threat)

.2 = Fairly endangered in California (20-80% occurrences threatened)

.3 = Not very endangered I California (<20% of occurrences threatened or no current threats known)

3.2.2 Special-status Animal Species

For the purposes of this section, special-status animal species are defined as the following:

- Animals listed or proposed for listing as threatened or endangered under the FESA (50 CFR 17.11 for listed animals and various notices in the Federal Register for proposed species).
- Animals that are candidates for possible future listing as threatened or endangered under the FESA.
- Animals that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines §15380).
- Animals listed or proposed for listing by the State of California as threatened and endangered under the CESA (14 CCR 670.5).
- Animal species of special concern to the CDFW (Remsen 1978 for birds; Williams 1986 for mammals).
- Animal species that are fully protected in California (California Fish and Game Code, §3511 [birds], §4700 [mammals], and §5050 [reptiles and amphibians]).

Based on a CNDDDB query and a review of existing literature, a total of 40 sensitive wildlife species have been documented within an approximate 10-mile radius of the BSA (refer to Table 2). Because this list of species is considered regional, an analysis of the range and habitat preferences of those animal species was conducted to identify which sensitive wildlife species have the potential to occur within the BSA. SWCA determined that the following special-status animal species have the greatest potential to occur within, or directly adjacent to the BSA:

- | | |
|---|--|
| ▪ white-tailed kite
(<i>Elanus leucurus</i>) | ▪ Swainson's hawk
(<i>Buteo swainsonii</i>) |
| ▪ burrowing owl
(<i>Athene cunicularia</i>) | ▪ San Joaquin kit fox
(<i>Vulpes macrotis mutica</i>) |

Although the species listed above may have the potential to occur within or adjacent to the BSA based on presence of suitable foraging, roosting, or nesting habitat, none of these species were identified during the site visits conducted by SWCA. However, the potential for these species to occur cannot be ruled out due to the transitory nature of these wildlife species.

Table 2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
Gastropods			
Morro shoulderband (=banded dune) snail <i>Helminthoglypta walkeriana</i>	Restricted to the coastal strand in the immediate vicinity of Morro Bay; inhabits the duff beneath <i>Happelopappus</i> , <i>Salvia</i> , <i>Dudleya</i> , and <i>Mesembryanthemum</i> .	FE / -- / --	Suitable Conditions Absent: The BSA does not contain habitat for this species. Property is not located on the coast.
San Luis Obispo pyrg <i>Pyrgulopsis taylori</i>	Freshwater habitats in San Luis Obispo County.	-- / -- / SA	Suitable Conditions Absent: Freshwater habitat necessary to support this species does not occur within the BSA or on the property.
Invertebrates			
vernal pool fairy shrimp <i>Branchinecta lynchi</i>	Vernal pools, usually less than 0.05 acres in size; swales or basalt flow depression pools in unplowed grasslands.	FT / -- / --	Suitable Conditions Absent: Vernal pool habitat necessary to support this species does not occur within the BSA or on the property. .
sandy beach tiger beetle <i>Cicindela hirticollis gravida</i>	Areas adjacent to non-brackish water along the California coast to Mexico; inhabits sand in upper zone; larvae found in moist sand.	-- / -- / SA	Suitable Conditions Absent: Coastal habitat and soils necessary to support this species does not occur within the BSA.
Globose Dune beetle <i>Coelus globosus</i>	Coastal sand dune habitat.	--/-- / SA	Suitable Conditions Absent: Coastal sand dune habitat necessary to support this species does not occur within the BSA or on the property.
monarch butterfly <i>Danaus plexippus</i>	Coastal eucalyptus and Monterey cypress stands.	-- / -- / SA	Suitable Conditions Absent: No eucalyptus or Monterey cypress stands are present within the BSA or on the property.

Table 2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
California linderiella <i>Linderiella occidentalis</i>	Seasonal ponds in grasslands, sandstone depressions and alluvial flats with hardpan beneath.	--/-- / SA	Suitable Conditions Absent: The BSA does not contain seasonal ponds or sandstone depressions necessary to support this species.
Morro Bay blue butterfly <i>Icaricia icarioides moroensis</i>	Inhabits stabilized dunes and adjacent areas of coastal San Luis Obispo and Santa Barbara Counties; <i>Lupinus charmissonis</i> is larval food plant.	-- / -- / SA	Suitable Conditions Absent: Coastal sand dune habitat necessary to support this species does not occur within the BSA.
Atascadero June beetle <i>Polyphylla nubila</i>	Known only from sand dunes in San Luis Obispo County	-- / -- / SA	Suitable Conditions Absent: Coastal sand dune habitat necessary to support this species does not occur within the BSA.
Lompoc grasshopper <i>Trimerotropis occulens</i>	Known only from Santa Barbara and San Luis Obispo Counties.	-- / -- / SA	Suitable Conditions Absent: This species was last seen in 1909 (CNDDDB 2013) and is not expected to occur within the BSA.
Fish			
steelhead – south-central California coast ESU <i>Oncorhynchus mykiss irideus</i>	Optimally, clear, cool water with abundant instream cover, well-vegetated stream margins, relatively stable water flow, and a 1:1 pool-to-riffle ratio.	FT / -- / SSC	Suitable Conditions Absent: Aquatic habitat does not occur within the BSA
tidewater goby <i>Eucyclogobius newberryi</i>	Brackish shallow lagoons and lower stream reaches where water is fairly still, but not stagnant.	FE / -- / SSC	Suitable Conditions Absent: Aquatic habitat does not occur within the BSA.

Table 2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
Amphibians			
foothill yellow-legged frog <i>Rana boylei</i>	Occurs in partly shaded, shallow streams and riffles with a rocky substrate in a variety of different habitats. Requires cobble sized rocks for egg laying	-- / -- / SSC	Suitable Conditions Absent: Suitable aquatic habitat does not occur within the BSA.
California red-legged frog <i>Rana draytonii</i>	Aquatic habitats with little or no flow and surface water depths to at least 2.3 feet. Presence of fairly sturdy underwater supports such as cattails.	FT /-- /SSC	Suitable Conditions Absent: Aquatic habitat does not occur within the BSA.
western spadefoot <i>Spea hammondi</i>	Inhabits vernal pools in primarily grassland, but also in valley and foothill hardwood woodlands.	-- / -- / SSC	Suitable Conditions Absent: Vernal pool habitat necessary to support this species does not occur within the BSA.
Coast range newt <i>Taricha torosa torosa</i>	Breed in ponds, reservoirs, and slow-moving streams. Frequents terrestrial habitats such as oak woodlands.	-- / -- / SSC	Suitable Conditions Absent: Aquatic habitat necessary to support this species does not occur within the BSA.
Reptiles			
western pond turtle <i>Emys marmorata</i>	Quiet waters of ponds, lakes, streams, and marshes. Typically in the deepest parts with an abundance of basking sites.	-- / -- / SSC	Suitable Conditions Absent: Aquatic habitat does not occur within the BSA.
coast horned lizard <i>Phrynosoma blainvillii</i>	Frequents a wide variety of habitats; most commonly in lowlands along sandy washes with scattered low bushes.	-- / -- / SSC	Suitable Conditions Absent: Sandy wash habitat necessary to support this species does not occur within the BSA.
silvery legless lizard <i>Anniella pulchra pulchra</i>	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. Prefer soils with high moisture content.	-- / -- / SSC	Suitable Conditions Absent: The appropriate soils and vegetation necessary to support this species was not observed within the BSA.

Table 2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
Birds			
grasshopper sparrow <i>Ammodramus savannarum</i>	(Nesting) dense grasslands on rolling hills, lowland plains, in valleys, and on hillsides on lower mountain slopes; favors native grasslands with a mix of grasses, forbs, and scattered shrubs loosely colonial when nesting.	MBTA / -- / SSC	Suitable Conditions Absent: Native grassland habitat with a mix of grasses, forbs and shrubs was not observed within the BSA.
golden eagle <i>Aquila chrysaetos</i>	(Nesting and nonbreeding/wintering) rolling foothills, mountain areas, sage-juniper flats, and desert areas. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.	MBTA / FP / --	Suitable Conditions Absent: BSA consists primarily of ruderal land unsuitable for this species. Species not observed during surveys.
burrowing owl <i>Athene curvicularia</i>	Open, dry grasslands, deserts, and scrublands. Subterranean nester, dependent upon burrowing mammals.	MBTA / -- / CSC	Suitable Conditions Present: Suitable wintering habitat is present within the BSA due to the presence of ground squirrel burrows and short vegetation. Species not observed during site visits.
ferruginous hawk <i>Buteo regalis</i>	(Nonbreeding/wintering) open grasslands, sagebrush flats, desert scrub, low foothills, and pinyon-juniper habitats. Eats mostly lagomorphs, ground squirrels, and mice	MBTA / -- / SSC	Suitable Conditions Absent: BSA does not contain nesting or foraging habitat. Species not observed during surveys.
Swainson's hawk <i>Buteo swainsonii</i>	Breeds in grasslands with scattered trees in juniper-sage flats, riparian areas, and agricultural areas with lines of trees.	MBTA / FT / --	Suitable Conditions Present: Foraging and nesting habitat is present just within and adjacent BSA. Swainson's hawks were not observed during site visits. This species has not been documented within Paso Robles city limits.
western snowy plover <i>Charadrius alexandrinus nivosus</i>	Sandy marine and estuarine shores.	FT, CH / -- / SSC	Suitable Conditions Absent: BSA does not contain sandy marine or estuarine shores.

Table 2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
white-tailed kite <i>Elanus leucurus</i>	Open grasslands, meadows, or marshlands for foraging close to isolated dense-topped trees for nesting and perching.	MBTA / FP / --	Suitable Conditions Present: Foraging and nesting habitat is present within and just outside BSA. Species not observed during site visits.
prairie falcon <i>Falco mexicanus</i>	Occurs in dry, open terrain that is level or hilly and breeds on cliffs.	MBTA / -- / --	Suitable Conditions Absent: BSA contains foraging habitat; however, no cliffs for nesting are present. Species not observed during site visits.
least Bell's vireo <i>Vireo bellii pusillus</i> (nesting)	(Nesting) summer resident of southern California in low riparian areas near water or river bottoms. Nests placed along margins of bushes or on twigs usually <i>Salix</i> , <i>Baccharis</i> , and mesquite.	FE, MBTA / SE / --	Suitable Conditions Absent: BSA does not contain nesting or foraging habitat. Species not observed during site visits.
purple martin <i>Progne subis</i>	Inhabits woodlands, low elevation coniferous forest of Douglas fir, ponderosa pine, and Monterey pine. Nests in old woodpecker cavities and man-made structures.	MBTA / -- / SSC	Suitable Conditions Absent: BSA does not contain nesting or foraging habitat. Species not observed during site visits.
bank swallow <i>Riparia riparia</i>	Nests in colonies in vertical sand banks. Forages over meadows and water	-- / ST / --	Suitable Conditions Absent: BSA does not contain nesting or foraging habitat. Species not observed during site visits.
other nesting birds Class Aves	Various habitats (nesting).	MBTA / -- / CDFW Code Section 3503	Suitable Conditions Present: Foraging and nesting habitats for migratory birds are present within the BSA. No nesting birds or activity was observed during the site visits.

Table 2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
Mammals			
Nelson's antelope squirrel <i>Ammospermophilus nelsoni</i>	Western San Joaquin Valley from 200-1200 feet. Occurs on sparsely vegetated sites with loamy soils and requires scattered shrubs and forbs. Digs own burrows or uses kangaroo rat burrows.	-- / ST / --	Suitable Conditions Absent: BSA does not contain scattered shrub or forb habitat necessary for this species. Species not observed during site visit. Not likely to occur due to known range of species east of project site.
pallid bat <i>Antrozous pallidus</i>	Inhabits deserts, grasslands, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting	-- / -- / SSC	Suitable Conditions Absent: Desert habitat and rocky areas for roosting are not present within the BSA. Species not observed during site visit.
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	Occurs throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	-- / -- / SSC	Suitable Conditions Absent: Roosting habitat was not observed within the BSA. Species not observed during site visits.
Monterey dusky-footed woodrat <i>Neotoma lepida intermedia</i>	Forest habitats of moderate canopy and moderate to dense understory; also in chaparral habitats. Nests constructed of grass, feathers, etc. Population may be limited by availability of nest materials.	-- / -- / SSC	Suitable Conditions Absent: No woodrat middens or habitat was observed within the BSA. Species not observed during site visits.
Tulare grasshopper mouse <i>Onychomys torridus tularensis</i>	Hot, arid valleys and scrub deserts in the San Joaquin Valley.	-- / -- / SSC	Suitable Conditions Absent: The BSA is highly disturbed and does not contain habitat for this species. Species not observed during site visits.
San Joaquin pocket mouse <i>Perognathus inornatus inornatus</i>	Typically found in grasslands and blue oak savannahs. Needs friable soils.	-- / -- / SA	Suitable Conditions Absent: The BSA is highly disturbed and does not contain habitat for this species. Species not observed during site visits.

Table 2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
Salinas pocket mouse <i>Perognathus inornatus</i> <i>psammophilus</i>	Annual grassland and desert shrub communities in the Salinas Valley in fine-textured, sandy, friable soils. Burrows for cover and nesting.	-- / -- / SSC	Suitable Conditions Absent: The BSA is highly disturbed and does not contain shrub communities necessary to support this species. Species not observed during site visits.
San Joaquin kit fox <i>Vulpes macrotis mutica</i>	Inhabits annual grasslands or grassy open stages with scattered shrubs; needs friable sandy soils for burrowing, and suitable prey base.	FE / SE / --	Suitable Conditions Present: The Salinas River is a known wildlife corridor for the San Joaquin kit fox. However, the BSA is highly disturbed and is separated from the Salinas River by US 101. The likelihood of occurrence of this species in the BSA is very low due to the distance to the Salinas River and other known populations.
American badger <i>Taxidea taxus</i>	Drier open stages of shrub, forest, and herbaceous habitats, with friable soils; needs sufficient food and open, uncultivated ground; digs burrows.	-- / -- / SSC	Suitable Conditions Absent: The BSA is highly disturbed, cultivated, and does not contain a suitable prey base for this species. This species was not observed during site visits.

General references: Unless otherwise noted all habitat and distribution data provided by California Natural Diversity Database

Status Codes
--= No status

Federal:

- FE = Federal Endangered
- FT= Federal Threatened
- FC= Federal Candidate
- CH= Federal Critical Habitat
- PCH= Proposed Federal Critical Habitat
- MBTA= Protected by Federal Migratory Bird Treaty Act

State:

- SE= State Endangered
- ST= State Threatened

California Department of Fish and Game:

- SSC= California Special Concern Species
- FP= Fully Protected Species
- SA= Not formally listed but included in CDFW "Special Animal" List.

4 REGULATORY OVERVIEW

4.1 Federal Policies and Regulations

4.1.1 Federal Endangered Species Act of 1973

The FESA provides legislation to protect federally listed plant and animal species. Impacts to listed species resulting from the implementation of a project would require the responsible agency or individual to formally consult with the U.S. Fish and Wildlife Service (USFWS) or National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) to determine the extent of impact to a particular species. If USFWS or NOAA Fisheries determine that impacts to a federally listed species would likely occur, alternatives and measures to avoid or reduce impacts must be identified. USFWS and NOAA Fisheries also regulate activities conducted in federal critical habitat, which are geographic units designated as areas that support primary habitat constituent elements for listed species.

4.1.2 Migratory Bird Treaty Act of 1918

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the USFWS, and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies.

4.2 State Policies and Regulations

4.2.1 California Endangered Species Act

The CESA ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened. The state also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence of CESA protected species.

4.2.2 California Fish and Game Code

California Fish and Game Code §3511 includes provisions to protect Fully Protected (FP) species, such as: (1) prohibiting take or possession “at any time” of the species listed in the statute, with few exceptions; (2) stating that “no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to “take” the species; and (3) stating that no previously issued permits or licenses for take of the species “shall have any force or effect” for authorizing take or possession. The CDFW is unable to authorize incidental take of “fully protected” species when activities are proposed in areas inhabited by those species. Sections 3503 and 3503.5 of the Fish and Game Code state that it is unlawful to take, possess, or destroy the nest or eggs of any bird, with occasional exceptions. In addition, §3513 states that it is unlawful to take or possess any migratory bird as designated in the MBTA or any part of such migratory birds except as provided by rules and regulations under provisions of the MBTA.

4.2.3 California Department of Fish and Wildlife

Pursuant to Division 2, Chapter 6, §§1600-1602 of the California Fish and Game Code, the CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife. CDFW defines a “stream” (including creeks and rivers) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that

supports or has supported riparian vegetation.” CDFW’s definition of “lake” includes “natural lakes or man-made reservoirs.” CDFW jurisdiction within altered or artificial waterways is based upon the value of those waterways to fish and wildlife.

4.3 Local Policies and Regulations

4.3.1 City of El Paso de Robles Oak Tree Preservation Ordinance

Pursuant to City of El Paso de Robles (City) Oak Tree Preservation Ordinance No. 835 N.S., a permit is required to prune and/or remove any native oak species (of the genus, *Quercus*) within the city of El Paso de Robles. The preservation of oak trees within the city is considered necessary to maintain the heritage and character of the city of El Paso de Robles (“the Pass of the Oaks”). This ordinance applies to oak trees with a diameter at breast height (DBH) equal to or greater than 6 inches and their corresponding critical root zone (CRZ), which is calculated by a radius of 1 foot per inch DBH.

5 IMPACT ASSESSMENT AND MITIGATION

This impact assessment focuses on identifying potential impacts associated with implementation of the proposed project. The impact analysis is based on the existing conditions, regulatory setting, and preliminary site map provided to SWCA by Excel Hotel Group (refer to Appendix B). The section focuses on identifying potential biological constraints associated with any reasonably foreseeable future developments within the biology study area. The emphasis is on determining the potential effects of the project on special-status species, habitats, and jurisdictional areas within the BSA. Adverse impacts could occur if future uses of the property would result in temporary or permanent modification to sensitive habitats, or to habitats occupied by special-status species. Where potential impacts to sensitive resources have been identified, measures for avoiding, minimizing, or mitigating adverse effects to these resources are recommended. The following section has been formatted to meet the general guidelines set forth by the County (December 2009).

5.1 Sufficiency of Biological Data

SWCA considers the information provided within this report to be sufficient in order to definitively determine impacts to biological resources as it relates to the proposed project. Based on the current project plans, no additional field surveys or specialized investigation is needed to determine the potential impacts.

5.2 Impacts

5.2.1 Project Effect on Unique or Special-status Species or their Habitats

5.2.1.1 PLANTS

The BSA and property has been disturbed from agricultural practices including disking and mowing. No special-status plant species were observed nor are special-status plant species expected to occur within the BSA. However, several oak trees within the project impact area are considered vital to the heritage and character of the city and are protected under the Oak Tree Preservation Ordinance (refer to Section 5.2.2 for further information).

5.2.1.2 WILDLIFE

Birds protected under the MBTA are expected to occur on the property and may utilize the oak trees and weedy areas within the BSA for nesting and foraging purposes. White-tailed kite and Swainson's hawk may nest in the large oak trees. Both species forage in open grasslands and fallow fields characteristic of the property and surrounding land. White-tailed kite is a year-round resident of San Luis Obispo County while Swainson's hawk occurrences are rare in the county (Sibley 2003). The nearest known occurrence of Swainson's hawk is approximately 20 miles northeast of the property (CNDDDB 2013). Burrowing owls may use small mammal burrows if present on the property. The likelihood of this species occurring within the BSA is low since burrowing owl is not a common resident to the Paso Robles area. The nearest known occurrence of this species is a wintering population at Camp Roberts, approximately 15 miles north of the BSA (CNDDDB 2013). Avoidance and Mitigation Measure BIO-1 has been provided to ensure that project activities avoid impacts to migratory nesting birds and to ensure that burrowing owls are not present prior to the start of construction.

The BSA does not contain suitable denning habitat for San Joaquin kit fox. The Salinas River serves as a wildlife corridor for the purposes of foraging for the species. Due to the property's distance (0.2 miles) to the Salinas River and US 101, which is a likely barrier to movement, there is a low likelihood that San Joaquin kit fox may pass through the project area. The project area is not located within any of the habitat replacement areas shown on the San Luis Obispo County Kit Fox Standard Mitigation Ratios Area Map. A San Joaquin kit fox Habitat Evaluation Form was not completed as part of this study. Since there are San Joaquin kit fox occurrences within a 10-mile radius of the project area, standard San Joaquin kit fox avoidance measures should be implemented during project construction (refer to Avoidance and Mitigation Measures BIO-2 through BIO-7).

5.2.2 *Project Effect on Extent, Diversity, or Quality of Native or Other Important Vegetation*

The BSA contains two large valley oak trees, one large blue oak (*Quercus douglasii*), and as many as 30 small native oak species that may meet the qualifications for protection under the City Oak Tree Preservation Ordinance (2002). This ordinance applies to all oak species native to Paso Robles with a DBH equal to or greater than 6 inches and their corresponding CRZ, which is calculated by a radius of 1 foot per inch DBH. Development of the project must not encroach into the CRZ and every reasonable effort must be made to avoid impact to the oak trees, including preventing compaction, soil retention, and diversion or increased water flow to the root zone. Existing ground surface within the CRZ shall not be cut, filled, compacted, or pared, and nearby excavation shall not damage roots. A registered civil engineer or land surveyor must provide the City with an inventory and map of all qualifying oak trees in the BSA. A permit must be obtained from the City to prune or remove qualifying oak trees. Damage to any qualifying oak tree must be reported immediately and corrected in a manner specified by an arborist hired by the City at the applicant's cost. Mitigation plantings are required for removal of qualifying oak trees, and all others remaining in the BSA must be protected (refer to Avoidance and Mitigation Measures BIO-8 through BIO-14).

5.2.3 *Project Effect on Wetland or Riparian Habitat*

Riparian habitat is not present within the BSA or on the property. As proposed, the project would have no direct or indirect effect on wetland or riparian habitat.

5.2.4 *Project Effect on Movement of Resident or Migratory Fish and Wildlife Species*

The proposed project will have no direct or indirect effect on the movement of resident or migratory fish and wildlife species.

5.3 Avoidance and Mitigation Measures

- BIO-1 To the maximum extent possible, site preparation, ground-disturbing, and construction activities should be conducted outside of the migratory bird breeding season. If such activities are required during this period, the applicant should retain a County-approved biologist to conduct a nesting bird survey and verify that migratory birds are not occupying the site. If nesting activity is detected the following measures should be implemented:
- a. The project should be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;
 - b. The County-approved biologist should contact the USFWS and CDFW to determine an appropriate biological buffer zone around active nest sites. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and,
 - c. The County-approved biologist should document all active nests and submit a letter report to the USFWS, CDFW, and County documenting project compliance with the MBTA and applicable project mitigation measures.
- BIO-2 Prior to construction, a qualified biologist should conduct a pre-activity survey to identify known or potential dens or sign no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential den or any other sign of the species is identified or detected within the project area, the biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the County. The report will include, at a minimum, survey dates, field personnel, field conditions, survey methodology, and survey results.
- BIO-3 During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 feet in depth should 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 should also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled or covered, they should be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- BIO-4 During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site should be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- BIO-5 Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides should be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered

- species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BIO-6 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 should be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant should immediately notify the USFWS and the CDFW by telephone. In addition, formal notification should be provided in writing within 3 working days of the finding of any such animal(s). Notification should include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured should be turned over immediately to the CDFW for care, analysis, or disposition.
- BIO-7 Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the County should do the following to provide for kit fox passage:
- a. If a wire strand/pole design is used, the lowest strand should be no closer to the ground than 12 inches.
 - b. If a more solid wire mesh fence is used, 8×12-inch openings near the ground should be provided every 100 yards.
- Upon fence installation, the applicant should notify the County to verify proper installation. Any fencing constructed after issuance of a final permit should follow the above guidelines.
- BIO-8 Prior to site disturbance, the CRZ of all oak trees with a DBH of 6 inches or greater must be fenced to protect from construction activities.
- BIO-9 During the site disturbance and/or construction phase, grading, cutting, or filling within 5 feet of a CRZ of all oak trees with a DBH of 6 inches or greater must be supervised by a certified arborist approved by the City. Such activities beyond 5 feet of a CRZ must be monitored to insure that activities are in accordance with approved plans. Root pruning outside of the CRZ must be done by hand.
- BIO-10 Oil, gasoline, chemicals, or other construction materials potentially harmful to oak trees may not be stored in the CRZ of any oak tree with a DBH of 6 inches or greater.
- BIO-11 Drains shall be installed according to city specification so as to avoid harm by excessive watering to oak trees with a DBH of 6 inches or greater.
- BIO-12 Landscaping within the CRZ of any oak tree with a DBH of 6 inches or greater is limited to indigenous plant species or non-plant material, such as cobbles or wood chips.
- BIO-13 Wires, signs, or other similar items shall not be attached to oak trees with a DBH of 6 inches or greater.
- BIO-14 For each oak tree removed (DBH of 6 inches or greater), a tree or trees of the same species must be planted with a combined DBH of 25% of the removed tree's DBH within the property's boundary.

6 REFERENCES

- Baldwin, B. G., D. H. Goldman, D. J. Keil, R. Patterson, T. J. Rosatti, and D. H. Wilken, editors. 2012. *The Jepson Manual: Vascular Plants of California*. 2nd ed. University of California Press, Berkeley.
- California Native Plant Society (CNPS). 2013. Electronic Inventory of Endangered and Rare Plants. Available at: www.cnps.org/. Accessed 27 October 2013.
- California Department of Fish and Wildlife (CDFW). 2011. Special Animals (898 Taxa). State of California Department of Fish and Wildlife, Wildlife and Habitat Data Analysis Branch. January 2011. Available at: www.dfg.ca.gov/biogeodata/cnddb/pdfs/spanimals.pdf. Accessed 27 October 2013.
- . 2013. Special Vascular Plants, Bryophytes, and Lichens List. State of California Department of Fish and Wildlife, Wildlife and Habitat Data Analysis Branch. January 2013. Available at: <http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/SPPlants.pdf>. Accessed 27 October 2013.
- California Natural Diversity Data Base (CNDDB). 2013. Rarefind data output for the USGS 7.5-minute quadrangles: Templeton, Creston, York Mountain, Santa Margarita, Morro Bay North, Atascadero, Paso Robles, Estrella, and Adelaida.
- City of El Paso de Robles. 2002. Ordinance No. 835 N.S. An ordinance of the City of El Paso de Robles amending Section 10.01 et seq. and related provisions of the Municipal Code (Municipal Code Amendment 2001-001 – Oak Trees). Available at: <http://www.prcity.com/government/departments/commdev/planning/pdf/OakTreeOrd.pdf>. Accessed 31 October 2013.
- Holland, V. L. and D. J. Keil. 1995. *California Vegetation*. Kendall/Hunt Publishing, Iowa.
- Remsen, J.V., Jr. 1978. Bird species of special concern in California. Calif. Dept. of Fish and Wildlife, Sacramento. Wildl. Manage. Admin. Rep. No. 78-1. 54pp.
- Sibley, David Allen. 2003. *The Sibley Field Guide to Birds of Western North America*. Alfred A. Knopf, Inc., New York, NY.
- Williams, D. F. 1986. Mammalian species of special concern in California. California Department of Fish and Game, Wildlife Management Division Administrative Report (86-1):1–112.

**Appendix A.
Photo Documentation**



PHOTO 1:

View of the topography of the property looking north towards the existing residence and Wilmar Place. Note mowed, previously disked land with sparse vegetation.

Photo taken on August 14, 2013.



PHOTO 2:

View of the topography of the property looking east towards US 101.

Photo taken on August 14, 2013.



PHOTO 3:

View of the residence, shed and two mature oak trees located within the BSA.

Photo taken on August 14, 2013.



PHOTO 4:

View of the residence located within the BSA. Note the mosaic of oak trees along the residence driveway.

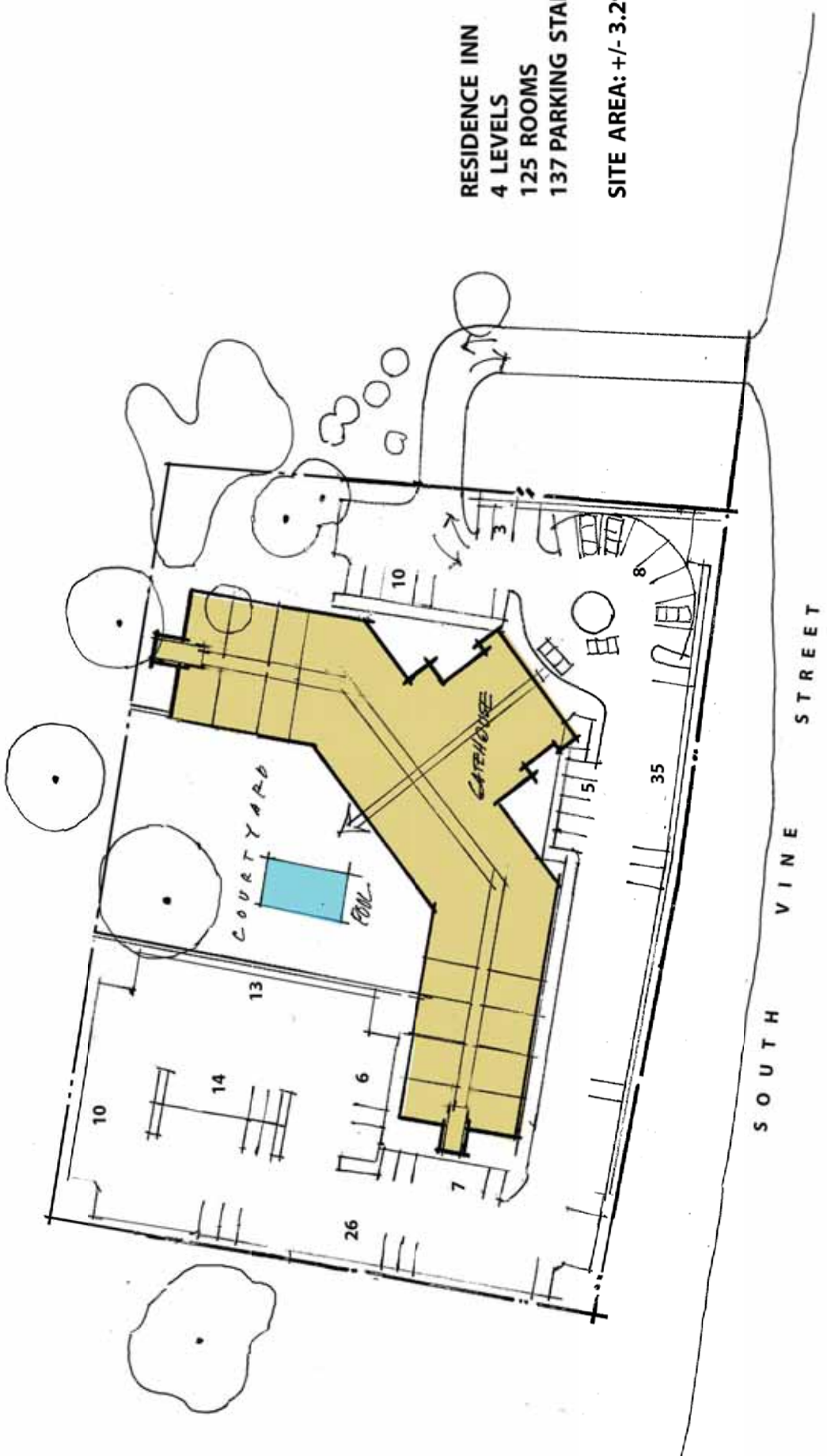
Photo taken on August 14, 2013.



PHOTO 5:
View of two
mature oak trees
located within the
BSA.

Photo taken on
August 14, 2013.

Appendix B. Project Plans



RESIDENCE INN
4 LEVELS
125 ROOMS
137 PARKING STALLS
SITE AREA: +/- 3.29 AC

GENE FONG ASSOCIATES
 1107 GLENBOON AVENUE
 LOS ANGELES, CA 90004



AUGUST 8, 2013

SCHEME H6

RESIDENCE INN BY MARRIOTT
PASO ROBLES, CA



A & T ARBORIS'

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 925-1311



**Tree Preservation Plan
For
Marriot Residence Inn
South Vine Street**

**Prepared by A & T Arborists
and Vegetation Management**

**Chip Tamagni
Certified Arborist #WE 6436-A**

**Steven Alvarez
Certified Arborist #WE 511-A**

Tract # _____

PD # _____

Building Permit # _____

Project Description: This project involves the construction of a new Marriot Hotel at the corner of South Vine Street and Highway 46 West. The property is a rolling grassland with coast live oaks (*Quercus agrifolia*), blue oaks (*Quercus douglasii*), and valley oaks (*Quercus lobata*). The general layout of the hotel has been designed to preserve the beautiful valley oaks on the property. Five oaks are being proposed for removal and they include:

- Tree #2 - Live oak that consist of stump sprouts from an older tree (16 inches). Tree is adjacent to the roadway that must be widened to meet city standards.



- Tree #5 - Half dead live oak (9 inches). Tree is adjacent to the roadway that must be widened to meet city standards.



- Tree #6 - Blue oak (12 inches). Tree is adjacent to the roadway that must be widened to meet city standards.



- Tree #16 - Live oak with fencing severely imbedded in the trunk (20 inches). The tree is near the edge of the planned improvements. Removing this tree will allow for the hotel to be constructed outside of the critical root zones of the larger, healthier valley oaks on the site. In addition, this tree is of poor quality with a very acute crotch with embedded wire that will significantly reduce its lifespan.



- Tree #17 - Live oak (9 inches) is located directly in the traffic flow of the parking lot.



All other oak trees (17 within the vicinity of the hotel) will be preserved through complete avoidance and/or monitoring.

Specific Mitigations Pertaining to the Project: The grading contractor must attend a pre-construction meeting for this project. He will be solely responsible for relaying all the information in this tree protection plan to his employees. The following mitigation measures must be understood prior to any grading for this project:

- The entrance road will be placed over a portion of the existing Wilmar Place as it passes by tree #1. Grading within the critical root zone of this tree shall be limited to six inches deep.
- Trees #4, #7, and #8 are upslope of the existing road. Grading on this slope shall be kept to a minimum (8 inches deep) above the road.
- Tree #19 will be a focal tree for this project. All curbing for the parking lot within the critical root zone shall be asphalt and not require any footing such as those for a concrete curb. All grades for the parking lot shall not alter the existing grade by either cut or fill by more than six inches.
- At a minimum, trees #18 and #19 shall be professional trimmed for both hazards and aesthetics. These are large mature trees that need attention to preserve them.

The term “critical root zone” or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. Both critical root zones and drip lines are outlined on the plans.

critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.

Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed.

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

<p>Tree Protection Zone No personnel, equipment, materials, and vehicles are allowed Do not remove or re-position this fence without calling: A & T Arborists 434-0131</p>

Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within Critical Root Zone: All trenching within the critical root zone of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading contractor(s) must take place prior to work start.

Grading Within The Critical Root Zone: Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

If pruning is necessary for building, road or driveway clearance, removal of limbs larger than 6 inches in diameter will require a city approved permit along with a deposit paid in advance (to the City of Paso Robles). The city will send out a representative to approve or deny the permit. Only 25% of the live crown may be removed.

Tree Rating System

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

<u>Rating</u>	<u>Condition</u>
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual, structural and/or pest defects and problems.
6	Healthy tree that probably can be left in its natural state.
7-9	Has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

- **poor** - tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage
- **fair** - visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average
- **good** - tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position
- **excellent** - tree has great structure, symmetry and foliage and is located in a premier location. Tree is not over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the

Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

Existing Surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either. Absolutely no portable outhouses are allowed under the drip lines of the trees.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.

- pre-construction fence placement inspection
- all grading and trenching identified on the spreadsheet

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the grading contractor shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Pruning Class 4 pruning includes-Crown reduction pruning shall consist of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

Landscape: All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

Utility Placement: All utilities, sewer and storm drains shall be placed outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over** roots larger than 3 inches in diameter.

Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

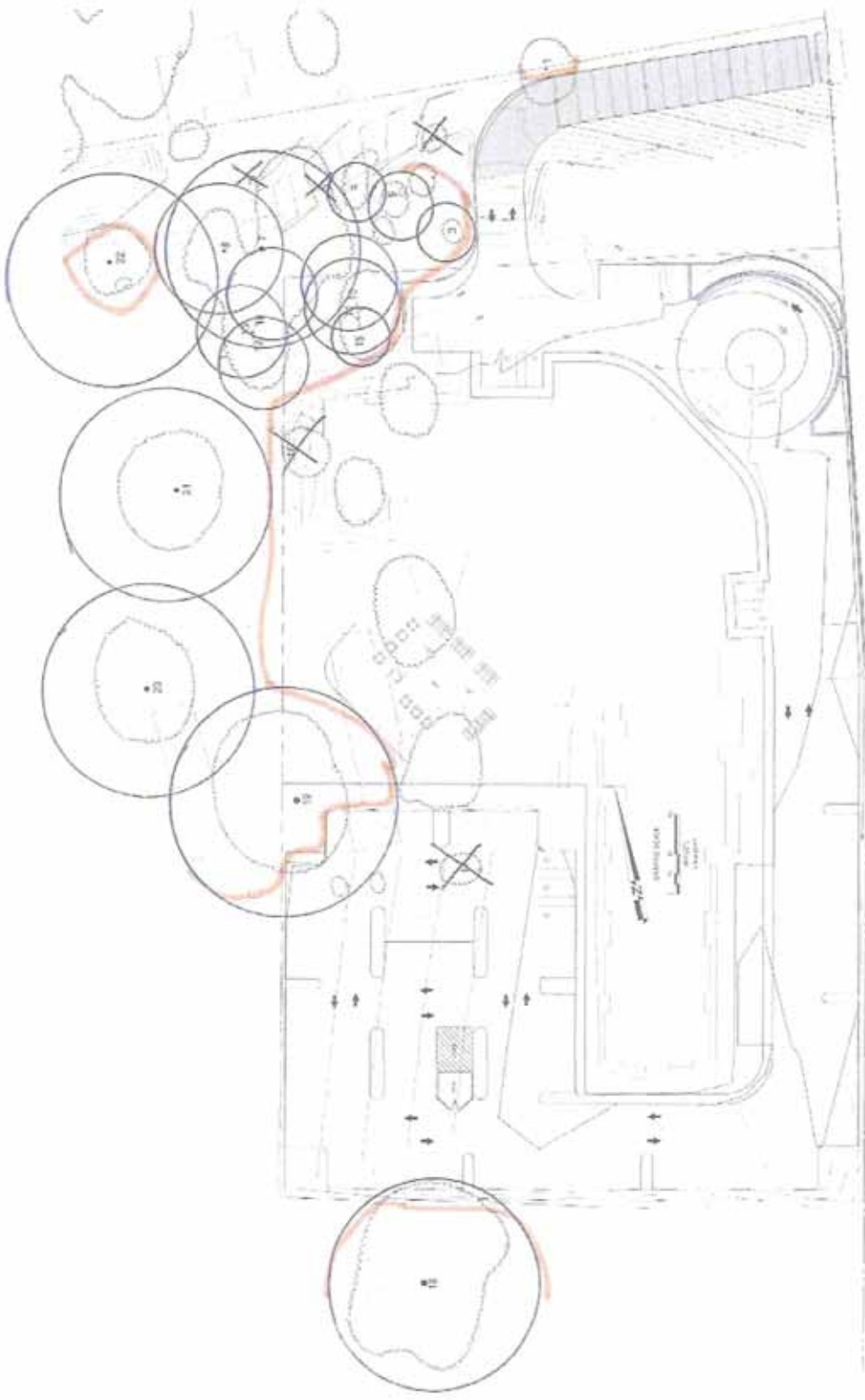
The included spreadsheet includes trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed, we feel there will be no long-term significant impacts to the native trees.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511

Chip Tamagni
Certified Arborist #WE 6436-A



— Fencing
 ○ Critical root zone

X CROD

TREE PROTECTION SPREAD SHEET 1301 Chestnut Street

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW	LTSI H-M-L-N
1	BO	<i>Q. doug.</i>	16	3	I	30%	GR	F,RP,M	YES		good		30/30	low
2	LO	<i>Q. agrif.</i>	16	2	R	100%	GR	NONE	NO		fair	stump sprouts	15/15	
3	LO	<i>Q. agrif.</i>	9	2	I	5%	GR	F	NO		fair	stump sprouts	12/12	low
4	BO	<i>Q. doug.</i>	9	4	I	20%	GR	F,RP,M	YES		good		15/15	low
5	LO	<i>Q. agrif.</i>	9	1	R	100%	GR	NONE	NO		poor	1/2 dead	12/12	
6	BO	<i>Q. doug.</i>	12	3	R	100%	GR	NONE	NO		good		18/18	
7	VO	<i>Q. lobata</i>	30	4	I	20%	GR	F,RP,M	YES	IV	good		70/70	low
8	BO	<i>Q. doug.</i>	18	3	I	20%	GR	F,RP,M	YES		good	cavities	45/45	low
9	BO	<i>Q. doug.</i>	9	4	A	0%	NONE	F	NO		fair		15/15	none
10	BO	<i>Q. doug.</i>	24	3	I	10%	GR	F,RP,M	YES		fair	poor crotch	24/24	low
11	BO	<i>Q. doug.</i>	26	3	I	10%	GR	F,RP,M	YES		fair	poor crotch	28/28	low
12	BO	<i>Q. doug.</i>	13	2	A	0%	NONE	F	NO		fair	suppressed	20/20	none
13	BO	<i>Q. doug.</i>	16	2	A	0%	NONE	F	NO		fair	decay at base	32/32	none
14	BO	<i>Q. doug.</i>	10	3	A	0%	NONE	F	NO		fair	suppressed	18/18	none
15	LO	<i>Q. agrif.</i>	8	3	I	10%	GR	F,RP,M	YES		good		12/12	low
16	LO	<i>Q. agrif.</i>	20	2	R	100%	GR	NONE	NO		good	fence in trunk	30/30	
17	LO	<i>Q. agrif.</i>	9	4	R	100%	GR	NONE	NO		good		14/14	
18	VO	<i>Q. lobata</i>	34	4	I	5%	GR	F,RP,M	YES	IV	excel.		80/80	low
19	VO	<i>Q. lobata</i>	40	4	I	15%	GR	F,RP,M	YES	IV	excel.		80/80	low
20	VO	<i>Q. lobata</i>	32	4	A	0%	NONE	F	NO	IV	excel.		65/65	none

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH

2 = TREE TYPE: COMMON NAME IE W.O = WHITE OAK

3 = SCIENTIFIC NAME

4 = TRUNK DIAMETER @ 46"

5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT

6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL

7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE

8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING, FILL

9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,

10 = ARBORIST MONITORING REQUIRED: YES/NO

11 = PERSCRIBED PRUNING: CLASS 1-4

12 = AESTHETIC VALUE

13 = FIELD NOTES

13= NORTH SOUTH/EAST WEST CANOPY SPREAD

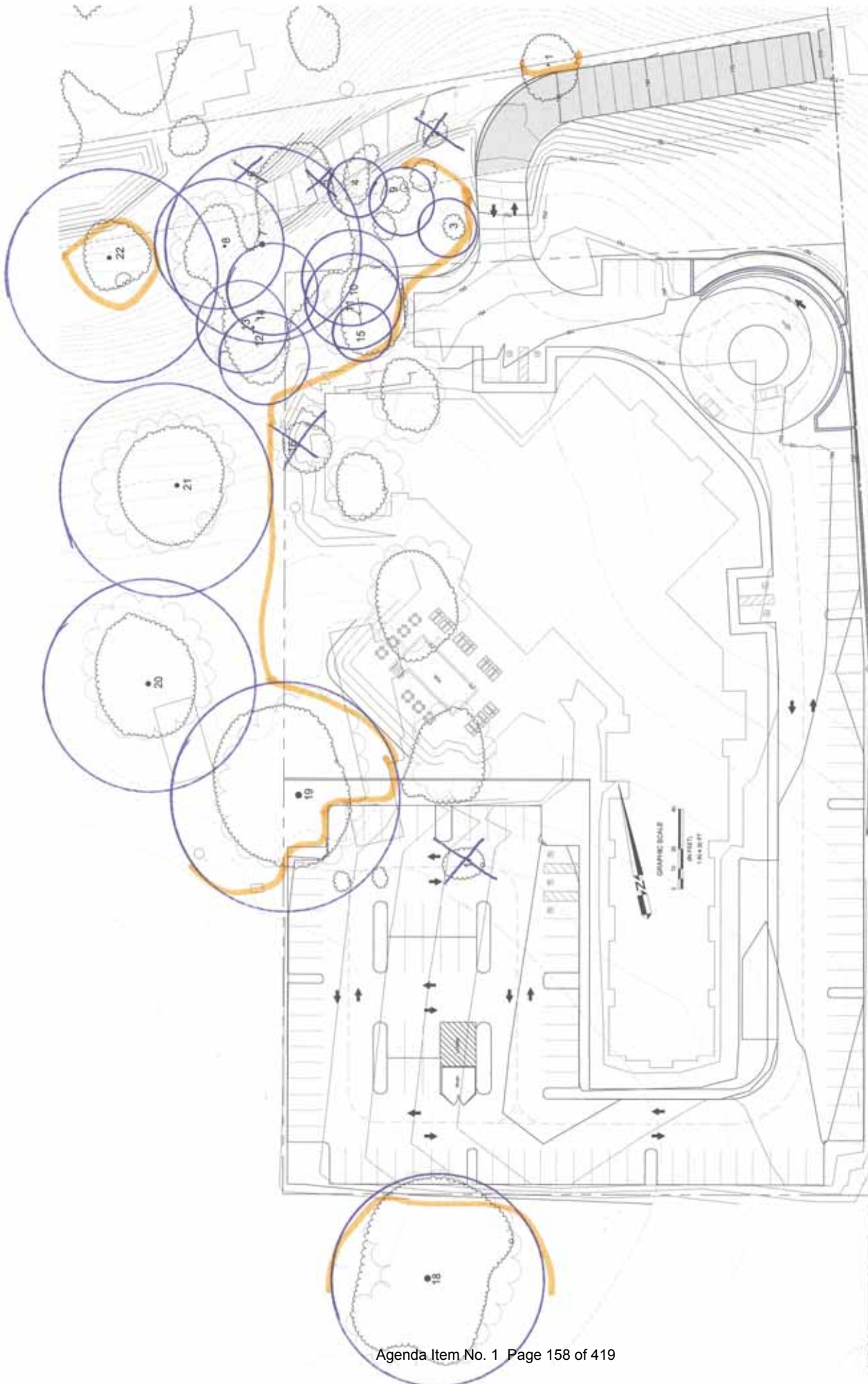
14= CANOPY SPREAD

15= LONG TERM SIGNIFICANT IMPACTS: HIGH, MEDIUM, LOW, NONE

TREE PROTECTION SPREAD SHEET Marriott Residence Inn

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW	LTSI H-M-L-N
21	BO	Q. doug	32	4	A	0%	NONE	F	NO	IV	excel.		75/75	none
22	BO	Q. doug	24	2	I	10%	GR	F,RP,M	YES		good	cavities	45/45	low

- 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
- 10 = ARBORIST MONITORING REQUIRED: YES/NO
- 11 = PERSCRIBED PRUNING: CLASS 1-4
- 12 = AESTHETIC VALUE
- 13 = FIELD NOTES
- 13 = NORTH SOUTH/ EAST WEST CANOPY SPREAD
- 14 = CANOPY SPREAD
- 15 = LONG TERM SIGNIFICANT IMPACTS: HIGH, MEDIUM, LOW, NONE
- 1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
- 2 = TREE TYPE: COMMON NAME IE. W.O. = WHITE OAK
- 3 = SCIENTIFIC NAME
- 4 = TRUNK DIAMETER @ 46"
- 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
- 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
- 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE
- 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING, FILL



— Fencing
 ○ Critical root zone

X CRD
 #456436-A



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

COMMUNITY DEVELOPMENT DEPARTMENT
OAK TREE REMOVAL PERMIT

PERMIT NUMBER: DATE ISSUED:

NAME OF APPLICANT: Suresh Patel / Rob Miller Wallace PHONE NO: Group

STREET ADDRESS:

LOCATION AND DESCRIPTION OF OAK TREE(S): South Vine + 46 West

Pursuant to Section 10.01 (Oak Tree Preservation) of Title 10 of the Paso Robles Municipal Code, the property-owner is hereby requesting one of the following:

- A. Removal of Oak Tree(s) where no Development Application is pending
B. Removal of Oak Tree(s) clearly dead or diseased beyond correction
C. [checked] Removal of 5 Oak Tree(s) as part of a Development Application
D. Emergency Removal of Oak Tree (s)

As recommended and identified in the Arborist Report prepared for this Request for Removal by

Chip Tamagni (ISA Certified Arborist) dated 11-25-13

By: Community Development Director or authorized representative

Council Action: Date: Resolution No.:

OAK TREE REPLACEMENT AGREEMENT

I hereby agree to plant replacement Oak trees of the same species as those removed at the replacement ratio of 25% of the combined diameter of the removed trees. Each replacement tree shall be a minimum 24-inch box specimen with a 1½ inch minimum trunk diameter per Section 10.01.050 F of Ordinance No 835 N.S.

Total Diameter of Oak Trees Authorized for Removal: 66 inches per resolution # _____

Oak Trees to be Planted:

9 (number) Quercus agrifolia species 9 size(s)

2 (number) Quercus douglasii species 1.5 size(s)

_____ (number) _____ species _____ size(s)

_____ (number) _____ species _____ size(s)

I hereby agree that the Oak Trees will be planted per City Standard Detail and Specification L-4 (except that deep root barriers shall not be required if the trees are not adjacent to sidewalk areas):

- In conjunction with authorized building permit and prior to issuance of the certificate of occupancy.
- In conjunction with a subdivision and prior to acceptance of the final improvements by the City Council for the tract or parcel.
- In compliance with the attached Oak Tree replacement plan containing recommendations of the project arborist for tree placement, and within ninety (90) days from the date of issuance of this permit. A letter providing verification of compliance with tree placement recommendations from the project arborist will be submitted to City staff within fourteen (14) days of planting.
- I hereby acknowledge that I need to post a tree preservation security with the City in order to ensure that the replacement trees are properly established, per the conditions of my approval for removal.

I hereby:

- Intend to plant the replacements trees on my property located at: _____.
- Request to arrange for the replacement trees to be located on public property. I will provide a paid receipt from a local nursery for the value of the required sizes and species of trees to City staff within ninety (90) days from the date of issuance of this permit.

X _____
Applicant's Signature

Date: _____



Oak Tree #5



**GEOTECHNICAL ENGINEERING REPORT
RESIDENCE INN
APN: 009-631-011
SOUTH VINE STREET
PASO ROBLES, CALIFORNIA**

September 23, 2013

Prepared for

Excel Paso Robles L.P.
Mr. Suresh Patel

Prepared by

Earth Systems Pacific
4378 Old Santa Fe Road
San Luis Obispo, CA 93401

Copyright © 2013



September 23, 2013

FILE NO.: SL-17088-SA

Mr. Suresh Patel, President
Excel Paso Robles L.P.
10660 Scripps Ranch Boulevard, Suite 100
San Diego, CA 92131

PROJECT: RESIDENCE INN
APN: 009-631-011
SOUTH VINE STREET
PASO ROBLES, CALIFORNIA

SUBJECT: Geotechnical Engineering Report and LID Infiltration Test Results

REF: Proposal for a Geotechnical Engineering Report and LID Infiltration Testing,
Residence Inn, South Vine Street, Paso Robles, California, by Earth Systems
Pacific, Doc. No. 1307-006.PRP, dated July 2, 2013

Dear Mr. Patel:

As per your authorization of the referenced proposal, this geotechnical engineering report has been prepared for use in the development of plans and specifications for the Residence Inn by Marriott, in Paso Robles, California. Low Impact Development (LID) infiltration testing was also performed. Preliminary soils engineering recommendations for site preparation, grading, utility trenches, foundations, interior slabs-on-grade and exterior pedestrian flatwork, retaining walls, pavement design criteria, drainage and maintenance, and observation and testing are presented herein. Two bound copies and one electronic copy of the report are furnished for your use.

We appreciate the opportunity to have provided professional services for this project and look forward to working with you again in the future. If there are any questions concerning this report, please do not hesitate to contact the undersigned.

Sincerely,

Earth Systems Pacific


Dennis Shallenberger, G.E.

9/24/13

Doc. No.: 1309-116.SER/11





TABLE OF CONTENTS

	<i>page</i>
COVER LETTER.....	ii
1.0 INTRODUCTION AND SITE SETTING	1
2.0 SCOPE OF SERVICES	1
3.0 FIELD INVESTIGATION	3
4.0 LABORATORY ANALYSIS	4
5.0 GENERAL SUBSURFACE PROFILE.....	4
6.0 LID INFILTRATION TEST RESULTS	4
7.0 CONCLUSIONS.....	5
8.0 PRELIMINARY SOILS ENGINEERING RECOMMENDATIONS	7
Site Preparation	8
Grading.....	8
Utility Trenches.....	11
Foundations	12
Interior Slabs-on-Grade and Exterior Pedestrian Flatwork.....	13
Retaining Walls	16
Pavement Design Criteria	19
Drainage and Maintenance	21
Observation and Testing.....	21
9.0 CLOSURE.....	23

APPENDICES

APPENDIX A	Boring and Infiltration Test Location Map Boring Log Legend Boring and Infiltration Logs
APPENDIX B	Laboratory Test Results
APPENDIX C	LID Infiltration Test Results
APPENDIX D	Typical Detail A: Pipe Placed Parallel to Footing



1.0 INTRODUCTION AND SITE SETTING

The new Residence Inn by Marriott will be constructed at Assessor's Parcel Number (APN) 009-631-011 located on the west side of South Vine Street, just north of Highway 46 West, in Paso Robles, California. The building will be a predominantly four-story, stud frame hotel with a capacity of approximately 125 rooms, office space, and common areas. As part of the project, a porte cochere, pool, spa, retaining walls, LID improvements, and parking/drive areas will be included. Conventional continuous and spread (pad) foundations are planned, and the structure will utilize a concrete slab-on-grade. For the purposes of this report, maximum dead plus live loads for continuous and isolated foundations were assumed to be 3 klf and 150 kips, respectively.

Generally, maximum cut and fill depths for the project will be on the order of 5 feet. Retaining walls will be utilized along the north and east sides of the site; they are anticipated not to exceed a height of 10 feet. Parking and drive areas will mainly consist of asphalt concrete (AC), however permeable pavers may be used in areas designated for stormwater collection and Portland cement concrete (PCC) may be used in some vehicle areas. Additional LID improvements such as bioswales, vegetated swales, and/or infiltration basins are anticipated. Other site improvements will likely include PCC pedestrian flatwork, landscaping, and trash enclosures.

The new hotel will be located within a 2.5 to 3 acre area along the west side of South Vine Street, just south of Wilmar Place. Currently, the site is occupied by a house and detached garage. The existing house and garage will be removed prior to construction of the hotel. The development area of the site slopes towards the north and northeast at approximately 20 and 10 percent, respectively. A road cut along South Vine Street slopes upward toward the west at about a ½:1 (Horizontal to Vertical) to a height of 8 to 10 feet. At the time of our investigation, the site was lightly vegetated with seasonal grasses and various types of trees. Agricultural farmland bounds the site to the west and south, while Wilmar Place and South Vine Street bound the site to the north and east, respectively.

2.0 SCOPE OF SERVICES

The scope of work for the geotechnical engineering report included a general site reconnaissance, subsurface exploration, LID infiltration testing, laboratory analysis of soil samples, geotechnical analysis of the data, and the preparation of this report.

The geotechnical analysis and subsequent recommendations were based, in part, upon a conceptual site plan and verbal information provided by Mr. Rob Miller, P.E. of Wallace Group. This report and recommendations are intended to comply with applicable requirements of



Sections 1803.2 through 1803.6, and J 104.3 of the 2010 California Building Code (CBC), and common geotechnical engineering practice in this area under similar conditions at this time. The test procedures were accomplished in general conformance with the standards noted, as modified by common geotechnical engineering practice in this area under similar conditions at this time.

Preliminary geotechnical engineering recommendations for site preparation, grading, utility trenches, foundations, interior slabs-on-grade and exterior pedestrian flatwork, retaining walls, pavement design criteria, drainage and maintenance, and observation and testing are presented herein. As there may be geotechnical issues yet to be resolved, the geotechnical engineer should be retained to provide consultation as the design progresses, and to review project plans as they near completion to assist in verifying that pertinent geotechnical issues have been addressed and to aid in conformance with the intent of this report.

It is our intent that this report be used exclusively by the client to form the geotechnical basis of the design of the project and in the preparation of plans and specifications. Application beyond this intent is strictly at the user's risk. If future property owners wish to use this report, such use will be allowed to the extent the report is applicable, only if the user agrees to be bound by the same contractual conditions as the original client, or contractual conditions that may be applicable at the time of the report's use.

This report does not address issues in the domain of contractors such as, but not limited to, site safety, loss of volume due to stripping of the site, shrinkage of soils during compaction, excavatability, temporary slope angles, construction means and methods, etc. Analyses of site geology and of the soil for corrosivity, lead or mold potential, radioisotopes, asbestos (either man-made or naturally occurring), hydrocarbons, or other chemical properties are beyond the scope of this report. Evaluation of ancillary features such as temporary access roads, fences, light and flag poles, signage, and nonstructural fills are all not within our scope and are also not addressed.

In the event that there are any changes in the nature, design, or location of improvements, or if any assumptions used in the preparation of this report prove to be incorrect, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and the conclusions of this report verified or modified in writing by the geotechnical engineer. The criteria presented in this report are considered preliminary until such time as any peer review or review by any jurisdiction has been completed, conditions are observed by the geotechnical engineer in the field during construction, and the recommendations have been verified as appropriate, or modified in writing by the geotechnical engineer.



As part of our work, infiltration tests were performed in the proposed LID improvement area. The results of the tests were tabulated and conclusions were developed regarding the *general* suitability of the areas tested for disposal of stormwater runoff. However, specific evaluation of the infiltration test results, and development of infiltration criteria as they pertain to location, sizing, and design of stormwater systems are the responsibility of others.

3.0 FIELD INVESTIGATION

To assess subsurface conditions and retrieve soil samples, seven borings were drilled in the proposed building and other improvement areas on July 31, 2013. The borings were drilled to a maximum depth of 26.5 feet. The approximate locations of the borings are shown on the Boring and Infiltration Test Location Map in Appendix A. A Mobile Drill rig, Model B-53, equipped with a 6-inch outside diameter hollow stem auger and an automatic trip hammer for sampling was used to drill the borings. As the borings were drilled, soil samples were retrieved using a ring-lined barrel sampler (ASTM D 3550-01/07, with shoe similar to D 2937-04) and Standard Penetration Tests were conducted at selected depths (ASTM D 1586-11). Bulk soil samples were also obtained from the auger cuttings.

Soils encountered in the borings were categorized and logged in general accordance with the Unified Soil Classification System and ASTM D 2488-09a. Logs of the borings are presented in Appendix A, along with a boring log legend. In reviewing the boring logs and legend, the reader should recognize that the legend is intended as a guideline only, and there are a number of conditions that may influence the soil characteristics as observed during drilling. These include, but are not limited to, the presence of cobbles or boulders, cementation, variations in soil moisture, presence of groundwater, and other factors. Consequently, the logger must exercise judgment in interpreting soil characteristics, possibly resulting in soil descriptions that vary from the legend.

Infiltration Tests

In the proposed LID improvement area, infiltration testing was performed. The infiltration test consisted of three shallow test holes that ranged in depth from 3 to 5 feet. The approximate locations of the test holes are shown on the Boring and Infiltration Test Location Map. The infiltration test holes are designated on the map as Infiltration Test Locations A through C. They were drilled with the same Mobile Drill rig as the borings, but an 8-inch outside diameter hollow stem auger was utilized.



The test holes were cased with perforated PVC pipe, the annular spaces backfilled with gravel, and the holes saturated. They were filled to approximately 6 inches to 1 foot below the surface and the water level was maintained for 30 minutes (i.e. kept at a constant head). At the end of the 30-minute period, filling was discontinued and the volume of water that had flowed into each hole was recorded. From this point on, the test was conducted as a falling head test and measurements were taken as the water level dropped. The infiltration test results (constant and falling head) were tabulated; the data are presented in Appendix C. Please see the "LID Infiltration Test Results" section of this report for a discussion of the test results.

Following infiltration testing, all of the PVC pipes were removed and the test holes were backfilled with auger cuttings.

4.0 LABORATORY ANALYSIS

The ring samples were tested for unit weight and moisture (ASTM D 2937-10, as modified for ring liners). One bulk sample was tested for maximum density and optimum moisture (ASTM D 1557-12) and for strength by direct shear (ASTM D 3080/D3080M-11). A second bulk sample was tested for R-value (ASTM D 2844-07), expansion index (ASTM D 4829-11), and maximum density and optimum moisture (ASTM D 1557-12). The laboratory test results can be found in Appendix B.

5.0 GENERAL SUBSURFACE PROFILE

Similar subsurface conditions were found throughout the site. Currently, the site is underlain by older alluvial deposits. The older alluvium generally consisted of clayey sand, well graded sand, sandy lean clay, and well graded gravel. The coarse grained materials, such as sand and gravel were logged as being loose to dense. The fine grained clay material was logged as being stiff to very stiff. Gravel content within the older alluvium varied.

At the time of drilling, the soils were typically slightly moist to very moist. No free subsurface water was encountered.

6.0 LID INFILTRATION TEST RESULTS

Constant head infiltration testing in the LID improvement area resulted in introducing 1.4 to 3.7 gallons of water (0.19 to 0.49 cu. ft.) over a period of 30 minutes at approximately 3 to 4.5 feet of head. Initial and final falling head tests resulted in infiltration rates from about 9 to almost 40 inches per hour and 3 to 12 inches per hour, respectively. These test results indicate moderate to low rates of infiltration but also rates that are significantly influenced by the head the water is under and possibly other factors.



The infiltration data are presented in Appendix C. These test results only indicate the infiltration rate at the specific location and under specific conditions. Sound engineering judgment should be exercised in extrapolating the test results for other conditions or locations. Technical design references vary in methods they present for using these types of test results. However, many references include reduction and/or correction factors for several parameters including, but not limited to, size of the LID system relative to the test volume, number of tests conducted, variability in the soil profile, anticipated silt loading, anticipated biological buildup, anticipated long-term maintenance, and other factors. Typically, in aggregate these factors range from about 2.5 to 50 depending upon the method used; the final determination of the means by which these data are used is left to the design engineer.

7.0 CONCLUSIONS

In our opinion, the site is suitable, from a geotechnical engineering standpoint, for the proposed project. The primary concerns, from a geotechnical engineering standpoint are the potential for differential settlement, the expansion potential of the site soils, the range of moisture content of the soil, and the erodible nature of the site soils.

Considering the proposed cut and fill depths relative to the depth of the foundations, areas of the structure's foundation could bear in both native cut material and in compacted fill. This creates a potential for differential settlement. Differential settlement can occur when a foundation spans two or more materials with significantly different compression characteristics. The portion supported by the more compressible material (natural soil) will settle more than the portion supported by the less compressible material (compacted fill). This can stress and damage foundations, often resulting in severe cracks and displacement.

To reduce the potential for differential settlement, it is necessary for all of the foundations of a structure to bear in sufficiently uniform material. Overexcavating the soil in the upper few feet of the building pad and replacing it with a sufficiently uniform thickness of properly compacted structural fill is recommended. Conventional continuous and spread footings are considered suitable to support the hotel, provided that they lie within properly compacted structural fill as recommended herein.

An expansion index test yielded a value of 40 for the sandy lean clay found in Boring 5. This value indicates that the soil tested is slightly, to moderately expansive. Expansive soils tend to swell with increases in soil moisture and shrink as soil moisture decreases. The volume changes that the soils undergo in this cyclical pattern can stress and damage foundations and slabs-on-



grade if precautionary measures are not incorporated in design and in the construction procedures. Use of footings of an appropriate depth in combination with preserving or augmenting the soil moisture, and use of a layer of nonexpansive material beneath all slabs are recommended to reduce the potential for damage related to expansive soils.

The recommendations for mitigation of expansive soils, as described above, reflect methods that have been used in this geographical area for some time. There are a number of other options available, including caissons and grade beams, post-tensioned slab foundations, conventionally reinforced mat foundations, and deep nonexpansive pads. These types of solutions, however, are expected to not be as practical or as cost-effective for this project as the method discussed previously and, therefore, are not addressed in this report. The economics of these options may, however, change with time, or specific solutions may be applicable for specific situations at the subject site. If discussion of other options is desired, the geotechnical engineer can be retained for additional consultation.

Laboratory testing indicated that the moisture contents of the soil tested ranged from 10.9 percent to 27.6 percent. The former is below optimum moisture content while the latter is well above the optimum moisture of the soil. High in situ soil moisture contents could create unstable soil conditions during grading, and may necessitate drying back of the soil or other measures to obtain stable conditions and facilitate soil compaction.

The soils are considered erodible. Caution should be exercised to protect the soil from erosion during and following construction.

An R-value test performed on a sample of the sandy lean clay from a proposed AC pavement area resulted in a value of "5." This result indicates that the soil tested has very low resistance to the types of loads imposed by traffic. Pavement sections based upon an R-value of 5 are presented later in this report.

The term liquefaction refers to a phenomenon that tends to occur in saturated soils of low density and that have grain sizes within a certain range, usually fine- to medium-grained poorly graded sands, silty sands, and silts. A sufficiently strong earthquake and free subsurface water are also required to cause liquefaction. The soils encountered at the site were primarily classified as clayey sand, well graded sand, sandy lean clay, and well graded gravel. The majority of the soils were logged as being medium dense or stiff. Due to the condition of the site soils and no indication of the presence of free subsurface water, in our opinion the potential for liquefaction to affect this site is low.



8.0 PRELIMINARY GEOTECHNICAL SOILS ENGINEERING RECOMMENDATIONS

These recommendations are applicable to the improvements as discussed in the “Introduction and Site Setting” section of this report. If any improvements not previously noted are included, the geotechnical engineer should be contacted for revised recommendations. In developing these recommendations, it was assumed that irrigated landscaping that will keep the soils at relatively uniform, year-round moisture will be installed for a zone of at least 5 feet around the perimeter of the structure, AC, and exterior flatwork. If drought tolerant vegetation or xeroscaping is planned, or if the zones described above are allowed to dry out for any other reason, these recommendations may require modification.

The following terms and definitions are used throughout the recommendations section of this report:

- **Building Area:** The area within and extending a minimum of 5 feet beyond the perimeter foundations of the building. Includes the porte cochere, and any retaining walls, flatwork, exterior stairways, covered walkways, etc., which are connected to the building and are expected to perform in a manner similar to it.
- **Grading Area:** The entire area to be graded, including the building area, all exterior pedestrian flatwork, PCC pavement areas, AC pavement areas, and other areas to receive site improvements.
- **Interior Slabs-on-Grade:** The slabs utilized for interior spaces.
- **Exterior Pedestrian Flatwork:** Exterior PCC areas such as sidewalks which will only be subjected to pedestrian foot traffic.
- **Vehicle Flatwork:** Flatwork such as drive lanes, aprons, etc. that will accommodate vehicle loads.
- **AC Pavement:** The areas to receive asphalt concrete.
- **Scarify or Scarified:** Ripping, or plowing of the soil in two orthogonal directions to a minimum depth of 12 inches prior to moisture conditioning and compaction.
- **Moisture Conditioning:** Adjusting the water content of the soil to optimum moisture content, or just above, prior to application of compactive effort.
- **Compaction or Compacted:** Soils placed in level lifts not exceeding 8 inches in loose thickness, and compacted to a minimum of 90 percent of the maximum dry density, unless stated otherwise. Standard tests used to establish maximum dry density and field density should be ASTM D 1557-12 and ASTM D 6938-10 respectively, or other methods acceptable to the geotechnical engineer and jurisdiction.



Site Preparation

1. The ground surface throughout the grading area should be prepared for grading by removing all existing foundations and improvements, vegetation, large roots, debris, and other deleterious materials.
2. Existing utility lines that will not remain in service should be either removed or properly abandoned. The appropriate method of utility abandonment will depend upon the type and depth of the utility. Recommendations for abandonment can be made as necessary.
3. Voids created by the removal of materials or utilities described above and extending below the recommended depth of overexcavation should be called to the attention of the geotechnical engineer. No fill should be placed unless the underlying soil has been observed by the geotechnical engineer.

Grading

Building Area

1. Following site preparation, the soils in the building area should be excavated to a minimum depth of 2 feet below planned bottom-of-footing elevation or 1 foot below the lowest existing grade within the building area, whichever is deeper. The overexcavation depth should take into consideration the depth of any deepened foundation elements such as deepened footings for shear walls, moment or braced frames, elevator pits, etc. To accommodate the topography in the building area, the overexcavation program may be accomplished in a series of small steps.
2. The surfaces exposed by soil removal as described in the preceding paragraph should be scarified, moisture conditioned, and recompact prior to placement of any fill.
3. In the building area, the removed soil or other similar soils may be used as moisture conditioned and properly compacted fill up to 12 inches below bottom-of-slab elevation.
4. At a minimum, the upper 12 inches of fill in the building area should consist of nonexpansive material. Nonexpansive materials are generally defined as materials that fall in the GW, GP, GM, GC, SP, SW, SC and SM categories per ASTM D 2487-11, and that have an expansion index (ASTM D 4829-11) of 10 or less.



5. Proposed imported materials should be reviewed by the geotechnical engineer before being brought to the site, and on an intermittent basis during placement. The clean sand layer described in the "Slab-on-Grade and Exterior Pedestrian Flatwork" section of this report (if utilized) is considered to be part of the minimum 12 inches of nonexpansive material, not in addition to it.

AC and PCC Pavement Areas

1. The soil in areas to be paved with vehicular flatwork or AC should be overexcavated to 1 foot below subgrade elevation. If fill is required to reach subgrade elevation, 1 foot of the existing grade should be removed prior to placement of fill.
2. The surfaces exposed by soil removal as described in the preceding paragraph should be scarified, moisture conditioned, and recompacted prior to placement of any fill. The upper 12 inches of subgrade should be compacted to 95 percent of the maximum dry density.

Exterior Pedestrian Flatwork

1. The soil in areas to receive pedestrian flatwork should be excavated to subgrade elevation and the subgrade scarified, moisture conditioned, and recompacted. If fill is required to reach subgrade elevation, existing grade should be scarified, moisture conditioned, and recompacted prior to placement of fill.
2. In conventional construction, it is common to use 4 to 6 inches of sand beneath exterior pedestrian flatwork. Due to the expansive soil conditions, there is a moderate risk of movement and damage to such flatwork if conventional measures are used. Heaving and cracking are likely to occur. Where a decorative pattern or surface will be applied in the flatwork and in other flatwork areas where esthetics is of high importance, a minimum 12 inches of nonexpansive material should be placed below the flatwork. The subgrade should be thoroughly moisture conditioned and no desiccation cracks should be present prior to placement of the nonexpansive material.
3. In exterior flatwork areas that are not as esthetically sensitive, a minimum of 8 inches of nonexpansive material is suggested; however, the decision to place nonexpansive material and the depth to which it is placed is left to the architect, engineer, and/or client. The deeper the layer of nonexpansive material in the flatwork area, the better the protection from damage due to expansive soil movement.



General Grading

1. In grading areas other than building, AC and PCC pavement, and exterior pedestrian flatwork areas, the soil should be scarified, moisture conditioned and recompacted.
2. The soil in foundation areas for screen walls or site retaining walls should be overexcavated to 1 foot below planned bottom-of-footing elevation. If fill is required to reach this elevation, existing grade should be scarified, moisture conditioned, and recompacted prior to placement of fill.
3. Voids created by dislodging rocks and/or debris during scarification should be backfilled and compacted, and the dislodged materials should be removed from the work area.
4. Fill soils should be placed, moisture conditioned, and compacted. In areas to be paved, the upper foot of subgrade and all aggregate base should be compacted to a *minimum of 95 percent* of maximum dry density. Subgrade and aggregate base in areas to be paved should be firm and unyielding when proofrolled with heavy, rubber-tired grading equipment prior to continuing construction.
5. If the soils are overly moist so that they become unstable or if the recommended compaction cannot be readily achieved, drying the soil to optimum moisture content, or just above, may be necessary. Placement of gravel layers or geotextiles may also be necessary to help stabilize unstable soils. If such conditions are found, the geotechnical engineer should be contacted to assist the contractor in selecting appropriate measures for stabilization of unstable soils.
6. The recommended soil moisture content should be maintained throughout construction. Failure to maintain the soil moisture content can result in cracks and disturbance, which are an indication of degradation of the soil compaction. If cracks are allowed to develop, or if soils near improvements such as foundations, flatwork, pavement, curbs, etc. are otherwise disturbed, damage to those improvements may result. Soils that have cracked or are otherwise disturbed should be removed, moisture conditioned, and compacted.
7. Generally, permanent cut and fill slopes should not exceed a 2:1 (horizontal to vertical) slope angle. If plans require steeper slopes, the geotechnical engineer should review the plans and make recommendations for such slopes on an individual basis.



Utility Trenches

1. Utility trenches adjacent to foundations should not be excavated within the zone of foundation influence, as shown in Typical Detail A in Appendix D.
2. Utilities that must pass beneath a foundation should be placed with properly compacted utility trench backfill and the foundation should be designed to span the trench.
3. A select, noncorrosive, granular, easily compacted material should be used as bedding and shading immediately around utilities, and as backfill within the building, exterior flatwork, and pavement areas. The site soil, similar imported soil, or additional select import may be used for trench backfill above the bedding and shading, in trenches that lie in areas where settlement of trenches would not be detrimental (i.e. beyond the building, exterior flatwork, and pavement areas).
4. In general, trench backfill should be compacted a minimum of 90 percent of maximum dry density. A minimum of 95 percent of maximum dry density should be obtained in the upper foot of subgrade and in all aggregate base in areas to be paved. Prior to applying compactive effort, soils should be moisture conditioned to optimum moisture content, or just above. Trench backfill should be placed in level lifts not exceeding 6 inches in loose thickness and compacted to the minimums recommended above.
5. Compaction of trench backfill by jetting or flooding is not recommended. However, to aid in *encasing* utility conduits, particularly corrugated drain pipes, and multiple, closely-spaced conduits in a single trench in the bedding and shading material, jetting or flooding may be useful. Flooding or jetting should only be attempted with extreme caution, and any jetting operation should be subject to review by the geotechnical engineer.
6. Long-term settlement of properly compacted imported sand or gravel trench backfill should be assumed to be about 0.25 to 0.5 percent of the depth of the backfill. Where trenches are backfilled with site soils, the anticipated settlement would be about 2 to 3 times that of sand or gravel backfill. Improvements that are constructed over or near trenches should be designed to accommodate the potential for settlement.
7. The recommendations of this section are minimums only, and may be superseded by the architect/engineer, requirements of pipe manufacturers, utility companies or the governing jurisdiction based upon soil corrosivity or other factors.



Foundations

1. Continuous and spread (pad) footings beams and bearing in compacted fill may be used to support the proposed hotel. Footings supporting 1 or 2 stories should penetrate a minimum of 21 inches below pad grade or the lowest grade within 6 feet of the footing, whichever is deeper. Footings supporting 3 or 4 stories should penetrate a minimum of 24 inches below pad grade or the lowest grade within 6 feet of the footing, whichever is deeper.
2. Spread footings should be connected to the perimeter footings by grade beams, the grade beams should connect to the footings on at least two sides to allow the foundation to act as an integral unit. The grade beams should also be the same depth as the footings they connect.
3. Foundations for screen walls and site retaining walls should have a minimum depth of 21 inches below the lowest grade within 6 feet of the footing. It is assumed that these wall heights will not exceed 6 feet.
4. All footings and grade beams should be reinforced in accordance with the requirements of the architect/engineer. Minimum continuous footing and grade beam reinforcement should consist of two No. 4 rebar, one at the top and one at the bottom.
5. Footings bearing in properly compacted structural fill may be designed using maximum allowable bearing capacities of 1,900 psf dead load and 2,850 psf dead plus live loads. Using these criteria, maximum settlement and differential settlement are expected to be on the order of 5/8-inch and 1/2-inch, respectively.
6. Allowable bearing capacity may be increased by one-third when transient loads such as wind or seismicity are included. Foundations may be designed using the following seismic parameters which are based, in part, on a latitude of 35.592 degrees north, and a longitude of 120.696 degrees west, as taken from the Google Earth web site:

Site Classification (CBC Table 1613.5.2)	D
Mapped Spectral Accelerations	
0.2 second period - S_5	1.20g
1.0 second period - S_1	0.532g
Design Response Spectral Acceleration	
0.2 second period - S_{DS}	0.817g
1.0 second period - S_{D1}	0.532g



7. Lateral capacity is based on the assumption that backfill adjacent to foundations is properly compacted. An ultimate passive equivalent fluid pressure of 300 pcf, and an ultimate friction factor of 0.40, may be used in the design to resist lateral loads. These parameters may be combined without reduction to either value. Factors of safety have not been included in these values.
8. Footing excavations should be observed by the geotechnical engineer prior to placement of reinforcing steel or concrete. Footing excavations should be moistened to optimum moisture content, or just above, and no desiccation cracks should be present prior to concrete placement.

Interior Slabs-on-Grade and Exterior Pedestrian Flatwork

1. Conventional interior slabs-on-grade and exterior pedestrian flatwork should have a minimum thickness of 4 full inches. Reinforcement size, placement, and dowels should be as directed by the architect/engineer; minimum slab and pedestrian flatwork reinforcement should consist of No. 3 rebar placed at 24 inches on-center each way. Slabs-on-grade should be doweled to footings and grade beams with No. 3 dowels lapped to the slab rebar at 24-inch spacing.
2. For recommendations pertaining to exterior vehicular slabs and aprons, please see "Pavement Design Criteria" section later in this report.
3. Due to the current use of impermeable floor coverings, water-soluble flooring adhesives, and the speed at which buildings are now constructed, moisture vapor transmission through slabs is a much more common problem than in past years. Where moisture vapor transmitted from the underlying soil would be undesirable, the slabs should be protected from subsurface moisture vapor. A number of options for vapor protection are discussed below; however, the means of vapor protection, including the type and thickness of the vapor retarder, if specified, are left to the discretion of the architect/engineer.
4. Where specified, vapor retarders should conform to ASTM E 1745-11. This standard specifies properties for three performance classes, Class "A", "B" and "C". The appropriate class should be selected based on the sensitivity of floor coverings to moisture intrusion and the potential for damage to the vapor retarder during placement of slab reinforcement and concrete.



5. Several recent studies, including those of American Concrete Institute (ACI) Committees 302 and 306, have concluded that excess water above the vapor retarder increases the potential for moisture damage to floor coverings and could increase the potential for mold growth or other microbial contamination. The studies also concluded that it is preferable to eliminate the typical sand layer beneath the slab and place the slab concrete in direct contact with a Class "A" vapor retarder, particularly during wet weather construction. However, placing the concrete directly on the vapor retarder requires special attention to using the proper vapor retarder (see discussion below), a very low water-cement ratio in the concrete mix, and special finishing and curing techniques.
6. Probably the next most effective option would be the use of vapor-inhibiting admixtures in the slab concrete mix and/or application of a sealer to the surface of the slab. This would also require special concrete mixes and placement procedures, depending upon the recommendations of the admixture or sealer manufacturer.
7. Another option that may be a reasonable compromise between effectiveness and cost considerations is the use of a subslab vapor retarder protected by a sand layer. If a Class "A" vapor retarder (see discussion below) is specified, the retarder can be placed directly on the nonexpansive material at pad grade. The retarder should be covered with a minimum 2 inches of *clean* sand. If a less durable vapor retarder is specified (Class "B" or "C"), a minimum of 4 inches of clean sand should be provided on top of the prepared pad grade, and the retarder should be placed in the center of the clean sand layer. Clean sand is defined as a well or poorly graded sand (ASTM D 2487-10) of which less than 3 percent passes the No. 200 sieve.
8. Regardless of the underslab vapor retarder selected, proper installation of the retarder is critical for optimum performance. All seams must be properly lapped, and all seams and utility penetrations properly sealed in accordance with the vapor retarder manufacturer's recommendations. Installation should conform to ASTM E 1643-11.
9. If sand is used between the vapor retarder and the slab, it should be moistened only as necessary to promote concrete curing; saturation of the sand should be avoided, as the excess moisture would be on top of the vapor retarder, potentially resulting in vapor transmission through the slab for months or years.



10. Positive drainage away from the buildings should be maintained, see the “Drainage and Maintenance” section for additional discussion of this issue. If water is allowed to pond near the structure, it may seep into the ground and migrate laterally through cracks or utility penetrations in the foundation, ultimately gaining access above the barrier.
11. In addition to the placement of nonexpansive material in the flatwork areas as described in the Grading section, a measure that can be taken to reduce the risk of movement of flatwork due to expansive soils is to provide thickened edges or grade beams around the perimeters of the flatwork. The thickened edges or grade beams could be from 12 to 18 inches deep, with the deeper edges or grade beams providing better protection. At a minimum, the thickened edge or grade beam should be reinforced by two No. 4 rebar, one at the top and one at the bottom. The use of thickened edges or grade beams is left to the discretion of the owner and/or architect/engineer.
12. Flatwork that is cast directly over expansive soil (or over a minimal sand or aggregate base layer) should be constructed with frequent joints to allow articulation as flatwork moves in response to expansion and contraction of the soil. The expansive soil should be moistened to at least optimum moisture and no desiccation cracks should be present prior to casting the flatwork.
13. Flatwork at doorways, and at other areas where maintaining the elevation of the pedestrian flatwork is desired, should be doweled to the perimeter foundation or other improvements, at a minimum, by No. 3 dowels lapped to the flatwork rebar at 24-inch spacing. In other areas, the flatwork may be doweled to the foundation or the flatwork may be allowed to “float free,” at the discretion of the architect/engineer. Flatwork that is intended to float free should be separated from foundations by a felt joint or other means.
14. To reduce shrinkage cracks in concrete, the concrete aggregates should be of appropriate size and proportion, the water/cement ratio should be low, the concrete should be properly placed and finished, contraction joints should be installed, and the concrete should be properly cured. This is particularly applicable to slabs that will be cast directly upon a vapor retarder and those that will be protected from transmission of vapor by use of admixtures or surface sealers. Concrete materials, placement, and curing specifications should be at the direction of the architect/engineer; AC 302.1R-04 is suggested as a resource for the architect/engineer in preparing such specifications.



Retaining Walls

1. Retaining walls that form part of the building should be founded in soils that have been moisture conditioned and recompact, per the recommendations presented under "Building Areas" in the Grading section of this report.
2. Site retaining and screen walls should be founded in soils that have been moisture conditioned and recompact, per the recommendations presented under "General Grading" in the Grading section of this report. Site retaining and screen wall foundations should have a minimum depth (not including any keyway) of 21 inches below the lowest grade within 6 feet of the toe of the footing.
3. Retaining wall design should be based on the following parameters:
 - Active equivalent fluid pressure
(site soils or imported sand or gravel backfill)..... 35 pcf
 - At rest equivalent fluid pressure
(site soils or imported sand or gravel backfill)..... 50 pcf
 - Passive equivalent fluid pressure..... 300 pcf
 - Maximum allowable bearing pressure
(site retaining walls and screen walls) 2,000 psf
 - Coefficient of sliding friction 0.40
4. No surcharges are taken into consideration in the values presented above. The maximum bearing pressure is an *allowable* value to which factors of safety have been applied. No factors of safety, load factors or other factors have been applied to any of the remaining values.
5. The above pressures are applicable to a horizontal retained surface behind the wall. Walls having a retained surface that slopes upward from the wall should be designed for an additional equivalent fluid pressure of 1 pcf for the active case and 1.5 pcf for the at-rest case, for every two degrees of slope inclination.
6. Generally, the site soils are suitable for backfill of retaining walls, with the exception of the sandy lean clay encountered in Borings 5 and 7. Prior to placement of the backfill, all loose soil, slough and debris should be removed from the backfill area.



7. If crushed gravel is used as backfill, it should be vibrated by means of a vibrating plate compactor or other suitable equipment as it is placed. Where backfill materials other than crushed gravel are utilized, they should be placed in level moisture conditioned lifts, not exceeding 6 inches in loose thickness, and compacted to a minimum of 90 percent of maximum dry density. Backfill within the upper foot of subgrade in areas to be paved, and in all aggregate base, should be compacted to a minimum of 95 percent of maximum dry density.
8. To reduce the potential for runoff to enter retaining wall backfill, the backfill should be capped by a minimum 1 foot thick layer of compacted native soil except in areas where a slab, flatwork, or pavement will be constructed at the top of the wall. In these areas, the slab or the flatwork structural section, or the structural pavement section should suffice in lieu of a soil cap. Where backfill consists of gravel, a filter fabric meeting the criteria of Caltrans Standard Specification 88-1.02B - Class C should be placed between the gravel backfill and the soil cap or structural section.
9. It is assumed that typical wall heights will not exceed 10 feet.
10. Long-term settlement of properly compacted retaining wall backfill should be assumed to be about 0.25 to 0.5 percent of the depth of the backfill. Improvements that are constructed near the tops of retaining walls should be designed to accommodate the potential for settlement.
11. The above active and at-rest values are for drained conditions. Consequently, all retaining walls should be drained with perforated pipe encased in a free-draining gravel blanket. The pipe should be placed perforations downward, and should discharge in a nonerosive manner away from foundations and other improvements. The gravel blanket should have a width of approximately 1 foot and should extend upward to the backfill soil cap described previously. Manufactured synthetic drains, such as Miradrain or Enkadrain are acceptable alternatives to the use of gravel, provided that they are installed in accordance with the recommendations of the manufacturer.
12. Where a gravel drain will be placed and soil backfill utilized beyond the drain, the soil and gravel should be separated by a fabric meeting the criteria of Caltrans Standard Specification 88-1.02B - Class C.



13. Where weep hole drainage can be properly discharged, the perforated pipe may be omitted in lieu of weep holes on maximum 4-foot centers. A filter fabric as described above should be placed between the weep holes and the drain gravel.
14. Walls facing areas where moisture transmission through the wall would be undesirable should be *thoroughly* waterproofed in accordance with the specifications of the architect/engineer.
15. Chapter 18 of the 2010 CBC identifies the need for determining earthquake loads on buried structures and retaining walls. Such criteria are typically developed based upon information developed by Mononobe and Matsuo (1929) and Okabe (1926) as modified by Seed and Whitman (1970). This methodology has been the accepted geotechnical standard for development of seismic parameters for retaining wall design for over 35 years. In October, 2010, a professional paper was published in the Journal of Geotechnical and Environmental Engineering that has challenged this generally accepted view. The paper, entitled "Seismic Earth Pressures on Cantilever Retaining Structures" was authored by Linda Al Atik, Ph.D. and Nicholas Sitar, Ph.D. of the University of California at Berkeley. The paper was also presented, in association with several prominent structural and geotechnical engineers, at the Structural Engineering Association of California (SEAOC) 2010 Convention. In their research, the paper's authors were able to model gravitational forces through the use of centrifuge modeling at the University of California at Davis, an element that was lacking in previous studies. Among other findings, they concluded that the effects of seismic soil loading on retaining walls are negligible for peak ground acceleration of less than about 0.4g. In addition, they concluded that walls less than 12 feet in height did not need to be designed for seismic pressures as long as they are designed with the typical static factor of safety of 1.5 against sliding and overturning. The preliminary peak ground acceleration (PGA) at the site was found to be less than 0.4g and the site walls are not anticipated to exceed 12 feet in height. Therefore, we believe that the findings of Atik and Sitar apply to the project at this point and design of retaining walls for seismic soil loading is not considered necessary, assuming a typical static factor of safety of 1.5 against sliding and overturning is utilized.
16. The architect/engineer should bear in mind that retaining walls by their nature are flexible structures, and that surface treatments on walls often crack. Where walls are to be plastered or otherwise have a finish applied, the flexibility should be considered in determining the suitability of the surfacing material, spacing of horizontal and vertical control joints, etc. The flexibility should also be considered where a retaining wall will abut or be connected to a rigid structure, and where the geometry of the wall is such that its flexibility will vary along its length.



Pavement Design Criteria

AC Pavement Sections

The following asphalt concrete (AC) pavement sections are based upon the tested R-value, or resistance to deformation under repeated loading, of 5. The pavement sections are based on Traffic Indices of 4.5 through 8.0; determination of the appropriate section for specific areas of the project is left to others. The AC sections were calculated in accordance with the method presented in the *Caltrans Highway Design Manual*. The calculated aggregate base and AC thicknesses are for compacted material. Normal Caltrans construction tolerances should apply.

<u>R-value</u>	<u>Traffic Index</u>	<u>AC</u>	<u>Class 2 Base*</u>
5	4.5	2.50"	9.0"
5	5.0	2.75"	10.5"
5	5.5	3.00"	12.0"
5	6.0	3.25"	13.0"
5	6.5	3.75"	14.5"
5	7.0	4.00"	15.5"
5	7.5	4.50"	17.0"
5	8.0	4.50"	18.5"

* Caltrans 2010 Standard Specifications, Section 26

Portland Cement Concrete Aprons and Vehicular Slabs

1. Design of slabs and aprons may be based on a modulus of subgrade reaction (k_{30}) of 300 pci (psi/in.). To assist in resisting flexure due to the expansive soils, additional nonexpansive material may be placed beneath the aggregate base and thickened edges or grade beams may be included in the design, as discussed in paragraph 11 of the Interior Slabs-on-Grade and Exterior Pedestrian Flatwork section.
2. Exterior vehicular flatwork for lightly loaded auto traffic should have a minimum thickness of 4 full inches. Reinforcement size, placement, and dowels should be as directed by the architect/engineer; minimum vehicular flatwork reinforcement should consist of No. 3 rebar placed at 18 inches on-center each way. Lightly loaded vehicular flatwork should be underlain by a minimum of 8 inches of Class 2 aggregate base (Caltrans 2010 Standard Specifications, Section 26).



3. Trash enclosure slabs, trash enclosure aprons, and other vehicular flatwork that will be subject to maneuvering of heavy trucks should have a minimum thickness of 8 inches. Reinforcement size, placement, and dowels should be as directed by the architect/engineer; minimum heavy capacity flatwork reinforcement should consist of No. 4 rebar placed at 12 inches on-center each way. They should be cast on a minimum 12-inch thick layer of Class 2 Aggregate Base (Caltrans 2010 Standard Specifications, Section 26).

Pavement Design General

1. The upper 12 inches of subgrade and all aggregate base in AC and vehicular flatwork areas should be compacted to a minimum of 95 percent of maximum dry density. Subgrade and aggregate base should be firm and unyielding when proofrolled with heavy, rubber-tired grading equipment prior to continuing construction.
2. Finished AC and flatwork surfaces should be sloped to freely drain toward appropriate drainage facilities. Water should not be allowed to stand or pond on or adjacent to pavement or other improvements as it could infiltrate into the aggregate base and/or subgrade, causing premature pavement deterioration.
3. Due to the potential for expansive soils to be encountered on the site, cracking of the AC near its edge may occur unless protective measures are constructed. Consideration should be given to extending the aggregate base a minimum of 3 feet beyond the limits of the AC, or providing perimeter concrete cutoff curbs that extend 18 inches below the finish AC surface. Such measures, in combination with the irrigated landscaping assumed previously, would help to reduce such cracking.
4. Curbs should be constructed a minimum of 5 feet from the top of any descending slope. Alternatively, curbs may be deepened. The geotechnical engineer should review any situation where deepening is required to meet this criterion.
5. To reduce migration of surface drainage into the subgrade, maintenance of pavement areas is critical. Any cracks that develop in the pavement should be promptly sealed. Rodents should be aggressively controlled near AC and flatwork areas and shoulders should be maintained to provide sheet flow away from the edges of the AC.
6. The local jurisdiction may have additional requirements for pavement that could take precedence over the above recommendations.



Drainage and Maintenance

1. Unpaved ground surfaces should be *graded during construction* and, per Section 1804.3 of the CBC, *finish graded* to direct surface runoff away from foundations, slopes, and other improvements at a minimum 5 percent grade for a minimum distance of 10 feet. If this is not feasible due to the terrain, property lines, or other factors, swales with improved surfaces, area drains, or other drainage features should be provided to divert drainage away from these areas.
2. Paved surfaces should provide positive drainage away from foundations, slopes and other improvements.
3. To reduce the potential for planter drainage gaining access to subslab areas, any raised planter boxes adjacent to foundations should be installed with drains and sealed sides and bottoms. Drains should also be provided for areas adjacent to the structure that would not otherwise freely drain.
4. The eaves of the structures should be provided with roof gutters. Runoff from roof gutters, downspouts, area drains, weep holes, etc., should discharge to an appropriate outlet in a nonerosive manner away from foundations and other improvements in accordance with the requirements of the governing agencies. Erosion protection should be placed at all discharge points unless the discharge is to a pavement surface.
5. The site soils are erodible. To reduce erosion damage, it is essential that the surface soils, particularly those disturbed during construction, be stabilized by vegetation or other means *during and following construction*. Care should be taken to establish and maintain vegetation. The landscaping and exterior flatwork should be installed to maintain the surface drainage recommended above.
6. To reduce the potential for disruption of drainage patterns and undermining of foundations and other improvements, rodent activity should be aggressively controlled.

Observation and Testing

1. It must be recognized that the recommendations contained in this report are based on a limited number of exploratory borings and rely on continuity of the subsurface conditions encountered. Therefore, the geotechnical engineer should be retained to provide consultation during the design phase, to review plans as they near completion, to interpret this report during construction, and to provide construction monitoring in the form of testing and observation.



2. At a minimum, the following items should be reviewed, tested, or observed by the geotechnical engineer:
 - Stripping and clearing of vegetation, foundations, and debris
 - Overexcavation of the building area
 - Fill quality, placement, moisture conditioning, and compaction
 - Utility trench backfill
 - Foundation excavations for the building, site walls and retaining walls
3. A program of quality control should be developed prior to beginning grading. The contractor or project manager should determine any additional inspection items required by the architect/engineer or the governing jurisdiction.
4. Special inspection of grading should be provided as per Section 1704.7 and Table 1704.7 of the CBC; the soils special inspector should be under the direction of the geotechnical engineer. It is our opinion that all proposed grading operations should be considered to be of a “minimum nature” and should be subject to inspection and testing on a periodic basis, subject to approval by the building official. At a minimum, the soils special inspector should inspect and/or test:
 - Stripping and clearing of vegetation and foundations
 - Overexcavation as recommended
 - Utility trench backfill
 - Fill quality, placement, moisture conditioning, and compaction
 - Foundation excavations for the building, site walls, and retaining walls
 - Retaining wall drains and backfill
 - AC and vehicular flatwork subgrade and aggregate base proofrolling
5. Locations and frequency of compaction tests should be as per the recommendation of the geotechnical engineer at the time of construction. The recommended test location and frequency may be subject to modification by the geotechnical engineer, based upon soil and moisture conditions encountered, size and type of equipment used by the contractor, the general trend of the results of compaction tests, or other factors.



6. A preconstruction conference among the owner, the geotechnical engineer, the soil special inspector, the architect/engineer, City of Paso Robles, and contractors is recommended to discuss planned construction procedures and quality control requirements.
7. The geotechnical engineer should be notified at least 48 hours prior to beginning construction operations. If Earth Systems Pacific is not retained to provide construction observation and testing services, it shall not be responsible for the interpretation of the information by others or any consequences arising there from.

9.0 CLOSURE

Our intent was to perform the investigation in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing in the locality of this project under similar conditions. No representation, warranty, or guarantee is either expressed or implied. This report is intended for the exclusive use by the client as discussed in the "Scope of Services" section. Application beyond the stated intent is strictly at the user's risk.

This report is valid for conditions as they exist at this time for the type of project described herein. The conclusions and recommendations contained in this report could be rendered invalid, either in whole or in part, due to changes in building codes, regulations, standards of geotechnical or construction practice, changes in physical conditions, or the broadening of knowledge.

If changes with respect to project type or location become necessary, if items not addressed in this report are incorporated into plans, or if any of the assumptions used in the preparation of this report are not correct, the geotechnical engineer shall be notified for modifications to this report. Any items not specifically addressed in this report should comply with the CBC and the requirements of the governing jurisdiction.

The preliminary recommendations of this report are based upon geotechnical conditions encountered at the site, and may be augmented by additional requirements of the architect/engineer, or by additional recommendations provided by the geotechnical engineer based on peer or jurisdictional reviews, or conditions exposed at the time of construction.



Residence Inn
Paso Robles, CA

September 23, 2013

This document, the data, conclusions, and recommendations contained herein are the property of Earth Systems Pacific. This report shall be used in its entirety, with no individual sections reproduced or used out of context. Copies may be made only by Earth Systems Pacific, the client, and the client's authorized agents for use exclusively on the subject project. Any other use is subject to federal copyright laws and the written approval of Earth Systems Pacific.

Thank you for this opportunity to have been of service. If you have any questions, please feel free to contact this office at your convenience.

End of Text.

MEMORANDUM

DATE: November 27, 2013
TO: John Falkenstien, PE
City of Paso Robles
FROM: Robert Miller, PE
SUBJECT: Marriott Residence Inn
Storm Water Quality Management Plan



WALLACE GROUP

- CIVIL ENGINEERING
- CONSTRUCTION MANAGEMENT
- LANDSCAPE ARCHITECTURE
- MECHANICAL ENGINEERING
- PLANNING
- PUBLIC WORKS ADMINISTRATION
- SURVEYING / GIS SOLUTIONS
- WATER RESOURCES
- WALLACE SWANSON INTERNATIONAL

Wallace Group has been retained to provide a Storm Water Quality Management Plan (Plan) for the above-referenced project. The purpose of this technical memorandum is to specify the site planning principals and post-construction Best Management Practices (BMP's) that have been selected. Figure 1 (attached) shows the project location in the context of surrounding watersheds and the downstream receiving water. The project is adjacent to the Salinas River, and therefore the primary focus will be on maintaining storm water quality, including volume reduction through the implementation of post construction Best Management Practices (BMP's). The average rainfall for the project area is 17" per year, and therefore the 85th percentile water quality event is estimated to be 0.75" (Table 2-1, Interim LID Guidelines for SLO County).

With respect to site planning, the following measures have been adopted as shown in the conceptual grading and drainage plan:

- Storm water from the facility roof will be stored and re-used for landscape irrigation, with an estimated total storage volume of 10,000 gallons (1,370 cubic feet). This storage volume is sufficient to collect the 0.75" water quality event from 22,000 square feet of roof surface area.
- The use of pervious hardscape materials for parking stalls will be maximized where feasible. Given that the existing terrain drops off sharply along Vine Street, pervious parking stalls will only be used where a minimum setback of 100 feet can be maintained from the easterly boundary of the project site. This approach will minimize the potential for daylighting of percolating storm water.
- Planters and other softscape areas will be used for biofiltration where feasible.
- Remaining impervious areas will be treated with a proprietary water quality device (Contech CDS2025 or equal) designed to remove trash and silt. The treated storm water will then be discharged to an infiltration basin conforming to CASQA Guideline TC-11.

The overall hydrology of the developed site includes 3.1 acres of total developed area and hardscape. Approximately 1.1 acres is expected to be self-treating for volume reduction through the measures defined above, with an impervious

WALLACE GROUP
A California Corporation

612 CLARION CT
SAN LUIS OBISPO
CALIFORNIA 93401

T 805 544-4011
F 805 544-4294

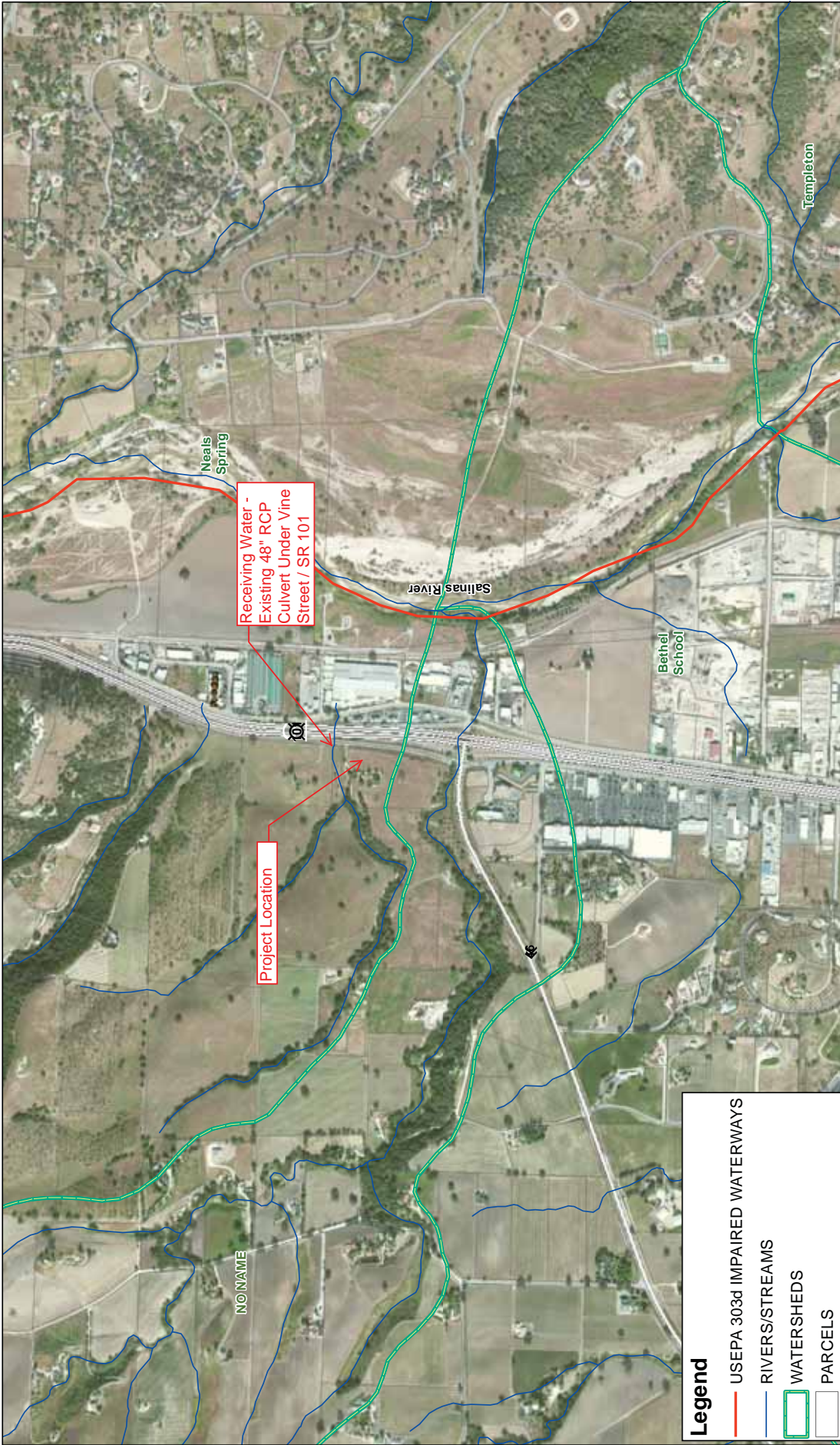
www.wallacegroup.us



remainder of 2.0 acres that will require treatment and volume reduction. Flow-based BMP's will be sized assuming a storm water intensity of 0.36 in/hr in accordance with the SLO County LID guidelines, which would yield a minimum flow of 0.8 cfs. As shown on the conceptual grading plan, an infiltration basin has been sited to provide the required volume reduction. Soils percolation testing was performed at the basin location and the results of the testing and preliminary design are summarized as follows:

- Infiltration characteristics of basin area, varies with an average value of 6" per hour.
- Assuming percolation of the water quality event in 48 hours, the required minimum bottom surface area would be 500 square feet.
- The bottom area provided in preliminary design is 1,700 square feet to provide flexibility for future conditions.

Please let me know if you have any questions, or if you need more information.



WALLACE GROUP
 CIVIL ENGINEERING
 CONSTRUCTION MANAGEMENT
 MECHANICAL ENGINEERING
 ELECTRICAL ENGINEERING
 PUBLIC WORKS ADMINISTRATION
 WATER RESOURCES
 612 CLAYTON COURT
 SAN LUIS OBISPO, CA 93401
 805.348.4200 ext. 5144294
 www.wallacegroup.com

RESIDENCE INN BY MARRIOTT

FIGURE 1

1 inch = 1,000 feet
 0 500 1,000 Feet

NOTES:
 BASEMAP PROVIDED BY ESRI
 AND COUNTY OF SAN LUIS
 OBISPO. WALLACE GROUP DID
 NOT PERFORM BOUNDARY
 SURVEY SERVICES FOR THIS
 MAP. NOT A LEGAL DOCUMENT.
 MAP PRODUCED APRIL 2011.

NOISE IMPACT ASSESSMENT

FOR

SOUTH VINE STREET HOTEL PROJECT PASO ROBLES, CA

NOVEMBER 2013

PREPARED FOR:

Excel Hotel Group
10660 Scripps Ranch Blvd.
Suite 100
San Diego, CA 92131

PREPARED BY:



827 JACKSON DRIVE
PASO ROBLES, CA 93446
805.226.2727

TABLE OF CONTENTS

Introduction	2
Acoustic Fundamentals	2
Affected Environment	7
Regulatory Framework	9
Impacts and Mitigation Measures	12
References.....	22

LIST OF TABLES

Table 1 Common Acoustical Terms and Descriptors	5
Table 2 Federal Interagency Committee on Noise Recommended Criteria for Evaluation of Increases in Ambient Noise Levels.....	6
Table 3 Maximum Allowable Noise Exposure-Stationary Noise Sources	9
Table 4 Damage Potential to Buildings at Various Groundborne Vibration Levels	11
Table 5 Annoyance Potential to People at Various Groundborne Vibration Levels.....	12
Table 6 Representative Vibration Source Levels for Construction Equipment.....	18
Table 7 Predicted Increases in Traffic Noise Levels Long-Term Operational Conditions	19
Table 8 Typical Construction Equipment Noise Levels.....	20

LIST OF FIGURES

Figure 1 Typical Community Noise Levels.....	3
Figure 2 Summary of Measured Ambient Noise Levels.....	8
Figure 3 Measured Long-term (24-Hour) Ambient Noise Levels at Noise Monitoring Site NM-1	8
Figure 4 City of Paso Robles Land Use Compatibility Noise Criteria for Transportation Noise Sources.....	10
Figure 5 Predicted Year 2035 Exterior Traffic Noise Levels With Existing South Vine Street Alignment	14
Figure 6 Predicted Year 2035 Exterior Traffic Noise Levels With Proposed Future South Vine Street Alignment	15
Figure 7 Predicted Interior Noise Levels	17

APPENDIX A Noise Modeling

INTRODUCTION

This report describes the existing noise environment in the project vicinity and identifies potential noise impacts associated with development of the proposed hotel located on South Vine Street. The proposed hotel is generally located northwest of the State Route 101 (SR 101) and Highway 46 West interchange. Project impacts were evaluated relative to the City of Paso Robles' applicable noise standards. Noise-reduction measures have been identified, where necessary, to reduce noise-related impacts.

ACOUSTIC FUNDAMENTALS

Noise is generally defined as sound that is loud, disagreeable, or unexpected. Sound, as described in more detail below, is mechanical energy transmitted in the form of a wave because of a disturbance or vibration.

AMPLITUDE

Amplitude is the difference between ambient air pressure and the peak pressure of the sound wave. Amplitude is measured in decibels (dB) on a logarithmic scale. For example, a 65 dB source of sound, such as a truck, when joined by another 65 dB source results in a sound amplitude of 68 dB, not 130 dB (i.e., doubling the source strength increases the sound pressure by 3 dB). Amplitude is interpreted by the ear as corresponding to different degrees of loudness. Laboratory measurements correlate a 10 dB increase in amplitude with a perceived doubling of loudness and establish a 3 dB change in amplitude as the minimum audible difference perceptible to the average person.

FREQUENCY

Frequency is the number of fluctuations of the pressure wave per second. The unit of frequency is the Hertz (Hz). One Hz equals one cycle per second. The human ear is not equally sensitive to sound of different frequencies. Sound waves below 16 Hz or above 20,000 Hz cannot be heard at all, and the ear is more sensitive to sound in the higher portion of this range than in the lower. To approximate this sensitivity, environmental sound is usually measured in A-weighted decibels (dBA). On this scale, the normal range of human hearing extends from about 10 dBA to about 140 dBA. Common community noise sources and associated noise levels, in dBA, are depicted in **Figure 1**.

ADDITION OF DECIBELS

Because decibels are logarithmic units, sound levels cannot be added or subtracted through ordinary arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3-dB increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dB higher than one source under the same conditions. For example, if one automobile produces a sound level of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dB; rather, they would combine to produce 73 dB. Under the decibel scale, three sources of equal loudness together would produce an increase of 5 dB.

FIGURE 1
TYPICAL COMMUNITY NOISE LEVELS

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet Fly-over at 300m (1000 ft)	110	Rock Band
Gas Lawn Mower at 1 m (3 ft)	100	
Diesel Truck at 15 m (50 ft), at 80 km (50 mph)	90	Food Blender at 1 m (3 ft)
Noisy Urban Area, Daytime	80	Garbage Disposal at 1 m (3 ft)
Gas Lawn Mower, 30 m (100 ft)	70	Vacuum Cleaner at 3 m (10 ft)
Commercial Area		Normal Speech at 1 m (3 ft)
Heavy Traffic at 90 m (300 ft)	60	Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime		Library
Quiet Rural Nighttime	30	Bedroom at Night, Concert Hall (Background)
	20	Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

Source: Caltrans 2012

SOUND PROPAGATION & ATTENUATION

Geometric Spreading

Sound from a localized source (i.e., a point source) propagates uniformly outward in a spherical pattern. The sound level decreases (attenuates) at a rate of approximately 6 decibels for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path, and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of approximately 3 decibels for each doubling of distance from a line source, depending on ground surface characteristics. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water,), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between a line source and the receiver, such as soft dirt, grass, or scattered bushes and trees), an excess ground-attenuation value of 1.5 decibels per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation for soft surfaces results in an overall attenuation rate of 4.5 decibels per doubling of distance from a line source.

Shielding by Natural or Human-Made Features

A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Natural terrain features (e.g., hills and dense woods) and human-made features (e.g., buildings and walls) can substantially reduce noise levels. Walls are often constructed between a source and a receiver specifically to reduce noise. A barrier that breaks the line of sight between a source and a receiver will typically result in an approximate 5 dB of noise reduction. Taller barriers provide increased noise reduction.

NOISE DESCRIPTORS

The decibel scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Although the intensity (energy per unit area) of the sound is a purely physical quantity, the loudness or human response is determined by the characteristics of the human ear.

Human hearing is limited in the range of audible frequencies as well as in the way it perceives the sound-pressure level in that range. In general, people are most sensitive to the frequency range of 1,000–8,000 Hz, and perceive sounds within that range better than sounds of the same amplitude in higher or lower frequencies. To approximate the response of the human ear, sound levels of individual frequency bands are weighted, depending on the human sensitivity to those frequencies, which is referred to as the "A-weighted" sound level (expressed in units of dBA). The A-weighting network approximates the frequency response of the average young ear when listening to most ordinary sounds. When people make judgments of the relative loudness or annoyance of a sound, their judgments correlate well with the A-weighted noise scale. Other weighting networks have been devised to address high noise levels or other special problems (e.g., B-, C-, and D-scales), but these scales are rarely used in conjunction with environmental noise.

The intensity of environmental noise fluctuates over time, and several descriptors of time-averaged noise levels are typically used. For the evaluation of environmental noise, the most commonly used descriptors are L_{eq} , L_{dn} , and CNEL. The energy-equivalent noise level, L_{eq} , is a measure of the average energy content (intensity) of noise over any given period. Many communities use 24-hour descriptors of noise levels to regulate noise. The day-night average noise level, L_{dn} , is the 24-hour average of the noise intensity, with a 10-dBA “penalty” added for nighttime noise (10 p.m. to 7 a.m.) to account for the greater sensitivity to noise during this period. CNEL, the community equivalent noise level, is similar to L_{dn} but adds an additional 5-dBA penalty for evening noise (7 p.m. to 10 p.m.) Common noise descriptors are summarized in Table 1.

**TABLE 1
COMMON ACOUSTICAL TERMS AND DESCRIPTORS**

Descriptor	Definition
Decibel (dB)	A unit-less measure of sound on a logarithmic scale, which indicates the squared ratio of sound pressure amplitude to referenced sound pressure amplitude. The reference pressure is 20 micro-pascals.
A-Weighted Decibel (dBA)	An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
Energy Equivalent Noise Level (L_{eq})	The energy mean (average) noise level. The instantaneous noise levels during a specific period of time in dBA are converted to relative energy values. From the sum of the relative energy values, an average energy value (in dBA) is calculated.
Minimum Noise Level (L_{min})	The minimum instantaneous noise level during a specific period of time.
Maximum Noise Level (L_{max})	The maximum instantaneous noise level during a specific period of time.
Day-Night Average Noise Level (DNL or L_{dn})	The 24-hour L_{eq} with a 10 dBA “penalty” for noise events that occur during the noise-sensitive hours between 10:00 p.m. and 7:00 a.m. In other words, 10 dBA is “added” to noise events that occur in the nighttime hours to account for increases sensitivity to noise during these hours.
Community Noise Equivalent Level (CNEL)	The CNEL is similar to the L_{dn} described above, but with an additional 5 dBA “penalty” added to noise events that occur between the hours of 7:00 p.m. to 10:00 p.m. The calculated CNEL is typically approximately 0.5 dBA higher than the calculated L_{dn} .

HUMAN RESPONSE TO NOISE

The human response to environmental noise is subjective and varies considerably from individual to individual. Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination. Hearing loss can occur at the highest noise intensity levels. When community noise interferes with human activities or contributes to stress, public annoyance with the noise source increases. The acceptability of noise and the threat to public well-being are the basis for land use planning policies preventing exposure to excessive community noise levels.

Unfortunately, there is no completely satisfactory way to measure the subjective effects of noise or of the corresponding reactions of annoyance and dissatisfaction. This is primarily because of the wide variation in individual thresholds of annoyance and habituation to noise over differing individual experiences with noise. Thus, an important way of determining a person's subjective reaction to a new noise is the comparison of it to the existing environment to which one has adapted: the so-called "ambient" environment. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged. Regarding increases in A-weighted noise levels, knowledge of the following relationships will be helpful in understanding this analysis:

- Except in carefully controlled laboratory experiments, a change of 1 dB cannot be perceived by humans;
- Outside of the laboratory, a 3-dB change is considered a just-perceivable difference;
- A change in level of at least 5 dB is required before any noticeable change in community response would be expected. An increase of 5 dB is typically considered substantial;
- A 10-dB change is subjectively heard as an approximate doubling in loudness and would almost certainly cause an adverse change in community response.

A limitation of using a single noise-level increase value to evaluate noise impacts, as discussed above, is that it fails to account for pre-project noise conditions. With this in mind, the Federal Interagency Committee on Noise (FICON) developed guidance to be used for the assessment of project-generated increases in noise levels that take into account the ambient noise level. The FICON recommendations are based upon studies that relate aircraft noise levels to the percentage of persons highly annoyed by aircraft noise. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, these recommendations are often used in environmental noise impact assessments. FICON-recommended noise evaluation criteria are summarized in **Table 2**.

TABLE 2
FEDERAL INTERAGENCY COMMITTEE ON NOISE
RECOMMENDED CRITERIA FOR EVALUATION OF INCREASES IN AMBIENT NOISE LEVELS

Ambient Noise Level Without Project	Increase Required for Significant Impact
< 60 dB	5.0 dB, or greater
60-65 dB	3.0 dB, or greater
> 65 dB	1.5 dB, or greater
<i>Source: FAA 2000, FICON 1992</i>	

As depicted in **Table 2**, a noise level increase of 5.0, or greater, would typically be considered to result in increased levels of annoyance where existing ambient noise levels are less than 60 dB. Within areas where the ambient noise level ranges from 60 to 65 dB, increased levels of annoyance would be anticipated at increases of 3 dB, or greater. Increases of 1.5 dB, or greater, could result in increased levels of annoyance in areas where the ambient noise level exceeds 65 dB. The rationale for the FICON-recommended criteria is that as ambient noise levels increase, a smaller increase in noise resulting from a project is sufficient to cause significant increases in annoyance (FICON 1992, FAA 2000).

AFFECTED ENVIRONMENT

NOISE-SENSITIVE RECEPTORS

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are also considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses.

The project site is located adjacent to S. Vine Street, northwest of the Highway 46 West and SR 101 intersection. The nearest noise-sensitive land use consists of rural residential dwellings, the nearest of which are located approximately 0.38 miles west of the project site.

AMBIENT NOISE ENVIRONMENT

The noise environment in the proposed project area is defined primarily by vehicular traffic on SR 101. To a lesser extent, vehicle traffic on nearby segments of South Vine Street and Highway 46 West, also contribute on to ambient noise levels in the project area.

To document existing ambient noise levels at the project site, a long-term (24-hour) and measurement was conducted on November 12th-13th, 2013. Short-term ambient noise measurements were also conducted on November 18th, 2013. Noise measurements were conducted using a Larson Davis Laboratories, Type I, Model 820 integrating sound-level meter positioned at a height of approximately 4.5 feet above ground level. Measured ambient noise levels are summarized in **Figure 2**. Long-term noise measurements are depicted in **Figure 3**.

Based on the measurements conducted, ambient daytime average-hourly noise levels (in dBA L_{eq}) range from the low to mid 50's along the western site boundary of the project site to the upper 60's along the eastern site boundary. Average-daily noise levels at the eastern boundary of the project site, nearest SR 101, measured 68 dBA CNEL/ L_{dn} .

FIGURE 2
SUMMARY OF MEASURED AMBIENT NOISE LEVELS

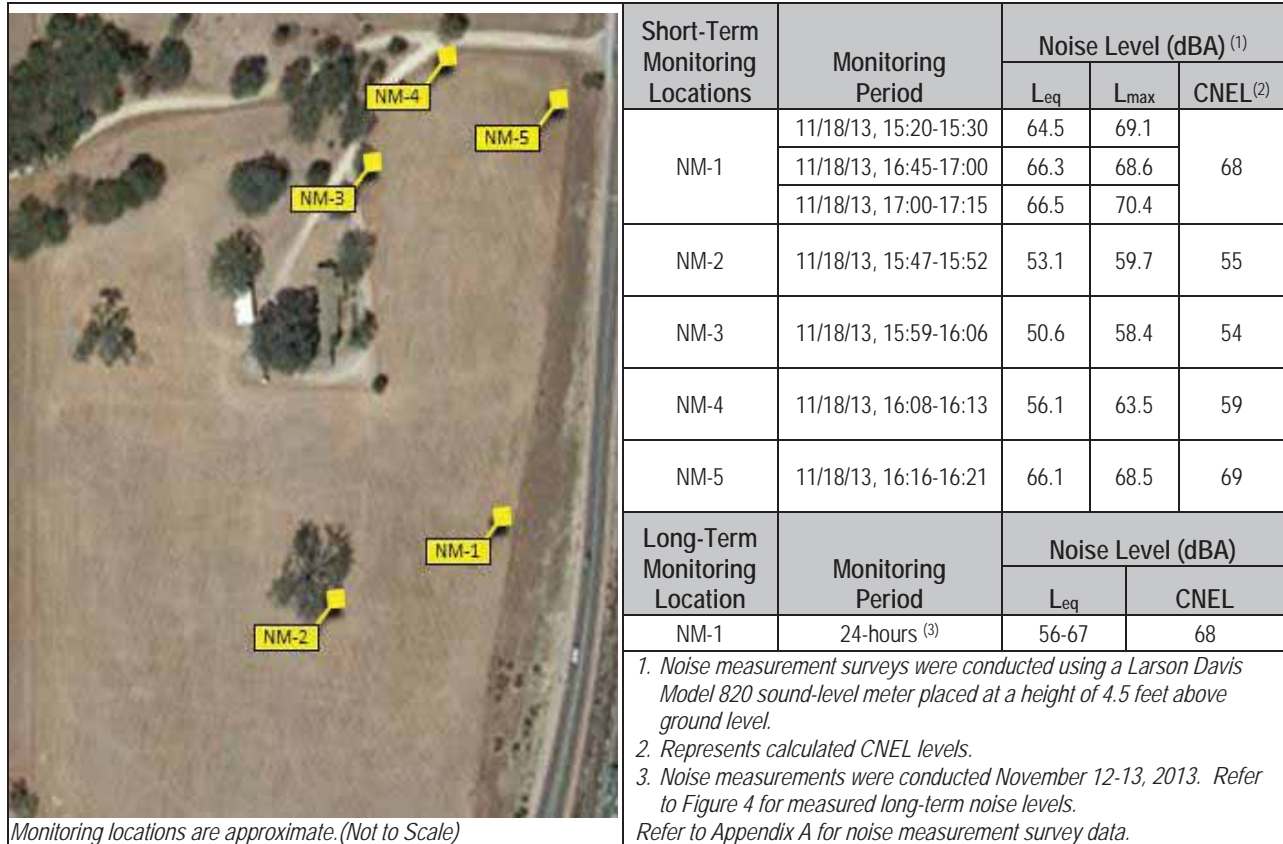
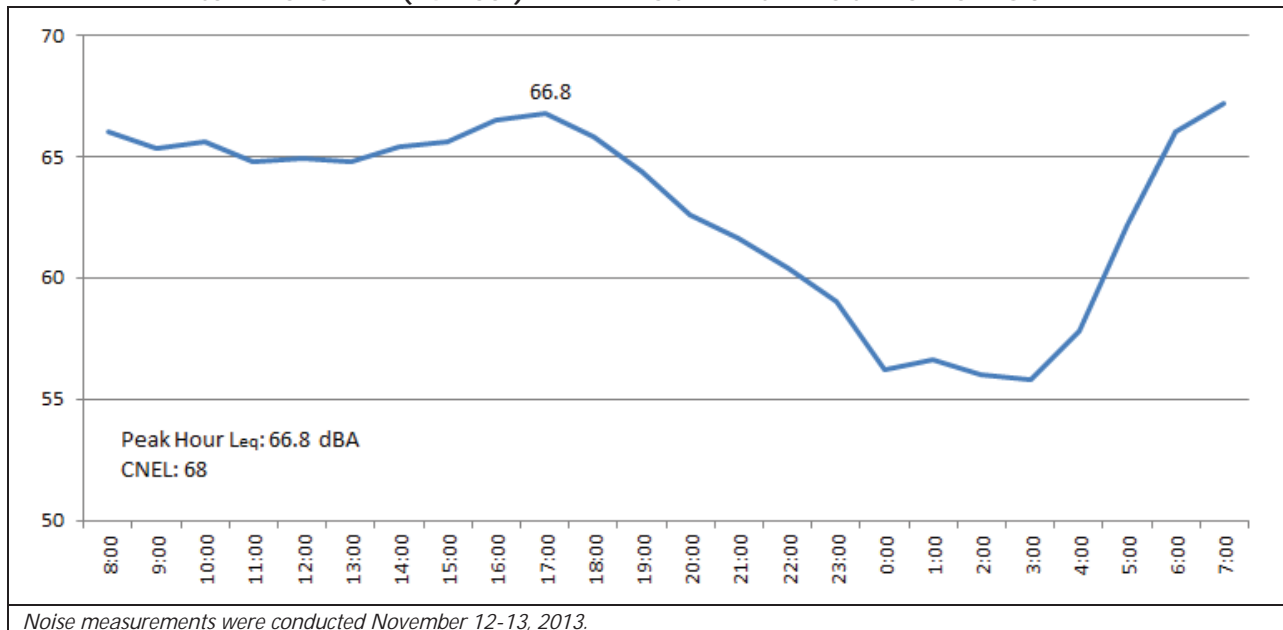


FIGURE 3
MEASURED LONG-TERM (24-HOUR) AMBIENT NOISE LEVELS AT NOISE MONITORING SITE NM-1



REGULATORY FRAMEWORK

NOISE

City of Paso Robles General Plan

Transportation Sources

The City's noise criteria for determination of land use compatibility are presented in **Figure 4**. These guidelines are used to assess whether or not transportation noise can potentially pose a conflict with proposed land uses. For hotel land uses, an exterior noise level of 65 dBA CNEL/L_{dn} is considered "normally acceptable." Exterior noise levels between 60 and 70 dBA CNEL/L_{dn} are considered "conditionally acceptable" and exterior levels between 70 and 80 dBA CNEL/L_{dn} are considered "normally unacceptable." Exterior noise levels in excess of 80 dBA CNEL/L_{dn} are considered "clearly unacceptable."

In addition to the noise criteria for determination of land use compatibility, General Plan Policy N-1A also establishes exterior and interior noise standards for transportation sources. Accordingly, the maximum allowable noise exposure for outdoor activity areas is 65 dBA CNEL/L_{dn}. The maximum allowable noise exposure for interior areas of various land uses, including hotels, is 45 dBA CNEL/L_{dn}.

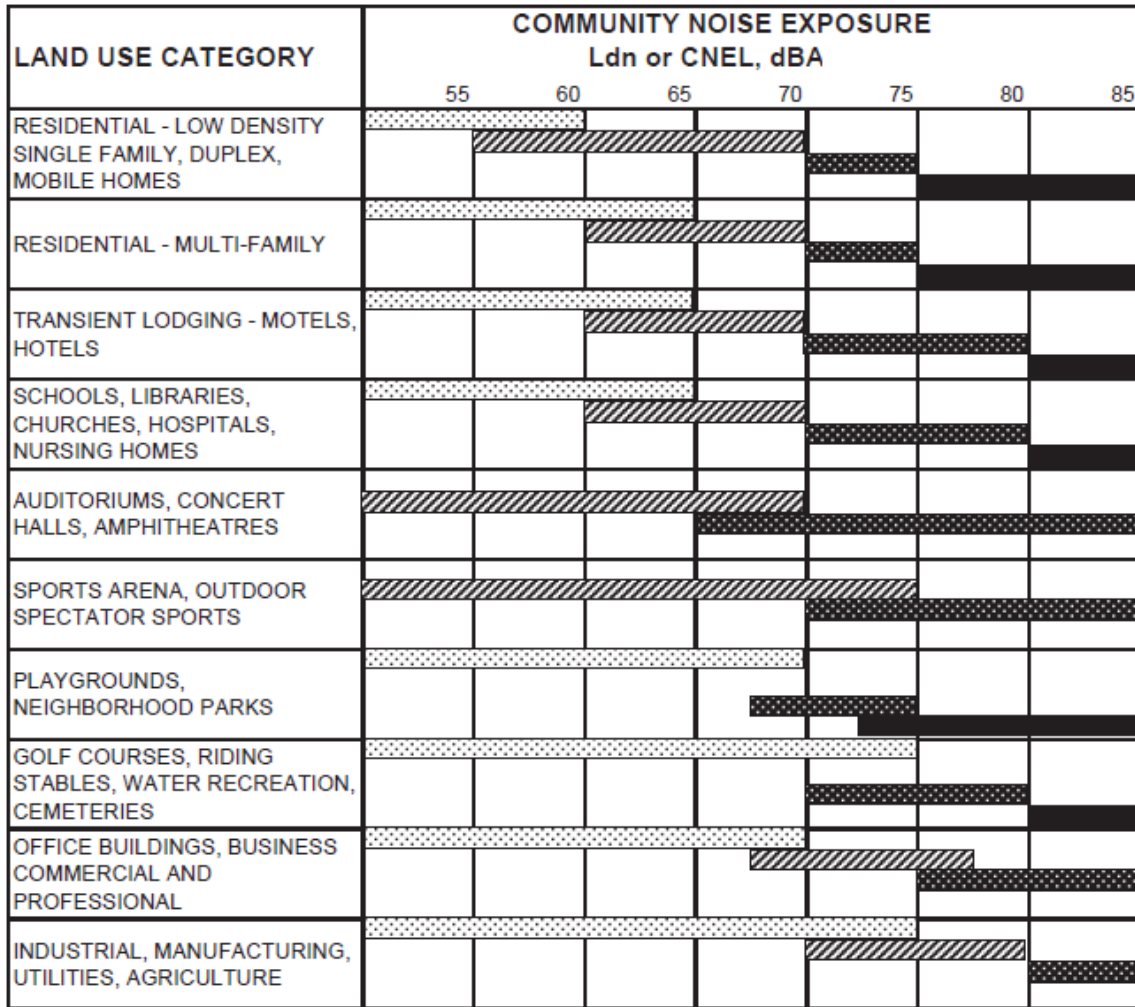
Stationary Sources

The City of Paso Robles has also adopted noise standards for stationary sources. The noise standards are applied at the property line of the receiving land use. The City's noise standards for stationary sources are summarized in **Table 3**.

TABLE 3
MAXIMUM ALLOWABLE NOISE EXPOSURE-STATIONARY NOISE SOURCES¹

	Daytime (7a.m. to 10 p.m.)	Nighttime (10 p.m. to 7a.m.)
Hourly L, dB ⁽²⁾	50	45
Maximum level, dB ⁽²⁾	70	65
Maximum level, dB-Impulsive Noise ⁽³⁾	65	60
<ol style="list-style-type: none"> 1. As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of the noise barriers or other property line noise mitigation measures. 2. Sound level measurements shall be made with the slow meter response. 3. Sound level measurements shall be made with the fast meter response. <p>Source: City of Paso Robles 2003</p>		

FIGURE 4
CITY OF PASO ROBLES LAND USE COMPATIBILITY NOISE CRITERIA FOR TRANSPORTATION NOISE SOURCES



NORMALLY ACCEPTABLE
 Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.



NORMALLY UNACCEPTABLE
 New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.



CONDITIONALLY ACCEPTABLE
 New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.



CLEARLY UNACCEPTABLE
 New construction or development should generally not be undertaken.

Source: City of Paso Robles 2003

GROUNDBORNE VIBRATION

There are no federal, state, or local regulatory standards for ground-borne vibration. However, various criteria have been established to assist in the evaluation of vibration impacts. For instance, the California Department of Transportation (Caltrans) has developed vibration criteria based on potential structural damage risks and human annoyance. Caltrans-recommended criteria for the evaluation of groundborne vibration levels, with regard to structural damage and human annoyance, are summarized in **Table 4** and **Table 5**, respectively. The criteria differentiate between transient and continuous/frequent sources. Transient sources of ground-borne vibration include intermittent events, such as blasting; whereas, continuous and frequent events would include the operations of equipment, including construction equipment, and vehicle traffic on roadways (Caltrans 2002, 2004).

The ground-borne vibration criteria recommended by Caltrans for evaluation of potential structural damage is based on building classifications, which take into account the age and condition of the building. For residential structures and newer buildings, Caltrans considers a minimum peak-particle velocity (ppv) threshold of 0.5 inches per second (in/sec) for transient sources and 0.3 in/sec for continuous/frequent sources to be sufficient to protect against building damage. With the exception of fragile buildings, ruins, and ancient monuments, continuous ground-borne vibration levels below approximately 0.2 in/sec ppv are unlikely to cause structural damage. In terms of human annoyance, continuous vibrations in excess of 0.04 in/sec ppv and transient sources in excess of 0.25 in/sec ppv are identified by Caltrans as being “distinctly perceptible”. Within buildings, short periods of ground vibration in excess of 0.2 in/sec ppv are generally considered to result in increased levels of annoyance (Caltrans 2002, 2004).

TABLE 4
DAMAGE POTENTIAL TO BUILDINGS AT VARIOUS GROUNDBORNE VIBRATION LEVELS

Structure and Condition	Vibration Level (in/sec ppv)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely Fragile Historic Buildings, Ruins, Ancient Monuments	0.12	0.08
Fragile Buildings	0.2	0.1
Historic and Some Old Buildings	0.5	0.25
Older Residential Structures	0.5	0.3
New Residential Structures	1.0	0.5
Modern Industrial/Commercial Buildings	2.0	0.5

Note: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.
Source: Caltrans 2002, 2004

TABLE 5
ANNOYANCE POTENTIAL TO PEOPLE AT VARIOUS GROUNDBORNE VIBRATION LEVELS

Human Response	Vibration Level (in/sec ppv)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely Perceptible	0.04	0.01
Distinctly Perceptible	0.25	0.04
Strongly Perceptible	0.9	0.10
Severe	2.0	0.4
<i>Note: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.</i> <i>Source: Caltrans 2002, 2004</i>		

IMPACTS AND MITIGATION MEASURES

SIGNIFICANCE CRITERIA

Criteria for determining the significance of noise impacts were developed based on information contained in the California Environmental Quality Act Guidelines (CEQA Guidelines, Appendix G). According to the guidelines, a project may have a significant effect on the environment if it would result in the following conditions:

- a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or of applicable standards of other agencies;
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels;
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

For purposes of this analysis, a substantial increase in noise levels is defined as an increase of 5.0, or greater, where the noise levels, without project implementation, are less than 60 dBA CNEL/L_{dn}; 3 dBA, or greater, where the noise level, without project implementation, ranges from 60 to 65 dBA CNEL/L_{dn}; and 1.5 dB, or greater, where the noise level, without project implementation, exceeds 65 dBA CNEL/L_{dn}, based on the previously discussed FICON noise criteria (**Table 2**). The rationale for these noise criteria is that as ambient noise levels increase, a smaller increase in noise resulting from a project is sufficient to cause a substantial increase in annoyance.

METHODOLOGY

A combination of existing literature, noise level measurements, and application of accepted noise prediction and sound propagation algorithms were used for the prediction of short-term construction and long-term transportation source noise levels. Traffic noise levels were calculated using the Federal Highway Administration (FHWA) roadway noise prediction model (FHWA-RD-77-108) and the FHWA Traffic Noise Model, version 2.5, based, in part, on traffic data obtained from the traffic analysis prepared for this project. Additional input data included vehicle speeds, ground attenuation factors, and roadway widths. Modeling assumptions and calculations are included in **Appendix A**.

IMPACT DISCUSSION AND MITIGATION MEASURES

IMPACT A Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or of applicable standards of other agencies

The proposed project would not include the installation of major stationary sources of exterior noise. As a result, potential long-term exposure to noise would be primarily associated with vehicle traffic noise emanating from area roadways.

For determination of land use compatibility, the City's General Plan establishes a "normally acceptable" exterior noise standard of 65 dBA CNEL/L_{dn}. Exterior noise levels of up to 70 dBA CNEL/L_{dn} are considered "conditionally acceptable" provided necessary noise-reduction measures are incorporated. Exterior levels between 70 and 80 dBA CNEL/L_{dn} are considered "normally unacceptable" and levels in excess of 80 dBA CNEL/L_{dn} are considered "clearly unacceptable" (Paso Robles 2003). In addition to the noise criteria for determination of land use compatibility, General Plan Policy N-1A also establishes exterior and interior noise standards for transportation sources. For hotel uses, the maximum allowable noise exposure within outdoor activity areas is 65 dBA CNEL/L_{dn}. The maximum allowable noise exposure for interior areas of the hotel is 45 dBA CNEL/L_{dn}.

For determination of consistency with the City of Paso Robles General Plan noise standards, traffic noise modeling was conducted to determine the predicted traffic noise levels at various onsite locations. Traffic noise modeling was conducted using the FHWA Traffic Noise Model, version 2.5, based on projected future year 2035 traffic conditions. Traffic noise modeling included nearby segments of SR 101, Highway 46 West, and South Vine Street, with and without the proposed future realignment South Vine Street. Traffic noise modeling results in comparison to the City's General Plan noise standards are summarized, as follows:

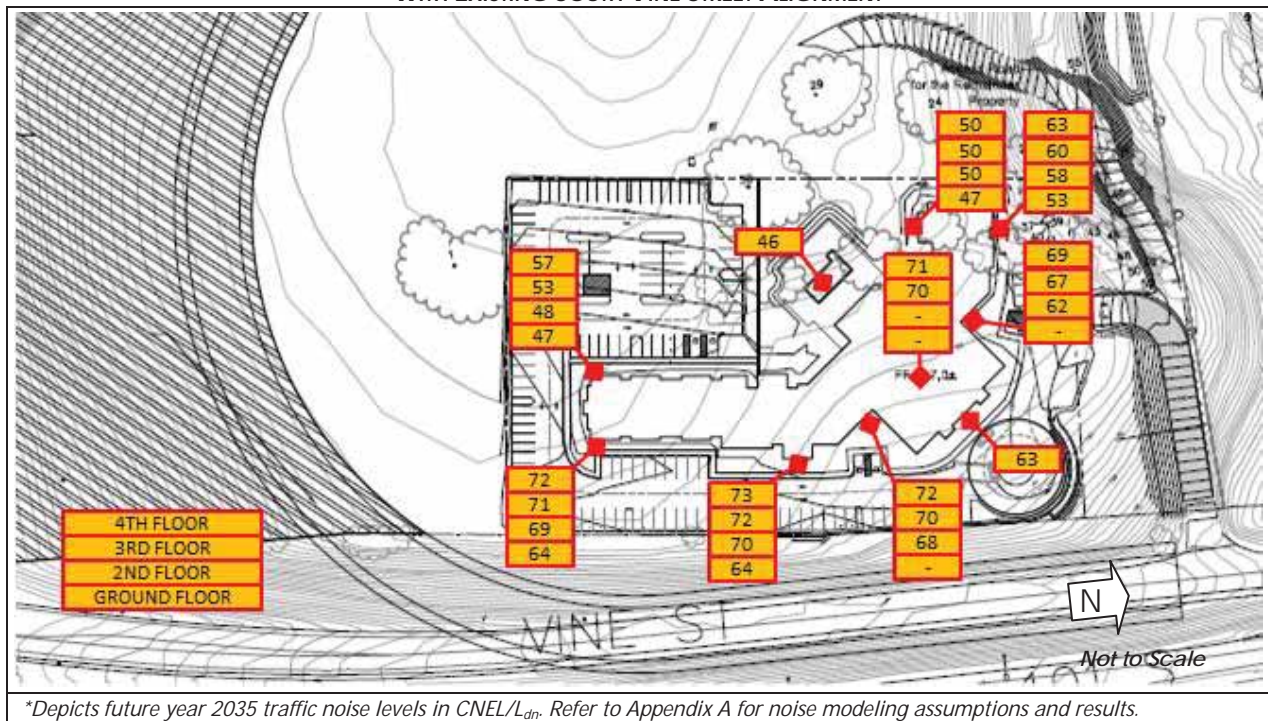
With Existing South Vine Street Alignment

Predicted onsite traffic noise levels, with the existing alignment of South Vine Street, are depicted in **Figure 5**. As depicted, predicted onsite traffic noise levels from area roadways would be greatest along the eastern façade of the hotel, which range from approximately 63 to 73 dBA CNEL/L_{dn}. Onsite noise levels are primarily influenced by vehicle traffic on SR 101. In comparison to ground-level locations, predicted noise levels at upper-floor locations are projected to increase due to decreased ground attenuation and increased line-of-sight of area roadways. Predicted noise levels along the western-most building facades, which are largely shielded from direct exposure to SR 101, are projected to range from approximately 46 to 63 dBA CNEL/L_{dn}.

Newer building construction typically provides exterior-to-interior noise reductions of 25-30 dB. Based on the predicted exterior noise levels discussed above and assuming a minimum exterior-to-interior noise reduction of 25 dB, predicted interior noise levels of rooms generally located along the upper floors of the eastern façade of the hotel, facing SR 101, could reach levels of approximately 48 dBA CNEL/L_{dn}. Predicted interior noise levels of upper-floor rooms located along the eastern, northern, and southern-most building façades would exceed the City's interior noise standard of 45 dBA CNEL/L_{dn}. Predicted interior noise levels of rooms located in other areas of the hotel, which are largely shielded from direct exposure to SR 101, would be approximately 40 dBA CNEL/L_{dn}, or less, and would not exceed the City's interior noise standard of 45 dBA CNEL/L_{dn} (Refer to **Figure 7**).

Outdoor activity areas at the proposed hotel include a pool area, which is centrally located along the building's western façade at the rear of the hotel. Predicted traffic noise levels at the exterior pool area, with the current South Vine Street alignment, would be approximately 46 dBA CNEL/L_{dn} and would not exceed the City's exterior noise standard of 65 dBA CNEL/L_{dn}.

FIGURE 5
PREDICTED YEAR 2035 EXTERIOR TRAFFIC NOISE LEVELS
WITH EXISTING SOUTH VINE STREET ALIGNMENT



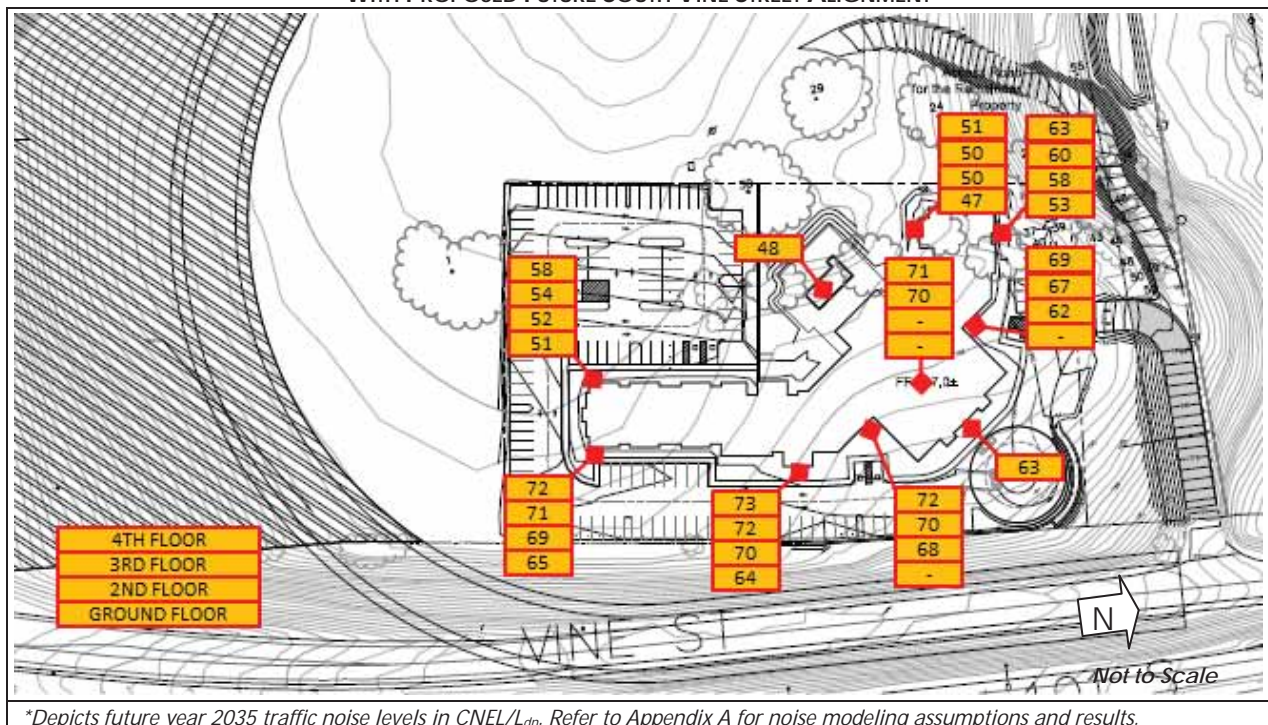
Proposed Future South Vine Street Alignment

Predicted onsite traffic noise levels, with the proposed future realignment of South Vine Street, are depicted in **Figure 6**. With the proposed future South Vine Street alignment, predicted traffic noise levels within the western portion of the project site would be projected to increase by approximately 1-4 dB. The greatest increase in onsite traffic noise levels would occur at ground-level locations within the southwestern portion of the project site. Because traffic noise levels at the project site are largely dominated by vehicle traffic noise emanating from SR 101, the proposed realignment would not be projected to result in a substantial change in traffic noise levels along the eastern façade of the hotel.

Based on the predicted exterior noise levels and assuming an exterior-to-interior noise reduction of 25 dB, predicted interior noise levels of rooms located along the upper floors of the eastern, northern, and southern-most building façades would exceed the City's interior noise standard of 45 dBA CNEL/L_{dn}. Predicted interior noise levels of rooms located within other areas of the hotel would not exceed the City's interior noise standard of 45 dBA CNEL/L_{dn} (Refer to **Figure 7**).

With implementation of the proposed realignment of South Vine Street, predicted traffic noise levels at the exterior pool area would increase slightly to approximately 48 dBA CNEL/L_{dn}. However, predicted exterior noise levels at the pool area would not exceed the City's exterior noise standard of 65 dBA CNEL/L_{dn}.

FIGURE 6
PREDICTED YEAR 2035 EXTERIOR TRAFFIC NOISE LEVELS
WITH PROPOSED FUTURE SOUTH VINE STREET ALIGNMENT



*Depicts future year 2035 traffic noise levels in CNEL/L_{dn}. Refer to Appendix A for noise modeling assumptions and results.

Impact Summary

Potentially Significant Impact. For determination of consistency with the City of Paso Robles General Plan noise standards, traffic noise modeling was conducted for future year 2035 traffic conditions. Traffic noise modeling included nearby segments of SR 101, Highway 46 West, and South Vine Street, with and without the proposed future alignment South Vine Street. Based on the modeling conducted, predicted traffic noise levels within rooms generally located along the eastern, northern, and southern-most building façades would exceed the City's interior noise standard of 45 dBA CNEL/L_{dn}. Predicted interior noise levels of rooms located within other areas of the hotel would not exceed the City's interior noise standard of 45 dBA CNEL/L_{dn}. Predicted traffic noise levels at the exterior pool area would not exceed the City's exterior noise standard of 65 dBA CNEL/L_{dn}. Implementation of the proposed South Vine Street realignment would not result in a significance increase in onsite traffic noise levels in excess of applicable noise standards.

Because predicted traffic noise levels within rooms located along the eastern, northeastern, and southern-most facades of the hotel would exceed the City's interior noise standard of 45 dBA CNEL/L_{dn}, this impact is considered *potentially significant*.

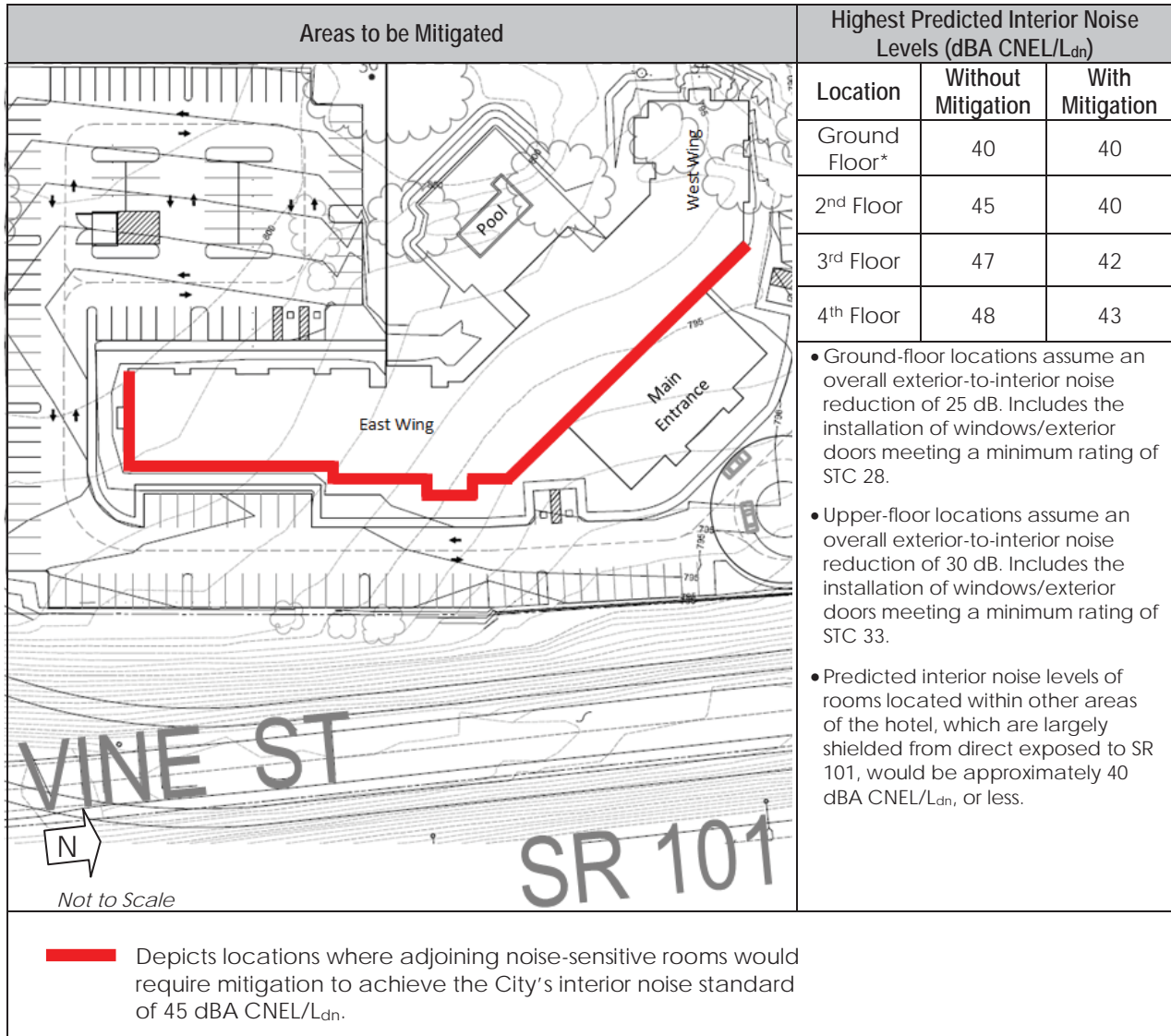
Mitigation Measure Noise-1:

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

- a. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor should have a minimum sound transmission class (STC) rating of STC 28. This requirement is also recommended for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area.
- b. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors should have a minimum STC 33 rating.
- c. The total window area of noise-sensitive rooms should not exceed 20 percent of the room's exterior wall area.
- d. The perimeter of window and exterior door frames should be caulked and sealed airtight to the exterior wall construction.
- e. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar.
- f. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 should be prohibited.
- g. Exterior walls should have a minimum STC rating of 35. The construction of exterior walls with siding-on-sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls.
- h. The above measures should be implemented unless it can be shown, to the acceptance of the Paso Robles Community Development Department Staff, that alternative mitigation would achieve equivalent reductions sufficient to reduce interior noise levels within noise-sensitive locations to below the City's interior noise level of 45 dBA CNEL/L_{dn}.

The above mitigation measures assume construction of exterior walls with stucco and/or brick/stone finishes. With implementation of the above mitigation measures, predicted interior noise levels would be reduced to below the City's interior noise standard of 45 dBA CNEL/L_{dn} (Refer to **Figure 7**). With mitigation, this impact is considered *less than significant*.

**FIGURE 7
PREDICTED INTERIOR NOISE LEVELS**



IMPACT B Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels

Less than Significant Impact. Increases in groundborne vibration levels attributable to the proposed project would be primarily associated with short-term construction-related activities. Construction activities associated with the proposed project would likely require the use of various off-road equipment, such as tractors, concrete mixers, and haul trucks. The use of major groundborne vibration-generating construction equipment, such as pile drivers, is not anticipated to be required for this project.

Groundborne vibration levels associated with representative construction equipment are summarized in **Table 6**. Based on the vibration levels presented in **Table 6**, ground vibration generated by construction equipment would not be anticipated to exceed approximately 0.08 inches per second ppv at 25 feet. Predicted vibration levels at the nearest offsite structures,

which are located in excess of 500 feet from the project site, would not exceed the minimum recommended criteria for structural damage and human annoyance (0.2 and 0.1 in/sec ppv, respectively). As a result, this impact would be considered *less than significant*.

**TABLE 6
REPRESENTATIVE VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT**

Equipment	Peak Particle Velocity at 25 Feet (In/Sec)
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozers/Tractors	0.003
<i>Source: FTA 2006, Caltrans 2004</i>	

IMPACT C A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project

Less than Significant Impact. Implementation of the proposed project would result in increased traffic volumes along area roadways. The increase in traffic volumes resulting from implementation of the proposed project would, therefore, contribute to predicted increases in traffic noise levels. Traffic noise levels were quantified for existing, cumulative, and future year 2035 conditions, with and without project-generated traffic. The cumulative modeling scenario is based on existing conditions with approved and pending projects located in the City of Paso Robles and area of the County in the study area, as defined in the traffic analysis prepared for this project. Future year 2035 conditions were based on traffic volumes derived from the Regional Traffic Model maintained by SLOCOG and City of Paso Robles. The Project’s contribution to traffic noise levels along area roadways was determined by comparing the predicted noise levels with and without project-generated traffic. Predicted traffic noise levels, are summarized in **Table 7**.

In comparison to existing conditions, the proposed project would result in predicted increases in traffic noise levels of approximately 0.13 to 0.76 dBA along South Vine Street and approximately 0.06 to 0.25 dBA along Highway 46 West. Under cumulative and future year 2035 conditions, the project’s contribution to traffic noise levels would decrease to approximately 0.39 dB, or less, along area roadways. Implementation of the proposed project would not contribute to a substantial increase in traffic noise levels. As a result, this impact would be considered *less than significant*.

**TABLE 7
PREDICTED INCREASES IN TRAFFIC NOISE LEVELS
LONG-TERM OPERATIONAL CONDITIONS**

Roadway Segment	CNEL/L _{dn} at 50 Feet from Near-Travel-Lane Centerline ¹		Predicted Noise Level Increase	Substantial Noise Level Increase? ²
	Without Project	With Project		
Existing Conditions				
South Vine Street, South of 1 st Street	62.78	62.91	0.13	No
South Vine Street, North of Highway 46 West	62.28	63.04	0.76	No
Highway 46 West, West of South Vine Street	72.16	72.22	0.06	No
Highway 46 West, East of South Vine Street	70.96	71.21	0.25	No
Cumulative Conditions				
South Vine Street, South of 1 st Street	63.33	63.45	0.12	No
South Vine Street, North of Highway 46 West	65.39	65.78	0.39	No
Highway 46 West, West of South Vine Street	72.65	72.71	0.06	No
Highway 46 West, East of South Vine Street	72.35	72.53	0.18	No
Year 2035 Conditions				
South Vine Street, South of 1 st Street	65.13	65.17	0.04	No
South Vine Street, North of Highway 46 West	66.26	66.59	0.33	No
Highway 46 West, West of South Vine Street	74.74	74.77	0.03	No
Highway 46 West, East of South Vine Street	74.73	74.84	0.11	No
<ol style="list-style-type: none"> 1. Traffic noise levels were calculated using the FHWA roadway noise prediction model based on data obtained from the traffic analysis prepared for this project (ATE 2013). 2. For purposes of this analysis, a substantial increase in noise levels is defined as an increase of 5.0, or greater, where the noise levels, without project implementation, are less than the County's "normally acceptable" noise standard. Where the noise level, without project implementation, equals or exceeds applicable noise standards, an increase of 3.0 dBA, or greater, would be considered a substantial increase. 				

IMPACT D: A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project

Potentially Significant Impact. Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g., land clearing, grading, excavation, and paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Although noise ranges are generally similar for all construction phases, the initial site preparation phase tends to involve the most heavy-duty equipment having a higher noise-generation potential. Noise levels associated with individual construction equipment is summarized in **Table 8**.

TABLE 8
TYPICAL CONSTRUCTION EQUIPMENT NOISE LEVELS

Equipment	Typical Noise Level (dBA L _{max}) 50 feet from Source
Air Compressor	81
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Vibrator	76
Crane, Mobile	83
Dozer	85
Generator	81
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	85
Truck	88
Paver	89
Pneumatic Tool	85
Roller	74
Saw	76
<i>Sources: FTA 2006</i>	

As depicted in **Table 8**, noise levels generated by individual pieces of construction equipment typically range from approximately 74 dBA to 89 dBA L_{max} at 50 feet (FTA 2006). Average-hourly noise levels associated with road improvement projects can vary, depending on the activities performed, reaching levels of up to approximately 83 dBA L_{eq} at 50 feet. Short-term increases in vehicle traffic, including worker commute trips and haul truck trips may also result in temporary increases in ambient noise levels at nearby receptors. Construction activities occurring during the more noise-sensitive nighttime hours would be of particular concern given the potential for increased levels of annoyance. The proposed project, however, does not identify hourly restrictions for construction activities. As a result, noise-generating construction activities occurring during the nighttime hours, if required, would be considered to have a ***potentially significant*** short-term noise impact.

Mitigation Measure Noise-2:

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

With implementation of the above mitigation measures, construction activities would be limited to the daytime hours. The proper maintenance of construction equipment and use of mufflers would reduce equipment noise levels by approximately 10 dB. With mitigation, this impact is considered **less than significant**.

IMPACT E & F: For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels; AND

For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

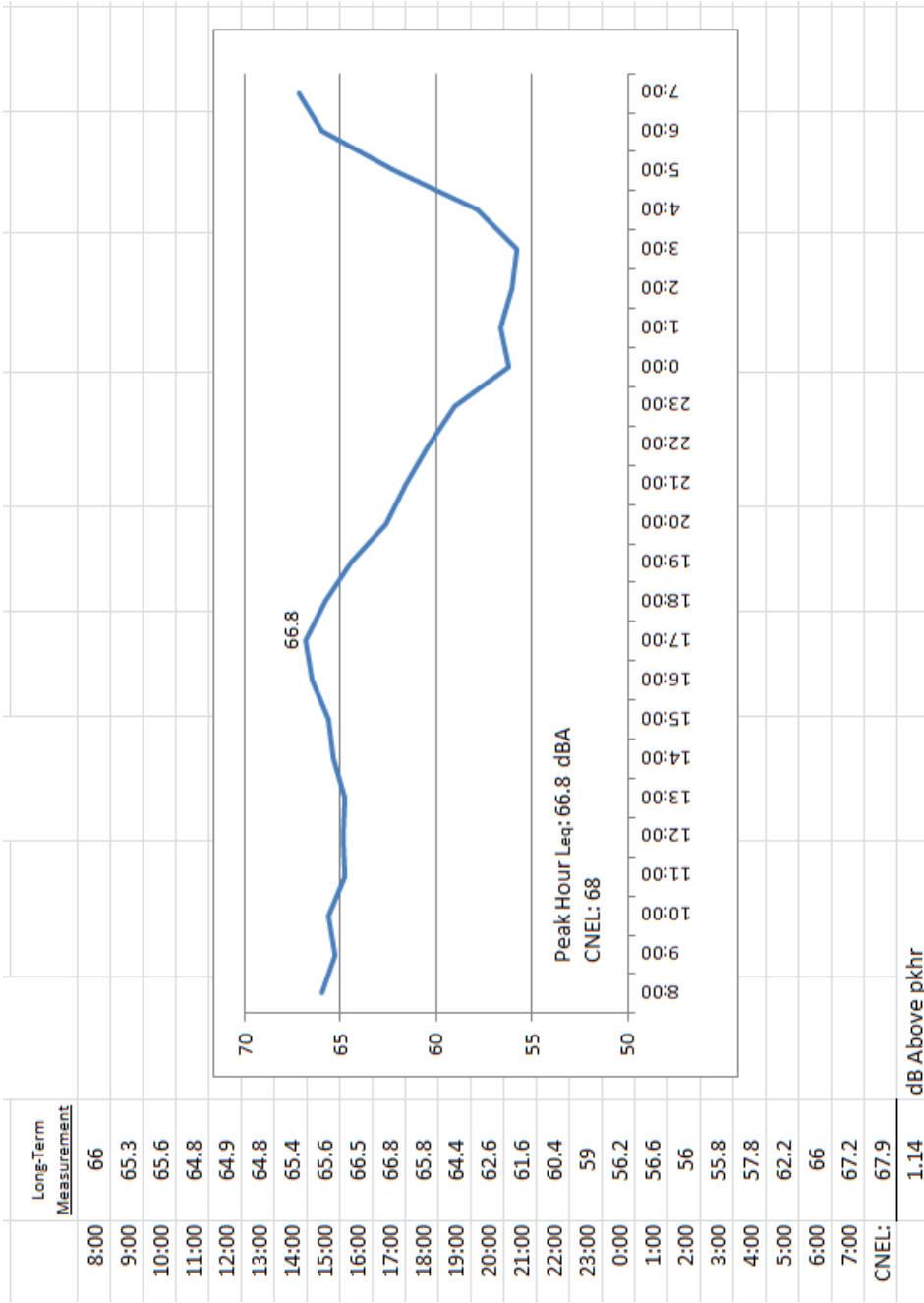
Less than Significant Impact. The project site is not located within two miles of a public airport or private airstrip. The nearest airport is the Paso Robles Municipal Airport, which is located approximately 5.8 miles northeast of the project site. As a result, the project site is not subject to high levels of aircraft noise. This impact is considered **less than significant**.

REFERENCES

- Associated Transportation Engineers (ATE). August 14, 2013. *Marriott Residence Inn Project, Traffic and Circulation Study*.
- California Department of Transportation (Caltrans). Accessed June 2, 2012. *IS/EA Annotated Outline*. URL: <http://www.dot.ca.gov/ser/vol1/sec4/ch31ea/chap31ea.htm>.
- City of Paso Robles. December 16, 2003. City of El Paso de Robles General Plan 2003 Noise Element.
- Federal Aviation Administration (FAA). July 14, 2000. FAA Aviation Noise Abatement Policy. Federal Register Vol 65, No 136.
- Federal Highway Administration (FHWA). December 8, 2008. *Roadway Construction Noise Model, version 1.1*.
- Federal Interagency Committee on Noise (FICON). 1992. Federal Agency Review of Selected Airport Noise Analysis Issues.
- Federal Transit Administration (FTA). 2006. *Transit Noise and Vibration Impact Assessment*.
- State of California Department of Transportation (Caltrans). 2002. Transportation Related Earthborne Vibrations.
- State of California Department of Transportation (Caltrans). June 2004. Transportation and Construction-Induced Vibration Guidance Manual.

APPENDIX A
NOISE MODELING

Long-term Noise Measurement Survey at NM-1.

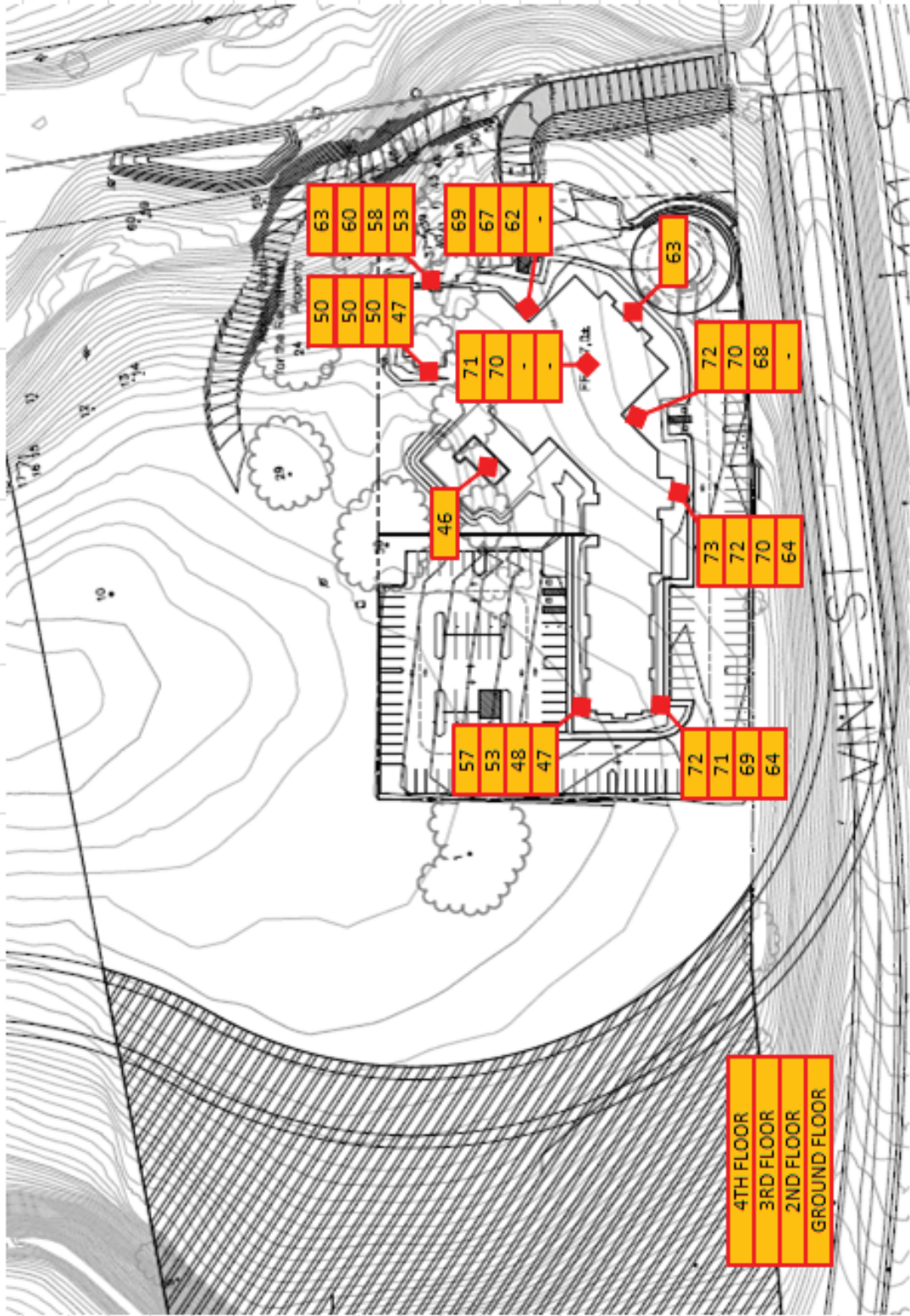


MODEL CALIBRATION



LOCATION	MEASURED PKHR		CNEL	MODELED	DELTA	ACCEPTABLE?	KFACTOR
	LEQ						
SE SITE BOUNDARY	66.8		67.9	67.8	-0.14	YES	0
SW SITE BOUNDARY	53.4		54.5	55.3	0.76	YES	0
NW SITE BOUNDARY	51.3		52.4	53.5	1.06	YES	1
NORTH SITE BOUNDARY	57		58.1	59.1	0.96	YES	1
NE SITE BOUNDARY	66.2		67.3	68.5	1.16	YES	1
Acceptable=Within 2 dB							

YEAR 2035 CONDITIONS W/EXISTING VINE STREET ALIGNMENT

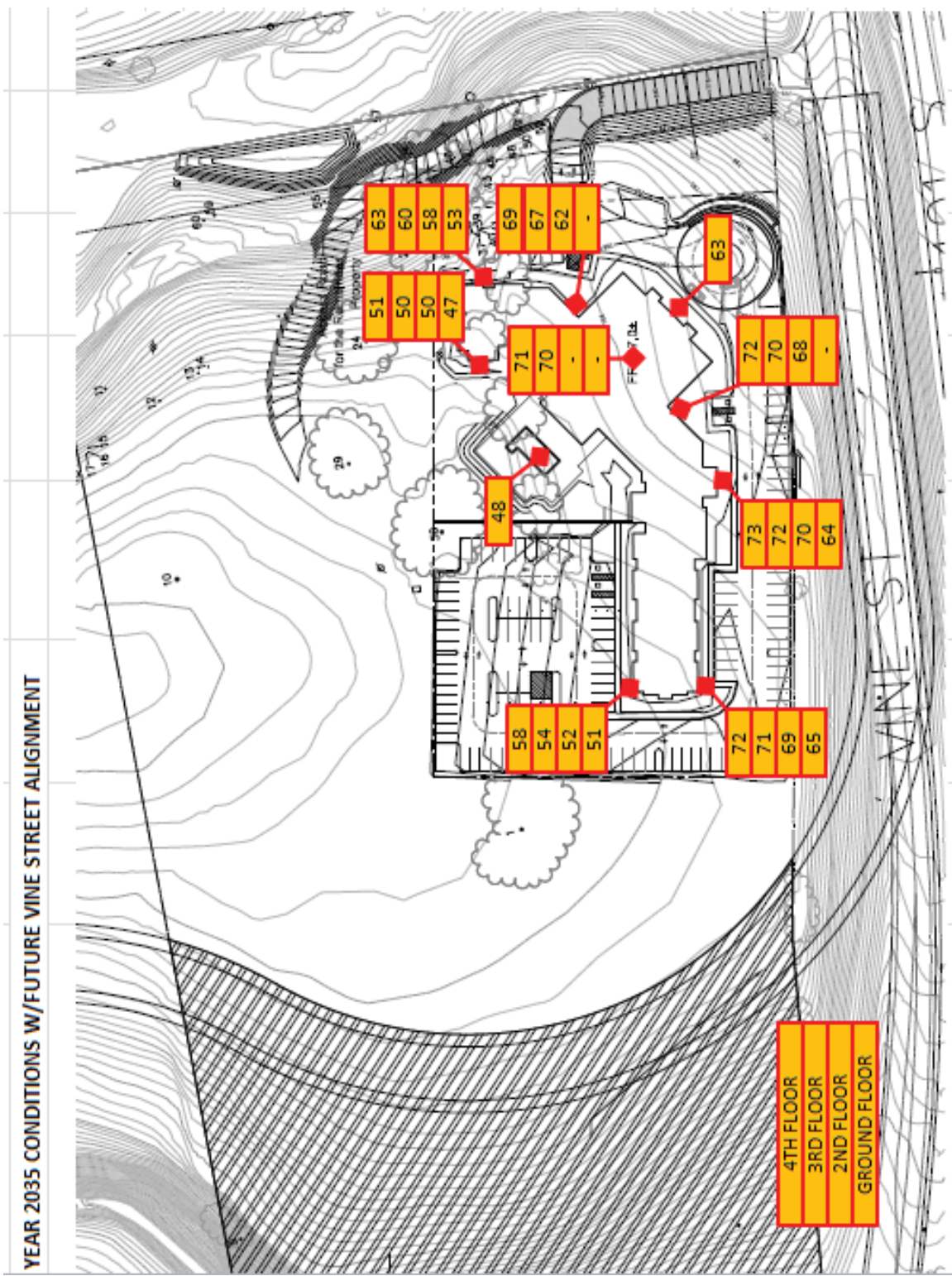


YEAR 2035 CONDITIONS W/EXISTING VINE STREET ALIGNMENT										
LOCATION	FLOOR LEVEL	KFACTOR	EXTERIOR CNEL	EXTERIOR NOISE STANDARD*	EXCEEDS EXTERIOR STANDARD?	INTERIOR NOISE LEVEL	INTERIOR NOISE STANDARD	EXCEEDS INTERIOR STANDARD?	MITIGATED INTERIOR NOISE LEVEL	
SOUTH WING	SE CORNER E FACING	1	0	64.1	NA	39.1	45	NO	NA	
SOUTH WING	SE CORNER E FACING	2	0	68.9	NA	43.9	45	NO	NA	
SOUTH WING	SE CORNER E FACING	3	0	70.9	NA	45.9	45	YES	40.9	
SOUTH WING	SE CORNER E FACING	4	0	72.4	NA	47.4	45	YES	42.4	
SOUTH WING	NE CORNER E FACING	1	0	63.9	NA	38.9	45	NO	NA	
SOUTH WING	NE CORNER E FACING	2	0	69.5	NA	44.5	45	EQUALS	39.5	
SOUTH WING	NE CORNER E FACING	3	0	72.3	NA	47.3	45	YES	42.3	
SOUTH WING	NE CORNER E FACING	4	0	73.3	NA	48.3	45	YES	43.3	
SOUTH WING	SW CORNER W FACING	4	1	57.3	NA	32.3	45	NO	NA	
SOUTH WING	SW CORNER W FACING	3	1	53.4	NA	28.4	45	NO	NA	
SOUTH WING	SW CORNER W FACING	1	1	46.6	NA	21.6	45	NO	NA	
SOUTH WING	SW CORNER W FACING	2	1	48.4	NA	23.4	45	NO	NA	
NORTH WING	SOUTH FACING	1	1	47.2	NA	22.2	45	NO	NA	
NORTH WING	SOUTH FACING	2	1	50.2	NA	25.2	45	NO	NA	
NORTH WING	SOUTH FACING	4	1	50.3	NA	25.3	45	NO	NA	
NORTH WING	SOUTH FACING	3	1	50.4	NA	25.4	45	NO	NA	
NORTH WING	NORTH FACING	1	1	52.5	NA	27.5	45	NO	NA	
NORTH WING	NORTH FACING	2	1	57.7	NA	32.7	45	NO	NA	
NORTH WING	NORTH FACING	3	1	60.3	NA	35.3	45	NO	NA	
NORTH WING	NORTH FACING	4	1	62.6	NA	37.6	45	NO	NA	
FRONT	CENTER ABOVE LOBBY	3	0	70.6	NA	45.6	45	YES	40.6	
FRONT	CENTER ABOVE ENT	4	0	70.1	NA	45.1	45	YES	40.1	
FRONT	WEST SIDE	2	0	62.2	NA	37.2	45	NO	NA	
FRONT	WEST SIDE	3	0	66.7	NA	41.7	45	NO	NA	
FRONT	WEST SIDE	4	0	68.8	NA	43.8	45	NO	NA	
FRONT	EAST SIDE	2	0	67.8	NA	42.8	45	NO	NA	
FRONT	EAST SIDE	3	0	70.2	NA	45.2	45	YES	40.2	
FRONT	EAST SIDE	4	0	72	NA	47	45	YES	42	
FRONT	AT ENTRANCE	1	0	62.6	NA	37.6	45	NO	NA	
POOL		1	1	46.2	70	21.2	45	NO	NA	

*Exterior noise standard is applied at outdoor activity area (swimming pool).

*Interior noise levels assume a minimum exterior-to-interior noise reduction of 25 dB.

Traffic noise modeling conducted using the FHWA TMM, version 2.5, computer program.



YEAR 2035 CONDITIONS W/FUTURE VINE STREET ALIGNMENT									
LOCATION	FLOOR LEVEL	KFACTOR	EXTERIOR CNEL	EXTERIOR NOISE STANDARD*	EXCEEDS EXTERIOR STANDARD?	INTERIOR NOISE LEVEL	INTERIOR NOISE STANDARD	EXCEEDS INTERIOR STANDARD?	MITIGATED INTERIOR NOISE LEVEL
EAST WING	SE CORNER E FACING	1	0	64.5	NA	39.5	45	NO	NA
EAST WING	SE CORNER E FACING	2	0	68.9	NA	43.9	45	NO	NA
EAST WING	SE CORNER E FACING	3	0	70.9	NA	45.9	45	NO	40.9
EAST WING	SE CORNER E FACING	4	0	72.4	NA	47.4	45	NO	42.4
EAST WING	NE CORNER E FACING	1	0	63.9	NA	38.9	45	NO	NA
EAST WING	NE CORNER E FACING	2	0	69.5	NA	44.5	45	EQUALS	39.5
EAST WING	NE CORNER E FACING	3	0	72.3	NA	47.3	45	YES	42.3
EAST WING	NE CORNER E FACING	4	0	73.3	NA	48.3	45	YES	43.3
EAST WING	SW CORNER W FACING	4	1	57.6	NA	32.6	45	NO	NA
EAST WING	SW CORNER W FACING	3	1	54	NA	29	45	NO	NA
EAST WING	SW CORNER W FACING	1	1	51.1	NA	26.1	45	NO	NA
EAST WING	SW CORNER W FACING	2	1	52.3	NA	27.3	45	NO	NA
WEST WING	SOUTH FACING	1	1	47.4	NA	22.4	45	NO	NA
WEST WING	SOUTH FACING	2	1	50.4	NA	25.4	45	NO	NA
WEST WING	SOUTH FACING	4	1	50.3	NA	25.3	45	NO	NA
WEST WING	SOUTH FACING	3	1	50.6	NA	25.6	45	NO	NA
WEST WING	NORTH FACING	1	1	52.5	NA	27.5	45	NO	NA
WEST WING	NORTH FACING	2	1	57.6	NA	32.6	45	NO	NA
WEST WING	NORTH FACING	3	1	60.3	NA	35.3	45	NO	NA
WEST WING	NORTH FACING	4	1	62.6	NA	37.6	45	NO	NA
FRONT	CENTER ABOVE ENT	3	0	70.6	NA	45.6	45	YES	40.6
FRONT	CENTER ABOVE ENT	4	0	70.1	NA	45.1	45	YES	40.1
FRONT	WEST SIDE	2	0	62.2	NA	37.2	45	NO	NA
FRONT	WEST SIDE	3	0	66.7	NA	41.7	45	NO	NA
FRONT	WEST SIDE	4	0	68.8	NA	43.8	45	NO	NA
FRONT	EAST SIDE	2	0	67.8	NA	42.8	45	NO	NA
FRONT	EAST SIDE	3	0	70.2	NA	45.2	45	YES	40.2
FRONT	EAST SIDE	4	0	72	NA	47	45	YES	42
FRONT	AT ENTRANCE	1	0	62.6	NA	37.6	45	NO	NA
POOL		1	1	47.8	70	22.8	45	NO	NA

*Exterior noise standard is applied at outdoor activity area (swimming pool).

*Interior noise levels assume a minimum exterior-to-interior noise reduction of 25 dB.

Traffic noise modeling conducted using the FHWA TNM, version 2.5, computer program.

PREDICTED INCREASES IN TRAFFIC NOISE LEVELS

EXISTING CONDITIONS

ROADWAY SEGMENT	PM PKHR	ADT	SPEED	AHW	CNEL @ 50FT FROM NEAR TRAVEL LANE CENTERLINE
S. VINE STREET, SOUTH OF 1ST STREET	436	4360	45	6	62.78
S. VINE STREET, NORTH OF HIGHWAY 46 WEST	388	3880	45	6	62.28
HIGHWAY 46 WEST, WEST OF SOUTH VINE ST	1254	12540	45	18	72.16
HIGHWAY 46 WEST, EAST OF SOUTH VINE ST	952	9520	45	12	70.96

EXISTING PLUS PROJECT CONDITIONS

ROADWAY SEGMENT	PM PKHR	ADT	SPEED	AHW	CNEL @ 50FT FROM NEAR TRAVEL LANE CENTERLINE	INCREASE COMPARED TO NO PROJECT
S. VINE STREET, SOUTH OF 1ST STREET	449	4490	45	6	62.91	0.13
S. VINE STREET, NORTH OF HIGHWAY 46 WEST	463	4630	45	6	63.04	0.76
HIGHWAY 46 WEST, WEST OF SOUTH VINE ST	1272	12720	45	18	72.22	0.06
HIGHWAY 46 WEST, EAST OF SOUTH VINE ST	1009	10090	45	12	71.21	0.25

CUMULATIVE CONDITIONS

ROADWAY SEGMENT	PM PKHR	ADT	SPEED	AHW	CNEL @ 50FT FROM NEAR TRAVEL LANE CENTERLINE
S. VINE STREET, SOUTH OF 1ST STREET	495	4950	45	6	63.33
S. VINE STREET, NORTH OF HIGHWAY 46 WEST	795	7950	45	6	65.39
HIGHWAY 46 WEST, WEST OF SOUTH VINE ST	1405	14050	45	18	72.65
HIGHWAY 46 WEST, EAST OF SOUTH VINE ST	1310	13100	45	12	72.35

CUMULATIVE PLUS PROJECT CONDITIONS

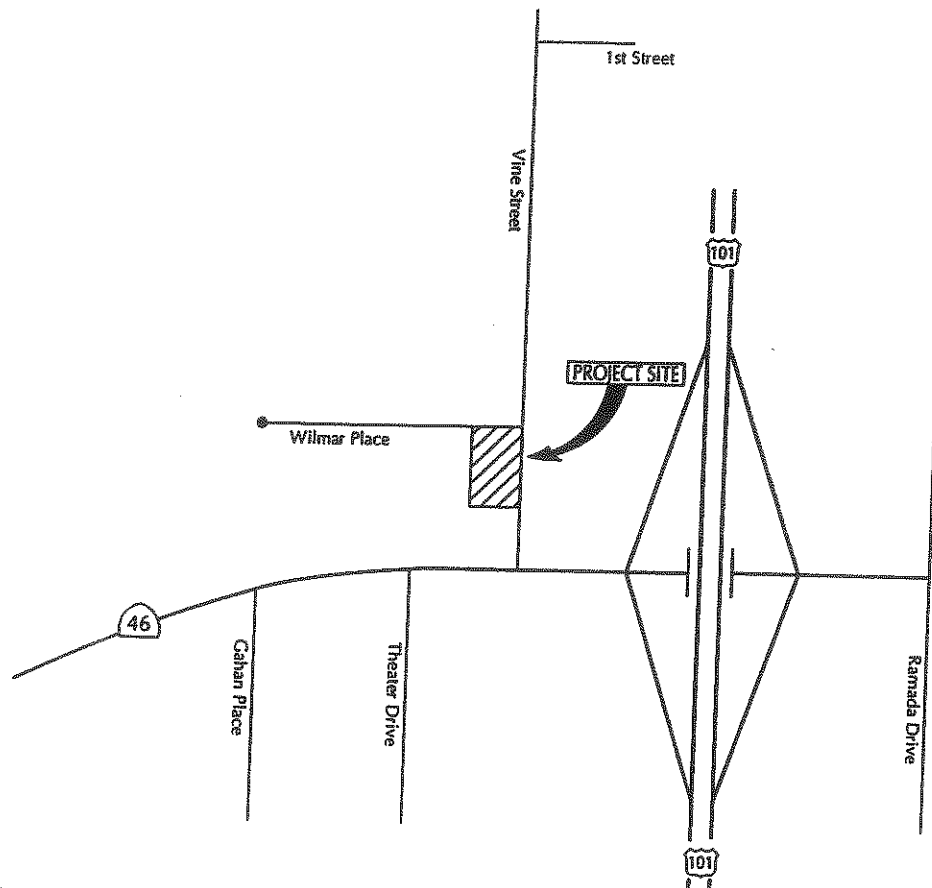
ROADWAY SEGMENT	PM PKHR	ADT	SPEED	AHW	CNEL @ 50FT FROM NEAR TRAVEL LANE CENTERLINE	INCREASE COMPARED TO NO PROJECT
S. VINE STREET, SOUTH OF 1ST STREET	508	5080	45	6	63.45	0.12
S. VINE STREET, NORTH OF HIGHWAY 46 WEST	870	8700	45	6	65.78	0.39
HIGHWAY 46 WEST, WEST OF SOUTH VINE ST	1423	14230	45	18	72.71	0.06
HIGHWAY 46 WEST, EAST OF SOUTH VINE ST	1367	13670	45	12	72.53	0.18

YR 2035 CONDITIONS						
ROADWAY SEGMENT	PM PKHR	ADT	SPEED	AHW	CNEL @ 50FT FROM NEAR TRAVEL LANE CENTERLINE	
S. VINE STREET, SOUTH OF 1ST STREET	748	7480	45	6	65.13	
S. VINE STREET, NORTH OF HIGHWAY 46 WEST	971	9710	45	6	66.26	
HIGHWAY 46 WEST, WEST OF SOUTH VINE ST	2270	22700	45	18	74.74	
HIGHWAY 46 WEST, EAST OF SOUTH VINE ST	2267	22670	45	12	74.73	
YR 2035 PLUS PROJECT CONDITIONS						
ROADWAY SEGMENT	PM PKHR	ADT	SPEED	AHW	CNEL @ 50FT FROM NEAR TRAVEL LANE CENTERLINE	INCREASE COMPARED TO NO PROJECT
S. VINE STREET, SOUTH OF 1ST STREET	755	7550	45	6	65.17	0.04
S. VINE STREET, NORTH OF HIGHWAY 46 WEST	1048	10480	45	6	66.59	0.33
HIGHWAY 46 WEST, WEST OF SOUTH VINE ST	2288	22880	45	18	74.77	0.03
HIGHWAY 46 WEST, EAST OF SOUTH VINE ST	2326	23260	45	12	74.84	0.11

Traffic noise modeling conducted using the FHWA roadway noise prediction model (FHWA-RD-77-108).

**MARRIOTT RESIDENCE INN PROJECT
CITY OF PASO ROBLES, CALIFORNIA**

TRAFFIC AND CIRCULATION STUDY



August 14, 2013

ATE #13043

Prepared for:

Excel Paso Robles L.P.
10660 Scripps Ranch Boulevard, Suite 100
San Diego, CA 92131



ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110-1686 • (805) 687-4418 • FAX (805) 682-8509



ASSOCIATED TRANSPORTATION ENGINEERS

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

Since 1978

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

August 14, 2013

13043R01.WP

Suresh Patel
Excel Paso Robles L.P.
10660 Scripps Ranch Boulevard, Suite 100
San Diego, CA 92131

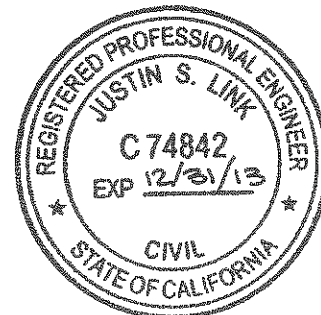
TRAFFIC AND CIRCULATION STUDY FOR THE MARRIOTT RESIDENCE INN PROJECT, CITY OF PASO ROBLES, CALIFORNIA

Associated Transportation Engineers (ATE) has prepared the following traffic and circulation study for the Marriott Residence Inn Project, proposed adjacent to the U.S. 101/SR 46 West interchange in Paso Robles. It is our understanding that the study will be submitted to the City of Paso Robles as part of the application package.

Associated Transportation Engineers

By: 
Scott A. Schell, AICP, PTP
Principal Transportation Planner

By: 
Justin S. Link, PE
Project Engineer



CONTENTS

INTRODUCTION	1
PROJECT DESCRIPTION	1
SCOPE OF WORK AND STUDY METHODOLOGY	1
LEVEL OF SERVICE STANDARDS	4
Caltrans Standards	5
City of Paso Robles Standards	6
County of San Luis Obispo Standards	6
EXISTING CONDITIONS	6
Street Network	6
Existing Freeway Operations	6
Existing Intersection Operations	8
EXISTING + PROJECT CONDITIONS	9
Project Trip Generation	9
Project Trip Distribution	10
Existing + Project Freeway Operations	10
Existing + Project Intersection Operations	13
CUMULATIVE ANALYSIS	14
Traffic Forecasts	14
Cumulative and Cumulative + Project Freeway Operations	14
Cumulative and Cumulative + Project Intersection Operations	17
SITE ACCESS	18
YEAR 2035 ANALYSIS	20
Traffic Forecasts	20
Year 2035 and Year 2035 + Project Freeway Operations	20
Year 2035 and Year 2035 + Project Intersection Operations	23
MITIGATION MEASURES	24
Cumulative Mitigations	24
Year 2035 Mitigations	27
CITY OF PASO ROBLES CIRCULATION ELEMENT CONSISTENCY	28
Vehicular Traffic	30
Alternative Travel Modes	30
COUNTY OF SAN LUIS OBISPO IMPACTS	31
U.S. 101/Main Street	31
Ramada Drive	31
STUDY PARTICIPANTS AND REFERENCES	32
TECHNICAL APPENDIX	34

TABLES

Table 1	Study-Area Roadways and Intersections	4
Table 2	Level of Service Definitions	5
Table 3	Existing Freeway Operations	8
Table 4	Existing Intersection Operations	9
Table 5	Project Trip Generation	10
Table 6	Project Trip Distribution	10
Table 7	Existing and Existing + Project Freeway Operations	13
Table 8	Existing and Existing + Project Intersection Operations	13
Table 9	Cumulative and Cumulative + Project Freeway Operations	17
Table 10	Cumulative and Cumulative + Project Intersection Operations	17
Table 11	Vine Street/Wilmar Place - Cumulative + Project Operations	18
Table 12	Year 2035 and Year 2035 + Project Freeway Operations	20
Table 13	Year 2035 and Year 2035 + Project Intersection Operations	23
Table 14	SR 46W/Theatre Drive-Vine Street - Mitigated Lane Geometry	27
Table 15	Cumulative + Project Intersection Operations - Mitigated	27
Table 16	Year 2035 + Project Intersection Operations - Mitigated	28

FIGURES

Figure 1	Project Site Location - Existing Street Network	2
Figure 2	Project Site Plan	3
Figure 3	Existing Traffic Volumes	7
Figure 4	Project Trip Distribution and Assignment	11
Figure 5	Existing + Project Traffic Volumes	12
Figure 6	Cumulative Traffic Volumes	15
Figure 7	Cumulative + Project Traffic Volumes	16
Figure 8	Cumulative + Project Traffic Volumes - Vine Street/Wilmar Place	19
Figure 9	Year 2035 Traffic Volumes	21
Figure 10	Year 2035 + Project Traffic Volumes	22
Figure 11	Paso Robles Gateway Project Site Plan - Vine Street Realignment	25
Figure 12	Cumulative + Project Traffic Volumes Traffic Volumes - Vine Street Realignment	26
Figure 13	Year 2035 + Project Traffic Volumes with Planned Improvements	29

INTRODUCTION

Associated Transportation Engineers (ATE) has prepared the following traffic and circulation study for the Marriott Residence Inn Project. The study analyzes existing and future traffic conditions within the project study-area and evaluates the project's affects on the key roadways and intersections in the vicinity of the site. Mitigation measures are outlined for the transportation facilities that are forecast to exceed adopted standards.

PROJECT DESCRIPTION

The Marriott Residence Inn Project is proposing to develop a hotel with 125 rooms on a parcel located just northwest of the U.S. 101/SR 46W interchange. Figure 1 shows the location of the project site. The project site plan is included as Figure 2. Access to the site is proposed via the existing Wilmar Place roadway connection to Vine Street. This existing dirt road would be improved as part of the proposed project.

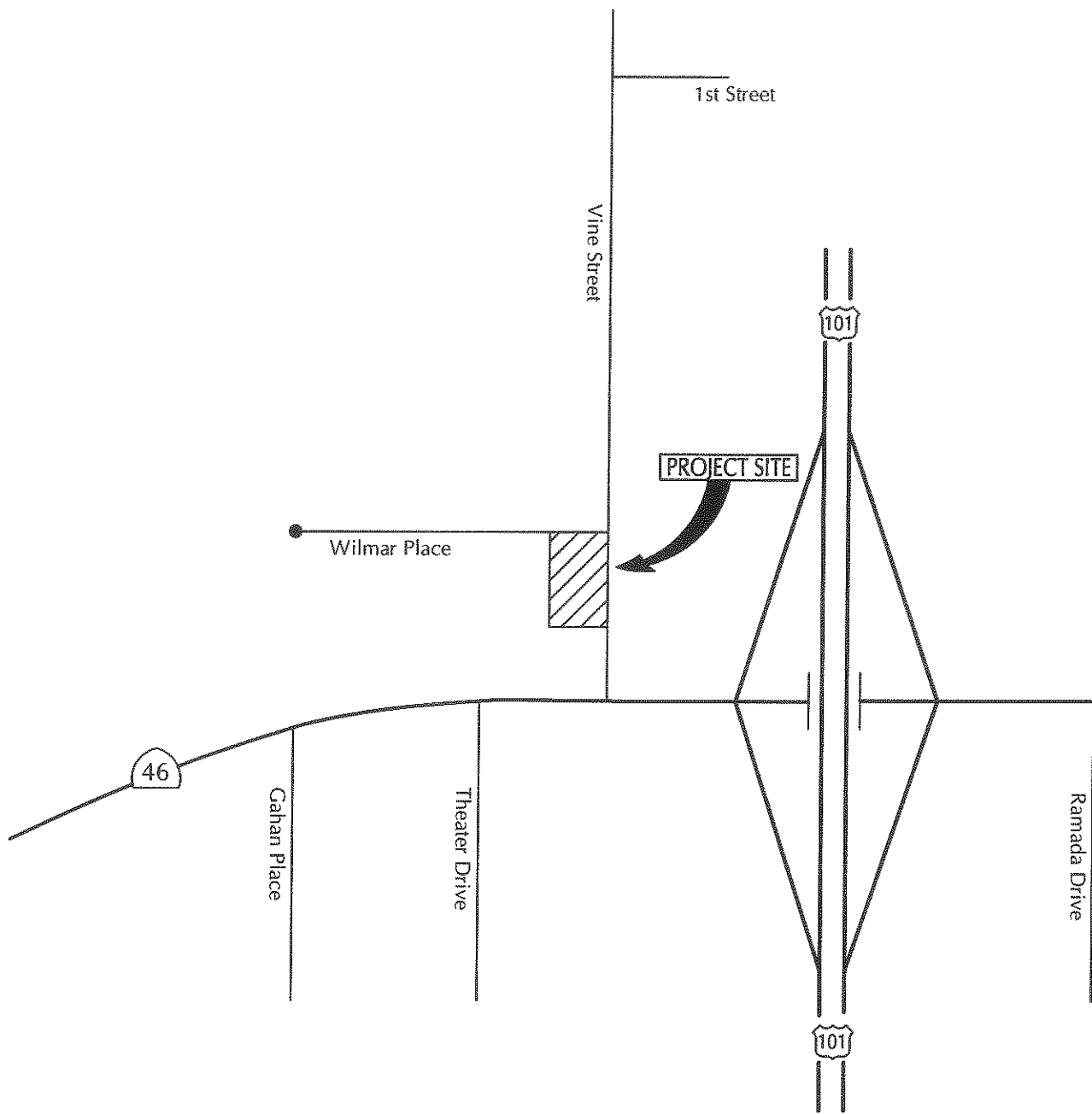
SCOPE OF WORK AND STUDY METHODOLOGY

The scope of work for the traffic study was developed jointly by ATE and City of Paso Robles staff. The scope of work developed for the traffic study is outlined below.

Traffic Scenarios. Traffic operations are analyzed for the following scenarios:

- 1) Existing Conditions
- 2) Existing + Project Conditions
- 3) Cumulative Conditions (Existing + Approved Projects + Pending Projects)
- 4) Cumulative + Project Conditions
- 5) Year 2035 Conditions (General Plan Buildout)
- 6) Year 2035 + Project Conditions

Study-Area Facilities. The roadways and intersections included in the traffic study were identified based on the level of traffic that would be generated by the project and the project's access connection to the surrounding roadway network. Both local and regional facilities are analyzed in the study, as listed in Table 1.



NOT TO SCALE

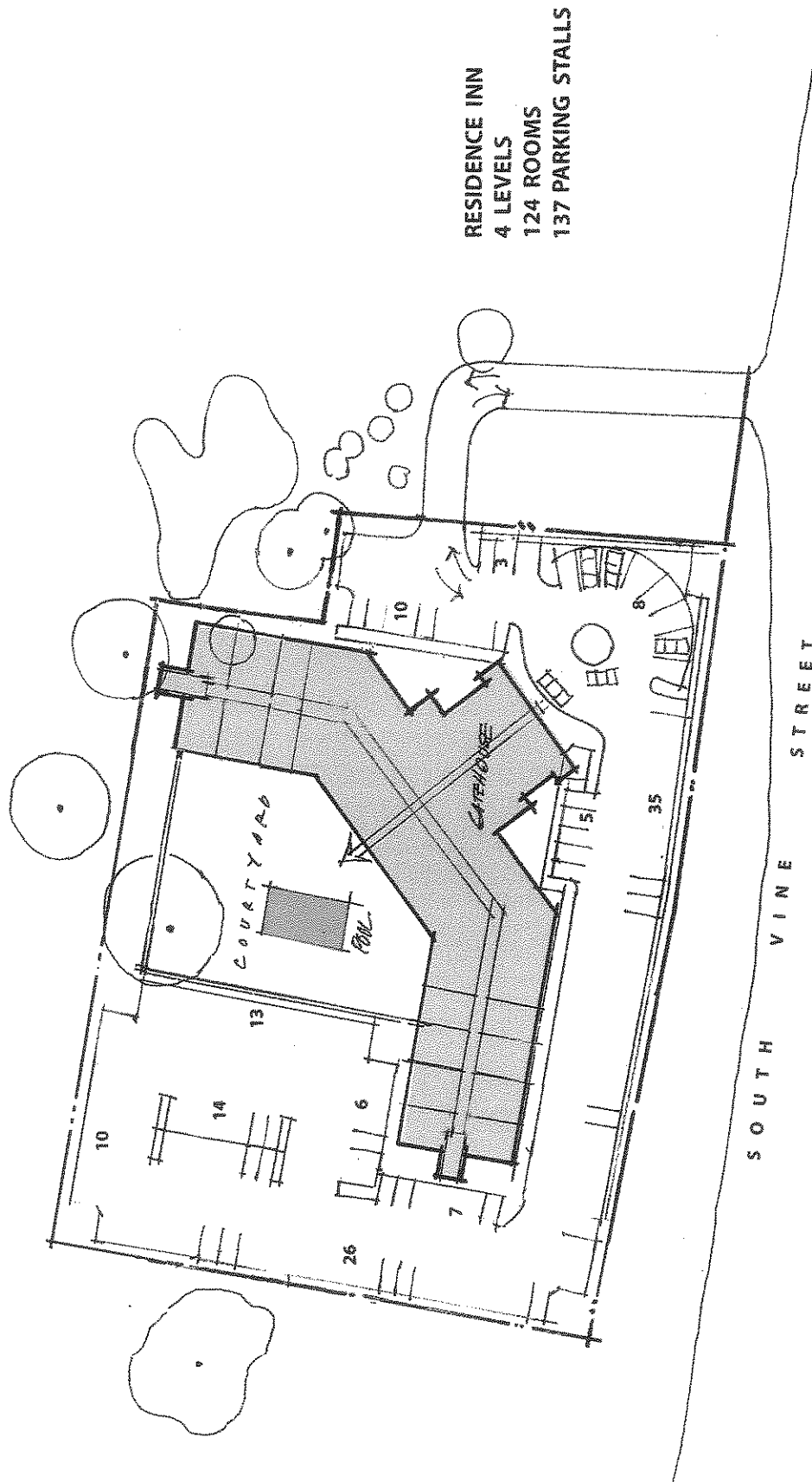


ASSOCIATED
TRANSPORTATION
ENGINEERS

PROJECT SITE LOCATION - EXISTING STREET NETWORK

FIGURE 1

MMF - #13043



RESIDENCE INN
4 LEVELS
124 ROOMS
137 PARKING STALLS

GENE FONG ASSOCIATES
 1107 GLENDON AVENUE
 LOS ANGELES, CA 90024



AUGUST 6, 2013

SCHEME H4

RESIDENCE INN BY MARRIOTT
 PASO ROBLES, CA



FIGURE 2

PROJECT SITE PLAN

ASSOCIATED TRANSPORTATION ENGINEERS



MMF - #13043

**Table 1
Study-Area Roadways and Intersections**

Freeway Segments	Surface Roadways	Intersections
U.S. 101 n/o SR 46W(a) U.S. 101 s/o SR 46W(a)	SR 46W w/o U.S. 101(b) Vine Street n/o SR 46W(c) Theatre Drive s/o SR 46W(c) Ramada Drive n/o SR 46W(c) Ramada Drive s/o SR 46W(d)	Vine St/1st St SR 46W/Gahan Pl SR 46W/Theatre Dr SR 46W/Vine St SR 46W/U.S. 101 SB SR 46W/U.S. 101 NB SR 46W/Ramada Dr

- (a) State highway - traffic operations assessed using Caltrans criteria for freeways.
- (b) State highway - traffic operations assessed for intersections along SR 46W using Caltrans criteria.
- (c) City facility - traffic operations assessed using City of Paso Robles criteria.
- (d) County facility - traffic operations assessed using County criteria.

The study also addresses traffic operations and potential impacts to the U.S. 101/Main Street interchange located in San Luis Obispo County to the south (see County of San Luis Obispo Impacts section).

Existing Traffic Volumes and Future Forecasts. Traffic counts were collected on U.S. 101 and the surface street network in January 2012 for the Existing Conditions analysis (traffic count data is contained in the Technical Appendix). Cumulative traffic volumes were forecast using a list of approved and pending projects planned within the adjacent areas of the City of Paso Robles and County of San Luis Obispo. "Year 2035" traffic volumes were forecast using the regional traffic model maintained by SLOCOG and the City of Paso Robles model developed for the Circulation Element update.

LEVEL OF SERVICE STANDARDS

"Levels of Service" (LOS) are used to rate traffic operations, with LOS A indicating very good operations and LOS F indicating poor operations. Level of service definitions are provided in Table 2.

**Table 2
Level of Service Definitions**

LOS	Definition
A	Conditions of free unobstructed flow, no delays and all signal phases sufficient in duration to clear all approaching vehicles.
B	Conditions of stable flow, very little delay, a few phases are unable to handle all approaching vehicles.
C	Conditions of stable flow, delays are low to moderate, full use of peak direction signal phases is experienced.
D	Conditions approaching unstable flow, delays are moderate to heavy, significant signal time deficiencies are experienced for short durations during the peak traffic period.
E	Conditions of unstable flow, delays are significant, signal phase timing is generally insufficient, congestion exists for extended duration throughout the peak period.
F	Conditions of forced flow, travel speeds are low and volumes are well above capacity. This condition is often caused when vehicles released by an upstream signal are unable to proceed because of back-ups from a downstream signal.

Source: Highway Capacity Manual, 2010.

Caltrans Standards

Both U.S. 101 and SR 46W are under the jurisdiction of Caltrans. For U.S. 101, Caltrans District 5 has established level of service goals in their Transportation Planning Fact Sheet and Transportation Concept Report.¹ LOS D is the minimum operating standard for U.S. 101 in the Paso Robles area.

For SR 46W, Caltrans has developed a Transportation Planning Fact Sheet and a Corridor System Management Plan.² However, level of service standards are not provided in the Transportation Planning Fact Sheet or in the Corridor System Management Plan developed for SR 46. According to *Caltrans Guide for the Preparation of Traffic Impact Studies*,³ Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D - which means that LOS C is considered acceptable. For the purposes of this study, LOS C is considered acceptable for SR 46W, with mitigation required for LOS D, LOS E and LOS F.

¹ Transportation Planning Fact Sheet for U.S. Route 101 in San Luis Obispo County, California Department of Transportation, District 5, September 2009.

Transportation Concept Report for U.S. Route 101 in Caltrans District 5, California Department of Transportation, District 5, October 2001.

² Transportation Planning Fact Sheet, State Route 46 in San Luis Obispo County, Caltrans, September 2009.

State Route 46 Corridor System Management Plan, San Luis Obispo County, Caltrans, June 2009.

³ Caltrans Guide for the Preparation of Traffic Impact Studies, Caltrans, December 2002.

City of Paso Robles Standards

The segments of Vine Street, Theatre Drive, and Ramada Drive are located in the City of Paso Robles. The standards and policies outlined in the City's Circulation Element⁴ were used to assess potential impacts to these facilities (see City of Paso Robles Circulation Element Consistency section of this report).

County of San Luis Obispo Standards

The segment of Ramada Drive south of SR 46W extends into San Luis Obispo County. The County of San Luis Obispo has adopted LOS C as the minimum standard for traffic operations for this roadway (see County of San Luis Obispo Impacts section of this report for potential impacts to this roadway segment).

EXISTING CONDITIONS

Street Network

The study-area street network is shown in Figure 1. The following text provides a brief discussion of the study-area street network.

U.S. 101 is four-lane freeway in the study area. Freeway access is provided via ramps at the U.S. 101/SR 46W interchange.

SR 46W is a two-lane highway that extends west from U.S. 101 to SR 1 near Cambria. SR 46 also extends east of U.S. 101 (SR 46E), connecting the City and Paso Robles with the San Joaquin Valley.

Vine Street, classified as an Arterial road by the City, is a two-lane road that fronts the west side of U.S. 101. Vine Street extends northerly from SR 46W into the City of Paso Robles.

Theatre Drive, also classified as an Arterial road by the City, is a two-lane road that fronts the west side of U.S. 101. Theatre Drive extends south from SR 46W to the U.S. 101/Main Street interchange south of the City of Paso Robles.

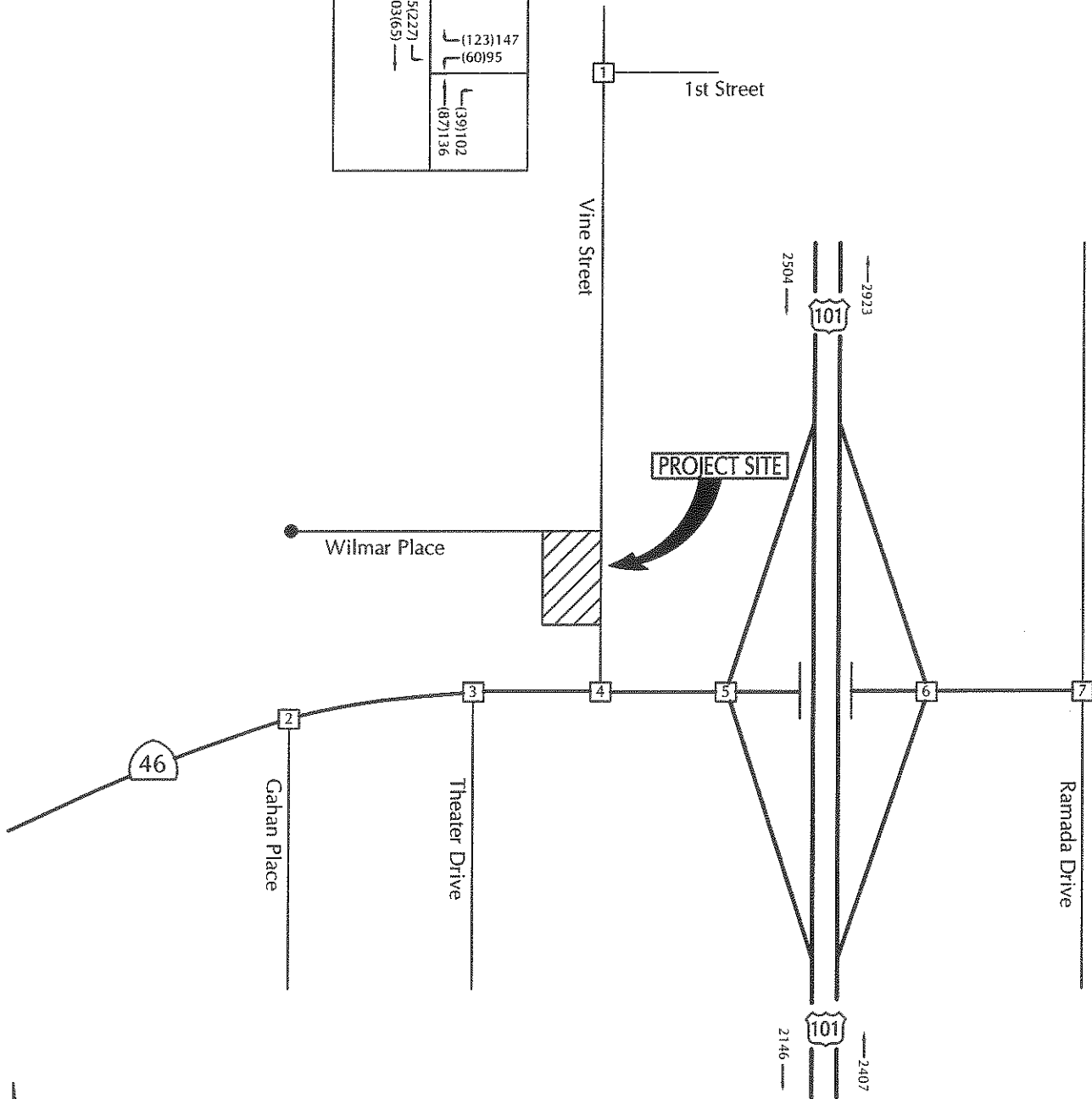
Ramada Drive, classified as a Local road by the City, is a two-lane road that fronts the east side of U.S. 101. The segment of Ramada Drive north of SR 46W is located within the City of Paso Robles. The segment of Ramada Drive south of SR 46W extends into San Luis Obispo County.

Existing Freeway Operations

Traffic counts were collected on U.S. 101 in January 2012 for the freeway analysis. Traffic counts recorded throughout the day show that volumes are highest during the P.M. peak commuter period. The analysis therefore focuses on this period. Existing P.M. peak hour volumes are illustrated on Figure 3.

⁴ Cit of Paso Robles General Plan 2011 Circulation Element, Fehr & Peers, February 2011.

1	175(227) 103(65)	(123)147 (60)95	(39)102 (87)136
---	---------------------	--------------------	--------------------



NOT TO SCALE

LEGEND

XX - (A.M.)P.M. Peak Hour Volume

<table border="1"> <tr> <td>2</td> <td>(221)256 (0)0</td> <td>330(208) 21(3)</td> <td>(1)10 (6)8</td> </tr> </table>	2	(221)256 (0)0	330(208) 21(3)	(1)10 (6)8	<table border="1"> <tr> <td>3</td> <td>(190)228 (187)363</td> <td>272(181) 28(16)</td> <td>(137)393 (14)19</td> </tr> </table>	3	(190)228 (187)363	272(181) 28(16)	(137)393 (14)19	<table border="1"> <tr> <td>4</td> <td>18(26) 147(84)</td> <td>(12)25 (289)432</td> <td>198(78) 477(239)</td> </tr> </table>	4	18(26) 147(84)	(12)25 (289)432	198(78) 477(239)	<table border="1"> <tr> <td>5</td> <td>111(178) 350(251)</td> <td>(76)121 (33)55</td> <td>440(222) 48(26)</td> </tr> </table>	5	111(178) 350(251)	(76)121 (33)55	440(222) 48(26)	<table border="1"> <tr> <td>6</td> <td>(119)220 (82)134</td> <td>380(136) 163(264)</td> <td>(83)43 (30)41</td> </tr> </table>	6	(119)220 (82)134	380(136) 163(264)	(83)43 (30)41	<table border="1"> <tr> <td>7</td> <td>39(33) 188(132)</td> <td>127(195) 81(162)</td> <td>(23)36 (57)157</td> </tr> </table>	7	39(33) 188(132)	127(195) 81(162)	(23)36 (57)157
2	(221)256 (0)0	330(208) 21(3)	(1)10 (6)8																										
3	(190)228 (187)363	272(181) 28(16)	(137)393 (14)19																										
4	18(26) 147(84)	(12)25 (289)432	198(78) 477(239)																										
5	111(178) 350(251)	(76)121 (33)55	440(222) 48(26)																										
6	(119)220 (82)134	380(136) 163(264)	(83)43 (30)41																										
7	39(33) 188(132)	127(195) 81(162)	(23)36 (57)157																										



ASSOCIATED
TRANSPORTATION
ENGINEERS

EXISTING TRAFFIC VOLUMES

FIGURE 3

MMF - #13043

Existing P.M. peak hour levels of service were calculated for the U.S. 101 freeway segments using the operations method outlined in the Highway Capacity Manual (HCM).⁵ The performance of U.S. 101 can be characterized by three measures: density in passenger cars per mile per lane (pc/mi/ln), average speed in miles per hour (mph), and the ratio of volume-to-capacity (v/c). Because speed is constant through a broad range of flows and the v/c ratio is not directly discernible to road users, density is the performance measure used to rate freeway levels of service. Table 3 presents the results of the level of service analysis for Existing Conditions.

**Table 3
Existing Freeway Operations**

Segment/Direction	Lanes	P.M. Peak Hour Operations	
		Density(a)	LOS(b)
U.S. 101 - North of SR 46W			
Northbound	2	21.5	LOS C
Southbound	2	17.9	LOS B
U.S. 101 - South of SR 46W			
Northbound	2	17.1	LOS B
Southbound	2	15.2	LOS B

- (a) Density in passenger car equivalents per lane per mile.
- (b) LOS based on density pursuant to 2010 HCM.

As shown in Table 3, the segment of U.S. 101 north of SR 46W operates at LOS B-C and the segment of U.S. 101 south of SR 46W operates at LOS B during the peak hour period, which meets Caltrans' LOS D target for U.S. 101.

Existing Intersection Operations

Because traffic flow on street networks is most restricted at intersections, detailed analyses of traffic conditions examine the operational characteristics of key intersections during peak travel periods. Traffic counts were collected in January 2012 for the intersection analysis. Existing A.M. and P.M. peak hour volumes are illustrated on Figure 3.

Levels of service were calculated for the study-area intersections using the SYNCHRO traffic modeling program, which implements the operations method outlined in the HCM. The SYNCHRO traffic modeling program was coded to replicate field conditions for the level of service analysis.

⁵ 2010 Highway Capacity Manual, Transportation Research Board, 2010.

It is important to note that the U.S. 101/SR 46W interchange is configured as a "tight diamond" with the adjacent frontage roads being less than 100 feet from the U.S. 101 ramp intersections. All four intersections are signalized. Due to their close spacing, the two intersections on the west side of the interchange (SR 46W/U.S. 101 SB and SR 46W/Vine) operate as a single unit and their level of service is therefore calculated as such. Similarly, the two intersections on the east side of the interchange (SR 46W/U.S. 101 NB and SR 46W/Ramada) operate as a single unit and their level of service is therefore calculated as such.

Table 4 presents the Existing traffic controls and levels of service for the study-area intersections identified for analysis.

**Table 4
Existing Intersection Operations**

Intersection	Control	Delay Per Vehicle/LOS(a)	
		A.M. Peak	P.M. Peak
Vine St/1st St	All-Way Stop	10.3 Sec./LOS B	10.5 Sec./LOS B
SR 46W/Gahan Pl	1-Way Stop	11.2 Sec./LOS B	14.1 Sec./LOS B
SR 46W/Theatre Dr	Signal	10.4 Sec./LOS B	12.1 Sec./LOS B
SR 46W/U.S. 101 SB(b) SR 46W/Vine St(b)	Signal	23.7 Sec./LOS C	27.9 Sec./LOS C
SR 46W/U.S. 101 NB(c) SR 46W/Ramada Dr(c)	Signal	22.7 Sec./LOS C	29.7 Sec./LOS C

- (a) LOS based on average delay per vehicle in seconds pursuant to the HCM operations methodology.
- (b) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 SB and SR 46W/Vine Street intersections since they operate as a single unit.
- (c) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 NB and SR 46W/Ramada Drive intersections since they operate as a single unit.

The data presented in Table 4 indicate that the study-area intersections currently operate at LOS C or better during the A.M. and P.M. peak hour periods, which meets the level of service standards for the applicable jurisdictions (City of Paso Robles and Caltrans).

EXISTING + PROJECT CONDITIONS

Project Trip Generation

Trip generation estimates were calculated for the Marriott Residence Inn Project using standard practices outlined in the Institute of Transportation Engineers (ITE) Trip Generation manual.⁶ Table 5 presents the average daily, A.M. peak hour, and P.M. peak hour trip generation estimates for the proposed project. A worksheet showing the trip generation calculations is contained in the Technical Appendix for reference.

⁶ Trip Generation, Institute of Transportation Engineers, 9th Edition, 2012.

**Table 5
Project Trip Generation**

Land Use	Size	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Hotel(a)	125 Rooms	8.92	1,115	0.67	84	0.70	88

(a) Trip generation calculated using ITE Hotel rates (Land Use Code 310).

As shown in Table 5, the Marriott Residence Inn Project would generate 1,115 average daily trips (ADT), with 84 trips occurring during the A.M. peak hour and 88 trips occurring during the P.M. peak hour.

Project Trip Distribution

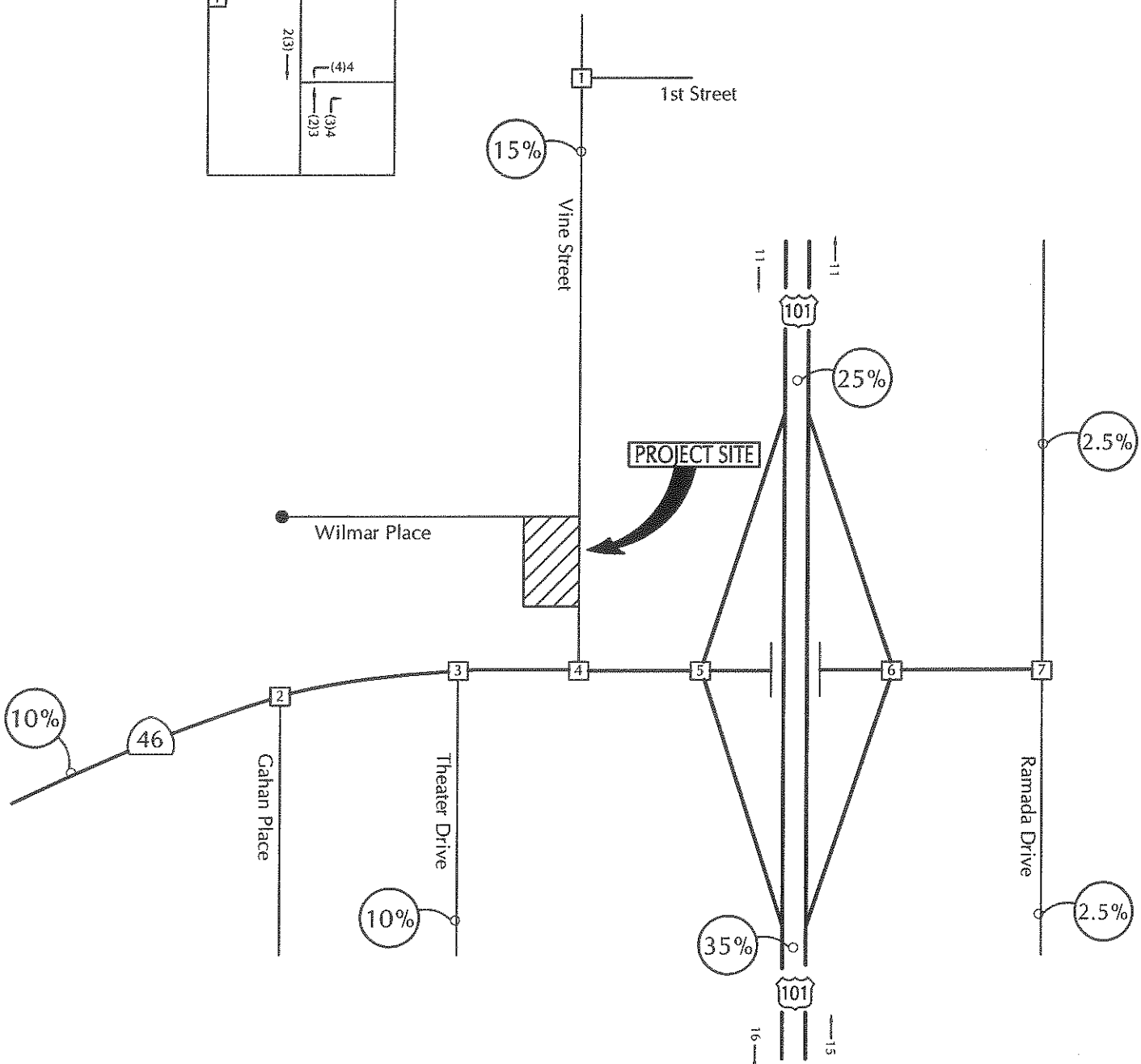
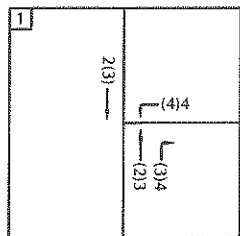
The trip distribution pattern for the Marriott Residence Inn Project is listed in Table 6 and shown on Figure 4. The distribution percentages were developed from marketing data and traffic studies prepared for other hotel projects in the area, as well as consideration of the traffic patterns and land uses in the area. Figure 4 shows the assignment of project traffic during the A.M. and P.M. peak hour periods.

**Table 6
Project Trip Distribution**

Origin/Destination	Direction	Percent
U.S. 101	North	25%
U.S. 101	South	35%
Vine Street	North	15%
SR 46(W)	West	10%
Theatre Drive s/o SR 46(W)	South	10%
Ramada Drive n/o SR 46(W)	East	2.5%
Ramada Drive s/o SR 46(W)	East	2.5%
Total		100%

Existing + Project Freeway Operations

Levels of service were calculated for U.S. 101 using the Existing + Project peak hour volumes shown on Figure 5. Existing and Existing + Project levels of service are compared in Table 7.



LEGEND

- └XX - (A.M.)P.M. Peak Hour Volume
- % - Distribution Percentage

NOT TO SCALE

<p>2</p> <p>(4)5</p> <p>4(5)</p>	<p>3</p> <p>(4)5</p> <p>(4)5</p> <p>(5)4</p>	<p>4</p> <p>28(22) 10(8)</p> <p>(32)29</p> <p>8(10)</p>	<p>5</p> <p>11(12)</p> <p>(20)18</p> <p>12(10) 16(12)</p>	<p>6</p> <p>(3)3</p> <p>11(9) 1(1)</p> <p>(17)15</p>	<p>7</p> <p>1(1) 0(0)</p> <p>(2)3</p>
----------------------------------	--	---	---	--	---



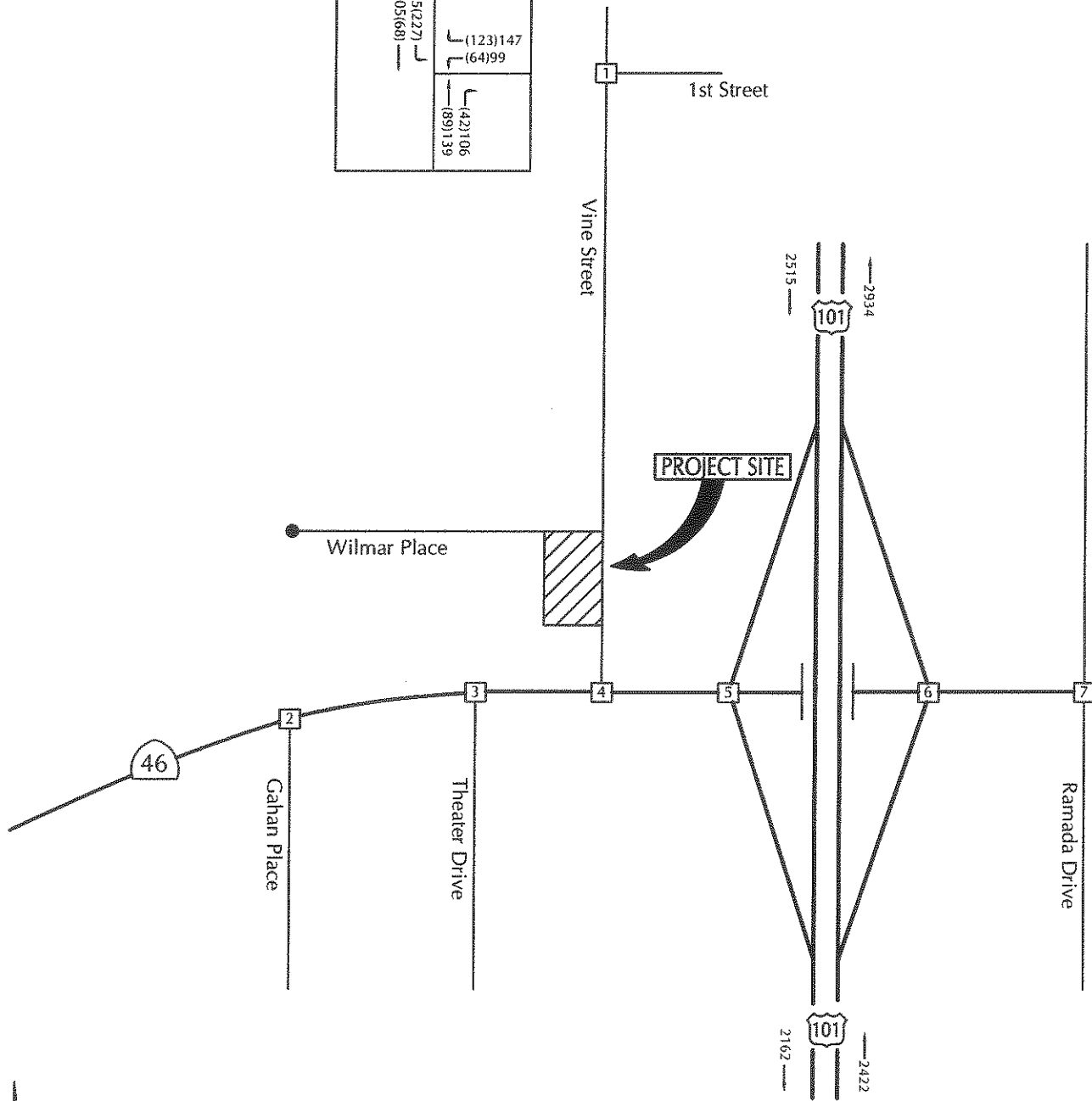
ASSOCIATED
TRANSPORTATION
ENGINEERS

PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

FIGURE 4

MMF - #13043

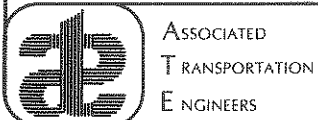
1	175(227) 105(68)	(123)147 (64)99	(42)106 (89)139
---	---------------------	--------------------	--------------------



NOT TO SCALE

LEGEND
 XX - (A.M.)P.M. Peak Hour Volume

2	3	4	5	6	7																								
<table border="1"> <tr> <td>(225)261 (0)0</td> <td>(194)233 (19)1368</td> </tr> <tr> <td>334(213) 21(3)</td> <td>(130) (6)8</td> </tr> </table>	(225)261 (0)0	(194)233 (19)1368	334(213) 21(3)	(130) (6)8	<table border="1"> <tr> <td>46(48) 157(92)</td> <td>(44)54 (289)432</td> </tr> <tr> <td>276(186) 28(16)</td> <td>(142)397 (14)19</td> </tr> </table>	46(48) 157(92)	(44)54 (289)432	276(186) 28(16)	(142)397 (14)19	<table border="1"> <tr> <td>46(48) 157(92)</td> <td>(44)54 (289)432</td> </tr> <tr> <td>206(88) 477(239)</td> <td></td> </tr> </table>	46(48) 157(92)	(44)54 (289)432	206(88) 477(239)		<table border="1"> <tr> <td>11(178) 36(1263)</td> <td>(96)139 (33)55</td> </tr> <tr> <td>452(232) 64(38)</td> <td></td> </tr> </table>	11(178) 36(1263)	(96)139 (33)55	452(232) 64(38)		<table border="1"> <tr> <td>(119)220 (85)137</td> <td></td> </tr> <tr> <td>391(145) 164(265)</td> <td>(83)43 (47)56</td> </tr> </table>	(119)220 (85)137		391(145) 164(265)	(83)43 (47)56	<table border="1"> <tr> <td>39(33) 189(133)</td> <td>(23)36 (59)160</td> </tr> <tr> <td>128(196) 81(162)</td> <td></td> </tr> </table>	39(33) 189(133)	(23)36 (59)160	128(196) 81(162)	
(225)261 (0)0	(194)233 (19)1368																												
334(213) 21(3)	(130) (6)8																												
46(48) 157(92)	(44)54 (289)432																												
276(186) 28(16)	(142)397 (14)19																												
46(48) 157(92)	(44)54 (289)432																												
206(88) 477(239)																													
11(178) 36(1263)	(96)139 (33)55																												
452(232) 64(38)																													
(119)220 (85)137																													
391(145) 164(265)	(83)43 (47)56																												
39(33) 189(133)	(23)36 (59)160																												
128(196) 81(162)																													



EXISTING + PROJECT TRAFFIC VOLUMES

FIGURE 5

MMF - #13043

**Table 7
Existing and Existing + Project Freeway Operations**

Segment/Direction	P.M. Peak Hour Operations				Impact?
	Existing		Existing + Project		
	Density(a)	LOS(b)	Density(a)	LOS(b)	
U.S. 101 - North of SR 46W Northbound Southbound	21.5	LOS C	21.6	LOS C	NO
	17.9	LOS B	18.0	LOS C	NO
U.S. 101 - South of SR 46W Northbound Southbound	17.1	LOS B	17.3	LOS B	NO
	15.2	LOS B	15.3	LOS B	NO

- (a) Density in passenger car equivalents per lane per mile.
(b) LOS based on density pursuant to 2010 HCM.

The level of service forecasts presented in Table 7 show that the segment of U.S. 101 north of SR 46W would continue to operate at LOS B-C and the segment of U.S. 101 south of SR 46W would continue to operate at LOS B under Existing + Project conditions, which meets the Caltrans LOS D standard. Thus, the Marriott Residence Inn Project would not significantly impact U.S. 101 under Existing + Project conditions.

Existing + Project Intersection Operations

Existing + Project intersection levels of service were calculated using the A.M. and P.M. peak hour volumes shown on Figure 5. Existing and Existing + Project levels of service are compared in Table 8.

**Table 8
Existing and Existing + Project Intersection Operations**

Intersection	Delay Per Vehicle/LOS(a)				Impact?
	A.M. Peak Hour		P.M. Peak Hour		
	Existing	Existing + Project	Existing	Existing + Project	
Vine St/1st St	10.3 Sec./LOS B	10.4 Sec./LOS B	10.5 Sec./LOS B	10.6 Sec./LOS B	NO
SR 46W/Gahan Pl	11.2 Sec./LOS B	11.3 Sec./LOS B	14.1 Sec./LOS B	14.2 Sec./LOS B	NO
SR 46W/Theatre Dr	10.4 Sec./LOS B	10.4 Sec./LOS B	12.1 Sec./LOS B	12.4 Sec./LOS B	NO
SR 46W/U.S. 101 SB(b) SR 46W/Vine St(b)	23.7 Sec./LOS C	23.9 Sec./LOS C	27.9 Sec./LOS C	28.7 Sec./LOS C	NO
SR 46W/U.S. 101 NB(c) SR 46W/Ramada Dr(c)	22.7 Sec./LOS C	22.9 Sec./LOS C	29.7 Sec./LOS C	29.8 Sec./LOS C	NO

- (a) LOS based on average delay per vehicle in seconds pursuant to the HCM operations methodology.
(b) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 SB and SR 46W/Vine Street intersections since they operate as a single unit.
(c) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 NB and SR 46W/Ramada Drive intersections since they operate as a single unit.

The level of service forecasts presented in Table 8 show that the study-area intersections would continue to operate at LOS B and LOS C with Existing + Project traffic, which meet the City and Caltrans standards. Thus, the Marriott Residence Inn Project would not significantly impact the study-area intersections under Existing + Project conditions.

CUMULATIVE ANALYSIS

Traffic Forecasts

Cumulative traffic volumes were forecast using a list of approved and pending projects located in the City of Paso Robles as well as the San Luis Obispo County areas adjacent to the study area (a worksheet showing the cumulative projects and the cumulative trip generation estimates is contained in the Technical Appendix for reference).

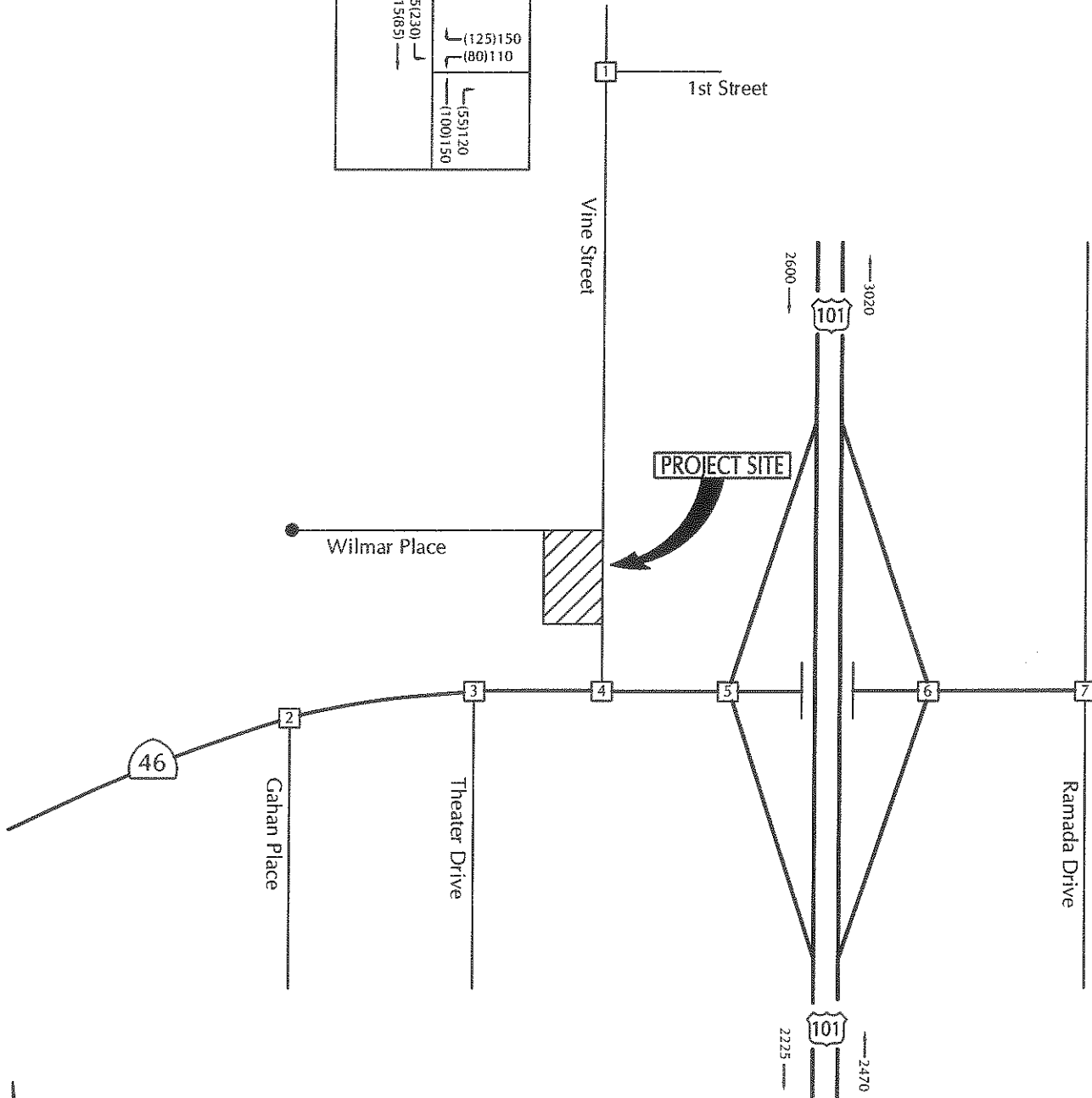
There are two projects that will directly affect traffic operations in the study area: 1) the Paso Robles Gateway Project (three hotels, three commercial sites, and 35 single family residential units) proposed immediately north and west of the Marriott Residence Inn site, and 2) the Durand Hotel Project (140-room hotel project) proposed on Theatre Drive near the southern City limits. There are two additional projects proposed on Ramada Drive in the County area south of the City and three winery projects located along SR 46W in the County area west of City. Three projects were also identified in the Templeton area. However, those projects would not affect traffic operations along the SR 46W corridor in the study area.

Trip generation estimates were calculated for the cumulative projects using rates published in the ITE Trip Generation report. The trips generated by the cumulative projects were then distributed and assigned to the study-area street network based on existing traffic patterns, consideration of the employment and population centers, and data from the SLOCOG model. Cumulative traffic volume forecasts are shown on Figure 6. Project traffic was then layered onto the Cumulative traffic forecasts for the Cumulative + Project analyses. Cumulative + Project volumes are shown on Figure 7.

Cumulative and Cumulative + Project Freeway Operations

Levels of service were calculated for U.S. 101 using the Cumulative and Cumulative + Project peak hour volumes shown on Figures 6 and 7. As shown in Table 9, U.S. 101 is forecast to operate at LOS B and LOS C under Cumulative and Cumulative + Project conditions - which meets the Caltrans LOS D standard. Therefore, the Marriott Residence Inn Project would not contribute to significant cumulative impacts on U.S. 101.

1	175(230) 115(85)	(125)150 (80)110	(55)120 (100)150
---	---------------------	---------------------	---------------------



NOT TO SCALE

LEGEND

XX - (A.M.)P.M. Peak Hour Volume

2	3	4	5	6	7
(240)295 (0)0	(205)255 (230)410	180(145) 200(125)	135(190) 425(335)	(175)215 (35)55	(125)245 (100)155
365(240) 25(5)	305(210) 35(20)	245(135) 505(250)	545(295) 130(85)	465(200) 205(285)	130(200) 115(175)
(5)0 (10)10	(180)435 (20)25	(180)170 (305)455	(115)115 (85)45	(115)115 (85)45	(25)40 (75)190



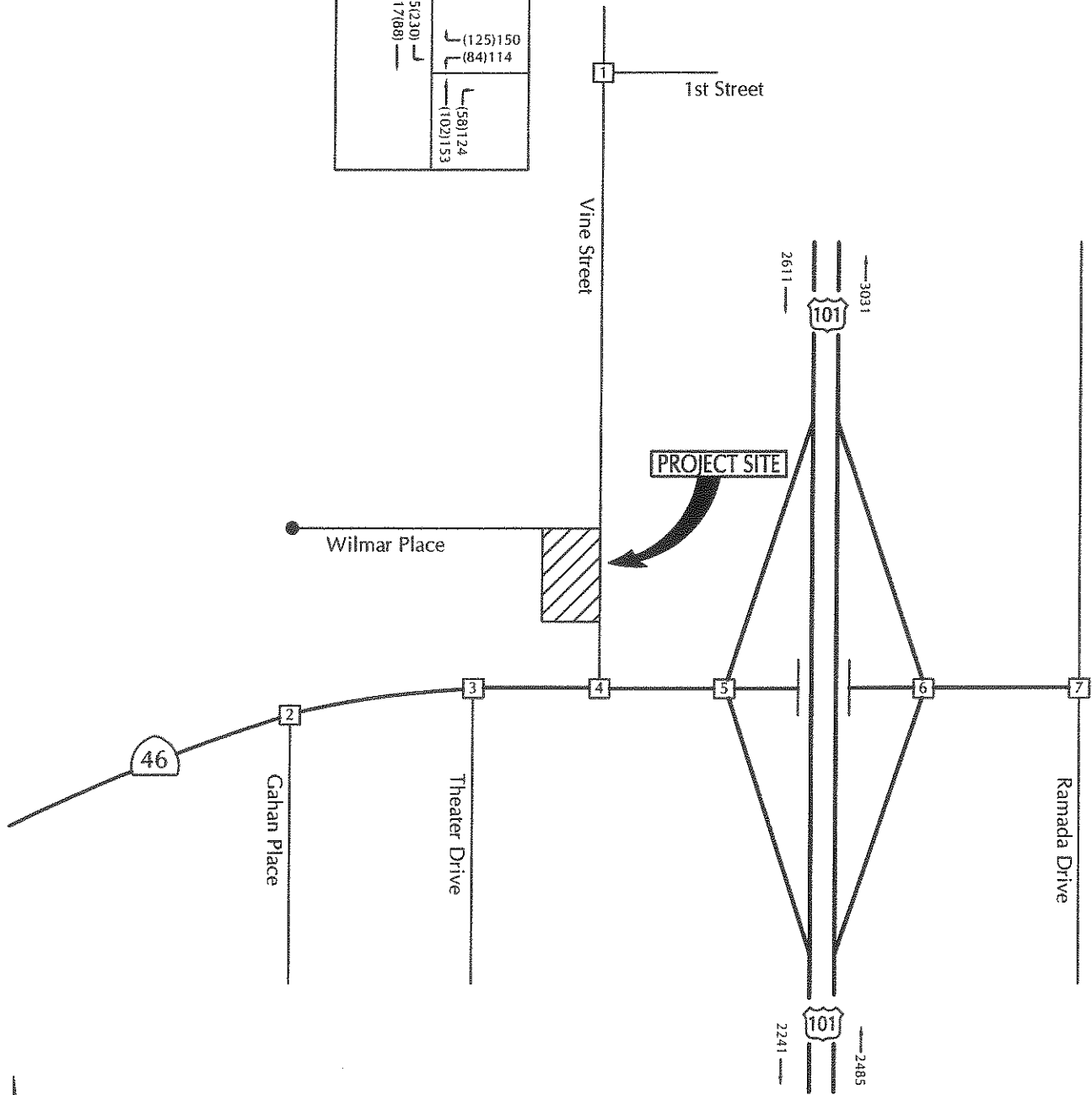
ASSOCIATED
TRANSPORTATION
ENGINEERS

CUMULATIVE TRAFFIC VOLUMES

FIGURE 6

MMF - #13043

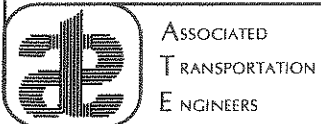
1	175(230) 117(88)	(125)150 (84)114	(58)124 (102)153
---	---------------------	---------------------	---------------------



NOT TO SCALE

LEGEND
 XX - (A.M.)P.M. Peak Hour Volume

2	3	4	5	6	7
(244)300 (0)0	(209)260 (234)415	208(167) 210(133)	135(190) 436(347)	(125)245 (103)158	403(35) 191(136)
369(245) 25(5)	309(215) 35(20)	253(145) 505(250)	557(305) 146(97)	476(209) 206(286)	131(201) 115(175)
(5)0 (10)10	(185)439 (20)25	(212)199 (305)455	(195)233 (35)55	(85)45 (132)130	(25)40 (77)93



CUMULATIVE + PROJECT TRAFFIC VOLUMES

FIGURE 7

Table 9
Cumulative and Cumulative + Project Freeway Operations

Segment/Direction	P.M. Peak Hour Operations				Impact?
	Cumulative		Cumulative + Project		
	Density(a)	LOS(b)	Density(a)	LOS(b)	
U.S. 101 - North of SR 46W					
Northbound	22.5	LOS C	22.5	LOS C	NO
Southbound	18.7	LOS C	18.8	LOS C	NO
U.S. 101 - South of SR 46W					
Northbound	17.6	LOS B	17.8	LOS B	NO
Southbound	15.8	LOS B	15.8	LOS B	NO

(a) Density in passenger car equivalents per lane per mile.

(b) LOS based on density pursuant to 2010 HCM.

Cumulative and Cumulative + Project Intersection Operations

Levels of service were calculated for the study-area intersections using the Cumulative and Cumulative + Project A.M. and P.M. peak hour volumes shown on Figures 6 and 7. Table 10 compares the level of service forecasts.

Table 10
Cumulative and Cumulative + Project Intersection Operations

Intersection	Delay Per Vehicle/LOS(a)				Impact?
	A.M. Peak		P.M. Peak		
	Cumulative	Cumulative + Project	Cumulative	Cumulative + Project	
Vine St/1st St	10.9 Sec./LOS B	11.0 Sec./LOS B	11.0 Sec./LOS B	11.1 Sec./LOS B	NO
SR 46W/Gahan Pl	11.3 Sec./LOS B	11.4 Sec./LOS B	15.1 Sec./LOS C	15.2 Sec./LOS C	NO
SR 46W/Theatre Dr	10.9 Sec./LOS B	11.0 Sec./LOS B	13.2 Sec./LOS B	13.3 Sec./LOS B	NO
SR 46W/U.S. 101 SB(b) SR 46W/Vine St(b)	27.1 Sec./LOS C	27.9 Sec./LOS C	34.2 Sec./LOS C	35.7 Sec./LOS D	YES
SR 46W/U.S. 101 NB(c) SR 46W/Ramada Dr(c)	20.4 Sec./LOS C	20.5 Sec./LOS C	30.0 Sec./LOS C	30.6 Sec./LOS C	NO

(a) LOS based on average delay per vehicle in seconds pursuant to the HCM operations methodology.

(b) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 SB and SR 46W/Vine Street intersections since they operate as a single unit.

(c) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 NB and SR 46W/Ramada Drive intersections since they operate as a single unit.

As shown, most of the study-area intersections are forecast to operate at LOS B and LOS C under Cumulative and Cumulative + Project conditions, which meets the applicable standards. The intersections that comprise the west side of the SR 46W/U.S. 101 interchange (SR 46W/U.S. 101 SB & SR 46W/Vine Street) are forecast to operate at LOS D during the P.M. peak hour under Cumulative + Project conditions, which exceeds the Caltrans LOS C standard. Thus, the Marriott Residence Inn Project would contribute to a significant cumulative impact at the SR 46W/U.S. 101 SB-SR 46W/Vine Street intersections. Realignment of Vine Street would be required to mitigate this impact (see Mitigation Measures section of report).

SITE ACCESS

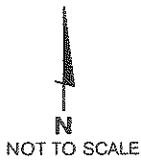
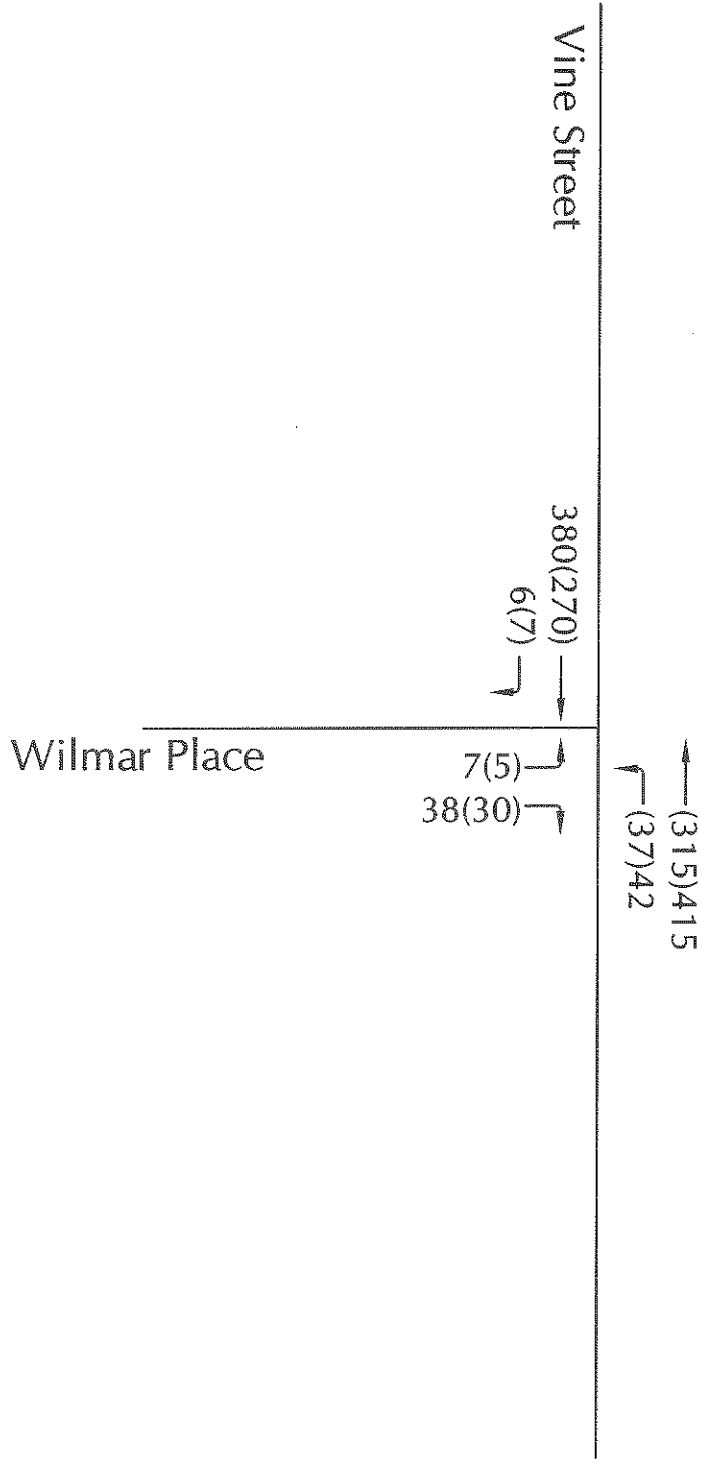
Access for the Marriott Residence Inn Project is proposed via the existing Wilmar Place roadway connection to Vine Street. Wilmar Place is currently a dirt road. It is recommended that the roadway be improved and include a minimum of 24 feet of pavement to provide one 12-foot travel lane in each direction between Vine Street and the project site.

Analyses of the Vine Street/Wilmar Place intersection was completed using Cumulative + Project peak hour forecasts shown on Figure 8. The traffic forecasts indicate that the intersection would not meet signal warrants. Instead, the intersection should be controlled by Stop signs on the Wilmar Place approach and Vine Street would continue to function as a free-flow facility. Given the relatively low volumes, turn lanes would not be required on Vine Street at the Wilmar Place connection.

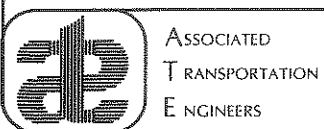
Table 11 shows the delays and levels of service for turning into and out of the project site at the Vine Street/Wilmar Place intersection assuming the Stop sign control. As shown, there would be minor delays (LOS A/B) at the intersection.

**Table 11
Vine Street/Wilmar Place - Cumulative + Project Operations**

Intersection	Control	Delay / LOS	
		A.M. Peak	P.M. Peak
Vine Street/Wilmar Place Inbound Left-Turn Outbound Left + Right Turns	Stop Sign	7.9 Sec./LOS A 10.5 Sec./LOS B	8.1 Sec./LOS A 11.9 Sec./LOS B



LEGEND
 LXX - (A.M.)P.M. Peak Hour Volume



CUMULATIVE + PROJECT TRAFFIC VOLUMES
 VINE STREET/WILMAR PLACE

FIGURE 8

MMF - #13043

YEAR 2035 ANALYSIS

Traffic Forecasts

The Regional Traffic Model (RTM) maintained by SLOCOG and the City of Paso Robles model developed for the Circulation Element update were used to forecast Year 2035 traffic volumes. Both are computerized traffic models that use the *TransCAD* transportation planning software program to simulate future vehicular traffic flow patterns. The SLOCOG model assumes General Plan buildout for the land uses within the model area (county-wide) as well as growth on regional facilities that connect the County to surrounding areas (e.g. U.S. 101). Similarly, the City model assumes General Plan buildout for the land uses within the City as well as growth on regional facilities that connect the City to surrounding areas (e.g. U.S. 101, SR 46).

Both models were run and the initial traffic forecasts were compared to assess the veracity of the two models. The models produced similar traffic forecasts. The SLOCOG model has a larger geographic and demographic base, and is therefore considered more reliable for traffic forecasts on regional facilities (U.S. 101 and SR 46W in this case). The City's model is more land-use driven and is considered more reliable for forecasting traffic on local streets (1st Street, Vine Street, Theatre Drive, and Ramada Drive in this case). Year 2035 forecasts were therefore developed using a blend of the two models. Figure 9 shows the Year 2035 traffic forecasts and Figure 10 shows the Year 2035 + Project forecasts for the study-area street network.

Year 2035 and Year 2035 + Project Freeway Operations

Year 2035 and Year 2035 + Project levels of service were calculated for U.S. 101 using the peak hour volumes shown on Figures 9 and 10. The Year 2035 and Year 2035 + Project level of service forecasts are compared in Table 12.

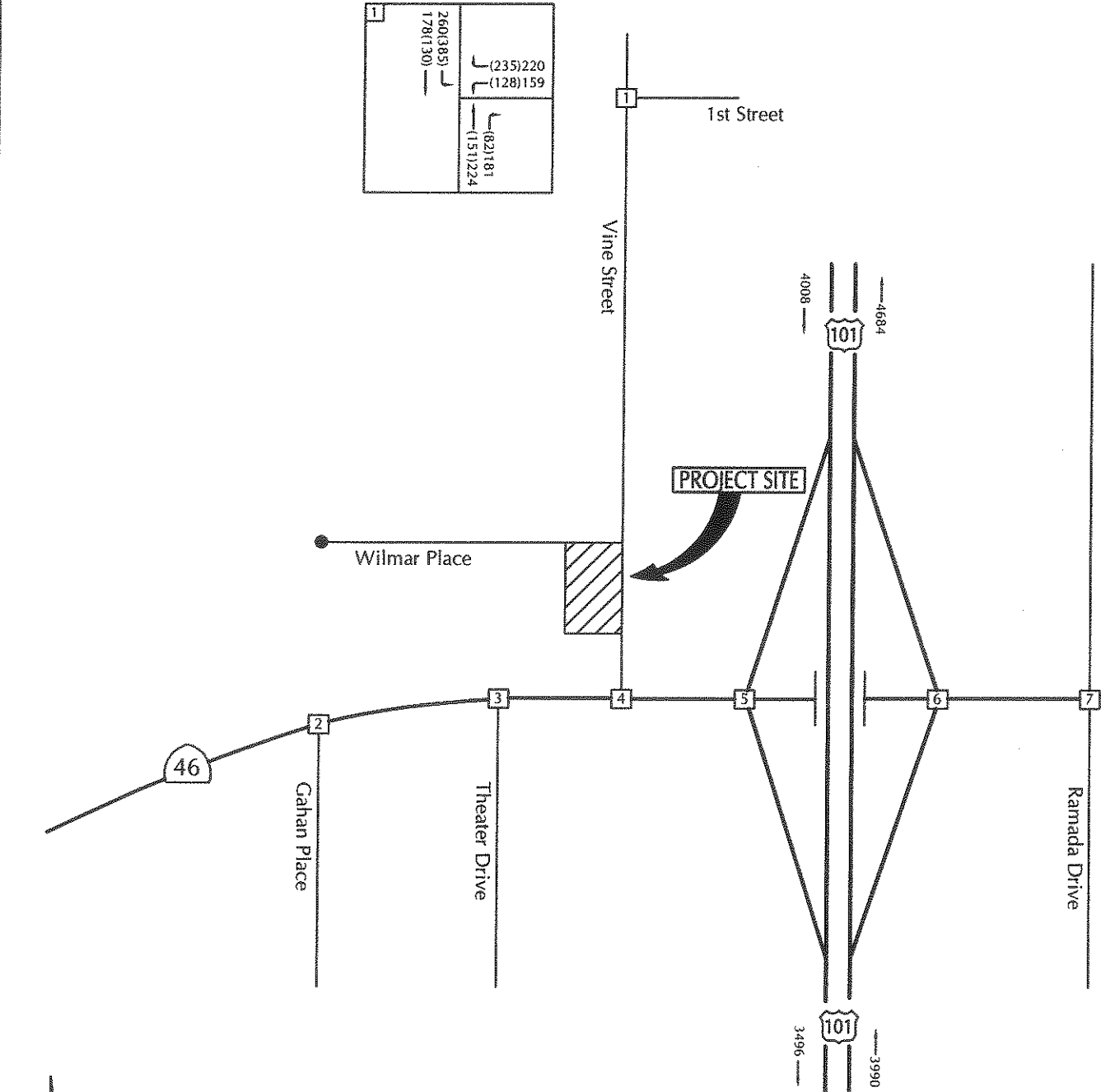
Table 12
Year 2035 and Year 2035 + Project Freeway Operations

Segment/Direction	P.M. Peak Hour Operations				Impact?
	Year 2035		Year 2035 + Project		
	Density(a)	LOS(b)	Density(a)	LOS(b)	
U.S. 101 - North of SR 46W					
Northbound	48.6	LOS F	48.9	LOS F	YES
Southbound	34.6	LOS D	34.8	LOS D	NO
U.S. 101 - South of SR 46W					
Northbound	34.3	LOS D	34.6	LOS D	NO
Southbound	27.5	LOS D	27.7	LOS D	NO

(a) Density in passenger car equivalents per lane per mile.

(b) LOS based on density pursuant to 2010 HCM.

1	260(885) 178(130)	(235)220 (128)159	(82)181 (151)224
---	----------------------	----------------------	---------------------



NOT TO SCALE

LEGEND
 XX - (A.M.)P.M. Peak Hour Volume

2	3	4	5	6	7
(543)738 (5)5	(478)643 (358)488	230(197) 224(134)	160(210) 715(587)	(334)446 (110)190	(130)250 (286)459
712(495) 30(5)	627(420) 90(80)	263(138) 876(567)	933(652) 173(112)	736(467) 357(395)	193(207) 279(303)
(5)5 (15)20	(285)512 (70)70			(115)115 (153)177	(30)60 (188)396



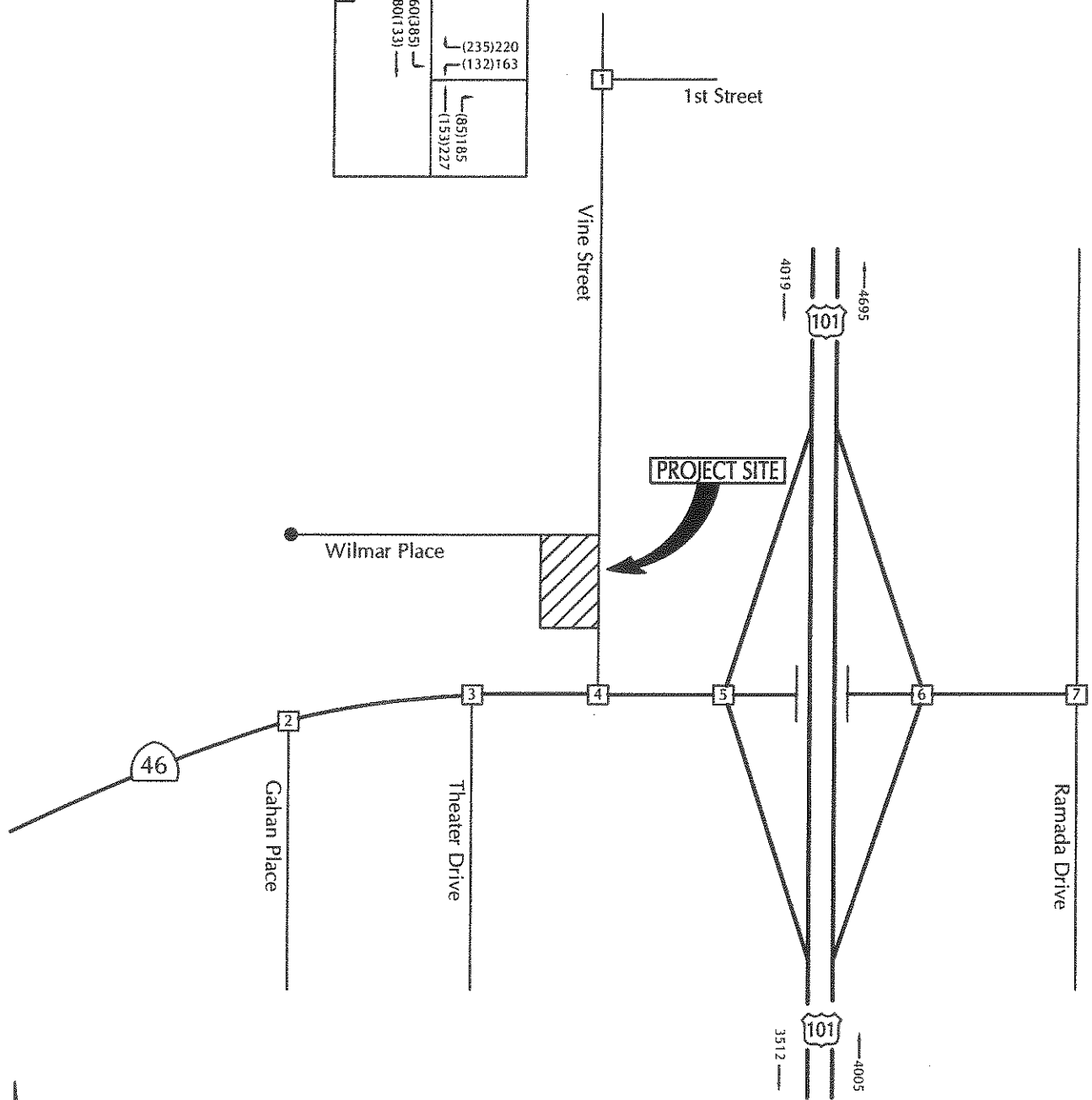
ASSOCIATED
 TRANSPORTATION
 ENGINEERS

YEAR 2035 TRAFFIC VOLUMES

FIGURE 9

MMF - #13043

1	260(385) 180(133)	(235)220 (132)163	(85)185 (153)227
---	----------------------	----------------------	---------------------



LEGEND

XX - (A.M.)P.M. Peak Hour Volume

NOT TO SCALE

2	3	4	5	6	7
716(500) 30(5)	631(425) 90(80)	271(148) 876(567)	945(662) 189(124)	747(476) 358(396)	194(208) 279(303)
(547)743 (5)5	(482)648 (362)493	258(219) 234(142)	160(210) 726(599)	(130)250 (289)462	55(35) 313(229)
(15)120 (15)5	(290)516 (70)100	(248)285 (702)907	(354)464 (110)190	(115)115 (170)192	(30)60 (190)399



ASSOCIATED
TRANSPORTATION
ENGINEERS

YEAR 2035 + PROJECT TRAFFIC VOLUMES

FIGURE 10

MMF - #13043

As shown in Table 12, most of the U.S. 101 segments are forecast to operate at LOS D. The northbound flow on the segment north of SR 46W is forecast at LOS F with or without the Marriott Residence Inn Project. The Marriott Residence Inn Project would add 11 northbound trips to this segment during the peak hour period - contributing to the congestion that is forecast in the future (see Mitigation Measures section of report for mitigation).

Year 2035 and Year 2035 + Project Intersection Operations

Year 2035 and Year 2035 + Project levels of service were calculated for the study-area intersections using the A.M. and P.M. peak hour volumes shown on Figures 9 and 10. Table 13 compares the level of service forecasts.

**Table 13
Year 2035 and Year 2035 + Project Intersection Operations**

Intersection	Delay Per Vehicle/LOS(a)				Impact?
	A.M. Peak		P.M. Peak		
	Year 2035	Year 2035 + Project	Year 2035	Year 2035 + Project	
Vine St/1st St	29.6 Sec./LOS D	30.5 Sec./LOS D	20.7 Sec./LOS C	21.1 Sec./LOS C	NO
SR 46W/Gahan Pl	19.8 Sec./LOS C	20.1 Sec./LOS C	47.3 Sec./LOS E	49.1 Sec./LOS E	NO
SR 46W/Theatre Dr	12.6 Sec./LOS B	12.7 Sec./LOS B	21.1 Sec./LOS C	22.5 Sec./LOS C	NO
SR 46W/U.S. 101 SB(b) SR 46W/Vine St(b)	45.4 Sec./LOS D	47.2 Sec./LOS D	> 80 Sec./LOS F	> 80 Sec./LOS F	YES
SR 46W/U.S. 101 NB(c) SR 46W/Ramada Dr(c)	34.9 Sec./LOS C	34.8 Sec./LOS C	68.6 Sec./LOS E	70.8 Sec./LOS E	YES

Bolded values exceed adopted standards.

- (a) LOS based on average delay per vehicle in seconds pursuant to the HCM operations methodology.
- (b) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 SB and SR 46W/Vine Street intersections since they operate as a single unit.
- (c) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 NB and SR 46W/Ramada Drive intersections since they operate as a single unit.

The information in Table 13 show that the SR 46W/Gahan Place intersection is forecast to operate at LOS E during the P.M. peak hour period with Year 2035 traffic and with Year 2035 + Project traffic. The reported LOS E represents the delay for vehicles turning left from Gahan Place onto SR 46W. The other movements at the intersection would have little or no delay (the forecast shows a minor delay for turning right from Gahan Place onto SR 46 and no delay for vehicles traveling along SR 46W). A total of 20 vehicles are forecast to turn left from Gahan Place onto SR 46W in Year 2035. The Marriott Residence Inn Project would not add any vehicles to this movement. Since the intersection would not warrant improvements to reduce delays for the low volume approach (e.g. traffic signals or a median left-turn lane), the impact is considered less than significant.

The information in Table 13 also show that the U.S. 101/SR 46W interchange is forecast to operate at LOS E-F with Year 2035 and Year 2035 + Project traffic. Traffic added to the interchange by the Marriott Residence Inn Project would contribute to the impact under Year 2035 conditions. Mitigation measures are discussed below.

MITIGATION MEASURES

Cumulative Mitigations

SR 46W/U.S. 101. The Cumulative + Project analysis found that the two intersections that comprise the west side of the SR 46W/U.S. 101 interchange (SR 46W/U.S. 101 SB & SR 46W/Vine Street) would degrade to LOS D during the P.M. under Cumulative + Project conditions, which exceeds the Caltrans LOS C standard. Furthermore, past studies found that increases in regional traffic, coupled with traffic from development projects in the area, will eventually degrade operations at the SR 46W/U.S. 101 interchange to LOS F. Caltrans prepared a Project Approval/Environmental Document (PA-ED) for improvements planned to accommodate future traffic volumes. As derived from the PA-ED, the following improvements are planned for the interchange:


1. Realign Theatre Drive and Vine Street frontage roads to the west and connect with SR 46W at a signalized intersection.
2. Construct a roundabout at the U.S. 101 SB/SR 46W intersection.
3. Construct a roundabout at the U.S. 101 NB/SR 46W/Ramada Drive intersection.

The City has completed the first phase of the project by realigning Theatre Drive to the west, where it connects to SR 46W at a signalized intersection. The next phase of the planned improvements is to realign Vine Street to the west and connect with SR 46W at the SR 46W/Theatre Drive intersection.

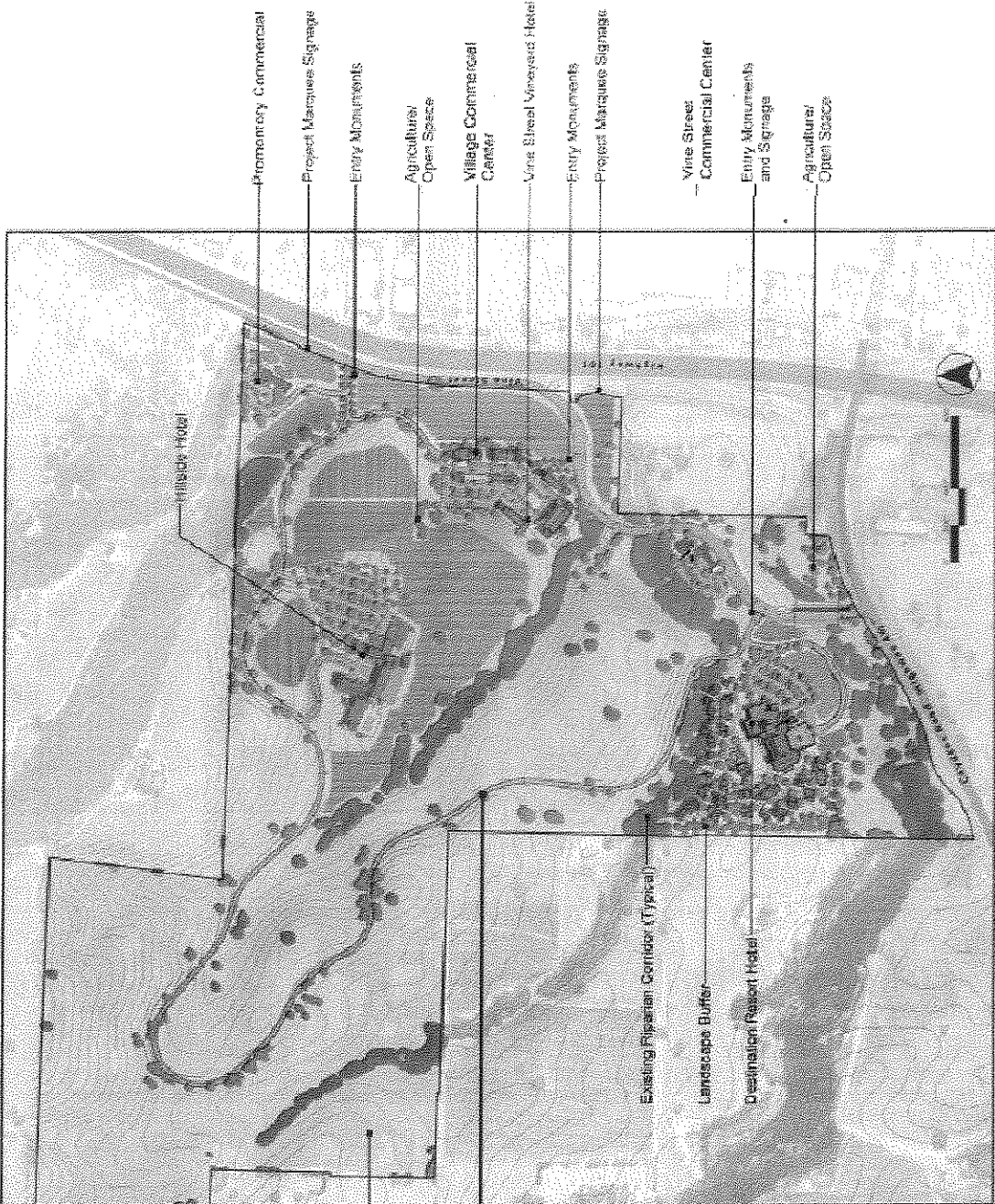
As noted, the Cumulative traffic forecasts include the Paso Robles Gateway Project, which is located just northwest of the Marriott Residence Inn site. The Paso Robles Gateway Project includes three hotels, three commercial sites, and 35 single family residential units. The Paso Robles Gateway Project also includes the realignment of Vine Street through that site. Figure 11 shows the Paso Robles Gateway Project site plan with the realignment of Vine Street through that site.

Cumulative + Project levels of service were calculated for the SR 46W/U.S. 101 interchange and the SR 46W/Theatre Drive-Vine Street intersection assuming the realignment of Vine Street as a mitigation measure for the Cumulative + Project impact. The level of service forecasts for the SR 46W/Theatre Drive-Vine Street intersection assume widening of SR 46W in order to accommodate the additional lanes planned at the intersection. The lane geometry for the SR 46W/Theatre Drive-Vine Street intersection is shown in Table 14. Figure 12 shows the Cumulative + Project peak hour traffic volumes assuming the Vine Street realignment and the level of service forecasts are shown in Table 15.

PASO ROBLES GATEWAY PROJECT SITE PLAN - VINE STREET REALIGNMENT



ASSOCIATED
TRANSPORTATION
ENGINEERS

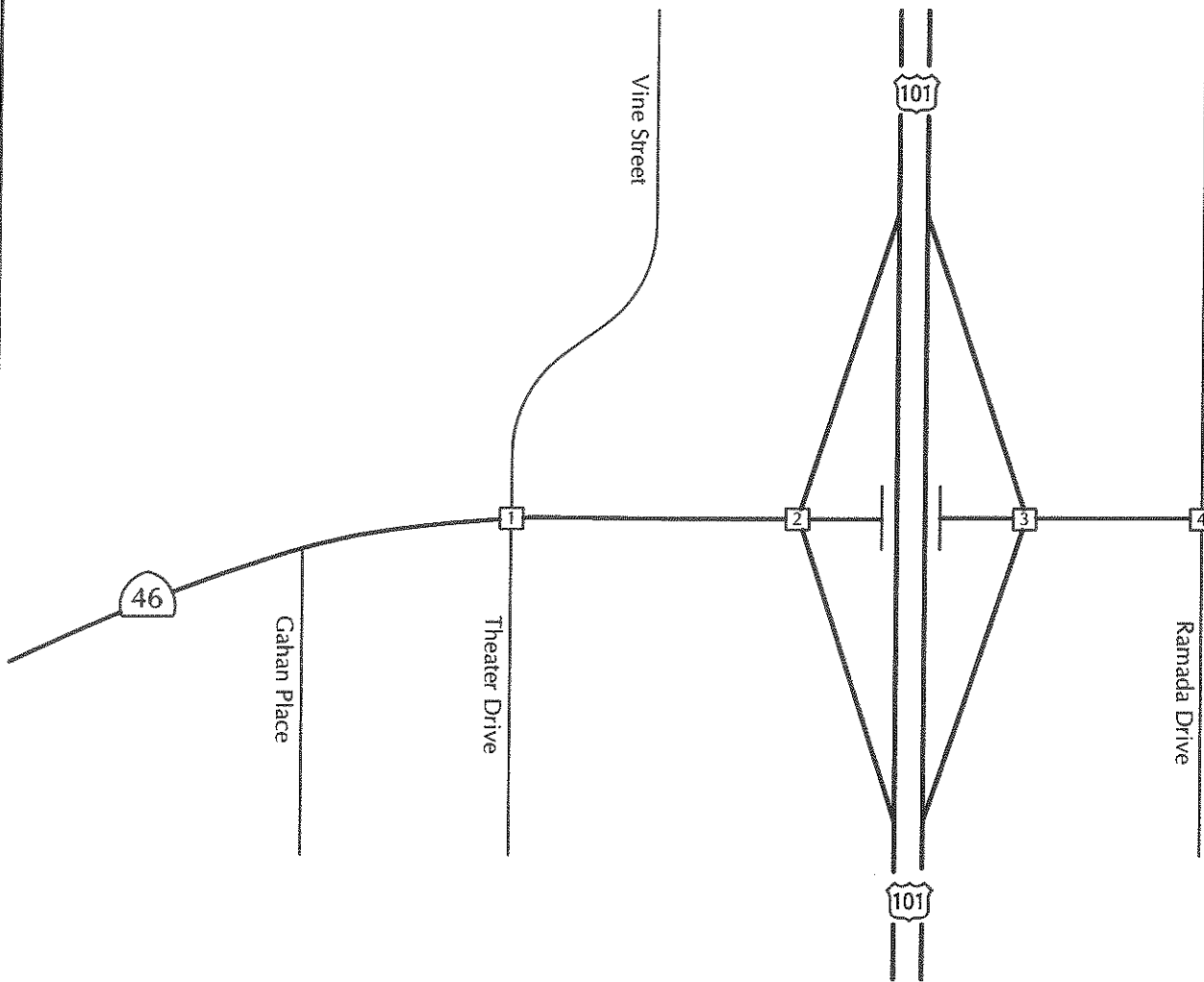



- Frontage Commercial
- Project Marquees Signage
- Entry Monuments
- Agriculture/ Open Space
- Village Commercial Center
- Vine Street Vineyard Hotel
- Entry Monuments
- Project Marquees Signage
- Vine Street Commercial Center
- Entry Monuments and Signage
- Agriculture/ Open Space

	Approx. Floor Area	Approx. Access
LAND USE		
100-Room Destination Resort Hotel	175,000 sf	XX BC
150-Room Vine Street Vineyard Hotel	76,000 sf	XX BC
Village Commercial Center	20,000 sf	XX BC
192-Room Hilsch Hotel	175,000 sf	XX BC
FRONTAGE COMMERCIAL	16,000 sf	XX BC
Vine Street Commercial Center	20,000 sf	XX BC
Vine Street B.2.1V		XX BC
Suburban Residential	TRD	XX BC
Open Space / Agriculture		XX BC
Land 1994		XX BC
TOTAL	438,000 sf	269.0 AC

Summary

	Approx. Floor Area	Approx. Access
LAND USE		
100-Room Destination Resort Hotel	175,000 sf	XX BC
150-Room Vine Street Vineyard Hotel	76,000 sf	XX BC
Village Commercial Center	20,000 sf	XX BC
192-Room Hilsch Hotel	175,000 sf	XX BC
FRONTAGE COMMERCIAL	16,000 sf	XX BC
Vine Street Commercial Center	20,000 sf	XX BC
Vine Street B.2.1V		XX BC
Suburban Residential	TRD	XX BC
Open Space / Agriculture		XX BC
Land 1994		XX BC
TOTAL	438,000 sf	269.0 AC




 N
 NOT TO SCALE

LEGEND
 LXX - P.M. Peak Hour Volume

1	216 148 59	202 198 264	2	135 436	233 55	3	245 158	4	40 191	131 115	40 193
	54 257 35	240 199 25		557 146			476 206				



ASSOCIATED
 TRANSPORTATION
 ENGINEERS

**CUMULATIVE + PROJECT P.M. PEAK HOUR TRAFFIC VOLUMES
 - VINE STREET REALIGNMENT**

FIGURE 12

MMF - #13043

Table 14
SR 46W/Theatre Drive-Vine Street - Mitigated Lane Geometry

Scenario	Intersection Approach			
	Northbound Theatre Drive	Southbound Vine Street	Eastbound SR 46W	Westbound SR 46W
Existing	L R	NA(a)	T R	LL T
With Mitigation	L T R	L TR	L T R	LL T R

(a) Not Applicable. Intersection approach not present for Existing conditions.

Table 15
Cumulative + Project Intersection Operations - Mitigated

Intersection	P.M. Peak
	Delay Per Vehicle/LOS
SR 46W/Theatre Dr/Vine St(a)	20.5 Sec./LOS C
SR 46W/U.S. 101 SB(a)	23.8 Sec./LOS C
SR 46W/U.S. 101 NB/Ramada Dr(b)	21.4 Sec./LOS C

(a) LOS based on average delay per vehicle in seconds for signalized intersections pursuant to the HCM operations methodology.

(b) LOS represents average delay per vehicle for all movements using the SR 46W/U.S. 101 NB and SR 46W/Ramada Drive intersections since they operate as a single unit.

As shown, the intersections that would be affected by the Vine Street realignment are forecast to operate at LOS C with Cumulative + Project traffic, which meets Caltrans' LOS C standard and therefore mitigates the cumulative impact.

Year 2035 Mitigations

U.S. 101. The Year 2035 modeling found that the northbound segment of U.S. 101 north of SR 46W is forecast to operate at LOS F during the P.M. peak hour period, which exceeds the Caltrans LOS D target for the freeway. This segment is forecast to operate at LOS F with or without the project, indicating that the level of service impact is not the direct result of the project.

The eventual need for widening U.S. 101 from the current four-lane facility to a six-lane facility is recognized in the Regional Transportation Plan. Given the current highway levels of service and constrained funding resources, the plan recommends deferring six-laning and devoting available funds toward operational improvements, parallel route development, transit investments and multi-modal improvements.

For mitigation, the Marriott Residence Inn Project would be required to contribute to the improvements planned at the U.S. 101/SR 46W interchange (see below). Those improvements include widening the U.S. 101 bridge over SR 46W to accommodate the planned widening of U.S. 101 to a six-lane facility.

U.S. 101/SR 46W. The Year 2035 analysis showed that the U.S. 101/SR 46W interchange is forecast to operate at LOS F (with and without the project). This finding is consistent with past planning studies completed by the City and Caltrans. Those studies found that increases in regional traffic, coupled with traffic from development projects in the area, will degrade operations to LOS F at the interchange. As outlined above, the improvements planned for the interchange include realigning the Theatre Drive and Vine Street frontage roads to the west and construction of roundabouts at the U.S. 101/SR 46W interchange.

The City has realigned Theatre Drive to the west and the mitigation for the cumulative impact is to realign Vine Street to connect at the SR 46W/Theatre Drive intersection. Thus, the remaining mitigations for the Year 2035 scenario are to construct the roundabouts at the U.S. 101/SR 46W interchange. Figure 13 shows the Year 2035 + Project peak hour traffic volumes assuming the planned improvements and Table 16 shows the resulting levels of service. As shown, the impacted intersections are forecast to operate at LOS C or better with Year 2035 + Project traffic assuming the planned improvements, which meets Caltrans' LOS C standard.

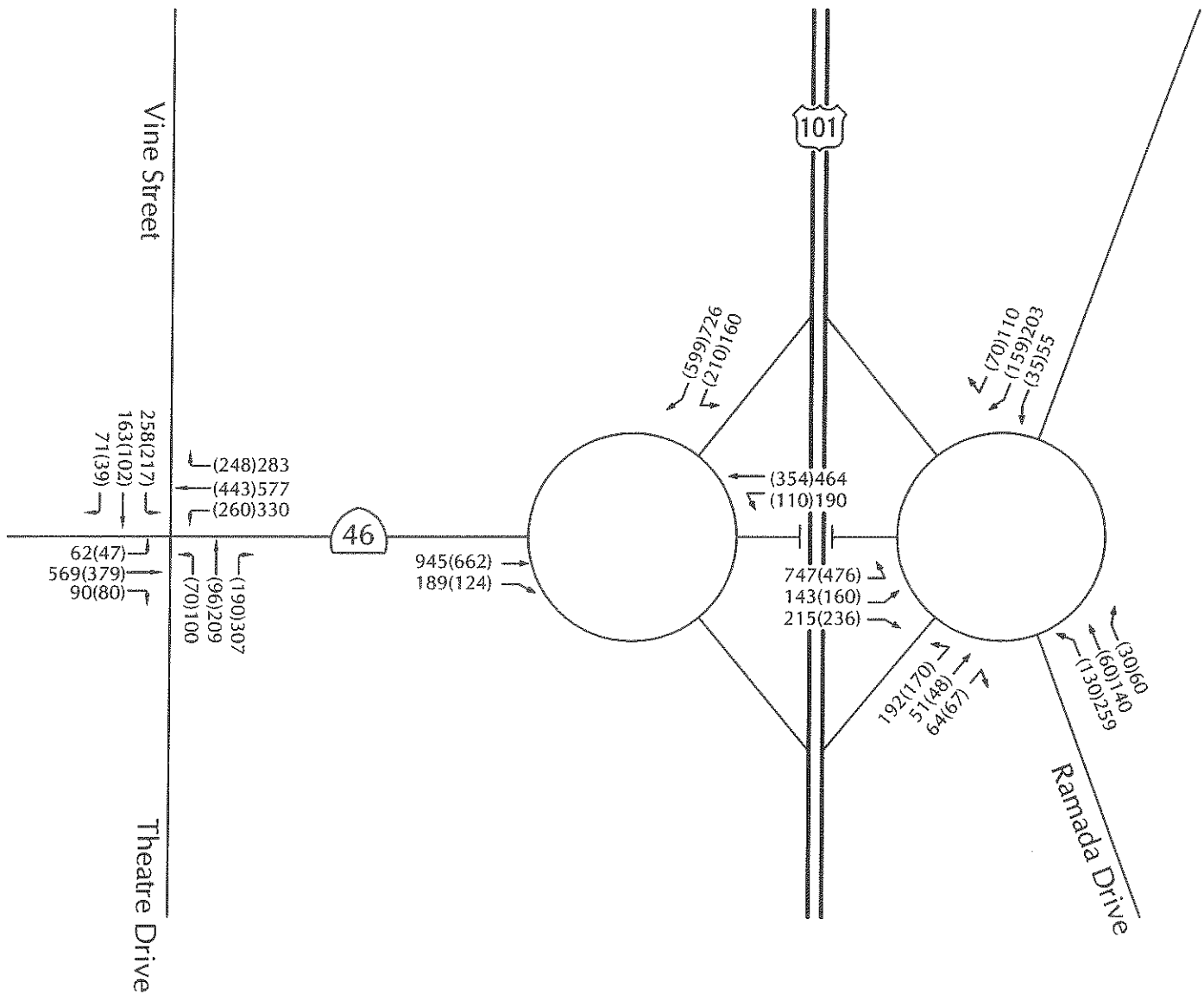
**Table 16
Year 2035 + Project Intersection Operations - Mitigated**

Intersection	Control	Delay Per Vehicle/LOS	
		A.M. Peak	P.M. Peak
SR 46W/Theatre Dr-Vine St(a)	Signal	21.0 Sec./LOS C	34.6 Sec./LOS C
SR 46W/U.S. 101 SB(b)	Roundabout	9.1 Sec./LOS A	24.2 Sec./LOS C
SR 46W/U.S. 101 NB/Ramada Dr(b)	Roundabout	7.2 Sec./LOS A	17.2 Sec./LOS C

- (a) LOS based on average delay per vehicle in seconds for signalized intersections pursuant to the HCM operations methodology.
- (b) LOS based on average delay per vehicle in seconds for roundabout intersections pursuant to the HCM operations methodology.

CITY OF PASO ROBLES CIRCULATION ELEMENT CONSISTENCY

The City of Paso Robles updated their Circulation Element in 2011. Pursuant to Goal CE-1, "The purpose of the circulation system is to maintain and enhance safe and efficient person mobility in the City. To support this goal, the 2011 Circulation Element Update changes how the performance of the transportation network is measured by de-emphasizing an auto-centric measure (level of service or LOS) in favor of measures that represent a more efficient use of resources, support the mobility of people, quality of life and small town feel desired by residents."



NOT TO SCALE

LEGEND

XX - (A.M.)P.M. Peak Hour Volume



ASSOCIATED
TRANSPORTATION
ENGINEERS

YEAR 2035 + PROJECT TRAFFIC VOLUMES
WITH PLANNED IMPROVEMENTS

FIGURE 13

MMF - #13043

Vehicular Traffic

For automobile traffic, the Circulation Element assessed future vehicular traffic projections in terms of roadway capacity utilization on a daily basis. Key roadways, which form the basis of the City's circulation network, were identified and analyzed to determine if the future General Plan buildout traffic volumes could be accommodated by the existing roadways or if the roadway network needs to be expanded. Theatre Drive, Vine Street and Ramada Drive are part of the City's circulation network. Table 17 shows the capacity, Year 2035 + Project volume, and volume-to-capacity (v/c) ratio for each roadway. The analysis applies the roadway capacities and v/c ratio methods outlined in the updated Circulation Element using the Year 2035 + Project volume forecasts developed for this study.

Table 17
City of Paso Robles Roadway Analysis

Roadway Segment	Roadway Class	Year 2035 + Project Volume	Existing Capacity(a)	V/C Ratio
Theatre Dr s/o SR 46W	2-Lane Arterial	12,300 ADT	21,700 ADT(b)	0.57
Vine St n/o SR 46W	2-Lane Arterial	11,800 ADT	17,700 ADT	0.67
Ramada Dr n/o SR 46W	2-Lane Local	6,400 ADT	9,600 ADT	0.67
Ramada Dr s/o SR 46W	2-Lane Local	8,100 ADT	9,600 ADT	0.84

(a) Acceptable Capacity rating from City of Paso Robles Circulation Element.

(b) Indicates the presence of a raised median or two-way left-turn lane.

As shown in Table 17, the Year 2035 + Project traffic volumes forecasted for the City's streets in the project study area are within their respective capacity designations. The results indicate that Year 2035 + Project traffic volumes would be accommodated and not trigger the need for expanding the City's street network in the study area. These forecasts and findings are consistent with the traffic analysis prepared for the City's Circulation Element update.

Alternative Travel Modes

Many of the goals and policies in the City's new Circulation Element are intended to promote alternative travel modes, including walking, biking, and transit. The following text addresses pedestrian, bicycling, and transit facilities in the project study area.

Pedestrians. Pedestrians activity in the project study area is relatively light, which can be attributed to the rural nature of the area and lack of land development. Pedestrian counts collected in the study area show a total of 2 pedestrians walking along SR 46W and/or Vine Street adjacent to the site during the A.M. and P.M. peak hour periods (count data is contained in the Technical Appendix). A pedestrian sidewalk is provided along the south side of SR 46W but there is no sidewalk along Vine Street in the study area. It is recommended that the Marriott Residence Inn Project provide sidewalk on Vine Street along its project frontage. It is also recommended that the on-site roadways and parking areas be designed to accommodate pedestrians (including sidewalk on Wilmar Place).

Bicycles. Bicycle activity in the project study area is also relatively light. Bicycle counts collected in the study area show a total of 4 bicyclists traveling along SR 46W and/or Vine Street adjacent to the site during the A.M. and P.M. peak hour periods. Bike lanes are provided along Vine Street and paved shoulders are provided along SR 46W for bicyclists.

Transit. The City of Paso Robles is served by the Paso Express transit system. The Paso Express is a fixed-route transit service that operates along designed routes. The system includes Routes A, B, and C. Route C serves the southern city area and traverses the project study area. Route C extends along Vine Street, Theatre Drive, and a portion of U.S. 101 to reach its most southern destination at the Twin Cities Hospital in Templeton. Service is provided hourly on Mondays-Fridays from 7:15 A.M. to 7:15 P.M.; and on Saturdays from 10:15 A.M. to 4:15 P.M. Route C connects to the other city areas via transfer. The Paso Express system also connects riders to the SLO RTA transit system for travel outside of the city. For the Marriott Residence Inn Project, it is recommended that the applicant contact Paso Express to determine if transit service could be enhanced by providing a bus stop on Vine Street adjacent to the site.

COUNTY OF SAN LUIS OBISPO IMPACTS

U.S. 101/Main Street

County staff requested an analysis of potential impacts to the U.S. 101/Main Street interchange located in the County area adjacent to Templeton about 1.7 miles south of the U.S. 101/SR 46W interchange. Recent traffic studies have found that peak hour operations at U.S. 101/Main Street exceed the County's LOS C standard for rural areas and the interchange will eventually degrade to LOS F. While there may be some congestion at the U.S. 101/Main Street interchange during peak hour periods, the Marriott Residence Inn Project is not anticipated to add traffic to the ramp system during peak periods. Given the location of the project site, traffic to/from the Marriott Residence Inn Project site would use the U.S. 101/SR 46W interchange for freeway access rather than the U.S. 101/Main Street interchange located 1.7 miles to the south.

Ramada Drive

The segment of Ramada Drive south of SR 46W extends into the County of San Luis Obispo. Ramada Drive currently carries 3,700 ADT south of SR 46W, which equates to LOS A operations. The Marriott Residence Inn Project would add 28 ADT to Ramada Drive south of SR 46W, and it would continue to operate at LOS A under Existing + Project conditions. Further, the roadway is forecast to carry about 4,000 ADT under Cumulative + Project conditions, which equates to LOS A operations. The analysis shows that the Marriott Residence Inn Project would not significantly impact operation of the segment of Ramada Drive located in the County under the Existing + Project and Cumulative + Project scenarios.



STUDY PARTICIPANTS AND REFERENCES

ATE

Justin S. Link, PE, Associated Transportation Engineers
Scott A. Schell, AICP, PTP, Associated Transportation Engineers
Dan Dawson, PTP, Associated Transportation Engineers
Matt Farrington, Associated Transportation Engineers

Agencies

John Falkenstien, PE, City of Paso Robles
Frank Boyle, PE, Caltrans District 5

References

2010 Highway Capacity Manual, Transportation Research Board, 2010.

Caltrans Guide for the Preparation of Traffic Impact Studies, Caltrans, December 2002.

City of Paso Robles General Plan 2011 Circulation Element, Fehr & Peers, February 2011.

Route 101/Route 46 West Capacity and Level of Service Analyses, Associated Transportation Engineers, 2002.

State Route 46 Corridor System Management Plan, San Luis Obispo County, Caltrans, June 2009.

Traffic and Circulation Study for the Theatre Drive Relocation Project, Associated Transportation Engineers, 2007.

Traffic and Circulation Study for the Paso Robles Gateway Project, Associated Transportation Engineers, 2013.

Traffic Impact Study for the Durand Project, Associated Transportation Engineers, 2006.

Traffic Impact Study for the Inns at Vintners Village Project, Associated Transportation Engineers, 2005.

Transportation Concept Report for U.S. Route 101 in Caltrans District 5, California Department of Transportation, District 5, October 2001.

REFERENCES - continued

Transportation Planning Fact Sheet, State Route 46 in San Luis Obispo County, Caltrans, September 2009.

Transportation Planning Fact Sheet for U.S Route 101 in San Luis Obispo County, California Department of Transportation, District 5, September 2009.

Trip Generation, Institute of Transportation Engineers, 9th Edition, 2012.

U.S. Highway 101/Route 46 West PA-ED Traffic Report, Associated Transportation Engineers, 2006.



ASSOCIATED TRANSPORTATION ENGINEERS

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

Since 1978

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

April 7, 2014

13043L01

John Falkenstien
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

MARRIOTT RESIDENCE INN PROJECT – RESPONSE TO COMMENTS

ATE reviewed the comment letter provided by Nossaman LLP on the Initial Study and Draft Mitigated Negative Declaration for the Marriott Residence Inn Project at 121 Wilmar Place in the City of Paso Robles (copy of letter attached for reference). The majority of the comments are legal arguments, which we are not prepared to address. However, the following information is being provided to address the traffic-related issues made in the comments.

Nossaman Comment #4. This argument is based on and/or refers to alternatives outlined in the Project Study Report (PSR) that was prepared by Caltrans for the U.S. Highway 101/State Route 46 West interchange. Referring to the PSR document is no longer valid. The PSR is the first step in the Caltrans planning process and that document explored a range of improvement options for the interchange. The improvements planned for the U.S. Highway 101/State Route 46 West interchange have since progressed and have been approved by Caltrans. The Project Approved-Environmental Document (PA-ED) that was prepared by Caltrans included two alternatives for the improving traffic operations at the interchange.

Alternative 1. Alternative 1 includes: 1) realigning Theater Drive to the west, forming a "T" intersection (signalized) with Route 46W; 2) constructing a roundabout at the U.S. Highway 101 SB/Route 46W/Vine Street intersection, and 3) constructing a roundabout at the U.S. Highway 101 NB/Route 46W/Ramada Drive intersection.

Alternative 2. Alternative 2 is similar to Alternative 1, but also includes the realignment of Vine Street to connect with Route 46W opposite Theatre Drive at the new intersection west of the interchange. Roundabouts would be constructed at the U.S. Highway 101 SB/Route 46W intersection and U.S. Highway 101 NB/Route 46W/Ramada Drive intersection.

The first phase of the interchange improvement project has been completed, which was the realignment Theater Drive to the west with the new signalized intersection at the Route 46W/Theatre Drive intersection. The next phase will be the realignment of Vine Street if Alternative 1 if constructed; or will be construction of roundabouts at the U.S. Highway 101 SB/Route 46W/Vine Street intersection and U.S. Highway 101 NB/Route 46W/Ramada Drive intersection if Alternative 2 is constructed.

It is important to note that construction of the Marriott Residence Inn Project would not preclude either of the two interchange alternatives that have been approved by Caltrans. Caltrans staff stated on several occasions during the course of the planning process that they are not concerned with the actual alignment of Vine Street across the properties between the existing alignment and the future connection to Route 46W. Their only concern is that the realigned Vine Street connect with Route 46W opposite Theatre Drive at the signalized intersection if Alternative 1 is selected for construction.

Nossaman Comment #10. This comment contends that the sight distances at the Vine Street/Wilmar Place intersection are not adequate and will increase the potential for accidents.

ATE conducted a field review of the Vine Street/Wilmar Place intersection to determine the adequacy of the sight distances. The Caltrans Highway Design Manual¹ sight distance standards were used to determine adequacy of the sight distances at the intersection. The posted speed limit along this segment of Vine Street is 45 MPH. Floating car surveys found that vehicles travel within the posted speed limit (the floating car surveys found speeds slightly less than 45 MPH for southbound Vine Street because those vehicles are released from the signal at Route 46W and then climb a slight hill between Route 46W and Wilmar Place).

Based on Caltrans criteria, the minimum required sight distance from Wilmar Place is 495 feet. The measured sight distance looking to the north is more than 1,100 feet, well in excess of the minimum. The sight distance looking to the south is limited by a crest vertical curve on Vine Street (see attached Photo 1). The sight distance measured in the field is about 590 feet, which exceeds the 495-foot minimum recommended in the Caltrans design manual. Thus, adequate sight distances are available at the Vine Street/Wilmar Place intersection.

¹ Highway Design Manual, California Department of Transportation, Sixth Edition, Updated May 2012.

This concludes our responses to the comments submitted by Nossaman LLP on the Initial Study and Draft Mitigated Negative Declaration for the Marriott Residence Inn Project proposed in the City of Paso Robles.

Associated Transportation Engineers

Handwritten signature of Scott A. Schell in black ink.

Scott A. Schell, AICP, PTP
Principal Transportation Planner

DLD/SAS

Attachments

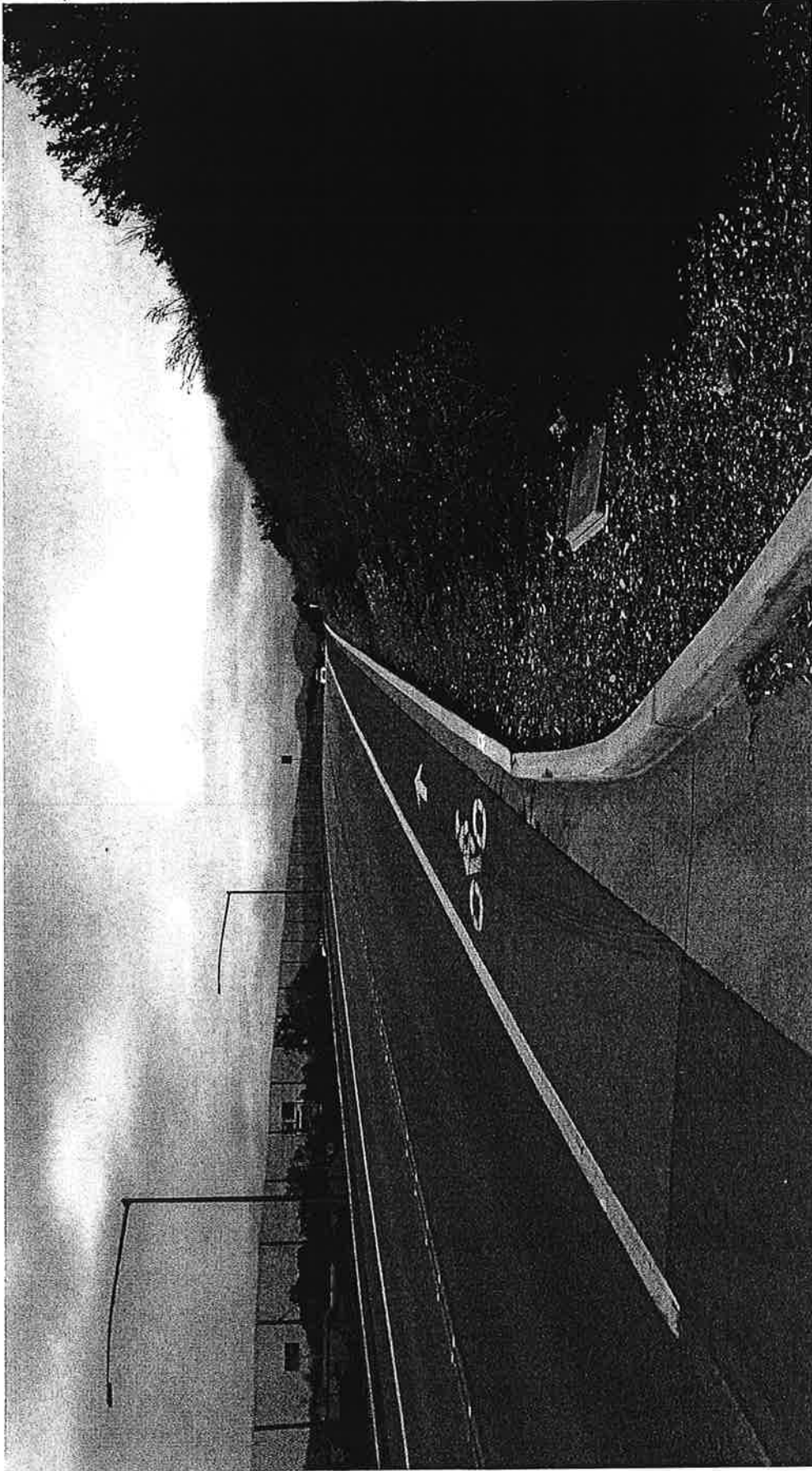


PHOTO 1

VIEW ALONG VINE STREET TO SOUTH FROM WILMAR PLACE

MANF - #13043





ATTORNEYS AT LAW

18101 Von Karman Avenue
Suite 1800
Irvine, CA 92612
T 949.833.7800
F 949.833.7878

Gregory W. Sanders
gsanders@nossaman.com

Refer To File #: 290324-0001

VIA FEDERAL EXPRESS

March 24, 2014

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

Re: Comments on Initial Study and Draft Mitigated Negative Declaration for the Marriott Residence Inn Proposed at 121 Wilmar Place (PD 13-005) (PR 13-0109) (OTR 13-008)

Dear Chairman Vanderlip and Commissioners,

On behalf of Quorum Realty Fund III, LLC, we are submitting the following comments on the Initial Study and draft Mitigated Negative Declaration ("Draft MND") circulated for public comment by the City of Paso Robles ("City") regarding the Marriott Residence Inn proposed to be constructed at 121 Wilmar Place, Paso Robles, California ("Project"). For the reasons set forth below, the Draft MND fails to comply with the California Environmental Quality Act ("CEQA"),¹ the CEQA Guidelines,² the City's Zoning Code,³ and the General Plan. Because the Draft MND is legally insufficient, and because the Project is inconsistent with the governing planning documents, the Draft MND and the Project cannot be approved by the City. Moreover, because substantial evidence demonstrates that the mitigation measures may not reduce all impacts of the Project to a level of insignificance -- particularly with respect to aesthetics, transportation/traffic, noise, biology, and hydrology/water quality -- an Environmental Impact Report ("EIR") must be prepared for the Project.

1. AN EIR MUST BE PREPARED FOR THE PROJECT.

Because of the importance of an EIR to the environmental review process, the legislature has established a low threshold for requiring preparation of an EIR: the "fair argument standard." (*Citizen Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754.) An EIR is required where there is substantial evidence in the record supporting a fair argument that significant impacts may occur. Even if there is other substantial evidence in the record to support the opposite conclusion, the agency nevertheless must prepare an EIR. (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75.) A Negative Declaration may be used only if there is no substantial evidence in light of the whole record before the lead agency that a significant effect on the environment may result from the development of the project. (Pub.

¹ Public Resources Code, section 21000 et seq.

² California Code of Regulations, title 14, section 15000 et seq.

³ City of Paso Robles Municipal Code, title 21.

Resources Code, § 21080, subd. (c).) Similarly, adoption of a Mitigated Negative Declaration is not appropriate unless the evidence in the record conclusively demonstrates that mitigation measures, adopted and monitored through enforceable means, will reduce all impacts to a level of insignificance. (*San Bernardino Valley Audubon Soc'y v. Metropolitan Water Dist.* (1999) 71 Cal.4th 382, 391.) If there is substantial evidence that the mitigation measures may not reduce all impacts to a level of insignificance, an EIR must be prepared. In this case, because substantial evidence demonstrates that the mitigation measures may not reduce all impacts of the Project to a level of insignificance -- particularly with respect to aesthetics, transportation/traffic, noise, biology, and hydrology/water quality -- an EIR must be prepared for the Project.

2. THE DRAFT MND MUST BE RECIRCULATED BECAUSE IT FAILED TO PROVIDE THE PUBLIC WITH MEANINGFUL OPPORTUNITY TO COMMENT ON THE PROJECT'S POTENTIAL ENVIRONMENTAL EFFECTS.

Under California law, the public must be given a meaningful opportunity to comment on environmental documents prepared pursuant to CEQA. (*Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112, 1120 [recirculation of environmental document required when the document "deprives the public of meaningful opportunity to comment"]; accord *Silverado Modjeska Recreation and Parks Dist. v. County of Orange* (2011) 197 Cal.App.4th 282.)

Recirculation is required in this case because the Draft MND failed to provide the public with a meaningful opportunity to comment on the Project's potential effects on traffic. In its Transportation/Traffic discussion, the Draft MND relies on a Traffic Impact Study (Attachment 12 of the Draft MND). However, the Draft MND failed to include four pages of the Traffic Impact Study, including the pages identifying the sources upon which the report relies. By omitting these essential portions of the Traffic Impact Study, the circulated Draft MND failed to give the public any meaningful opportunity to review and comment on the various sources, and thereby the traffic impacts related to the Project. Accordingly, at a minimum, recirculation of the Draft MND with the entire Traffic Impact Study, for the entire statutory period, is required in order to comply with the legal mandates of CEQA. (See Pub. Resources Code, § 21003, subd. (b) [documents prepared pursuant to CEQA must be "organized and written in a manner that will be meaningful and useful to decisionmakers and to the public".])

3. THE DRAFT MND VIOLATES CEQA BECAUSE IT FAILS TO PROVIDE AN ADEQUATE PROJECT DESCRIPTION.

Before a local government can ascertain that all impacts are "insignificant," it must have an understanding of the current environmental setting at the site (the "environmental baseline"), the proposed project, and the impacts of the proposed project. Further, all of this must be described in the environmental document in order to comply with CEQA. In this case, however, the Draft MND fails to, among other things, provide an adequate description of the Project and a factually accurate description of the current environmental setting. As such, the Draft MND fails to discuss or analyze the actual impacts of the Project.

For example, while the Draft MND states on page 5 that "[t]he proposed project includes a four-story hotel building and ancillary site improvements," it fails to identify the Project's

square footage, the number of rooms that are being proposed, or identify the "ancillary site improvements." Moreover, the Project assumes, but does not discuss or analyze, the realignment of Vine Street onto a neighboring property. Thus, without an adequate project description, it is impossible to gauge the impacts associated with the Project, or the validity of the mitigation measures. Accordingly, the Draft MND fails to satisfy the informational requirement established by CEQA.

4. THE DRAFT MND VIOLATES CEQA BECAUSE IT FAILS TO ADEQUATELY ANALYZE THE POTENTIAL EFFECTS OF THE PROJECT ON TRANSPORTATION/TRAFFIC.

The City and Caltrans have entered into an agreement with respect to certain transportation infrastructure improvements. This agreement was the consequence of a Project Study Report ("PSR") which has been approved both Caltrans and the City. The PSR identifies four alternatives, all of which involve the realignment of Vine Street through the Project proponent's property. As such, and as previously acknowledged by the City, "[t]he geometrics of the PSR must be considered with any application involved property within its study area." (City of Paso Robles, Planning Division Initial Study for The Inns at Vintners Village Development Project, attached hereto as Exhibit 1, p. 10.) However, there is no discussion of the PSR in the "Transportation/Traffic" section of the Draft MND. Moreover, there is no acknowledgement that, as set forth in the PSR, all of the identified alternatives for the realignment of Vine Street pass through the Project proponent's property. Accordingly, as the Draft MND fails to discuss or analyze the Project's obligations with respect to the PSR, or the impacts associated with realignment of Vine Street through the applicant's property, the Draft MND fails to satisfy the requirements of CEQA.

5. THE DRAFT MND VIOLATES CEQA BECAUSE IT FAILS TO ADEQUATELY ANALYZE THE POTENTIAL EFFECTS OF THE PROJECT ON THE CITY'S WATER SUPPLY.

Although the Draft MND states that the Project's water impacts are "less than significant," substantial evidence demonstrates that the Project may have a significant, unavoidable impact on the City's water supply. The City relies on water from the Paso Robles Groundwater Basin ("Basin"), whose water supply has steadily been diminishing since 1997. (See Map of Diminishing Supplies in the Basin from 1997-2013, attached hereto as Exhibit 2.) The San Luis Obispo County Board of Supervisors has declared the Basin to be at a "Level of Severity III," meaning that demand for Basin water has met the amount of water available. (See "Resource Capacity Study: Water Supply in the Paso Robles Groundwater Basin," San Luis Obispo Board of Supervisors, Feb. 2011, attached hereto as Exhibit 3.) Moreover, the state of Basin's water supply has likely been exacerbated given that California is currently experiencing a drought so severe that the Governor has declared a State of Emergency. (See Press Release, Governor Brown Declares Drought State of Emergency (Jan. 17, 2014), available at <http://gov.ca.gov/news.php?id=18368>.) The Draft MND, however, fails to acknowledge or discuss any of these facts.

California law requires CEQA documents to extensively analyze the impacts that a proposed development project may have on groundwater levels. (See *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99.) The Draft MND

does not analyze the effects that the Project will have on the *existing* water supply in the Basin. Instead, it states that "there is sufficient municipal water supply to accommodate development of this property" based on the City's **2010** Groundwater Master Plan. As such, it does not address potential effects the Project may have on the City's existing water supply given the current drought and rapid water depletion that is expected to occur in the future (see Table 16, "Paso Robles Groundwater Basin Water Balance Review and Update," Fugro West, Inc., Mar. 2010, attached hereto as Exhibit 4), nor does it say how the Project will comply with the Groundwater Master Plan. Because the Draft MND fails to provide any substantive analysis of the possible effects the Project may have on the City's existing and future water supply, the Draft MND is in violation of CEQA. (See *Leonoff v. Monterey County Bd. of Supervisors* (1990) 222 Cal.App.3d 1337, 1346 [CEQA documents that provide "mere conclusions about potential environmental effects" are legally insufficient].)

Moreover, because the substantial evidence discussed above demonstrate that the mitigation measures may not reduce all impacts to a level of insignificance, an EIR must be prepared. (*San Bernardino Valley Audubon Soc'y v. Metropolitan Water Dist.*, *supra*, 71 Cal.4th at p. 391.)

6. THE DRAFT MND VIOLATES THE CITY'S ZONING CODE AND CEQA BECAUSE IT FAILS TO ADEQUATELY ANALYZE THE POTENTIAL AESTHETIC EFFECTS OF THE PROJECT.

The City's Zoning Code establishes planned development districts, within which maximum building heights for development projects are set. A project may exceed the building height maximum within its district only if the city council determines that such exceedance would result in a "better design" or "greater public benefit" after having given "due consideration" to six specific characteristics of the project. (Paso Robles Municipal Code § 21.16A.010.) Specifically, the City Council is required to examine: (1) the proportion, scale and nature of the project; (2) the visual quality and aesthetics of the project; (3) the design of the project; (4) the project's compatibility with the established character of surrounding development; (5) the project's ability to not create an adverse visual impact or otherwise have a negative effect on public views from nearby roads and other public vantage points; and (6) the project's risk to fire life-safety when considering building safety features and emergency response capabilities. (Paso Robles Municipal Code § 21.16A.010(i).)

The Project is located in planned development district C2, which has a maximum building height of 50 feet. The Project is designed to exceed this maximum, with most of the Project built up to 53 feet and some architectural features built up to 60 and 66 feet above ground level. While the Draft MND states that the additional height will result in a "better project," it fails to discuss or analyze the six characteristics required to be examined under the Zoning Code before such a determination may be made. Instead, the draft MND merely states that "[s]ome of the building massing and height is mitigated through the setbacks, as well as through foundation, perimeter, and parking lot landscaping." Such a perfunctory analysis falls well below the analysis required by the City's Zoning Code. Moreover, by glossing over potential aesthetic effects that the Project's excessive height may have, the Draft MND is in violation of CEQA. (See *North Coast Rivers Alliance v. Marin Municipal Water District Board of Directors* (2013) 216 Cal.App.4th 614, 627 [factual evidence must be provided to support the conclusion that aesthetic effects will be less than significant].)

7. **THE DRAFT MND VIOLATES CEQA AND CANNOT BE APPROVED BECAUSE THE PROJECT IS INCOMPATIBLE WITH THE STANDARDS OF THE CITY'S GENERAL PLAN.**

The Project is incompatible with the City of Paso Robles' General Plan. "Under state law, the propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806.) It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." (*Napa Citizens for Honest Gov't v. Napa County* (2001) 91 Cal.App.4th 342, 379.) The project need not present an "outright conflict" with a general plan provision to be considered inconsistent; the determining question is instead whether the project "is compatible with and will not frustrate the General Plan's goals and policies." (*Id.* at p. 379.) In this case, the Project presents an outright conflict.

The question of consistency between the project and the applicable plans and ordinances plays two distinct roles in the environmental and project approval process. First, under CEQA, a conflict between a plan or ordinance and the project is a significant impact that must be disclosed and analyzed in the environmental document. (See *Pocket Protectors v. City of Sacramento* (2005) 124 Cal.App.4th 903, 929-936.) Second, under separate provisions of state law, the project may not be approved in the face of such an inconsistency. (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570; *Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal.App.3d 1176, 1184.)

In this case, the Draft MND states on page 2 that "[s]ince the applicant has adequate access from South Vine Street to serve the project and does not need access from the road realignment, the applicant is not required [to] dedicate right-of-way for the potential future realignment through his property." However, this statement fails to acknowledge the fact that the realignment is required in part because of the impacts associated with the Project. Moreover, by failing to require this dedication, and thereby mitigate for the Project's cumulative impacts, the Project is inconsistent with the City's General Plan. As concluded in the project proponent's traffic study, "the Marriott Residence Inn **Project would contribute to a significant cumulative impact** at the SR 46W/U.S. 101 SB-SR 46 W/Vine Street intersections. **Realignment of Vine Street would be required to mitigate this impact** (see Mitigation Measures section of report)." (Traffic Impact Study (Attachment 12 of the Draft MND) at p. 18, emphasis added.) Thus, realignment is required in order to mitigate for the Project's cumulative impacts.

Moreover, this conclusion is consistent with the City's longstanding position that:

The requirement for the dedication for the public right-of-way for the extension of Vine Street westerly through the subject property is in accordance with Municipal Code Section 11.12.0301, which has been established in order to protect the public health, safety and welfare, and the **requirement for this dedication is not only necessary to provide orderly development of this area of the City, but is also in direct proportion to the impacts that will be created** by the 138 room hotel project that will be added to this area of the City which is already impacted.

(City of Paso Robles City Council Resolution No. 05-232, attached hereto as Exhibit 5, emphasis added; see also City of Paso Robles Planning Commission Resolution No. 05-087, attached hereto as Exhibit 6 ["The requirement for the dedication for the public right-of-way for the extension of Vine Street westerly through the subject property is in accordance with Municipal Code Section 11.12.030I. The requirement for this **dedication is in direct proportion to the impacts that will be created** by the 138 room hotel project that will be added to this are of the City which is already impacted."], emphasis added.)

Moreover, as set forth in the Circulation Element of the City's General Plan,⁴ the City must "[p]reserve right-of-way in accordance with the Circulation Master Plan and all adopted Plan Lines." (City of Paso Robles Circulation Element (2011) at p. CE-1, Policy CE-1A [Action Item 3].) And, the City's Circulation Master Plan identifies a proposed 2 lane undivided arterial running through the Project applicant's property. (See City of Paso Robles Circulation Element, at p. CE-7 [Circulation Master Pan Map].) Thus, the City's failure to require dedication of the proposed right-of-way is inconsistent with the General Plan.

Accordingly, the Project not only fails to disclose and discuss a significant Project impact, it also fails to adequately mitigate for the significant transportation/traffic impact. Therefore, a valid approval of the Project is impossible.

8. THE DRAFT MND VIOLATES CEQA BECAUSE THE IT FAILS TO ADEQUATELY ANALYZE THE SECONDARY ENVIRONMENTAL EFFECTS OF THE PROJECT.

A CEQA document is required to evaluate the secondary environmental effects of a project – to include the environmental effects of mitigation measures incorporated therein. Here, the Draft MND anticipates a realignment of South Vine Street through an adjacent property. As a result, the affected property owner will be subject to a variety of impacts (noise impacts, biological impacts, aesthetic impacts, etc.), none of which are analyzed or discussed in the Draft MND. The failure to discuss and analyze these impacts is a clear violation of CEQA. (See CEQA Guideline, § 15126.4; *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99.)

9. THE DRAFT MND VIOLATES CEQA BECAUSE IT RELIES ON LEGALLY INSUFFICIENT MITIGATION MEASURES.

The Traffic Study Report relied on in the Draft MND concludes that the Project will have significant effects on traffic circulation at the intersection of South Vine Street and U.S. 101/State Route 46. (See Table 10, "Traffic Impact Study".) These significant effects are proposed to be mitigated by a realignment of Vine Street to the West through an adjacent property owner's parcel. This mitigation measure, however, does not meet the standards for a mitigation measure under CEQA. There are six requirements for a mitigation measure to be legally sufficient under CEQA:

⁴ The City's Circulation Element is available at <http://www.prcity.com/government/departments/commdev/planning/pdf/general-plan-2003/CirculationElement.pdf>.

- (1) the measure must be feasible (CEQA Guideline, § 15126.4(a)(1));
- (2) the measure must be fully enforceable (CEQA Guideline, § 15126.4(a)(2));
- (3) the measure must be consistent with all applicable constitutional requirements (CEQA Guideline, § 15126.4(a)(4));
- (4) the measure must be effective, and there must be evidence in the record showing that the measure will be effective (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099);
- (5) the measure must be specific, not vague, incomplete, untested, remote, or speculative (*Federation of Hillside & Canyon Ass'ns v. City of Los Angeles* (2000) 83 Cal.App.4th 1252); and
- (6) formulation of the mitigation measure should not be deferred until some future time (CEQA Guideline, § 15126.4(a)(1)(B)).

The proposed realignment of Vine Street onto the adjacent property fails to meet these requirements. The Draft MND provides no analysis of whether it is feasible to realign Vine Street onto the adjacent property owner's parcel or whether such realignment can be enforced. In addition to lacking feasibility and enforceability, the suggested realignment likely does not comply with the constitutional limitations of nexus and rough proportionality. (*Nollan v. California Coastal Commission* (1987) 483 U.S. 825; *Dolan v. City of Tigard* (1994) 512 U.S. 374.) The Draft MND does not discuss any of these potential problems.

Because the proposed mitigation measure is not valid, the Project has a significant impact on traffic, and the Draft MND cannot be approved. (Pub. Resources Code, § 21100 [an environmental impact report must be prepared for any project that may have a significant effect on the environment].)

10. THE DRAFT MND DOES NOT ACCOUNT FOR THE INCREASED POTENTIAL FOR TRAFFIC ACCIDENTS AT THE INTERSECTION OF WILMAR PLACE, SOUTH VINE STREET AND U.S. 101/STATE ROUTE 46.

The draft MND fails to adequately analyze the increased potential for vehicle accidents and human injury that may occur as a result of the increased traffic at the intersection of Wilmar Place, South Vine Street, and U.S. 101/State Route 46 West. This intersection has visibility issues due to a hill that ascends along South Vine Street, to reach a peak of 770 feet. The Wilmar Place turn-off from Vine Street, where cars will come and go from the Project's location, is near the peak of this hill. Vehicles that reach the top of the hill and begin to descend at high speeds may not have adequate time to brake for a vehicle that is stopped and waiting to turn left onto Wilmar from Vine. Likewise, vehicles descending the hill may not have adequate time to brake for vehicles turning left from Wilmar onto Vine. The Traffic Impact Study relied on in the Draft MND does not assess this potential indirect effect of the Project, and therefore fails to comply with CEQA. (CEQA Guideline, § 15126.2 ["Direct and indirect significant effects of the project on the environment shall be clearly identified and described"].)

11. THE DRAFT MND VIOLATES CEQA BECAUSE THE IT FAILS TO ADEQUATELY ANALYZE CUMULATIVE EFFECTS.

CEQA requires a mandatory finding of significance and an EIR if a "project has possible environmental effects that are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of past projects, the effects of other current projects, and the effects of probable future projects." (CEQA Guideline, § 15065; Pub. Resources Code, § 21083; *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 622.) In assessing cumulative effects, the lead agency must consider two questions: whether the cumulative impact of all related projects is significant, and whether the impacts of the specific project are cumulatively considerable. (Pub. Resources Code, § 21083; CEQA Guideline, § 15064.) If substantial evidence in the record shows that a specific project is cumulatively considerable notwithstanding compliance with the mitigation program that is imposed to address the cumulative problem, an EIR must be prepared. (*Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 115.)

In this case, however, there is no discussion or analysis of other current projects or probable future projects. Thus, there is no substantive discussion or analysis of cumulative impacts. As a result, the Draft MND fails to comply with the requirements of CEQA. This failure is particularly glaring given the unprecedented water shortage facing not only the City of Paso Robles, but the entire State of California.

12. THE DRAFT MND VIOLATES CEQA BECAUSE THERE IS NO MITIGATION REPORTING AND MONITORING PROGRAM.

Agencies adopting MNDs must take affirmative steps to ensure that approved mitigation measures are in fact implemented subsequent to project approval. An agency does this by adopting a "reporting or monitoring program" for any mitigation measures incorporated into a project or imposed as conditions of approval. (Pub. Resources Code, § 21081.6; CEQA Guideline, § 15074.) In violation of CEQA, the Draft MND does not contain any mechanism for ensuring that mitigation measures identified in the document are actually implemented. Accordingly, at a minimum, the City must amend the Draft MND and draft a document that includes mandatory mitigation measures and identifies the regulatory mechanisms by which such measures will be enforced. (*Federation of Hillside and Canyon Associations v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261 [agency must take steps to ensure mitigation measures "are fully enforceable through permit conditions, agreements, or other measures."]; Pub. Resources Code, § 21081.6.)

Chairman Vanderlip and Commissioners
March 24, 2014
Page 9

For the foregoing reasons, we respectfully submit that the Planning Commission and City Council cannot lawfully approve the Project or the Draft MND. Furthermore, we urge the Planning Commission to take no further action on the Project until, in accordance with CEQA, the City prepares an EIR for the Project, and the Project is modified so that it conforms with the requirements established by the City's Code and General Plan.

Sincerely,



Gregory W. Sanders
of Nossaman LLP

GWS/BZR

Exhibit A

**Mitigation Measures Summary
Marriott Residence Inn**

Aesthetics:

MM AES-1:

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

Air Quality and Greenhouse Gas Emissions:

MM AQ-1

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

- a. The applicant shall limit the amount of the disturbed area to the maximum extent feasible;
- b. The applicant shall make use of water trucks or sprinkler systems, in sufficient quantities, to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
- c. The applicant shall spray water on all dirt stock pile areas on an as needed basis;
- d. The applicant shall implement all permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible immediately following completion of any soil disturbing activities, including but not limited to installation of permanent revegetation of the site;
- e. The applicant shall ensure that exposed ground areas, that are planned to be reworked at dates greater than one month after initial grading, are sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. The applicant shall ensure that all disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. The applicant shall ensure that all roadways, driveways, sidewalks, etc. to be paved are completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- h. The applicant shall ensure that construction vehicles not exceed 15 mph on any unpaved surface at the construction site;
- i. The applicant shall ensure that all trucks hauling dirt, sand, soil, or other loose materials are covered or maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

- j. The applicant shall install wheel washers where vehicles enter and exit unpaved roads, or wash off trucks and equipment leaving the site;
- k. The applicant shall sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
- l. All fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

MM AQ-2

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

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

MM AQ-3

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

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

MM-AQ-4

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

MM-AQ-5

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

MM-AQ-6

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

MM-AQ-7

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

MM-AQ-8

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

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

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

MM-AQ-9

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

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

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

Greenhouse Gas Emissions

MM GHG-1

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

- a. The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.
- b. The project applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees sufficient to reduce project-generated emissions to below 1,150 MTCO₂e/year. GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of any carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:
 1. Use low-VOC cleaning supplies. This requirement shall be reflected in the operational procedures manual for the proposed project.
 2. Use low-VOC paint having a VOC content of 100 grams per liter, or less. This requirement shall be reflected in the operational procedures manual for the proposed project.
 3. A shuttle shall be provided for hotel guests to provide transportation to and from the Amtrak transit station.

4. The project proponent shall demonstrate that the project-wide lighting efficiency shall be improved by at least 16% relative to current conventional lighting methods through the installation of energy-efficient lighting, (e.g., metal halide, high-pressure sodium, LEDs) for interior and exterior lighting areas. Unnecessary exterior lighting shall be reduced, to the extent practical and where reductions in lighting would not pose a risk to public safety.
5. Utilize low-flow faucets and toilets and water-efficient irrigation systems to reduce energy demands associated with water use.
6. Proposed onsite occupied buildings shall exceed baseline Title 24 Building Envelope Energy Efficiency Standards by a minimum of 10 percent. The baseline GHG emissions from electricity and natural gas usage shall reflect 2008 Title 24 standards with no energy-efficient appliances.
7. Install energy-efficient appliances (i.e., Energy Star rated).
8. Incorporate water-reducing features into building and landscape design, including use of drought-tolerant landscaping, minimizing turf areas, and installation of water-efficient irrigation systems in accordance with the City of Paso Robles Zoning Code, Chapter 21.22B, Landscape and Irrigation Ordinance.

Biological Resources

MM BIO-1

Migratory Bird Protection.

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

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

MM BIO-2

San Joaquin Kit Fox Protection.

- a. Prior to construction, a qualified biologist shall conduct a pre-activity survey to identify known or potential dens or any other sign of the species, no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential

den or any other sign of the species is identified or detected within the project area, the biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the City. The report will include, at a minimum, survey dates, field personnel, field conditions, survey methodology, and survey results.

- b. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled or covered, they shall be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- c. During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- d. Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- e. During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CDFW for care, analysis, or disposition.
- f. Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - If a more solid wire mesh fence is used, 8×12-inch openings near the ground shall be provided every 100 yards.
- g. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

MM BIO-3

Oak Tree Protection.

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

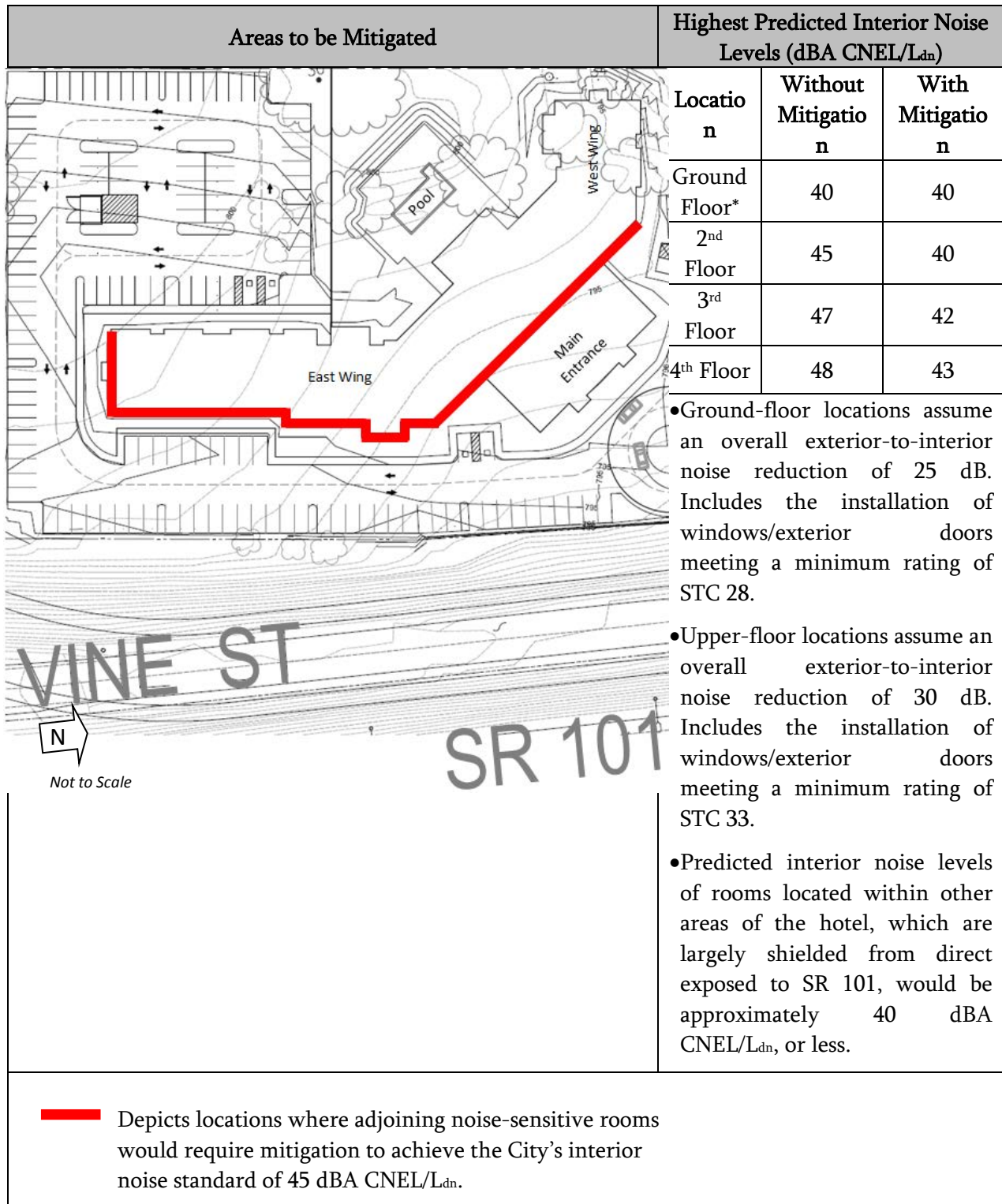
Noise

MM N-1

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

- a. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor shall have a minimum sound transmission class (STC) rating of STC 28. This requirement is also required for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area.
- b. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors shall have a minimum STC 33 rating.
- c. The total window area of noise-sensitive rooms shall not exceed 20 percent of the room's exterior wall area.
- d. The perimeter of window and exterior door frames shall be caulked and sealed airtight to the exterior wall construction.
- e. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar.
- f. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 shall be prohibited.
- g. Exterior walls shall have a minimum STC rating of 35. The construction of exterior walls with siding-on-sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls.

**FIGURE 7
PREDICTED INTERIOR NOISE LEVELS**



MM N-2

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

MM TR-1

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

DRAFT Mitigation Monitoring and Reporting Plan

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

Approving Resolution No.: _____ by: Planning Commission City Council Date: _____

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

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

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

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

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
project site as required by APCD regulations prohibiting developmental burning of vegetative material within San Luis Obispo County.					
<p>AQ-8 The applicant shall ensure that all portable equipment, 50 horsepower (hp) or greater, used during construction activities, satisfies California statewide portable equipment registration requirements (issued by the California Air Resources Board) or APCD permit requirements. The following types of equipment may require registration or permitting from the California Air Resources Board or APCD.</p> <p>For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook. Power screens, conveyors, diesel engines, and/or crushers; Portable generators and equipment with engines that are 50 hp or greater; Electrical generation plants or the use of standby generator; Internal combustion engines; Rock and pavement crushing; Unconfined abrasive blasting operations; Tub grinders; Trommel screens; and, Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).</p>	Project	Building Dept			Prior to issuance of building permit
<p>AQ-9 The applicant shall ensure that all operational type equipment has all required APCD permits and meets any applicable permitting requirements of APCD. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's 2012 CEQA Handbook.</p> <p>Portable generators and equipment with engines that are 50 hp or greater; Electrical generation plants or the use of standby generator; Public utility facilities; Boilers; Internal combustion engines; and Cogeneration facilities.</p> <p>Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, shall be prioritized or screened for facility wide health risk impact. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do additional health risk assessment.</p>	Project	Building Dept			Prior to issuance of building permit
<p>GHG-1 The following mitigation measures shall be implemented to</p>	Project	CDD, Building			Prior to issuance of building permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>reduce project-generated GHG emissions:</p> <p>a. The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.</p> <p>b. The project applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees sufficient to reduce project-generated emissions to below 1,150 MTCO₂e/year. GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of any carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:</p> <ol style="list-style-type: none"> 1. Use low-VOC cleaning supplies. This requirement shall be reflected in the operational procedures manual for the proposed project. 2. Use low-VOC paint having a VOC content of 100 grams per liter, or less. This requirement shall be reflected in the operational procedures manual for the proposed project. 3. A shuttle shall be provided for hotel guests to provide transportation to and from the Amtrak transit station. 4. The project proponent shall demonstrate that the project-wide lighting efficiency shall be improved by at least 16% relative to current conventional lighting methods through the installation of energy-efficient lighting, (e.g., metal halide, high-pressure sodium, LEDs) for interior and exterior lighting areas. Unnecessary exterior lighting shall be reduced, to the extent practical and where reductions in lighting would not pose a risk to public safety. 5. Utilize low-flow faucets and toilets and water-efficient irrigation systems to reduce energy demands associated with water use. 		Dept.			

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> 6. Proposed onsite occupied buildings shall exceed baseline Title 24 Building Envelope Energy Efficiency Standards by a minimum of 10 percent. The baseline GHG emissions from electricity and natural gas usage shall reflect 2008 Title 24 standards with no energy-efficient appliances. 7. Install energy-efficient appliances (i.e., Energy Star rated). 8. Incorporate water-reducing features into building and landscape design, including use of drought-tolerant landscaping, minimizing turfed areas, and installation of water-efficient irrigation systems in accordance with the City of Paso Robles Zoning Code, Chapter 21.22B, Landscape and Irrigation Ordinance. 					
<p>BIO-1 To the maximum extent possible, the applicant shall conduct site preparation, ground-disturbing, and construction activities outside of the migratory bird breeding season. If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that migratory birds are not occupying the site. If nesting activity is detected the following measures shall be implemented:</p> <ul style="list-style-type: none"> a. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA; b. The qualified biologist shall determine an appropriate biological buffer zone around active nest sites. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and, c. The qualified biologist shall document all active nests and submit a letter report to the City documenting project compliance with the MBTA. 	Project	CDD			Prior to issuance of grading permit
<p>BIO-2 Prior to construction, a qualified biologist shall conduct a pre-activity survey to identify known or potential dens or any other sign of the species, no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential den or any other sign of the species is</p>	Project	CDD			Prior to issuance of grading permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>identified or detected within the project area, the biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the City. The report will include, at a minimum, survey dates, field personnel, field conditions, survey methodology, and survey results.</p> <p>b. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled or covered, they shall be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.</p> <p>c. During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.</p> <p>d. Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.</p> <p>e. During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the</p>					

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CDFW for care, analysis, or disposition.</p> <p>f. Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:</p> <ul style="list-style-type: none"> • If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches. • If a more solid wire mesh fence is used, 8x12-inch openings near the ground shall be provided every 100 yards. <p>g. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.</p>					
<p>BIO 3</p> <p>a. Prior to site disturbance, the critical root zone (CRZ) of all oak trees with a DBH of 6 inches or greater must be fenced to protect from construction activities.</p> <p>b. During the site disturbance and/or construction phase, grading, cutting, or filling within 5 feet of a CRZ of all oak trees with a DBH of 6 inches or greater must be supervised by a certified arborist approved by the City. Such activities beyond 5 feet of a CRZ must be monitored to insure that activities are in accordance with approved plans. Root pruning outside of the CRZ must be done by hand.</p> <p>c. Oil, gasoline, chemicals, or other construction materials potentially harmful to oak trees may not be stored in the CRZ of any oak tree with a DBH of 6 inches or greater.</p> <p>d. Drains shall be installed according to city specification so as to avoid harm by excessive watering to oak trees with a DBH of 6 inches or greater.</p>	Project	CDD			Prior to issuance of grading permit

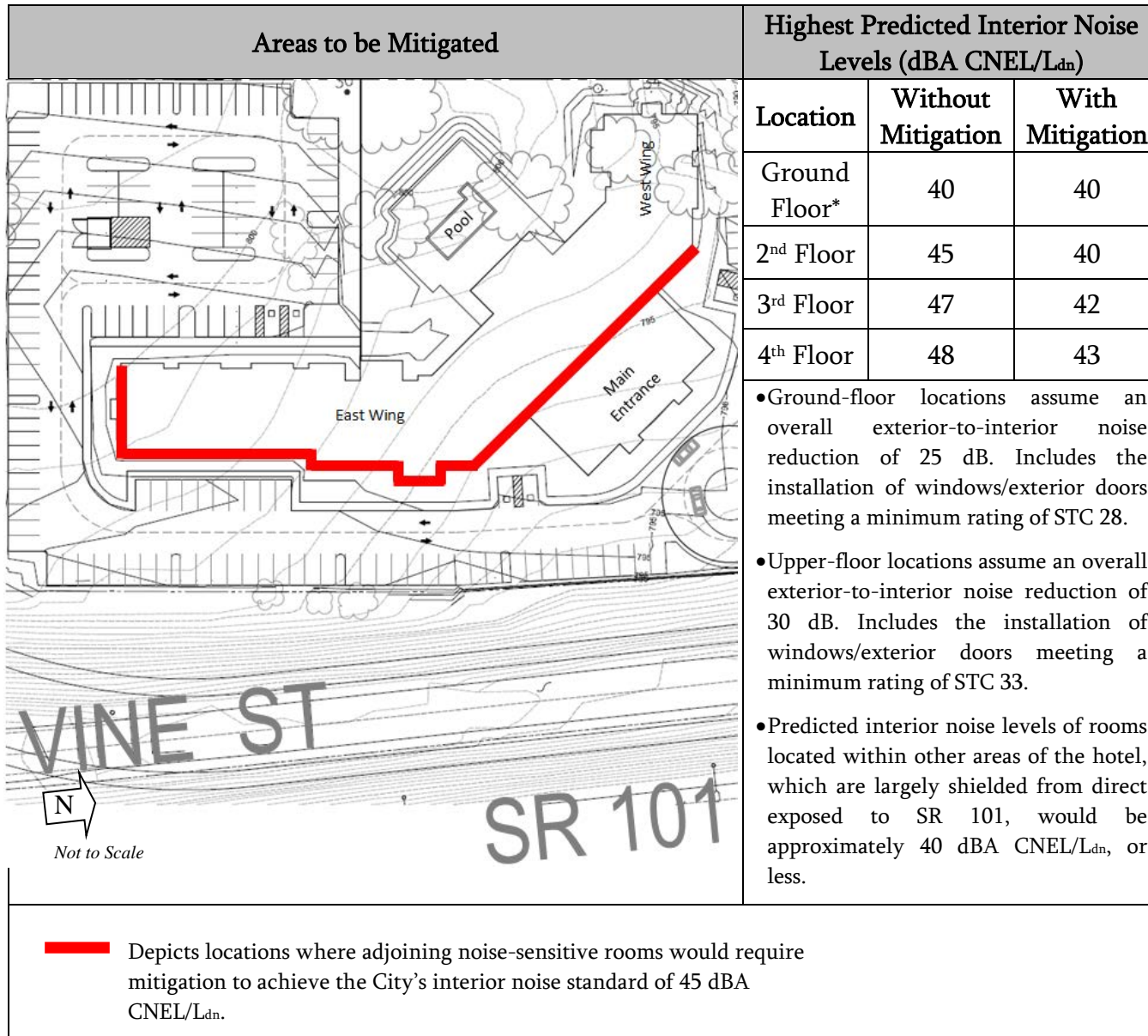
Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>e. Landscaping within the CRZ of any oak tree with a DBH of 6 inches or greater is limited to indigenous plant species or non-plant material, such as cobbles or wood chips.</p> <p>f. Wires, signs, or other similar items shall not be attached to oak trees with a DBH of 6 inches or greater.</p> <p>g. For each oak tree removed (DBH of 6 inches or greater), a tree or trees of the same species must be planted with a combined DBH of 25% of the removed tree's DBH within the property's boundary.</p>					
<p>N-1 The following measures shall be implemented for noise-sensitive rooms (e.g., guest rooms, meeting rooms, etc.) located along the eastern, northeastern, and southern-most facades of the hotel, within line-of-sight of SR 101 (Recommended areas of mitigation are depicted in Figure 7 below):</p> <p>a. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor shall have a minimum sound transmission class (STC) rating of STC 28. This requirement is also required for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area.</p> <p>b. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors shall have a minimum STC 33 rating.</p> <p>c. The total window area of noise-sensitive rooms shall not exceed 20 percent of the room's exterior wall area.</p> <p>d. The perimeter of window and exterior door frames shall be caulked and sealed airtight to the exterior wall construction.</p> <p>e. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar.</p> <p>f. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 shall be prohibited.</p> <p>g. Exterior walls shall have a minimum STC rating of 35.</p>	Project	Building Dept			Prior to issuance of building permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
The construction of exterior walls with siding-on-sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls.					
<p>N-2</p> <p>a. Noise-generating construction activities shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities shall not occur on Sundays or city holidays.</p> <p>b. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</p>	Project	CDD, Building Dept			Prior to issuance of building permit
<p>TR-1</p> <p>The Marriott Residence Inn Project shall be required to contribute to the estimated costs of the improvements planned at the U.S. 101/SR 46W interchange through payment of \$330,496, or such other amount consistent with the City's Development Impact Fee Justification Study, and the Engineering News Record price index adjusted every July 1st. This amount, as adjusted, represents the applicant's fair share contribution under the City's Development Impact Fee Program (DIF) in accordance with Council Resolution No. 14-035. Exhibit "B" to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the future phases for the improvement of the interchange of Highways 101-46W.</p>	Project	CDD			Prior to certificate of occupancy

Explanation of Headings:

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

**FIGURE 7
PREDICTED INTERIOR NOISE LEVELS**



RESOLUTION NO:

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

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

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

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

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

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000, et seq., and the City’s Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration (MND) was prepared and circulated for a 30-day public review period beginning on February 24, 2014 and concluding March 25, 2014. Comments were received, and the MND was modified to include clarifications on several topics, such as aesthetics, transportation, water resources, and others. Subsequently, the Draft MND was re-circulated for an additional 30-day public review period beginning on April 28, 2014 and concluding on May 27, 2014. A copy of the Draft MND/Initial Study is included in Exhibit A of this Resolution, and it is on file at the Paso Robles Community Development Department; and

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

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

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

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

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

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

WHEREAS, a public hearing was conducted by the City Council on June 17, 2014, to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the Planned Development, Tentative Parcel Map, Oak Tree Removal, and environmental determination; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the City Council finds that there is no substantial evidence supporting a fair argument that there would be a significant impact on the environment with mitigation measures imposed on the project; and

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

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

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

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR DUANE PICANCO

ATTEST:

CARYN JACKSON, DEPUTY CITY CLERK

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
AND MITIGATED NEGATIVE DECLARATION
CITY OF PASO ROBLES
April 28, 2014

- 1. PROJECT TITLE:** Residence Inn by Marriott
- Concurrent Entitlements:** Planned Development (PD 13-005)
Tentative Parcel Map (PR 13-0109)
Oak Tree Removal (OTR 13-008)
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Susan DeCarli
Phone: (805) 237-3970
Email: sdecarli@prcity.com
- 3. PROJECT LOCATION:** 121 Wilmar Place (Vine Street & Wilmar Place)
Paso Robles, CA 93446
(See Attachment 1, Vicinity Map)
- Assessor Parcel Number 009-631-011
- 4. PROJECT PROPONENT:** Excel Paso Robles, LP
- Contact Person:** Rob Miller/Wallace Group
Phone: (805) 544-4011
Email: Robm@wallacegroup.us
- 5. GENERAL PLAN DESIGNATION:** Regional Commercial (RC)
- 6. ZONING:** Commercial Highway – Planned Development
(C2-PD)
- 7. PUBLIC REVIEW PERIOD:** April 28, 2014 through May 27, 2014
- 8. PROJECT DESCRIPTION:**

This is a proposal to establish a 4-story, extended-stay hotel with 128 guest rooms. The building is proposed to be an average of 53 feet in height, with roof and tower elements that project up to between 60 and 66 feet in height. The hotel architectural design theme is Mediterranean, and includes use of stucco and stone veneer exterior finish materials, and clay tile roofing.

The guest rooms include: 75 studio rooms; 24 studio/double queens; 26 1-bedroom units; and three 2-bedroom units, with a total building square footage of 98,500 square feet. In compliance with the applicable City Zoning Code standards, the site includes 140 surface parking spaces allowing for one space per guest room and 12 spaces for employees. Parking spaces include standard, compact and handicapped accessible parking stalls, plus motorcycle spaces and bicycle parking racks. The existing dirt access driveway (Wilmar Place) will be improved with paving to 25 feet wide and approximately 200 feet in length. A new transit stop is planned to be installed along the project frontage on South Vine Street. The exact location shall be determined in collaboration between the City and the San Luis Obispo Regional Transit Authority (SLORTA), to accommodate local and regional transit needs,

(e.g. SLORTA, Route 9), and shall be shown on final frontage improvement plans. See Attachment 2 - Site Plan, Attachment 4 - Elevations, and Attachment 5 - Floor Plans. The hotel will include ancillary guest facilities including:

- breakfast lounge for hotel guests
- meeting rooms
- fitness center
- business center
- wine tasting bar
- outdoor pool, BBQ and patio terraces

The total existing lot area is 12.6 acres. The proposal includes a tentative parcel map to subdivide the property into a 3.17 acre parcel and a “remainder” lot of 9.44 acres. The hotel is proposed on the 3.17 acre parcel. The hotel site has an existing single-family home (originally constructed in 1951) which would be removed upon approval of the hotel. The home is not on the City’s adopted Historic Inventory, nor does it have relevant characteristics or qualities to be considered historic. It is not known at this time if the home has materials such as asbestos or lead paint that would need to be handled with special permits through the SLO County Air District. The project incorporates standard mitigations and conditions of approval that require the building to be assessed for said toxins, and utilize standard practices for removal (as permitted) through the Air District prior to commencement of demolition. See Attachment 2, Site Plan and Attachment 7, Air Quality Study.

- 9. ENVIRONMENTAL SETTING:** The project site is located at the northwest quadrant of US Highway 101 and State Route 46 West. Properties located to the north and west are within the jurisdiction of San Luis Obispo County, and are designated in the County’s Land Use Ordinance as Agriculture and Residential Suburban. The existing site is accessed from South Vine Street along an unimproved access road, Wilmar Place.

The existing landform of the property consists of flat areas to rolling hills. There are several oak trees located on the property near the area of the proposed hotel. The applicant has requested removal of five oak trees that are either in poor health and/or would be a constraint to the proposed development. The proposed hotel would be within the area already disturbed by the existing home site, which has ruderal vegetation. The balance of the site is vegetated with Savanna grassland habitat. The biological report did not identify any protected botanical or animal species on the site.

A road realignment design and environmental analysis to realign South Vine Street with SR 46 West through the applicant’s property (along the southern-most area) connecting to SR 46 West adjacent to Gahan Place has been completed and approved by Caltrans. The general realignment is identified in the City’s Circulation Element, however neither the City or Caltrans are committed to this specific alignment, so long as the future connection of South Vine Street aligns with the extension of Gahan Place on the south side of SR 46W. The applicant has adequate access from South Vine Street to serve this project and the hotel does not need access from the road realignment. As shown on the Preliminary Grading Plan (Attachment 2), the proposed lot split demonstrates that if a future road realignment through the proposed “remainder lot” were to occur, that it would not impact access or utilities for the hotel site (Parcel 1). Traffic impacts, which are evaluated in Section XVI Transportation of this study, indicate that development of the proposed hotel would not require dedication of this potential future road alignment because it does not meet the nexus requirements for dedication as mitigation. Traffic impacts for the project are mitigated by the payment of impact fees in accordance with Council Resolution No. 14-035. Exhibit “B” to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Traffic Improvement Needs List. The Needs List includes the improvement of the interchange of Highways 101-46W. This improvement project is a separate multi-phase project between the state, county and city that will reduce interregional, regional and local congestions through the US 101/State Route 46 West interchange. The improvement project was analyzed in a Project Approval/Environmental Document or (PAED) and in a separate IS/MND prepared by Caltrans and the City of Paso Robles dated December 2009 (SCH #2008051102). Phase I

of the U.S. 101/SR 46 project (the re-alignment of Theatre Drive) has been constructed and is in operation, which has reduced traffic congestion in this location. Phase 2 of this project is the future realignment of Vine Street. All future phases of the interchange improvement project comprise Item #30 on the Needs List.

Since the proposed hotel site does not conflict with this potential road alignment (since it is not within the footprint of the alignment) it does not conflict with the Circulation Element, and would not preclude future opportunities for this alignment location. There are no firm assumptions regarding the actual future location of the South Vine Street road realignment location, and therefore no further study of road realignments is required with this environmental analysis.

The property is within the City limits and is zoned for commercial development, including hotels. The land use classification and potential commercial development of this property was included in the 2010 Urban Water Master Plan. If this project is approved, the property would be served with municipal water service for potable and irrigation water needs. A more thorough discussion of municipal water supply and the City's ability to serve development anticipated in the Urban Water Master Plan is provided in Section IX, Hydrology and Water Quality.

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

No other permits are required from other agencies for implementation of this project. However, should improvements occur within the Caltrans right-of-way, Caltrans will have authority on design specifications and permits necessary for implementation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature: _____

Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance

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

I. AESTHETICS: Would the project:

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

Discussion: The project site is located at the northwest corner of Highway 101 and State Route 46 West (SR 46W). This location is identified as a “gateway” to the City in the City’s Gateway Design Standards. It is also designated in the General Plan, Conservation Element (Figure C-3), as being in a scenic view corridor. The property is visible from Highway 101, SR 46W, properties east of Highway 101, and South Vine Street.

The project site is elevated above South Vine Street, and it is located in the foreground of a largely rural, undeveloped landscape with rural home sites, vineyards, and open space. Properties to the south are developed with hotels of a similar scale as the proposed project, and regional commercial development is located further south. Urban light-industrial and highway-oriented development exists across Highway 101 to the east. Therefore, the property is surrounded by a mix of land uses, development intensities, and building forms.

The primary “long” view of the site and surroundings is from northbound Highway 101 towards the northwest. The project will not impact the long view of the rural landscape beyond it since it would not extend up into the hillsides to the north or northwest and/or otherwise block these views, nor would it impact ridgeline views, arroyos, riparian habitat, or oak woodlands on surrounding properties. The applicant submitted visual simulation images that depict the proposed development superimposed on the site. (See Attachment 3, Visual Simulations.)

To reduce potential visual impacts that may result from development in scenic vistas, project site and architectural design needs to be designed so that it is compatible with the surrounding landscape by providing well-articulated, attractive architecture that transitions well into the site, that presents elevation massing that is in scale with the surroundings, adds visual interest to the site, and contributes to an overall positive aesthetic quality of the area.

The proposed project includes a four-story, 128-room hotel building and ancillary site improvements. (See the full Project Description on the Title Page of this Initial Study, #8.) The development envelope and building is set deep into the site. (See Attachment 2 – Site Plan and Attachment 4 - Elevations.) The front elevation includes a one-story porte-cochere and entrance lobby. The single-story element helps transition the building into the site by providing reduced massing at the entrance. The closest portion of the building footprint would be setback approximately 110 feet from South Vine Street. The majority of the building is proposed to be set back about 120 feet or more from South Vine Street. The primary views of the site are from Highway 101. The nearest point of the hotel to Highway 101 (southbound) is approximately 220 feet. The setback of the hotel from the most visible point (northbound on Highway 101) is approximately 300 feet. The earliest view of the site (northbound on Highway 101, just after crossing SR 46W) is approximately 500 feet away, and it is over 600 feet from SR 46W. These setback distances help reduce the visual massing of the hotel as viewed from the highways.

Most of the roof elements are proposed to be 53 feet in height with a few architectural features that would extend up to between 60 and 66 feet in height. The maximum building height permitted in the C2 zone is 50 feet. However, since the project is in a Planned Development (PD) Overlay Zone, an applicant may request approval to exceed this height limit if it can be demonstrated that it the project would meet the “Purpose and Intent” of Section 21.16A.010, PD Overlay Zone, which is provided below. The City must consider six specific criteria, as listed below in Section 21.16A.010 (i), in addition to the required findings contained at

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

21.16A.070. Ultimate approval of a PD Overlay to allow for an exception to the City’s height standard is required to be approved by the City Council, subject to specific “findings” of consistency and compatibility. While the narrative above generally describes how the criteria is considered, formal consideration notes follow the code section below.

“21.16A.010 Purpose and intent. The purpose and intent of the planned development (PD) district zoning overlay is to provide for innovation and flexibility in the design of residential, commercial and industrial developments. Approval of a planned development can allow modification of certain development standards as specified in Section 21.16A.030. Such modification shall be permitted only when it can be demonstrated to the satisfaction of the planning commission and city council that it would result in better design or greater public benefit.

- i. Encourage establishment of specific building heights for an individual planned development project where it is determined that allowing the buildings to exceed the height limitations of the zoning ordinance would be appropriate based on due consideration of:

 - 1. The proportion, scale, and nature of the project;*
 - 2. The visual quality and aesthetics of the project;*
 - 3. The design of the project;*
 - 4. The project's compatibility with the established character of surrounding development;*
 - 5. The project's ability to not create an adverse visual impact or otherwise have a negative effect on public views from nearby roads and other public vantage points; and*
 - 6. The project's risk to fire life-safety when considering building safety features and emergency response capability.”**

Response to PD Overlay Zone considerations:

- 1. The proposed hotel building includes significant building articulation, incorporating numerous projections and recesses along the building façades, undulations in roofline profile roof types such as hip and gable, and flat parapets. The buildings mass incorporates a tripartite design, utilizing three distinct components, a substantial base, refined middle, and articulated crown (roof). This placement of building mass produces a building that is balanced and in proper proportion and scale, and an interesting attractive silhouette against the hills and sky beyond.
- 2. The proposed hotel is designed with a Mediterranean architectural design theme in keeping with the regional design imperative of the Central California Coast, and Paso Robles in particular. Of special consideration was the culture of the surrounding wineries. Within these themes, there is a unique warmth and quality of place that their architecture provides. The design of this project will also achieve this by providing quality building materials. This, along with the depth of building articulation noted in No.1 above, will create a strong, inviting attractive warm texture. This is demonstrated through use of authentic Mediterranean materials and elements of old-world craftsmanship. This includes use of clay barrel tile roofing materials, use of earth-toned stucco exterior building wall colors, and liberal use of El Dorado finish stone veneer for the foundation and the first story, as well as on several vertical building pylons. Additionally, the building fenestration incorporates wrought-iron balcony features and awnings, and framed by trim. Projected eaves adorned with exposed rafter tails provide shade, and are substantially pronounced with thick fascia beams. The overall composition of design and materials will result in a high-quality design identical to the architectural themes mentioned above.

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

3. As noted above in both considerations #2 and #3, the design of the project is of an overall scale and massing that would be complemented by taller roofline features, and will thereby provide balance to the overall design and scale of the project.
4. As noted in the narrative above, there are similarly scaled hotel developments located to the south of the proposed project site (e.g. Hampton Inn and La Bellasera Hotel), thus the proposed project would continue this development pattern incorporating similar and compatible architectural design themes and building scale. For instance, the Hampton Inn is designed with aspects of California Craftsman design themes and it is of a similar scale of the proposed project with 3-stories (with raised ceilings heights), and a front parapet that mimics the height of a 4-story building. Additionally, the La Bellasera Hotel is designed with a Mediterranean architectural design theme and is also of a similar scale as the proposed development with 4-stories and a raised front parapet. Therefore, the proposed hotel, including taller roofline projections, would be similar to and complementary with the existing established development pattern and height of hotels in the vicinity.
5. As noted above, per the General Plan, Conservation Element (Figure C-3), the project site is located in a scenic view corridor. The project will be visible from public views, including Ramada Drive, Highway 101 and SR 46W. As noted in the narrative above, the building would be located deep into the site, ranging between 200 to 500 feet or more from public views. When buildings are located at an increased distance from a view, they appear smaller in scale and result in reduced visual impacts. Coupled with high-quality architectural design and materials, the visual impact of the proposed hotel, including taller roofline projections would not have adverse impacts as viewed from public vantage points.
6. Item #6 was included in the Zoning Code prior to subsequent building codes that now require fire sprinklers to be installed throughout buildings this size. Specifically, compliance with Municipal Code Chapter 17.04.030 (D), requires automatic sprinkler systems be provided for all new buildings that exceed 5,000 square feet. The 2013 California Fire Code includes the same code requirements.

In consideration of the above criteria, exceeding the height limit of 50 feet, the roofline would provide an attractive, better design that is well articulated and a better public benefit, as compared to a building that complies with the height limit, but that would present an unarticulated, “box-like” building design. The City has recently approved other similar requests to exceed the 50 foot height limit for two other hotels including the Oxford Suites and the Ayers Hotel. The architectural projections up to 60 and 66 feet are ornamental and do not provide habitable space.

Some of the building massing and height is mitigated through the setbacks, as well as through foundation, perimeter and parking lot landscaping. The proposed landscaping, trees and setbacks help to soften the building massing. The applicant suggests that the project would make a more positive impact on the site and surrounding through use of the taller roofline elements because it would provide balance with the scale of the proposed building. The applicant’s letter requesting flexibility in the height limit standard is provided in Attachment 6.

The project is consistent with the Gateway Design Standards since it adheres to the design guidance of the Gateway Design Standards by orienting the building footprint and entrance toward South Vine Street. The site plan provides the required parking in separate smaller parking bays along the side and to the rear of the site. Parking areas proposed along South Vine Street are reduced to single-loaded automobile spaces (plus motorcycle spaces) so that the parking lot is not a visually dominant feature of the front elevation of the project.

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

With significant setbacks incorporated into the site design the visual impact of the proposed project on the scenic vista and gateway can be determined to be reduced to a less than significant level. Additionally, a mitigation measure to plant trees of various sizes and species (in accordance with the approved Landscape Plan) around the periphery of the site and parking lot is incorporated to further reduce the visual impact of the proposed development.

- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Discussion: There are no scenic resources such as rock outcroppings or historic buildings located on the site. Among the oak trees located on the property, there is one 40-inch dbh oak tree that will be preserved and be incorporated into the site plan as a “focal” point and scenic resource. Four of the five oak trees proposed for removal are in very poor health and are not readily visible from the public right-of-way. The fifth tree proposed for removal (tree #17 – 9 inches dbh), is in good health, however it is small and not is not visually prominent compared to the larger surrounding oak trees that are proposed to be maintained on the site. In accordance with the City’s Oak Tree Preservation Ordinance, oak tree removals require compensatory replacement of oak trees at a ratio of 25% of the diameter of all oak trees that are 6 inches or greater diameter at breast height (dbh) to be removed. This will enhance the scenic aspects of the site since the trees proposed for removal are mostly in decline and the new, healthy oak trees will be incorporated into the landscape plan. Therefore, the project would not result in significant impacts to scenic resources.

- c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion: The visual quality of the site is moderate since it has a lot of undeveloped open grassland visible from nearby roads, however, as noted, there is an existing older, not well-maintained home, outbuildings, and storage of miscellaneous junk located toward the center of the site.

The proposed project would replace the existing older home and outbuildings. While the project will alter the visual character of the existing site, the new development provides ample open space areas and landscaping that would improve and be compatible with the visual quality of the surrounding areas. As shown on the building elevations, the architecture is proposed to incorporate façade and roofline articulation, and quality building materials including use of stone veneer and clay tile roofing. The site will include rural landscaping and fencing materials surrounding the property to blend the project into the site and surroundings to the extent possible. Therefore, the proposed project would not likely significantly degrade the existing visual character of quality of the site and its surroundings.

- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10)

Discussion: The existing site is minimally developed with one residence which produces little to no light or glare. The proposed building and site lighting will introduce new light sources in a location that is primarily dark. Any new light fixtures will be required to comply with the City’s regulations to shield lights and be downcast to control light from shedding onto adjacent property and reduce night sky light impacts. The project incorporates standard conditions of approval to ensure lights are downcast and shielded (versus

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

radiant), and that parking lot lighting fixtures be the minimum necessary to ensure site safety. Therefore, the proposed project will result in less than significant impacts from light or glare.

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

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion: The project site is designated in the General Plan and is zoned on the City's Zoning Map for commercial development. The property is not identified in the City General Plan, Conservation Element (Figure C-1, Important Farmland Map) as having either prime, unique or farmland of statewide importance. Farming is not conducted on the site. Therefore, the project would result in impacts on converting prime or other significant soils to urban land uses.

- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion: The site is not under Williamson Act contract, nor is it currently used for agricultural purposes.

- c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))?

Discussion: There are no forest land or timberland resources within the City of Paso Robles.

- d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion: See II c. above.

- e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Discussion: The adjacent property (270 acres) to the west and northwest are used for light-duty cattle grazing. No other agricultural activities are conducted within the near vicinity of the project site. Properties to the south and east are zoned and developed as regional commercial and/or light manufacturing. Development of this site for lodging would not have a significant impact to agricultural or forestry resources.

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

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

- a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: Attachment 5)

Discussion: An Air Quality Analysis was prepared by AMBIENT Consulting for this project. (See Attachment 6.) The study evaluated project consistency with the SLO County Air Pollution Control District Clean Air Plan (APCD CAP), in particular with land use and transportation control measures. These measures include: campus-based trip reduction; voluntary trip reduction program; local transit system improvements; regional transit improvements; bicycling and bikeway enhancements; and others.

The CAP also includes various land use policies to encourage the use of alternative forms of transportation, increase pedestrian access and accessibility to community services and local destinations, reduce vehicle miles traveled within the County, and promote congestion management efforts.

The study notes that the project is located within two miles of the Amtrak and multi-modal transportation station. The project will include hotel shuttle service for hotel guests. Additionally, (per the Traffic and Circulation Study prepared by Associated Transportation Engineers for this project) the site is served by the "Paso Express", a local fixed-route transit system on South Vine Street and a new transit stop is planned to be installed along the project frontage on South Vine Street. The exact location shall be determined in collaboration between the City and the San Luis Obispo County Regional Transit Authority (SLORTA). The local transit system also connects to the regional transit system provided by SLORTA. SLORTA provides service to surrounding destinations and communities.

In addition, consistent with the City's Bicycle Master Plan, South Vine Street provides bicycle connection for this project via a (red paved) bicycle lane that connects to the center of Paso Robles, as well as points south. The site plan also includes bike racks and bike lockers per City parking regulations. Lastly, the site will be served with pedestrian sidewalks with the South Vine Street realignment project (whichever alternative is constructed in the future.) This will provide for pedestrian connection to restaurants and retail businesses on the south side of SR 46W. Therefore, considering these measures, the project does not conflict with the SLO County APCD CAP. MM AQ-2 would implement the above measures to ensure consistency with the SLO County APCD CAP.

- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)

Discussion: The northern area of San Luis Obispo County occasionally exceeds ozone levels (both federal and state standards). The Air Quality Impact Study indicates that the project would exceed local thresholds for construction-related emissions, however the study also includes mitigation measures that can be employed to reduce those emissions to less than significant levels. In particular, the study indicates that the project would exceed maximum daily emission of ROG+NOx, particulate matter and fugitive dust. Implementation of mitigation measures MM AQ-1 (see Attachment 1, MMRP), which includes 13 construction-related mitigation measures will ensure compliance with SLO Co. APCD's 20% opacity limit (APCD Rule 401), nuisance rule (APCD Rule 402). With implementation of these mitigation measures fugitive PM emissions would be reduced to approximately 7.22 lbs/day and approximately 0.03 tons/quarter, potential short-term construction emissions would be less than significant level.

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

- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 11)

	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	-------------------------------------	--------------------------	--------------------------

Discussion: See III b. above. Short-term increases in emissions would occur during the construction process. Construction-generated emissions are of a temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact. The construction of the proposed project would result in the temporary generation of emissions associated with site grading and excavation, paving, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces. Short-term construction emissions would result in increased emissions of ozone-precursor pollutants (i.e., ROG and NO_x) and emissions of particulate matter (PM₁₀). Emissions of airborne PM are largely dependent on the amount of ground disturbance associated with site preparation activities and can result in increased concentrations of PM that can adversely affect nearby sensitive land uses. Because estimated emissions of ROG and NO_x occurring during initial site preparation and grading would exceed applicable thresholds, this impact would be considered potentially significant.

With mitigation measures included in the Mitigation Measure Summary, (Attachment 14), which includes SLOAPCD-recommended *Standard Mitigation Measures for Construction Equipment*, and additional mitigation measures included to encourage the reuse and recycling of construction materials and the use of heavy-duty construction equipment meeting CARB's Tier 3 engine emission standards, short-term construction-generated emissions would be reduced to below 2.5 tons/quarter and would not exceed SLOCAPCD significance thresholds. With mitigation measures incorporated, this impact would be considered less than significant. See MM AQ-8.

Long-term operational emissions associated with the proposed project would predominantly be the result of mobile sources. To a lesser extent, emissions associated with area sources, such as landscape maintenance activities, as well as, use of electricity and natural gas would also contribute to increased emissions.

Operational emissions were quantified using the CalEEMod computer program based on the default modeling parameters contained in the model for San Luis Obispo County. Operational emissions were compared to the SLOCAPCD's significance thresholds in Table 11 of the Air Quality Study. As indicated in Table 11, operational emissions are not projected to exceed SLOCAPCD's significance thresholds. Therefore, as noted in item III b., long-term operational emissions attributable to the proposed project would be considered less than significant.

- d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11)

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: Localized concentrations of CO are the primary concern in areas located near congested roadway intersections. Access to the hotel site would be via South Vine Street. Based on the traffic analysis prepared

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

for the proposed project, nearby signalized intersections at South Vine Street and SR 46W are projected to operate at LOS C or better, under existing-plus-project conditions. With implementation of planned future roadway improvements, nearby signalized intersections are projected to improve under cumulative conditions and long-term (year 2025) due to congestion relief improvements at the intersection. Additionally, there are no sensitive receptors in the nearby vicinity that could be affected by localized pollutant concentrations. Therefore, this impact would be considered less than significant.

However, there are naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). In accordance with ARB Air Toxics Control Measure (ATCM), prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM (SLOAPCD 2012).

Based on a review of the SLOAPCD’s map depicting potential areas of NOA, the project site is located in an area that has been identified as having a potential for NOA. As a result, the disturbance and potential exposure to NOA is considered to have a potentially significant impact. A map of areas within the County potentially containing NOA is included in Appendix A.

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings, particularly older structures constructed prior to 1970. Asbestos can also be found in utility pipes/pipelines (Transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM.

The project site will require demolition of an onsite residential structure, which was initially constructed in 1951. As a result, demolition of this structure has the potential to result in the disturbance of ACM. The disturbance and potential exposure to ACM during demolition of the onsite structure is considered to have a potentially significant impact.

Mitigation Measure AQ-3, AQ-5 and AQ-6 includes measures for the control of localized pollutant concentrations, as recommended by the SLOAPCD. With implementation of these measures, this impact would be considered less than significant.

- e. Create objectionable odors affecting a substantial number of people? (Source: 11)

Discussion: The proposed project would not result in the installation of any equipment or processes that would be considered major odor-emission sources. However, construction of the proposed project would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel-exhaust, may be considered objectionable by some people. In addition pavement coatings and architectural coatings used during project construction would also emit temporary odors. However, construction-generated emissions would occur intermittently throughout the workday and would dissipate rapidly within increasing distance from the source. As a result, short-term construction activities would not expose a substantial number of people to frequent odorous emissions. Additionally, there are no

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

residences located in the near vicinity of the project site that could be exposed to objectionable odors. For these reasons, potential exposure of sensitive receptors to odorous emissions would be considered less than significant.

IV. BIOLOGICAL RESOURCES: Would the project:

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

Discussion: A Biological Resources Assessment (BSA) was prepared by SWCA Environmental Consultants for this project (November 2013, see Attachment 8). The project would disturb 3.3 acres of primarily ruderal habitat. The development area has an existing home located on it.

The property has been disturbed from agricultural practices including disking and mowing. No special-status plant species were observed nor are special-status plant species expected to occur within the BSA. However, several oak trees within the project impact area and are protected under the Oak Tree Preservation Ordinance.

Birds protected under the Migratory Bird Treaty Act (MBTA) are expected to occur on the property and may utilize the oak trees and weedy areas within the BSA for nesting and foraging purposes. White-tailed kite and Swainson’s hawk may nest in the large oak trees. Both species forage in open grasslands and fallow fields characteristic of the property and surrounding land. White-tailed kite is a year-round resident of San Luis Obispo County while Swainson’s hawk occurrences are rare in the county (Sibley 2003). The nearest known occurrence of Swainson’s hawk is approximately 20 miles northeast of the property (CNDDDB 2013). Burrowing owls may use small mammal burrows if present on the property. The likelihood of this species occurring within the BSA is low since burrowing owl is not a common resident to the Paso Robles area. The nearest known occurrence of this species is a wintering population at Camp Roberts, approximately 15 miles north of the BSA (CNDDDB 2013). Avoidance and Mitigation Measure BIO-1 has been provided to ensure that project activities avoid impacts to migratory nesting birds and to ensure that burrowing owls are not present prior to the start of construction.

The property does not contain suitable denning habitat for San Joaquin kit fox. The Salinas River serves as a wildlife corridor for the purposes of foraging for the species. Due to the property’s distance (0.2 miles) to the Salinas River and US 101, which is a likely barrier to movement, there is a low likelihood that San Joaquin kit fox may pass through the project area. The project area is not located within the any of the habitat replacement areas shown on the San Luis Obispo County Kit Fox Standard Mitigation Ratios Area Map. A San Joaquin kit fox Habitat Evaluation Form was not completed as part of this study since it is not warranted. However, since there are San Joaquin kit fox occurrences within a 10-mile radius of the project area, standard San Joaquin kit fox avoidance measures will be implemented during project construction (refer to Avoidance and Mitigation Measures BIO-2 through BIO-7).

The property contains two large valley oak trees, one large blue oak (*Quercus douglasii*), and as many as 30 small native oak species that may meet the qualifications for protection under the City Oak Tree Preservation Ordinance (2002). This ordinance applies to all oak species native to Paso Robles with a

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

DBH equal to or greater than 6 inches and their corresponding critical root zone. Mitigation plantings are required for removal of qualifying oak trees, and all others remaining in the BSA must be protected (refer to Avoidance and Mitigation Measures BIO-8 through BIO-14). Riparian habitat is not present within the BSA or on the property. As proposed, the project would have no direct or indirect effect on wetland or riparian habitat. The proposed project will have no direct or indirect effect on the movement of resident or migratory fish and wildlife species.

Avoidance and mitigation measures included in the Mitigation Measures Summary will be applied (via a Mitigation Monitoring and Reporting Program that would be adopted with the project, if approved) to ensure the potential impacts to these habitats and species are less than significant.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Discussion: There is no riparian habitat located on this property. However, there are several oak trees on the property that are within the area of disturbance of the project. The applicant has proposed to remove 5 oak trees and to trim other remaining trees for maintenance purposes. Oak trees that are 6 inches in diameter (dbh) are protected under the City’s Oak Tree Protection Ordinance. The proposed removals, if approved, would require oak tree replacement mitigation pursuant to the City’s ordinance that would require planting a minimum of 25% of the total combined diameter of all oak trees to be removed. Tree protection is also required for work that may occur within the “critical root zone” of remaining trees. An Arborist Report (see Attachment 9) was prepared for this project which identifies oak tree mitigations to reduce potential impacts to a less than significant level. Mitigations help protect the health of oak trees that can be impacted by activities such as watering in the root zone or stacking materials or equipment in this area. Grading or other site disturbances in the root zone are controlled with mitigation measures to protect tree roots by requiring hand cutting of roots, etc. With implementation and use of special techniques for site disturbance as described in the measures, no significant effects will result from the proposed project.

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

Discussion: Per the Biological Resources Assessment, there are no wetlands, waterways or other hydrological features located on the project site, or within the near vicinity that could be affected by the proposed project. Therefore, the project will not result in impacts to hydrological features and/or resources.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				

Discussion: See detailed response item IV (a) above. The biological study prepared for this project indicates that the site is not suitable for denning of San Joaquin Kit Fox and that migration for this species is typically contained to the east of the Salinas River due to the Highway 101 barrier. However, as noted above, mitigations have been included in the study in the case that they use the site for migration. No sensitive bird species were identified on the site, however, in accordance with the MBTA, specific mitigations are included to ensure that nesting birds are not significantly impacted by the construction of the proposed project.

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

Discussion: See IV b. above. The project would not conflict with any local policies or ordinances established to protect biological resources.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no Habitat Conservation Plans or other related plans applicable in the City of Paso Robles.

V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion (a-d): There are no historic resources (as defined), located on the site. Although the existing house was built in 1951, it does not exhibit any architectural characteristics or qualities that would meet the criteria of the State Office of Historic Preservation as a candidate for listing as a local, state or national historic resource as either a point of interest, landmark or district. The house is not included on the City's Historic Resource Inventory. The architectural design and theme consists of a single-story, ranch-style house with no ornamentation, unique or special design features. It displays significant deferred maintenance,

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

including broken windows, peeling exterior paint, etc. Specifically, the house does not possess sufficient character defining features, integrity of location, design, setting, materials, workmanship, feeling, or association, and does not meet at least one of the following criteria:

1. It reflects special elements of the City’s historical, archaeological, cultural, social, economic, aesthetic, engineering, or architectural development;
- 2) It is identified with persons or events significant in local, state, or national history;
- 3) It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or whether the building or structure represents an established and familiar visual feature of a neighborhood or community of the city; or
- 4) It has yielded or has the potential to yield, information important to the history or prehistory of Paso Robles, California, or the nation.

There are also no archaeological or paleontological resources known to be present on the site or in the near vicinity. Since the property is not located within proximity to a creek or river or known cultural resource it is unlikely that there are resources located on the site.

There are no known human remains on the project site, however, per conditions of approval incorporated into the project, if human remains are found during site disturbance, all grading and/or construction activities shall stop, and the County Coroner shall be contacted to investigate.

Therefore, this project will result in less than significant impacts on cultural resources.

VI. GEOLOGY AND SOILS: Would the project:

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

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 the Salinas Rivers valley. The Rinconada Fault system runs on the west side of the valley, and grazes the City on its western boundary. The San Andreas Fault is on the east side of the valley and is situated about 30 miles east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the California Building Code (CBC) 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 and geotechnical reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. There are no Alquist-Priolo Earthquake Fault Zones within City limits.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Discussion: The proposed project will be constructed to current CBC codes. 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 this project including adequate structural design and not constructing over active or potentially active faults. Therefore, impacts that may result from seismic ground shaking are considered less than significant.</p>				
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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 and soil conditions. Per the Geotechnical Engineering Report prepared by Earth Systems Pacific (September 2013, see Attachment 9), which confirms that the site has a low potential for ground failure and liquefaction. Therefore, impacts related to seismic-related ground failure are determined to be less than significant.</p>				
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Discussion: Per the General Plan Safety Element, the project site is in an area that is designated as a low-risk area for landslides. Therefore, potential impacts due to landslides would be less than significant.</p>				
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated. The geotechnical study prepared includes standard requirements to assure soil stability due to erosion, including submission of an erosion control plan to be approved by the City Engineer prior to commencement of site grading.</p>				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Discussion: See response to item a.iii, above, the Geotechnical Report prepared for this project did not identify that this site is an unstable geologic unit that would be subject to on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.</p>				
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code, creating substantial risks to life or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

property?

Discussion: In accordance with the City’s Local Hazard Mitigation Plan, Figure 6-7, Expansive Soils Map, the project site is identified to have a potential moderate risk for expansive soils. This condition is common throughout the City. Application of standard California Building Code requirements for structures, risks associated with moderately expansive soils can be addressed through routine implementation of building construction methods to stabilize foundations, sheer walls, roofing, etc. to reduce the potential for creating substantial risks to life or property to a less than significant level.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Discussion: The development will be connected to the City’s municipal wastewater system. Therefore, there would not be impacts related use of septic tanks.

VII. GREENHOUSE GAS EMISSIONS: Would the project:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion: A Greenhouse Gas Impact Assessment was prepared by AMBIENT Consultants to evaluate potential Greenhouse Gas (GHG) emissions that may result from the project. (November 2013, see Attachment 6)

The SLO County APCD adopted a GHG emissions threshold for projects in 2012 that establishes that it would be considered a potentially significant effect if projects exceed 1,150 metric tons of CO2 emissions per year (MTCO2e/year) of GHG. The proposed project would result in 1,768.14 (both construction and operational emissions) annually, and annualized emissions of 9,809 MTCO2e (assuming a 25-year life of the project).

There are two options (or combination thereof) that the project proponent must select to reduce the exceedance of GHG to a less than significant level. Mitigation options include the following:

- a. The applicant shall demonstrate compliance with the City of Paso Robles’ Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various “mandatory”, as well as, “voluntary” measures. All “mandatory” actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the “mandatory” actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City’s CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.
- b. The applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees to the SLOAPCD, sufficient to reduce project-generated emissions to below 1,150 MTCO2e/year. Based on the analysis of offsite mitigation discussed below, offsite mitigation would be required for a total of 9,809 MTCO2e. At the time of this report, the SLOAPCD’s offsite GHG mitigation fee had not yet been

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

adopted. In the event that SLOAPCD’s offsite mitigation fee has not been adopted at the time that payment of the offsite mitigation fee is due, project-generated excess GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:

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

If the applicant chooses (a) above (the CAP Consistency Checklist), the applicant will be obligated to follow through with the mandatory measures of the CAP. (If all mandated measures cannot be met, then the applicant can incorporate voluntary measures to meet the reduction targets. Under those circumstances, a new GHG model would need to be prepared to calculate estimated reductions with voluntary measures.) With this option, GHG reduction is accomplished through numerous onsite energy efficiency measures, transportation-related efficiencies, and other measures.

If the applicant chooses (b) above, estimated GHG emissions, with implementation of (b) above are summarized in Table 18 below. As noted, implementation of the proposed mitigation measures would reduce operational GHG emissions to approximately 1,651.31 MTCO₂e/year. Although reduced, operational emissions would continue to exceed SLOAPCD’s significance threshold of 1,150 MTCO₂e/year. As a result, offsite mitigation would be required.

Future operational GHG emissions are projected to steadily decrease due, in part, to continued improvements in vehicle emission standards and fleet-wide emissions. Therefore, to determine the total amount of offsite mitigation required, annual operational GHG emissions were quantified for each year of operation over the assumed 25-year life of the project, with implementation of the GHG-reduction measures identified in (b) above. Amortized construction-generated GHG emissions (i.e., 11.40 MTCO₂e/year) and removed emissions associated with the existing land use were included. Net increases in operational GHG emissions exceeding SLOAPCD’s annual significance threshold were identified as excess GHG emissions. Annual operational GHG emissions over the project life are summarized in Table 19 below. As noted, excess GHG emissions

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

would range from 501.31 MTCO₂e in year 2015 to 340.87 MTCO₂e in year 2040. Excess GHG emissions requiring offsite mitigation would total 9,809 MTCO₂e.

Table 18
 Operational Greenhouse Gas Emissions
 Without Mitigation

Source	GHG Emissions (MTCO ₂ e/Year)
Area Source	.01
Energy Use	913.38
Motor Vehicles	825.08
Waste Generation	31.13
Water Use and Conveyance	9.30
Total Project-Generated Emissions:	1,778.91
Emissions From Onsite Use to be Removed:	-22.17
Construction (Amortized)	11.40
Net Increase in Emissions:	1,768.14
SLOAPCD Significance Threshold:	1,150
Exceeds Significance Threshold?	Yes
Refer to Appendix C for modeling assumptions and results.	

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

Table 19
Excess GHG Emissions to be Mitigated

Year	GHG Emissions (MTCO2e/year)					
	Amortized Construction Emissions	Removed Emissions	Project-Generated Emissions	Total Emissions	SLOAPCD Significance Threshold	Excess Emissions
2015	11.40	22.17	1,662.08	1,651.31	1,150	501.31
2016	11.40	21.74	1,642.36	1,632.02	1,150	482.02
2017	11.40	21.26	1,620.15	1,610.29	1,150	460.29
2018	11.40	20.78	1,598.03	1,588.66	1,150	438.66
2019	11.40	20.32	1,577.14	1,568.22	1,150	418.22
2020	11.40	19.81	1,553.71	1,545.30	1,150	395.30
2021	11.40	19.67	1,547.54	1,539.26	1,150	389.26
2022	11.40	19.54	1,541.36	1,533.22	1,150	383.22
2023	11.40	19.40	1,535.19	1,527.18	1,150	377.18
2024	11.40	19.27	1,529.01	1,521.14	1,150	371.14
2025	11.40	19.13	1,522.84	1,515.10	1,150	365.10
2026	11.40	19.07	1,519.69	1,512.02	1,150	362.02
2027	11.40	19.00	1,516.54	1,508.94	1,150	358.94
2028	11.40	18.93	1,513.39	1,505.86	1,150	355.86
2029	11.40	18.86	1,510.24	1,502.78	1,150	352.78
2030	11.40	18.79	1,507.09	1,499.70	1,150	349.70
2031	11.40	18.77	1,506.19	1,498.81	1,150	348.81
2032	11.40	18.75	1,505.28	1,497.93	1,150	347.93
2033	11.40	18.73	1,504.38	1,497.05	1,150	347.05
2034	11.40	18.71	1,503.48	1,496.17	1,150	346.17
2035	11.40	18.69	1,502.58	1,495.28	1,150	345.28
2036	11.40	18.67	1,501.67	1,494.40	1,150	344.40
2037	11.40	18.65	1,500.77	1,493.52	1,150	343.52
2038	11.40	18.63	1,499.87	1,492.64	1,150	342.64
2039	11.40	18.61	1,498.97	1,491.75	1,150	341.75
2040	11.40	18.59	1,498.06	1,490.87	1,150	340.87
Total Excess Emissions:						9,809.4
<p>Totals may not sum due to rounding.</p> <p>Amortized construction emissions and removed emissions associated with the existing land use are based on a 25-year operational period.</p> <p>Project-generated emissions include reductions associated with implementation of MM GHG-1,b,1-8.</p> <p>Excess emissions represent total net increase in emissions exceeding the SLOAPCD significance threshold over a 25-year operational period,</p> <p>Refer to Appendix C for modeling assumptions and results.</p>						

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

Discussion: With implementation of GHG-reduction mitigation measures sufficient to reduce project-related GHG's to below the SLO APCD's GHG threshold of significance (1,150 MTCO₂e/year), this impact would be considered less than significant, and would not conflict with the policies of SLO APCD or the City's CAP.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The project would use industry-standard landscape and building maintenance products which would be stored in compliance with all applicable safety requirements. The project does not include use of, transport, storage or disposal of hazardous materials that would create a significant hazard to the public or environment.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: See VIII a. above.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The proposed hotel project will not emit hazardous materials and will not impact schools since there are no schools within the vicinity.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project site is not identified as a hazardous site per Government Code Section 65962.5.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: (VIII e & f) The project site is not located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip.				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The City does not have <i>adopted</i> emergency response or evacuation plans. Per the City Emergency Services Battalion Chief, the proposed location does not pose a risk that would impair City response to emergencies.				
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Per the 2003 General Plan Safety Element, and the Public Review Draft of the 2014 Local Hazard Mitigation Plan Update, the project is not in the vicinity of wildland fire hazard areas.				

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: A Storm Water Quality Management Plan was prepared by Wallace Group (November 2013, see Attachment 11) for this project. The plan identifies specific post-construction Best Management Practices that have been incorporated into the project in compliance with State Water Board requirements to meet water quality standards and discharge requirements. The project will apply conditions of approval to comply with these standards. With the imposition of these regulatory requirements, no impact would result as these regulatory requirements are designed to ensure that water quality standards are maintained.

The proposed project is designed to retain stormwater on-site through installation of various low-impact development (LID) features. The project has been designed to reduce impervious surfaces, preserve existing vegetation, and promote groundwater recharge by employing bioretention through implementation of these measures. Thus, water quality standards will be maintained and discharge requirements will be in compliance

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

with State and local regulations. Therefore, impacts to water quality and discharge will be less than significant.

- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The project property is within the City limits and it is zoned to allow for commercial development, including hotels. The City’s municipal water supply is composed of groundwater from the Paso Robles Groundwater Basin, an allocation of the Salinas River underflow, and a surface water allocation from the Nacimiento Lake pipeline project.

In light of the current drought situation and reports of declining groundwater levels in the Paso Robles Groundwater Basin (“the basin”), the City established a groundwater stewardship policy to not expand dependency on the basin over historic use levels/pumping from the City’s peak (pumping) year of 2007. Additionally, to address drought concerns, and in compliance with State law and water reduction requirements, the City has implemented a comprehensive water conservation program to reduce water consumption citywide since 2009. The City has exceeded State-required water conservation measures since the program was established. Additionally, the City augmented water supply and treatment capacity by procuring surface water from Lake Nacimiento and construction of delivery facilities to the City. This project will not affect the amount of groundwater that the City withdraws from the Paso Robles Groundwater Basin. Per the City’s 2010 Urban Water Management Plan (UWMP), page 21:

“The City is progressing with its plans for a water treatment plant (WTP) to treat surface water received from Lake Nacimiento. The WTP is being designed to treat 4 million gallons per day (mgd), with construction to begin in 2015. The WTP can be expanded to treat 6 mgd to meet future demands (Paso Robles website, October 13, 2010). Specific facilities include a water treatment plant, treated water reservoir and pump station, transmission pipeline, appurtenances and other site improvements (Padre, 2008). Half of the initial 4,000 AFY Nacimiento allocation and half of the 4 mgd Phase 1 treatment plant capacity are to replace lost well production capacity and improve water quality. The remaining capacity is to provide for new development. In order to limit reliance on the highly-stressed groundwater basin new development—per City policy—is required to be served with surface and recycled water. Therefore, the second 1,400 AFY Nacimiento allocation, the 2 mgd treatment plant expansion, and recycled water infrastructure will be funded by development.”

The project proponent would be required to pay development impact fees for water service expansion and availability to mitigate its proportionate share of related impacts. Additionally, the City assigns “duty” factors that anticipate the amount of water supply necessary to serve various types of land uses. These factors are derived from determining the average water demands for each zoning district in the City. In this circumstance, the water supply necessary for development of commercial land uses permitted in the C2 Zone

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

includes hotels, as well as other uses, and is incorporated into the water demand assumptions of the UWMP. As noted above, the City has augmented future reliance on groundwater resources to surface water resources, and commercial development has been accounted for in the overall water projections and demand for the City. As noted in the Project Description, the proposed project would be served with the City’s municipal water supply system. Since the City’s water supply, as documented in the UWMP, is not reliant on increased groundwater pumping for new development, it demonstrates adequate water supply procured from Lake Nacimiento to accommodate the projected growth in the City and it demonstrates that this project will have adequate water supply available, and will not further deplete or in any way affect, change or increase water demands on the basin.

In addition, in compliance with recently adopted updates to the applicable code sections of the California Green Building Code (adopted by the City in 2013), the project will be required to install more restrictive water-conserving plumbing fixtures than what would have previously been required in 2010 when the UWMP was adopted. The City also implements the State Landscape Water Conservation regulations, which requires further reductions in water demand for landscaping. Additionally, in compliance with the City’s Climate Action Plan adopted in 2013, “Project Consistency Checklist”, Appendix C, the applicant will be incorporating landscape water fixtures and drought-resistant landscaping that will achieve a 20 percent reduction in water demand above what is required by State law. Thus, the project will implement *all* best management practices available to reduce water demands over “business-as-usual” and what is anticipated in the UWMP. Therefore, this project will result in less than significant impacts to the groundwater supplies used by the City.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The drainage pattern on the site would not be substantially altered with development of this project since site development will generally maintain the existing, historic drainage pattern of the property, and new hydromodification drainage will be maintained on the site. Additionally, surface flow would be directed to drainage areas for percolation into bioswale drainage features on the property. There are no streams, creeks or rivers on or near the project site that could be impacted from this project or result in erosion or siltation on- or off-site. Therefore, impacts to drainage patterns and facilities would less than significant.

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See IX c. above. Drainage resulting from development of this property will be maintained onsite and will not contribute to flooding on- or off-site. Thus, flooding impacts from the project are considered less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: As noted in IX a. above, per the Stormwater Management Plan prepared for this project, surface drainage will be managed onsite and will not significantly add to offsite drainage facilities. Additionally, onsite LID drainage facilities will be designed to clean pollutants before they enter the groundwater basin. Therefore, drainage impacts that may result from this project would be less than significant.				
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See answers IX a. – e. This project will result in less than significant impacts to water quality.				
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: There is no housing associated with this project nor is there any housing in the near vicinity downstream from the site, and the site is not within or near a flood hazard area. Therefore, this project could not result in flood-related impacts to housing.				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See IX g. above. The property is not within or near a 100-year flood hazard area.				
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See IX h. above. Additionally, there are no levees or dams in the City.				
j. Inundation by mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: In accordance with the Paso Robles General Plan, there are no mudflow hazards located on or near the project site. Therefore, the project could not result in mudflow inundation impacts.				
k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project will implement the City's Storm Water Management Plan - Best Management Practices. Therefore, it would not conflict with these measures.				
l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion: The project will incorporate all feasible means to manage water runoff on the project site. There are no wetland or riparian areas in the near vicinity, therefore, the project could not result in impacts to aquatic habitat.

X. LAND USE AND PLANNING: Would the project:

- a. Physically divide an established community?

Discussion: The project is largely surrounded by undeveloped, vacant property to the west and north. Highway 101 is located to the east and SR 46W is located to the south. There is no established community within the project vicinity. Therefore, the project will not physically divide an established community.

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion: As a regional commercial land use, the proposed hotel is consistent with the General Plan Land Use Designation of Regional Commercial and Highway Commercial zoning. The project proponent is requesting a PD Overlay be approved for the project to allow an exception to the 50 foot height limit of the C2-PD zoning district. As demonstrated in Section I, Aesthetics (of this study), exceeding the height limit would not result in significant aesthetic-related environmental effects, and in compliance with meeting specific criteria and making established findings, the project would not conflict with the applicable zoning.

The project site design is also consistent with the Gateway Design Standards. There are no other plans that apply to the property. Therefore, the project does not conflict with applicable plans or policies adopted to avoid or mitigate environmental effects.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore, there could be no conflicts with conservation plans.

XI. MINERAL RESOURCES: Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1)

Discussion: There are no known mineral resources at this project site.

- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)

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

Discussion: There are no known mineral resources at this project site.

XII. NOISE: Would the project result in:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1)
- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: A Noise Impact Assessment Study was prepared for this project by AMBIENT Consulting, (November 2013, see Attachment 11). The study identifies the potential external and internal noise exposure that may be experienced in the future from noise generated in the vicinity - primarily noise from Highway 101, and future noise impacts after realignment of South Vine Street (as shown on the preliminary grading plan). The potential noise levels were then compared with the General Plan Noise Element thresholds to determine if noise impacts would be potentially significant.

Per the City's General Plan, Noise Element, the noise level threshold of significance for interior noise levels is 45 dBA CNEL/Ldn, and for outdoor activity areas it is 65 dBA CNEL/Ldn. With the existing road alignment and/or future road realignment the project would have a projected exterior range from approximately 46 to 63 dBA CNEL/Ldn, which would not exceed the applicable threshold. However, interior noise levels for upper floors that would be adjacent to So. Vine Street would result in noise levels that exceed these thresholds, and would therefore result in potentially significant impacts. The Noise Study includes eight construction-related measures (MM N-1 a. – h.) to baffle interior noise levels from exterior noise sources. These measures includes using specific glazing with maximum dimensions, door frame construction methods, exterior wall construction methods, and others, to meet the interior noise standard consistent with the City's Noise Elements. Therefore, with implementation of the mitigation measures recommended, potential impact can be determined to be less than significant. See Attachment 14, Mitigation Measures Summary.

- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project may result in short-term construction groundborne vibration from machinery, however, the construction noise is not anticipated to be excessive nor operate in evening hours, and would be less than the industry (Caltrans) standard thresholds for vibration that would cause structural damage and/or annoyance of (0.2 and 0.1 in/sec ppv, respectively at a distance of 500 feet). Since the City does not have adopted groundborne vibration or groundborne noise level thresholds, it would be suitable to implement the Caltrans standard for these effects. Therefore, impacts from groundborne vibration noise would be considered less than significant.

- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Per the Noise Study prepared for this project, it will not create significant land use-related noise or traffic generated noise. Therefore, the project would not result in contributing permanent increases in ambient noise levels.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion: The Noise Study prepared for this project provides information on typical construction equipment noise levels. The study indicates (in Table 8) that short-term increases in construction noise may have a potential to be significant. Potential short-term construction related impacts will be reduced through mitigation measures (MM N-1 a & b), to control of duration and hours of construction related noise as well as implementation of noise baffling equipment for use on standard construction engine equipment and equipment maintenance requirements. Implementation of these measures will reduce noise to a less than significant level. See Attachment 14, Mitigation Measures Summary.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project is not located within an airport area subject to an airport land use plan, and will thus not be impacted by airport related noise.

XIII. POPULATION AND HOUSING: Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion (a-c): The proposed hotel project will create jobs that can be absorbed by the local and regional employment market, and will therefore not create the demand for new housing or population growth or displace housing or people.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

There is only one house on the project site that would be demolished with the construction of the project. As such, the project would not displace a substantial number of existing housing.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

As noted above, there is only one house on the project site. The house is occupied by a single tenant occupant. Therefore, displacement of one person would not constitute “displacement of a substantial number of people, necessitating construction of replacement housing”.

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

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Fire protection? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Police protection? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Other public facilities? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion (a-e): The proposed project will not result in a significant demand for additional new services since it is not proposing to include new neighborhoods or a significantly large scale development that cannot be provided services through existing resources, and the incremental impacts to services can be mitigated through payment of standard development impact fees. Therefore, impacts that may result from this project on public services are considered less than significant.

XV. RECREATION

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion (a&b):

The proposed commercial development project will not encourage new housing demands, therefore it will not result in an increase in demand for recreational facilities or accelerate deterioration of recreational facilities.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

XVI. TRANSPORTATION/TRAFFIC: Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

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

circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Discussion: A Traffic Impact Study was prepared by ATE Associates for this project (August 2013, see Attachment 12). The traffic study estimates: existing traffic conditions; traffic that would be generated from the project; impacts to surrounding facilities including South Vine Street; and intersection and freeway operations. It also projects traffic impacts to these facilities in the future at year 2035 and cumulative impacts of the project with other approved development and development “in the planning pipeline”. Additionally, the study evaluated: project access on South Vine Street; alternative transportation needs; and improvements for pedestrians, bicyclists and transit. The study was prepared in the context of the City’s Circulation Element as well as Caltrans standards and County circulation planning.

The traffic study indicates that the existing traffic in addition to project generated traffic would not exceed adopted standards and thresholds for existing service capacity on surrounding intersection or freeway operations. However, the project would exceed adopted thresholds during the project plus cumulative scenario at certain intersections. In particular, the intersections that comprise the west side of SR 46W/US 101 interchange (SR 46 W/US 101 SB and SR 46W/Vine Street) are forecast to operate at LOS D during the P.M. peak hour under the cumulative plus project scenario. This would be in excess of the LOS C Caltrans standard.

The project would also exceed thresholds during the Year 2035 scenario at certain intersections and freeway segments. In particular, the project would cause an additional 11 northbound trips to occur on U.S. 101 N on the segment north of SR 46. This segment would operate at LOS F during Year 2035 and the project would further exacerbate this segment. Further, in Year 2035, the U.S. 101/SR 46W interchange is forecast to operate at LOS E-F. The project would add traffic and contribute to the impact at this interchange.

Based on the above impacts in the cumulative plus project, and Year 2035 plus project scenarios, the applicant would need to mitigate its share of impacts to these facilities by participating in (i.e., contributing its fair share of the cost of) planned future improvements to the intersection of South Vine Street and Highway 101, and operations of Highway 101. It should be noted that the cumulative and Year 2035 impacts take into account forecasted regional traffic and Year 2035 traffic in addition to the project’s traffic. Thus, the project alone would not cause impacts to the respective intersections, interchanges and freeway segments during the cumulative and Year 2035 scenario. As such, the project alone would not be responsible for funding or constructing all anticipated improvements.

Improvements to these facilities have already been identified and analyzed by Caltrans and the City in a separate IS/MND prepared in December 2009 (SCH # 2008051102) and in a Project Approval/Environmental Document or PAED. In fact, the improvements are a separate multi-phase project between the state, county and city that will reduce interregional, regional and local congestion through the US 101/State Route 46 West interchange. The improvement project has been identified by Caltrans as regional traffic, coupled with anticipated development projects in the region, will eventually degrade operations at the U.S. 101/SR 46 W interchange.

Phase I (re-alignment of Theatre Drive) has been constructed and is in operation, which has reduced traffic

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

congestion in this location. Phase 2 of this project is the future realignment of Vine Street as detailed in the Traffic Study prepared for this Project and in the PAED. All future phases of the interchange improvement project are identified in the City’s Development Impact Fee (DIF) program in accordance with Council Resolution No. 14-035. Exhibit “B” to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the improvement of the interchange of Highways 101-46W. The specific amount of DIF fees to be paid by the applicant relative to the proposed project will depend on the current rate of fees applicable at the time of occupancy. However, as part of a prior entitlement that the landowner applied for, but which was not constructed, the landowner previously paid approximately \$270,900 in 2006 toward improvements constructed at the southbound exit at the interchange, which is part of the overall regional interchange improvement project. With implementation of applying both of these fees (the previously paid fair-share of the interchange improvements and the additional DIF fees to be calculated at time of project occupancy), the project will have mitigated its fair share of impacts to transportation facilities. Therefore, with mitigation measures incorporated, impacts to transportation facilities will be less than significant, and the project would be consistent with applicable plans and policies. See Attachment 14, Mitigation Measures Summary.

The traffic study analysis on project access at South Vine Street and Wilmar Place indicates that a stop-sign controlled intersection would be adequate to provide safe access to the site. ATE Associates conducted a field review of the Vine Street/Wilmar Place intersection to determine the adequacy of the sight distances. The Caltrans Highway Design Manual (6th Edition) sight distance standards were used to determine adequacy of the sight distances at the intersection. The posted speed limit along this segment of Vine Street is 45 MPH. Floating car surveys found that vehicles travel within the posted speed limit (the floating car surveys found speeds slightly less than 45 MPH for southbound Vine Street because those vehicles are released from the signal at Route 46W, and then climb a slight hill between Rout 46W and Wilmar Place).

Based on Caltrans criteria, the minimum required sight distance from Wilmar Place is 495 feet. The measured sight distance looking to the north is more than 1,100 feet, well in excess of the minimum. The sight distance looking to the south is limited by a crest vertical curve on Vine Street, however, sight distance to the south as measured in the field is about 590 feet, which exceeds the 495-foot minimum recommended in the Caltrans design manual. Thus, adequate sight distances are available at the Vine Street/Wilmar Place intersection.

Additionally, the project will be served with transit and it is connected to the City’s bicycle transportation system with a class II bike lane on South Vine Street. It will also include connection to surrounding properties with sidewalks.

- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion: See XVI a. above. Additionally, the project site will be served with a transit stop on Vine Street to facilitate employee transportation demands and reduce congestion, as well as provide shuttle services to the multi-modal transportation center for guests. Mitigation measures have been incorporated to provide these services. Therefore, impacts related to congestion management will be mitigated to a less than significant level.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project site is not located within an airport land use planning area.				
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: There are no hazardous design features associated with this project that could result in safety hazard impacts from this project.				
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project will not impede emergency access, and per the City Engineering Standards and Specifications, City Zoning Code, Section 22.22.080, and the California Fire Code, the project access is designed in compliance with all emergency access safety features to City emergency access standards (e.g. a paved 25 foot wide access driveway, required turning radius and turnarounds, etc.).				
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project incorporates multi-modal transportation facilities and access such as bike lanes, sidewalks, and walkways, and a transit stop on the project frontage along Vine Street. Therefore, it does not conflict with policies and plans regarding these facilities.				

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: The project will comply with all applicable wastewater treatment requirements as required by the City, the Regional Water Quality Control Board, and the State Water Board. Therefore, there will be less than significant impacts resulting from wastewater treatment from this project.				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

environmental effects?

Discussion: Per the City’s General Plan EIR, Urban Water Management Plan, Sewer System Management Plan (SSMP), Wastewater Master Plan (WWMP), the City’s water and wastewater treatment facilities in the vicinity and at the wastewater and water treatment plants are adequately sized, including planned facility upgrades, to provide water needed for this project and to treat resulting effluent. The applicant will be required to pay for utility connections and associated improvements, as well as development impact fees to offset and mitigate the projects proportional share of impact to these facilities. Therefore, this project will not result in the need to construct new facilities.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: All new stormwater resulting from this project will be managed on the project site, and will not enter existing storm water drainage facilities or require expansion of new drainage facilities. Per the Storm Water Control Plan prepared for this project, stormwater will be controlled through several types of facilities. These include constructing the parking lot and flatwork areas to convey stormwater to landscaped bioswales, installation of pervious paving materials in the rear parking lot area, installing a rooftop drainage cistern system for use on landscaping, and a drainage retention basin. Therefore, the project will not impact the City’s storm water drainage facilities.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As noted in section IX on Hydrology, the project can be served with existing water resource allocations available and will not require expansion of new water resource entitlements.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Per the WWMP, the capacity of the City’s wastewater treatment plant is 4.9 million gallons per day (MGD). Existing flows to the wastewater treatment plant are approximately 2.9 MGD, so the plant has a remaining capacity of 2 MGD.

Based on data from other existing hotels of similar size, wastewater generation by the proposed project would not exceed 20,000 gallons per day. This would require up to 1% of the remaining capacity of the wastewater treatment plan. Therefore, it can be determined that the City has adequate capacity to accommodate the wastewater estimated to be produced by the proposed project.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f. Be served by a landfill with sufficient permitted capacity to accommodate the | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

project’s solid waste disposal needs?

Discussion: Per the City’s 2010 Landfill Master Plan, the City’s landfill has adequate capacity to accommodate construction-related and operational solid waste disposal for this project. Landfill design capacity permitted (as of 2013) is 6,495,000 cubic yards, with a maximum of up to 75,000 tons/year. The City’s overall waste stream averages about 45,000 tons/year, inclusive of residential and non-residential hauling rates. Based on General Plan build-out projections, landfill capacity is documented to be sufficient until at least 2051. The 5-year Joint Technical Update (currently in process of being updated) projects capacity until 2071. However, the landfill plan includes numerous zero-waste and renewable energy production programs that are designed to reduce the waste stream and extend the life of the capacity much further.

An analysis of another hotel project currently under construction (Ayres Hotel - 134,000 s.f. which is 27% larger than the proposed Marriott Hotel - 98,000 s.f.), the Ayres Hotel estimated that it will result in approximately 10.02 tons of construction and debris (C&D) solid waste (including a 50% diversion rate). Since the proposed project is 27% smaller, it is estimated that it would result in 7.32 tons of C&D solid waste.

Based on capacity information of the City’s Landfill capacity, annual waste stream and estimated C&D, it can be determined that the City’s landfill has adequate capacity to accommodate the proposed projects solid waste disposal needs.

- g. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion: The project proponent will be required to comply with the City’s adopted Municipal Code which encompasses the California Green Building Code for C&D waste, as well as landfill permit tonnage limitations (see XVII (f) above). Based on averages of typical hotel waste streams (which are included in the landfill capacity analysis of the 2010 Landfill Master Plan), as well as an estimate of C&D waste, the proposed project will comply with local and state solid waste regulations. Local and State solid waste regulations are in compliance with the federal solid waste regulations of the Environmental Protection Agency. Therefore, the proposed project will comply with all applicable solid waste regulations.³

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion: As noted within this environmental analysis on biological resources with the mitigation measures incorporated, the project-related impacts to habitat for wildlife species will be less than significant with mitigation measures incorporated. There will be no impact to fish habitat as well as no impact to fish and wildlife populations. Therefore, impacts to fish, wildlife, of plant habitat is less than significant.

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

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The analyses prepared for this project demonstrate that potentially significant impacts that may result from implementation of this project will not:

- individually; and/or
- in connection with effects of past projects, and/or
- in connection with current projects; and/or
- in connection with probable future projects, result in cumulatively considerable significant impacts.

Based on substantial evidence in the record, potential impacts identified related to aesthetics, biological resources, air quality, GHG emissions, traffic are not cumulatively considerable. There are no other development projects currently being considered in the near vicinity. There are no probable future projects being contemplated at this time. The City received an application for annexation of property in the vicinity, however, because it has been “suspended” from further processing at that applicant’s request, it would therefore be speculative to consider cumulative impacts from it, and it would not be considered substantial evidence (CEQA Guideline, section 15064(f)(5)).

Aesthetics: Potentially significant impacts related to aesthetics are analyzed in Section I of this Initial Study. The analysis demonstrates that the project would be consistent with General Plan policies related compatibility, architectural quality, as well as general visual quality. The project is consistent with the standards in the Gateway Design Standards, and the City Zoning Code for the PD Overlay Zone. Consistency is achieved through architectural design, materials, site design, landscaping, building placement and building orientation. Through consideration of specific design criteria in General Plan, Gateway Design Standards and Zoning Code, the proposed project is determined to be compatible with the surrounding character of existing development, (e.g. other hotels), and it would not significantly diminish the surroundings where it would be located since it would not significantly impact the surrounding hillsides, ridgelines, oak trees, and other natural features, and it would improve the view of the existing site by removing a dilapidated structure and replace it with the proposed hotel project.

As noted, the project would be compatible and consistent with existing (past) hotel projects in the vicinity. While the existing hotels are located to the south of the project site (across SR 46W), they draw viewers to look to the west (towards them) because they are located above grade of the highway and present a visual attraction. Development to the east of the site across Highway 101 consists of light industrial, highway oriented and/or regional commercial land uses (e.g. fast-food restaurants, RV service, mini-storage, tire store, and miscellaneous land uses). These uses are separated by a significant distance (e.g. between 300 – 1,000 feet by frontage roads, a 4-lane highway with dual center dividers, and the highway interchange on- and –off ramps), and therefore, do not bare a close visual relationship to the project site, particularly in light of visual attractions on the west side of Highway 101. There are no other developments projects currently being considered in the near vicinity. A mitigation measure has been included in the Mitigation Monitoring and Reporting Program (see Attachment 14), to incorporate site landscaping per the attached Landscape Plan to help reduce potential visual impacts of the site. Therefore, there is no substantial evidence supporting a “fair

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

argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to aesthetics. (CEQA Guidelines, Section 15064 (f)(1))

Biological Resources: The Biological Resource Assessment indicates that there are no special, endangered or otherwise protected plants or animal species located on the site. However, since the migration corridor for the San Joaquin Kit Fox is located near the site across Highway 101 on the eastern side of the Salinas River, as a precaution, mitigation measures are incorporated to ensure that impacts related to this species, including preconstruction surveys and special site construction methods to ensure that kit fox are not harmed (see BRA, pages 29 & 30) and potential impacts are reduced to less than significant levels, which would also reduce potential cumulative impacts to a less than significant level. Since there are no protected species on the site, and with mitigation measures incorporated to ensure the safety of kit fox that may inadvertently use the site as a migration corridor, impacts to this species in light of past projects would be less than significant. There are no current projects that are being considered at this time within the project vicinity.

Oak tree replacements are also required so that impacts that may occur as a result of loss of oak trees would be addressed, and that cumulative impacts that might otherwise occur without oak tree replacements would be reduced to a less than significant level. As noted above, there are no current projects being considered that would result in significant cumulative impacts related to biological resources in the near vicinity.

Therefore, there is no substantial evidence supporting a “fair argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to biological resources. (CEQA Guidelines, Section 15064 (f)(1))

Air Quality: The Air Quality report prepared for this project indicates that the project may result in potentially significant short-term construction-related air quality impacts. Several mitigation measures are incorporated with this analysis to reduce those short-term impacts to a less than significant level. With these measures incorporated, cumulative impacts as a result of construction-related emissions would be less than significant. Therefore, there is no substantial evidence supporting a “fair argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to air quality. (CEQA Guidelines, Section 15064 (f)(1))

GHG Emissions: The GHG Analysis prepared for this project indicates that the project would exceed locally adopted thresholds for GHG emissions. The applicant shall reduce emissions to a less than significant level by implementing onsite GHG emission reductions and one of two options: 1) offsite emission reductions measures in coordination with CAPCOA, SLOAPCD and the City; or 2) demonstration of compliance with the City’s Climate Action Plan, Project Consistency Checklist. Cumulative impacts of GHG emissions would therefore be reduced to a less than significant level. Therefore, there is no substantial evidence supporting a “fair argument” that this project would make a cumulatively considerable contribution to significant cumulative impacts related to GHG emissions. (CEQA Guidelines, Section 15064 (f)(1))

Traffic: The Traffic Impact Study prepared for this project indicates that the proposed project may contribute to significant cumulative traffic-related impacts. Mitigation measures have been incorporated into this Mitigated Negative Declaration to reduce the cumulative traffic impacts to a less than significant level. The applicant will be required to mitigate for these impacts through payment of Development Impact Fees (DIF) in accordance with Council Resolution No. 14-035. Exhibit “B” to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the improvement of the interchange of Highways 101-46W. The specific amount of DIF fees to be paid relative to the proposed project will depend on the current rate of fees applicable at the time of project occupancy. Contribution of a project’s fair share of costs for planned future regional traffic improvement projects is recognized as adequate mitigation for such impacts. Therefore, there

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

is no substantial evidence supporting a “fair argument” that this project would result in an unmitigated considerable contribution to a significant cumulative impact related to traffic. (CEQA Guidelines, Section 15064 (f)(1))

With mitigation measures applied to this project it will not result in impacts that are individually limited or cumulatively considerable. All mitigation measures discussed herein will be included in the adoption of a Mitigation Monitoring and Reporting Program, enforceable by the City, if the project is approved.

Water: The 2010 Urban Water Master Plan indicates that anticipated water demand will continue to be met with the anticipated water supply that will be available to the City. In fact, the supply of water is forecasted to be in excess of total anticipated demand through the Year 2035. See, Tables 20-22 of the 2010 Urban Water Master Plan. Further, as stated in the Hydrology and Water Quality discussion in Section IX b. above, the current drought situation is unlikely to change these conclusions. The City’s municipal water supply is composed of groundwater from the Paso Robles Groundwater Basin, an allocation of the Salinas River underflow, and a surface water allocation from the Nacimiento Lake pipeline project. Current drought conditions may have caused declining groundwater levels in the Paso Robles Groundwater Basin. Even so, the City has established a groundwater stewardship policy to not expand dependency on the basin over historic use levels/pumping from the City’s peak (pumping) year of 2007. Additionally, to address drought concerns, and in compliance with State law and water reduction requirements, the City has implemented a comprehensive water conservation program to reduce water consumption citywide since 2009. The City has exceeded State-required water conservation measures since the program was established. Additionally, the City augmented water supply and treatment capacity by procuring surface water from Lake Nacimiento and construction of delivery facilities to the City. As such, water supply will be in excess of demand through 2035 and this project, combined with other projects, is not anticipated to result in any cumulative water supply impact even in light of current drought conditions.

- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: With mitigation measures applied as noted in VXIII b. above the project will not cause substantial adverse effects on human beings, either directly or indirectly.

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2010	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446
14	Gateway Design Standards	Community Development Department
15	Paso Robles Bicycle Master Plan	Same as above
16	Development Impact Fees (DIF) in accordance with Council Resolution No. 14-035, and related Justification Study prepared by David Taussig & Associates dated March 20, 2014.	Community Development Department
17	Initial Study/Mitigated Negative Declaration prepared by Caltrans and the City of Paso Robles dated December 2009	Community Development Department

(SCH # 2008051102) and related Project
Approval/Environmental Document (PAED)

18

City of Paso Robles Climate Action Plan

Community Development
Department

Attachments:

1. Vicinity Map
2. Site Plan
3. Visual Simulations
4. Elevations
5. Floor Plans
6. Applicant PD Overlay Letter
7. Air Quality and GHG Assessment
8. Biological Study
9. Arborist Report
10. Geological Study
11. Storm Water Quality Management Plan
12. Noise Assessment
13. Traffic Study
14. Mitigation Measures Summary
15. Mitigation Monitoring and Reporting Program

**Mitigation Measures Summary
Marriott Residence Inn**

Aesthetics:

MM AES-1:

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

Air Quality and Greenhouse Gas Emissions:

MM AQ-1

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

- a. The applicant shall limit the amount of the disturbed area to the maximum extent feasible;
- b. The applicant shall make use of water trucks or sprinkler systems, in sufficient quantities, to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
- c. The applicant shall spray water on all dirt stock pile areas on an as needed basis;
- d. The applicant shall implement all permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible immediately following completion of any soil disturbing activities, including but not limited to installation of permanent revegetation of the site;
- e. The applicant shall ensure that exposed ground areas, that are planned to be reworked at dates greater than one month after initial grading, are sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. The applicant shall ensure that all disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. The applicant shall ensure that all roadways, driveways, sidewalks, etc. to be paved are completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- h. The applicant shall ensure that construction vehicles not exceed 15 mph on any unpaved surface at the construction site;
- i. The applicant shall ensure that all trucks hauling dirt, sand, soil, or other loose materials are covered or maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

- j. The applicant shall install wheel washers where vehicles enter and exit unpaved roads, or wash off trucks and equipment leaving the site;
- k. The applicant shall sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
- l. All fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

MM AQ-2

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

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

MM AQ-3

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

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

MM-AQ-4

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

MM-AQ-5

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

MM-AQ-6

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

MM-AQ-7

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

MM-AQ-8

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

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

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

MM-AQ-9

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

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

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

Greenhouse Gas Emissions

MM GHG-1

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

- a. The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.
- b. The project applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees sufficient to reduce project-generated emissions to below 1,150 MTCO_{2e}/year. GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of any carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:
 1. Use low-VOC cleaning supplies. This requirement shall be reflected in the operational procedures manual for the proposed project.
 2. Use low-VOC paint having a VOC content of 100 grams per liter, or less. This requirement shall be reflected in the operational procedures manual for the proposed project.
 3. A shuttle shall be provided for hotel guests to provide transportation to and from the Amtrak transit station.

4. The project proponent shall demonstrate that the project-wide lighting efficiency shall be improved by at least 16% relative to current conventional lighting methods through the installation of energy-efficient lighting, (e.g., metal halide, high-pressure sodium, LEDs) for interior and exterior lighting areas. Unnecessary exterior lighting shall be reduced, to the extent practical and where reductions in lighting would not pose a risk to public safety.
5. Utilize low-flow faucets and toilets and water-efficient irrigation systems to reduce energy demands associated with water use.
6. Proposed onsite occupied buildings shall exceed baseline Title 24 Building Envelope Energy Efficiency Standards by a minimum of 10 percent. The baseline GHG emissions from electricity and natural gas usage shall reflect 2008 Title 24 standards with no energy-efficient appliances.
7. Install energy-efficient appliances (i.e., Energy Star rated).
8. Incorporate water-reducing features into building and landscape design, including use of drought-tolerant landscaping, minimizing turf areas, and installation of water-efficient irrigation systems in accordance with the City of Paso Robles Zoning Code, Chapter 21.22B, Landscape and Irrigation Ordinance.

Biological Resources

MM BIO-1

Migratory Bird Protection.

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

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

MM BIO-2

San Joaquin Kit Fox Protection.

- a. Prior to construction, a qualified biologist shall conduct a pre-activity survey to identify known or potential dens or any other sign of the species, no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential

den or any other sign of the species is identified or detected within the project area, the biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the City. The report will include, at a minimum, survey dates, field personnel, field conditions, survey methodology, and survey results.

- b. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled or covered, they shall be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- c. During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- d. Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- e. During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CDFW for care, analysis, or disposition.
- f. Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - If a more solid wire mesh fence is used, 8×12-inch openings near the ground shall be provided every 100 yards.
- g. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

MM BIO-3

Oak Tree Protection.

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

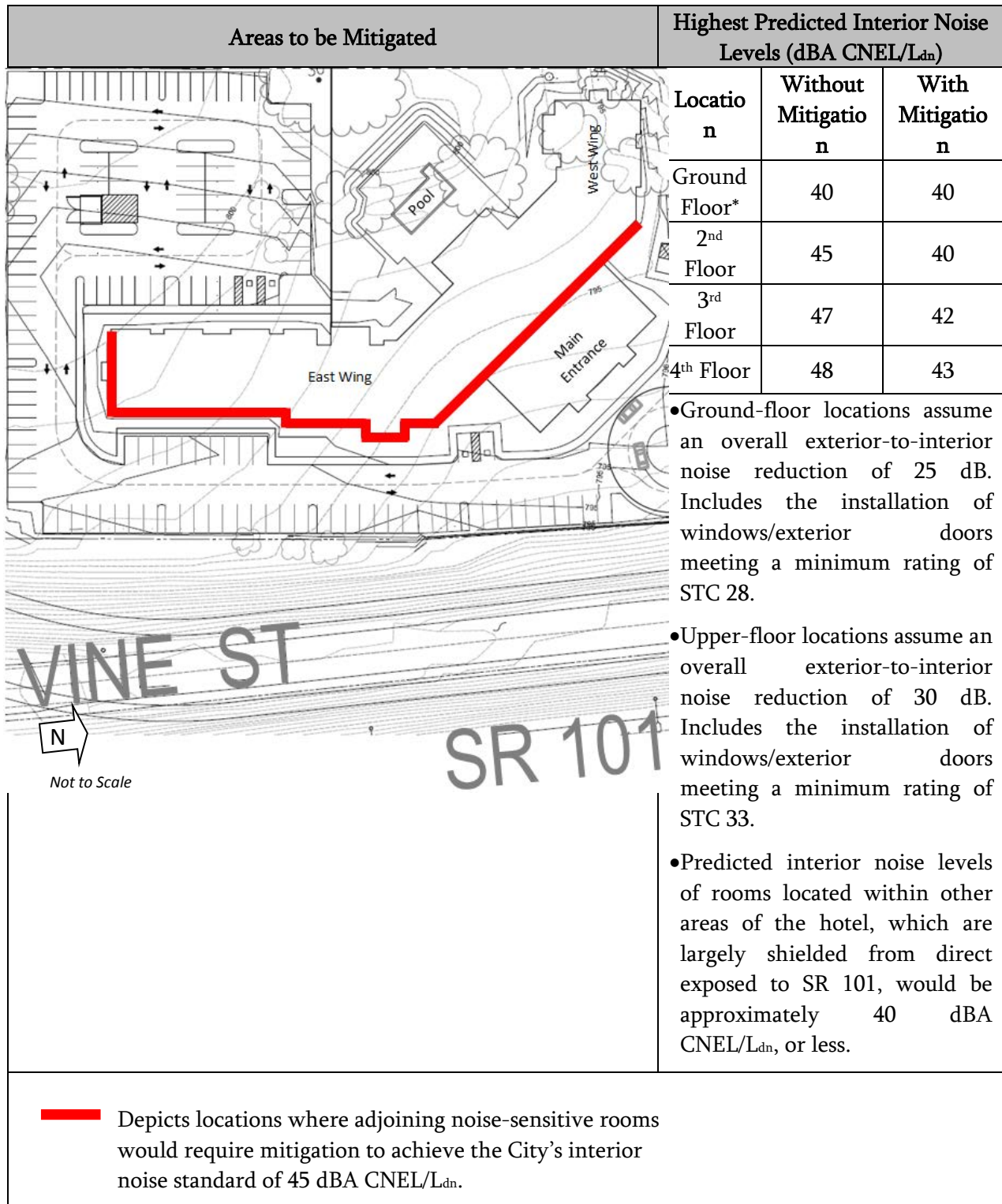
Noise

MM N-1

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

- a. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor shall have a minimum sound transmission class (STC) rating of STC 28. This requirement is also required for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area.
- b. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors shall have a minimum STC 33 rating.
- c. The total window area of noise-sensitive rooms shall not exceed 20 percent of the room's exterior wall area.
- d. The perimeter of window and exterior door frames shall be caulked and sealed airtight to the exterior wall construction.
- e. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar.
- f. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 shall be prohibited.
- g. Exterior walls shall have a minimum STC rating of 35. The construction of exterior walls with siding-on-sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls.

**FIGURE 7
PREDICTED INTERIOR NOISE LEVELS**



MM N-2

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

MM TR-1

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

DRAFT Mitigation Monitoring and Reporting Plan

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

Approving Resolution No.: _____ by: Planning Commission City Council Date: _____

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

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

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

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

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>AQ-8 The applicant shall ensure that all portable equipment, 50 horsepower (hp) or greater, used during construction activities, satisfies California statewide portable equipment registration requirements (issued by the California Air Resources Board) or APCD permit requirements. The following types of equipment may require registration or permitting from the California Air Resources Board or APCD.</p> <p>For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook. Power screens, conveyors, diesel engines, and/or crushers; Portable generators and equipment with engines that are 50 hp or greater; Electrical generation plants or the use of standby generator; Internal combustion engines; Rock and pavement crushing; Unconfined abrasive blasting operations; Tub grinders; Trommel screens; and, Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).</p>	Project	Building Dept			Prior to issuance of building permit
<p>AQ-9 The applicant shall ensure that all operational type equipment has all required APCD permits and meets any applicable permitting requirements of APCD. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's 2012 CEQA Handbook.</p> <p>Portable generators and equipment with engines that are 50 hp or greater; Electrical generation plants or the use of standby generator; Public utility facilities; Boilers; Internal combustion engines; and Cogeneration facilities.</p> <p>Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, shall be prioritized or screened for facility wide health risk impact. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do additional health risk assessment.</p>	Project	Building Dept			Prior to issuance of building permit
<p>GHG-1 The following mitigation measures shall be implemented to reduce project-generated GHG emissions:</p>	Project	CDD, Building Dept.			Prior to issuance of building permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>a. The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.</p> <p>b. The project applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees sufficient to reduce project-generated emissions to below 1,150 MTCO2e/year. GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of any carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:</p> <ol style="list-style-type: none"> 1. Use low-VOC cleaning supplies. This requirement shall be reflected in the operational procedures manual for the proposed project. 2. Use low-VOC paint having a VOC content of 100 grams per liter, or less. This requirement shall be reflected in the operational procedures manual for the proposed project. 3. A shuttle shall be provided for hotel guests to provide transportation to and from the Amtrak transit station. 4. The project proponent shall demonstrate that the project-wide lighting efficiency shall be improved by at least 16% relative to current conventional lighting methods through the installation of energy-efficient lighting, (e.g., metal halide, high-pressure sodium, LEDs) for interior and exterior lighting areas. Unnecessary exterior lighting shall be reduced, to the extent practical and where reductions in lighting would not pose a risk to public safety. 5. Utilize low-flow faucets and toilets and water-efficient irrigation systems to reduce energy demands associated with water use. 6. Proposed onsite occupied buildings shall 					

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>exceed baseline Title 24 Building Envelope Energy Efficiency Standards by a minimum of 10 percent. The baseline GHG emissions from electricity and natural gas usage shall reflect 2008 Title 24 standards with no energy-efficient appliances.</p> <p>7. Install energy-efficient appliances (i.e., Energy Star rated).</p> <p>8. Incorporate water-reducing features into building and landscape design, including use of drought-tolerant landscaping, minimizing turfed areas, and installation of water-efficient irrigation systems in accordance with the City of Paso Robles Zoning Code, Chapter 21.22B, Landscape and Irrigation Ordinance.</p>					
<p>BIO-1 To the maximum extent possible, the applicant shall conduct site preparation, ground-disturbing, and construction activities outside of the migratory bird breeding season. If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that migratory birds are not occupying the site. If nesting activity is detected the following measures shall be implemented:</p> <p>a. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;</p> <p>b. The qualified biologist shall determine an appropriate biological buffer zone around active nest sites. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and,</p> <p>c. The qualified biologist shall document all active nests and submit a letter report to the City documenting project compliance with the MBTA.</p>	Project	CDD			Prior to issuance of grading permit
<p>BIO-2 Prior to construction, a qualified biologist shall conduct a pre-activity survey to identify known or potential dens or any other sign of the species, no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential den or any other sign of the species is identified or detected within the project area, the</p>	Project	CDD			Prior to issuance of grading permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the City. The report will include, at a minimum, survey dates, field personnel, field conditions, survey methodology, and survey results.</p> <p>b. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled or covered, they shall be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.</p> <p>c. During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.</p> <p>d. Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.</p> <p>e. During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations</p>					

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CDFW for care, analysis, or disposition.</p> <p>f. Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:</p> <ul style="list-style-type: none"> • If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches. • If a more solid wire mesh fence is used, 8x12-inch openings near the ground shall be provided every 100 yards. <p>g. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.</p>					
<p>BIO 3</p> <p>a. Prior to site disturbance, the critical root zone (CRZ) of all oak trees with a DBH of 6 inches or greater must be fenced to protect from construction activities.</p> <p>b. During the site disturbance and/or construction phase, grading, cutting, or filling within 5 feet of a CRZ of all oak trees with a DBH of 6 inches or greater must be supervised by a certified arborist approved by the City. Such activities beyond 5 feet of a CRZ must be monitored to insure that activities are in accordance with approved plans. Root pruning outside of the CRZ must be done by hand.</p> <p>c. Oil, gasoline, chemicals, or other construction materials potentially harmful to oak trees may not be stored in the CRZ of any oak tree with a DBH of 6 inches or greater.</p> <p>d. Drains shall be installed according to city specification so as to avoid harm by excessive watering to oak trees with a DBH of 6 inches or greater.</p> <p>e. Landscaping within the CRZ of any oak tree with a</p>	Project	CDD			Prior to issuance of grading permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>DBH of 6 inches or greater is limited to indigenous plant species or non-plant material, such as cobbles or wood chips.</p> <p>f. Wires, signs, or other similar items shall not be attached to oak trees with a DBH of 6 inches or greater.</p> <p>g. For each oak tree removed (DBH of 6 inches or greater), a tree or trees of the same species must be planted with a combined DBH of 25% of the removed tree's DBH within the property's boundary.</p>					
<p>N-1 The following measures shall be implemented for noise-sensitive rooms (e.g., guest rooms, meeting rooms, etc.) located along the eastern, northeastern, and southern-most facades of the hotel, within line-of-sight of SR 101 (Recommended areas of mitigation are depicted in Figure 7 below):</p> <p>a. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor shall have a minimum sound transmission class (STC) rating of STC 28. This requirement is also required for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area.</p> <p>b. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors shall have a minimum STC 33 rating.</p> <p>c. The total window area of noise-sensitive rooms shall not exceed 20 percent of the room's exterior wall area.</p> <p>d. The perimeter of window and exterior door frames shall be caulked and sealed airtight to the exterior wall construction.</p> <p>e. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar.</p> <p>f. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 shall be prohibited.</p> <p>g. Exterior walls shall have a minimum STC rating of 35. The construction of exterior walls with siding-on-</p>	Project	Building Dept			Prior to issuance of building permit

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls.					
<p>N-2</p> <p>a. Noise-generating construction activities shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities shall not occur on Sundays or city holidays.</p> <p>b. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</p>	Project	CDD, Building Dept			Prior to issuance of building permit
<p>TR-1</p> <p>The Marriott Residence Inn Project shall be required to contribute to the estimated costs of the improvements planned at the U.S. 101/SR 46W interchange through payment of \$330,496, or such other amount consistent with the City's Development Impact Fee Justification Study, and the Engineering News Record price index adjusted every July 1st. This amount, as adjusted, represents the applicant's fair share contribution under the City's Development Impact Fee Program (DIF) in accordance with Council Resolution No. 14-035. Exhibit "B" to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the future phases for the improvement of the interchange of Highways 101-46W.</p>	Project	CDD			Prior to certificate of occupancy

Explanation of Headings:

Type:Project, ongoing, cumulative

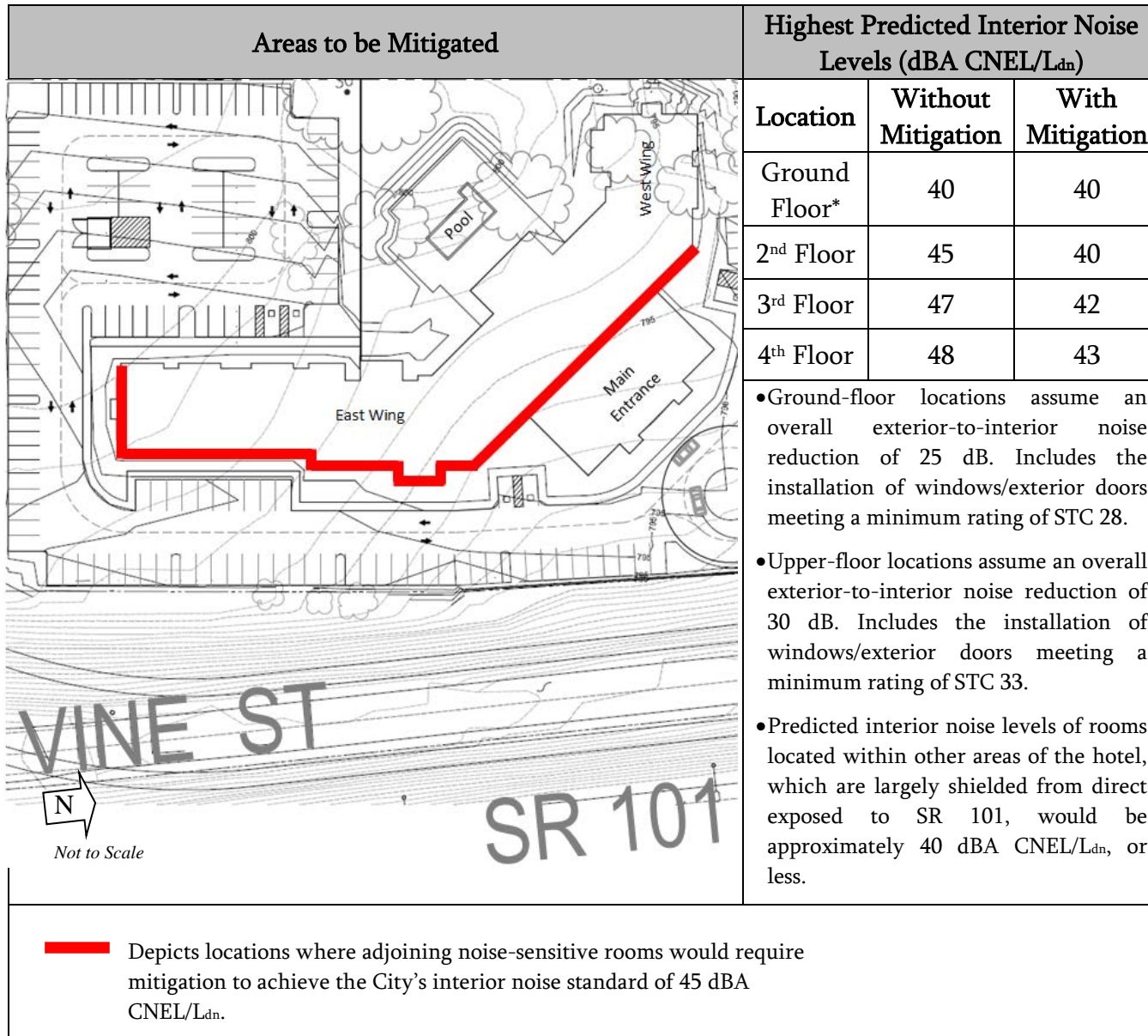
Monitoring Department or Agency:Department or Agency responsible for monitoring a particular mitigation measure

Shown on Plans:When a mitigation measure is shown on the plans, this column will be initialed and dated.

Verified Implementation:When a mitigation measure has been implemented, this column will be initialed and dated.

Remarks:Area for describing status of ongoing mitigation measure, or for other information.

**FIGURE 7
PREDICTED INTERIOR NOISE LEVELS**



RESOLUTION NO.

**A RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 13-005
AND TENTATIVE PARCEL MAP PR 13-0109
121 WILMAR PLACE, APN 09-631-011
APPLICANT – EXCEL PASO ROBLES, LP
MARRIOTT RESIDENCE INN**

WHEREAS, Planned Development 13-005 and Tentative Parcel Map PR 13-0109 have been filed by Excel Paso Robles, LP for development of a Marriott Residence Inn hotel with 128 rooms and ancillary site improvements (the “project”); and

WHEREAS, the City’s Zoning Code at Section 21.16A.070 requires that the City Council in approving a project in the Planned Development Zone, make the following findings: (a) the project will not adversely affect the policies, spirit and intent of the general plan, applicable specific plans, the zoning code and all other adopted codes, policies and plans of the city; (b) the proposed project maintains and enhances significant natural resources on the site; (c) the proposed project is designed to be sensitive to, and blend in with, the character of the site and surround area, and would not have an adverse effect on the public views from nearby roads and other public vantage points; (d) the proposed project's design and density of the developed portion of the site is compatible with the established character and scale of surrounding development and would not be a disharmonious or disruptive element to the neighborhood; (e) the development would be consistent with the purpose and intent of the City’s Zoning Ordinance and would not be contrary to the public health, safety, and welfare; and (f) for projects that are seeking an increase in allowable building heights, the proportion, scale, and nature of the project is such that the modifications would not create an adverse visual impact nor compromise the safety of occupants; and

WHEREAS, the City’s Subdivision Ordinance and the California Subdivision Map Act at Government Code Section 66473.5 requires that any tentative parcel map be consistent with the City’s General Plan and any applicable Specific Plan; and

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

WHEREAS, based on the information and analysis contained in the Initial Study, staff determined that the proposed project as designed, and with appropriate mitigation measures added as conditions of approval, will not result in significant environmental impacts, and a Mitigated Negative Declaration was prepared and circulated for public review in full compliance with CEQA; and

WHEREAS, duly noticed public hearings were conducted by the Planning Commission on March 25, 2014, April 8, 2014 and May 27, 2014 on this project to accept public testimony on the Mitigated Negative Declaration and the project; and

WHEREAS, at the conclusion of the May 27, 2014 Planning Commission meeting, the Commission recommended that the City Council adopt the Mitigated Negative Declaration and approve Planned Development 13-005 and Tentative Parcel Map PR 13-0109; and

WHEREAS, any oak tree removals requested to accommodate the proposed development site plan shall be approved by the City Council at a future meeting, with oak tree replacements established in compliance with the City's Oak Tree Preservation Ordinance; and

WHEREAS, on June 17, 2014, a duly noticed public hearing was conducted by the City Council to consider adoption of the Mitigated Negative Declaration, Planned Development 13-005, and Tentative Parcel Map PR 13-0109, and to take public testimony on the Mitigated Negative Declaration and the Project; and

WHEREAS, the City Council considered, in its independent judgment and analysis, the Mitigated Negative Declaration, and adopted it, and a Mitigation Monitoring and Reporting Program in full compliance with CEQA and the CEQA Guidelines pursuant to Resolution No. 14-006.

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 City Council makes the following findings:

- 1) Pursuant to Zoning Code Section 21.16A.070, in approving a project in the Planned Development Overlay Zone, the City Council finds:
 - a) The project will not adversely affect the policies, spirit and intent of the general plan, applicable specific plans, the zoning code and all other adopted codes, policies and plans of the city. In particular, the project is:
 - i) consistent with the General Plan land use designation of Regional Commercial (RC) and Zoning of Highway Commercial/Planned Development (C2-PD).
 - ii) consistent with Gateway Design Standards in that it includes landscaping and frontage improvements, and locates the majority of parking on the side and to the rear of the site. The project also incorporates articulated building facades and rooflines, and the project does not include significant grading of hillsides in an effort to preserve the hillsides.
 - iii) consistent with the following General Plan Land Use and Conservation Element goals, policies, and action items:
 - (1) POLICY LU-2B: Visual Identity. Promote architectural and design excellence by imposing stringent design and construction standards for commercial, industrial, mixed-use, and multi-family projects. In particular, the project meets this policy because it includes a Mediterranean architectural building design that incorporates use of authentic materials that express excellence in the overall design theme, and is consistent with local architectural themes in Paso Robles and the region.
 - (2) POLICY LU-2D: Neighborhoods. Strive to maintain and create livable, vibrant neighborhoods and districts with: Attractive streetscapes, a pedestrian friendly setting, coordinated site design, architecture, and amenities, adequate public and private spaces; and, recognizable and high quality design aesthetic. In particular, the project meets this policy because the project Site Plan and Landscape Plan both incorporate a well-designed streetscape along South Vine Street to provide an attractive City entrance, utilizing a range of drought-resistant plant materials with differing colors, textures, and blooming seasons. The project incorporates sidewalks, walkways, the existing bike lane, bike parking facilities to ensure this project is pedestrian- and bike-friendly. The Site Plan incorporates attractive entry features with the front porte-cochere, rear patio area and site flatwork and landscaping. The project also incorporates high-quality architectural design and materials.
 - (3) GOAL C-2: Air Quality. Seek to maintain air quality by taking actions to reduce traffic congestion, vehicle miles traveled (VMT), and air pollutant emissions. In particular, the project will be consistent with this goal as the project is providing a voluntary trip reduction program, local transit system improvements (e.g. bus stop along project frontage), regional transit improvements, bicycling and bikeway enhancements, and a hotel shuttle service for

hotel guests, all in an effort to reduce traffic congestion. Further, the project will also be required to pay transportation development impact fees to offset project congestion impacts to infrastructure.

- (4) POLICY C-2A: Traffic Congestion Reduction. Implement circulation systems improvements to reduce congestion and associated air contaminant emissions. In particular, the project meets this policy because it includes bicycle and bikeway enhancements in an effort to improve the circulation system in and around the project and in the City as a whole. These improvements will aid in reducing traffic congestion.
 - (5) POLICY C-2B: VMT Reduction. Implement programs to reduce the number of vehicle miles traveled (VMT), especially by single-occupant vehicles, including providing opportunities for mixed-use projects. The project meets this policy as it includes measures to reduce the number of vehicle miles traveled by reducing reliance on the vehicle overall. As articulated above, the project includes a voluntary trip reduction program, local transit system improvements (e.g. bus stop along project frontage), regional transit improvements, bicycling and bikeway enhancements, and a hotel shuttle service for hotel guests.
 - (6) Action Item 1. Provide bikeways, pedestrian paths, and transit turn-outs/stops as requirements of development applications. The project also meets this action item as it will be including bicycling and bikeway enhancements.
 - (7) Action Item 2. Encourage the development of transit facilities. The project will also meet this action item as it includes local transit improvements in the form of a bus stop along the project frontage.
 - (8) Action Item 3. Strive to recruit new industry as part of on-going efforts to create a balanced community where the majority of residents can live, work, shop and play, thereby reducing the commute lengths for some City residents. The project would meet this action item by expanding the City's inventory of transient lodging, which supports local employment, and increased tourism.
 - (9) GOAL C-5: Visual Resources. Enhance/upgrade the City's appearance - Action Item 2. Coordinated/Complementary Design Standards: Establish and implement site design, landscaping, architecture, and sign design standards in order to ensure that gateways, corridors, major arterials, and natural areas are identifiable. The project will meet this goal as it incorporates authentic, quality building materials in the Mediterranean architectural design, and will present well-articulated elevations toward the adjacent public right-of-ways and views. The site is well designed with outdoor use areas that take advantage of the solar orientation of the site and natural landscape.
 - The hotel project is a permitted use in the C2-PD Zoning District. The project complies with all applicable development standards, including setbacks, parking, and landscaping. The application includes a request to for an exception to exceed the 50 foot height limit and demonstrates that the project would result in a better design and greater public benefit, and that the criteria established in Section 21.16A.010 have been considered.
- b) The project maintains and enhances significant natural resources on the site. The project does this by being compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. Further, the project will be consistent with the City's Oak Tree Ordinance requiring oak tree replacements for proposed removals. The project also incorporates the large, "heritage" oak trees on the site as focal points in the project design. Finally, the project is also designed so that the development is set deep into the site which helps reduce visual impacts of the building massing on views.
 - c) The proposed project is designed to be sensitive to, and blend in with, the character of the site and surrounding area, and would not have an adverse effect on the public views from nearby roads and

other public vantage points. The project provides an appropriate visual appearance since it is similar to and complements existing hotel development in the nearby area. Further, as discussed in the Mitigated Negative Declaration prepared for the Project, no adverse aesthetic impacts are anticipated from the project and no viewpoints will be impacted with the significant setbacks planned for the project. Further, the proposed Landscaping Plan will ensure all development impacts are screened with trees and other natural foliage so the project blends in with the immediate environment. Finally, the project will be visible from Highway 101 and State Route 46 West as a “gateway” to the City; its design represents a positive addition to the City’s gateway.

- d) The proposed project's design and density of the developed portion of the site is compatible with the established character and scale of surrounding hotel development in the vicinity (e.g. La Bella Serra and Hampton Inn), and would not be a disharmonious or disruptive element to the neighborhood.
 - e) The development would be consistent with the purpose and intent of the City’s Zoning Ordinance and would not be contrary to the public health, safety, and welfare. In particular, the project is fully consistent with the zoning designation for the site. Further, the project complies with all requirements of the Zoning Code, and it would not be contrary to the public health, safety and welfare. This is true, because the public and City residents will benefit from a new gateway project. Further, all potentially significant environmental effects will be reduced to a less than significant level with the incorporation of mitigation into the project. Further, the project will add to public safety and welfare by incorporating local transit system improvements (e.g. bus stop along project frontage), regional transit improvements, bicycling and bikeway enhancements, and a hotel shuttle service for hotel guests.
 - f) With regard to the requested building height exception, the proportion, scale, and nature of the project is such that the modifications would not create an adverse visual impact nor compromise the safety of occupants. In particular, the proposed project will have varying building heights in some portions of the roofline (between 53 to 66 feet in height). This variation in building height would not make the building appear as high as 66 feet and would create interesting design and variation and overall appear to reduce the building massing. Further, the roofing materials will be quality tile which will add to the positive aesthetics of the project. Finally, granting the exception would not create any adverse visual impacts as articulated in the Mitigated Negative Declaration prepared for the project.
- 2) In approving a tentative parcel map, the City’s Subdivision Ordinance and the California Subdivision Map Act at Government Code Section 66473.5 requires the subdivision to be consistent with the General Plan. For all the reasons articulated in finding 1 above, the project is consistent with various goals, policies and action items in the City’s General Plan.
 - 3) The proposed Planned Development and Tentative Parcel Map contribute to the orderly development of the City as a whole since the project would use existing infrastructure for water, sewer and other utilities
 - 4) The proposed Planned Development and Tentative Parcel Map for the Marriott Residence Inn project is consistent with, and supports implementation of the Economic Strategy by providing local and regional tourism and employment opportunities within the City of Paso Robles.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve Planned Development 13-005 and Tentative Parcel Map PR 13-0109, subject to the following conditions:

STANDARD CONDITIONS:

- 1. This project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit “A” and incorporated herein by reference.

SITE SPECIFIC CONDITIONS:

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

Planning Division Conditions:

- 2. 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
A	Standard Conditions of Approval
B	Site Plan, Landscape Plan, Elevations, and Preliminary Grading Plan
C	Vesting Tentative Parcel Map

- 3. The project shall be designed and constructed to be in substantial conformance with the site plan, landscape plan, elevations, and preliminary grading plan approved with this resolution. The tentative parcel map shall be designed in compliance with Exhibit C of this resolution.
- 4. Approval of this project is valid for a period of two (2) years from date of approval. Unless permits have been issued and site work has begun, the approval of Planned Development 13-005 and Tentative Parcel Map PR 13-0109 shall expire on May 27, 2016. The Planning Commission may extend this expiration date if a Time Extension application has been filed with the City along with the fees before the expiration date.
- 5. Prior to issuance of certificates of use and occupancy, the property owner or authorized agent is required to pay the City’s Development Impact Fees.
- 6. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
- 7. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 8. Temporary construction noise levels in excess of 60 decibels shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
- 9. Use and operation of the project and its appurtenances shall be conducted in compliance with the City’s General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City’s Zoning Ordinance).
- 10. Prior to occupancy, the applicant shall extend an 8-inch sewer line in South Vine Street from SR 46W north to serve the project.
- 11. Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading and drainage plans.

12. The applicant shall install site landscaping per approved Landscape Plan, including parking lot and site trees to help reduce the visual impacts of building massing.
13. Reduce emissions through encouraging the use of alternative forms of transportation, increase pedestrian access and accessibility to community services and local destinations, reduce vehicle miles traveled within the County, and promote congestion management efforts through participation in implementation of the following measures:
 - Voluntary Trip Reduction Program
 - Local Transit System Improvements (e.g. bus stop along project frontage)
 - Regional Transit Improvements
 - Bicycling and Bikeway Enhancements
 - Park and Ride Lots
 - Hotel shuttle service for hotel guests
14. The applicant shall implement the following measures to reduce construction-generated fugitive dust emissions:
 - a. The applicant shall limit the amount of the disturbed area to the maximum extent feasible;
 - b. The applicant shall make use of water trucks or sprinkler systems, in sufficient quantities, to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
 - c. The applicant shall spray water on all dirt stock pile areas on an as needed basis;
 - d. The applicant shall implement all permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible immediately following completion of any soil disturbing activities, including but not limited to installation of permanent revegetation of the site;
 - e. The applicant shall ensure that exposed ground areas, that are planned to be reworked at dates greater than one month after initial grading, are sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
 - f. The applicant shall ensure that all disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g. The applicant shall ensure that all roadways, driveways, sidewalks, etc. to be paved are completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
 - h. The applicant shall ensure that construction vehicles not exceed 15 mph on any unpaved surface at the construction site;
 - i. The applicant shall ensure that all trucks hauling dirt, sand, soil, or other loose materials are covered or maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
 - j. The applicant shall install wheel washers where vehicles enter and exit unpaved roads, or wash off trucks and equipment leaving the site;
 - k. The applicant shall sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
 - l. All fugitive dust mitigation measures shall be shown on grading and building plans; and
 - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

15. The applicant shall reduce emissions through encouraging the use of alternative forms of transportation, providing increased pedestrian access and accessibility to community services and local destinations, reducing vehicle miles traveled within the County, and promoting congestion management efforts through participation in and implementation of the following measures:
 - Voluntary Trip Reduction Program (e.g. provide informational materials to employees on trip reduction measures such as ride-sharing, park and ride lots, etc.)
 - Local and Regional Transit System Improvements (e.g. installation of the transit stop along project frontage on South Vine Street)
 - Bicycling and Bikeway Enhancements (e.g. bike parking racks and storage lockers)
 - Hotel shuttle service for hotel guests
16. Prior to any grading activities the applicant shall conduct a geologic evaluation to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the SLOAPCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. These requirements may include but are not limited to:
 - a. An Asbestos Dust Mitigation Plan shall be submitted to and approved by the SLOAPCD and submitted with building permits before operations begin, and,
 - b. Development and approval of an Asbestos Health and Safety Program (required for some projects). If NOA is not present, an exemption request must be filed with the SLOAPCD. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.
 - c. Demolition of onsite structures shall comply with the National Emission Standards for Hazardous Air Emissions (NESHAP) requirements (NESHAP, 40 CFR, Part 61, Subpart M) for the demolition of existing structures. The SLOAPCD is delegated authority by the Environmental Protection Agency (EPA) to implement the Federal Asbestos NESHAP. Prior to demolition of onsite structures, the SLOAPCD shall be notified, per NESHAP requirements.
17. The applicant shall ensure that, per the air pollution emissions modeling assumptions, 52% of exterior building materials used are pre-painted prior to installation. Documentation of pre-painted material shall be submitted to the City Planning Department prior to approval of certificate of occupancy.
18. The applicant shall coordinate with APCD, prior to demolition activities on the project site, to determine if lead removal is required and if a permit is required in order to conduct demolition activities. The applicant shall comply with all requirements of any APCD permit that is required.
19. The applicant shall comply with all requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP), , prior to any demolition activities on the project site, including but not limited to: 1) providing written notification to APCD, within at least 10 business days of activities commencing that could expose or release asbestos; 2) conducting an asbestos survey to be performed by a Certified Asbestos Inspector; and, 3) complying with all requirements identified by APCD to remove and dispose of any asbestos materials.
20. The applicant shall not burn any vegetative material on the project site as required by APCD regulations prohibiting developmental burning of vegetative material within San Luis Obispo County.
21. The applicant shall ensure that all portable equipment, 50 horsepower (hp) or greater, used during construction activities, satisfies California statewide portable equipment registration requirements (issued by the California Air Resources Board) or APCD permit requirements. The following types of equipment may require registration or permitting from the California Air Resources Board or APCD.

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

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

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

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

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

23. The following measures shall be implemented to minimize nuisance impacts associated with construction-generated fugitive dust emissions:

- 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 (non-potable) water should be used whenever possible;
- c. All dirt stock pile 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 planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive 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;
 - l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
 - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
24. Prior to any grading activities a geologic evaluation shall be conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the SLOAPCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. These requirements may include but are not limited to:
- a. Development of an Asbestos Dust Mitigation Plan which must be approved by the SLOAPCD before operations begin, and,
 - b. Development and approval of an Asbestos Health and Safety Program (required for some projects). If NOA is not present, an exemption request must be filed with the SLOAPCD. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.
 - c. Demolition of onsite structures shall comply with the National Emission Standards for Hazardous Air Emissions (NESHAP) requirements (NESHAP, 40 CFR, Part 61, Subpart M) for the demolition of existing structures. The SLOAPCD is delegated authority by the Environmental Protection Agency (EPA) to implement the Federal Asbestos NESHAP. Prior to demolition of onsite structures, the SLOAPCD shall be notified, per NESHAP requirements.
25. The following mitigation measures shall be implemented to reduce project-generated GHG emissions:
- a. The proposed project shall demonstrate compliance with the City of Paso Robles' Climate Action Plan. To assist with this determination, the CAP includes a worksheet that identifies various "mandatory", as well as, "voluntary" measures. All "mandatory" actions must be incorporated as binding and enforceable components of the project to be considered consistent with the CAP. If a project cannot meet one or more of the "mandatory" actions, substitutions may be allowed provided equivalent reductions can be achieved. A copy of the City's CAP consistency worksheet is included in Appendix C of the project GHG emissions analysis.
 - b. The project applicant shall implement onsite mitigation measures and payment of an offsite mitigation fees sufficient to reduce project-generated emissions to below 1,150 MTCO₂e/year. GHG emissions may be mitigated by the purchase of carbon offsets provided by other agencies/organizations, with prior approval by SLOAPCD. The applicant shall submit proof of the purchase of any carbon offsets to the Paso Robles Community Development Department Director for his review and approval. At a minimum, the onsite GHG-reduction measures to be implemented shall include the following:
 - 1. Use low-VOC cleaning supplies. This requirement shall be reflected in the operational procedures manual for the proposed project.
 - 2. Use low-VOC paint having a VOC content of 100 grams per liter, or less. This requirement shall be reflected in the operational procedures manual for the proposed project.
 - 3. A shuttle shall be provided for hotel guests to provide transportation to and from the Amtrak transit station.

4. The project proponent shall demonstrate that the project-wide lighting efficiency shall be improved by at least 16% relative to current conventional lighting methods through the installation of energy-efficient lighting, (e.g., metal halide, high-pressure sodium, LEDs) for interior and exterior lighting areas. Unnecessary exterior lighting shall be reduced, to the extent practical and where reductions in lighting would not pose a risk to public safety.
 5. Utilize low-flow faucets and toilets and water-efficient irrigation systems to reduce energy demands associated with water use.
 6. Proposed onsite occupied buildings shall exceed baseline Title 24 Building Envelope Energy Efficiency Standards by a minimum of 10 percent. The baseline GHG emissions from electricity and natural gas usage shall reflect 2008 Title 24 standards with no energy-efficient appliances.
 7. Install energy-efficient appliances (i.e., Energy Star rated).
 8. Incorporate water-reducing features into building and landscape design, including use of drought-tolerant landscaping, minimizing turfed areas, and installation of water-efficient irrigation systems in accordance with the City of Paso Robles Zoning Code, Chapter 21.22B, Landscape and Irrigation Ordinance.
26. To the maximum extent possible, the applicant shall conduct site preparation, ground-disturbing, and construction activities outside of the migratory bird breeding season. If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that migratory birds are not occupying the site. If nesting activity is detected the following measures shall be implemented:
- a. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;
 - b. The qualified biologist shall determine an appropriate biological buffer zone around active nest sites. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and,
 - c. The qualified biologist shall document all active nests and submit a letter report to the City documenting project compliance with the MBTA.
27. San Joaquin Kit Fox Protection.
- a. Prior to construction, a qualified biologist shall conduct a pre-activity survey to identify known or potential dens or any other sign of the species, no less than 14 days and no more than 30 days prior to the beginning of the site preparation, ground-disturbing, or construction activities, or any other activity that has the potential to adversely affect San Joaquin kit fox. If a known or potential den or any other sign of the species is identified or detected within the project area, the biologist will contact the USFWS and CDFW immediately. No work will commence or continue until such time that the USFWS and CDFW determine that it is appropriate to proceed. Under no circumstances will a known or potential den be disturbed or destroyed without prior authorization from the USFWS and CDFW. Within 7 days of survey completion, a report will be submitted to the USFWS, CDFW, and the City. The report will include, at a minimum, survey dates, field personnel, field conditions, survey methodology, and survey results.
 - b. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes, or trenches in excess of 2 feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled or covered,

they shall be thoroughly inspected for entrapped kit fox. If any kit fox is found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.

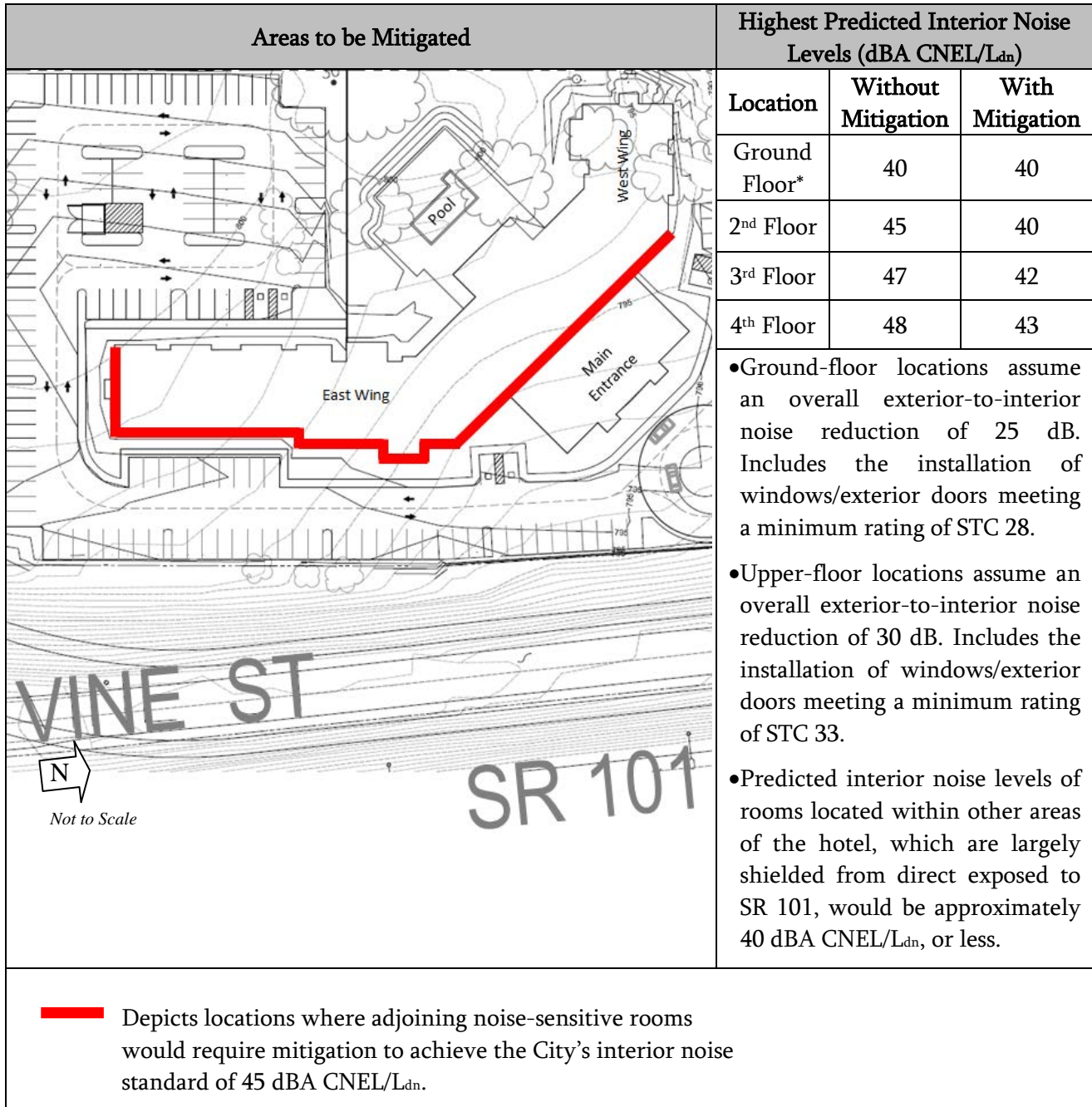
- c. During the site disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of 4 inches or greater stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If any kit fox are found, work will stop and the USFWS and CDFW will be contacted immediately to determine how to proceed.
- d. Prior to, during, and after the site disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all federal, state, and local regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- e. During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CDFW for care, analysis, or disposition.
- f. Prior to final inspection, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - If a more solid wire mesh fence is used, 8×12-inch openings near the ground shall be provided every 100 yards.
- g. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

28. Oak Tree Protection.

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

- f. Wires, signs, or other similar items shall not be attached to oak trees with a DBH of 6 inches or greater.
 - g. For each oak tree removed (DBH of 6 inches or greater), a tree or trees of the same species must be planted with a combined DBH of 25% of the removed tree's DBH within the property's boundary.
29. The following measures shall be implemented for noise-sensitive rooms (e.g., guest rooms, meeting rooms, etc.) located along the eastern, northeastern, and southern-most facades of the hotel, within line-of-sight of SR 101 (Recommended areas of mitigation are depicted in Figure 7):
- a. To ensure an overall exterior-to-interior noise reductions of 25 dB, windows and exterior doors of noise-sensitive rooms located on the ground floor shall have a minimum sound transmission class (STC) rating of STC 28. This requirement is also required for any noise-sensitive rooms to be located along the eastern and northern building facades of the hotel's main entrance area.
 - b. Windows and exterior doors of noise-sensitive rooms located on the 2nd-4th floors shall have a minimum STC 33 rating.
 - c. The total window area of noise-sensitive rooms shall not exceed 20 percent of the room's exterior wall area.
 - d. The perimeter of window and exterior door frames shall be caulked and sealed airtight to the exterior wall construction.
 - e. Any penetrations of the exterior walls (e.g., ducts, pipes, conduit, etc.) shall be minimized to the extent possible and sealed with caulked or filled with mortar.
 - f. The installation of appliances (e.g., fireplaces, ventilation units, etc.) requiring venting to exterior walls located along building facades with direct line-of-sight of SR 101 shall be prohibited.
 - g. Exterior walls shall have a minimum STC rating of 35. The construction of exterior walls with siding-on-sheathing, stucco, or brick; and, compliance with current Title 24 building standards is typically sufficient to achieve a minimum STC 35 for exterior walls.
 - h. The above measures should be implemented unless it can be shown, to the acceptance of the Paso Robles Community Development Department Staff, that alternative mitigation would achieve equivalent reductions sufficient to reduce interior noise levels within noise-sensitive locations to below the City's interior noise level of 45 dBA CNEL/L_{dn}.
 - i. Unless otherwise provided for in a validly issued permit or approval, noise-generating construction activities should be limited to the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities should not occur on Sundays or city holidays.
 - j. Construction equipment should be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds should be closed during equipment operation.

**FIGURE 7
PREDICTED INTERIOR NOISE LEVELS**



30. The Marriott Residence Inn Project shall be required to contribute to the estimated costs of the improvements planned at the U.S. 101/SR 46W interchange through payment of \$330,496, or such other amount consistent with the City's Development Impact Fee Justification Study, and the Engineering News Record price index adjusted every July 1st. This amount, as adjusted, represents the applicant's fair share contribution under the City's Development Impact Fee Program (DIF) in accordance with Council Resolution No. 14-035. Exhibit "B" to Resolution No. 14-035 provides the Justification Study for the impact fees which includes the Needs List. The Needs List includes, as improvement facility #30, on page 26, the future phases for the improvement of the interchange of Highways 101-46W.
31. 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.
32. All proposed oak tree removals are subject to approval by the City Council. If the City Council does not allow removal of the oak trees, the project will need to be redesigned to accommodate the trees. The project revisions would need to be presented to the Development Review Committee (DRC) for approval.

PASSED AND ADOPTED THIS 17th day of June, 2014 by the following Roll Call Vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MAYOR, DUANE PICANCO

ATTEST:

CARYN JACKSON, DEPTUY CITY CLERK

EXHIBIT A OF RESOLUTION
CITY OF EL PASO DE ROBLES
STANDARD DEVELOPMENT CONDITIONS

Planned Development _____ Conditional Use Permit _____
 Tentative Parcel Map _____ Tentative Tract Map _____
Approval Body: Planning Commission _____ Date of Approval: May 27, 2014 _____
Applicant: Marriott Residence Inn _____ Location: S. Vine Street _____
APN: 009-631-011 _____

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 – PD/CUP:

- 1. This project approval shall expire on May 27, 2016 unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied 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. 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.

(Adopted by Planning Commission Resolution _____)

- 4. Any site specific condition imposed by the Planning Commission in approving this project **(Conditional Use Permit)** 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. 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.
- 6. 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.
- 7. 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.
- 8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of **turf**. The irrigation plan shall utilize drip irrigation and limit the use of spray **irrigation**. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.

(Adopted by Planning Commission Resolution _____)

- 12. For commercial, industrial, office or multi-family projects, 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.
- 13. 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.
- 14. 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.
- 15. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
- 16. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., 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.
- 17. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 18. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 19. 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.
- 20. Prior to the issuance of building permits, the
 - Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:

(Adopted by Planning Commission Resolution _____)

- a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
- b. A detailed landscape plan;
- c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
- d. Other:

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

- 1. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.
- 2. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
- 3. The owner shall petition to annex residential Tract (or Parcel Map) _____ into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
- 4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- 5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

South Vine Street property frontage landscaping and irrigation between the applicant's property boundary and the City public right-of-way.

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

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

C. PRIOR TO ANY PLAN CHECK:

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

D. 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. 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 its removal.
- 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
- 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- 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

(Adopted by Planning Commission Resolution _____)

Standards and Specifications.

- 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
-------------	---------------	----------------------

- 4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.

Bonds required and the amount shall be as follows:
Performance Bond.....100% of improvement costs.
Labor and Materials Bond.....50% of performance bond.

- 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded

(Adopted by Planning Commission Resolution _____)

shoulder adequate to provide for two-way traffic.

- 6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
- 7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on Union Road along the frontage of the project.
- 8. The applicant shall install all utilities. 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.
- 9. 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.
- 10. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
 - a. Street lights;
 - b. Parkway/open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
- 12. All final property corners shall be installed.
- 13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.
- 14. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood

(Adopted by Planning Commission Resolution _____)

gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

- 15. Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

- 1. Prior to the start of construction:
- Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
- Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
- Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
- A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
- Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.
2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
- Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.
3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
4. If required by the Fire Chief, provide on the address side of the building if applicable:
- Fire alarm annunciator panel in weatherproof case.

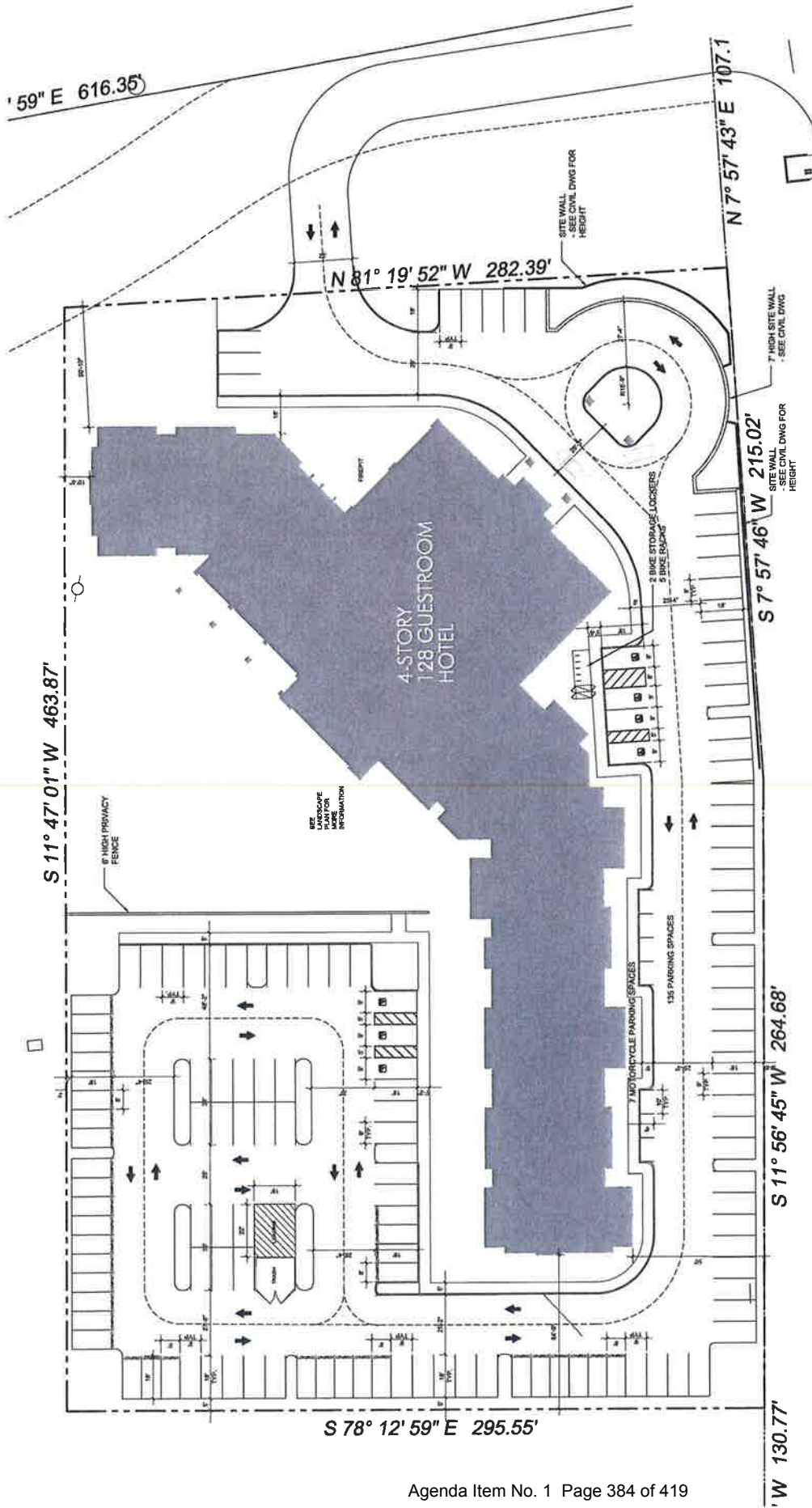
(Adopted by Planning Commission Resolution _____)

- Knox box key entry box or system.
- Fire department connection to fire sprinkler system.
- 5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
- 6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
- 7. Prior to the issuance of Certificate of Occupancy:
 - Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
 - Final inspections shall be completed on all buildings.

(Adopted by Planning Commission Resolution _____)

Exhibit B
 Site Plan, Landscape Plan
 Elevations and Preliminary Grading Plans

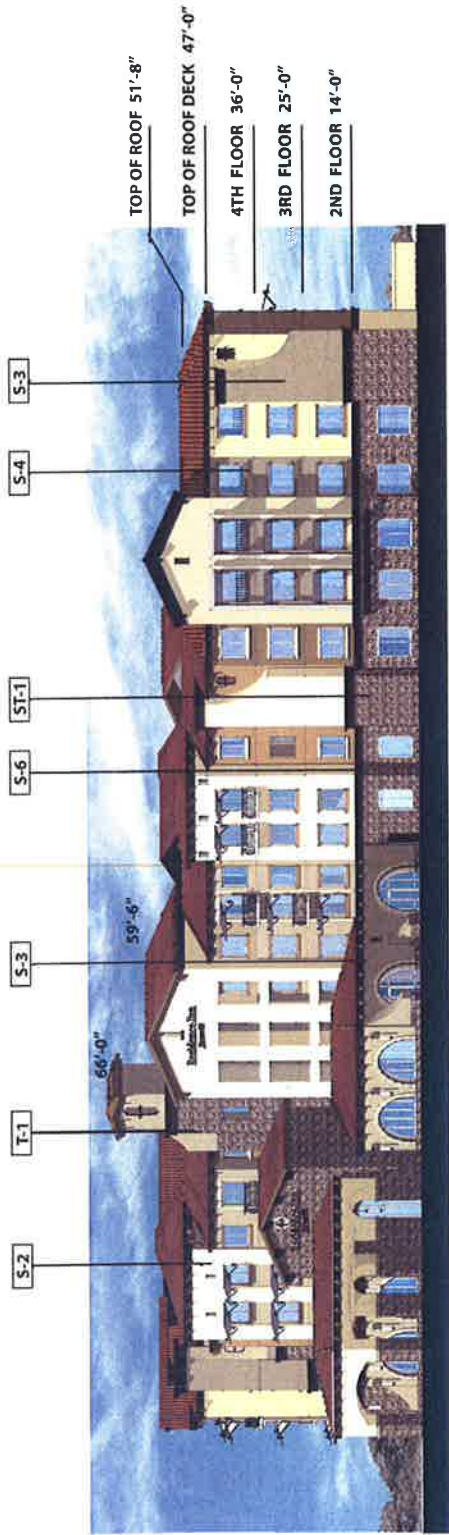
N 2° 3'



NOTE:
 1. SEE CIVIL DRAWINGS FOR INFORMATION ON ELEVATIONS, PERMS,
 2. EXISTING UTILITIES, DRIVEWAYS, DRIVE ROAD AND UTILITY EASEMENT
 3. EXISTING STRUCTURES
 4. EXISTING TREES

MARRIOTT RESIDENCE INN
 PASO ROBLES CALIFORNIA





NORTH ELEVATION



EAST ELEVATION (FACING SOUTH VINE STREET)

- S-1 STUCCO EXTERIOR INSITE
MARRIOTT
PAPER COLORS
MARRIOTT
- S-2 STUCCO EXTERIOR
MARRIOTT
PAPER COLORS
MARRIOTT
- S-3 STUCCO EXTERIOR
MARRIOTT
PAPER USA COLORS
MARRIOTT
- S-4 STUCCO EXTERIOR
MARRIOTT
PAPER USA COLORS
MARRIOTT
- S-5 STUCCO WINDOW TRIM
MARRIOTT
PAPER USA COLORS
MARRIOTT
- S-6 STUCCO TRIMLINE
MARRIOTT
PAPER USA COLORS
MARRIOTT
- S-7 STONE VENEER
MARRIOTT
STONE
CURVE ROOF
- M-1 WINDOW MULLIONS
MARRIOTT
PAPER BRONZE
- M-2 WINDOW TRIM
MARRIOTT
PAPER BRONZE
- T-1 MARBLE ROOF TILE
MARRIOTT
- S-1 CLEAR GLASS
MARRIOTT



MARRIOTT RESIDENCE INN

PASO ROBLES CALIFORNIA

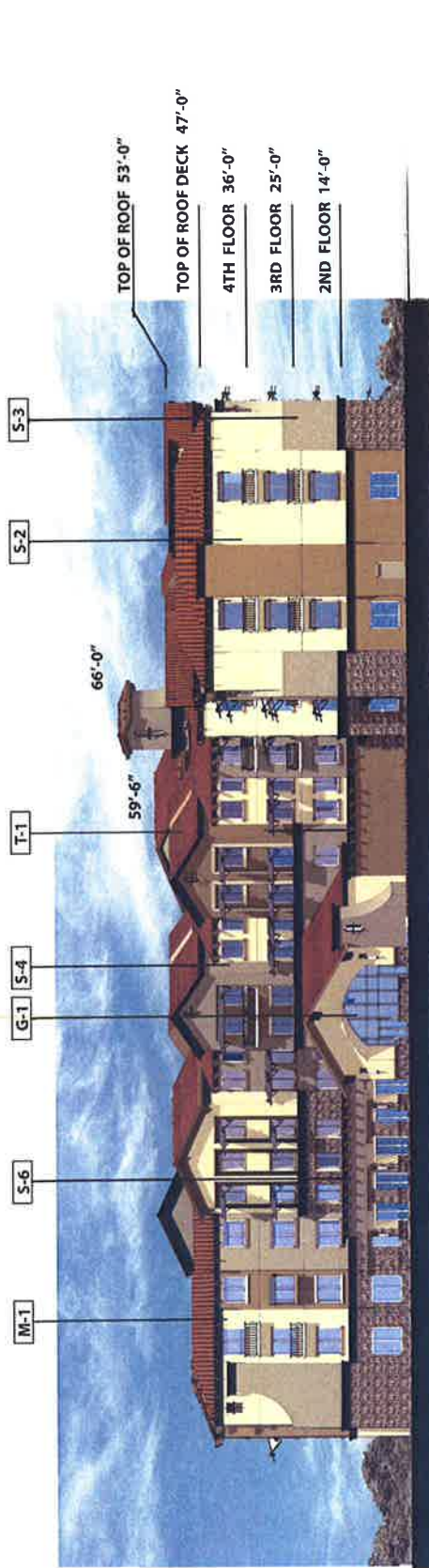
BUILDING ELEVATIONS

JANUARY 27, 2014
JOB NO. 133



GENEFONG ASSOCIATES
100 WESTWOOD BLVD
LOS ANGELES, CA 90024
310-206-7538 310-206-7539

A4.1



SOUTH ELEVATION



WEST ELEVATION

- S-2 STUCCO WINDOW INSETS LA HABRA PAPER USA COLORS MARRON
- S-1 STUCCO WINDOW INSETS LA HABRA PAPER USA COLORS MARRON
- S-2 STUCCO EXTERIOR ALMOND
- S-3 STUCCO EXTERIOR LA HABRA PAPER USA COLORS MARRON
- S-4 STUCCO EXTERIOR LA HABRA PAPER USA COLORS MARRON
- S-5 STUCCO WINDOW TRIM SOMBRERO
- S-6 STUCCO WINDOW TRIM SOMBRERO
- S-7 STUCCO WINDOW TRIM MARRON
- S-8 STUCCO WINDOW TRIM MARRON
- ST-1 STONE RENDER CYRUS RIDGE
- M-1 WINDOW MILLIONS MEDIUM BRONZE
- M-2 WINDOW MILLIONS DARK BRONZE
- T-1 MARBLE ROOF TILE SIERRA
- G-1 CLEAR GLASS POLYMERGLASS



MARRIOTT RESIDENCE INN
PASO ROBLES CALIFORNIA

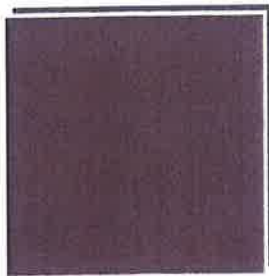
BUILDING ELEVATIONS



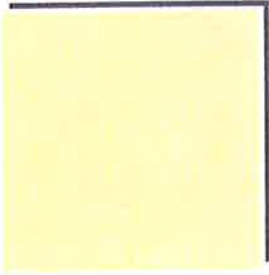
GENE FONG ASSOCIATES
1100 WESTWOOD BLVD
LOS ANGELES, CA 90024
310.556.7700 • 310.556.7701

JANUARY 31, 2014
JOB NO. 1333

A4.2



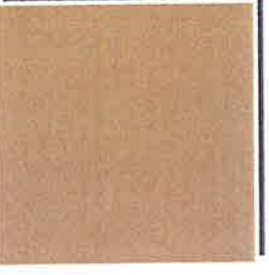
S-1 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
MARADA



S-2 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
ALMOND



S-3 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
AGAVE



S-4 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
SADDLE



S-5 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
SOMBRERO



S-6 PAINT FINISH ON STUCCO
LA HABRA PAREX USA COLOR
MADARA



M-1 WINDOW MULLIONS
KAWNEER
MEDIUM BRONZE



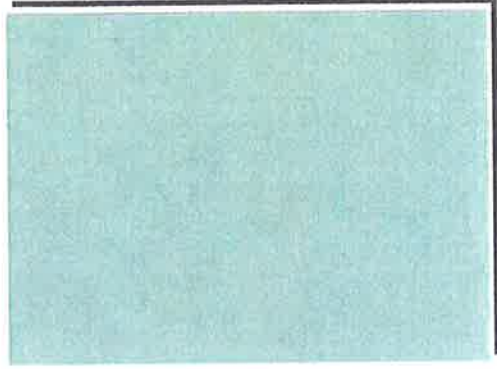
M-2 WROUGHT IRON - PAINT TO MATCH
DE 6350
DARK ENGINE



ST-1 STONE VENEER
EL DORADO STONE - CYRUS RIDGE



T-1 BARREL ROOF TILE
MCA SIERRA



G-1 CLEAR GLAZING
WITH AL STOREFRONT SYSTEM (M1)



MARRIOTT RESIDENCE INN

PASO ROBLES CALIFORNIA

MATERIALS & FINISHES



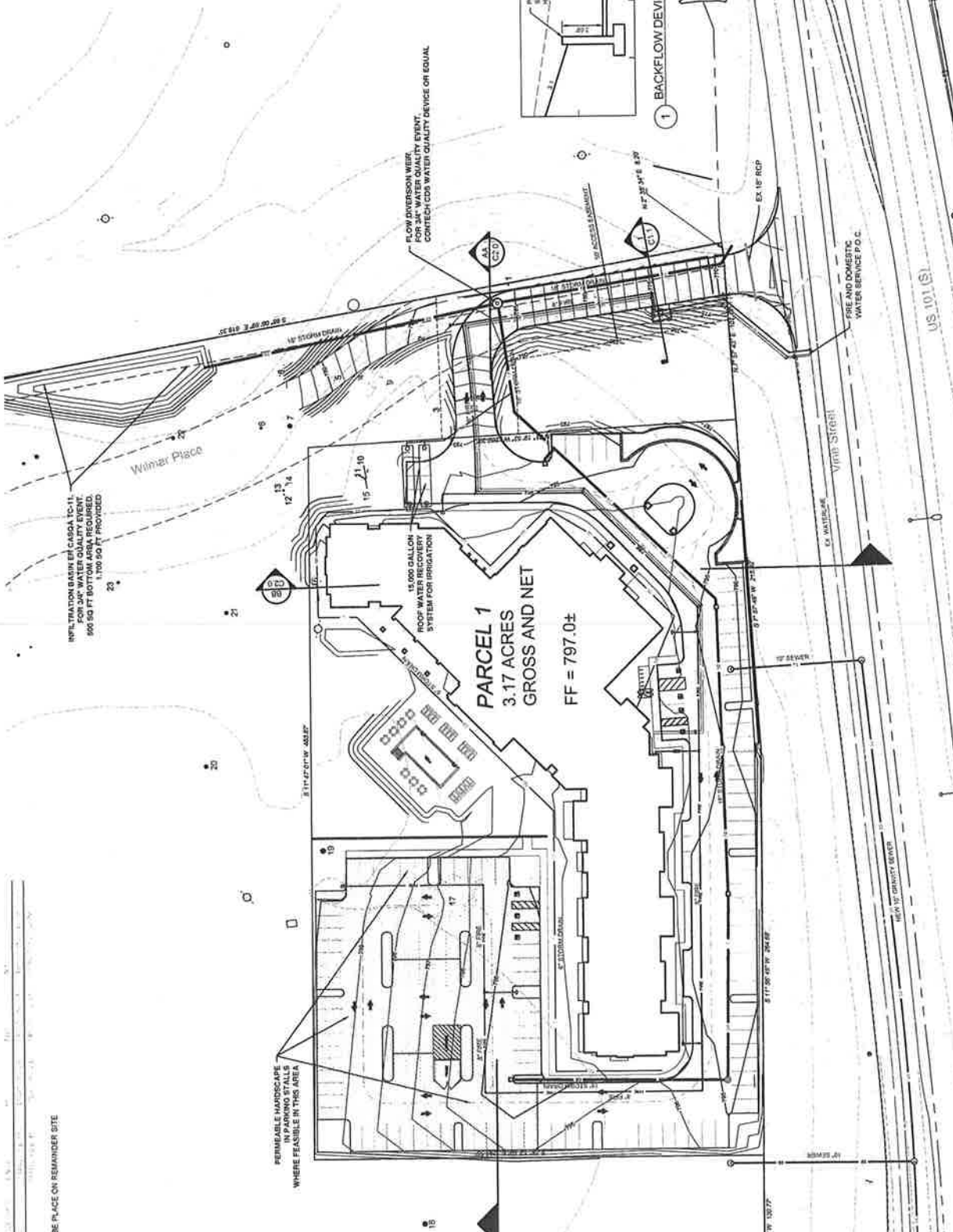
DATE: 12/02/13
JOB NO: 1333

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES

Out/Fill Summary

Item	Description	Quantity
1	Excavation	100.00
2	Fill	100.00
3	Gravel	100.00
4	Asphalt	100.00
5	Concrete	100.00
6	Rebar	100.00
7	Structural Steel	100.00
8	Other	100.00

NOTE: EXCESS MATERIAL TO BE PLACED ON REMAINING SITE



WALLACE GROUP
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 (303) 733-1100
 WWW.WALLACEGROUP.COM



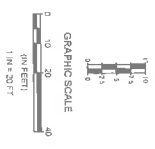
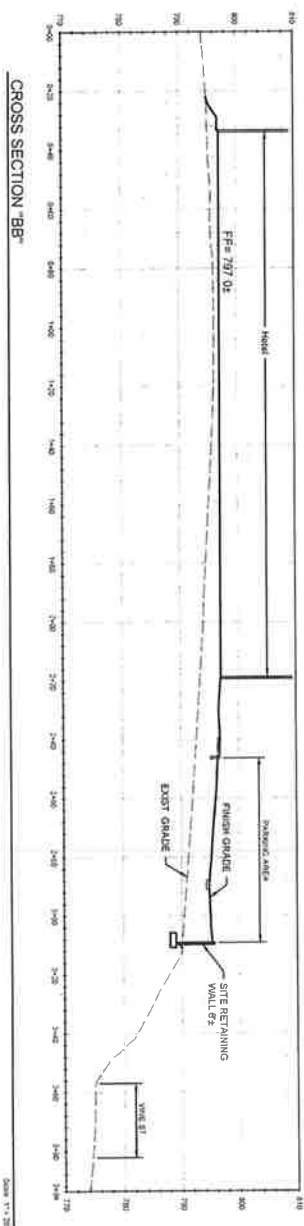
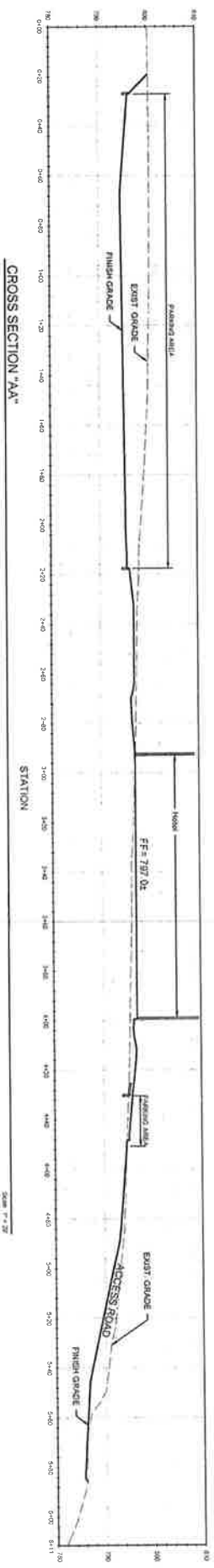
PREPARED BY:
 WALLACE GROUP
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 (303) 733-1100
 WWW.WALLACEGROUP.COM

DATE: 10/15/2024
PROJECT: MARRIOTT RESIDENT INN PASO ROBLES CA
CLIENT: PASO ROBLES CA
SCALE: AS SHOWN
DATE: 10/15/2024

MARRIOTT RESIDENT INN
 Paso Robles Ca.
 PRELIMINARY GRADING AND UTILITY PLAN

DRAWING NO: C1.1
2 OF 3

FOR REDUCED PLANS
 ORIGINAL SCALE IS IN INCHES



WALLACE GROUP®
 CIVIL AND TRANSPORTATION ENGINEERING
 10000 WILSON AVENUE
 SUITE 100
 WESTMINSTER, COLORADO 80031
 PHONE: (303) 440-1111 FAX: (303) 440-1111
 WWW.WALLACEGROUP.COM



DATE: 11/11/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]

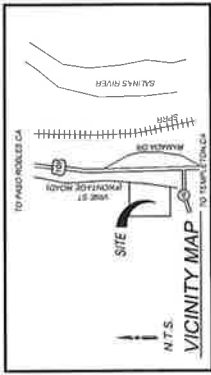
Marriott Resident Inn
 Paso Robles Ca.
 SITE CROSS SECTIONS

C2.0
 DRAWING NO.
 3 OF 3

Exhibit C
Vesting Tentative Parcel Map

FOR REPRODUCED PLANS
DIMENSIONS SHOWN IN INCHES

VESTING TENTATIVE PARCEL MAP



APN	ACRES	STATUS
040-031-001	3.17	Parcel 1
040-031-019	9.44	Remainder
040-031-017	0.48	Private Road Easement
040-031-018	0.48	Private Road Easement
040-031-020	0.48	Private Road Easement
040-031-021	0.48	Private Road Easement
040-031-022	0.48	Private Road Easement
040-031-023	0.48	Private Road Easement
040-031-024	0.48	Private Road Easement
040-031-025	0.48	Private Road Easement
040-031-026	0.48	Private Road Easement
040-031-027	0.48	Private Road Easement
040-031-028	0.48	Private Road Easement
040-031-029	0.48	Private Road Easement
040-031-030	0.48	Private Road Easement
040-031-031	0.48	Private Road Easement
040-031-032	0.48	Private Road Easement
040-031-033	0.48	Private Road Easement
040-031-034	0.48	Private Road Easement
040-031-035	0.48	Private Road Easement
040-031-036	0.48	Private Road Easement
040-031-037	0.48	Private Road Easement
040-031-038	0.48	Private Road Easement
040-031-039	0.48	Private Road Easement
040-031-040	0.48	Private Road Easement
040-031-041	0.48	Private Road Easement
040-031-042	0.48	Private Road Easement
040-031-043	0.48	Private Road Easement
040-031-044	0.48	Private Road Easement
040-031-045	0.48	Private Road Easement
040-031-046	0.48	Private Road Easement
040-031-047	0.48	Private Road Easement
040-031-048	0.48	Private Road Easement
040-031-049	0.48	Private Road Easement
040-031-050	0.48	Private Road Easement
040-031-051	0.48	Private Road Easement
040-031-052	0.48	Private Road Easement
040-031-053	0.48	Private Road Easement
040-031-054	0.48	Private Road Easement
040-031-055	0.48	Private Road Easement
040-031-056	0.48	Private Road Easement
040-031-057	0.48	Private Road Easement
040-031-058	0.48	Private Road Easement
040-031-059	0.48	Private Road Easement
040-031-060	0.48	Private Road Easement
040-031-061	0.48	Private Road Easement
040-031-062	0.48	Private Road Easement
040-031-063	0.48	Private Road Easement
040-031-064	0.48	Private Road Easement
040-031-065	0.48	Private Road Easement
040-031-066	0.48	Private Road Easement
040-031-067	0.48	Private Road Easement
040-031-068	0.48	Private Road Easement
040-031-069	0.48	Private Road Easement
040-031-070	0.48	Private Road Easement
040-031-071	0.48	Private Road Easement
040-031-072	0.48	Private Road Easement
040-031-073	0.48	Private Road Easement
040-031-074	0.48	Private Road Easement
040-031-075	0.48	Private Road Easement
040-031-076	0.48	Private Road Easement
040-031-077	0.48	Private Road Easement
040-031-078	0.48	Private Road Easement
040-031-079	0.48	Private Road Easement
040-031-080	0.48	Private Road Easement
040-031-081	0.48	Private Road Easement
040-031-082	0.48	Private Road Easement
040-031-083	0.48	Private Road Easement
040-031-084	0.48	Private Road Easement
040-031-085	0.48	Private Road Easement
040-031-086	0.48	Private Road Easement
040-031-087	0.48	Private Road Easement
040-031-088	0.48	Private Road Easement
040-031-089	0.48	Private Road Easement
040-031-090	0.48	Private Road Easement
040-031-091	0.48	Private Road Easement
040-031-092	0.48	Private Road Easement
040-031-093	0.48	Private Road Easement
040-031-094	0.48	Private Road Easement
040-031-095	0.48	Private Road Easement
040-031-096	0.48	Private Road Easement
040-031-097	0.48	Private Road Easement
040-031-098	0.48	Private Road Easement
040-031-099	0.48	Private Road Easement
040-031-100	0.48	Private Road Easement

OWNER/SUBDIVIDER
GENCO INVESTMENT LLC
15000 WILLOW CREEK DRIVE
CRESTON CA 94328-2010

APN No. 040-031-011
PASO ROBLES CA

LEGAL DESCRIPTION
THAT PORTION OF LOT 22 OF THE SUBDIVISION OF THE
UNDIVIDED PARTS OF THE TRACT OF 160 ACRES MORE
OR LESS AS SHOWN ON MAPS 15000 WILLOW CREEK DRIVE
RECORDED IN BOOK 02, PAGE 587 OF OFFICIAL RECORDS
OF THE COUNTY OF SAN LUIS OBISPO, CALIFORNIA, TRACT
PARTS OF LOT 22 DESCRIBED IN BOOK 108

EXISTING LOT TOTAL AREA = 10.8 ACRES ±

TOPOGRAPHIC INFORMATION
TOPOGRAPHY SHOWN HEREON WAS
PREPARED BY EDNA ASSOCIATES OF
PASO ROBLES, CALIFORNIA, AND PROVIDED
TO WALLACE GROUP

EXISTING EASEMENTS UNPOTENTIABLE

SAN MANUEL COUNTY, CALIFORNIA IS UNPOTENTIABLE
THE POINTS OF BEGINNING AND TERMINUS ARE NOT
DEFINED IN THE EAST-WEST DIRECTION WITHIN THE LEGAL
DESCRIPTION

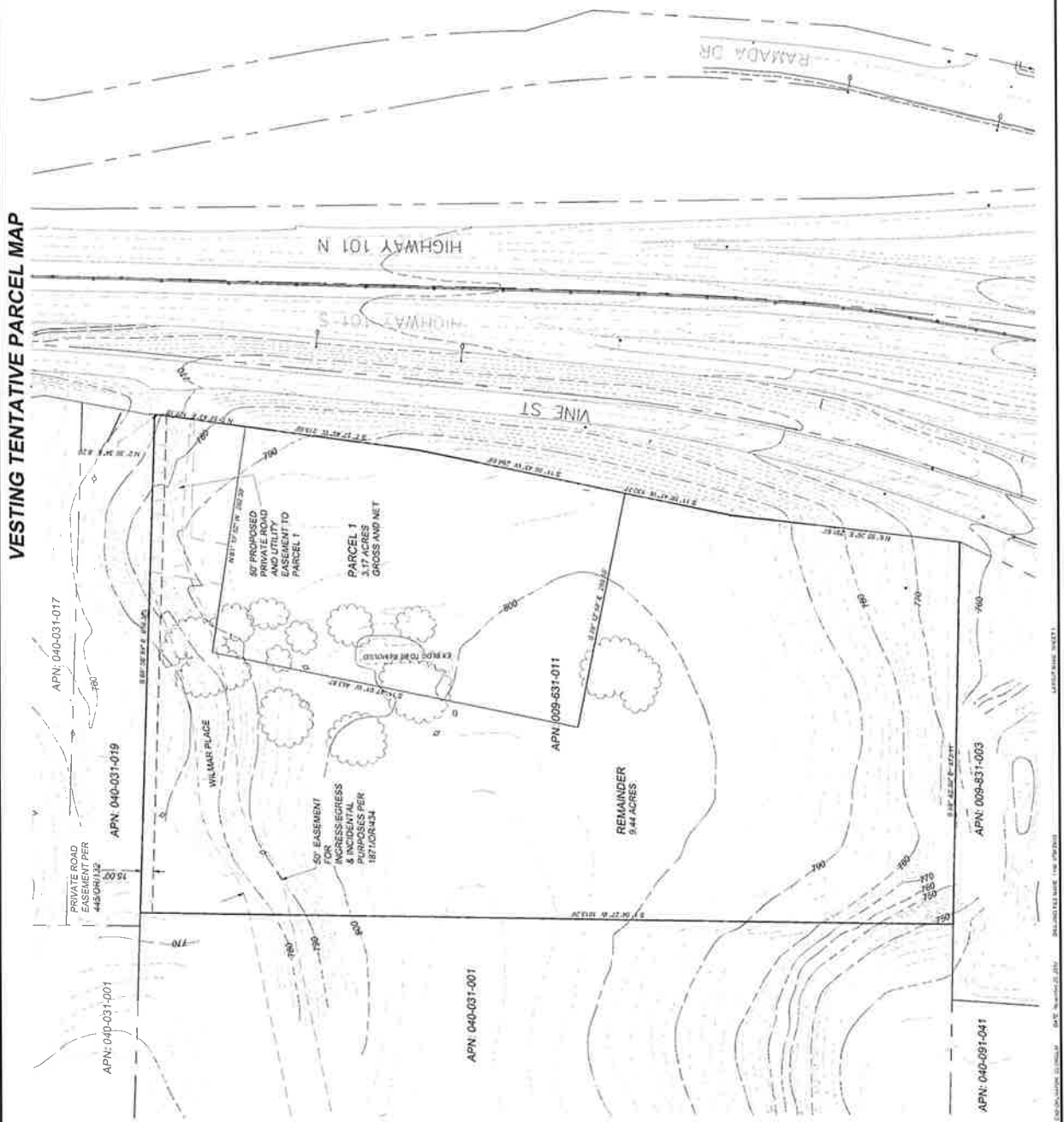
CUTTING TREES
SEE THE TREE PROTECTION PLAN FOR THIS PROJECT FOR
TREE INFORMATION



Ray M. Wallace
Date: 10/20/2013

SCALE
0 50 100
1" = 60' ±

PROJECT NO.	1300-00
DATE PLOTTED	10/20/2013
DATE PRINTED	10/20/2013
DATE PLOTTED BY	DM
DATE PRINTED BY	DM



RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PASO ROBLES
AUTHORIZING THE REMOVAL OF 5 OAK TREES
FOR PLANNED DEVELOPMENT 13-005 AND TENTATIVE PARCEL MAP PR 13-0109
121 WILMAR PLACE, APN 09-631-011
EXCEL PASO ROBLES LP/MARRIOTT RESIDENCE INN**

WHEREAS, Excel Paso Robles, LP/Marriott Residence Inn has submitted a request to remove five oak trees; and

WHEREAS, the request for removal of the trees is in relation to a Mitigated Negative Declaration recommended for approval by the Planning Commission to the City Council on May 27, 2014, for Planned Development 13-005 and Tentative Parcel Map PR 13-0109; and

WHEREAS, with the recommendation to approve the Mitigated Negative Declaration for Planned Development 13-005 and Tentative Parcel Map PR 13-0109 the Planning Commission recommended approval to remove five oak trees; and

WHEREAS, four of the trees are in poor health due to site conditions, with one of the four trees harmed by wire fencing embedded in it. The fifth tree is in good health, but is located in an awkward location in relation to the site plan parking area; and

WHEREAS, the Director could not make the determination that the trees are “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the trees “healthy” and require that the City Council make the determination of whether the trees should be allowed to be removed after consideration of the factors listed in Section 10.01.050.D; and

WHEREAS, the City Council considered the factors listed in Section 10.01.050.D and determined that site grading for proposed structures and road access make retention of the trees undesirable; and

WHEREAS, in conjunction with the entitlements noted above, Chip Tamagni of A & T Arborists submitted an Arborist Report analyzing all of the oak trees located within the development area that may be impacted by the project and required tree protection methods. Protection measures were identified for potentially impacted trees that would remain. The report also identified the health of the five trees proposed for removal. The tree removals were rated in terms of their relative health on a scale of 1-10, with 10 being the best health. One of the trees was rated “1”, two of the trees were rated “2”, one was rated a “3”, and the last tree was rated a “4”.

WHEREAS, the project design would necessitate the need to remove healthy oak trees due to grading and construction of the hotel building, access driveway, and parking lot.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby:

1. Authorize the removal of five oak trees based on the trees being in marginal health, minimal environmental and scenic impacts, and that the removals are necessary in order to accommodate the proposed project.
2. Require the planting of 16.5 inches diameter replacement oak trees to be planted on the site at the direction of the arborist to ensure maximum potential for the trees to flourish, and/or off site at a location at the direction of the Community Development Director. The specific size and number of replacement trees shall be determined by the project arborist provided that the replacement trees equal the required mitigation requirement.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 17th day of June, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Indian Wells
(760) 568-2611

Irvine
(949) 263-2600

Los Angeles
(213) 617-8100

Ontario
(909) 989-8584

500 Capitol Mall, Suite 1700, Sacramento, CA 95814
Phone: (916) 325-4000 | Fax: (916) 325-4010 | www.bbklaw.com

Riverside
(951) 686-1450

San Diego
(619) 525-1300

Walnut Creek
(925) 977-3300

Washington, DC
(202) 785-0600

Iris P. Yang
(916) 551-2826
iris.yang@bbklaw.com
File No. 82473.03010

May 21, 2014

VIA GOLDEN STATE OVERNIGHT

Gregory W. Sanders, Esq.
Nossaman LLP
18101 Von Karman Avenue
Suite 1800
Irvine, CA 92612

Re: Response to Comments and Supplemental Comments on Initial Study
and Draft Mitigated Negative Declaration for the Marriott Residence Inn
Project

Dear Mr. Sanders:

The City of Paso Robles ("City") is in receipt of your comment letters dated March 24, 2014, March 28, 2014, and May 12, 2014 on behalf of your client Quorum Realty Fund III, LLC. As you know, Best Best & Krieger serves as City Attorney to the City of Paso Robles and our office submits these responses on behalf of the City.

In your comment letters, you raise various issues with the initial study and mitigated negative declaration ("MND") prepared for the proposed Marriott Residence Inn Project located at 121 Wilmar Place in the City (the "Project"). As part of this Project, the City is contemplating the adoption of a MND and related mitigation monitoring and reporting program, planned development No. 13-005, tentative parcel map No. 13-0109, and oak tree removal permit No. 13-008 (the "Project approvals").

As you may know, the original MND was circulated for public review from February 24, 2014 to March 25, 2014. In the interest of providing the public with as much information regarding the Project as possible, the City elected to provide clarifying language changes and recirculate the MND. The City was not obligated to recirculate as none of the triggering conditions contained in CEQA Guideline 15073.5 occurred. In particular, the revisions to the MND do not constitute substantial revisions showing a new significant effect and no new mitigation or revisions to existing mitigation are required in order to adequately reduce any potential significant effects. The revisions, instead, constitute clarifying information.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 2

Our responses below will follow the order of your correspondence. Where appropriate, the responses cite to the appropriate locations in the originally circulated and recirculated MND that address your concerns.

March 24, 2014 Correspondence

1. An EIR Must Be Prepared For The Project

The City acknowledges your position that an environmental impact report ("EIR") must be prepared for the Project. The City, however, disagrees as it does not believe you have submitted substantial evidence that supports a fair argument that the Project will have a significant impact on the environment.

As you know, the California Environmental Quality Act ("CEQA") requires that a lead agency prepare an EIR whenever substantial evidence in the record supports a fair argument that a project may have a significant effect on the environment. An EIR may be dispensed with, and a negative declaration prepared, only if the lead agency finds no substantial evidence in the initial study or elsewhere in the record that the project may significantly affect the environment. See, Public Resources Code Section 21080(c)(1); CEQA Guidelines 15063(b)(2), 15064(f)(3). Even if there is evidence that indicates a significant effect may result, the lead agency may determine that modifications, in the form of mitigation measures, may reduce or avoid any significant effect. See, CEQA Guideline 15063(g). In those instances, a mitigated negative declaration is appropriate, and an EIR is not required.

The City is required to consider the entire record before it and decide whether there is substantial evidence sufficient to support a fair argument that impacts may occur. See, CEQA Guideline 15064(f). Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous does not constitute substantial evidence. See, CEQA Guideline 15064(f)(5).

Your March 24, 2014 correspondence, in certain instances, references a 9-year old initial study and mitigated negative declaration and outdated studies for a project other than the Marriott Residence Inn Project. Further, you reference City Council Resolution No. 05-232 that was repealed on April 15, 2008. The evidence that you present is inaccurate and no longer current. As such, it does not constitute substantial evidence to support a fair argument that impacts may occur for the Marriott Residence Inn Project. Further, with the City electing to revise and recirculate the MND in order to provide as much clarity to the public as possible regarding the Project, any instances where you cite to the prior MND circulated from February 24, 2014 to March 25, 2014, are also no longer current. Either way, the City does not believe that you have provided substantial evidence that supports a fair argument that significant impacts may result from the Project. Instead, the City believes that this response letter, the



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 3

originally circulated MND, the recirculated MND, and all the related environmental studies that support the conclusions in the MND, collectively constitutes substantial evidence that the City is proceeding in accordance with CEQA and that the Project will not cause any significant effects with the incorporation of proposed mitigation.

2. The Draft MND Must Be Recirculated

The City acknowledges your concern regarding the need to recirculate the mitigated negative declaration prepared for the Project. In support of this position, you indicate that the City may have deprived the public of a meaningful opportunity to comment on the MND as four pages were missing from the Traffic Impact Study.

It is the City's understanding that the only version of the MND Traffic Impact Study with the four missing pages was the version mailed out to the State Clearinghouse, public agencies, and posted on the City's website. As noted on all public notices, however, the MND and the related Traffic Impact Study were available for public review at the Community Development Department at City Hall for the full 30 day public review period from February 24, 2014 to March 25, 2014.

You cite to *Laurel Heights Improvement Assoc. v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1120, as well as *Silverado Modjeska Recreation and Parks Dist. v. County of Orange* (2011) 197 Cal.App.4th 282 for the proposition that recirculation is required whenever the public is deprived of a meaningful opportunity to comment. However, both cases involve an EIR and not a mitigated negative declaration. As you know, CEQA and the CEQA Guidelines provide a different legal standard for recirculation of an EIR versus a mitigated negative declaration. As such, the cases you cite are not relevant.

CEQA Guideline 15073.5, specific to negative declarations and mitigated negative declarations, only requires recirculation when there is a "substantial revision" to a negative declaration or mitigated negative declaration. See, CEQA Guideline 15073.5(b). A substantial revision is defined as when: (1) a new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required. CEQA Guideline 15073.5(b)(1)-(2). Further, CEQA Guideline 15073.5 specifies that recirculation is not required when "new information is added to the negative declaration which merely clarifies, amplifies, or merely makes insignificant modifications to the negative declaration." CEQA Guideline 15073.5(c)(4).

In contrast, the standard for recirculation of an EIR is much different, as noted in both *Laurel Heights* and *Silverado Modjeska*; see also CEQA Guideline 15088.5.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 4

In short, because the City made the MND, including the complete Traffic Impact Study, fully available at City Hall, it complied with the public review period required by CEQA Guideline 15073. Further, it is likely that the four missing pages of the Traffic Impact Study merely constitutes information that clarifies or amplifies the MND. In that circumstance, recirculation is not required as detailed at CEQA Guideline 15073.5(c)(4). This is especially true, as the Traffic Impact Study is summarized in the traffic analysis section of the MND.

Nevertheless, in the interest of providing as much clarifying information to the public as possible regarding the Project, the City elected to recirculate the MND. The circulation period for the MND now runs from April 28, 2014 through May 27, 2014 and the revised document provides clarifying language changes for public consideration.

3. The Draft MND Fails To Provide An Adequate Project Description

The City understands that you have a concern regarding the alleged lack of project information in the project description section of the MND. However, as previously noted, it appears you are referencing an old initial study and mitigated negative declaration for a project other than the Marriott Residence Inn Project. In fact, on page 1 of the originally circulated MND, information such as the height of the hotel and the number of rooms is included in Section 8, "Project Description." Further, this section of the MND also details the various ancillary guest services that will be provided and details the acreage of the lot, and the acreage of the proposed hotel use. Finally, the square footage of the proposed Project is included in various attachments in the MND, including on the Project elevations. With the recirculation of the MND, additional clarifying changes have been made to Section 8, Project Description. The square footage has been brought forward to this section, as well as additional information regarding the Project, all in full compliance with CEQA. As can be seen from the revised text in Section 8, the MND meets all legal requirements with regard to its project description as required by CEQA Guideline 15063 and 15071. Neither the CEQA Guidelines nor applicable case law require more extensive detail for project descriptions than what the City has provided in the recirculated MND. CEQA Guideline 15124(c); *Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20, 28.

You also note that the realignment of South Vine Street is not included in the project description for the Marriott Residence Inn Project. This is because the realignment of South Vine Street is neither contemplated nor required as part of the Marriott Residence Inn Project. Instead, as noted on page 23 of the originally circulated MND, and on page 32 of the newly recirculated MND, the applicant would be required, as mitigation, to pay development impact fees into the City's Development Impact Fee (DIF) program, to partially fund, along with other cumulative projects in the region, improvements to the U.S. 101/SR 46 W interchange. Included within these improvements, is the realignment of South Vine Street.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 5

The payment of development impact fees would be required in response to impacts that result during the cumulative scenario and Year 2035 scenario, and not from the Project alone. The cumulative and Year 2035 scenarios differ from the Project-specific impact analysis during the existing conditions scenario. The existing conditions scenario considers whether the existing levels of service at study areas will be degraded to an unacceptable level with the addition of Project traffic alone. The cumulative and Year 2035 scenarios, on the other hand, take into account forecasted regional traffic and traffic from anticipated but not yet constructed development projects in the area, in addition to the Project's traffic, to determine whether future levels of service will degrade to an unacceptable level and whether the Project's contribution to that degradation is cumulatively considerable. See, CEQA Guideline 15130(a)(1) (“[A] cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.”); see also, CEQA Guideline 15064(h)(1) (“ ‘Cumulatively considerable’ means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects”). On that basis, the Traffic Study concludes that during the P.M. peak hours for the cumulative scenario the LOS for the intersection that comprises the west side of the U.S. 101/SR 46 W interchange (SR 46 W/U.S. 101 SB, SR 46 W/Vine Street) would degrade from a LOS C with a 34.2 second delay per vehicle to a LOS D with a 35.7 second delay per vehicle. See Traffic Study, Table 10. During the Year 2035 scenario, two intersections that comprise the U.S. 101/SR 46 W interchange (SR 46 W/U.S. 101 SB, SR 46 W/Vine Street and SR 46 W/U.S. 101 NB, SR 46 W/Ramada Drive) are expected to operate at LOS F and E, respectively, exceeding the adopted thresholds for service capacity. See Traffic Study, Table 13.

Thus, under the cumulative and Year 2035 scenarios, the Project alone would not cause the impacts to the U.S. 101/SR 46W interchange. Rather, the Project will only add traffic to, and therefore merely make a cumulatively considerable contribution to, the significant impacts projected under cumulative future conditions. As such, the Project alone would not be required to solely fund or complete the improvements to the U.S. 101/SR 46 W interchange. Instead, the Project is required to fund its fair share contribution to these improvements. See, Mitigation Measure TR-1.

Further, the improvements and potential realignment of South Vine Street, that will be funded by the applicant's payment of development impact fees, were the subject of a Project Approval Environmental Document (PAED) and initial study and mitigated negative declaration for the Highway 101/State Route 46 West Interchange Modification Project prepared in December of 2009 by Caltrans (SCH #2008051102). After this document was prepared, the City identified these improvements in its development impact fee (DIF) program pursuant to City Council Resolution No. 14-035. Specifically, Exhibit B to this Resolution contains the list of improvements that will be funded with DIF fees, and it identifies improvements to the 101/46W



BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 6

interchange as improvement facility number 30 which includes the improvements and potential realignment to South Vine Street.

The above scenario that you argue violates CEQA was already litigated in *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173. In that case, opponents to a project argued that improvements to Interstate 5, that were to be funded with the project's fair share payment of development fees as mitigation for a cumulative impact, should have been analyzed in the EIR prepared for the project. The court disagreed. In particular, the court noted that "the interchange improvements are based on the cumulative impact of several projects, and not just the project at issue." *Id.* at 1190. Thus, there was no need to analyze the environmental effects from a proposed improvement to be funded by cumulative projects in the region. Moreover, as noted above, the improvements and potential realignment of South Vine Street were the subject of a PAED and initial study and mitigated negative declaration prepared in December of 2009 by Caltrans. Thus, those effects have already been subjected to environmental review.

To sum up, as the realignment of South Vine Street is not contemplated as part of this Project, the project description is not required to include it and it need not be analyzed in the MND.

4. The Draft MND Fails To Adequately Analyze The Potential Effects Of The Project On Transportation/Traffic

The City acknowledges your concern regarding the proposed U.S. 101/SR 46 W interchange improvements, and potential realignment of South Vine Street traversing the applicant's property. However, it appears you are misinformed as to any potential location of the realignment of South Vine Street. Although it is true that a number of options were considered for this realignment in the original Project Study Report prepared by Caltrans, those options were narrowed in the Project Approval/Environmental Document or PAED to two options.

In December of 2009, Caltrans prepared an initial study and mitigated negative declaration to analyze the two options provided for in the PAED to improve the U.S. 101/SR 46 W interchange traffic conditions. These two options include the following:

- Option 1 – Includes: (1) realigning Theatre Drive to the west, forming a "T" intersection (signalized) with Route 46 W; (2) constructing a roundabout at the U.S. Highway 101 SB/Route 46 W/Vine Street intersection, and (3) constructing a roundabout at the U.S. 101 NB/Route 46 W/Ramada Drive intersection.
- Option 2 – this option is similar to Option 1, but includes the realignment of Vine Street to connect with Route 46 W opposite Theatre Drive at the new intersection west of the interchange. Roundabouts would be constructed at the U.S. Highway



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 7

101 SB/Route 46 W intersection and U.S. Highway 101 NB/Route 46 W/Ramada Drive intersection.

The first phase, the realignment of Theatre Drive, that is included in both options, has already been constructed. The next phase will be the construction of roundabouts if Option 1 is selected, or the realignment of Vine Street if Option 2 is selected.

The initial study and mitigated negative declaration prepared by Caltrans in 2009 acknowledged multiple potential paths for the realignment of Vine Street. One path would impact the applicant's southernmost property area. Additionally, your client, Quorum Realty Fund, Inc. explicitly acknowledged that the path could also impact its property in a July 11, 2008 comment letter to Caltrans regarding the initial study and mitigated negative declaration. In this letter, Larry Werner of North Coast Engineering, Inc., acknowledged that the realignment of Vine Street would pass through two parcels owned by your client Quorum Realty Fund. In this same letter, Mr. Werner expressed your client's support for Option 2. Thus, it is clear that there is no pre-determined path for the realignment of Vine Street, and the realignment has the potential to impact both your client's property and the applicant's southernmost property area.

Even if Vine Street is realigned through the applicant's southernmost property area, the applicant took this into consideration in determining the location for the Project. In particular, the applicant has designed the Project to be on the northern portion of its property, far removed from the potential path of the realignment of Vine Street. As such, there are no additional traffic or transportation impacts to analyze as the potential path for the realignment of Vine Street will not be impacted by the development of the Project. See, pages 2 through 3 of the Recirculated MND.

5. The Draft MND Fails To Adequately Analyze The Potential Effects Of The Project On The City's Water Supply

The City understands your concern regarding the availability of water to serve the Project. As discussed on page 17 of the originally circulated MND, and on page 25 through 26 of the recirculated MND, the 2010 Urban Water Management Plan contemplates development of the Project site for commercial type purposes, which includes hotel uses. Thus, the 2010 Urban Water Management Plan allocates water for this type of use, and the Plan acknowledges that there is sufficient water supply to accommodate the development of this property with a commercial hotel type use.

You note that reliance on a 2010 Urban Water Management Plan is insufficient to document a less than significant impact. In particular, you note that the Urban Water Management Plan was prepared in 2010, and does not take into account current drought conditions. Although the 2010 document could not have accounted for current drought



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 8

conditions, it did account for single year and multiple year drought conditions and concluded that adequate water would be available. See Table 22, City of Paso Robles 2010 Urban Water Management Plan. The City is aware of these conditions, and has taken numerous measures to minimize impacts from the current drought. In particular, the City has established a groundwater stewardship policy in an attempt not to expand dependency on the Paso Robles Groundwater Basin over historic use levels that peaked in 2007. Also, in 2009 the City implemented a comprehensive water conservation program to reduce water consumption citywide. Finally, the City has augmented its current water supply by procuring surface water from Lake Nacimiento. This surface water, along with the construction of delivery facilities to transfer this water from the Lake to the City, would further reduce reliance and dependency on the groundwater basin. The applicant will be required to provide impact fees to help fund the construction of the delivery facilities that will transfer water from the Lake to the City.

Based on the above, it is clear that the 2010 Urban Water Management Plan already contemplated construction and development of the Project site with commercial uses, including hotels. As such, the 2010 Urban Water Management Plan serves as substantial evidence that adequate water supplies are available to serve the Project. There is no evidence that current drought conditions change that conclusion. In fact, the 2010 Urban Water Management Plan analyzes water availability based on single year and multiple year drought conditions and concludes that there would still be adequate water even in multiple year drought conditions. See Table 22, City of Paso Robles 2010 Urban Water Management Plan. Further, the City has already taken numerous efforts, as noted above, to avoid dependency on the groundwater basin. These additional efforts and measures are substantial evidence that no significant impact will result regardless of current drought conditions. Please direct your attention to pages 24 through 26 of the recirculated MND, as well as page 39 discussing cumulative water conditions.

6. The Draft MND Violates The City's Zoning Code And CEQA Because It Fails To Adequately Analyze The Potential Aesthetic Effects Of The Project

You assert the MND is deficient because it fails to analyze the City's Municipal Code provision contained at Section 21.16A.010(i) regarding building height. The recirculated MND does address Section 21.16A.010 in the aesthetics section "I" at pages 6-8 and in the land use section "X" at page 28. Although the ultimate decision on exceeding the building height limit is within the City Council's discretion, the recirculated MND does in fact address the findings and articulates how each finding can be met based on existing facts and environmental circumstances.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 9

7. The Draft MND Cannot Be Approved Because The Project Is Incompatible With The Standards Of The City's General Plan

The City acknowledges your concern regarding an alleged inconsistency between the Project and the General Plan. In particular, you allege the Project is inconsistent with the General Plan because the City is not requiring the dedication of the roadway for the realignment of South Vine Street.

In support of your position, you cite to City Council Resolution No. 05-232 adopted on November 15, 2005 that contains language regarding dedication of the roadway for the realignment of South Vine Street. This Resolution No. 05-232 has since been repealed as of April 15, 2008 by Resolution No. 08-049 and is no longer relevant or accurate and does not constitute substantial evidence under CEQA Guideline 15064(f)(5). Further, the language contained in this prior Resolution No. 05-232 was prior in time to the initial study and mitigated negative declaration prepared by Caltrans in December 2009 to analyze the improvements to the U.S. 101/SR 46 W interchange. This Resolution No. 05-232 was also prior in time to the City's adoption of its development impact fee program and the inclusion of the interchange improvements as a planned improvement to be funded with development impact fees. Thus, as the realignment of Vine Street is not a component of this Project, and is instead a planned improvement to be funded by the City's development impact fees, and implemented in coordination with Caltrans, dedication for this improvement is not required of the Project.

In further support of your position, you cite to the Circulation Element of the General Plan. Specifically, you cite to Action Item 3 on page CE-1 under Policy CE-1A that reads: "[p]reserve right-of-way in accordance with the Circulation Master Plan and all adopted Plan Lines." Contrary to your assertion, the Project would preserve all right of ways consistent with the City's Circulation Master Plan. This is true, because the applicant has designed the location of the Project to be on the northern portion of its property far removed from the potential realignment on the southern portion of its property. Thus, the construction of the proposed Project would not preclude the realignment of South Vine Street, and there is no inconsistency between the proposed Project and the General Plan.

Finally it is worth noting, that even if an inconsistency did exist between the Project and the General Plan, an inconsistency between a proposed project and an applicable plan is a legal determination, not a physical impact on the environment. See, *Lighthouse Field Beach Rescue v City of Santa Cruz* (2005) 131 Cal.App.4th 1170 (initial study case holding that inconsistency with land use controls [such as a General Plan] is one factor to consider in determining whether a project has a significant effect).



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 10

8. The Draft MND Fails To Adequately Analyze The Secondary Environmental Effects Of The Project

The City acknowledges your comment that the MND fails to analyze secondary environmental effects of the Project. In support of this assertion, you state that the MND fails to analyze the environmental effects of the mitigation measure requiring the realignment of South Vine Street.

Mitigation Measure TR-1 does not itself require the realignment of South Vine Street. Instead, the applicant is required to pay its fair share in development impact fees to help fund, along with other cumulative projects in the region, the improvements anticipated in and around South Vine Street. These improvements have already been the subject of environmental review in the initial study and mitigated negative declaration prepared by the Caltrans in December 2009 (SCH #2008051102).

There is no requirement that the MND analyze the environmental effects associated with an improvement that is not contemplated as part of this Project, and that was already fully analyzed pursuant to CEQA under a prior environmental document. As stated previously in response number 3 above, this scenario was already litigated in *Anderson First* where the court held that a project specific environmental document need not analyze the environmental effects from a proposed improvement to be funded by cumulative projects in the region. See, *Anderson First* at 1190.

Finally, as stated previously, the initial study and mitigated negative declaration prepared by Caltrans in 2009 acknowledged multiple potential paths for the realignment of Vine Street. The path could impact the applicant's southernmost property area, and could also impact your client's property. Both alignments were already analyzed in the initial study and mitigated negative declaration prepared by Caltrans and all environmental effects from the various options for the realignment were analyzed at that time. Thus, because there are multiple paths for the potential realignment, and because the realignment has already been the subject of environmental review, the MND is not deficient for not including an analysis of this realignment.

9. The Draft MND Relies On Legally Insufficient Mitigation Measures

The City notes your concern regarding Mitigation Measure TR-1 allegedly being legally insufficient. However, the City contends that Mitigation Measure TR-1 is completely legally sufficient under the requirements of CEQA. Also, in an effort to provide the public with as much information as possible, the City undertook the task of adding clarifying language to Mitigation Measure TR-1 and the City directs your attention to the revised measure that reads as follows:



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 11

MM TR-1

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

The payment of fees constitutes adequate mitigation under CEQA for a project's otherwise "cumulatively considerable" incremental contribution to significant cumulative impacts when such fee contributions are "part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing." See, *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1187; see also, *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 141 (traffic impact fees upheld as adequate mitigation on basis that a "reasonable plan" to mitigate traffic impacts was in place).

As noted in the Recirculated MND, the City has an existing "reasonable plan" to mitigate traffic impacts: the City's Development Impact Fee (DIF) Program which was recently updated on April 1, 2014 through the City Council's adoption of Resolution No. 14-035. Exhibit "B" to Resolution No. 14-035 provides the AB 1600 Fee Justification Study and the Needs List that includes as improvement facility #30, on page 26, the improvement of the interchange of Highways 101-46W that was identified and analyzed by Caltrans in December of 2009. Mitigation measure TR-1 requires the applicant to make its fair-share contribution to the City's DIF program.

Consistent with CEQA Guidelines, section 15064, subdivision (h)(3), the Recirculated MND explains how the Project's payment of fees to the DIF program will mitigate the Project's impacts to the Highways 101-46W interchange and "ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable":

The specific amount of DIF fees to be paid by the applicant relative to the proposed project will depend on the current rate of



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 12

fees applicable at the time of occupancy. However, as part of a prior entitlement that the landowner applied for, but which was not constructed, the landowner previously paid approximately \$270,900 in 2006 toward improvements constructed at the southbound exit at the interchange, which is part of the overall regional interchange improvement project. With implementation of applying both of these fees (the previously paid fair-share of the interchange improvements and the additional DIF fees to be calculated at time of project occupancy), the project will have mitigated its fair share of impacts to transportation facilities.

Recirculated MND, page 33.

As such, through implementation of measure TR-1, the Project will mitigate its cumulatively considerable contribution to cumulative impacts in the cumulative and Year 2035 scenarios by contributing its fair share of DIF fees for traffic improvements.

Feasibility

Mitigation measure TR-1 is also feasible, contrary to your assertion. In particular, you allege that the MND provides no analysis of whether it is feasible to realign Vine Street onto your client Quorum Realty Fund's parcel or whether such alignment can be enforced. This implies, however, that the Project is required to realign Vine Street as mitigation for the Project and that a particular realignment plan has already been selected by the City. This assumption is not correct. The Project is not required to implement the realignment of Vine Street. Instead, the Project is merely required to mitigate by contributing the fair share fees required by MM TR-1 pursuant to the City's adopted DIF program. See, CEQA Guideline 15126.4(a)(1).

Furthermore, as noted previously, there is currently more than one future option for the Vine Street realignment. As noted in response number 4 above, the realignment could traverse the applicant's property in the southernmost portion as analyzed in the initial study and mitigated negative declaration prepared by Caltrans in December of 2009. It could also traverse your client's property as expressly acknowledged in the July 11, 2008 correspondence from Larry Werner, on behalf of your client, to Caltrans. To the extent you are now taking issue with the Vine Street realignment option analyzed in the initial study and mitigated negative declaration adopted in 2009, the time for challenging that approval has expired. See, Pub. Resources Code, § 21167 (30-day statute of limitations for filing court challenges under CEQA); see also, CEQA Guideline 15112(c)(1).

Regardless, as noted in the Recirculated MND, neither the City nor Caltrans is committed yet to a specific alignment. See, Recirculated MND at page 2. Ultimately, there has been no



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 13

final decision made yet regarding the Vine Street realignment, and such decision need not be made at this time, as the need for these improvements is not triggered in the near term by this Project or other near-term development. Either way, the applicant has designed the location of the Project to be outside of the potential realignment of Vine Street through the southern portion of its property.

Additionally, the proposed improvements at the U.S. 101 and SR 46 W interchange have been studied extensively, and all agencies affected by these traffic conditions, including the City, the County, and Caltrans, are committed to implementing these improvements. The original Cooperative Agreement entered into between the City, County and Caltrans in 1997 serves as evidence of this commitment. In this agreement, the City, County, and Caltrans committed to funding these improvements once further studies were conducted. The studies completed by Caltrans in the form of the PAED and the initial study and mitigated negative declaration from December 2009, narrowed these improvements into two options. Shortly thereafter, the City solidified its funding plan for these improvements by including the improvements in its DIF program, and in fact, Phase I of the improvements has already been constructed. Thus, the payment of fees into the City's DIF fund will provide funding to ensure these improvements are implemented. Further, it is clear that Caltrans is committed to these improvements and Caltrans can and should implement these improvements. See, *Neighbors for Smart Rail v. Exposition Metro Line Construction* (2013) 57 Cal.4th.439, 465 ("CEQA ... allows an agency to approve or carry out a project with potential adverse impacts if binding mitigation measures ... are within the responsibility and jurisdiction of another public agency and ... can and should be, adopted by that other agency").

Enforceability

Next, the measure is also fully enforceable. As evidence of this enforceability, is the fact that the improvements contemplated by measure TR-1 are already included in the City's Development Impact Fee (DIF) program pursuant to City Council Resolution No. 14-035 and Exhibit B to this Resolution. In adopting this Resolution, the City has committed its development impact fees to only those improvements included in the needs list. Thus, the applicant's payment of development impact fees are assured to go to the improvements contemplated in measure TR-1 as these improvements are included in the needs list adopted by the City Council. See, CEQA Guideline 15130(a)(3) (CEQA expressly acknowledges that fee-based mitigation is appropriate mitigation for cumulative impacts); see also, *Save Our Peninsula Comm. v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99 (traffic impact fees upheld as adequate mitigation on the basis that a traffic impact fee program had been adopted by the County committing fees to specified improvements).

Further, the City will ensure that measure TR-1 is fully enforceable through permit conditions, agreements, or other measures, as well as a mitigation monitoring program to ensure



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 14

that mitigation measures are actually implemented. See, *Federation of Hillside and Canyon Associations v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1260-1261; see also, CEQA Guideline 15126.4(a)(2). If the Project is approved, measure TR-1 will be expressly incorporated into the Project as a condition of approval and through the adoption of a mitigation monitoring and reporting program. As measure TR-1 is framed in mandatory language and will be included in the adopted MMRP, the City is legally bound to require the applicant to pay the estimated costs of the improvements planned at the U.S. 101/SR 46W interchange into the DIF program. See, *Lincoln Place Tenants Assn. v. City of Los Angeles* (2007) 155 Cal.App.4th 425, 452-454 (mitigation, upon adoption, becomes binding obligation of agency).

Constitutional Requirements

Third, measure TR-1 also meets constitutional requirements as required by CEQA Guideline 15126.4(a)(4). In fact, the City Council analyzed the constitutional nexus issue in its Justification Study for its DIF program. This Justification Study determined the proper fee amount to impose on applicants proposing development in the City, consistent with constitutional nexus-based requirements. In particular, the Justification Study includes a discussion of how the amount of the DIF fees were derived based on average daily traffic and various dwelling unit counts and non-residential square footage, i.e., the rough proportionality of the DIF fees to the traffic impacts. See, Exhibit "B" to Resolution No. 14-035 at pages 20-21. As such, the City has evidence in the record to support the fact that the imposition of a development impact fee in the amount cited in measure TR-1 is consistent with constitutional nexus requirements.

You also assert that the realignment of Vine Street onto your client Quorum Realty Fund's parcel as mitigation would not comply with the constitutional limitations of nexus and rough proportionality. However, you are mistaken about the mitigation that is actually required for this Project. The Project is not required to construct the realignment of Vine Street. Rather, the Project is only obligated to mitigate its fair share of cumulative impacts through the payment of development impact fees required by measure TR-1. As noted previously, the City has provided a constitutional basis for the amount of fees in its Justification Study, consistent with constitutional limitations that require nexus and rough proportionality between the mitigation measure and the impact it addresses. See, *Nollan v. California Coastal Commission* (1987) 483 U.S. 825; *Dolan v. City of Tigard* (1994) 512 U.S. 374; CEQA Guidelines 15126.4(a)(4).

Effectiveness

Measure TR-1 is also fully effective, and not speculative or untested. As stated throughout this response letter, CEQA expressly acknowledges the effectiveness of the payment of development impact fees to mitigate for cumulative impacts when such fee contributions are



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 15

“part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing.” See, *Anderson First* at 1187.

Further, the actual improvement to be implemented with the payment of development fees will actually reduce any potential cumulative and Year 2035 impact to a less than significant level. As such, the measure is effective. For example, on pages 25 through 27 of the Traffic Study, an analysis was done documenting the traffic conditions after the proposed improvement to Vine Street is implemented. As can be seen in Table 15 on page 27 of the Traffic Study, intersection operations previously impacted by the Project, under cumulative and Year 2035 conditions, would now be improved to LOS C. This is fully consistent with Caltrans standards that require LOS C or better. As such, implementation of the improvements contemplated with the payment of development impact fees detailed in TR-1 would reduce any potentially significant cumulative, and Year 2035 impact, to a less than significant level.

To sum up, mitigation measure TR-1 is legally sufficient, fully enforceable, and will reduce any potentially significant cumulative and Year 2035 impact to a less than significant level.

10. The Draft MND Does Not Account For The Increased Potential For Traffic Accidents

The City appreciates your concern regarding the alleged potential for increased traffic accidents at the intersection of Wilmar Place, South Vine Street, and U.S. 101/State Route 46. However, the City does not believe your commentary constitutes substantial evidence of a fair argument that a significant impact will result.

As you may know, CEQA defines substantial evidence to include facts and expert opinion supported by facts. See, CEQA Guideline 15064(f)(5). Substantial evidence does not include argument, speculation, or unsubstantiated opinion. *Id.*; see also, *Pala Band of Mission Indians v. County of San Diego* (1998) 68 CA4th 556, 571. An attorney’s opinion on the alleged increased risk for traffic accidents does not constitute substantial evidence.

Although your commentary does not constitute substantial evidence, in an effort to provide as much information to the public as possible, the City directs your attention to page 33 of the recirculated MND. This section addresses the sight line distance from Wilmar Place looking both south and north along Vine Street. Looking north from Wilmar Place along Vine Street, the sight distance is more than 1,100 feet. Looking south from Wilmar Place along Vine Street, the sight distance is 590 feet. The Caltrans standard for sight distance is 495 feet. Thus, the sight distance from Wilmar Place looking both south and north is in full compliance with the Caltrans recommended standard and no significant traffic safety effects are anticipated.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 16

11. The Draft MND Fails To Adequately Analyze Cumulative Effects

You claim that the MND is deficient because it fails to analyze cumulative impacts. The City directs your attention to pages 37 through 39 of the recirculated MND that analyzes all potential cumulative impacts of the Project.

12. The Draft MND Violates CEQA Because There Is No Mitigation Reporting And Monitoring Program

You allege the MND is deficient because it does not include a mitigation monitoring and reporting program. The City disagrees with this assertion as CEQA is clear that a negative declaration or mitigated negative declaration need not include a mitigation and monitoring reporting program to be legally sufficient.

CEQA Guideline 15071 details the required contents of a negative declaration and mitigated negative declaration. A mitigation monitoring and reporting program is not listed as one of the items that must be included in a negative declaration or mitigated negative declaration for it to be legally sufficient under CEQA. Instead, CEQA specifies that at the time of adoption of a negative declaration or mitigated negative declaration, the lead agency shall adopt a mitigation monitoring and reporting program. See, CEQA Guideline 15074(d). If the City adopts the MND, a mitigation monitoring and reporting program will also be adopted at that time. As such, the MND itself is not legally deficient, nor does it violate CEQA.

March 28, 2014 Correspondence

1. The Draft MND Relies On Legally Insufficient Mitigation Measures

You indicate that Mitigation Measure TR-1 requiring the applicant to pay its fair share of development impacts fees is inadequate. The City directs your attention to the City's response to item 9 above that details how Mitigation Measure TR-1 is legally adequate, fully enforceable, and effective at reducing the cumulative and Year 2035 impact, all in full compliance with CEQA.

You raise two new arguments with regard to the enforceability of mitigation imposed on the Project, as well as with regard to a lack of earmarking of the proposed DIF funds for the proposed improvement necessary to actually mitigate the cumulative and Year 2035 impacts. With regard to the enforceability of mitigation, you argue that no condition of approval, agreement or mitigation monitoring program has been implemented to ensure the measures will be implemented. As stated previously, the City has a mitigation monitoring and reporting program prepared and will adopt it in compliance with CEQA Guideline 15074(d) if the City Council decides to adopt the MND. Further, the City has also prepared a mitigation agreement



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 17

to be entered into by the applicant and the City to enforce the applicability of the mitigation measures. As such, all mitigation imposed upon the Project would be enforced pursuant to both the mitigation monitoring and reporting program, and the mitigation agreement signed by the applicant.

With regard to the earmarking of the DIF funds, there is no requirement under CEQA that the fees paid be earmarked in some way for the specific identified improvements to the U.S. 101/SR 46W interchange in order for mitigation measure MM TR-1 to be effective. As noted in *Save Our Peninsula Committee*, an agency accepting fees toward an established mitigation fee program is entitled to the presumption and expectation that the agency "will comply with its own ordinances, and spend the fees it collects on the appropriate improvements to the affected road segments." See, *Save Our Peninsula Committee* at 140.

2. The Proposed Lot Split Does Not Preclude A Dedication Requirement Specified In The General Plan And Necessary To Mitigate For The Project's Significant Impacts

The City acknowledges your comment on the Project's alleged inconsistency with the General Plan. Please refer to the response detailed in Section 7 above under the March 24, 2014 heading.

The City also acknowledges your comment that in failing to require a dedication of the land for the realignment of Vine Street, CEQA has been violated. In support of this position, you cite to City Council Resolution No. 05-232 that has since been repealed. Any language derived from this Resolution is no longer accurate and cannot constitute substantial evidence under CEQA Guideline 15064(f)(5). Further, as stated previously, the language contained in this prior Resolution No. 05-232 was prior in time to the City's adoption of its development impact fee program and the inclusion of the interchange improvements as a planned improvement to be funded with development impact fees. As the realignment of Vine Street is not a component of this Project and not required as mitigation, right-of-way for this realignment is not required to be dedicated.

The City also acknowledges your analysis of what constitutes a remainder parcel under the Subdivision Map Act. However, as noted previously in Section 7 above, a dedication is not required under the General Plan, nor is it required to mitigate the Project's potentially significant cumulative and Year 2035 impact on traffic. Thus, your discussion of the Subdivision Map Act and remainder parcels is not relevant. This is especially true because, as detailed in Section 7 above, the Project would not preclude the construction of the realignment of South Vine Street and therefore would not be inconsistent with the General Plan. Further, the Project will mitigate its potentially significant cumulative and Year 2035 traffic impacts through the payment of its fair share of development impact fees that will be used to fund the realignment of South Vine



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 18

Street and related improvements when conditions warrant them. As such, the discussion regarding the Subdivision Map Act is not relevant to whether the Project will cause a significant impact on the environment.

3. The City Cannot Approve The Project Or Draft MND Without The Dedication Requirement As It Is Roughly Proportional To The Project's Impacts

You assert that the Project alone would cause a traffic impact because the conditions at the SR 46 W/U.S. 101 SB and SR 46 W/Vine Street intersections will operate at LOS D (unacceptable) in the P.M. peak cumulative period with the Project, and LOS C (acceptable) without the Project. Because of this, you allege dedication of the roadway for the realignment of Vine Street is required to be imposed on the Project. Unfortunately, it appears you are misunderstanding cumulative impacts under CEQA.

As you may know, under CEQA, a project's incremental contribution is cumulatively considerable if it is significant when viewed in connection with the effects of other past, current, and probable future projects. See, CEQA Guideline 15065(a)(3). This is exactly the scenario before the City involving the SR 46 W/U.S. 101 SB and SR 46 W/Vine Street intersections. The only reason the Project's traffic contribution to this intersection is deemed significant, is because it becomes significant when viewed in connection with the effects of other past, current, and probable future projects. Without the cumulative projects, the project's impact at this intersection would be less than significant as articulated in Table 8 on page 13 of the Traffic Study prepared for the Project. As can be seen in this table, the Project's addition of traffic to this intersection will maintain intersection operations at LOS C. However, when coupled with cumulative projects, the Project traffic causes intersection operations to degrade to LOS D as articulated in Table 10. This is a clear impact caused by the Project's contribution in connection with the effects of other past, current, and probable future projects. As such, it is a clear cumulative impact of the Project, and not an impact of the Project alone.

Further, CEQA acknowledges that "[a] project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact." See, CEQA Guideline 15130(a)(3). As CEQA explicitly contemplates the approach undertaken by the City in imposing on the applicant the requirement to pay its fair share of DIF fees to mitigate the cumulative impact, it is unclear why you believe dedication is required. Further, it is clear that such a dedication requirement would greatly exceed the nexus and rough proportionality requirements in violation of constitutional principles.

The City also directs your attention to the City's responses in item 7 and 9 above to your March 24, 2014 letter. In particular, it addresses your argument making use of repealed



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 19

Resolution No. 05-087, and addresses your concern regarding the lack of enforceability of the traffic mitigation measure.

4. The City Must Form An Assessment District

You allege the City must form an assessment district in order to adequately mitigate the Project's cumulative impact at the SR 46 W/U.S. 101 SB and SR 46 W/Vine Street intersections. As previously stated, CEQA acknowledges that "[a] project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact." See, CEQA Guideline 15130(a)(3). As this is the approach undertaken by the City with regard to the Project, it is unclear why the formation of an assessment district would be required when the cumulative impact is already adequately mitigated as explicitly authorized by CEQA.

You assert that it is unfair for your client, Quorum Realty, to have the burden of the potential realignment of Vine Street traversing its property. However, your client explicitly acknowledged this burden, yet did not object, when it commented to Caltrans on the original PAED and initial study and mitigated negative declaration. As stated in response number 4 above, your client submitted a comment letter on July 11, 2008 to Caltrans. Larry Werner of North Coast Engineering, Inc., indicated that the realignment of Vine Street would pass through two parcels owned by your client Quorum Realty Fund. Yet at no point in time did your client object to this potential realignment traversing its property. Instead, your client expressed its support.

Either way, the City has imposed mitigation on this Project in compliance with CEQA and constitutional limitations. This mitigation will adequately mitigate the cumulative traffic impacts of the Project and the formation of an assessment district is not required.

May 12, 2014 Correspondence

1. The Revised MND Cannot Be Approved Because It Fails To Adequately Analyze Or Mitigate The Potential Impacts Of The Project On Traffic

You assert that measure TR-1 does not adequately mitigate the Project's potential cumulative and Year 2035 impact as there is no evidence in the Recirculated MND regarding the Project's percentage of the impact. As stated previously, the City is imposing TR-1 that requires payment of development impact fees into the City's DIF fund in an amount consistent with constitutional nexus requirements. These constitutional nexus requirements are met by the City's AB 1600 Justification Study that details how the amount of the DIF fees were derived based on average daily traffic and various dwelling unit counts and non-residential square footage, i.e., the rough proportionality of the DIF fees to the traffic impacts. See, Exhibit "B" to



BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 20

Resolution No. 14-035 at pages 20-21. Thus, there is substantial evidence in the record that documents the Project's fair share cost.

The City also directs your attention to response 9 above to your March 24, 2014 letter for more information on the effectiveness of measure TR-1.

2. The Revised MND Cannot Be Approved Because It Fails To Adequately Analyze Or Mitigate The Potential Impacts Of The Project On The City's Water Supply

The City understands your concern regarding water availability. The City directs your attention to response number 5 above that details the Project will have adequate water supply based on the substantial evidence contained in the 2010 Urban Water Management Plan, along with the additional measures the City has undertaken in recent years to reduce reliance on the groundwater basin.

In support of your position that adequate water is not available, you cite to a County of San Luis Obispo Ordinance. The Ordinance you cite, however, only applies to property in the unincorporated areas of San Luis Obispo County. See Section 2, Applicability, of San Luis Obispo County Ordinance No. 3246. It does not apply to property located within the City of Paso Robles. This ordinance is not relevant as it does not apply to the Project property. As such, it cannot constitute substantial evidence under CEQA Guideline 15064(f)(5).

You also assert that the payment of development impact fees will not reduce any potential water supply impact. The payment of development impact fees will be used to fund the infrastructure needed to move surface water from Lake Nacimiento to the City. The City recently procured surface water from the Lake in an effort to reduce its reliance on the groundwater basin. Although the 2010 Urban Water Management Plan states that the Project will have adequate water supply to serve a hotel type use on the Project site, the City has undertaken additional efforts to reduce reliance on the groundwater basin to further ensure a less than significant impact.

You also note that there are additional measures the City has undertaken, including watering restrictions that appear to impact the Project. The restrictions are actually further evidence of the City's attempt to reduce water use overall. Regardless, the restrictions only limit landscape watering to certain days based on zones. The restrictions do not, however, preclude development such as the proposed Project. In short, there is adequate water supply for the proposed Project as documented in the 2010 Urban Water Management Plan, and pages 25, 26, and 39 of the Recirculated MND.



BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 21

3. The City Cannot Approve The Revised MND Without A Dedication Requirement For The Realignment Of Vine Street

The City directs your attention to response 7 to the March 24, 2014 correspondence above, and responses 2 and 3 to the March 28, 2014 correspondence above.

4. The Revised MND Cannot Be Approved Because It Fails To Adequately Analyze The Potential Impacts Of The Project On Biological Resources

The City understands your concern regarding biological impacts from the Vine Street realignment. As noted previously throughout this response, the Project is not required to realign Vine Street and it is not a component of the Project. Instead, the Project is only obligated to pay development impact fees required by measure TR-1. Thus, environmental effects from this realignment need not be analyzed in the MND. As stated numerous times in this response letter, this issue has already been litigated in *Anderson First* where the court noted that a project specific environmental document need not analyze the environmental effects from a proposed improvement to be funded by cumulative projects in the region. See, *Anderson First* at 1190.

Further, this realignment was already analyzed in the initial study and mitigated negative declaration prepared by Caltrans in December of 2009. As documented in that initial study and mitigated negative declaration, Option 2 that includes the realignment of Vine Street would have greater impacts on oak trees. Mitigation is imposed as part of these improvements to address the oak tree impact. See Mitigation Measure NC-1 and discussion on pages 129-137 of the initial study and mitigated negative declaration for the 101/SR 46 W interchange improvements prepared by Caltrans.

In short, because the Project is not proposing or requiring the realignment of Vine Street, and the Vine Street realignment was already analyzed in a separate environmental document for which mitigation measures were adopted, all biological impacts of the Project have been adequately analyzed and disclosed.

5. The City Must Commit To Mitigation For The Project's Cumulative Impacts On Traffic By Forming An Assessment District

The City directs your attention to response number 4 to your March 28, 2014 correspondence above.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Gregory W. Sanders, Esq.
May 21, 2014
Page 22

If you should have any questions regarding the contents of this response, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Iris P. Yang".

Iris P. Yang
City Attorney

IPY:njr

cc: City Manager
Paso Robles Planning Commission
Paso Robles City Council

MEMORANDUM.

TO: Susan DeCarli

FROM: John Falkenstien

SUBJECT: PD 13-005, Marriott Resident Inn, S. Vine Street
Tentative Parcel Map PR 13-0109

DATE: February 10, 2014

Streets

The project fronts on South Vine Street. South Vine Street is planned to be re-aligned in accordance with the Project Approval-Environmental Document (PAED) prepared by Caltrans designed to accommodate future traffic volumes in the U. S. Highway 101 – SR 46W interchange. The three fundamental components of the the PAED are:

- Re-align Theatre Drive and South Vine Street frontage roads to the west and connect with State Route (SR) 46W at a signalized intersection.
- Construct a roundabout at the U. S. 101 Southbound On Ramp/Off Ramp intersection with SR 46W
- Construct a roundabout at the U. S. 101 Northbound On Ramp/Off Ramp intersection with SR 46W and Ramada Drive.

The re-alignment of South Vine Street will not affect the Marriott Residence Inn proposal but would significantly affect the remainder parcel on the Tentative Parcel Map. In 2005 an application for a hotel was considered and approved on this site by the Planning Commission. At that time, the southbound off-ramp at SR 46W was not adequate to handle the traffic it was receiving daily. Traffic queues backing onto the 101 main line were common. Applications for development were not received as complete without a commitment to participate in a private effort to reconstruct the southbound ramp into the configuration we have today. All of the developer's at that time, La Bellasera, Hampton, McDonald's, Ilder's etal were participants in the project. The Sahadi family were participant's as well. That participation runs with the land and stand's as a significant mitigation measure and contribution towards the completion of the improvement's outlined in the PAED. Without the ramp improvement, no development in the area would be possible today.

The 46W-101 PAED was recognized and incorporated into the 2011 Circulation Element of the General Plan. The City received a grant from the Federal American Recovery Act to realign Theatre Drive in accordance with the PAED. The City has since received an application for annexation of lands surrounding the applicant's property to the west and north. The annexation application brings the potential of completing the South Vine Street realignment.

The annexation proposes alternative alignments for South Vine Street. One alignment matches the PAED. The other wraps South Vine Street entirely around the west side of the applicant's property. Both alignments accomplish the goals of the PAED. Both alignments will provide full access to the remainder parcel. Both will be compared and evaluated in a full environmental impact report.

Additional frontage improvements on South Vine Street, including sidewalk, were considered for this project. With the bike lanes in place, existing South Vine Street meets the standards established by the Circulation Element of the General Plan and the Bike Master Plan. Extension

of sidewalk would be premature. We cannot complete sidewalk connections across the signalized intersection controlled by Caltrans at SR 46W. Sidewalk connections will have to be completed as part of future South Vine Street alignment improvements.

Grading, Drainage and Storm Water Quality

On July 12, 2013, the Regional Water Quality Control Board adopted storm water management requirements for development projects in the Central Coast region. Upon the Board's direction, the City has adopted a Storm Water Ordinance requiring all projects to 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.

The applicant has prepared a storm water control plan offering a site assessment of constraints and opportunities and corresponding storm water management strategies in compliance with the new regulations.

Sewer and Water

The nearest public sewer is an 10-inch sanitary sewer main in SR 46W.

There is a 16-inch water main in South Vine Street available to the project.

Conditions

Prior to occupancy, the applicant shall extend an 8-inch sewer line in South Vine Street from SR 46W north to serve the project.

Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading and drainage plans.



CITY OF EL PASO DE
"The Pass of the Oaks"

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Kristen Buxkemper, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development 13-005 – Residence Inn Marriott, on this 25th day of April, 2014.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Kristen Buxkemper

THE *Newspaper of the Central Coast*
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD # 7048538
CITY OF PASO ROBLES

STATE OF CALIFORNIA
ss.
County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; APRIL 25, 2014, that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



(Signature of Principal Clerk)

DATED: APRIL 25, 2014

AD COST: \$174.28

CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT OF THE PLANNING COMMISSION TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT A RECIRCULATED MITIGATED NEGATIVE DECLARATION FOR PLANNED DEVELOPMENT (PD 13-005), TENTATIVE PARCEL MAP (PR 13-0109), AND AN OAK TREE REMOVAL PERMIT (OTR13-008)

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, May 27, 2014 at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider approval of a Mitigated Negative Declaration in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

- **Development Plan:** to establish a 128-room, 98,500 s.f., extended-stay hotel with guest breakfast dining room, business center and outdoor patio and pool facilities. The proposal includes a request to exceed the 50 foot building height limit in the C2-PD zone.
- **Tentative Parcel Map:** a lot split to subdivide the existing 12.6 acres into 1 parcel that would be 3.17 acres for the hotel site, and a "remainder" lot of 9.44 acres.
- **Oak Tree Removal Permit:** to remove 5 oaks trees.

The public review period for the Re-Circulated Mitigated Negative Declaration (MND) is April 28, 2014 through May 27, 2014. The proposed MND may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction. A copy of the MND is also available on the City website at: <http://www.prcity.com/government/departments/commdev/index.asp>.

The Planning Commission's action will be to make a recommendation to the City Council to approve the project at a later date (to be determined). A separate public notice will be provided for the City Council hearing.

Written comments on the proposed project and corresponding MND may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to sdecarli@prcity.com, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. The public comment period for the MND shall end at the conclusion of the public hearing by the Planning Commission on May 27, 2014. Should you have any questions regarding this application, please call Susan DeCarli at (805) 237-3970 or email at sdecarli@prcity.com.

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

/s/Susan DeCarli, AICP
City Planner
April 25, 2014

7048538