

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: WARREN FACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT 14-002, REZONE 14-001, SPECIFIC PLAN AMENDMENT 14-002, CONDITIONAL USE PERMIT 14-006 AND PLANNED DEVELOPMENT 14-003 - SAN ANTONIO WINERY, INC. 2610 BUENA VISTA DRIVE, APN: 025-391-075

DATE: APRIL 28, 2015

Needs: For the Planning Commission to consider an application filed by Kirk Consulting on behalf of San Antonio Winery, requesting to expand the existing use of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, 3 boutique retail spaces, and 4 residential units (3 townhouse style above retail shops, and one freestanding residence).

Facts

1. The project site is located at 2610 Buena Vista Drive, on the southwest corner of Buena Vista Drive and State Route 46 East (SR 46E). See Attachment 1, Vicinity Map.
2. In order to accommodate the proposed project it is necessary to modify the General Plan, land use designation, applicable zoning on the City Zoning Map, and incorporate text changes in the Borkey Area Specific Plan, as follow:
 - General Plan Amendment – Modify the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU); and
 - Rezone – Modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (e.g. R2-MU); and
 - Specific Plan Amendment – Modify the Borkey Area Specific Plan, Subarea D, to allow multi-family residential units and mixed-use development; and
 - Conditional Use Permit – To allow expansion of commercial uses in the Borkey Area Specific Plan, Subarea D; and
 - Planned Development – Expand the existing use of the property and add approximately 12,000 sf of new development, including a restaurant, 3 boutique retail spaces, 3 townhouse-style residential units above the retail spaces, and 1 freestanding residence. The request also includes consideration of a 42-foot tall tower element on the proposed

restaurant building, which would exceed the 35-foot height limit in the R2 zoning district.

3. The existing site is approximately 1.9 acres in area. The proposed development plan would remove the existing vineyard area, and intensify development of the site within the previously disturbed areas of the property. Development would not encroach within the drainage corridor or impact the critical root zones of existing native oak trees.
4. The site would be accessed through the existing driveway access on Buena Vista Drive. There are currently 23 (unstriped) parking spaces that provide parking for the existing wine tasting room. The new buildings would require a total of 46 parking spaces for vehicles, and 3 motorcycle parking spaces. The applicant will also include a bicycle rack for bicycle parking.

The proposed site plan provides for a total of 61 parking spaces with the 23 existing parking spaces and the 38 new proposed spaces. (This includes 5 extra parking spaces than required.) The parking space standards and calculation of required spaces for existing and new uses are as follows:

| Land Use | Parking Standard | Total Required Number of Spaces |
|---|------------------------------------|---------------------------------|
| <ul style="list-style-type: none"> • Residences: (1) 2-bed unit (3) 1-bed units | 1.5 spaces per 1-bed unit | 6 |
| | 2 spaces per 2-bed unit | |
| <ul style="list-style-type: none"> • Commercial Retail | 3 spaces per 1,000 sf | 9 |
| <ul style="list-style-type: none"> • Restaurant | 5 spaces per 1,000 sf | 31 |
| <ul style="list-style-type: none"> • Wine Tasting Room (including storage area) | 3 spaces per 1,000 sf wine tasting | 10 |
| | 1 space per 5,000 sf wine storage | |
| Total Parking Spaces Required: | | 56 |

5. The applicants are requesting that the Planning Commission consider the tower element on the restaurant building to exceed the 35 foot height limit in the R2 zoning district. Section 21.20.130 of the Zoning Code allows exception to the height limit for architectural roof or tower elements, subject to approval of a site plan by the Development Review Committee (DRC). In this case, since a Planned Development (PD) is required, the height issue can be addressed with the review and approval of the PD.

6. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Mitigated Negative Declaration (MND) was prepared and circulated for public review and comment.

**Analysis
and**

Conclusion:

The Martin & Weyrich Tasting Room was originally established on this site in 1986, with approval of a Conditional Use Permit (CUP 86-005). Various additions and remodels have taken place over the years to the current facility, which is now owned and operated by San Antonio Winery, Inc. The existing development of the site includes an attractively designed and landscaped wine tasting room, which is designed with authentic Italian-themed Mediterranean architecture, and provides scenic amenities to the site and surroundings. Additionally, there is an existing drainage/seasonal creek area with oak trees along north and western boundaries of the property. A wooded open space area is located on the south side of SR 46E, which helps maintain an attractive entrance to the City.

The project includes removal of an existing small, "boutique" vineyard, and construction of approximately 12,000 s.f. of infill development in that area. The proposed project presents a continuation of the existing development pattern, and it would be designed with the same architectural theme, quality of building materials, and construction methods. In this sense, the proposed project would be in keeping with the existing development of the site and surroundings, and would not result in adverse effects of the scenic quality of the area.

The proposed 42 foot tall tower element of the restaurant building is in keeping with the surrounding development pattern, although less intrusive in scale. For instance, the existing hotel buildings at the La Quinta Hotel located on the east side of Buena Vista are 3-stories in height and have a much larger building mass and scale, and a taller tower element (60 feet). The other proposed buildings on the site are proposed to be one- and two-stories, and would be consistent with the R2 height limits. Therefore, the visual effect of the building massing will be reduced compared to surrounding development, since it will be located below-grade of the highway, and would present somewhat smaller scale buildings.

The proposed changes to the General Plan, Zoning Ordinance, and Borkey Area Specific Plan for this property would not only allow for the intensification of uses to the San Antonio Winery Tasting Room, it would provide for infill development that would provide services (e.g. restaurant, shops) to surrounding residences and hotel developments. This may encourage people to drive less for services. The specific text changes proposed for the Borkey Area Specific Plan, Subarea D, are shown below, with strike-out through text proposed to be deleted, and underlining for text proposed to be added.

Existing Text - Subarea D

D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (Martin Brothers Winery_tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site.

Proposed Text - Subarea D

D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (~~Martin Brother Winery~~ e.g. wine tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site. Additional small-scale commercial uses (e.g. restaurant, retail, artisans, and support uses) and four residences (e.g. one 2-bedroom home and three attached 1-bedroom units above commercial spaces) may also be permitted with approval of an amendment to the applicable Conditional Use Permit.

The proposed project would be consistent with the General Plan since it would allow for mixed-use development that would comply with General Plan Goal LU-1, which suggests the City strive to maintain a balanced community, where a majority of residents can live, work, and shop. It would also meet Action Item 2, of LU-1, by allowing projects in the Mixed-Use land use category.

It is important to note that with the approval of this General Plan Amendment and Rezone that the number of residential units allowed on this 1.9 acre parcel would be increased from two single-family residences to four residential units. In keeping with the General Plan population build-out estimate of 44,000, the addition of two residential units would reduce the overall number of "Unassigned Dwelling Units" identified in the General Plan from 594 to 592 units remaining units available.

Policy

Reference: General Plan Land Use Element, Zoning Code, Borkey Area Specific Plan, 2006 Economic Strategy, and Oak Tree Ordinance.

Fiscal

Impact: There are no specific fiscal impacts associated with approval of this project.

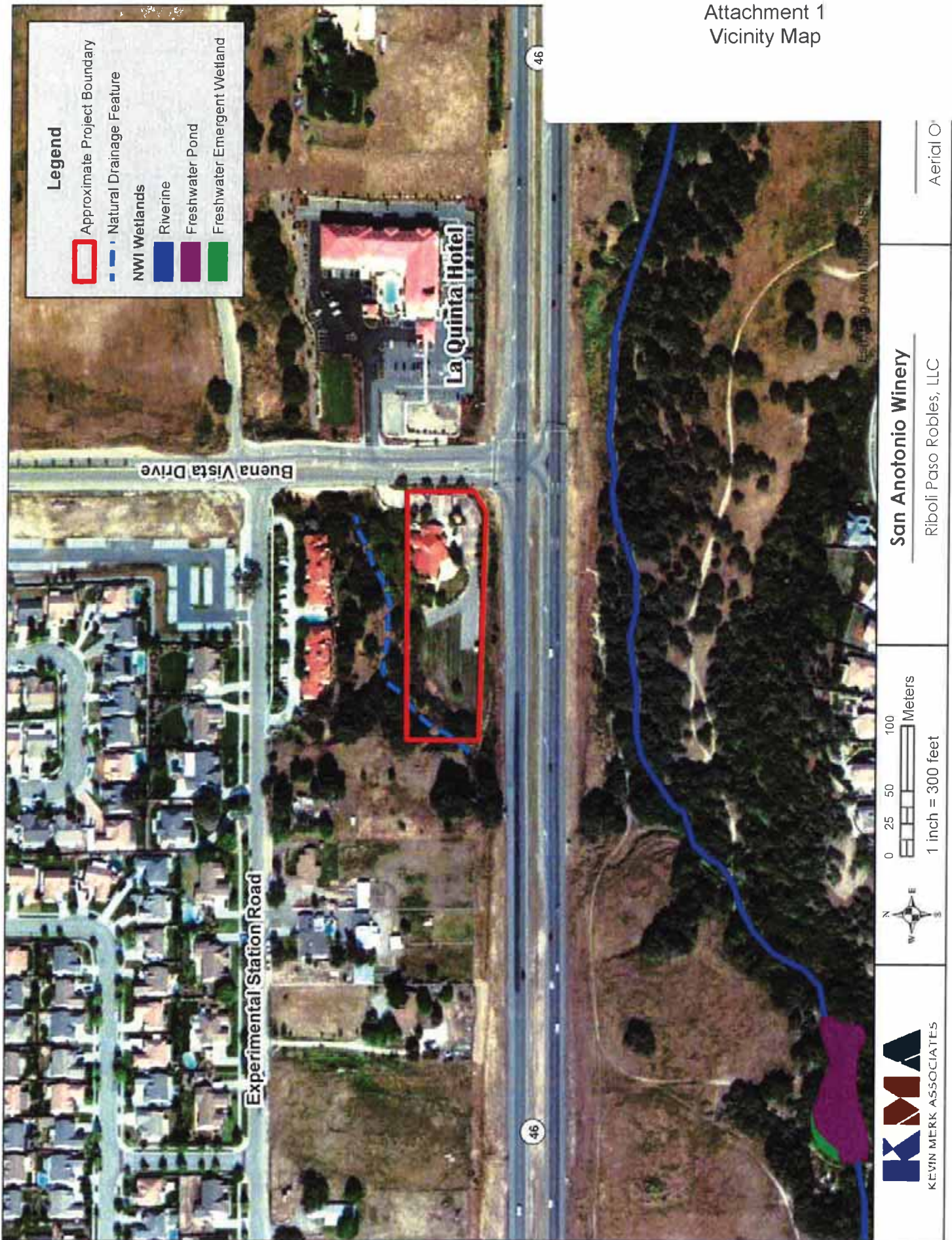
Options:

After opening the public hearing and taking public testimony, that the Planning Commission takes one of the actions listed below:

1. a. Recommend that the City Council approve a Mitigated Negative Declaration (Attachment 6);
 - b. Recommend that the City Council approve General Plan Amendment 14-002, by adopting Resolution No. 15-XXX changing the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU) (Attachment 7);
 - c. Recommend that the City Council approve Specific Plan Amendment 14-002 and Rezone 14-001, by adopting Resolution No. 15-XXX amending the Borkey Area Specific Plan Section III, Page 19, Sub Area D, and amending the Zoning Map, to incorporate the change in zoning from R1-B4 to R2-MU (Attachment 8);
 - d. Recommend that the City Council approve Planned Development 14-005 and Conditional Use Permit 14-014, to allow expansion of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, 3 boutique retail spaces, 4 residential units (3 townhouse-style residential units above the retail spaces, and 1 freestanding residence), and a request for a 42-foot tall tower on the proposed restaurant building, which would exceed the 35-foot height limit in the R2 zoning district (Attachment 9).
2. Amend, modify, or reject the foregoing option.

Attachments:

1. Vicinity Map
2. Site & Grading Plans
3. Elevations and Building Massing Study
4. City Engineer's Memo
5. Initial Study – Draft Mitigated Negative Declaration
6. Draft Resolution to recommend approval of a Mitigated Negative Declaration
7. Draft Resolution to recommend approval of General Plan Amendment 14-002
8. Draft Resolution to recommend approval of an Ordinance for Rezone 14-002 & SPA 14-002
9. Draft Resolution to recommend approval of PD 14-005 and CUP 14-014
10. Mail and Newspaper Affidavits



Legend

- Approximate Project Boundary
- Natural Drainage Feature

NWI Wetlands

- Riverine
- Freshwater Pond
- Freshwater Emergent Wetland



KMA
KEVIN MERK ASSOCIATES



N
W E
S



0 25 50 100 Meters
1 inch = 300 feet

San Antonio Winery

Riboli Paso Robles, LLC

Aerial O[®]

BUENA VISTA DRIVE

Irrigation Water Demand Calculation
(WELQ)

| Area | Area (sq ft) | ET _c (in) | ET _c (mm) | ET _c (cm) | ET _c (m) | ET _c (ft) | ET _c (in) | ET _c (mm) | ET _c (cm) | ET _c (m) | ET _c (ft) |
|---------|--------------|----------------------|----------------------|----------------------|---------------------|----------------------|----------------------|----------------------|----------------------|---------------------|----------------------|
| Area 1 | 10000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 2 | 20000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 3 | 30000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 4 | 40000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 5 | 50000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 6 | 60000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 7 | 70000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 8 | 80000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 9 | 90000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |
| Area 10 | 100000 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 | 0.5 | 12.7 | 5.1 | 0.127 | 5.1 |

Site Lighting Legend
POLE LIGHTS TO MATCH EXISTING
OFFER TO ARCHITECTURE PLANS FOR PROPOSED
BUILDING MOUNTED LIGHTS

Perimeter Shrubs and Groundcovers
Large massings of grasses and groundcovers
with accent shrubs and perennials.

Existing Native Oak Trees
e.g. Quercus agrifolia

Existing Irrigated Native
Meadow Grasses to remain

Deciduous Accent Trees
e.g. London Plane Tree, Honey Locust

Evergreen Shade Trees
e.g. Shrub Green, Arbutus Menziesii

Deciduous Screen Trees
e.g. Crepe Myrtle

STATE HIGHWAY 46 (EAST)

Existing Evergreen Trees
e.g. Fraxinus Oliva, Rhus laevis

Shrubs and Ground Covers

Preliminary Plant Materials List

- Broad Leaf Evergreen Trees** (15 gallon minimum size)
 - Arbutus Menziesii
 - Olea europaea
 - Quercus agrifolia
 - Quercus laevis
- Deciduous Trees** (15 gallon minimum size)
 - Lagerstrœmia indica 'Muskogee'
 - Platanus acerifolia
- Ornamental Grass** (1 gallon minimum size)
 - Clavaspargus 'Heri Forester'
 - Sporobolus tenuis
- Shrubs** (5 gallon minimum size)
 - Strawberry Tree
 - Olive (Fraxinus)
 - California Live Oak
 - Arbutus Menziesii
 - Honey Locust
 - Crab Myrtle
 - London Plane Tree
 - Feather Reed Grass
 - Mountain Heather Grass
- Shrubs** (5 gallon minimum size)
 - Arbutus menziesii
 - Arctostaphylos 'compacta'
 - Arctostaphylos 'Howard McMillen'
 - Buxus japonica
 - Canellula spp.
 - Conocarpus spp.
 - Larix laricina
 - Leguminosae 'Teaflour'
 - Photinia (var. 'Mini Queen')
 - Raphanistrum indica
 - Rosa spp.
 - Rosa multiflora
 - Viburnum chinensis
 - Viburnum chinensis 'Spring Bouquet'
- Ground Covers and Flowering Perennials** (1 gallon minimum size, atleast 6" tall)
 - Callieria Lilac
 - Baccharis Colomastar
 - Chamaecrista
 - Gaura
 - Gaura longistylis
 - Lawsonia 'Kandisard'
 - Penstemon glaberrimus
 - Phlox paniculata
 - Rhododendron officinale
 - Vines
 - Claytonia (minimum size, atleast 6" tall)
 - Wisteria arifolia
 - Wisteria arifolia
- Mulch**
 - Arbutus menziesii
 - Chamaecrista

- Ground Covers and Flowering Perennials** (1 gallon minimum size, atleast 6" tall)
 - Callieria Lilac
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Water Conservation Notes

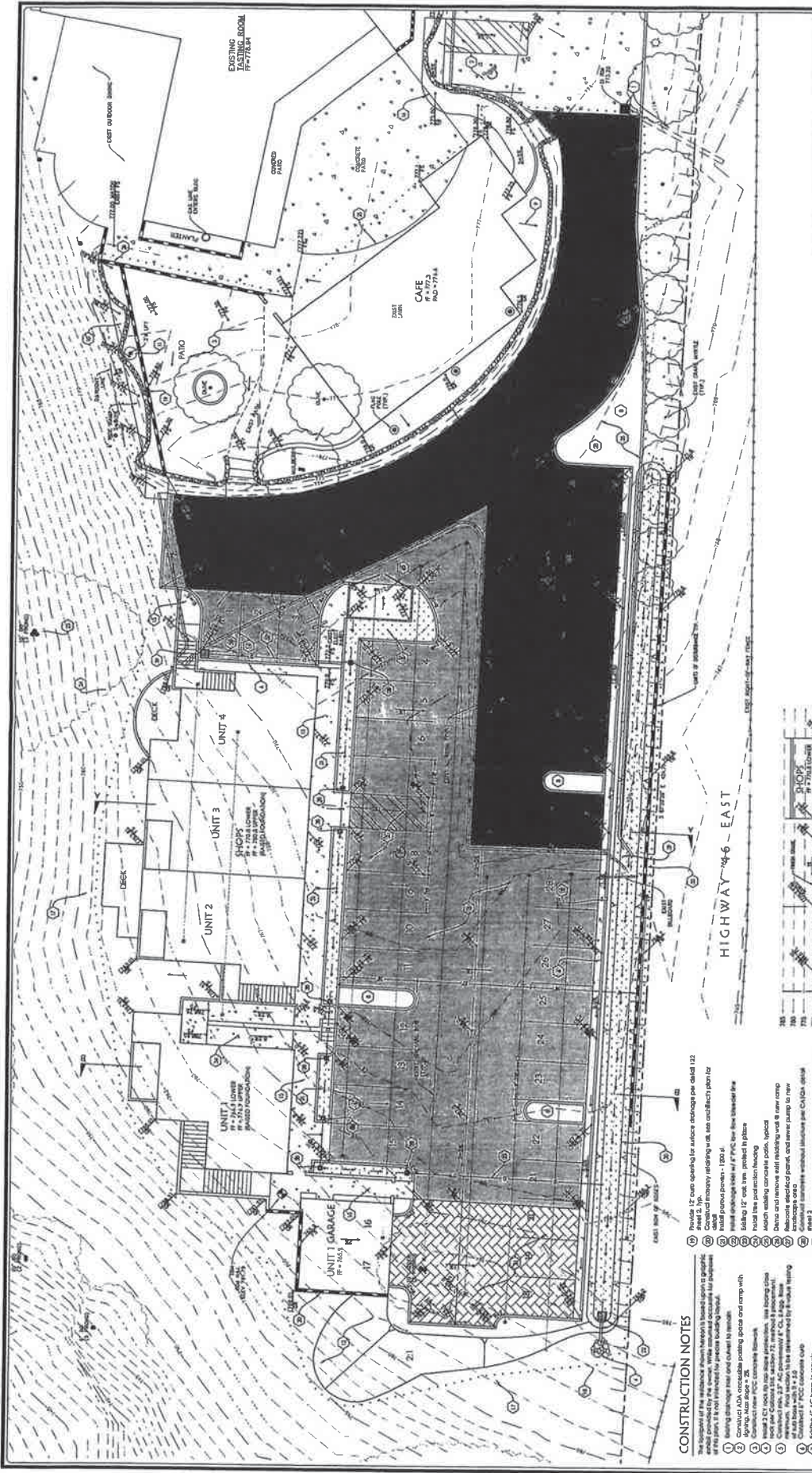
- Irrigation and irrigation plant be designed to conserve water. The following factors have been incorporated to aid in the success of the project landscape:
 - 1. Irrigation system to be a fully automatic, underground system utilizing either drip or micro-irrigation.
 - 2. Irrigation hydrozones shall be separate with control valves and controller stations into appropriate and compatible zones.
 - 3. Plant materials proposed are selected for their compatibility to climate and site conditions, resistance to wind, and drought tolerance.
 - 4. All planters shall be mulched with a 2" minimum layer of organic mulch throughout.
 - 5. Plant materials proposed shall be grouped into distinct hydrozones utilizing plants with similar water needs.
 - 6. Water needs of plant materials proposed have been established utilizing the WUCOLS Project Water Use Classification of Landscape Species prepared by the University of California Cooperative extension, February 1992. All plant materials proposed are selected for low to moderate water needs in this climate.



North
Scale: 1" = 20' 0"



Preliminary Landscape & Lighting Plan
San Antonio Winery
Paso Robles, CA

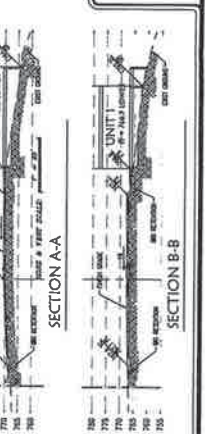


| | |
|--|-------------------------|
| Roberts Engineering, Inc. | |
| Buena Vista Village at San Antonio Winery Tasting Room | Project No. 11/12/2014 |
| Grading, Drainage & Erosion Control Plan | Scale: 1" = 10'-0" |
| Drawn by: [Signature] | Checked by: [Signature] |
| Date: 11/12/2014 | Sheet No. 3 of 3 |

| | |
|-----------------|------------|
| Record Drawings | 11/12/2014 |
| 11/12/2014 | 11/12/2014 |
| 11/12/2014 | 11/12/2014 |
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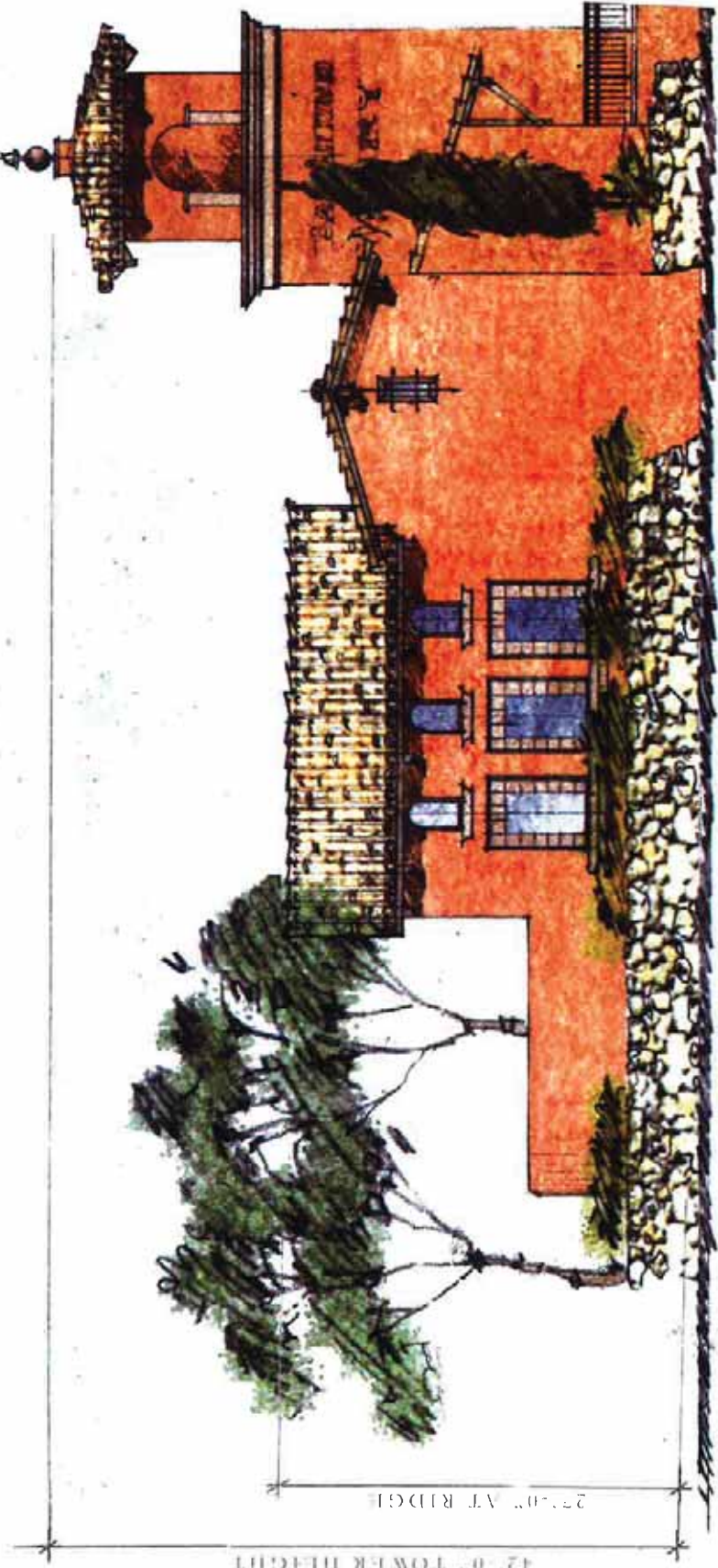
Roberts Engineering
 Timothy F. Roberts
 Civil Engineer - REC 35366
 11111 S. 11th Street
 Phoenix, AZ 85044
 Phone: 602.336.0884
 Email: tfr@robtseng.com

Professional Seal: Timothy F. Roberts, Civil Engineer, No. 35366, State of Arizona, Exp. 12/31/2015



- CONSTRUCTION NOTES**
1. Provide E-crown curbing for surface drainage per detail 122 sheet 2, typ.
 2. Install precast concrete curb and gutter with non-slip safety panels for drainage.
 3. Install 12" concrete gutter on curb.
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SOUTH - WEST ELEVATION

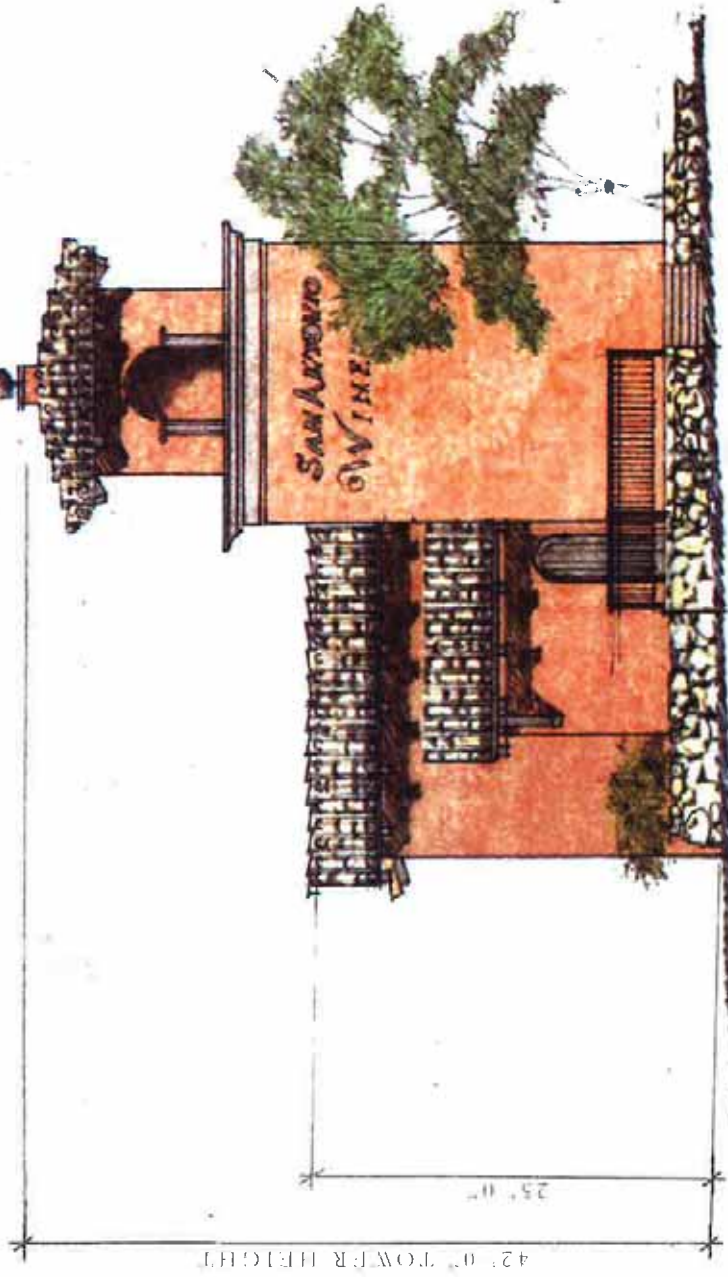


SAN ANTONIO WINERY CAFE

APRIL 28TH, 2015

1/8" = 1'-0"

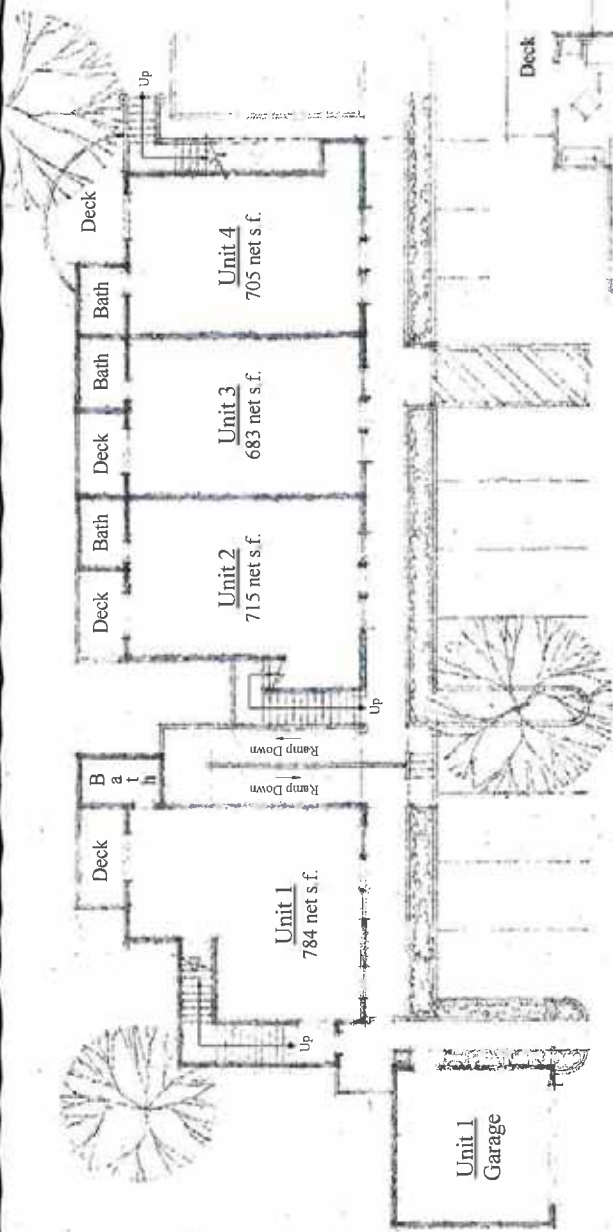
SOUTH - EAST ELEVATION



SAN ANTONIO WINERY CAFE

1PR11, 28 FEB, 2015

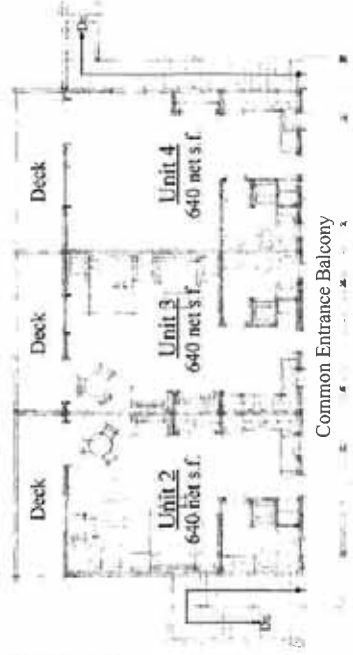
1/8"=1'-0"



Lower Floor Plan



Side Elevation



Upper Floor Plan



Front Elevation

Units 1 thru 4
Buenavista Village



Steven Puglisi ARCHITECTURE
 583 Dana Street
 San Luis Obispo, CA 93401
 805.595.1962



Steven Puglisi

San Antonio Winery Expansion - Site Massing Study

Site Perspective Looking East from Highway 46



Proposed Cafe and Multi-Use Building



LaQuinta Hotel New Addition



Steven Puglisi

San Antonio Winery Expansion - Site Massing Study

Site Perspective Looking West from Highway 46



Proposed Cafe and Multi-Use Building

Proposed Housing Development (by Others)

Existing Apartments

MEMORANDUM

TO: Susan DeCarli
FROM: John Falkenstien
SUBJECT: PD 14-003, San Antonio Winery, Tasting Room and Village
DATE: April 20, 2015

Circulation Element

The project is located on the northwest corner of Buena Vista Drive and Highway 46E. All improvements on Buena Vista Drive are completed.

The Circulation Element of the General Plan recommends that we set conditions of approval of development applications to provide access to all modes of travel. Attractive uses on this project include wine tasting and a café. These are within walking distance of the new Ayres and La Quinta Hotels. We need to develop a better accessible path to those destinations across Buena Vista Drive. It is appropriate that the applicant be required to build a cross-walk, including new ADA ramps, at the north leg of the Buena Vista Drive – Experimental Station Road intersection.

Buena Vista Drive also serves as a bus route. A bus stop is needed along southbound Buena Vista Drive.

The Bicycle Master Plan provides for a trail under Highway 46E at the west boundary of this project site. A dedication of open space over the westerly 60 feet of the property will allow the trail to be extended north to Experimental Station Road.

Grading, Drainage and Storm Water Quality

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.

These new requirements include on-site retention of stormwater. The applicant has prepared a storm water control plan offering a site assessment of constraints and opportunities and corresponding storm water management strategies to meet stormwater quality treatment and retention requirements in compliance with the regulations. The grading plan reflects these requirements with bio-retention treatment areas.

Sewer and Water

The property is currently served by a private well. The project will be required to hook to City water and the well must be abandoned in accordance with County Health Department Standards.

There is a 12-inch sewer line and a 12-inch water main in Buena Vista Drive available to serve the project.

Conditions

Prior to occupancy, the applicant shall place a cross-walk across the north leg of the Buena Vista Drive – Experimental Station Road intersection and construct curb extensions and ADA ramps to accept the new cross-walk in accordance with plans approved by the City Engineer.

Prior to occupancy, the applicant shall place a bus stop on Buena Vista Drive, south of Experimental Station Road, including sidewalk extension, red curbs, canopy and signs.

Prior to occupancy, the existing well must be abandoned in accordance with County Health Department Standards.

Prior to occupancy, the applicant shall dedicate the westerly 60 feet of the property to the City for open space to allow for the potential of trail construction.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES**

General Plan Amendment 14-002, Rezone 14-001
Specific Plan Amendment 14-002, Conditional Use Permit 14-006
Planned Development 14-003
April 17, 2015

- 1. PROJECT TITLE:** Buena Vista Village at San Antonio Winery
- 2. APPLICANT:** Steve Riboli
San Antonio Winery, Inc.
737 Lamar Street
Los Angeles, CA 90031
- 3. APPLICANT'S REPRESENTATIVE:** Mandi Pickens
Kirk Consulting
8830 Morro Road
Atascadero, CA 93422
- 4. LEAD AGENCY:** City of Paso Robles
Contact: Susan DeCarli, City Planner
Phone: (805) 237-3970
Email: sdecarli@prcity.com
- 5. PROJECT LOCATION:** 2610 State Route 46 East, Paso Robles
- 6. ASSESSOR PARCEL NUMBER:** 025-391-075
- 7. GENERAL PLAN DESIGNATION:** Residential Single-Family (RSF-1)
- 8. ZONING:** Residential Single-Family (R1-B4)
- 9. PROJECT DESCRIPTION:**

This proposed project includes a request for the following entitlements:

- General Plan Amendment – Change the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU), see Attachment 1, Land Use Map Amendment.
- Rezone – Change the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (e.g. R2-MU), see Attachment 2, Zoning Map Amendment.
- Specific Plan Amendment - Amend the Borkey Area Specific Plan, Subarea D, to allow multi-family residential units and mixed use development (e.g. 4 residential

units, commercial retail, restaurants, and wine tasting), see Attachment 3, Borkey Area Specific Plan Amendment.

- Conditional Use Permit – To allow expansion of commercial uses in the Borkey Area Specific Plan, Subarea D.
- Planned Development – Expand existing use of the property with an existing wine tasting facility (4,212 sf including tasting room – 2,603 sf, and storage – 1,609 sf), to add 11,787 sf of new development, including:
 - Restaurant, 6,168 sf
 - Commercial retail spaces, 2,887 sf
 - Residences, 4-units, 2,732 sf

The existing site is approximately 1.9 acres in area. The proposed development plan would remove the existing vineyard area on the site, and intensify development of the site within the previously disturbed areas of the property. Development would not encroach within the creek corridor or and riparian areas to the north and east, encroach or require removal of native oak trees, see Attachment 4, Site Plan.

The site would be accessed through the existing driveway access on Buena Vista Drive. There are currently 23 (unstriped) parking spaces that provide parking for the existing wine tasting room. The new buildings would require a total of 46 parking spaces for vehicles, and 3 motorcycle parking spaces. The applicant will also include a bicycle rack for bicycle parking.

The parking space standards and calculation of required spaces for existing and new uses are as follows:

| Land Use | Parking Standard | Total Required Number of Spaces |
|---|---|---------------------------------|
| <ul style="list-style-type: none"> • Residences: (1) 2-bed unit (3) 1-bed units | 1.5 spaces per 1-bed unit 2 spaces per 2-bed unit | 6 |
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| Total Parking Spaces Required: | | 56 |

The proposed site plan provides for a total of 61 parking spaces with the 23 existing parking spaces and the 38 new proposed spaces.

10. SURROUNDING LAND USES AND SETTING:

The project site is surrounded by a mix of existing urban development. Surrounding land uses include:

South - State Route 46 East

North – Multi-family townhouse development

West – Multi-family apartment development (under construction)

East – Hotels

11. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., PERMITS, FINANCING APPROVAL OR PARTICIPATION AGREEMENT):

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature: Susan DeCaro

Date: 4/17/15

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

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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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I. AESTHETICS: Would the project:

- a. Have a substantial adverse effect on a scenic vista?

Discussion: The project site is not designated in the City’s General Plan, Conservation Element or identified in the City’s Gateway Design Standards, as being in a “scenic vista”, “gateway” or part of a “visual corridor”. Therefore, the project could not be determined to (technically) adversely result in negative impacts on a scenic vista (as defined). However, since the site is along SR 46E, near the Highway 101 interchange, that receives a significant amount interstate, state, and regional traffic, it can be determined that the project location is within an “entrance” area to the City.

The existing development of the site includes an attractively designed and landscaped wine tasting room that utilizes authentic Italian-themed Mediterranean architecture, which provides scenic amenities to the site and surroundings. Additionally, there is an existing drainage/seasonal creek area with oak trees along north and western boundaries of the property. Surrounding development also includes attractive site and architectural design. A wooded open space area is located on the south side of SR 46E, which helps maintain an attractive entrance to the City.

The project includes removal of an existing small, boutique vineyard, and replacing it with approximately 12,000 s.f. of infill development. The proposed project presents a continuation of the existing development pattern that would be designed with the same architectural theme, and quality of building materials on the site, including Mediterranean features, towers, and construction methods. See Attachment 5, Elevations. In this sense, the proposed project would be in keeping with the existing development of the site and surroundings, and would not result in adverse effects of the scenic quality of the area.

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

Discussion: The proposed project does not include removal or otherwise impact existing oak trees on the site. Additionally, the project would be set back from the bank of the drainage/seasonal creek area, and not impact the scenic quality of this natural feature. The rear patios are oriented to take visual advantage of the creekway area as a project amenity. There are no other natural features on the site, or historic resources that would be impacted. The proposed development would reduce the view of the drainage area from the highway, since buildings would be located in front of it, however, the drainage would be visible from several other vantage points. Therefore, the project would not substantially damage scenic resources on the existing site.

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

Discussion: As noted in 1.a. above, the proposed project would continue the existing architectural and site development pattern on the property, and would fit in with the site and surroundings. All development in the nearby vicinity is developed with quality Mediterranean architecture, and the proposed infill development would be in keeping with the visual character of the site and surroundings. The existing hotel buildings at La Quinta located on the east side of Buena Vista and SR 46E, are 3-stories and are much larger in scale, with a 60 foot tall tower element. Additionally, the existing topography of the site and proposed building foundations in the proposed building area is approximately 10 feet lower than the elevation of SR 46E. Except for the tower element of the restaurant building (42 feet in height), the other buildings are proposed to

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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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be two-stories. Therefore, the visual effect of the building massing will be reduced compared to surrounding development, since it will be located below-grade of the highway. Therefore, the project would not substantially degrade the existing visual character or quality of the site or 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)
- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project is a small scale addition to an existing commercially developed property and includes a restaurant, a few boutique shops, and residences. This level of development would not result in substantial new light and glare. The buildings would be designed in keeping with the existing design theme, which does not include significant external lighting fixtures. Additionally, the existing topography of the site and proposed building foundations in the proposed building area is approximately 10 feet lower than the elevation of SR 46E, which will help to reduce light and glare that may result from this infill project. The project will also need to comply with the Zoning Code light and glare standards, and will be required to have all external light fixtures downcast and shielded to reduce lighting onto adjacent properties and surrounding night sky. Therefore, the proposed project would likely result in less than significant impacts due to new light sources.



II. AGRICULTURE AND FORESTRY 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State’s inventory of forest land, including the forest and Range Assessment Project and the forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. 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 (FMMP) of the California Resources Agency, to non-agricultural use?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: In accordance with the City’s General Plan, Open Space Element, the property does not contain “Important Farmland” soils, as defined by the FMMP of the California Resources Agency. Therefore, the project could not impact this resource.

- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The property is not zoned for agricultural uses, nor is there agriculturally zoned property within the near vicinity. The property is not under a Williamson Act contract. The property has less than a 1/3 acre of active, “boutique”, vineyards located on it, however, this vineyard farming activity is not an agriculturally or economically significant resource, and is generally maintained for landscaping aesthetic purposes.

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| 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 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: There are no forest land or timberland resources, as defined within the City of Paso Robles. Additionally, the site is an infill development property surrounded by non-agriculturally zoned properties. Therefore, the project could not result in or affect conversion of agricultural resources or forest land to urban uses.

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:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project does not conflict 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: a regional transit stop within 2 blocks from the project site (located at Cuesta College on Buena Vista Drive; pedestrian sidewalk along property frontage, bike lanes within half a block, bike racks onsite; and an electric vehicle charging station and Amtrak and multi-modal transportation station within 2 miles. Additionally, the project will be conditioned to install a new southbound transit stop on Buena Vista Drive, just south of the intersection of Buena Vista Drive and Experimental Station Road. It will also install new curb extensions at the intersection and a new crosswalk at the intersection to facilitate pedestrians that will be attracted to the site from surrounding hotels and residences. The project includes a mix of land uses including mixed-use/live-work units, and a restaurant which will serve nearby residential development and adjacent hotels. The mix of land uses will help reduce reliance on vehicle trips. Therefore, considering these measures, the project does not conflict with the APCD CAP.

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: In accordance with the SLO County APCD CEQA Air Quality Handbook (CEQA Handbook), the proposed project is below the APCD adopted project size thresholds of significance for operational impacts that may result in a significant increase in ozone precursors and greenhouse gas (GHG) emissions. Additionally, the site is below the thresholds of significance for construction-related impacts since the area of grading is less than four acres.

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Since the site is located adjacent to residences (to the north), which are defined as sensitive receptors, the project would be subject diesel idling restrictions to limit construction-related emissions from diesel particulate matter from construction equipment. The project would need to implement standard mitigation measures for construction equipment and fugitive dust mitigation measures (short list) identified in the CEQA Handbook. Through implementation of the applicable measures listed (see Mitigation Measures Summary and Mitigation Monitoring Program, in Attachment 8), the project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation.

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

Discussion: The northern area of San Luis Obispo County occasionally exceeds ozone levels (both federal and state standards). However, as noted in III.b. above, the proposed project would not exceed adopted thresholds for criteria pollution. Therefore, the project will not result in a cumulatively considerable increase in criteria pollutants, and impacts would be less than significant.

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

Discussion: Since the site is located adjacent to residences (to the north), which are defined as sensitive receptors, the project would be subject to diesel idling restrictions, to limit construction-related emissions from diesel particulate matter from construction equipment. The project would need to implement standard mitigation measures for construction equipment and fugitive dust mitigation measures (short list) identified in the CEQA Handbook. Through implementation of the applicable measures listed (see Mitigation Measures Summary and Mitigation Monitoring Program, in Attachment 8), the project would not expose sensitive receptors to substantial pollutant concentrations, and associated impacts would be less than significant.

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| e. Create objectionable odors affecting a substantial number of people? (Source: 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed development is not anticipated to create significant objectionable odors, since intended uses includes homes, boutiques and a restaurant, which are not typically associated with objectionable odor emissions.

IV. BIOLOGICAL RESOURCES: Would the project:

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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 Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: A Biological Resources Assessment was prepared for this project by Kevin Merk Associates (July 2014, see Attachment 6). The report evaluates site habitats, flora and fauna that exist on the site, and

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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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how these resources may be affected by the proposed project. The report also considers sensitive and protected resources within the region that may exist on or near the project site. Field surveys of the site were conducted during April through May 2014. Excerpts from the Biological Resource Assessment are provided below.

In summary, the report did not identify any sensitive or protected species on the site, however, since sensitive and/or protected species may occur in the vicinity, mitigation measures have been included to ensure their protection, and to reduce potential impacts to a less than significant level. (See Attachment 8, Mitigation Measures Summary) Therefore, the project would not likely 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 Wildlife or U.S. Fish and Wildlife Service.

“The field surveys were performed in order to map existing habitat types and identify any areas potentially containing sensitive or special status biological resources that could be of concern to the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), the U.S. Army Corps of Engineers (Corps), and the Regional Water Quality Control Board (RWQCB). During each survey, all plants were identified to a sufficient level to determine rarity.”

The assessment of special status species occurrence on the site and identification of habitat that could potentially support these species was based on our field observations coupled with our knowledge of the particular species’ biology, background reports and findings from previous studies conducted in the area, and the California Natural Diversity Data Base (CNDDDB) data. Focused surveys for special status wildlife, such as San Joaquin kit fox require specific survey protocols with extensive field time to be conducted only at certain times of the year. As stated above, we relied on existing information and survey data coupled with knowledge of the area and past investigations to conclude whether or not certain special status species could potentially occur onsite. To support the special status species determination, the USDA NRCS Web Soil Survey was reviewed to identify the soil mapping units present within the study area (U.S. Department of Agriculture 2013).

In summary, four habitat types were observed within the study area, and include: 1) Annual Grassland; 2) Oak Woodland; 3) Vineyard; and 4) Developed. Given our knowledge of the area, and review of CNDDDB occurrence data for a five-mile radius around the property, several special status plant communities are known to occur within the general property area, and include: Coastal and Valley Freshwater Marsh, Central Coast Arroyo Willow Riparian Forest and Scrub, Vernal Pool, and Native Bunchgrass Grassland. No plant communities of special concern were observed on the project site, and are not expected to occur or be affected by the project. The CNDDDB contains a number of recorded occurrences of special-status wildlife species in the area. Many species listed in Appendix A (of the report), however are not expected to occur onsite based on the lack of suitable habitat.

Based on review of the concept plan and the Grading, Drainage and Erosion Control Plan the proposed project will primarily be sited on existing developed parts of the property, including the vineyard area. The natural drainage feature onsite and to the north of the property will not be affected. While some annual grassland habitat will be impacted, the project has been designed to avoid impacts to onsite oak trees.

The project was developed to set back from the drainage and no impacts to its bed or banks or associated vegetation will occur. Protection measures, such as erosion and sediment control BMPs will be utilized during construction to ensure indirect impacts do not affect the drainage feature.

Based on seasonally time botanical surveys, the site does not support special status plants. Given the

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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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site’s proximity to existing developed areas within the city limits and its separation from open space areas by Highway 46, use of the site by special status wildlife other than nesting birds is unlikely. Still the project is within historic SJKF habitat and has the potential to support the American badger. With the incorporation of (the above) mitigation measures, the project’s contribution towards the regional loss of wildlife habitat and other potential adverse effects to special status species and biological resources is not considered to be a significant cumulative impact pursuant to the California Environmental Quality Act.” (KMA, 2014)

- 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 Wildlife or US Fish and Wildlife Service?

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|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: There is no riparian habitat, nor are there other sensitive natural communities located on the site. There are also no resources on the site that are referenced in applicable local or regional plans, such as the City General Plan, Conservation Element. Per the Biological Resource Assessment:

“An unnamed drainage feature exists just north of the property boundary, and intersects the site’s northwestern corner. The drainage is part of an unnamed tributary to the Salinas River and is connected via a culvert under Highway 46. Flowing water is only present during winter months with normal or above average rainfall. The project is proposed to be developed at a distance set back from the drainage and no impacts to its bed or banks, or associated vegetation will occur. Protection measures, such as erosion and sediment control BMPs will be utilized during construction to ensure indirect impacts do not affect the drainage feature.

No wetland vegetation was observed in the onsite portion of the drainage. Because of the sensitivity of habitats associated with natural drainages, the introduction of sediments, fuels, oils, solvents, pesticides, fertilizers, and herbicides to the watercourse would be a potentially significant impact, especially considering the presence of special status species in the area. Ensuring sediment-laden runoff does not leave the site during construction, and that post construction runoff is consistent with preconstruction conditions will be important to avoid potential impacts to water quality. Low Impact Development principles should be utilized as feasible during the site specific planning for the project to avoid water quality impacts to the drainage.”

Therefore, the project will not result in 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 Wildlife or US Fish and Wildlife Service.

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

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Per the Biological Resources Assessment, there are no wetland resources on the site and there is no wetland vegetation in the drainage area onsite. Therefore, the project could not result in substantial

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| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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adverse effect on federally protected wetlands, as defined.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

| | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion: Since the project is proposed to be set back from the drainage channel, it will not directly impact resident or migratory fish or wildlife species that inhabit the channel. Intensified use of the site may result in increased noise or light from additional urban development, which may affect common wildlife that occupy the property, however, as noted above, there are no protected species on or near the site. Potential impacts to wildlife in general, would likely be minimal since the site is surrounded by urban development on all sides. As noted, mitigation measures are incorporated for this project to reduce potential impacts on migration of San Joaquin Kit Fox that may occur in the vicinity. Therefore, with mitigation measures incorporated for SJKF migration, potential impacts on movement or migration of fish or wildlife species would be less than significant.

- 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The City has an adopted Oak Tree Preservation Ordinance intended to preserve and protect native oak trees within the City. The site has native blue oak trees located along the drainage area. Since the project is set back from the drainage way, the oak trees would not be disturbed or need to be removed to accommodate this development. Therefore, the project would not be in conflict with the City oak tree ordinance. There are no other applicable policies or ordinances related to biological resources that would apply to this project.

- 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 adopted habitat conservation plans that apply within the City.

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"/> |
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Discussion: There are no historic resources on or near this project site that could be impacted by the proposed project.

- 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"/> |
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| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Discussion: This is an infill development site on previously disturbed property. There are no known archaeological or paleontological resources located on the site. Should any archaeological or paleontological resources be discovered during site grading, work shall be halted and appropriate qualified specialists shall be contacted to evaluate the resources and recommend further action.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See Vd. Above.

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| 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: There are no known human remains or cemeteries located on the site. Should any human remains be discovered during site grading, work shall be halted and the county coroner shall be contacted to evaluate the resources and recommend further action.

VI. GEOLOGY AND SOILS: Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

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.

- | | | | | | |
|-----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ii. | Strong seismic ground shaking? (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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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

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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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 Safety Element and EIR, the project site is located in an area with soil conditions that have a low to moderate potential for liquefaction or other type of ground failure due to seismic events and soil conditions. Therefore, impacts related to seismic-related ground failure are determined to be less than significant.

- | | | | | |
|----------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Per the General Plan Safety Element and 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. Therefore, impacts related to seismic-related ground failure are determined to be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. 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: The proposed project would develop less than 2 acres of previously disturbed land. Low-Impact Development features will be incorporated into the project design as well standard grading, drainage, and erosion control plans to reduce potential soil erosion to a less than significant level.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. 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 VI a – d above.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: This site is not located in an area with an unstable geologic unit that would be subject to expansive soil that could create a substantial risk to life or property.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The development will be connected to the City’s municipal wastewater system. Therefore, there

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project is below the APCD CEQA Handbook adopted threshold of significance. Therefore the project has been determined that it will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|

Discussion: The proposed project is an infill development that will intensify use of an existing developed property. It will also provide services (e.g. restaurant, shops) to surrounding development (e.g. residences and hotels) that will reduce the need to drive into town. The project will also comply with the City's Climate Action Plan (CAP) since, as a mixed-use project, it will help reduce mobile emissions. Therefore, the project is consistent with 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 type="checkbox"/> | <input checked="" 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 mixed-use project will not emit hazardous materials, and will not impact schools since there are no schools within the vicinity.

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

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| 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: (VIII e & f) The project site is not located within an airport safety zone.

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: see VIII e above.

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| 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 *adopted* emergency response or evacuation plans. Per the City Emergency Services Department, the proposed location does not pose a risk that would impair City response to emergencies.

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| 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 Local Hazard Mitigation Plan, 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"/> |
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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Discussion: The Regional Water Quality Control Board adopted stormwater 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. Implementation of these measures will reduce the potential to impact or violate water quality standards or exceed waste discharge requirements to a less than significant level.

- 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)

| | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The project property is within the City limits, and the change in the land use designation and zoning from R1 to R2-MU, would be within the General Plan residential and commercial planned build-out projections.

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.

The City established a groundwater stewardship policy to not expand dependency on the Paso Robles Groundwater Basin (“the basin”) over historic use levels/pumping from the City’s peak year of 2007. 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.”

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 two

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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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additional residential units and commercial land uses, includes retail and restaurants, as well as other uses, 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 residential and commercial development has been accounted for in the overall water projections and demand for the City. 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.

The applicant's engineer provided an estimate for water demand for this project. The estimate indicates that this project would require approximately 1,972 gallons of water per day, which is within the ability of the City's water supplies to serve. Therefore, the project would not substantially deplete groundwater supplies.

- 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 proposed project is designed above the existing drainage channel, and will not disturb or alter the natural drainage pattern of the drainage facility or site. Hydromodification that may result from new impervious surfaces on the site will be addressed through implementation of low-impact storm water management techniques designed into the project site. This will also reduce the potential for erosion and siltation from site drainage. Therefore, the proposed project will not result in altering site drainage, substantial erosion or siltation.

- 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"/> |
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Discussion: See IX c. above.

- 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: See IX c. above.

- f. Otherwise substantially degrade water quality?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See IX c. above.

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| 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: In accordance with the City's adopted Local Hazard Mitigation Plan, the project site is not within the FEMA 100-year flood hazard area. | | | | |
| 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. | | | | |
| 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: As noted in IX g. above, the site is not within a flood hazard area. There are also levees within the Paso Robles area, or dams within 20 miles of the project site. Therefore, the site, structures or people that may occupy this project would not be subject to risk due to failure of a levee or dam. | | | | |
| j. Inundation by mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion: In accordance with the City's adopted Local Hazard Mitigation Plan, the site is not within an area subject to mudflow 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 incorporate all BMPs with the City's Storm Water Management Plan, and will therefore not be in conflict with the City's SWMP BMPs. | | | | |
| 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"/> |
| Discussion: The project is designed to be set back from the adjacent drainage way that flows to the Salinas River. All water resulting from project-related hydromodification will be maintained on the project site in compliance with State and City requirements. Therefore, the project will not substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones. | | | | |

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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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X. LAND USE AND PLANNING: Would the project:

- a. Physically divide an established community?

Discussion: The GPA and Rezone will add continuity to localized land use designations and zoning, by changing the land use designation and zoning from Single Family Residential (SFR) to Multi-Family Mixed-Use (R2-MU), since the site is adjacent to multi-family zoned and designated property to the west and north. It will allow for additional commercial development that will serve nearby hotels, the project would support surrounding land uses with retail and restaurant opportunities, and would provide a better transition of land uses to surrounding areas. Therefore, the project would not 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: The proposed legislative amendments and development project would provide internal consistency between plans and policies, and would not result in avoiding or mitigating an environmental effect.

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

Discussion: There are no habitat conservation plans that apply within the City of Paso Robles.

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 within the City of Paso Robles.

- 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)

Discussion: There are no known mineral resources within the City of Paso Robles.

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

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: In accordance with the General Plan Noise Element, conditionally acceptable CNEL noise exposure for residences is up to 70 Ldn or CNEL, dBA. Residences within this CNEL would be required to apply (commonplace) construction features to reduce ambient noise levels to an acceptable range, up to a maximum of 60 CNEL. According to the project site plan and Table N-2 of the Noise Element, the proposed project would locate residences within future (year 2025) traffic noise levels of 65 CNEL. (The setback for 60 dB is 634 feet, 65 dB is 294 feet, and 70 dB is 137 feet from the centerline of SR 46E. The residences would be approximately 220 feet from the centerline.) Therefore, a noise assessment shall be required to determine the precise building plans and construction methods necessary to comply with the 60 CNEL noise limitations for residential development to mitigate potential noise impacts to a less than significant level.

- 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: There are no significant groundborne vibration or noise level sources within the vicinity of the project site that could impact future residences. Construction noise and vibration of the proposed project that may affect adjacent properties would be minimal since the site is setback approximately 220 feet from the nearest existing residence to the north, and noise would only occur during daytime hours of construction, and would cease upon completion of the project. Therefore, groundborne vibration and noise would be 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"/> |
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Discussion: The proposed project (e.g. residential mixed-use) would not result in substantial permanent increase in ambient noise levels in the project vicinity due to the nature of the type of proposed development, which do not make significant noise. Therefore, the project would not result in a substantial permanent increase in noise levels in the vicinity.

- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: As noted in XII b. above, the project would result in construction-related noise, which would not be significant since the construction site would be located at least 220 feet from the nearest structure on adjacent property, and construction would only occur during daytime hours. The applicant would need to comply with noise standards in the zoning ordinance, and not create nuisance noise between 7:00 pm and 7:00 am.

- 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

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
(Sources: 1, 4)

Discussion: The project site is not located within an Airport Land Use Planning area. Additionally, the project would be conditioned to record an aviation easement on the project so that the property owner would be on notice of potential airport related noise within the City. Therefore, it would not be impacted by airport related noise, and noise impacts would be less than significant.

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The proposed project includes a minimal number of new residential units (4 homes, including 1 SFR, and 3 multi-family (1-bedroom) units). Thus, the project could not induce substantial population growth. Development of the property with residential development would be within the existing City General Plan build-out projections and estimated population growth. The project will also not extend new infrastructure to serve it since it has adequate road access and utilities that already serve it.

- 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"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no existing homes located on the project site, therefore, no homes would be displaced by the proposed project.

- 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"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no existing homes located on the project site, therefore, no people would be displaced by the proposed project.

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"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

- b. Police protection? (Sources: 1,10)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Discussion:

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|----|----------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. | Schools? | <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.

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| d. | Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. | Other public facilities? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

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

Discussion: (a&b):

The proposed mixed-use development project will not encourage new significant 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: see XV a. above.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass | <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 |
|---|---|---|----------------------|

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: The Circulation Element (CE) of the General Plan, Table CE-1, provides projections of existing and future (2025) roadway segment capacity utilization of various roads in the City. Table CE-1 indicates that the existing capacity utilization of SR 46E (between Highway 101 and Union Road, which includes Buena Vista Drive) is at 59%. Future capacity utilization is expected to be 109% in 2025. The City has adopted a Parallel Route Study as well as the 2011 CE, which includes numerous roadway improvements to mitigate traffic impacts, to be funded (in part), through payment of Transportation Impact Fees.

A project Trip Generation Study, prepared by OEG Transportation Engineers, indicates that the project would result in an increase in approximately 322 average daily trips (ADT), and approximately 25 peak hours trips (See Attachment 7, Trip Generation Study). This traffic increase can be adequately mitigated through payment of Transportation Impact Fees, which will contribute to improvements in the vicinity in accordance with the Circulation Element. Therefore, the project would not conflict with adopted transportation policies for mitigating traffic.

The project would be consistent with the General Plan Circulation Element, Bike Master Plan and City Street Standards, by existing improved access on Buena Vista Drive. The site is within 1/2 block to the nearest bike lane (at the intersection of Buena Vista Drive and Experimental Station Road), and within 2 blocks to the nearest transit stop (in front of Cuesta College on Buena Vista Drive). Additionally, the project will be conditioned to install a new southbound transit stop on Buena Vista Drive, just south of the intersection of Buena Vista Drive and Experimental Station Road. It will also be required to install new curb extensions at the intersection and a new crosswalk to facilitate pedestrians that will be attracted to the site from surrounding hotels and residents. The project will include a bike rack and motorcycle parking spaces in compliance with the City Zoning Ordinance, Off-Street Parking standards.

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

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

Discussion: As noted above in XVI a., the project will include access to alternative transportation measures and this is a mixed use project that will include residential and commercial development, which would encourage a reduction in vehicle trips. The commercial uses, such as the restaurant will also serve the needs of existing surrounding residential and hotel development which will reduce their reliance on vehicles for dining. These measures will support consistency with applicable congestion management plans and programs.

- 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 proposed project is not located within an airport area, and therefore could not result in impacting traffic patterns, safety hazards, etc.

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---|---|---|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| Discussion: The proposed project scope does not include road improvements that would result in hazardous design features. Road improvements (e.g. curb extensions and crosswalk) are intended to make it safer for pedestrians, and to slow down traffic to increase safety in the vicinity. | | | | |
| e. Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Discussion: The project will not affect emergency access on the adjacent street and highway networks, and will install emergency service access and turnarounds on site, in compliance with required fire safety codes. | | | | |
| 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: See XVI a & b. | | | | |

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 environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 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 | <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 |
|--|---|---|---|----------------------|

effects?

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. 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?

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?

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, therefore it can be determined that the WWTP plant has adequate remaining capacity of 2 MGD to serve this project.

- f. Be served by a landfill with sufficient permitted capacity to accommodate the 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.

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

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

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.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

Discussion: As noted in the Biological Resources section of this Initial Study, there are no sensitive or protected plant or animal species located on the project site. This infill project is proposed on property that has previously been disturbed with existing driveways, parking spaces and planted vineyard. Additionally, the development footprint will not encroach within the drainage channel area or oak trees. Therefore, this project could not 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.

- 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, potential impacts identified related to air quality, biological resources, and noise impacts are not cumulatively considerable. With mitigation measures applied to this project it will not result in impacts that are individually limited or cumulatively considerable.

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|--------------------------|
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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.

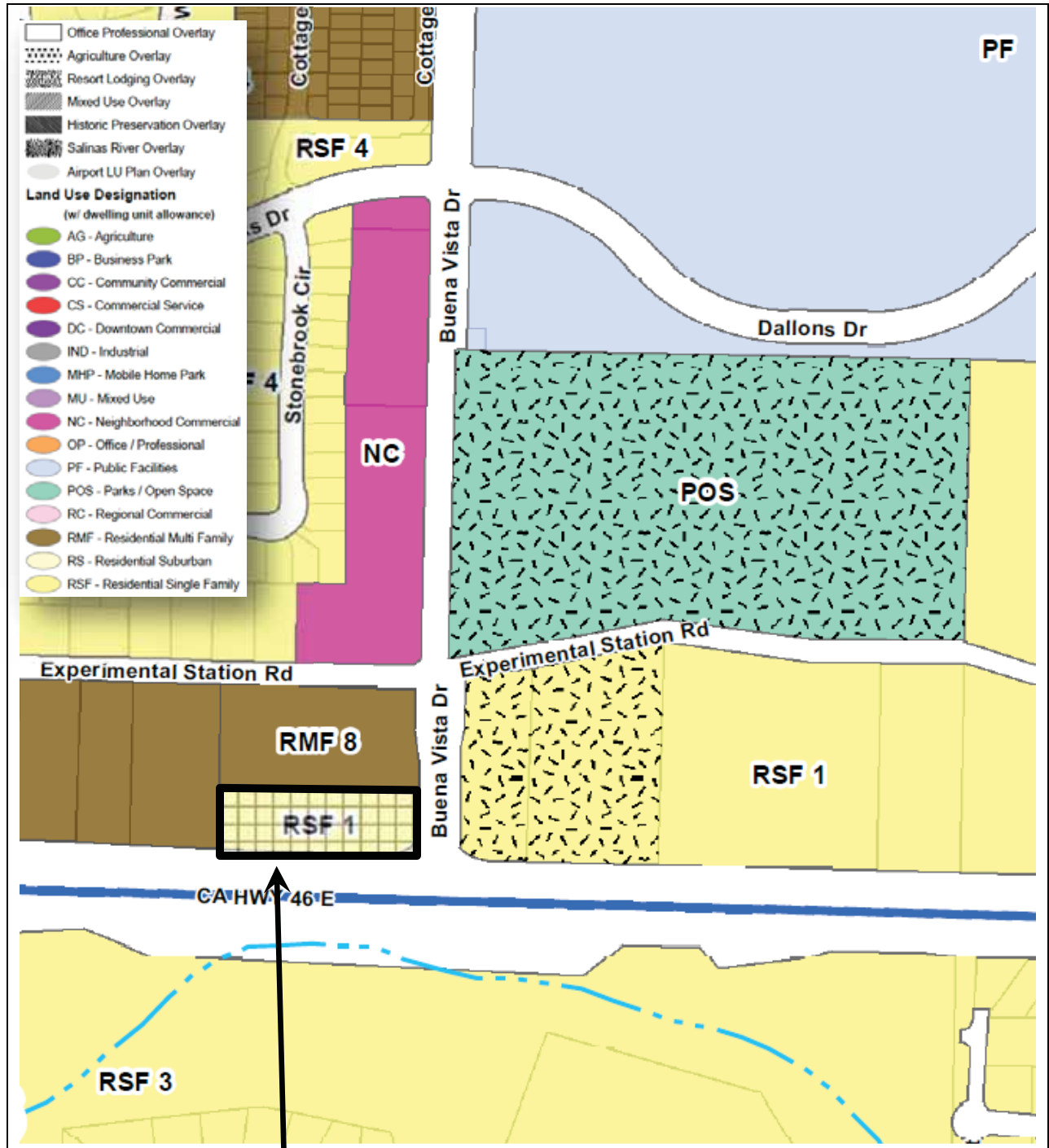
Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents that may have been used in this Analysis and Background / Explanatory Materials

| <u>Reference #</u> | <u>Document Title</u> | <u>Available for Review at:</u> |
|---------------------------|---|--|
| 1 | City of Paso Robles General Plan | City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446 |
| 2 | City of Paso Robles Zoning Code | Same as above |
| 3 | City of Paso Robles Environmental Impact Report for General Plan Update | Same as above |
| 4 | 2005 Airport Land Use Plan | Same as above |
| 5 | City of Paso Robles Municipal Code | Same as above |
| 6 | City of Paso Robles Water Master Plan | Same as above |
| 7 | City of Paso Robles Urban Water Management Plan 2005 | Same as above |
| 8 | City of Paso Robles Sewer Master Plan | Same as above |
| 9 | City of Paso Robles Housing Element | Same as above |
| 10 | City of Paso Robles Standard Conditions of Approval for New Development | Same as above |
| 11 | San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds | APCD 3433 Roberto Court San Luis Obispo, CA 93401 |
| 12 | 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 | Bike Master Plan, 2009 | City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446 |

Attachments

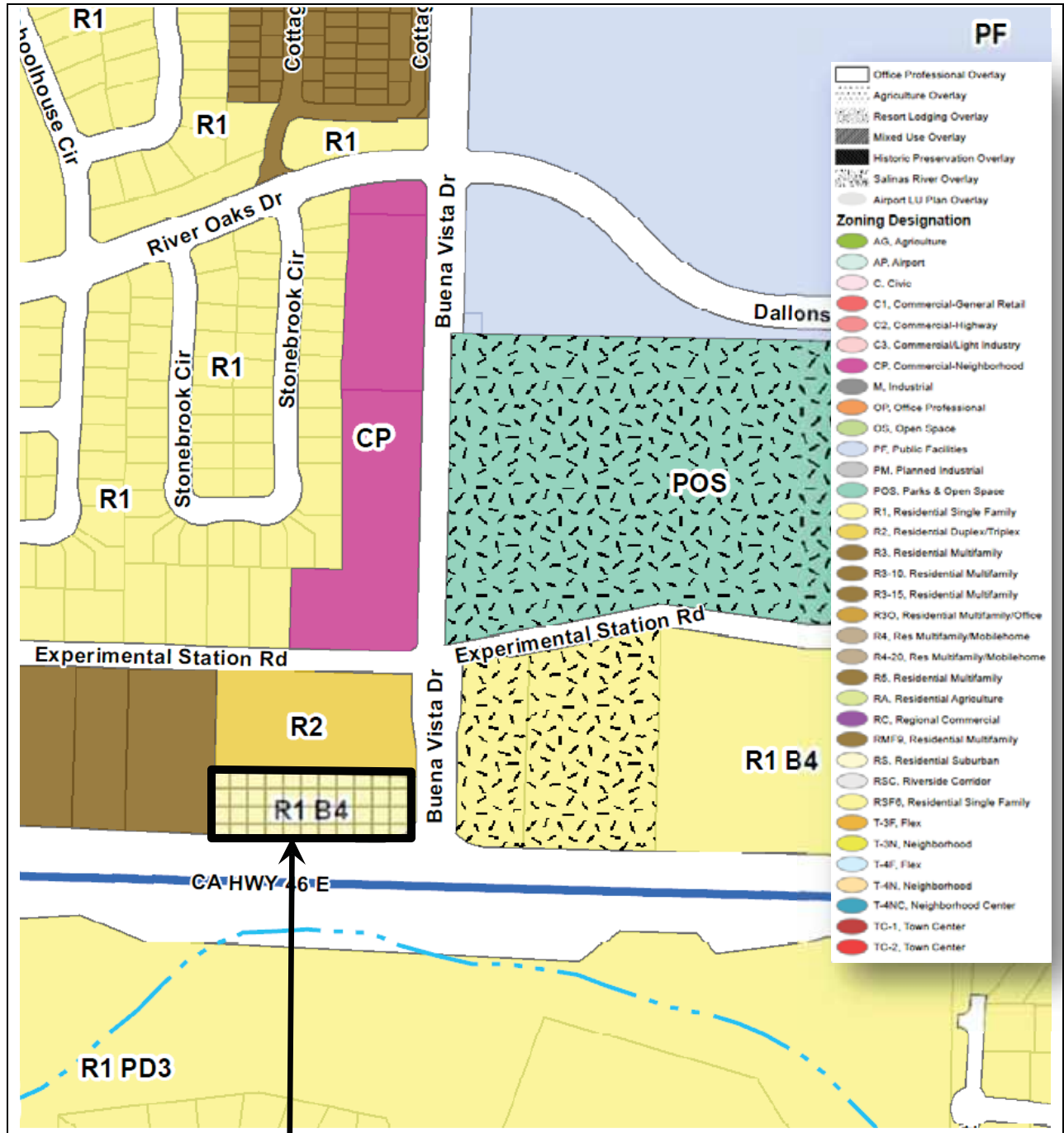
- 1 – General Plan Amendment Map
- 2 – Zoning Map Amendment
- 3 – Borkey Area Specific Plan Amendment
- 4 – Site Plan
- 5 – Elevations
- 6 – Biological Resources Assessment
- 7 – Trip Generation Study
- 8 – Mitigation Measures Summary



General Plan Amendment 14-002

Existing: RSF-1

Amended: RMF-8-MU
Residential Multi-Family Low Density
(RMF-8) with Mixed Use Overlay (MU)



Zoning Map Amendment 14-001
 Existing: R1-B4
 Amended: R2-MU
 Residential Multi-Family (R-2) with Mixed Use Overlay (MU)

**Borkey Area Specific Plan Amendment
SPA 14-002**

Existing Text:

Subarea D

- D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (Martin Brothers Winery tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site.

Proposed Text:

Subarea D

- D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (~~Martin Brothers Winery~~ e.g. wine tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site. Additional small-scale commercial uses (e.g. restaurant, retail, artisans, and support uses) and four residences (e.g. one 2-bedroom home and three attached 1-bedroom units above commercial spaces) may also be permitted with approval of an amendment to the applicable Conditional Use Permit.



Irrigation Water Demand Calculation (WUO)

| Area | Area (sq ft) | Rate (gpm/1000 sq ft) | Flow (gpm) |
|--------------|---------------|-----------------------|------------|
| Plant Area | 10,000 | 2 | 20 |
| Patio Area | 5,000 | 1 | 5 |
| Other Areas | 2,000 | 1 | 2 |
| Total | 17,000 | | 27 |

Water Conservation Notes

1. Irrigation system shall be designed to conserve water. The following factors must be considered to aid in the success of the project landscape:
 - Irrigation system to be a fully automated underground system utilizing either drip or micro-sprinkler or a combination thereof.
 - Irrigation hydrozone shall be appropriate to the intended use and evapotranspiration rate of the plants in each zone.
2. Irrigation controller shall be weather (ET) based and designed to automatically adjust irrigation or respond to changes in the plants water needs as weather conditions change.
3. Plant materials selected shall be suitable for their compatibility in climate and soil conditions, including to wet and drought tolerance.
4. All planters shall be mulched with a 2" minimum layer of organic mulch.
5. Plant materials selected shall be grouped into suitable hydrozones utilizing plants with similar water needs.
6. Water needs of plant materials selected shall be provided including the WUO's Project (Water Use) Schedule in Landscape Plan. It shall be prepared by the landscape architect and approved by the City of San Antonio. The landscape architect shall provide the schedule to be used to measure water needs in the climate.

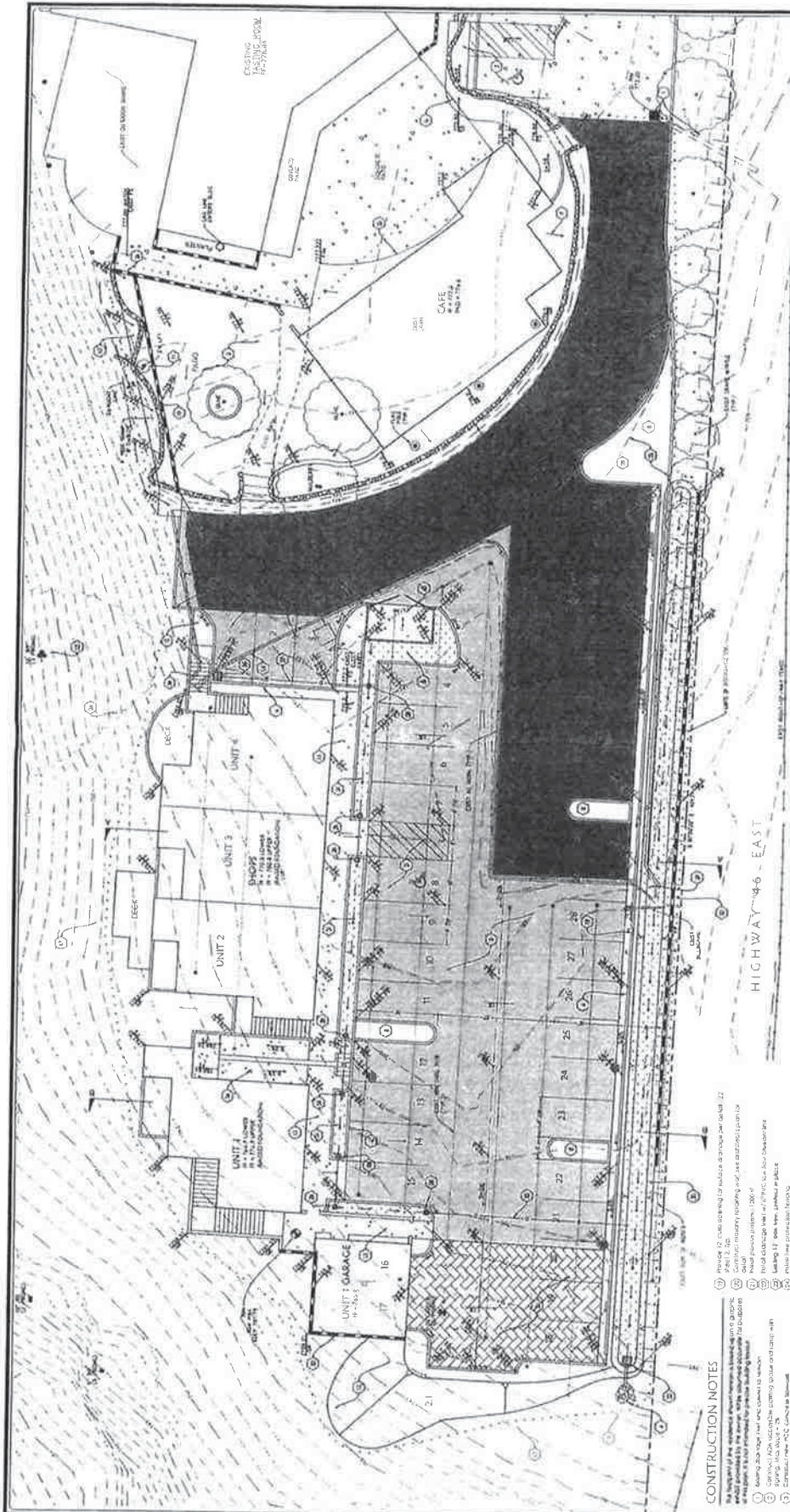
Preliminary Plant Materials List

- Broad Leaf Evergreen Trees** (1.5 gallon minimum size)
 - Albizia julibrissin
 - Chamaecyparis obtusa
 - Chamaecyparis lawsoniana
 - Chamaecyparis nivalis
 - Chamaecyparis stricta
 - Chamaecyparis thyoides
 - Chamaecyparis pisifera
 - Chamaecyparis nana
 - Chamaecyparis pisifera 'Nana'
 - Chamaecyparis pisifera 'Nana'
 - Chamaecyparis pisifera 'Nana'
- Deciduous Trees** (1.5 gallon minimum size)
 - Acer glabrum
 - Acer rubrum
 - Acer saccharum
 - Acer spicatum
 - Acer truncatum
 - Acer glabrum
 - Acer rubrum
 - Acer saccharum
 - Acer spicatum
 - Acer truncatum
- Ornamental Grass** (1 gallon minimum size)
 - Andropogon scoparius
 - Bouteloua curtipendula
 - Chloris trichodes
 - Digitaria pruriens
 - Echinochloa polystachya
 - Hordeum jubatum
 - Phragmites australis
 - Setaria viridis
 - Sorghum bicolor
 - Taraxacum officinale
 - Zizania tenuiflora



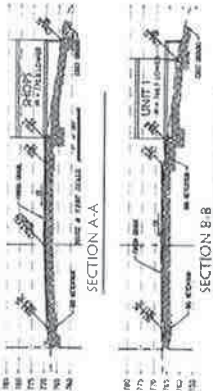
Preliminary Landscape & Lighting Plan
San Antonio Winery
Paso Robles, CA

B



CONSTRUCTION NOTES

- 1) Grading to be done in accordance with the approved grading plan.
- 2) Grading to be done in accordance with the approved grading plan.
- 3) Grading to be done in accordance with the approved grading plan.
- 4) Grading to be done in accordance with the approved grading plan.
- 5) Grading to be done in accordance with the approved grading plan.
- 6) Grading to be done in accordance with the approved grading plan.
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- 17) Grading to be done in accordance with the approved grading plan.
- 18) Grading to be done in accordance with the approved grading plan.
- 19) Grading to be done in accordance with the approved grading plan.
- 20) Grading to be done in accordance with the approved grading plan.
- 21) Grading to be done in accordance with the approved grading plan.
- 22) Grading to be done in accordance with the approved grading plan.
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- 25) Grading to be done in accordance with the approved grading plan.
- 26) Grading to be done in accordance with the approved grading plan.
- 27) Grading to be done in accordance with the approved grading plan.
- 28) Grading to be done in accordance with the approved grading plan.
- 29) Grading to be done in accordance with the approved grading plan.
- 30) Grading to be done in accordance with the approved grading plan.
- 31) Grading to be done in accordance with the approved grading plan.
- 32) Grading to be done in accordance with the approved grading plan.
- 33) Grading to be done in accordance with the approved grading plan.



Roberts Engineering, Inc.
 Santa Vala Village at San Antonio Winery Tasting Room
 Grading, Drainage & Erosion Control Plan

Project No: 17-18
 Date: 03-20-20
 Client: Santa Vala Winery

Record Drawings
 Date: 03-20-20
 Scale: As Shown

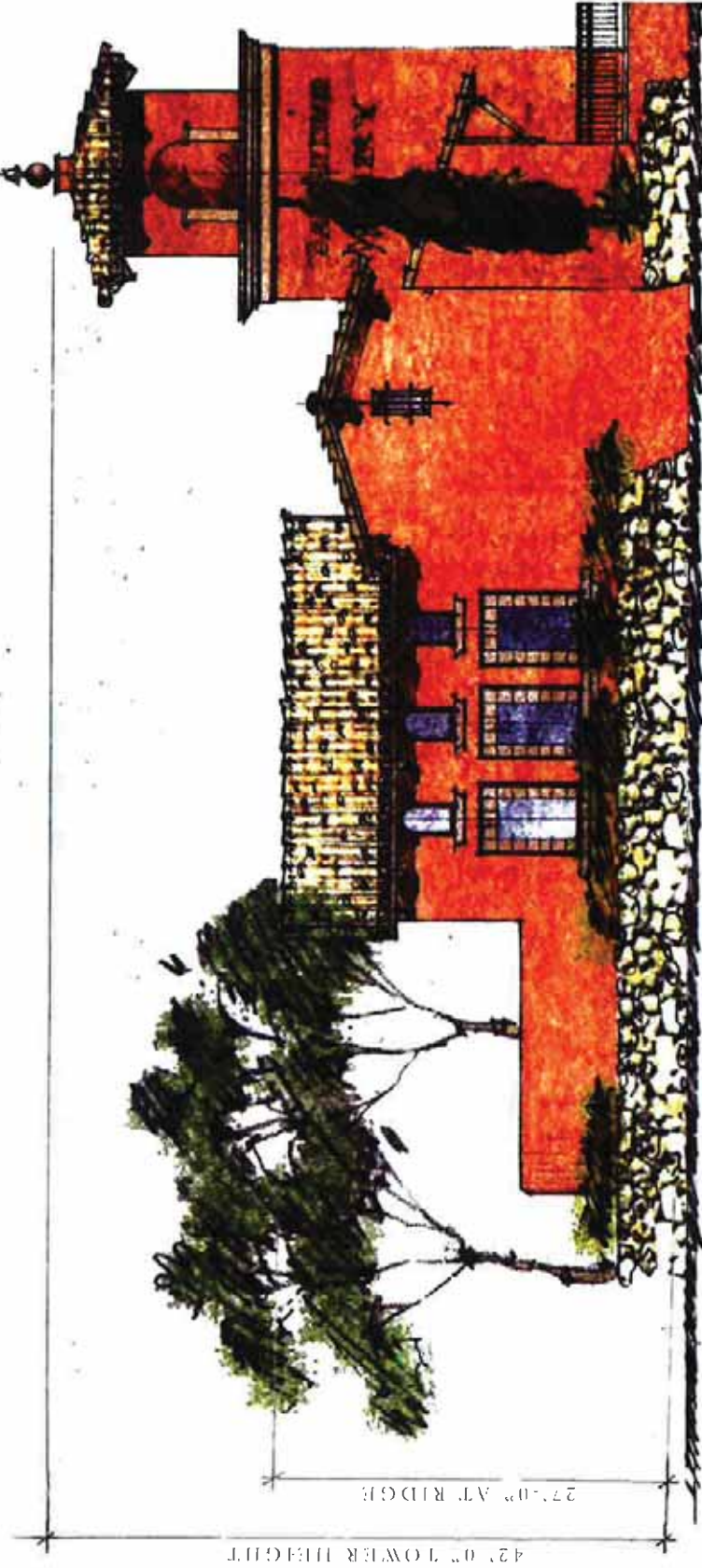
Roberts Engineering
 Timothy P. Roberts
 Civil Engineer - SCE 23366
 2411 West 6th Street
 Pomona, CA 91768
 Phone: (909) 234-0604
 Email: roberts@reinc.com

Project No: 17-18
 Date: 03-20-20
 Client: Santa Vala Winery

Scale: As Shown

Sheet No: 3
 Total Sheets: 3

SOUTH - WEST ELEVATION

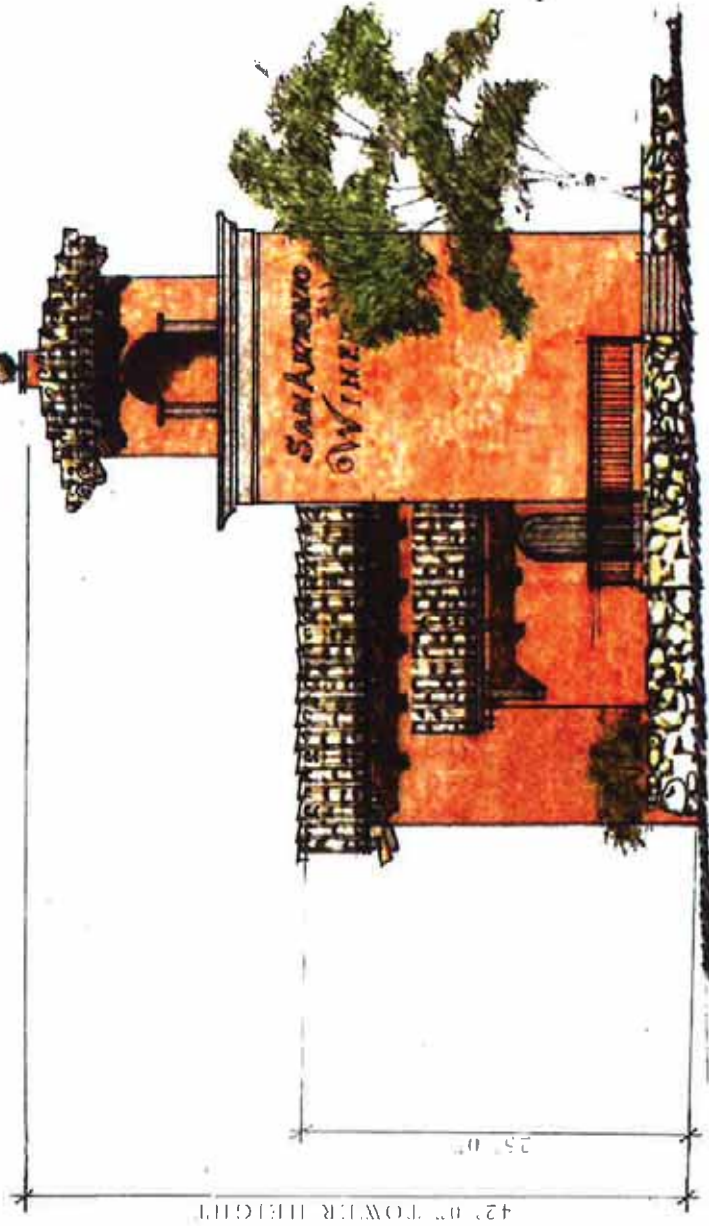


SAN ANTONIO WINERY CAFE

APRIL, 28TH, 2015

1/8" = 1'-0"

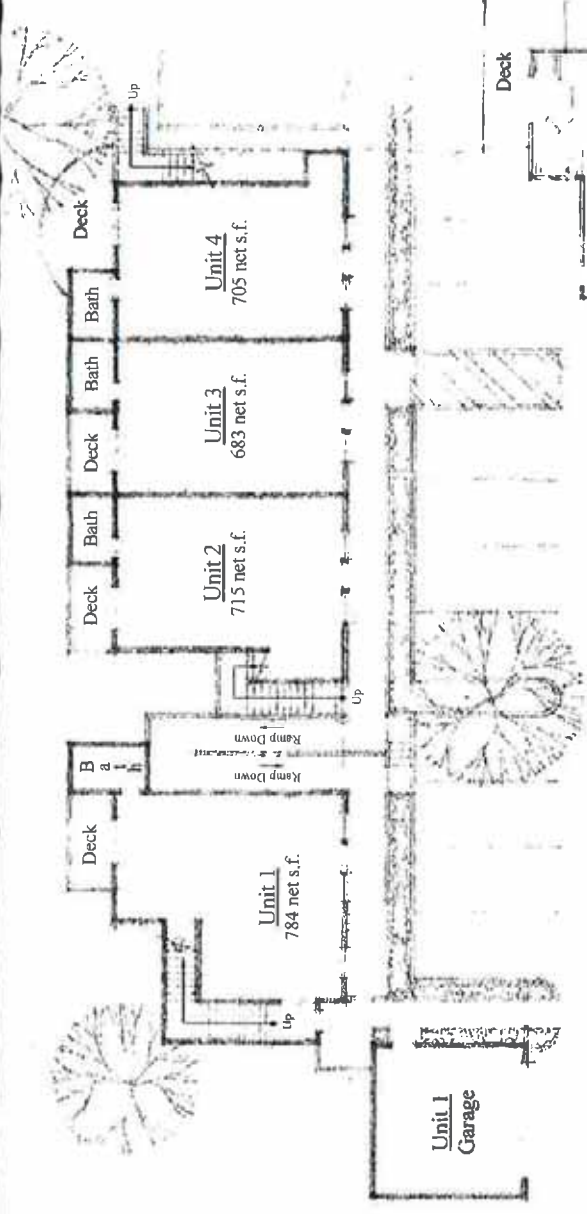
SOUTH - EAST ELEVATION



SAN ANTONIO WINERY CAFE

APRIL 28TH, 2015

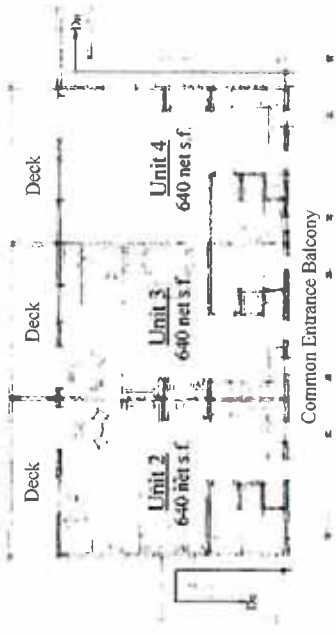
1/8" = 1'-0"



Lower Floor Plan



Side Elevation



Upper Floor Plan



Front Elevation

Units 1 thru 4
Buenavista Village



Steven Puglisi ARCHITECTURE
563 Dana Street
San Luis Obispo, CA 93401
805.595.1968



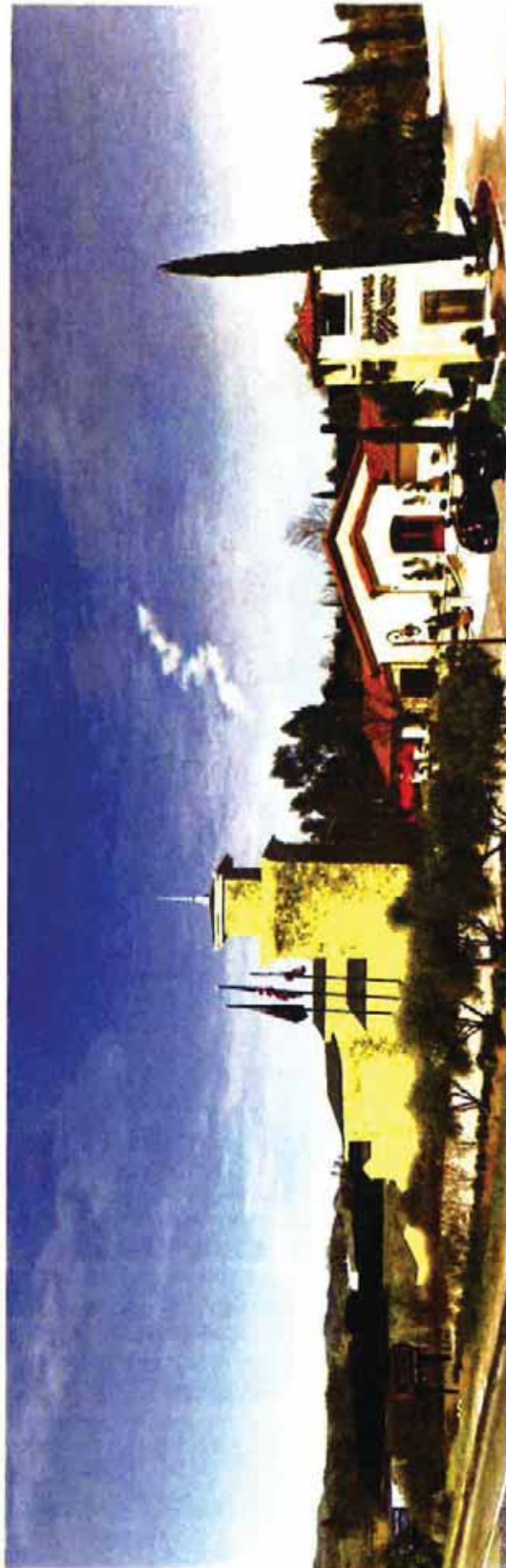
Steven Puglisi

San Antonio Winery Expansion - Site Massing Study
 Site Perspective Looking East from Highway 46



Proposed Cafe and Multi-Use Building

LaQuinta Hotel New Addition



Steven Puglisi

San Antonio Winery Expansion - Site Massing Study

Site Perspective Looking West from Highway 46

- Proposed Cafe and Multi-Use Building
- Proposed Housing Development (by Others)
- Existing Apartments

**SAN ANTONIO WINERY EXPANSION PROJECT
BIOLOGICAL RESOURCES ASSESSMENT**



Prepared for:

Riboli Paso Robles LLC
737 Lamar Street
Los Angeles, California 90031

Prepared by:

KMA
Kevin Merk Associates, LLC
P.O. Box 318
San Luis Obispo, California 93406

July 2014

RECEIVED

AUG 07 2014

**City of Paso Robles
Community Development Dept**

1.0 INTRODUCTION

Kevin Merk Associates, LLC (KMA) conducted a biological resources assessment for the San Antonio Winery project located at 2610 Buena Vista Drive within the city limits of Paso Robles, San Luis Obispo County, California. The site is approximately 1.75 acres located north of Highway 46 East, west of Buena Vista Drive directly west of the La Quinta Hotel, and south of Experimental Station Road. The property is identified by Assessor's Parcel 025-391-075 and is situated on the southern portion of the U. S. Geological Survey's (USGS) Paso Robles 7.5-minute quadrangle map. Please refer to Figures 1 and 2 for site location information.

The purpose of the study was to characterize the site's existing conditions and identify special status biological resources present or potentially present onsite. The following provides a summary of the proposed project, and details the methods and results of the investigation. In addition, the proposed project was reviewed and impacts to biological resources were identified and mitigation measures included to reduce potential project impacts to a less than significant level pursuant to the California Environmental Quality Act (CEQA).

1.1 Project Description

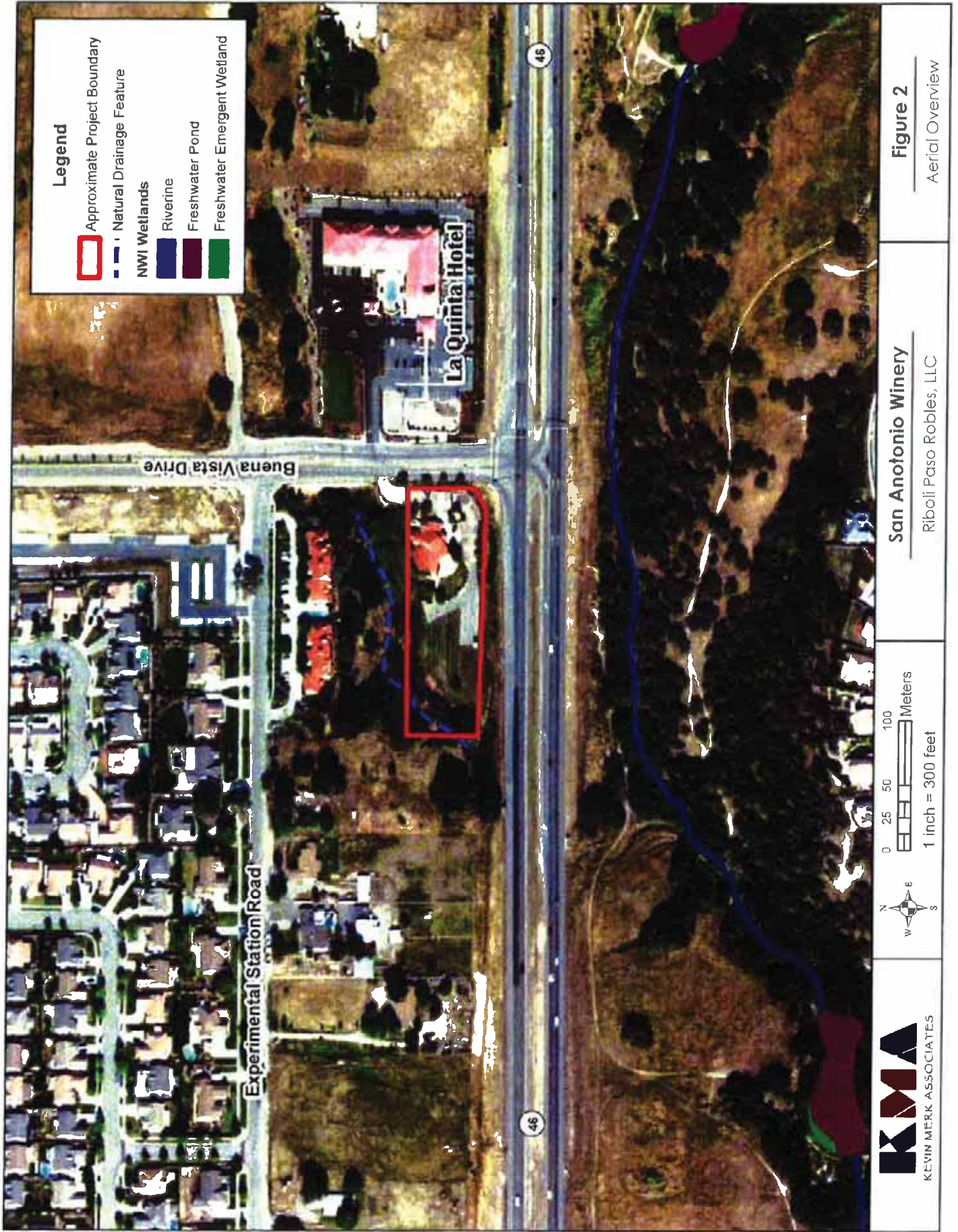
The project includes several development concepts shown on a site plan prepared Steven Puglisi Architecture (August 17, 2012). Included with the proposed project are development of a new café and outdoor patio, retail shops, a single family residence, and the addition of approximately 28 parking spaces. The tasting room and parking spaces that currently exist on the site will remain.

2.0 METHODS

KMA conducted a review of available background information, including recent biological and environmental studies from the region. This included the Highway 46 Corridor Improvement Project Environmental Assessment and Final Environmental Impact Report (May 2006) and the Vina Robles Amphitheater Biological Report prepared by Althouse and Meade (2010). Local soil survey data available on the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey and historical aerial photographs obtained using Google Earth were reviewed to aid in the existing conditions characterization. A search and review of the current California Natural Diversity Data Base (CNDDDB, queried in April and June 2014) was also conducted for an approximately five-mile radius around the property. The CNDDDB query equated to a search of six USGS quadrangle maps centered on and surrounding the site, and included the following quadrangle maps: Adelaida, Paso Robles, Estrella, York Mountain, Templeton, and Creston.

The CNDDDB data were used to evaluate the special-status plant and wildlife species, and natural communities (or plant communities) of special concern that would be expected to occur in close proximity to the site. A table of all special status species known to occur in the region was prepared and each species potential to be present onsite was made.

KMA's Principal Biologist Kevin Merk conducted field surveys of the site on April 24, May 15 and June 10, 2014. The field surveys were performed in order to map existing habitat types and identify any areas potentially containing sensitive or special status biological resources that could be of



- *List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened);*
- *List 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known);*
- *List 2 = Rare, threatened or endangered in California, but more common elsewhere;*
- *List 3 = Plants needing more information (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA); and*
- *List 4.2 = Plants of limited distribution (watch list), fairly endangered in California (20-80% occurrences threatened).*
- *List 4.3 = Plants of limited distribution (watch list), not very endangered in California.*

In addition, sensitive or special status natural communities are those listed in the CNDDDB (California Department of Fish and Wildlife, 2003; queried in August and October 2013).

3.0 RESULTS

The region is characterized by a Mediterranean climate with the nearly all rainfall occurring in the winter months. A small amount of annual precipitation is attributed to monsoonal moisture during the summer. Annual precipitation in the Paso Robles area is approximately 14 to 16 inches depending on location (Western Regional Climate Center and National Oceanic and Atmospheric Administration, 2013). The steep Santa Lucia Mountain Range further west of the site separates the region from the Pacific Ocean. As a result, winter temperatures are lower and summer temperatures are higher compared to the coastal valleys and beaches further west. Average annual temperature for the Paso Robles area is approximately 59 degrees Fahrenheit, with summer temperatures regularly exceeding 90 degrees F. Dominant plant communities in the project region include grassland, coastal scrub, and oak woodlands. Agriculture is a prevalent land use in the area with vineyards, irrigated row crops, and dry farmed grain fields present. Riparian and wetland habitats occur along the larger drainage features in the area, especially the Salinas River further west of the study area.

Elevations within the study area range from approximately 740 feet above mean sea level in the far western section of the site to approximately 780 feet above mean sea level where the existing tasting room is located. Annual grassland, oak woodland and agricultural areas (a vineyard) are the primary habitat types present onsite. A thin band of riparian habitat exists along an unnamed drainage feature north of the property boundary, but it appears that this habitat type is primarily located offsite. Approximately half of the property has been developed with a tasting room, parking and loading areas, and associated landscaping.

In summary, four habitat types were observed within the study area, and include: 1) Annual Grassland; 2) Oak Woodland; 3) Vineyard; and 4) Developed. The following characterization of these primary habitat types is based on the general structure and composition of the dominant vegetation (or lack thereof). Figure 3, the Habitat Map, illustrates the distribution of each habitat type observed on the Property. Appendix A includes representative photographs taken of the site during the 2014 site visits. A list of plants and wildlife observed is included as Appendix B, and Appendix C contains a list of special status biological resources obtained from the CNDDDB evaluated in this assessment. Appendix D includes the San Joaquin Kit Fox Habitat Evaluation Form

and supporting information. The USFWS *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance* is included as Appendix E.

3.1 Habitat Types

3.1.1 Annual Grassland (Avena barbata Semi-Natural Herbaceous Stands)

The annual grassland habitat observed on the property corresponds to the wild oats grassland described in the Manual of California Vegetation (2009, second edition) and the non-native grassland described by Holland (1986). Some areas of annual grassland onsite were recently mowed at the time of the surveys, but based on remnant plant remains it appeared to be dominated by wild oats (*Avena barbata*), with ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), mallow (*Malva nicaeensis*) and prickly sow thistle (*Sonchus asper*) also present.

California grasslands provide foraging, breeding habitat and movement opportunities for many wildlife species. Several mammals, such as the California ground squirrel (*Spermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*), and deer mice (*Peromyscus* spp.) are known to occur within this habitat type. Numerous invertebrate species (such as insects), many of which provide a food source for larger animals such as reptiles, birds and some small mammals can also be found within grassland communities. A variety of birds rely on open expanses of grasslands for foraging habitat. Grasslands that are bordered by habitats containing trees such as oaks are particularly important for raptors because the birds can use the large trees as nesting, roosting, and as observation points to locate potential prey within nearby grassland habitats.

3.1.2 Blue Oak Woodland

The oak woodland habitat type observed on the property corresponds to the Blue Oak-Grassland habitat type described by Sawyer, Keeler-Wolf and Evens (2009). It also corresponds to Holland's (1986) Blue Oak Woodland plant community description. This habitat type was observed primarily in the western part of the site, but is also present along the northern property boundary on the north-facing slope. It is characterized by dense to open occurrences of blue oak trees (*Quercus douglasii*). Most of the site did not contain a typical oak woodland understory, and was comprised of annual grasses similar to the surrounding annual grassland habitat. The dry arid nature of the site coupled with historic mowing and other disturbances contribute to the relatively weedy nature of the oak understory.

Oak woodlands, in general, provide quality habitat for a large variety of wildlife species. Oaks provide nesting sites and cover for birds and many mammals. Dead and decaying oak trees with few branches or no leaves provide "hawking sights" for raptors and perches for other bird species. They also contribute woody debris to the duff in the woodland understory, which provides foraging areas for small mammals and microclimates suitable for amphibians and reptiles in addition to fungi. Acorns are a valuable food source for many animal species, including acorn woodpecker (*Melanerpes formicivorus*), scrub jay (*Aphelocoma corulescens*), western gray squirrel (*Sciurus griseus*), and black-tailed deer (*Odocoileus hemionus*). Scrub jay, western bluebird (*Sialia mexicana*), turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), and black-tailed deer are known to occur within oak woodlands in the region. Other representative animal species that could potentially occur in the oak dominated woodland on-site include western screech owl (*Otus kennicottii*), oak titmouse (*Baeolophus inornatus*), and Virginia opossum (*Didelphis virginianus*).

3.4 Special-Status Biological Resources

For the purpose of this report, special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the federal Endangered Species Act (ESA); those considered “species of concern” by the USFWS; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); animals designated as “Species of Special Concern” by the CDFW; and the CDFW *Special Vascular Plants, Bryophytes, and Lichens List* (April 2014). This latter document includes the California Rare Plant Rank (CRPR) species that are also included in the *Inventory of Rare and Endangered Vascular Plants of California* (California Native Plant Society) as updated online. Those plants contained on CRPR Lists 1, 2, and 4 are considered special status species in this study. Per the CRPR code definitions: List 1A species include those presumed extinct in California, 1B those rare, threatened, or endangered in CDFW’s opinion in California and elsewhere, and List 2 includes plants rare, threatened, or endangered in California, but more common elsewhere. List 3 species are a review list for which necessary information is lacking to assign them to one list or another or to reject them. Nearly all of these plants are taxonomically problematic. List 4 species are on a watch list, and typically do not meet the California Environmental Quality Act’s rarity definition (Section 15380).

The below discussion provides further information as to the special status species identified as potentially occurring on the Property based on the presence of suitable habitat and occurrence data in the CNDDDB. Please refer to Appendix A for all species evaluated in this investigation and a determination as to whether they could potentially occur onsite, or if they are unlikely or not expected to occur.

3.4.1 Natural Communities of Special Concern

The CNDDDB search did not identify any occurrences of natural communities of special concern within five miles of the property. Given our knowledge of the area, and review of CNDDDB occurrence data for a five-mile radius around the property, several special status plant communities are known to occur within the general property area, and include: Coastal and Valley Freshwater Marsh, Central Coast Arroyo Willow Riparian Forest and Scrub, Vernal Pool, and Native Bunchgrass Grassland. No plant communities of special concern were observed on the project site, and are not expected to occur or be affected by the project.

3.4.2 Special-Status Plants

The CNDDDB contains records of a number of special-status plant species that are known from relatively localized occurrences in the northern San Luis Obispo County area. Please refer to Figure 4 for an illustration of the CNDDDB occurrence data within close proximity to the site. The following species were evaluated in the study to determine if they occur onsite:

- La Panza mariposa lily (*Calochortus simulans*);
- Hardham’s evening-primrose (*Camissoniopsis hardhamiae*);
- Koch’s moss (*Entosthodon kochii*);
- Kellogg’s horkelia (*Horkelia cuneata* var. *sericea*);
- Carmel Valley malacothrix (*Malacothrix saxatilis* var. *arachnoidea*);
- woodland woollythreads (*Monolopia gracilens*);

- hooked popcorn flower (*Plagiobothrys uncinatus*);
- Santa Cruz microseris (*Stebbinsoseris decipiens*);
- oval-leaved snapdragon (*Antirrhinum ovatum*);
- Salinas milk-vetch (*Astragalus macrodon*);
- round-leaved filaree (*California macrophylla*);
- dwarf calycadenia (*Calycadenia villosa*);
- San Luis Obispo owl's-clover (*Castilleja densiflora* ssp. *obispoensis*);
- Lemmon's jewel-flower (*Caulanthus lemmonii*);
- Douglas' spineflower (*Chorizanthe douglasii*);
- straight-awned spineflower (*Chorizanthe rectispina*);
- gypsum-loving larkspur (*Delphinium gypsophilum* ssp. *parviflorum*);
- umbrella larkspur (*Delphinium umbracolorum*);
- yellow-flowered eriastrum (*Eriastrum luteum*);
- mesa horkelia (*Horkelia cuneata* var. *puberula*);
- Santa Lucia rush (*Juncus luciensis*);
- pale-yellow layia (*Layia heterotricha*);
- Jared's pepper-grass (*Lepidium jaredii* ssp. *jaredii*);
- Davidson's bush-mallow (*Malacothamnus davidsonii*);
- Jones' bush mallow (*Malacothamnus jonesii*);
- Santa Lucia bush mallow (*Malacothamnus palmeri* var. *palmeri*);
- spreading navarretia (*Navarretia fossalis*);
- Paso Robles navarretia (*Navarretia jaredii*);
- shining navarretia (*Navarretia nigelliformis* ssp. *radians*);
- prostrate vernal pool navarretia (*Navarretia prostrata*);
- chaparral ragwort (*Senecio aphanactis*); and
- San Bernardino aster (*Symphotrichum defoliatum*).

Please refer to the special status species table included as Appendix A for additional information and a determination as to the potential for each species evaluated in this study to occur onsite. Species with a state or federal listing status or those with California Rare Plant Rank of List 1B meet the CEQA rarity definition since they are rare throughout their range in California. List 4 species are on a watch list and typically do not meet the rarity thresholds developed in CEQA.

No special status plants were identified on the project site. Based on seasonally timed fieldwork conducted when the above listed species would have been in an identifiable condition, no special status plants are expected to occur onsite.

3.4.3 Special-Status Wildlife

The CNDDB contains a number of recorded occurrences of special-status wildlife species in the area, which covered the six topographic quadrangle maps identified above. Please refer to Figure 4 for the CNDDB recorded occurrences of special status wildlife within close proximity to the study area. Many species listed in Appendix A, however are not expected to occur onsite based on the lack of suitable habitat. Special-status species not expected to occur within the study area based on the lack of suitable habitat include:

- tri-colored blackbird (*Agelaius tricolor*);
- silvery legless lizard (*Anniella pulchra pulchra*);

The federal and state listed SJKF is also unlikely to occur onsite since the property is separated from the historic movement corridor along the Estrella River and Huerhuero Creek that funnels SJKF between a core population on the Carrizo Plain to the east and a satellite population to the west on Camp Roberts. While SJKF have not been observed in the general area for a number of years, and it is currently unknown whether or not the species is still extant on Camp Roberts, the species may rebound in the area, and could at some point in time utilize the eastern limits of Paso Robles including part of the project site for movement, foraging, and potentially denning activities.

Please refer to Appendix A and Figure 4 for further information.

4.0 IMPACT ANALYSIS AND RECOMMENDED MITIGATION

Based on review of the concept plan prepared by Puglisi and the Grading, Drainage and Erosion Control Plan (Roberts Engineering, 9/4/2012), the proposed project will primarily be sited on existing developed parts of the property, including the vineyard area. The natural drainage feature onsite and to the north of the property will not be affected. While some annual grassland habitat will be impacted, the project has been designed to avoid impacts to onsite oak trees.

The following impact statements and associated mitigation measures have been developed to assist the City of Paso Robles with the environmental review process and preparation of their California Environmental Quality Act document. Mitigation proposed would reduce potentially significant impacts to a less than significant level.

Bio Impact 1. Future development would impact non-native annual grassland and vineyards. This is considered a less than significant impact pursuant to CEQA, and no mitigation is required.

Future development would primarily be sited in areas of disturbed annual grassland habitat and within the existing vineyard. Annual grasslands and agricultural areas are not considered sensitive plant communities by the CDFW. No special status species were observed in these areas of the site. Therefore, any loss of the non-native grassland and grape crops onsite would be considered less than significant from a CEQA perspective, and mitigation would not be required to offset the impacts associated with project development.

In many instances, mitigation required for a separate potentially significant impact, such as for impacts to special status wildlife including nesting birds for instance, would further reduce impacts to non-native grassland and developed/disturbed areas deemed less than significant during CEQA review. Such would be the case with the below discussions related to impacts to other sensitive biological resources that are present or that could potentially be present onsite. Any mitigation prescribed for impacts to these other biological resources would in turn further reduce project related impacts to annual grassland and agricultural areas onsite.

Bio Impact 2. Future development of the site could indirectly reduce the populations and available habitat for wildlife in general, including special-status wildlife such as nesting birds, American badger and the San Joaquin kit fox. This is considered a significant but mitigable impact pursuant to CEQA.

Because of the relatively small size of the site, its existing degraded condition, degree of habitat diversity in the region, and known or potential presence of a number of special-status wildlife species in the region, the potential loss of habitat on the property for the construction of a future

and nursing young, no grading should occur within 50 feet of an active badger den as determined by the project biologist. Construction activities between July 1 and February 28 should comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:

- A qualified biologist should conduct a biological survey two (2) weeks prior to the start of construction;
- The survey should cover the entire area proposed for development, including new areas to be used for refuse or soil storage, or grading for other facilities;
- Surveys should search for potential den sites, and the biologist should evaluate whether dens are presently occupied;
- If dens are too long to see the end, a fiber optic scope (or other acceptable method such as tracking medium) should be used to assess the presence of badgers;
- Inactive dens should be excavated by hand with a shovel to prevent badgers from re-using them during construction.
- Badgers should be discouraged from using currently active dens prior to the grading of the site by partially blocking the entrance of the den with sticks, debris and soil for 3 to 5 days. Access to the den should be incrementally blocked to a greater degree over this period. This should cause the badger to abandon the den and move elsewhere. After badgers have stopped using any den(s) within the project boundary, the den(s) should be hand-excavated with a shovel or carefully with the use of an excavator to prevent re-use.
- The biologist should be present during the initial clearing and grading activity. If additional badger dens are found, all work should cease until the biologist can complete measures described above for inactive and active dens. Once the badger dens have been excavated, work on the site may resume.

Impacts to San Joaquin Kit Fox. The property is situated in an historic movement corridor when Camp Roberts maintained a viable satellite population of San Joaquin kit fox. The SJKF occurs in a number of plant communities in the northern portion of its range, including grasslands, scrublands, and agricultural land where uncultivated land is maintained. SJKF use dens for temperature regulation, shelter, reproduction, and escape from predators. They may dig their own dens but often modify and use dens constructed by other animals such as ground squirrels, badgers, and coyote. The species may also use human-made structures (e.g., culverts, abandoned pipelines) as dens. SJKF often changes dens, and numerous dens may be used throughout the year, and actively used dens may not always show sign of use.

The CNDDDB contains recorded occurrences of SJKF throughout the area that are mostly over ten years old. In conversations with Camp Roberts Environmental Division staff (pers. comm. Michael Moore) it appears that the SJKF population on Camp Roberts has declined substantially and it is not clear if SJKFs are present in the area. Still it is possible that SJKF could move back into the area and potentially utilize the site as migration, foraging and denning habitat. Maintaining the movement corridor from the Carizzo Plain to Camp Roberts is an important component to the recovery strategy for the species, especially in northern San Luis Obispo County and southern Monterey County.

No potential SJKF den sites as defined by the USFWS were observed on the property. The USFWS defines a potential den as any subterranean hole within the species' range that has entrances of appropriate dimensions for which available evidence is insufficient to conclude that it is being used

and CDFW has been received, then den destruction may proceed once it is determined that the kit fox has left the den.

Hand excavation is the recommended method for destroying a den, but it may be difficult in hard compacted soils during the dry summer months. Use of excavating equipment is possible, but it must be done with extreme caution and monitored by a qualified biologist. If a potential den is monitored for three days using tracking medium or an infrared camera and it is determined through this effort that the den is not in use, then the den can be destroyed to preclude subsequent use following current protocols established by the regulatory agencies (please refer to Appendix E).

To prevent inadvertent harm to kit fox, the applicant shall retain a qualified biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures.

Implementation of the above mitigation measures will reduce project impacts to SJKF to a less than significant level pursuant to CEQA. The applicant will also complete the SJKF Habitat Evaluation Process and consult with the City and CDFW to determine if payment of an in-lieu fee to an approved mitigation bank is necessary to further reduce impacts to SJKF from project implementation.

Non-Native Species. Future development is not expected to further increase non-native animals such as house sparrows, European starlings, Norway and black rats, and house mice at the site. Given the site currently has a building used for wine tasting and period events, these species are likely present already. Future development could however, unintentionally introduce or maintain non-native invasive plants through landscaping, thereby promoting the spread of non-native plants and escape of ornamentals. This could potentially impact wildlife, including special-status species in the region due to loss of food resources and cover.

The final landscaping plan for the project should utilize non-invasive drought tolerant species that would further enhance and restore the native habitats currently present on site. The final landscape plan should be reviewed by a qualified botanist/biologist prior to implementation to ensure that landscaping does not introduce invasive, non-native plant species to the site. All invasive plant species shall be removed from the landscaping plan and replaced with appropriate, non-invasive drought tolerant species. Further, landscapers onsite shall be educated to the importance of not using invasive horticultural species that may become naturalized in open space areas in the region.

Water Resources. Adverse effects on the water quality of the unnamed drainage could pose a risk to associated habitats and the species that use them. Potential risk comes from the following sources: (a) fuels, hydraulic fluids, paints, solvents, and other chemicals; (b) increased sedimentation during construction; and (c) additional pesticides, fertilizers, and herbicides.

Because of the sensitivity of habitats associated with natural drainages, the introduction of sediments, fuels, oils, solvents, pesticides, fertilizers, and herbicides to the watercourse would be a potentially significant impact, especially considering the presence of special status species in the area. Ensuring sediment-laden runoff does not leave the site during construction, and that post construction runoff is consistent with preconstruction conditions will be important to avoid potential impacts to water quality. Low Impact Development principles should be utilized as feasible during the site specific planning for the project to avoid water quality impacts to the drainage.

- California Native Plant Society (CNPS). 2014. *Online Inventory of Rare and Endangered Vascular Plants of California*.
- Holland, R. F. 1986. *Preliminary Descriptions of the Terrestrial Natural Communities of California*. California Department of Fish and Wildlife Nongame-Heritage Program.
- Holland, V.L., and D.J. Keil. 1995. *California Vegetation*. Biological Sciences Department, California Polytechnic State University, San Luis Obispo, California.
- Jameson, E.W. & H. J. Peters. 2004. *Mammals of California, Revised Edition*. University of California Press.
- Jennings, M.R, and M.P. Hayes. 1994. Amphibian and Reptile Species of Special Concern in California. Final report to Calif. Dept. Fish and Wildlife, Inland Fisheries Div., Rancho Cordova, CA. Contract No. 8023.
- Natural Resources Conservation Service. 2014. Web Soil Survey. National Cooperative Soil Survey, U.S. Department of Agriculture. Accessed via: <http://websoilsurvey.nrcs.usda.gov/app>.
- Peterson, R. T. 1990. *A Field Guide to Western Birds*, Houghton Mifflin Company.
- Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. *A Manual of California Vegetation, 2nd Edition*. California Native Plant Society, Sacramento, CA.
- Sibley, David Allen. 2003. *The Sibley Field Guide to Birds of Western North America*. Chanticleer Press, Inc.
- Stebbins, R.C. 2003. *A field guide to western reptiles and amphibians*. 3rd edition. Houghton Muffin Company. Boston, MA.
- United States Fish and Wildlife Service. 2014. National Wetlands Inventory website. U.S. Department of the Interior, Washington, D.C. Accessed via: <http://www.fws.gov/wetlands/>.

Appendix A - Photo Plate

Photo 1. Northerly view of vineyard from Highway 46 showing proposed development area, Parking lot can be seen to the right.



Photo 2. Westerly view of drainage feature and grassland and blue oak woodland habitat.

Appendix B – List of Plants and Animals Observed Onsite During Field Surveys.

| Scientific Name* | Common Name |
|--|-----------------------|
| Plants | |
| <i>Achillea millefolium</i> | yarrow |
| <i>Ambrosia psilostachys</i> | ragweed |
| <i>Amsinckia intermedia</i> | common fiddleneck |
| <i>Anagallis arvensis</i> | scarlet pimpernel |
| <i>Anthriscus caucalis*</i> | bur chervil |
| <i>Artemisia douglasiana</i> | mugwort |
| <i>Asclepias fasciculata</i> | slender milkweed |
| <i>Avena barbata*</i> | slender wild oats |
| <i>Baccharis pilularis</i> | coyote brush |
| <i>Bloomeria crocea</i> | golden stars |
| <i>Brachypodium distachyon*</i> | false brome |
| <i>Brassica nigra*</i> | black mustard |
| <i>Bromus diandrus*</i> | ripgut brome |
| <i>Bromus hordeaceus*</i> | soft chess |
| <i>Bromus madritensis ssp. rubens*</i> | red brome |
| <i>Calandrinia ciliata</i> | red maids |
| <i>Carduus pycnocephalus*</i> | Italian thistle |
| <i>Centaurea solstitialis*</i> | yellow star thistle |
| <i>Chenopodium album*</i> | goosefoot |
| <i>Claytonia perfoliata</i> | miner's lettuce |
| <i>Conyza canadensis</i> | horseweed |
| <i>Dichelostemma pulchra</i> | blue dicks |
| <i>Elymus glaucus</i> | western wild rye |
| <i>Erodium botrys*</i> | Filaree |
| <i>Erodium cicutarium*</i> | red-stemmed filaree |
| <i>Eschscholzia californica</i> | California poppy |
| <i>Festuca perennis*</i> | Italian rye grass |
| <i>Filago (=Logfia) gallica*</i> | narrowleaf cottonrose |
| <i>Gnaphalium purpureum</i> | Purple everlasting |
| <i>Heteromeles arbutifolia</i> | Toyon |
| <i>Hirschfeldia incana*</i> | summer mustard |
| <i>Hordeum marinum ssp. gussoneanum*</i> | Mediterranean barley |
| <i>Hordeum murinum ssp. leporinum*</i> | foxtail |
| <i>Lactuca serriola*</i> | wild lettuce |
| <i>Lupinus nanus</i> | sky lupine |
| <i>Malva nicaeensis*</i> | bull mallow |
| <i>Marrubium vulgare</i> | horehound |
| <i>Medicago polymorpha*</i> | bur clover |
| <i>Melilotus sativa*</i> | sweet cicily |
| <i>Oxalis pilosa</i> | oxalis |
| <i>Plantago lanceolata*</i> | English plantain |
| <i>Quercus douglasii</i> | blue oak |
| <i>Ranunculus californicus</i> | California buttercup |
| <i>Raphanus sativa*</i> | wild radish |
| <i>Rubus ursinus</i> | California blackberry |
| <i>Rumex acetosella*</i> | sheep sorrel |
| <i>Rumex crispus*</i> | curly dock |

APPENDIX C

Special Status Species Table



| Scientific Name | Common Name | Listing Status* | | | Habitat Requirements | Probability of Occurrence / Site Suitability / Observations |
|---|------------------------------|-----------------|----|------|---|---|
| | | Fed | CA | CDFW | | |
| 6. <i>Camissoniopsis hardhamiae</i> | Hardham's evening-primrose | | | 1B.2 | Annual herb found in chaparral, cismontane woodland habitats on decomposed carbonate or recently burned soils; 330-500 meter elevation. Typically blooms March to May. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 7. <i>Castilleja densiflora</i> ssp. <i>obispoensis</i> | San Luis Obispo owl's-clover | | | 1B.2 | Annual herb; Meadows, seeps, and valley and foothill grassland; 10 to 400 meters in elevation; blooms in April. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 8. <i>Caulanthus lemmonii</i> | Lemmon's jewel-flower | | | 1B.2 | Annual herb; pinyon and juniper woodland, valley and foothill grassland; from 80 to 1,220 meters elevation; blooms March to May | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 9. <i>Chorizanthe douglasii</i> | Douglas' spineflower | | | 4.3 | Annual herb; foothill woodland, pine forest, chaparral on sandy or gravelly soils; ranges from 200-1600 meters in elevation, and blooms April - July. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 10. <i>Chorizanthe rectispina</i> | straight-awned spineflower | | | 1B.3 | Annual herb; chaparral, cismontane woodlands, and coastal scrub communities from Monterey to San Luis Obispo counties; typically between 85-1035 meters in elevation; blooms April to July. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 11. <i>Delphinium gypsophilum</i> ssp. <i>parviflorum</i> | Gypsum loving larkspur | | | 4.3 | Perennial herb typically found in clay soils in cismontane woodland ranging in elevation from 200-350 meters. Blooms March - June. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 13. <i>Delphinium umbraculorum</i> | umbrella larkspur | | | 1B.3 | Perennial herb; found in granite of cismontane woodlands, chaparral, | Not Expected. Suitable habitat searched during spring surveys and |



| Scientific Name | Common Name | Listing Status* | | | Habitat Requirements | Probability of Occurrence / Site Suitability / Observations |
|--|---------------------------|-----------------|----|------|---|--|
| | | Fed | CA | CDFW | | |
| | | | | | elevation; blooms April to July. | |
| 19. <i>Layia heterotricha</i> | pale-yellow layia | | | 1B.1 | Annual herb; alkaline, clay and sandy soils in scrub, cismontane woodland, pinyon-juniper woodland, and valley and foothill grassland; 300 to 1,705 meters; blooms March to June. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 20. <i>Lepidium jaredii</i> ssp. <i>jaredii</i> | Jared's pepper-grass | | | 1B.2 | Annual herb; valley & foothill grassland; sandy or adobe soils; 335 to 1005 meters in elevation; blooms April to May. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 21. <i>Malacothamnus davidsonii</i> | Davidson's bush-mallow | | | 1B.2 | Perennial deciduous shrub; chaparral, cismontane woodland, coastal scrub, riparian woodland; 185 to 855 meters in elevation; blooms June to January. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 22. <i>Malacothamnus jonesii</i> | Jones' bush mallow | | | 4.3 | Perennial shrub; chaparral and foothill woodland; 25 - 830 meters in elevation; blooms May - July | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 23. <i>Malacothamnus palmeri</i> var. <i>palmeri</i> | Santa Lucia bush mallow | | | 1B.2 | Perennial shrub; chaparral, cismontane woodland, and coastal scrub; 30 - 1100 meters in elevation; blooms May - July. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 24. <i>Malacothrix saxatilis</i> var. <i>arachnoidea</i> | Carmel Valley malacothrix | | | 1B.2 | Perennial rhizomatous herb; chaparral and coastal scrub; occurs on rock outcrops and rocky road cuts; 25 to 335 meters in elevation; blooms June | Not Expected. No suitable habitat present. Not observed during site survey. Not expected to occur onsite. |

| Scientific Name | Common Name | Listing Status* | | | Habitat Requirements | Probability of Occurrence / Site Suitability / Observations |
|--|-----------------------|-----------------|----|------|--|--|
| | | Fed | CA | CDFW | | |
| 30. <i>Plagiobothrys uncinatus</i> | hooked popcornflower | | | 1B.2 | Annual herb; grows in sandy soils in chaparral, cismontane woodland, valley and foothill grassland, and coastal bluff scrub; 300-730 meters in elevation; blooms April to May. | Not Expected. The species is typically known to occur further west of Paso Robles in the Santa Lucia Mountains. Unlikely to occur onsite. |
| 31. <i>Senecio aphanactis</i> | chaparral ragwort | | | 2B.2 | Annual herb; chaparral, cismontane woodland, coastal scrub in drying alkaline flats; 15-800 meters in elevation; blooms January to April. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| 32. <i>Stebbinsoseris decipiens</i> | Santa Cruz microseris | | | 1B.2 | Annual herb; broadleaved upland forest, chaparral, closed-cone coniferous forest, coastal prairie, coastal scrub; 10-500 meters in elevation; blooms April to May. | Not Expected. No suitable habitat present onsite. Not expected to occur onsite. |
| 33. <i>Symphotrichum defoliatum</i> | San Bernardino aster | | | 1B.2 | Perennial herb; vernal swales, grasslands, near ditches, streams, springs and disturbed areas; less than 2040 meters elevation; blooms July - November. | Not Expected. Suitable habitat searched during spring surveys and species not observed onsite. |
| ANIMALS | | | | | | |
| 1. <i>Agelaius tricolor</i> | tricolored blackbird | | | SSC | Nests in freshwater marshes with tules or cattails, or in other dense vegetation such as thistle, blackberry, thickets, etc., in close proximity to open water. Forages in a variety of habitats including pastures, agricultural fields, rice fields, and feedlots. | Not Expected. Suitable nesting habitat not present. Could occur onsite as a common transient. |

| Scientific Name | Common Name | Listing Status* | | | Habitat Requirements | Probability of Occurrence / Site Suitability / Observations |
|---|--------------------------|-----------------|----|------|--|---|
| | | Fed | CA | CDFW | | |
| 7. <i>Branchinecta lynchi</i> | vernal pool fairy shrimp | T | | | Endemic to vernal pools in grasslands of central coast mountains and valleys; inhabits small clear-water sandstone or soil depression pools and grassland swales. It is able to complete its life cycle in shallow water with little to no current in 16 days. | Not Expected. No suitable habitat present. |
| 8. <i>Buteo regalis</i> | ferruginous hawk | | | WL | Open, level, or rolling prairies; foothills or middle elevation plateaus largely devoid of trees; and cultivated shelterbelts or riparian corridors. These hawks typically avoid high elevations, forest interiors, narrow canyons, and cliff areas, and forage over a large area. | Not Expected. No suitable habitat present |
| 9. <i>Buteo swainsoni</i> | Swainson's hawk | | T | | Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, & agricultural or ranch lands with groves or lines of trees. Requires suitable foraging areas such as grasslands or grain fields supporting rodent populations. | Not Expected. No suitable habitat present |
| 10. <i>Dendroica petechia brewsteri</i> | yellow warbler | | | SSC | Riparian plants; prefers willows, cottonwoods, aspens, sycamores and alders for resting and foraging; resident, winter/breeding migrant. | Not Expected. No suitable habitat present |

| Scientific Name | Common Name | Listing Status* | | | Habitat Requirements | Probability of Occurrence / Site Suitability / Observations |
|---|----------------------------|-----------------|----|------|--|---|
| | | Fed | CA | CDFW | | |
| | | | | | Joaquin Valley region. | |
| 19. <i>Perognathus inornatus psammophilus</i> | Salinas pocket mouse | | | SSC | Burrows in sandy and other friable soils of grasslands and savannah habitats in the Salinas Valley. | Not Expected. No suitable habitat present. |
| 20. <i>Phrynosoma blainvillii</i> | coast horned lizard | | | SSC | Frequents a wide variety of habitat including sandy washes with scattered shrubs and open areas for sunning. Loose soils for burial. | Not Expected. No suitable habitat present. |
| 21. <i>Polyphylla nubila</i> | Atascadero June beetle | | | | Known to occur in sand dunes in Atascadero and San Luis Obispo. Suitable habitat for this species includes sandy soils and annual grassland habitat with blue elderberry. | Not Expected. No suitable habitat present. |
| 22. <i>Rana draytonii</i> | California red-legged frog | T | | SSC | Lowland and foothills in or near permanent or semi-permanent sources of deep water (at least 0.5 meter) bordered by emergent wetland and/or riparian vegetation. May use a variety of aquatic and upland habitats during the year for refugia and dispersal. | Not Expected. No suitable habitat present. |
| 23. <i>Riparia riparia</i> | bank swallow | | T | | Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig | Not Expected. No suitable habitat present. |



| Scientific Name | Common Name | Listing Status* | | | Habitat Requirements | Probability of Occurrence / Site Suitability / Observations ^{1,2,3,4,5} |
|--|---------------------|-----------------|----|------|---|--|
| | | Fed | CA | CDFW | | |
| <i>28. Vulpes macrotis mutica</i> | San Joaquin kit fox | E | T | | Found in grassland, open shrubby areas, and in some agricultural settings. Needs loose textured sandy-soils for burrowing, and suitable prey base consisting of ground squirrels, other small mammals, birds and insects. | Potential. Suitable habitat present throughout site. Last reported observation in project area was from 1990's. While kit fox have been reduced from the region, potential exists for recolonization of the area. |
| PLANT COMMUNITIES | | | | | | |
| 1. Central Coast Arroyo Willow Scrub | | | | | | Not Expected. No suitable habitat present. |
| 2. Coastal Valley and Freshwater Marsh | | | | | | Not Expected. No suitable habitat present. |
| 3. Native Bunchgrass Grassland | | | | | | Not Expected. No native bunchgrass grassland was observed onsite. |
| 4. Valley Oak Woodland | | | | | | Not Expected. No suitable habitat present. |
| 5. Vernal Pool | | | | | | Not Expected. No suitable habitat present. |

*FE – listed as Endangered under federal Endangered Species Act; SE – listed as Endangered under California Endangered Species Act; SR – listed as Rare under California Endangered Species Act; ST - listed as Threatened under California Endangered Species Act; FP – Fully Protected by California Department of Fish and Wildlife; SSC – DFW Species of Special Concern; WL – List of Birds of Conservation Concern; 1A = Plants presumed extinct in California; 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat); 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened); 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known); 2 = Rare, threatened or endangered in California, but more common elsewhere; 3 = Plants needing more information (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA); 4.2 = Plants of limited distribution (watch list), fairly endangered in California (20-80% occurrences threatened); and 4.3= Plants of limited distribution (watch list), not very endangered in California.

Kit Fox Habitat Evaluation Form

Cover Sheet

Project Name San Antonio Winery Expansion Project

Date July 8, 2014

Project Location* 2610 Buena Vista Drive Paso Robles, CA

*Please refer to the Site Vicinity Map on U.S.G.S. 7.5-minute topographic quadrangle included in Biological Resources Assessment Report.

U.S.G.S. Quad Map Name Paso Robles

Lat/Long or UTM coordinates (if available)

Latitude 35° 38' 42.5" N Longitude -120° 40' 22.6" W

Project Description: Expansion of existing winery facility

Project Size 1.75 Acres **Amount of Kit Fox Habitat Affected** approx. 0.45 Acres

Quantity of WHR Habitat Types Impacted (i.e. - 2 acres annual grassland, 3 acres blue oak woodland)

WHR type Agriculture (active vineyard) 0.23 Acres

WHR type Annual Grassland 0.22 Acres

WHR type _____ Acres

WHR type _____ Acres

Comments: Area proposed for existing winery and tasting room expansion consists of a small vineyard and disturbed annual grassland on a slope above an ephemeral drainage feature. The drainage and onsite blue oak trees will not be affected during construction..

Form Completed By: Kevin Merk, Kevin Merk Associates LLC.

5. Amount of potential kit fox habitat affected.

- A. >320 acres (10)
- B. 160 - 319 acres (7)
- C. 80 - 159 acres (5)
- D. 40 - 79 acres (3)
- E. < 40 acres (1)

6. Results of project implementation.

- A. Project site will be permanently converted and will no longer support foxes (10)
- B. Project area will be temporarily impacted but will require periodic disturbance for ongoing maintenance (7)
- C. Project area will be temporarily impacted and no maintenance necessary (5)
- D. Project will result in changes to agricultural crops (2)
- E. No habitat impacts (0)

7. Project Shape

- A. Single Block (10)
- B. Linear with > 40 foot right-of-way (5)
- C. Linear with < 40 foot right-of-way (3)

8. Have San Joaquin kit foxes been observed within 3 miles of the project area within the last 10 years?

- A. Yes (10)
- B. No (0)

Scoring

| | |
|------------------------------|-----------|
| Recovery importance | <u>20</u> |
| Habitat condition | <u>10</u> |
| Isolation | <u>7</u> |
| Mortality | <u>5</u> |
| Quantity of habitat impacted | <u>1</u> |
| Project results | <u>10</u> |
| Project shape | <u>10</u> |
| Recent observations | <u>0</u> |

TOTAL 63

8. Have San Joaquin kit foxes been observed within 3 miles of the project area within the last 10 years?

No recorded occurrences of kit fox were identified in the CNDDDB within three miles of the site in the last 10 years. Other observations of kit fox have been made within 10 miles of the site. One observation was recorded in 2004 on Camp Roberts to the west and another during northern range protocol surveys conducted in 2006 by William Vanherweg and Kevin Merk on Continental Vineyards to the east along the Highway 46 corridor.

**U.S. FISH AND WILDLIFE SERVICE
STANDARDIZED RECOMMENDATIONS
FOR PROTECTION OF THE ENDANGERED SAN JOAQUIN KIT FOX
PRIOR TO OR DURING GROUND DISTURBANCE**

Prepared by the Sacramento Fish and Wildlife Office
January 2011

INTRODUCTION

The following document includes many of the San Joaquin kit fox (*Vulpes macrotis mutica*) protection measures typically recommended by the U. S. Fish and Wildlife Service (Service), prior to and during ground disturbance activities. **However, incorporating relevant sections of these guidelines into the proposed project is not the only action required under the Endangered Species Act of 1973, as amended (Act) and does not preclude the need for section 7 consultation or a section 10 incidental take permit for the proposed project.** Project applicants should contact the Service in Sacramento to determine the full range of requirements that apply to your project; the address and telephone number are given at the end of this document. Implementation of the measures presented in this document may be necessary to avoid violating the provisions of the Act, including the prohibition against "take" (defined as killing, harming, or harassing a listed species, including actions that damage or destroy its habitat). These protection measures may also be required under the terms of a biological opinion pursuant to section 7 of the Act resulting in incidental take authorization (authorization), or an incidental take permit (permit) pursuant to section 10 of the Act. The specific measures implemented to protect kit fox for any given project shall be determined by the Service based upon the applicant's consultation with the Service.

The purpose of this document is to make information on kit fox protection strategies readily available and to help standardize the methods and definitions currently employed to achieve kit fox protection. The measures outlined in this document are subject to modification or revision at the discretion of the Service.

IS A PERMIT NECESSARY?

Certain acts need a permit from the Service which includes destruction of any known (occupied or unoccupied) or natal/pupping kit fox dens. Determination of the presence or absence of kit foxes and /or their dens should be made during the environmental review process.

All surveys and monitoring described in this document must be conducted by a qualified biologist and these activities do not require a permit. A qualified biologist (biologist) means any person who has completed at least four years of university training in wildlife biology or a related science and/or has demonstrated field experience in the identification and life history of the San Joaquin kit fox. In addition, the biologist(s) must be able to identify coyote, red fox,

OTHER PROJECTS

It is likely that all other projects occurring within kit fox habitat will require a take authorization/permit from the Service. This determination would be made by the Service during the early evaluation process (see Survey Protocol). These other projects would include, but are not limited to: Linear projects; projects with large footprints such as urban development; and projects which in themselves may be small but have far reaching impacts (i.e., water storage or conveyance facilities that promote urban growth or agriculture, etc.).

The take authorization/permit issued by the Service may incorporate some or all of the protection measures presented in this document. The take authorization/permit may include measures specific to the needs of the project and those requirements supersede any requirements found in this document.

EXCLUSION ZONES

In order to avoid impacts, construction activities must avoid their dens. The configuration of exclusion zones around the kit fox dens should have a radius measured outward from the entrance or cluster of entrances due to the length of dens underground. The following distances are **minimums**, and if they cannot be followed the Service must be contacted. Adult and pup kit foxes are known to sometimes rest and play near the den entrance in the afternoon, but most above-ground activities begin near sunset and continue sporadically throughout the night. Den definitions are attached as Exhibit A.

| | |
|---|---------------------------|
| Potential den** | 50 feet |
| Atypical den** | 50 feet |
| Known den* | 100 feet |
| Natal/pupping den (occupied <u>and</u> unoccupied) | Service must be contacted |

***Known den:** To ensure protection, the exclusion zone should be demarcated by fencing that encircles each den at the appropriate distance and does not prevent access to the den by kit foxes. Acceptable fencing includes untreated wood particle-board, silt fencing, orange construction fencing or other fencing as approved by the Service as long as it has openings for kit fox ingress/egress and keeps humans and equipment out. Exclusion zone fencing should be maintained until all construction related or operational disturbances have been terminated. At that time, all fencing shall be removed to avoid attracting subsequent attention to the dens.

The Service encourages hand excavation, but realizes that soil conditions may necessitate the use of excavating equipment. However, extreme caution must be exercised.

Potential Dens: If a take authorization/permit has been obtained from the Service, den destruction may proceed without monitoring, unless other restrictions were issued with the take authorization/permit. If no take authorization/permit has been issued, then potential dens should be monitored as if they were known dens. If any den was considered to be a potential den, but is later determined during monitoring or destruction to be currently, or previously used by kit fox (e.g., if kit fox sign is found inside), then all construction activities shall cease and the Service shall be notified immediately.

CONSTRUCTION AND ON-GOING OPERATIONAL REQUIREMENTS

Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.
2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.
3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is

re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts.

11. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.
12. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.
13. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
14. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at:

Endangered Species Division
2800 Cottage Way, Suite W2605
Sacramento, California 95825-1846
(916) 414-6620 or (916) 414-6600

STANDARD RECOMMENDATIONS

9

"Atypical Den" - Any manmade structure which has been or is being occupied by a San Joaquin kit fox. Atypical dens may include pipes, culverts, and diggings beneath concrete slabs and buildings.



OEG Ref 14-901

November 17, 2014

Steve Riboli
San Antonio Winery, LLC
737 Lamar Street
Los Angeles, CA 90031

Subject: Trip Generation Letter – Buena Vista Drive Mixed Use Development

Dear Mr. Riboli:

Orosz Engineering Group, Inc. (OEG) has prepared the following letter report for a trip generation letter for the subject project. Based on the project description, the City of Paso Robles has requested that a trip generation letter be provided for the project to identify the potential change in trip generation between the existing General Plan Zoning and the proposed project zoning.

Project Description

The Buena Vista Drive Mixed Use Development is proposed to be developed with a combination of restaurant, boutique retail space and residential condominiums. Each proposed use is summarized below:

| | |
|----------------------------------|----------|
| Café/Restaurant | 3,422 SF |
| Boutique Retail/Specialty Retail | 2,887 SF |
| Condominium/Townhome | 4 DU |

The current zoning for the project site is residential (R1-B4) with the potential for two residential units.

Project Trip Generation

To estimate the potential trip generation for this project, the Institute of Transportation Engineers (ITE), Trip Generation: An informational report, 9th Edition and SANDAG Trip Generation Rate Summary were used. The trip generation rates from the ITE and SANDAG trip generation reference consistent with the proposed land uses were found. To compare the proposed project use with the existing development potential, a credit of two residential dwelling units was assumed.

The trip generation rate was applied to the proposed project intensity and the project traffic was estimated. Based on the existing winery tasting room uses, the interaction of the proposed uses and the proximity of nearby residences and hotels for pedestrians, a reduction of 35% of the Café and Specialty Retail uses trip generation was assumed. The project trip generation is summarized in Table 1, attached

Steve Riboli
San Antonio Winery, LLC
November 17, 2014
Page 2

to the rear of this report. In total, the project is expected to generate a total of 323 Average Daily Traffic (ADT) including 25 PM Peak Hour Trips (PM PHT).

Should you have any questions, feel free to contact us. OEG, Inc. thanks you for the opportunity to meet your needs on this exciting project.

Sincerely,

Stephen A. Orosz

Stephen A. Orosz, P.E.
Orosz Engineering Group, Inc.

Enclosure

Table 1
Development Summary and Trip Generation

Buena Vista Drive Development Plan

Project Detail

| Land Use | Use | Total |
|-----------------------------|---------------------------------|----------|
| | Café | |
| Restaurant | Lower Level | 1,632 SF |
| Restaurant | Outdoor Area | 1,790 SF |
| Total Café | | 3,422 SF |
| Spec. Retail | Boutique Space | 2,887 SF |
| Condo | Condo/Townhomes | 4 DU |
| Credit EXISTING Residential | | |
| | 1.9 acres at R1-B4 Permitted DU | 2 DU |

Project Summary

| | | |
|-------------------|----------------------------|----------|
| Restaurant | New | 3,422 SF |
| Specialty Retail | New | 2,887 SF |
| Residential Condo | New | 4 DU |
| Residential Condo | Credit for Existing Zoning | -2 DU |

| Trips | ITE Land Use | ADT Rate/Unit | ADT Trips | PM PHT Rate/Unit | PM PHT Trips |
|-------------------|--------------|---------------|-----------|------------------|--------------|
| Restaurant (Café) | SANDAG | 67.6 | 231 | 5.41 | 19 |
| Specialty Retail | 840 | 28.08 | 81 | 1.76 | 5 |
| Residential Condo | 230 | 5.81 | 23 | 0.52 | 2 |
| Residential Condo | 230 | 5.81 | -12 | 0.52 | -1 |
| Total Trips | | | 323 | 25 | |

Note:

Café and Specialty Retail trip rates are reduced by 35% to account for the mixed/shared use between the proposed Café, specialty retail and existing winery/tasting room uses.

Attachment 8
Mitigation Monitoring Summary

Mitigation Monitoring and Reporting Plan

Project File No./Name: General Plan Amendment 14-002, Rezone 14-001, Specific Plan Amendment 14-002, Planned Development 14-003, and Conditional Use Permit 14-006 – Buena Vista at San Antonio Winery, San Antonio Winery, Inc., APN 025-391-075, 2610 Buena Vista Drive

Approving Resolution No.: Resolution _____ 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>Bio -1</p> <p>Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.</p> <p>a. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.</p> | Project ongoing | CDD | | | Prior to site disturbance/grading. Ongoing during construction. |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|---|------|---------------------------------|----------------|-------------------------|----------------|
| <p>b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.</p> <p>c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.</p> <p>d. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.</p> <p>e. No firearms shall be allowed on the project site.</p> <p>f. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.</p> <p>g. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such</p> | | | | | |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|--|------|---------------------------------|----------------|-------------------------|----------------|
| <p>compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.</p> <p>h. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.</p> <p>i. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.</p> <p>j. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant</p> | | | | | |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|---|----------|---------------------------------|----------------|-------------------------|-------------------------------------|
| <p>species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts.</p> <p>k. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.</p> <p>i. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.</p> <p>m. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.</p> <p>n. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.</p> | Project, | CDD | | | Prior to issuance of grading permit |
| <p>Bio – 2</p> <p>The applicant shall complete the SJKF Habitat Evaluation Form and consult with the City and CDFW to determine if payment of an in-lieu fee to an approved mitigation bank is</p> | | | | | |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|--|-----------------|---------------------------------|----------------|---------------------------|---------------------------------------|
| <p>necessary.</p> <p>AQ - 1</p> <p>a. Reduce the amount of the disturbed area where possible;</p> <p>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;</p> <p>c. All dirt stock pile areas should be sprayed daily as needed;</p> <p>d. 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; The above mitigation measures shall be shown on grading and building plans.</p> <p>e. 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.</p> | Project | Building Dept | | Stamped on building plans | Prior to issuance of grading permit |
| <p>AQ - 2</p> <p>a. Maintain all construction equipment in proper tune according to manufacturer's specifications;</p> <p>b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);</p> <p>c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);</p> <p>d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section</p> | Project Ongoing | CDD, Building Dept | | Stamped on building plans | Prior to issuance of building permit. |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|--|---------|---------------------------------|----------------|-------------------------|--|
| <p>2449);</p> <p>e. Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;</p> <p>f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;</p> <p>g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;</p> <p>h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;</p> <p>i. Electrify equipment when feasible;</p> <p>j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,</p> <p>k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.</p> <p>l. In addition to the above SLOCAPCD recommended mitigation measures, the following additional mitigation measures shall also be implemented:</p> <p>m. To the extent practical, reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.</p> <p>n. If site preparation and grading activities are to occur during the same calendar quarter, a minimum of ten percent of diesel-powered heavy-duty (i.e., 50 hp or greater) offroad equipment shall meet CARB's Tier 3, or cleaner, certified engine standards.</p> | Project | CDD Building | | | Prior to issuance of building permits. |
| <p>N-1</p> <p>Building design and construction methods for residences shall ensure noise level for residential building interiors shall not exceed CNEL. Documentation (Noise Assessment) of noise levels shall be prepared by an acoustical engineer.</p> | | | | | |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|--------------------|---------|---------------------------------|----------------|-------------------------|-----------------------------------|
| | 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.

RESOLUTION NO:

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING THE CITY COUNCIL
APPROVE A MITIGATED NEGATIVE DECLARATION FOR
GENERAL PLAN AMENDMENT 14-002, REZONE 14-001,
SPECIFIC PLAN AMENDMENT 14-002, PLANNED DEVELOPMENT 14-003
AND CONDITIONAL USE PERMIT 14-006
SAN ANTONIO WINERY, INC.
APN: 025-391-075**

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of the following entitlements:

- **General Plan Amendment 14-002** - Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU); and
- **Rezone 14-001** – Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (e.g. R2-MU); and
- **Specific Plan Amendment 14-002** – An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (e.g. 4 residential units, commercial retail, restaurants, and wine tasting); and
- **Planned Development 14-003** – a request develop approximately 12,000 sf of new development, including a restaurant, 3 boutique retail spaces, and 4 residential units; and
- **Conditional Use Permit 14-006** – a request to expand the list of conditionally permitted uses for this property.

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 April 17, 2015 and concluding May 16, 2015. The Draft MND/Initial Study dated April 17, 2015 is incorporated by reference into this Resolution, and is on file at the Paso Robles Community Development Department and available on line at <http://www.prcity.com/government/departments/commdev/> ; 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: air quality; biological resources; and noise. With the implementation of this mitigation, all potential environmental effects will be reduced to a less than significant level. The Mitigation Monitoring and Reporting Program in Exhibit A to this Resolution, are hereby incorporated herein by reference; and

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

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

WHEREAS, the applicant has executed a Mitigation Agreement whereby the applicant has agreed to incorporate all of the mitigation measures listed in Exhibit A 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, a public hearing was conducted by the Planning Commission on April 28, 2015 to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the proposed entitlements 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 Planning Commission 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 Planning Commission 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 Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Section 2. The Planning Commission of the City of El Paso de Robles, based on its independent judgment and analysis, adopts the Mitigated Negative Declaration for the Buena Vista Village at San Antonio Winery, recommends the City Council adopt the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A, 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 28th day of April, 2015, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

VINCE VANDERLIP, CHAIRMAN

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

**Exhibit A
Mitigation Monitoring and Reporting Plan**

Project File No./Name: General Plan Amendment 14-002, Rezone 14-001, Specific Plan Amendment 14-002, Planned Development 14-003, and Conditional Use Permit 14-006 – Buena Vista at San Antonio Winery, San Antonio Winery, Inc., APN 025-391-075, 2610 Buena Vista Drive

Approving Resolution No.: Resolution 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>Bio -1</p> <p>Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.</p> <p>a. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.</p> <p>b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all</p> | Project ongoing | CDD | | | <p>Prior to site disturbance/grading.</p> <p>Ongoing during construction.</p> |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|---|------|---------------------------------|----------------|-------------------------|----------------|
| <p>excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.</p> <p>c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.</p> <p>d. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.</p> <p>e. No firearms shall be allowed on the project site.</p> <p>f. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.</p> <p>g. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other</p> | | | | | |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|--|------|---------------------------------|----------------|-------------------------|----------------|
| <p>State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.</p> <p>h. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.</p> <p>i. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.</p> <p>j. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG),</p> | | | | | |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|--|----------|---------------------------------|----------------|---------------------------|-------------------------------------|
| <p>and revegetation experts.</p> <p>k. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.</p> <p>l. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.</p> <p>m. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.</p> <p>n. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.</p> | Project, | CDD | | | Prior to issuance of grading permit |
| <p>Bio – 2</p> <p>The applicant shall complete the SJKF Habitat Evaluation Form and consult with the City and CDFW to determine if payment of an in-lieu fee to an approved mitigation bank is necessary.</p> <p>AQ – 1</p> | Project | Building Dept | | Stamped on building plans | Prior to issuance of grading permit |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|--|-----------------|---------------------------------|----------------|---------------------------|---------------------------------------|
| <p>a. Reduce the amount of the disturbed area where possible;</p> <p>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;</p> <p>c. All dirt stock pile areas should be sprayed daily as needed;</p> <p>d. 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; The above mitigation measures shall be shown on grading and building plans.</p> <p>e. 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.</p> | Project Ongoing | CDD, Building Dept | | Stamped building plans on | Prior to issuance of building permit. |
| <p>AQ - 2</p> <p>a. Maintain all construction equipment in proper tune according to manufacturer's specifications;</p> <p>b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);</p> <p>c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);</p> <p>d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);</p> <p>e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive</p> | | | | | |

| Mitigation Measure | Type | Monitoring Department or Agency | Shown on Plans | Verified Implementation | Timing/Remarks |
|---|---------|---------------------------------|----------------|-------------------------|--|
| <p>or NOx exempt area fleets) may be eligible by proving alternative compliance;</p> <p>f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;</p> <p>g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;</p> <p>h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;</p> <p>i. Electrify equipment when feasible;</p> <p>j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,</p> <p>k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.</p> <p>l. In addition to the above SLOCAPCD recommended mitigation measures, the following additional mitigation measures shall also be implemented:</p> <p>m. To the extent practical, reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.</p> <p>n. If site preparation and grading activities are to occur during the same calendar quarter, a minimum of ten percent of diesel-powered heavy-duty (i.e., 50 hp or greater) offroad equipment shall meet CARB's Tier 3, or cleaner, certified engine standards.</p> | | | | | |
| <p>N-1</p> <p>Building design and construction methods for residences shall ensure noise level for residential building interiors shall not exceed CNEL. Documentation (Noise Assessment) of noise levels shall be prepared by an acoustical engineer.</p> | Project | CDD Building | | | Prior to issuance of building permits. |
| | 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.

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES RECOMMENDING
THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT 14-002
2610 BUENA VISTA DRIVE, SAN ANTONIO WINERY, INC.
APN 025-391-075**

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of General Plan Amendment 14-002 - Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU); and

WHEREAS, the property is located at 2610 Buena Vista Drive, APN 025-391-075, as shown in Exhibit A; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration was prepared to describe the effects of the General Plan Amendment; and

WHEREAS, at its meeting of April 28, 2015, the Planning Commission conducted a public hearing on the Project, and made the following findings:

- a. General Plan Amendment 14-002 will be consistent with the Land Use Element of the General Plan, and will specifically support the intent of LU-1, by providing opportunities to live, work and play, by encouraging mixed-use development;
- b. General Plan Amendment 14-002 will provide an appropriate transition of land uses between surrounding multi-family development and visitor-serving, non-residential development;
- c. Considered the facts and analysis, as presented in the staff report prepared for this amendment;
- d. Conducted a public hearing to obtain public testimony on this amendment, and based on its independent judgment, found that there was no substantial evidence that this amendment would have significant adverse effect on the environment, and recommended approval of a Mitigated Negative Declaration for this General Plan Amendment, in accordance with the California Environmental Quality Act;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, California, finds that the amendment to the General Plan Land Use Element Map is compatible with the surrounding land uses in the vicinity, and does hereby recommend approval of General Plan Amendment 14-002, as shown in Exhibit A to the City Council

PASSED AND ADOPTED by the Planning Commission of the City of Paso Robles this 28th day of April 2015 by the following vote:

AYES:

NOES:

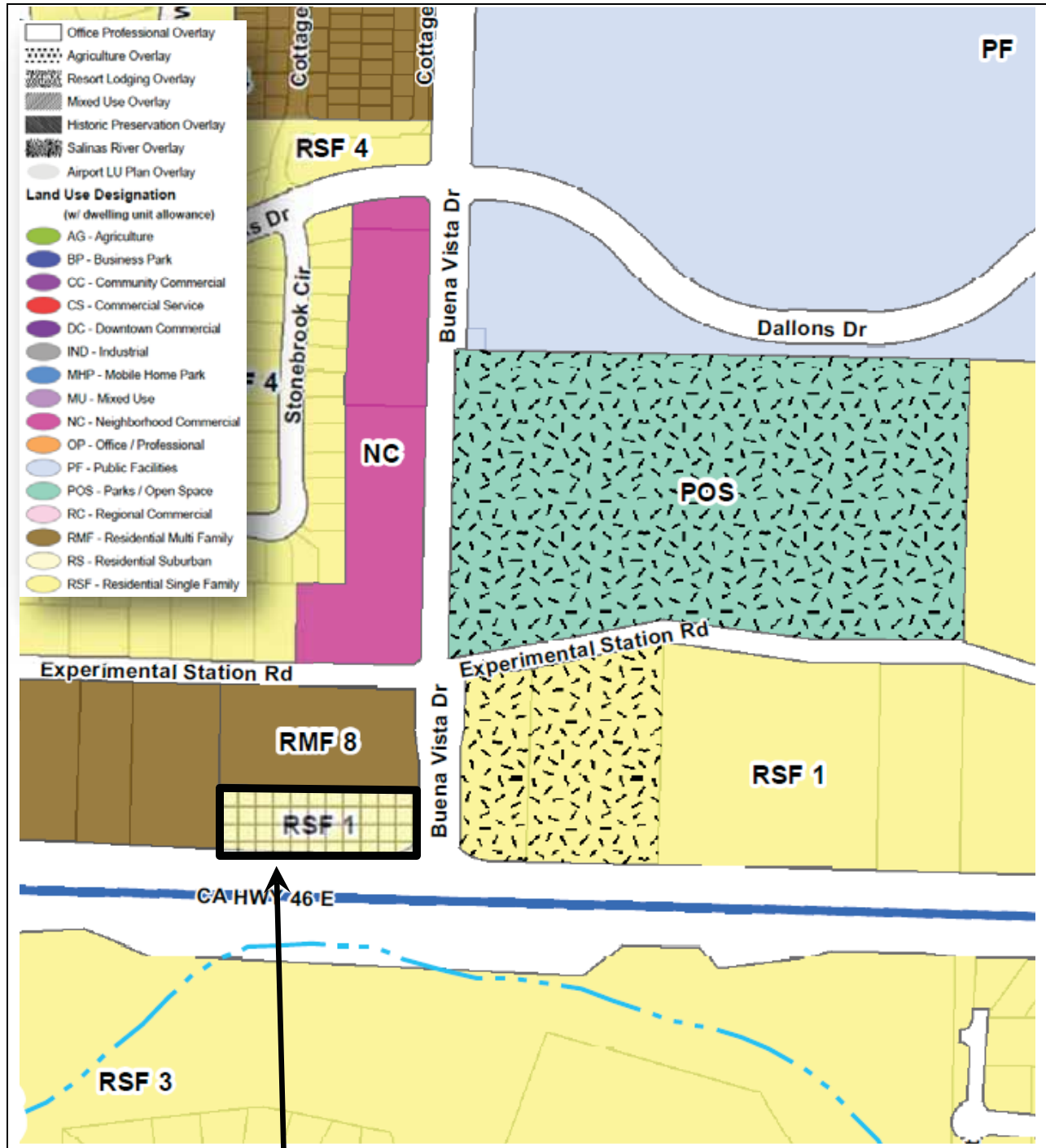
ABSTAIN:

ABSENT:

Vince Vanderlip, Chairman

ATTEST:

Warren Frace, Planning Commission Secretary



General Plan Amendment 14-002

Existing: RSF-1

Amended: RMF-8-MU
Residential Multi-Family Low Density
(RMF-8) with Mixed Use Overlay (MU)

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES RECOMMENDING
THE CITY COUNCIL ADOPT AN ORDINANCE
AMENDING THE CITY ZONING MAP AND BORKEY AREA SPECIFIC PLAN
2610 BUENA VISTA DRIVE, SAN ANTONIO WINERY, INC.
APN 025-391-075**

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of the following entitlements:

- **Rezone 14-001** – Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (e.g. R2-MU); and
- **Specific Plan Amendment 14-002** – An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (e.g. 4 residential units, commercial retail, restaurants, and wine tasting); and

WHEREAS, the property is located at 2610 Buena Vista Drive, APN 025-391-075, as shown in Exhibit A; and

WHEREAS, the rezone is necessary to provide zoning map consistency between the City General Plan proposed land use designation of Residential Multi-Family-8-Mixed-Use (RMF-8-MU) and zoning map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (R2-MU), as shown in Exhibit A; and

WHEREAS, the site is located with Subarea D of the Borkey Area Specific Plan; and

WHEREAS, the specific plan amendment is necessary to revise the plan to reflect the change in the list of conditionally permitted land uses in Subarea D for this property, as shown in Exhibit B; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 28, 2015, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed environmental determination; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration was prepared to describe the effects of the general plan amendment; and

WHEREAS, at a meeting held on April 28, 2015, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed ordinance, including the proposed Rezone 14-001 and Borkey Area Specific Plan Amendment 14-002;
- c. Recommended that the City Council adopt the proposed ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles recommends that the City Council of the City of El Paso de Robles does hereby ordain as follows:

SECTION 1:

Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit A.

SECTION 2:

Borkey Areas Specific Plan, Section III, Page 19 (Subarea D) is hereby amended, as shown on the attached Exhibit B.

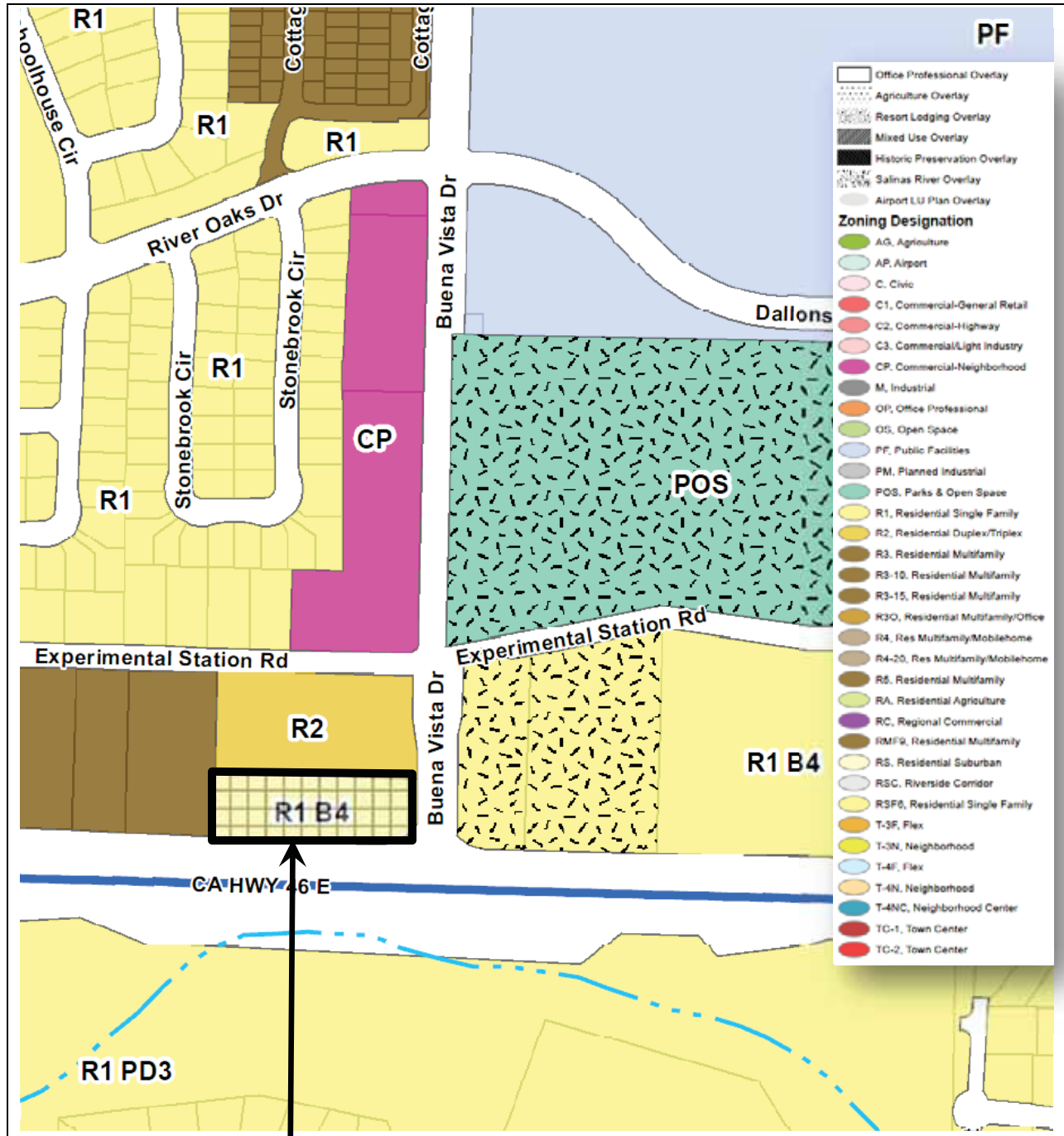
PASSED AND ADOPTED by the Planning Commission of the City of Paso Robles this 28th day of April 2015 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Vince Vanderlip, Chairman

ATTEST:

Warren Frace, Planning Commission Secretary



Zoning Map Amendment 14-001
 Existing: R1-B4
 Amended: R2-MU
 Residential Multi-Family (R-2) with Mixed Use Overlay (MU)

Borkey Area Specific Plan Amendment
SPA 14-002

Page III-19

Existing Text - Subarea D

- D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (Martin Brothers Winery tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site.

Proposed Text - Subarea D

- D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (~~Martin Brother Winery~~ e.g. wine tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site. Additional small-scale commercial uses (e.g. restaurant, retail, artisans, and support uses) and four residences (e.g. one 2-bedroom home and three attached 1-bedroom units above commercial spaces) may also be permitted with approval of an amendment to the applicable Conditional Use Permit.

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMEND THE CITY COUNCIL APPROVE
PLANNED DEVELOPMENT 14-003 AND CONDITIONAL USE PERMIT 14-006
2610 BUENA VISTA DRIVE, SAN ANTONIO WINERY, INC.
APN 025-391-075**

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of the following entitlements:

- **General Plan Amendment 14-002** - Land Use Element of the General Plan to modify the existing RSF-1 land use designation to Residential Multi-Family Low Density (RMF-8) with a Mixed-Use Overlay (MU) (e.g. RMF-8-MU); and
- **Rezone 14-001** – Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed-Use Overlay (MU) (e.g. R2-MU); and
- **Specific Plan Amendment 14-002** – An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (e.g. 4 residential units, commercial retail, restaurants, and wine tasting); and
- **Planned Development 14-003** – a request develop approximately 12,000 sf of new development, including a restaurant, 3 boutique retail spaces, and 4 residential units; and
- **Conditional Use Permit 14-006** – a request to expand the list of conditionally permitted uses for this property.

WHEREAS, Section 21.20.130 of the Zoning Code allows architectural roof and tower features of buildings to be permitted in excess of height limits, subject to review by the Development Review Committee (in this case the Planning Commission concurrent with the PD 14-003); and

WHEREAS, a public hearing was conducted by the Planning Commission on April 28, 2015, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan; and

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 April 17, 2015

and concluding May 16, 2015. The Draft MND/Initial Study dated April 17, 2015 is incorporated by reference into this Resolution; and

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

1. The project is consistent with the adopted codes, policies, standards and plans of the City, specifically the City's General Plan, Land Use Element LU-1 since the project would support mixed land uses, and encourage visitor-serving land uses, and due to the high quality of the site plan, landscaping plan and the authentic Mediterranean architectural design theme (similar to existing architecture on the site and in the nearby vicinity) the proposed building would provide an attractive entrance to the City; and
2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and/or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City, since it would provide a well-designed site and architecture; and
3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; entrances, and the public right-of-way as viewed from State Route 46 East and Buena Vista Drive; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance consistent with design themes of surrounding development, and contributes to the mitigation of any environmental and social impacts by not impacting biological resources on the site, by incorporating site-specific mitigation measures, and by providing mixed-use development which will benefit surrounding development and community as a whole; and
5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. since the project incorporates natural features into the site design and does not propose to remove or impact oak trees or the drainage swale on the site; and
6. The proposed development plan contributes to the orderly development of the City as a whole, since it will improve the transition of land uses in the vicinity from multi-family residential to non-residential, visitor-serving land uses; and

7. The proposed development plan as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing the opportunity for well - designed attractive development visible to a major entrance area to the City; and
8. Allowing for the 42 foot tall tower element would enhance the architectural appearance of the restaurant building, and therefore would help promote architectural and design excellence, consistent with General Plan Policy LU-2B, Visual Identity.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby recommend that the City Council approve Planned Development 14-003 and Conditional Use Permit 14-006, subject to the following condition:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.

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.

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 |
| B | Site Plan / Landscape Plan |
| C | Prelim. Grading and Drainage Plan |
| D | Winery/Café Floor Plan |
| E | Winery/Café West Elevation |
| F | Winery/Café South-East Elevation |
| G | Residential/Retail Building Front Elevation |

3. PD 14-003 & CUP 14-006 allows for the expansion of the existing use of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, 3 boutique retail spaces, and 4 residential units, as shown in Exhibits B-G above. The approval of PD 14-003 allows for the construction of the 42-foot tall tower.
4. Prior to the issuance of a building permit the following final details shall be submitted for Planning Division Staff review:

- a. Final site plan and architectural elevations;
 - b. Exterior light fixtures;
 - c. Final colors/materials;
 - d. Detailed landscape plan including transformer, backflow and other equipment screening; Note: Landscape plan is subject to the requirements within the LS Ordinance;
 - f. Fencing Plan.
5. Prior to occupancy, the applicant shall place a cross-walk across the north leg of the Buena Vista Drive – Experimental Station Road intersection and construct curb extensions and ADA ramps to accept the new cross-walk in accordance with plans approved by the City Engineer.
 6. Prior to occupancy, the applicant shall place a bus stop on Buena Vista Drive, south of Experimental Station Road, including sidewalk extension, red curbs, canopy and signs.
 7. Prior to occupancy, the existing well must be abandoned in accordance with County Health Department Standards, and the property must be provided with municipal water service.
 8. The project shall incorporate 61 automobile parking spaces and 3 motorcycle parking spaces on the project site, and a bike rack with at least 4 bike spaces to be located near the entrances to the restaurant and shops.
 9. Prior to occupancy, the applicant shall dedicate the westerly 60 feet of the property to the City for open space to allow for the potential of trail construction.
 10. The project shall comply with and incorporate all mitigation measures as provided in the associated Mitigation Monitoring and Reporting Program of the Mitigated Negative Declaration adopted by City Council.
 11. The applicant shall remove all existing business banner signs prior to occupancy. The applicant shall apply for a Master Sign Program for all businesses on the site to ensure that they are architecturally compatible with the building design theme.
 12. If any residences are to be used as vacation rentals in any capacity (e.g. not used as a permanent residence), the property owner shall obtain a business license and comply with all applicable transient occupancy regulations.

Mitigation Measures - Conditions of Approval:

13. Biological Resources:
Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by

adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

- a. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
- d. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site.
- f. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.

- g. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.
- h. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.
- i. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
- j. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts.
- k. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.
- l. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG

immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.

- m. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
- n. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

14. Biological Resources:

The applicant shall complete the SJKF Habitat Evaluation Form and consult with the City and CDFW to determine if payment of an in-lieu fee to an approved mitigation bank is necessary.

15. Air Quality:

- 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. 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. This mitigation measure shall be shown on grading and building plans.
- e. 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.

16. Air Quality:
- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
 - b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
 - d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation (CCR Title 13, Article 4.8, Chapter 9, Section 2449);
 - e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
 - f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
 - g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
 - h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - i. Electrify equipment when feasible;
 - j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible;
 - k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.
 - l. To the extent practical, reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.
 - m. If site preparation and grading activities are to occur during the same calendar quarter, a minimum of ten percent of diesel-powered heavy-duty (i.e., 50 hp or greater) offroad equipment shall meet CARB's Tier 3, or cleaner, certified engine standards.

17. Noise Impacts:

Building design and construction methods for residences shall ensure noise level for residential building interiors shall not exceed CNEL. Documentation (Noise Assessment) of noise levels shall be prepared by an acoustical engineer.

PASSED AND ADOPTED THIS 28th day of April 2015 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

VINCE VANDERLIP, CHAIRMAN

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

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: April 28, 2015

Applicant: San Antonio Winery Location: Hwy 46 E & Buena Vista Dr.

APN: 025-391-075

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 April 28, 2017 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. 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.
- 16. 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.
- 17. 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.
- 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 19. 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.
- 20. 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.

(Adopted by Planning Commission Resolution _____)

- 21. Prior to the issuance of building permits, the
 - Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:
 - a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - 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:

(Adopted by Planning Commission Resolution _____)

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 Standards and Specifications.

(Adopted by Planning Commission Resolution _____)

- 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:
Buena Vista Dr.

| 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 shoulder adequate to provide for two-way traffic.
- 6. If the existing pavement and structural section of the City street adjacent to the

(Adopted by Planning Commission Resolution _____)

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 _____ 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 gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

(Adopted by Planning Commission Resolution _____)

- 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.

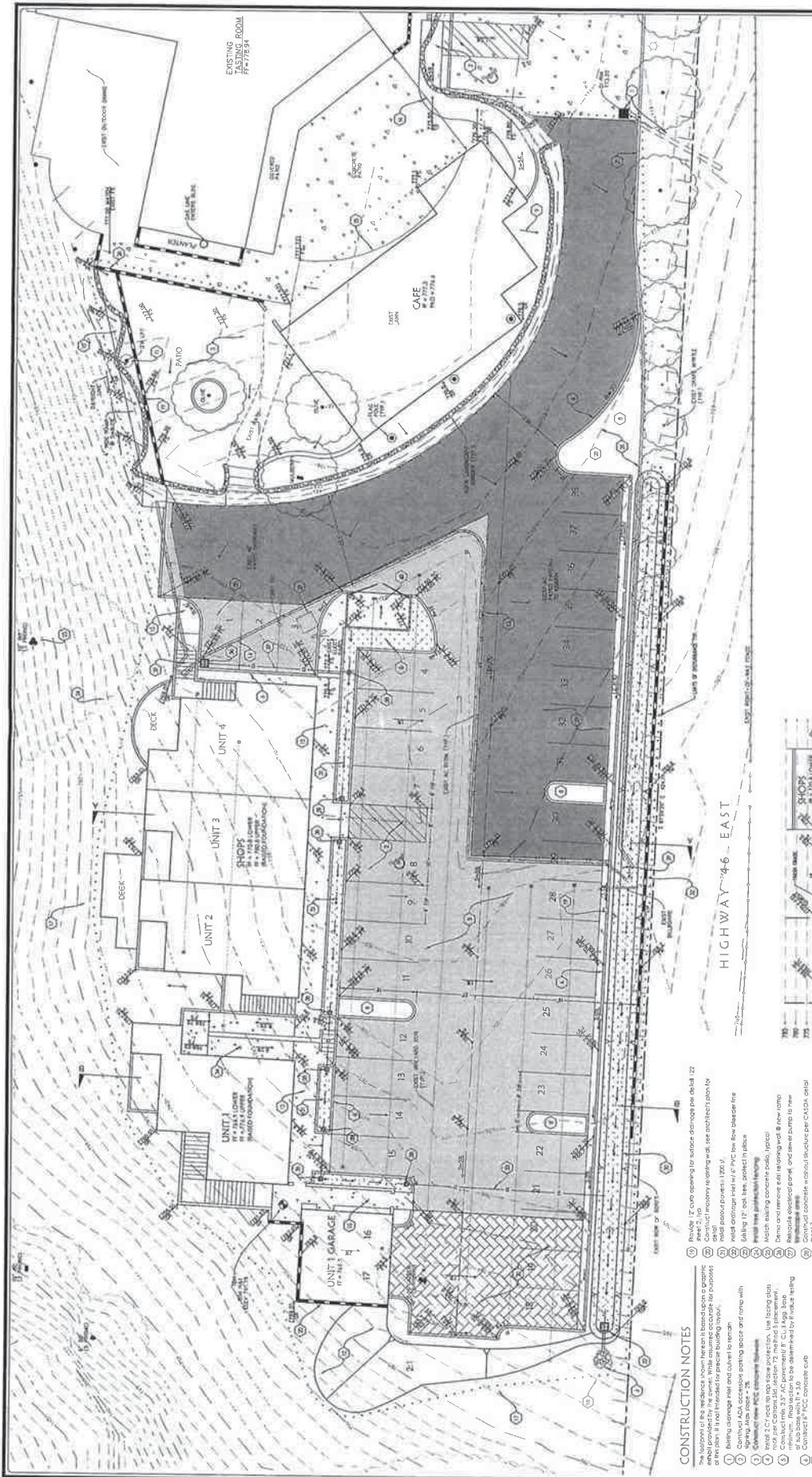
- 3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.

- 4. If required by the Fire Chief, provide on the address side of the building if applicable:
 - Fire alarm annunciator panel in weatherproof case.
 - Knox box key entry box or system.
 - Fire department connection to fire sprinkler system.

(Adopted by Planning Commission Resolution _____)

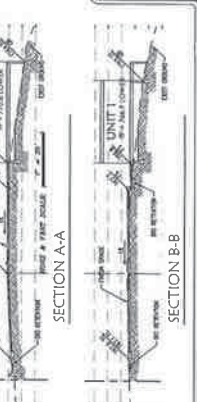
5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
7. Prior to the issuance of Certificate 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 _____)

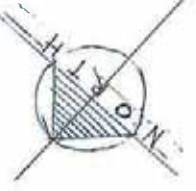
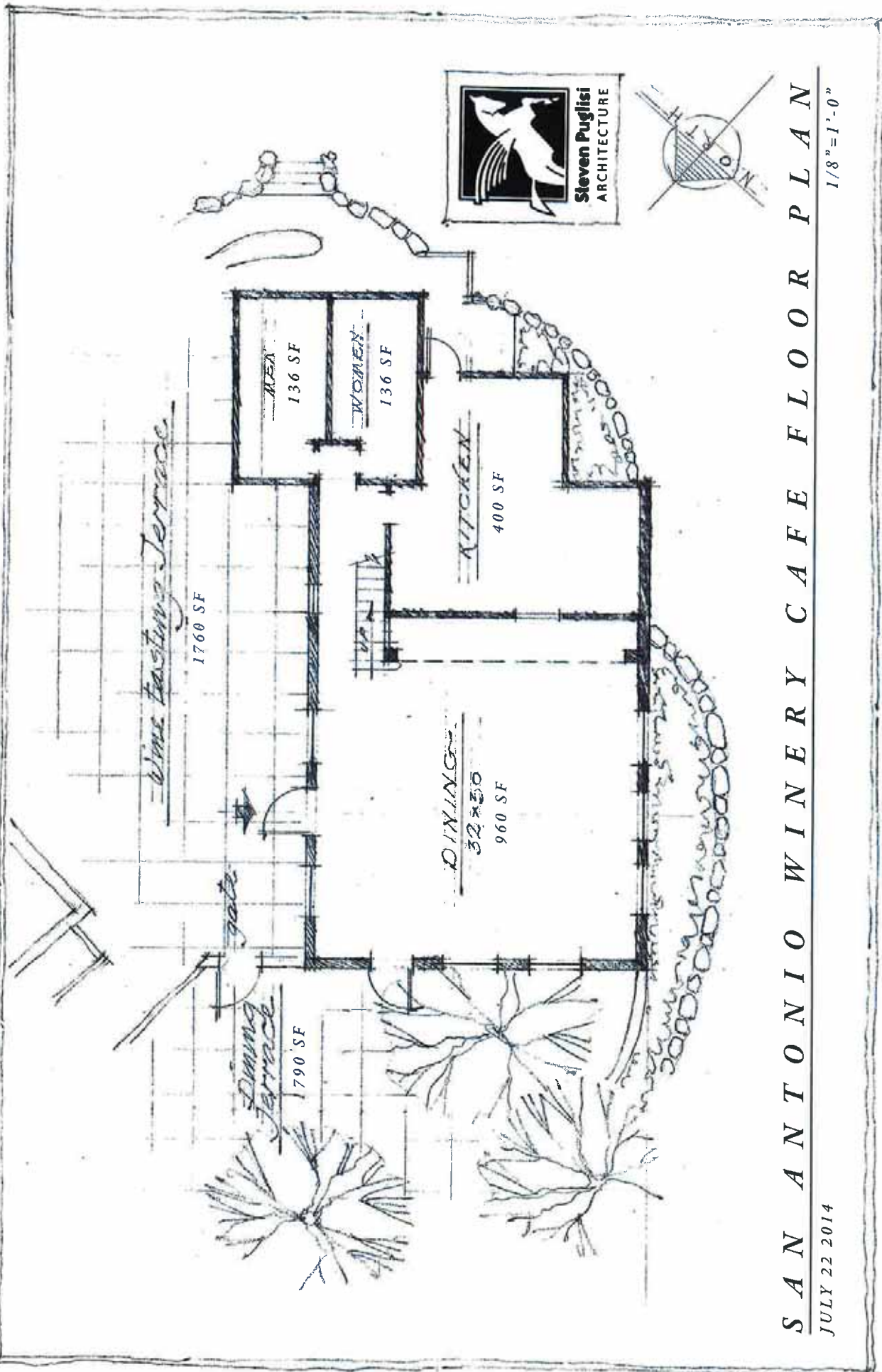


| | |
|--|-------------------------------|
| Roberts Engineering, Inc. | |
| Buena Vista Village at San Antonio Winery Tasting Room | |
| Grading, Drainage & Erosion Control Plan | |
| Project No. | RE-1704 |
| Scale | AS SHOWN |
| Date | 12-2020 |
| Drawn by | Roberts Engineering, Inc. (R) |
| Checked by | Roberts Engineering, Inc. (R) |
| Approved by | Roberts Engineering, Inc. (R) |
| Sheet No. | 3 |

Roberts Engineering
 Timothy F. Roberts
 Civil Engineer - RCE 33366
 2515 Vista de la Vina
 San Antonio, TX 78258
 Phone: 210.520.2500
 Fax: 210.520.2501
 www.robtseng.com



- CONSTRUCTION NOTES**
1. Remove 12" curb opening for surface drainage per detail 12.
 2. Construct recovery retaining wall, see architect's plan for detail.
 3. Install drainage pipe 12" PVC flow below base of curb.
 4. Install 12" curb line, protect in place.
 5. Finish base with 12" concrete.
 6. Match existing concrete finish, typical.
 7. Demo and remove existing retaining wall & new ramp.
 8. Construct concrete without structure per CALSDA detail.
 9. Construct temporary retaining structure per CALSDA detail.
 10. Construct bio retention structure per detail 10, sheet 2.
 11. Construct granular base or stone work, min. height = 2'.
 12. Install 12" PVC drainage pipe.
 13. Demo and remove existing AC base.
 14. Install 2" drainage pipe.
 15. Install 12" drainage pipe.
 16. Demo 12" drainage pipe.
 17. Construct bio retention structure, see architect's plan for detail.



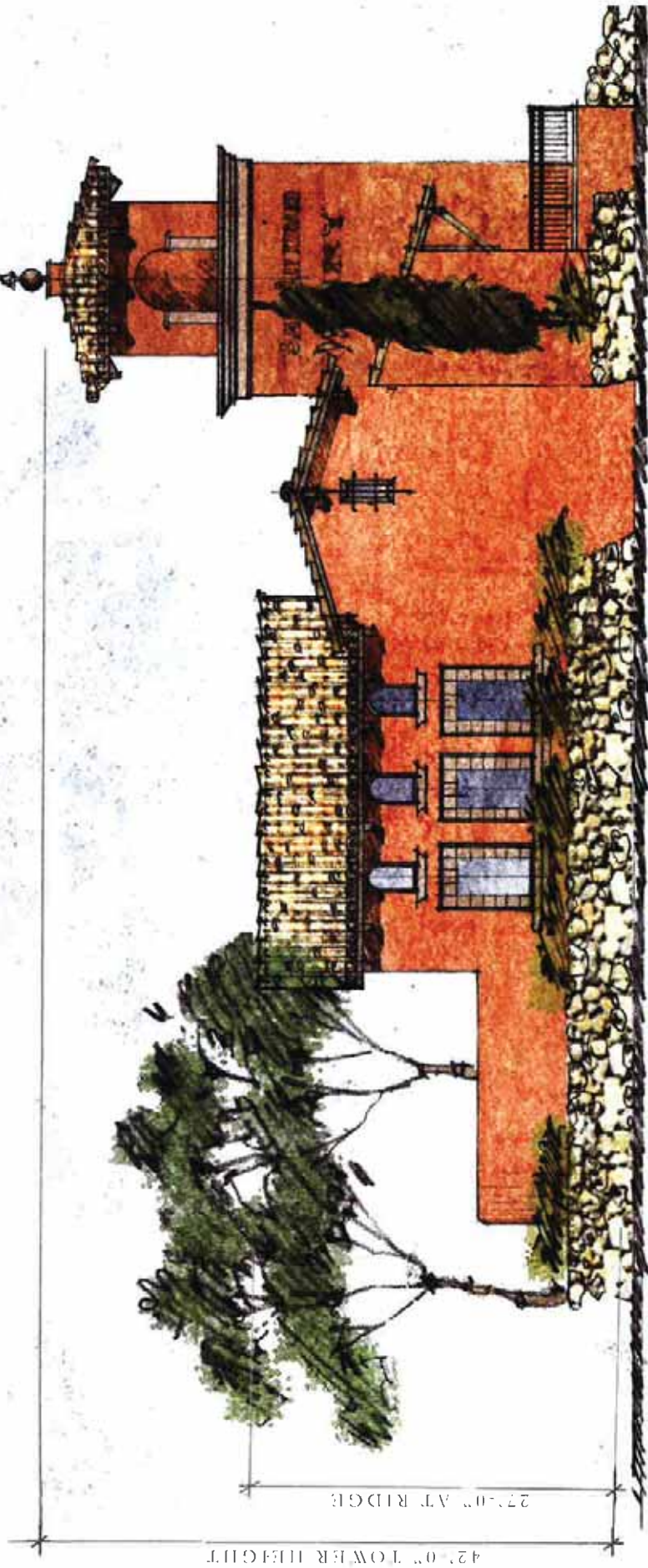
SAN ANTONIO WINERY CAFE FLOOR PLAN

1/8" = 1'-0"

JULY 22 2014

D

SOUTH - WEST ELEVATION



SAN ANTONIO WINERY CAFE

APRIL 28TH, 2015

1/8" = 1'-0"

SOUTH - EAST ELEVATION



42'-0" TOWER HEIGHT

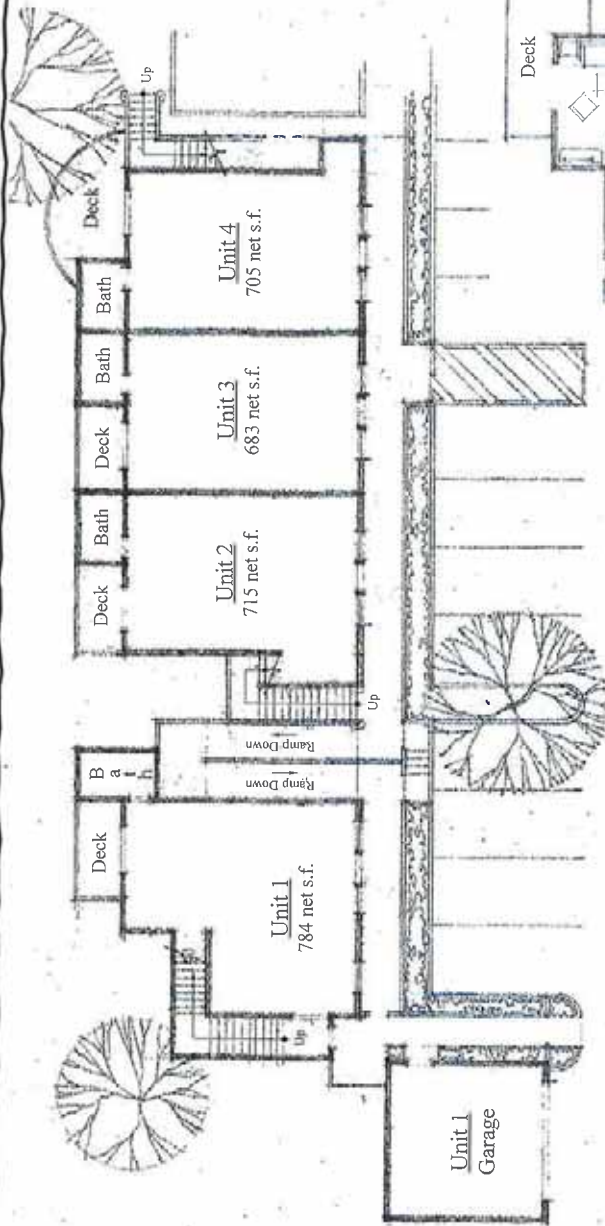
25'-0"

SAN ANTONIO WINERY CAFE

1PR11, 28TH, 2015

1/8" = 1'-0"

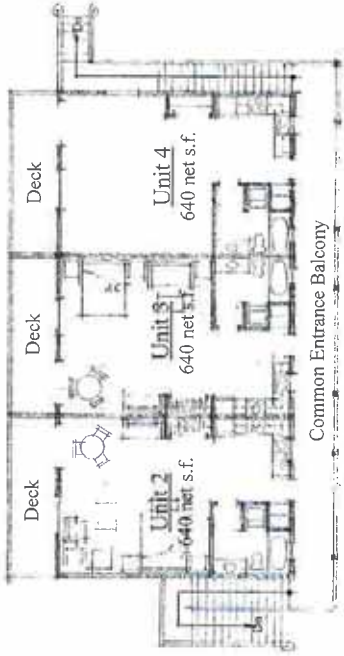
F



Lower Floor Plan



Side Elevation



Upper Floor Plan



Front Elevation

Units 1 thru 4
 Buenavista Village



Steven Puglisi ARCHITECTURE
 583 Dana Street
 San Luis Obispo, CA 93401
 805.595.1962

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Kristy Buxkemper, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for GPA 14-002, Rezone 14-001, Specific Plan Amendment 14-002, CUP 14-006, and Planned Development 14-003 at 2610 State Hwy 46 East on this the 17th day of April, 2015.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Kristy Buxkemper

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION
PROJECT NOTICING

Newspaper: The Tribune

Date of Publication: 04/17/2015

Meeting Date: 04/28/2015
Planning Commission

Project: General Plan Amendment 14-002,
Rezone 14-001, Specific Plan
Amendment 14-002, Conditional Use
Permit 14-006, and Planned
Development 14-003- San Antonio
Winery

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

Signed: Kristen L. Buxkemper
Kristen L. Buxkemper

CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING
FOR GENERAL PLAN AMENDMENT
14-002, REZONE 14-001 SPECIFIC
PLAN AMENDMENT 14-002,
CONDITIONAL USE PERMIT 14-006
AND PLANNED DEVELOPMENT 14-003
2610 STATE HWY 46 EAST (S/W COR-
NER OF BUENA VISTA DRIVE AND SR
46E), PASO ROBLES, APN: 008-391-021
- SAN ANTONIO WINERY, INC.

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, April 28, 2015 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 making a recommendation to the City Council for the following project:

- General Plan Amendment - Change the RSF-1 land use designation to Residential Multi-Family Low Density (RMF-B) with a Mixed Use Overlay (MU) (e.g. RMF-8-MU)
- Rezone - Change the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (e.g. R2-MU)
- Specific Plan Amendment - Amend the Borkey Area Specific Plan, Subarea D, to allow multi-family residential units and mixed use development (e.g. 4 residential units, commercial retail, restaurants, and wine tasting)
- Conditional Use Permit - To allow expansion of commercial uses in the Borkey Area Specific Plan, Subarea D.
- Planned Development - Expand the existing use of the property (e.g. wine tasting room), and add approximately 12,000 sf of new development, including a restaurant, 3 boutique retail spaces, 3 townhouse-style residential units above the retail spaces, and 1 single-family residence.

Under the California Environmental Quality Act (CEQA), the 30-day public review period for the Mitigated Negative Declaration (MND) is April 17, 2015 through May 16, 2015. The Planning Commission will consider the MND along with the proposed entitlements, described above, and make a recommendation to the City Council. 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 available on the City website at:

<http://www.prcity.com/government/departments/commdev/index.asp>.

Written comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to dnash@prcity.com, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970 or email at dnash@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.

Darren Nash, Associate Planner
April 17, 2015

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