



City of Paso Robles Planning Commission Agenda Report

From: Darren Nash, Associate Planner and Darcy Delgado, Assistant Planner

Subject: Planned Development (PD 18-001), Oak Tree Removal (OTR 18-14)
Justin Winery Building No. 3
2265 Wisteria Lane / APN: 025-435-027
Applicant – Oasis Associates, Inc.
A request to construct a new $\pm 101,563$ square foot (SF) wine storage building located within the existing Justin Vineyard & Winery facility business park.

Date: July 10, 2018

Facts

1. Oasis Associates, Inc., on behalf of Justin Vineyards & Winery, LLC, has submitted an application for PD 18-001, a proposal to construct a third building for wine storage, located on the 20.26-acre Justin Vineyards & Winery campus. The proposal includes an approximately $\pm 101,563$ square foot (SF) wine storage building consisting of 98,513 SF of barrel storage, a 1,205 SF office, 972 SF of shipping and receiving, and an 873 SF electrical room. There is also a covered mechanical area of 2,386 SF located adjacent to the loading dock on the southeast corner of the building. This new building would be located on an approximate 5-acre portion of the larger 20.26-acre Justin Vineyards & Winery site, located at 2265 Wisteria Lane (see Vicinity Map, Attachment 1).
2. The General Plan land use designation is Business Park (BP) and the zoning is Planned Industrial (PM). Wineries are a permitted use in the PM zone and are consistent with the BP General Plan designation. Wineries would also include the proposed wine storage building to the Justin Vineyard & Winery facility.
3. The design of the project would require the removal of 13 oak trees. While there are many oak trees on the 20-acre Justin site, the Arborist Report for the project indicates that 17 trees are located within the area of disturbance for the proposed Building 3 and therefore will be impacted by this project (See Arborist Report, Attachment 2). The Report indicates that of the 17 trees, Justin Vineyards & Winery is requesting that 13 trees be removed to accommodate the new building. Of the 13 trees, the Arborist Report indicates that five (5) trees are dead (Trees: No. 476, No. 478, No. 479, No. 481, and No. 482). The other eight (8) trees are either in some type of decline or have had past limb failures.
4. The location of the proposed building on the overall Justin Vineyard & Winery site was previously approved for a similar project in 2013 that included $\pm 66,000$ SF of building for wine barrel storage. The entitlements have since expired, which is why a new development plan has been submitted for consideration. The previously approved project was designed to avoid impacts to oak trees altogether, and therefore did not propose the removal of any oaks.
5. The Development Review Committee (DRC) reviewed this project at their meeting on June 4, 2018. The DRC members and staff conducted an onsite field trip with the project team at the site of the proposed Justin Winery Building No. 3. The main issue discussed was the applicant's request to remove multiple trees to accommodate the approximate 100,000 square foot building. The Arborist Report was reviewed by Chip Tamagni, Arborist, where he discussed tree

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conditions. Since there are oak tree removal requests for this project, the Planning Commission will need to make a recommendation on the development plan to the City Council.

6. As part of the Planning Commission's role in implementing the Oak Tree Preservation Ordinance, the Planning Commission may recommend to the City Council that the Council permit certain oak trees to be removed, based on factors listed in Section 10.01.050.E of the Ordinance.
7. 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 (see Attachment 4, Exhibit B to Draft Resolution A). Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that potential for environmental effects can be mitigated to a less than significant level and that the project may be approved with a Mitigated Negative Declaration.

Options

After consideration of any public testimony, the Planning Commission should consider the following options:

1. Recommend approval of the project to City Council as follows:
 - a. Approve draft Resolution A; recommending certification of the Mitigated Negative Declaration for the project; and
 - b. Approve draft Resolution B; recommending approval of Planned Development 18-001 subject to site-specific conditions of approval.
2. Recommend denial of the project to City Council as follows:
 - a. Approve draft Resolution C; recommending denial of Planned Development 18-001 subject to site-specific conditions of approval.
3. Amend, modify, or reject the above-listed action;

Analysis and Conclusions

The proposal to construct a new wine storage building is consistent with the land use and zoning designations of the property and would complement the existing Justin Vineyard & Winery facility. Additionally, the proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. However, the design of the project is based on the applicant also requesting to remove thirteen (13) oak trees to accommodate the development footprint. The applicant did not consider alternative site designs to retain the oak trees.

As part of the Planning Commission's role in implementing the Oak Tree Preservation Ordinance, the Planning Commission may recommend to the City Council that the Council permit certain oak trees to be removed, based on factors listed in Section 10.01.050.E of the Ordinance. According to Section 10.01.050.E, there are several factors that need to be reviewed when considering the removal of a "healthy" oak tree. These factors along with Staff's analysis of each factor are listed below:

- E. If a request is being made to remove one or more healthy oak trees for which a permit to remove is required, the director shall prepare a report to the City Council, outlining the proposal

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and his recommendation, considering the following factors in preparation of his recommendation.

1. The condition of the oak tree with respect to its general health, status as a public nuisance, danger of falling, proximity to existing or proposed structures, interference with utility services, and its status as host for a plant, pest or disease endangering other species of trees or plants with infection or infestation;

Based on the Arborist indicating that five of the thirteen trees are dead (Trees: No. 476, No. 478, No. 479, No. 481, and No. 482) these trees appear to be good candidates for removal. However, there are five other trees (Trees: No. 483, No. 484, No. 485, No. 486, and No. 487) that were inventoried as being in some stage of decline, yet could have a useful life expectancy of 10 to 50 years, depending on the tree.

2. The necessity of the requested action to allow construction of improvements or otherwise allow reasonable use of the property for the purpose for which it has been zoned. In this context, it shall be the burden of the person seeking the permit to demonstrate to the satisfaction of the director that there are no reasonable alternatives to the proposed design and use of the property. Every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees;

There may be reasonable design alternatives to design around the existing oak trees, since the property has other areas that do not have oak trees located on it that could be developed.

3. The topography of land, and the potential effect of the requested tree removal on soil retention, water retention, and diversion or increased flow of surface waters. The director shall consider how either the preservation or removal of the oak tree(s) would relate to grading and drainage. Except as specifically authorized by the planning commission and city council, ravines, stream beds and other natural water-courses that provide a habitat for oak trees shall not be disturbed;

The removal of the trees would not result in negative effects on soil retention, water retention or surface water flows for the neighborhood.

4. The number, species, size and location of existing trees in the area and the effect of the requested action on shade areas, air pollution, historic values, scenic beauty and the general welfare of the city as a whole;

Several of the trees that were inventoried as being in distress retain fair or good aesthetic value. However, the trees are not visible from the public right-of-way and therefore offer no scenic beauty to the public.

5. Good forestry practices such as, but not limited to, the number of healthy trees the subject parcel of land will support.

The removal of the trees will require replacement trees to be planted on site, additionally; the remaining oak trees on site will be protected. The property is large enough to accommodate the required replacement trees.

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Project Summary

For the Planning Commission to consider a request to construct a new ±101,563 square foot (SF) wine storage building located within the existing Justin Vineyard & Winery facility business park.

General Plan / Zoning Consistency

The proposed building would be located at an existing winery facility within an existing industrial/business park. The proposed use is consistent with both the General Plan land use designation of Business Park (BP) and zoning designation of Planned Industrial (PM).

Architecture and Appearance

The proposed building would be a one-story industrial building with a roof ridge height of approximately 31-feet. The siding material would be comprised of architectural grade metal wall panels with accent concrete block wainscot. The roof material is also an architectural grade metal. The proposed color palette consists of neutral whites and silvers. The proposed development would be consistent with the existing type of buildings and display as currently developed on the Justin Vineyard & Winery site.

Neighborhood Compatibility/Site Design Issues

The project was discussed by the Development Review Committee (DRC) on June 4, 2018 during a field trip to the Justin Vineyard & Winery site. The main issue discussed was the removal of thirteen (13) oak trees to accommodate the proposed building. Although the City's Oak Tree Preservation Ordinance provides provisions for the removal of oaks that are diseased or dying, the Ordinance indicates "every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees". This has not been demonstrated with the current proposed building. The site was previously approved for an alternative building design that demonstrated the ability to avoid oak tree impacts. The Planning Commission needs to make a recommendation to the City Council making a determination if the oak tree removals are warranted based on specific findings listed in Section 10.01.050.E of the Ordinance. If the Council does not approve the removals, the project will need to be redesigned to protect the oak trees.

Parking

The two existing buildings at the Justin Winery require a total of 72 parking spaces, for which 77 spaces have been provided. The proposed third building requires an additional 22 parking spaces, totaling 94 parking spaces that are required for all three buildings.

As part of the project's design, 32 parking spaces that are currently used for the two existing buildings would be removed and relocated to a new parking lot to the south of the building (See Overall Site Plan, Attachment 3). The new parking lot proposes a total of 110 parking spaces, which is a net increase of 33 parking spaces from what has historically been provided onsite. The overall increase in parking is more than enough to accommodate both the new building as well as the overall facility.

Options

Option 1. Option 1 takes into account that recommending approval of the request to construct a new ±101,563 square foot wine storage building would be consistent with the City's land use and zoning at this location and that the oak trees located within the proposed disturbed area warrant removal.

Option 2. Option 2 takes into account the Planning Commission cannot make findings to approve one or more of the oak tree removals and would recommend the City Council deny the project since there are reasonable alternatives for site design that could save the trees.

Option 3. Option 3 takes into account the potential for the Planning Commission recommend making changes to the conditions of approval.

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Fiscal Impact

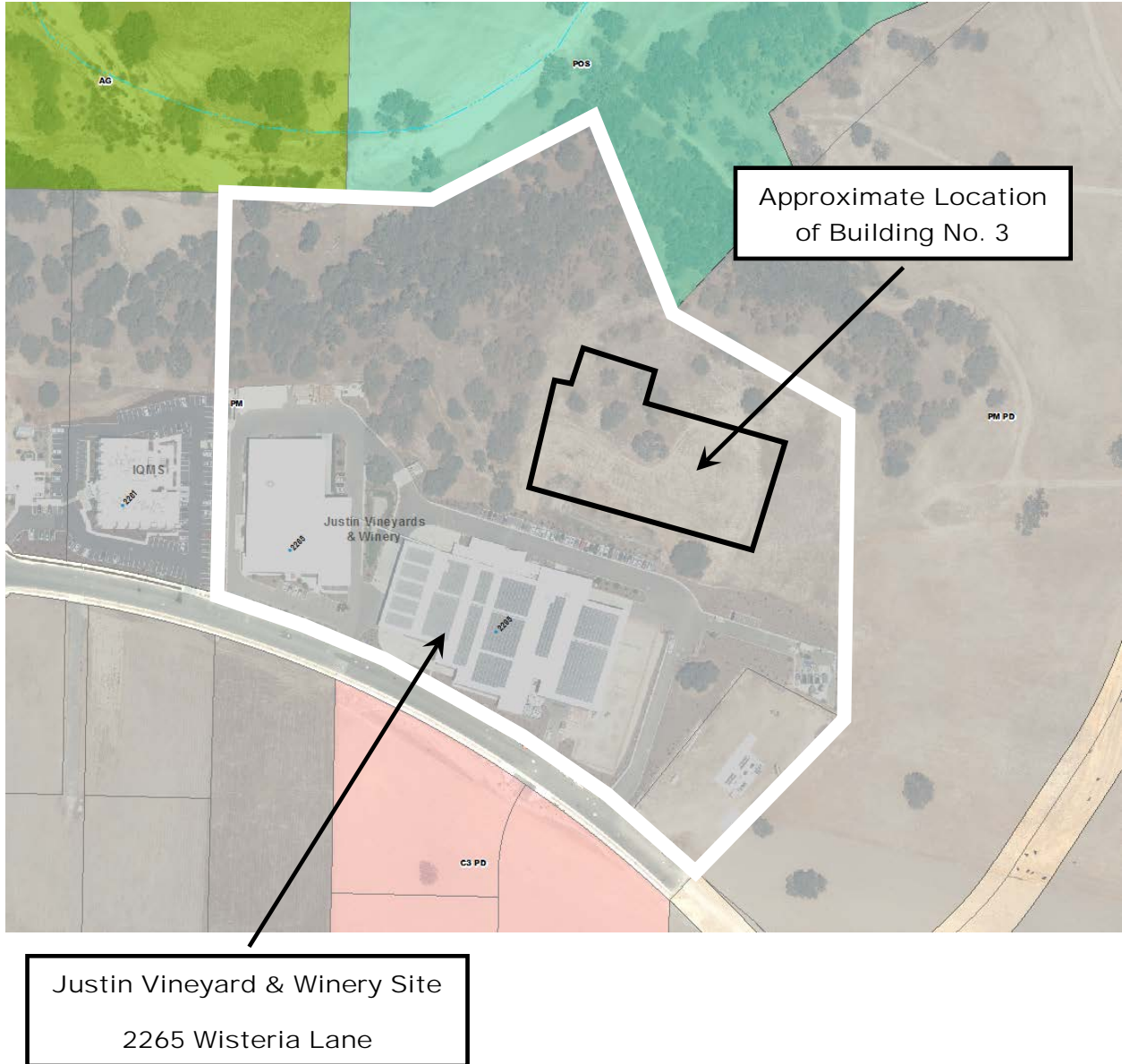
None identified at this time.

Attachments

1. Vicinity Map
2. Arborist Report
3. Overall Site Plan
4. Draft Resolution A – Recommending certification of a Mitigated Negative Declaration
5. Draft Resolution B – Recommending approval of PD 18-001
6. Draft Resolution C – Recommending denial of PD 18-001
7. Exhibit B (to Draft Resolution A) Draft Mitigated Negative Declaration/Initial Study
8. Mail Affidavit
9. Legal Affidavit

Attachment 1

Vicinity Map



Oak Tree Protection Plan

Justin Winery Barrel Room, Wisteria

Prepared By

**Chip Tamagni
Certified Arborist #WE 6436-A
Certified Hazard Risk Assessor #1209**

**Steven Alvarez
Certified Arborist #WE 0511-A**

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3-21-18

A & T ARBORISTS

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As consulting arborists, we have been hired to inform and educate how to protect trees both during the design phase and construction. Different species can adapt to more impacts than others just as young trees can sustain more root disturbance than older trees. All individuals and firms involved in the planning stages should be made completely aware of the limitations regarding setbacks from critical root zones that are recommended to protect the trees. When we are given a plan, it should show **all** possible disturbances within the critical root zone areas. This includes all cuts, fills, over-excavation limits, building clearances, and all utilities. We will suggest changes if we feel the impacts are too great and it is up to the owner or their designee to follow our recommendations. If the plan we receive is not complete with potential impacts, we will fairly assume any additions will fall completely out of the critical root zone areas. It is the burden of the property owner or their designee to inform us of any changes, omissions, or deletions that may impact the critical root zone area of the trees in any way.

It is the responsibility of the **owner** to provide a copy of this tree protection plan to any and all contractors and subs that work within the critical root zone of any native tree. We recommend making it mandatory that the grading/trenching operator have all of his/her employees sign that they have read this plan. It is highly recommended that all other contractors sign and acknowledge this tree protection plan as well. In addition, each their respective employees shall be made aware of this tree plan.

The term “critical root zone” is often referred to in this report. The CRZ is an imaginary circle around the trunk of the tree with a radius in feet equal to the tree’s diameter in inches. Therefore, a 10 inch diameter tree would have a critical root zone with a 10 foot radius.

This tree evaluation and protection plan is in regard to the proposed barrel room that would be located behind Justin Winery’s processing facility on Wisteria Lane in Paso Robles. The land where the barrel room would be located is relatively flat with varying age class blue oak trees (*Quercus douglasii*). Of the seventeen trees inventoried, five are 100% dead. Five rated a 2/10 due to either severe dieback or significant structural deficiencies. Three trees rated average health and three trees are in very good to excellent condition. There are substantial numbers of dead and dying trees that are completely out of any impact zone nor have these trees been impacted from any activities. We suspect drought played a prominent role in their decline. We have included some photographs of these trees in addition to the proposed removals.

The original plans we received showed some pretty substantial impacts to the three excellent quality trees and several others on site. We felt that some changes were warranted to significantly reduce the impacts to the trees that are planned to be saved. Originally, we felt the impacts exceeded our threshold for what would be a minimal impact to a significant one that could possibly shorten the tree’s lifespan. We had a

conference call with representatives from Justin and the design team to express what we felt were necessary changes to fully preserve saved trees within the project area.

Those recommended changes (which have been incorporated to the design) are:

- The main drive approach curbing has been reconfigured to not disturb the critical root zone of the existing 38” oak tree (#488), located east of the Wisteria 2 building. It will allow the widening of the existing access road with minimal impact to the tree.
- The curbing and sidewalk at the front of the proposed structure has been designed to not disturb the critical root zone of the existing 32” oak tree (#472).
- The proposed structure will create a grade separation between the finished floor elevation and the existing grade at the 34” oak tree (#473). The design will call for a retaining wall to be built at this location and surrounding area to maintain the existing grade over the critical root zone of this tree.
- The access road on the north side of the building has been redesigned to pass between the existing 34” oak tree (#473) critical root zone and the multiple 10-12” oak trees along the north property line.
- The proposed structure was also moved south to avoid the critical root zone of the existing 34” oak tree. The proposed road grade has been lowered to allow drainage of the area around the tree into this access road and not create a ponding scenario.
- Utilities have also been relocated to avoid the CRZ.

All trees that are planned to be saved within the project area shall be pruned for weight reduction and major deadwood. Many of these trees are very heavy towards the ends of the main scaffold limbs and are subject to severe breakage. This shall be part of the mandatory mitigation for this project.

Pruning is also strongly recommended for all other non-impacted trees on the property that will surround the building but are completely out of the impact zone. Many trees in this “perimeter” have died and should be removed and those subsequent areas can be used for project mitigation planting. 13 trees are being proposed for removal. Five of those trees are entirely dead and do not require mitigation as they are in the middle of a field and have never been impacted. Five of the live trees are in poor condition. Four of them have suffered from drought stress and they most likely will not survive for more than a few years at best. One tree (484) is the largest tree being proposed for removal. This tree has good aesthetics and from a distance it looks appealing. However, closer inspection revealed the tree has had major scaffold failures that in turn have created significant points of decay. There are also several scaffold branches with nesting holes from woodpeckers that has rendered them very weak. We estimated this tree would only survive about ten more years as failure appears imminent. Another failure will further stress the tree and speed up its decline. Two other trees with fair to good condition ratings are also being proposed for removal. One was rated a 3/10 as there was some tip dieback. The highest quality tree being proposed for removal has three 12 inch diameter trunks totaling 30 inches. The triple trunk will eventually be the demise of this tree but we did expect it to live 50 more years. Total inches being proposed for removal (live trees only) is 166 inches. The mitigation inches for planting total 41.5”. The mitigation trees shall be a minimum of 24” box trees. As diameters vary for trees this size, 28 trees will be required to be planted if they average 1.5”. If the diameter of the box trees is 2” average, 21 trees would be required for planting. We strongly feel that replanting these

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trees in the perimeter area will benefit the site. We would also prefer to see a combination of the three main species of oaks used for the mitigation which would be blue (*Quercus douglasii*), coast live (*Quercus agrifolia*), and valley (*Quercus lobata*). There are many trees that exist in the perimeter area with no impact into their critical root zones. We did not tag these trees, however, we will require a continuous perimeter tree fence five feet outside of the planned fire road for the majority of this area. We understand that some of these trees are dead, however, their removal will potentially be sought at a later date.

We also inventoried the oak trees that exist on the remainder of this property. We counted 48 other trees that are dead and 617 oaks that are alive. The sizes ranged from 4 inches up to 60+ inches. This area is one of the few undisturbed blue oak woodland of its size within the city limits. Most of these trees 98% are blue oaks and about 2% are valley oaks (*Quercus lobata*). There are no plans to develop these other portions of the property as the terrain is quite steep.

Trees #472, #473, and #488 are really quality blue oaks. There may be very slight impacts (<3%) for #473 and #472. #488 now has zero impacts due to design changes. There is a planned road that will circumvent the building. Originally, this road impacted several oaks, however, the design changes eliminated that.

This project will require an on-site pre-construction meeting with the city, owner, grading contractor and the arborist. Topics will include fencing, monitoring and requirements for a positive final occupancy letter. It is the owner's responsibility to adequately inform us prior to any meetings where we need to be present. It is the responsibility of the owner's representatives and the general contractor to assure that absolutely no activity occurs within any critical root zone with the consent of the project arborist and is a part of the updated approved plans. There will be zero parking under any of the oak trees on site and all port a potties shall be located at twice the critical root zone in distance from the trees. Preferably, the port a pottie(s) is located on the existing asphalt away from any trees.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees whose CRZ edges are well outside site disturbance will generally not be tagged and inventoried. Trees that are inherently protected by other saved trees will also not be tagged. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. Trees to be saved have bright green tape and potential removal trees have bright orange tape attached to the tree number tag.

Tree Rating System

A rating system of 1-10 was used for visually establishing the overall condition of each tree on the spreadsheet.

Determining factors include:

- Previous impacts to tree root zone
- Observation of cavities, conks or other structurally limiting factors
- Pest, fungal, or bacterial disorders
- Past failures
- Current growth habit

The rating system is defined as follows:

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

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

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked at the edge of the CRZ or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner or their designee shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. The fencing must be constructed prior to the city pre-construction meeting for inspection by the city and the arborists. Fence maintenance is an issue with many job sites. Windy conditions and other issues can cause the fence to sag and fall. Keeping it erect should be a part of any general contractor's bid for a project. Down fencing is one of the causes for a stop work notice to be placed on a project.

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

Chip Mulch: All areas within the CRZ of the trees that cannot be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within CRZ: All trenching/excavation for foundations within the CRZ of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading/trenching contractor(s) shall take place prior to work start. This activity shall be monitored by the arborist(s) to insure proper root pruning is taking place. Any landscape architects and contractors involved shall not design any irrigation or other features within any drip line unless previously approved by the project arborist.

Grading Within CRZ: Grading shall not encroach within the drip line or crz unless approved by the project arborist. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

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

Equipment Operation: Vehicles and all heavy equipment shall never be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. If at any time a construction employee has parked a vehicle under the drip line of any oak in the project area (or areas surrounding the project), he/she shall be asked to leave the project that day. All areas behind fencing are off limits unless pre-approved by the arborist. All soil compaction within drip line areas shall be mitigated as described previously.

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

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the CRZ of any native tree. The CRZ areas are not for storage of materials either. Any violations shall be remedied through proper cleanup approved by the project arborist at the expense of the owner. Absolutely no temporary port a potties shall be placed under the trees.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not

necessarily have to be continuous but observational at times during these activities. It is the responsibility of the owner(s) or their designee to inform us prior to these events so we can make arrangements to be present. It is the responsibility of the owner to contract (prior to construction) a locally licensed and insured arborist that will document all monitoring activities.

- pre-construction fence placement, and weekly monitoring during construction until the project arborist is convinced there is no possible future impacts to any of the remaining oaks.
- any utility or drainage trenching within any CRZ
- All grading and trenching near trees requiring monitoring on the spreadsheet

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and all contractors and subs is highly recommended prior to the start of any work. At a minimum, the grading contractor shall be present. It is the sole responsibility of the owner that all topics covered during the preconstruction meeting are appropriately passed on to non-present contractors. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health and condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the CRZ of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Pruning: All native tree pruning shall be completed by a licensed and insured D49 tree trimming contractor that has a valid city business license. Class 4 pruning includes: Crown reduction pruning consisting of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

Landscape: All landscape under the CRZ shall be drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around drip lines; otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape architect and contractor regarding this mitigation. The project arborist shall approve all landscape materials and irrigation within the CRZ of any oak tree.

Utility Placement: All utilities and sewer/storm drains shall be placed down the roads/driveways and outside of the CRZ. The project arborist shall supervise trenching within the CRZ. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over the roots.** Roots greater than 1 inches in diameter shall **not** be cut. Due to the changes in this project, there should be no trenching necessary within the CRZ.

Fertilization and Cultural Practices: As the project moves to completion, the arborist(s) may suggest fertilization, insecticide, fungicide, soil amendments, and/or mycorrhiza applications that will benefit tree health.

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

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

A & T Arborists strongly suggests that the responsible party (owner of their designee) make copies of this report. Any reproduction by A & T Arborists or changes to this original report will require an additional charge.

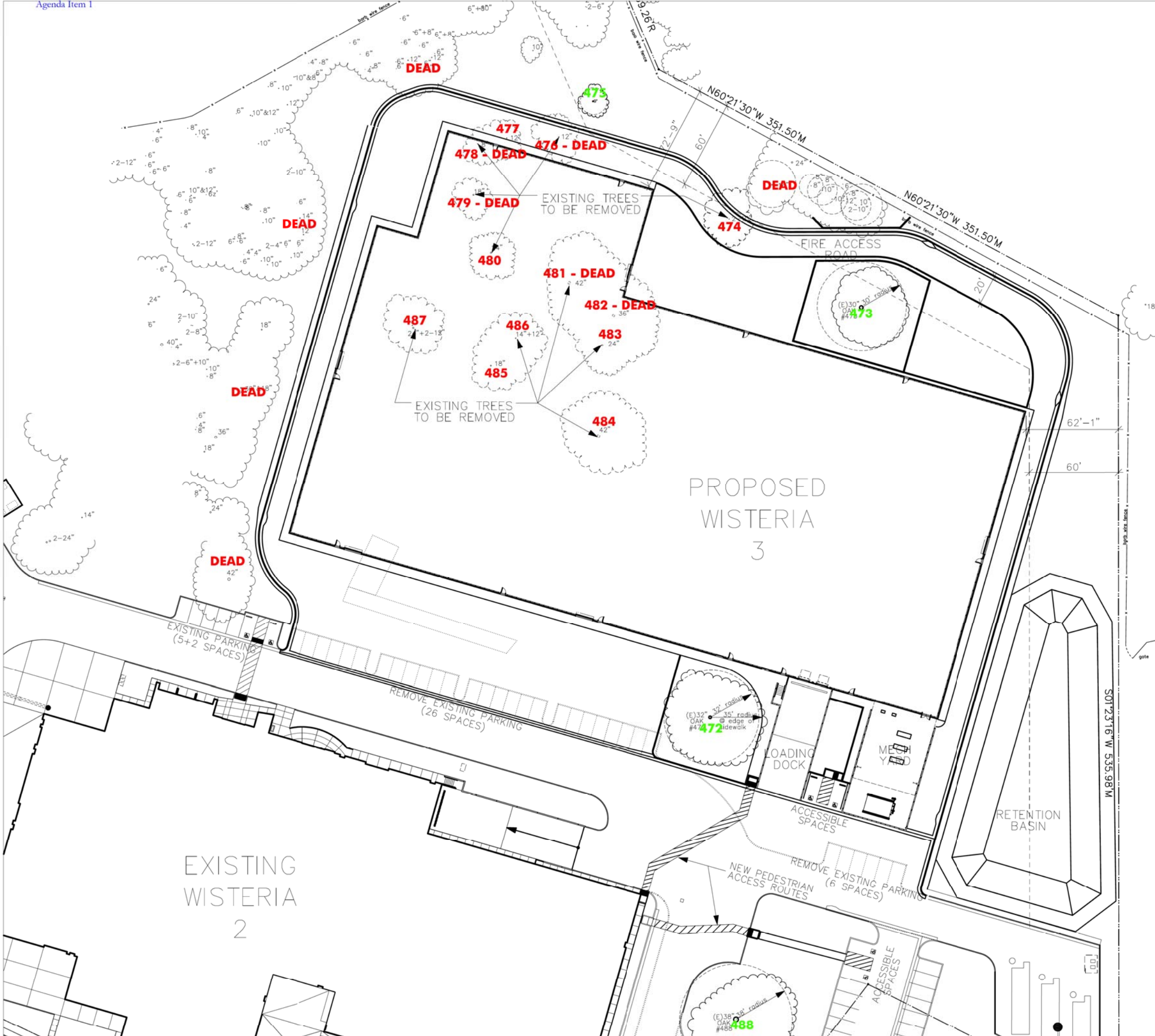
Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511

Chip Tamagni
Certified Arborist #WE 6436-A

Attachments:

1. Tree Protection Spreadsheet
2. Tree Exhibit, Sheets 1 & 2, revised 19 April 2018 (24" x 36")



TREE PROTECTION SPREAD SHEET

TREE #	TRUNK DBH* (inches)	REPLACEMENT DBH** (inches)
472	32	TO REMAIN
473	30	TO REMAIN
474	17	4.25
475	9	TO REMAIN
476	17	DEAD
477	10	2.5
478	9	DEAD
479	14	DEAD
480	16	4
481	28	DEAD
482	34	DEAD
483	17	4.25
484	41	10.25
485	15	3.75
486	20	5
487	30	7.5
488	38	TO REMAIN
REPLACEMENT TOTAL		41.5

Source: Oak Tree Protection Plan, Justin Winery Barrel Room, Wisteria, A & T Arborists, 21 March 2018
 *DBH = Trunk diameter @ breast height or 4-feet 6-inches
 **See Ordinance No. 835 N.S., MC 10.01.050, F of the City of El Paso de Robles for replacement formula

LEGEND
■ TREES TO BE REMOVED
■ TREES TO REMAIN



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5604 voice
 These drawings are instruments of service and the property of Steven D. Pulits, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pulits, AIA & Associates, LLP.

Project:
 JUSTIN WISTERIA 3
 TRACT 2778-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
 JUSTIN VINEYARDS
 AND WINERY, LLC

2295 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

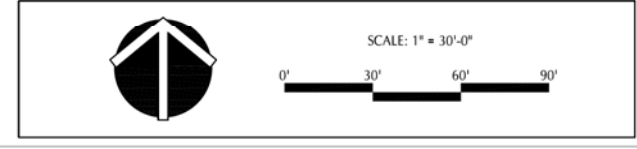
Sheet Contents:
TREE EXHIBIT



Date: 07 FEB 2018
 Revised: 19 APRIL 2018

Job No:

Sheet:



TREE EXHIBIT PHOTOGRAPHS

Oak tree photographs and captions reference the 'Tree Protection Spread Sheet' from the *Justin Winery Oak Tree Protection Plan* by A & T Arborists, 21 March 2018.



TREE 479



TREE 480



TREE 481



TREE 482



TREE 483



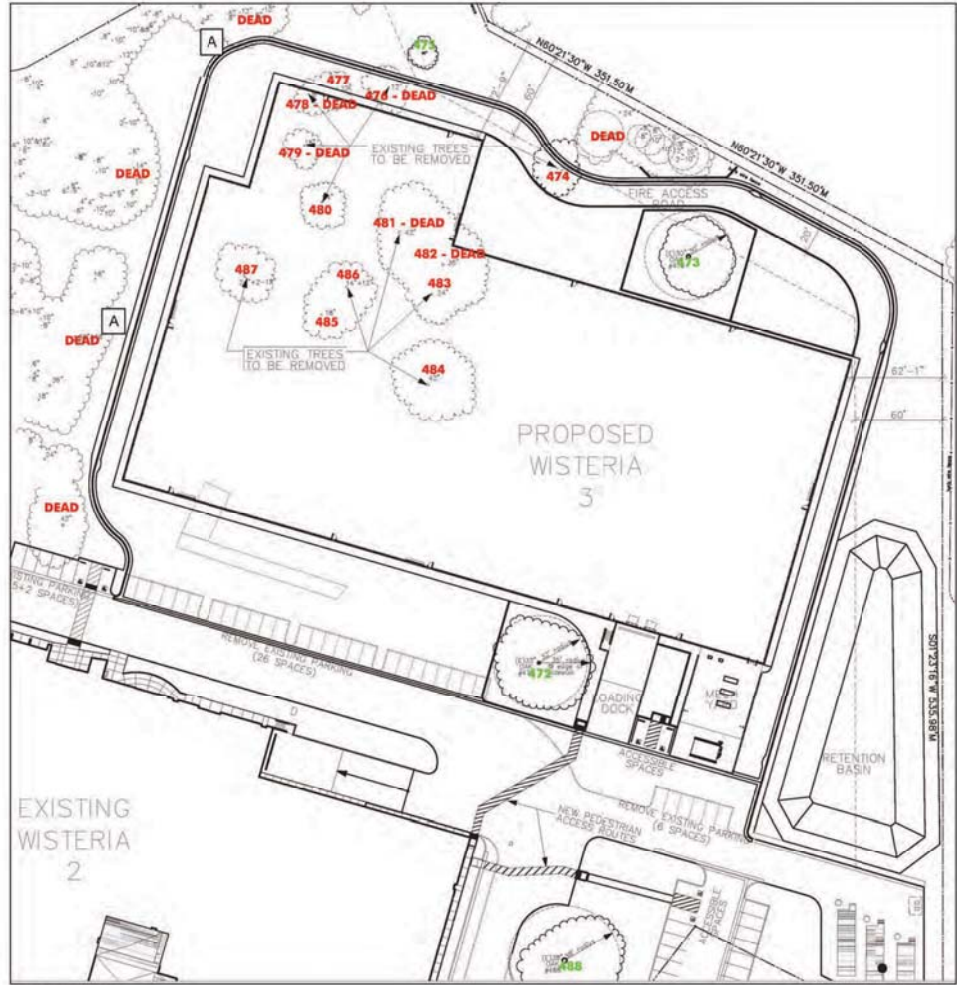
TREE 477



TREE 476



TREE 478



TREE EXHIBIT

SCALE 1" = 60'



TREE 484



Failed failure tree 484



Significant cavity tree 484



A DEAD PERIMETER TREES



More dead and dying trees in perimeter



More impacted dead and dying trees in perimeter



TREE 485



TREE 486



TREE 487

A & T ARBORISTS
 P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131

Owner:

JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE PASO ROBLES CA 93446

(805) 238 - 6932

Consultant:

Sheet Contents:

TREE EXHIBIT

Date: 07 FEB 2018

Revised: 19 APRIL 2018

Job No:

Sheet:



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5004 voice

These drawings are instruments of service and are property of Steven D. Pults, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the express written permission of Steven D. Pults, AIA & Associates, LLP.

Project:

JUSTIN WISTERIA 3

TRACT 2778-2
 LOTS 9-14
 2285 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:

JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

Sheet Contents:

OVERALL SITE PLAN



Date:

1 FEB 18

Revised:

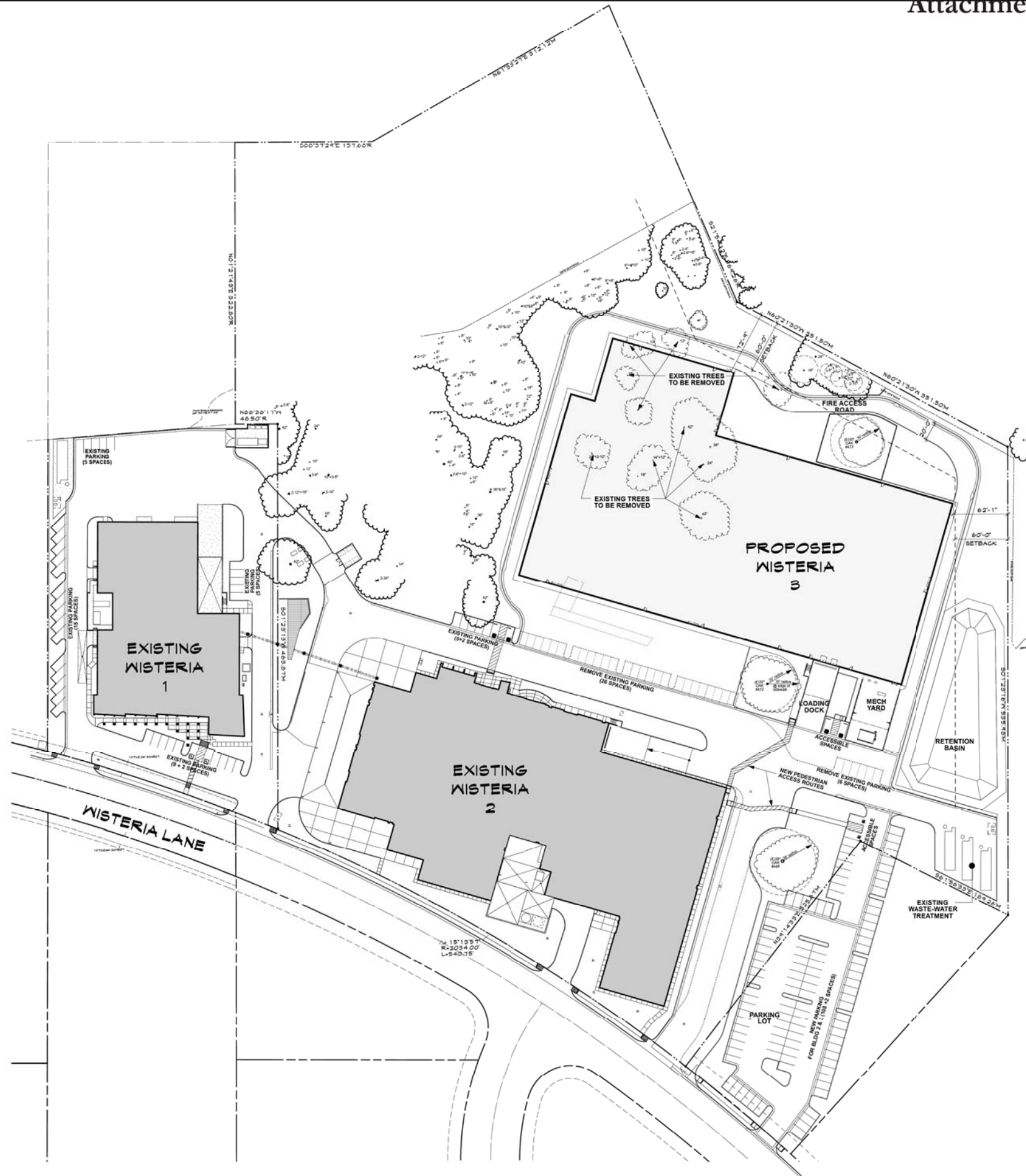
7 FEB 18 PLNG SUBMITTAL
 20 APR 18 PLNG RESUBMITTAL

Job No:

1724

Sheet:

AC-1



PARKING:		
<u>EXISTING BUILDINGS</u>		
BUILDING 1:		
REQUIRED PARKING	-	36 SPACES
BUILDING 2:		
REQUIRED PARKING	-	36 SPACES
NEW BUILDING 3:		
WINE STORAGE/SHIPPING/REC'G	-	106,436 (NET)/5,000
OFFICE/MISC.	-	1,205 (NET)/1,000
TOTAL REQUIRED	-	22 SPACES
TOTAL REQ'D FOR BUILDINGS 1, 2 AND 3		
		94 SPACES
PROVIDED		
(E) STANDARD TO REMAIN	-	39 SPACES
(E) ACCESSIBLE TO REMAIN	-	4 SPACES
NEW STANDARD	-	108 SPACES
NEW ACCESSIBLE	-	4 SPACES
TOTAL PROVIDED	-	155 SPACES

OVERALL SITE PLAN
 1" = 50' - 0"

Attachment 4

Draft Resolution A

RESOLUTION NO. PC 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING CERTIFICATION OF A MITIGATED NEGATIVE DELCARATION
AND MITIGATION MONITORING AND REPORTING PROGRAM
TO THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
(PLANNED DEVELOPMENT 18-001)
APN: 025-435-027

WHEREAS, an application for Planned Development (PD 18-001), has been filed by Justin Vineyard & Winery, LLC for the Justin Winery Building No. 3 Project to establish a ±101,563 square foot wine storage building located within the existing Justin Vineyard & Winery facility business park; and

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

- **General Plan Business Park land use designation** – The project would provide development of wine storage building for an existing winery which is consistent with the Business Park (BP) land use designation; and
- **Zoning District of Planned Industrial**– The project is a “*permitted*” use in the PM district; and
- **Airport Land Use Plan** – Table 6, Land Use Compatibility Matrix, Zones 3 and 4, Warehouse and Storage; 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 June 25, 2018 through July 25, 2018. Public comments were received on the MND prior to the Planning Commission meeting and addressed during the hearing. A copy of the Draft MND/Initial Study is included in Exhibit B (Attachment 7 of the project staff report) of this Resolution, and it is on file at the Paso Robles Community Development Department; and

WHEREAS, mitigation measures have been incorporated into the MND and will be imposed on the project through the City’s adoption of a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed on the project to address potential environmental effects from: biological resources, cultural resources, and air quality. With the implementation of this mitigation, all potential environmental effects will be reduced to a less than significant level. These mitigation measures are provided in Exhibit A, “Mitigation Monitoring and Reporting Program” attached to this Resolution; and

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

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

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

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

WHEREAS, a public hearing was conducted by the Planning Commission on July 10, 2018 to consider the Initial Study and the Draft MND prepared for the proposed project, and to accept public testimony on the Planned Development and environmental determination. At the close of this public hearing, the Planning Commission adopted the MND approving the proposed project; 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, the Planning Commission of the City of El Paso de Robles, based on its independent judgment and analysis, has adopted the Mitigated Negative Declaration (Exhibit B) for the Justin Winery Building No. 3 project and adopted a Mitigation Monitoring and Reporting Program (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.

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PASSED AND ADOPTED THIS 10th day of July 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DOUG BARTH, CHAIRPERSON

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

Exhibits:

- A. Exhibit A – Mitigation Monitoring and Reporting Program
- B. Exhibit B – Mitigated Negative Declaration / Initial Study (refer to Attachment 7 of the Planning Commission staff report)

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Exhibit A - Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 18-001 and OTR 18-14 – Justin Winery Building 3

Approving Resolution No.: Resolution No. _____ by: Planning Commission City Council Date: _____

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

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.

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>AQ-1: <u>Dust Control Measures</u> Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. <u>Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD’s 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):</u></p> <ul style="list-style-type: none"> a. Reduce the amount of the disturbed area where possible. b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased 	Project	Qualified Air Quality Specialist			Prior to Issuance of a Grading Permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. <u>Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.</u> For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;</p> <ul style="list-style-type: none"> c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed; d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities; e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established. f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD. g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site. 					

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. j. Track-Out” is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent ‘track out’, designate access points and require all employees, subcontractors, and others to use them. Install and operate a ‘track-out prevention device’ where vehicles enter and exit unpaved roads onto paved streets. The ‘track-out prevention device’ can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified; k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and, 					

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.</p>					
<p>AQ-2: <u>Developmental Burning</u> Effective February 25, 2000, <u>the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.</u> If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.</p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit
<p>AQ-3: <u>Demolition Activities Demolition / Asbestos</u> Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transit pipes or insulation on pipes). <u>If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).</u> These requirements include, but are not limited to: 1) written notification, within at least 10 business days of</p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit

Agenda Item 1

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to slocleanair.org/rules-regulations/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of slocleanair.org/library/download-forms.php.</p>					
<p>AQ-4 Construction Permit Requirements Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.</p> <p>The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.</p> <ul style="list-style-type: none"> • Power screens, conveyors, diesel engines, and/or crushers; • Portable generators and equipment with engines that are 50 hp or greater; • Electrical generation plants or the use of standby generator; 	Project	Qualified Air Quality Specialist/ CDD			Prior to issuance of a grading permit.

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> • Internal combustion engines; • Rock and pavement crushing; • Unconfined abrasive blasting operations; • Tub grinders; • Trommel screens; and, • Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc). <p><u>To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.</u></p>					
<p>BR-1. The canopy edge and trunk location of oak trees within 50 feet of proposed construction on the Property shall be surveyed by a licensed land surveyor and placed on all plan sets. Tree assessments should be conducted by a certified arborist or qualified botanist. Data collected for the tree shall include diameter at breast height (4.5 feet) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests, wood rat nests, and unique features. The tree map shall be used to determine impacts to trees from the project and will inform the mitigation plan.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-2. Impacts to the oak canopy or critical root zones (CRZ) should be avoided where practicable. Impacts include pruning, ground disturbance within the CRZ, and trunk damage.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-3. Prior to ground breaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project, and removed only under the direction of the project environmental monitor or arborist, while demolition is in progress.</p>	On-going	CDD			Prior to issuance of grading permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-4. Trenching within the CRZ must be approved by the project arborist, and shall be done by hand or with an air spade. Any roots exposed by demolition shall be treated by a tree care specialist and covered with a layer of soil to match existing topography.	On-going	CDD			Prior to issuance of grading permit
BR-5. Landscape material within the CRZ must be of native, drought tolerant species. Lawns are prohibited within the CRZ.	On-going	CDD			Prior to issuance of grading permit
BR-6. Paving adjacent to and within the CRZ shall utilize interlocking pavers or equivalent that will allow proper infiltration of water and exchange of oxygen to the root zone of the tree.	On-going	CDD			Prior to issuance of grading permit
BR-7. Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.	Project	CDD			Prior to issuing Certificate of Occupancy permit
BR-8. Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection, and reported to the County.	Project	Certified Arborist CDD			Prior to issuing grading permit
BR-9. Impacts to oaks shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oaks removed shall be replaced in kind at a 25% of replacement inches.	On-going	Certified Arborist CDD		Notes shown on construction documents.	Prior to issuing grading permit.
BR-10. Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be the same species as the tree impacted or removed, and of local origin.	On-going	CDD		Notes shown on construction documents.	Prior to issuing grading permit.

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-11. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 1 to August 31. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for active raptor nests. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.</p>	Project	CDD		Notes shown on construction documents.	Prior to issuing Building Permit.
<p>BR-12. A focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Game to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:</p> <ul style="list-style-type: none"> ● Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas. ● Construction monitoring shall be required for all new 	Project	CDD			Prior to issuing Certificate of Occupancy permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.</p> <ul style="list-style-type: none"> • A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW. 					
<p>BR-13. Occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.</p>	Project	CDD			Prior to site disturbance, grading permit issued
<p>BR-14. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of grading permit
<p>BR-15. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the preconstruction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of building permit

Agenda Item 1

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 st and February 1 st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices					
BR-16. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.	Project	Certified Arborist CDD			Prior to issuance of Final Occupancy

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-17 (BR-1, Res. 06-028). Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:</p> <p>a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 70.02 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the City.</p> <p>This mitigation alternative (a.) requires that all aspects if this program must be in place before City permit issuance or initiation of any ground disturbing activities.</p> <p>b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.</p> <p>Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$175,050. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.</p>	Project	CDD		\$175,050 was paid to the Palo Prieto Conservation Bank on August 15, 2011	Mitigation Measure BR-17 has been completed. (Includes BR-1 or Res. 06-028)

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>c. Purchase 70.02 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.</p> <p>Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$175,050. This fee is calculated based on the current cost- per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.</p>					
<p>BR-18. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:</p> <ul style="list-style-type: none"> o Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre- activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits. o The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-28. Site disturbance activities lasting up to 14 days do not require 	On-going	CDD			Prior to issuance of Grading Permit/On-going with project construction.

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.</p> <ul style="list-style-type: none"> o Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. <p>If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.</p> <ul style="list-style-type: none"> i. In addition, the qualified biologist shall implement the following measures: <ul style="list-style-type: none"> 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances: 					

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> ▪ Potential kit fox den: 50 feet ▪ Known or active kit fox den: 100 feet ▪ Kit fox pupping den: 150 feet <p>2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.</p> <p>3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.</p>					
<p>BR-19. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: <i>“Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”</i>. Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.</p>	On-going	CDD			Prior to issuance of a grading permit.
<p>BR-20. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.</p>	On-going	CDD			On Going during construction.
<p>BR-21. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this</p>	On-going	CDD			Prior to issuance of a grading permit.

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.					
BR-22. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.	Project	CDD			Prior to certificate of occupancy
BR-23. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.	Project	CDD			Prior to certificate of occupancy
BR-24. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.	Project	CDD			Prior to certificate of occupancy
BR-25. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary	Project	CDD			Prior to certificate of occupancy

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.					
BR-26. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.	Project				On -going with project construction.
BR-27. Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage: i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches. ii. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines	Project				Prior to Certificate of Occupancy.
CR-1: Prior to the issuance of a Grading Permit, a Phase I Archeological Survey shall be completed to confirm the 1996 Survey, that no known cultural resources exist on the site.	Project	CDD			Prior to issuance of a Grading Permit

(add additional measures as necessary)

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.

Attachment 5

Draft Resolution B

RESOLUTION NO. PC 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING APPROVAL TO THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
FOR PLANNED DEVELOPMENT 18-001
APN: 025-435-027

WHEREAS, an application for Planned Development (PD 18-001) has been filed by Justin Vineyard & Winery, LLC for the Justin Winery Building No. 3 Project to establish a ±101,563 square foot wine storage building located within the existing Justin Vineyard & Winery facility business park; and

WHEREAS, the project would be located on an approximate 5-acre portion of the larger 20.26-acre Justin Vineyards & Winery site, located at 2265 Wisteria Lane; and

WHEREAS, the design of the project would require the removal of thirteen (13) oak trees. Based on the Arborist Report, which indicates the trees to be removed are either dead or in decline, the oak tree removals are warranted based on specific findings listed in Section 10.01.050.E of the Oak Tree Preservation Ordinance and replacement trees will be planted; and

WHEREAS, the General Plan land use designation is Business Park (BP) and the zoning is Planned Industrial (PM). Wineries are a permitted use in the PM zone and are consistent with the BP General Plan designation. Wineries would also include the proposed wine storage building to the Justin Vineyard & Winery facility; and

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

WHEREAS, based on the information and analysis contained in the Initial Study, staff determined that the proposed project as designed, and with appropriate mitigation measures added as conditions of approval, will not result in significant environmental impacts, and a Mitigated Negative Declaration was prepared and circulated for public review and comment in full compliance with CEQA; and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on July 10, 2018, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2 - Findings: In accordance with Zoning Ordinance Section 21.23B.050, Findings for Approval of Development Plans, and based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

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1. The project is consistent with the goals and policies established by the General Plan and Zoning Ordinance, since the project would provide for additional winery related uses within an existing industrial/business park; 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; 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; and the public right-of-way; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
6. The proposed development plan contributes to the orderly development of the city as a whole by providing a well-designed project that is suitable for the location where it is proposed and surrounding land uses including commercial/light industrial; and

Section 3 - Environmental Determination: Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared for the project. Based on the information and analysis contained in the Initial Study, staff determined that the proposed project as designed, and with appropriate mitigation measures added as conditions of approval, will not result in significant environmental impacts, and a Mitigated Negative Declaration was prepared and circulated for public review and comment in full compliance with CEQA

Section 4 - Approval: Planned Development 18-001 is recommended for approval subject to the following:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site Specific Conditions of Approval
B	Standard Conditions of Approval
C	Overall Site Plan
D	Conceptual Grading and Utilities Plan, Sheets 1 and 2
E	Landscape Plan, Sheets 1 and 2
F	Floor Plan
G	Exterior Elevations

PASSED AND ADOPTED THIS 10th day of July 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

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ABSTAIN:

DOUG BARTH, CHAIRPERSON

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

Exhibit A

Site Specific Conditions of Approval – PD 18-001

Planning Division Conditions:

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

1. 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:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Standard Conditions of Approval
C	Overall Site Plan
D	Conceptual Grading and Utilities Plan, Sheets 1 and 2
E	Landscape Plan, Sheets 1 and 2
F	Floor Plan
G	Exterior Elevations

2. Approval of this project is valid for a period of two (2) years from date of approval. Unless construction permits have been issued and site work has begun, the approval of Planned Development 18-001 shall expire on July 10, 2020. The Planning Commission may extend this expiration date if a Time Extension application has been filed with the City along with the fees before the expiration date.
3. All new lighting shall be shielded and directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties.
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.
5. Any condition imposed by the Planning Commission in approving this Development Plan 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 granting of the original permit. 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 under the Development Plan.

Mitigation Measures – Conditions of Approval:

AQ-1. **Dust Control Measures:** Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
- c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees,

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subcontractors, and others to use them. Install and operate a ‘track-out prevention device’ where vehicles enter and exit unpaved roads onto paved streets. The ‘track-out prevention device’ can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention devices may need to be modified;

- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2. Developmental Burning: Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.

AQ-3. Demolition Activities Demolition / Asbestos: Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to slocleanair.org/rules-regulations/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the “Other Forms” section of slocleanair.org/library/download-forms.php.

AQ-4. Construction Permit Requirements: Based on the information provided, we are unsure of the types of equipment that may be present during the project’s construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD’s 2012 CEQA Handbook.

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

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.

BR-1. The canopy edge and trunk location of oak trees within 50 feet of proposed construction on the Property shall be surveyed by a licensed land surveyor and placed on all plan sets. Tree assessments should be conducted by a certified arborist or qualified botanist. Data collected for the tree shall include diameter at breast height (4.5 feet) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests, wood rat nests, and unique features. The tree map shall be used to determine impacts to trees from the project and will inform the mitigation plan.

BR-2. Impacts to the oak canopy or critical root zones (CRZ) should be avoided where practicable. Impacts include pruning, ground disturbance within the CRZ, and trunk damage.

BR-3. Prior to ground breaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project, and removed only under the direction of the project environmental monitor or arborist, while demolition is in progress.

BR-4. Trenching within the CRZ must be approved by the project arborist, and shall be done by hand or with an air spade. Any roots exposed by demolition shall be treated by a tree care specialist and covered with a layer of soil to match existing topography.

BR-5. Landscape material within the CRZ must be of native, drought tolerant species. Lawns are prohibited within the CRZ.

BR-6. Paving adjacent to and within the CRZ shall utilize interlocking pavers or equivalent that will allow proper infiltration of water and exchange of oxygen to the root zone of the tree.

BR-7. Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.

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BR-8. Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection, and reported to the County.

BR-9. Impacts to oaks shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oaks removed shall be replaced in kind at a 25% of replacement inches.

BR-10. Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be the same species as the tree impacted or removed, and of local origin.

BR-11. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 1 to August 31. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for active raptor nests. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BR-12. A focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Game to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.
- A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

BR-13. Occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

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BR-14. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.

BR-15. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices.

BR-16. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

BR-17 (**BR-1, Res. 06-028**). Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **70.02** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the City.
This mitigation alternative (a.) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.
- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The

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Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy”, would total **\$175,050**. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase **70.02** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$175,050**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

BR-18. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- o Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre- activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- o The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-28. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- o Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.
If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

Agenda Item 1

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

BR-19. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: “*Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox*”. Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

BR-20. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BR-21. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-22. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

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BR-23. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-24. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-25. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-26. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.

BR-27. Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
- ii. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines

CR-1. Prior to the issuance of a Grading Permit, a Phase I Archeological Survey shall be completed to confirm the 1996 Survey, that no known cultural resources exist on the site.

Engineering Division Conditions:

1. Prior to building permit issuance, the applicant shall submit a final stormwater control plan detailing designs and compliance with all applicable Stormwater Tiers.
2. Prior to building permit issuance, the applicant shall submit the final grading, utility, and drainage plan.

Exhibit B

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: July 10, 2018

Applicant: Justin Vineyards & Winery Location: Wisteria Lane

APN: 025-435-027

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 July 10, 2020 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 _____)

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- 4. Any site specific condition imposed by the Planning Commission in approving this project (**Planned Development**) 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

(Adopted by Planning Commission Resolution _____)

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size of containers to be stored in the enclosure.

- 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.

(Adopted by Planning Commission Resolution _____)

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- 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.
- 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: grading plan

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 Strom 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

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Agenda Item 1

Standards and Specifications.

- 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
-------------	---------------	----------------------

- 4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.

Bonds required and the amount shall be as follows:
Performance Bond.....100% of improvement costs.
Labor and Materials Bond.....50% of performance bond.

- 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded

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shoulder adequate to provide for two-way traffic.

- 6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
- 7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on _____ along the frontage of the project.
- 8. The applicant shall install all utilities underground. 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.

(Adopted by Planning Commission Resolution _____)

Agenda Item 1

- 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.
- 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.
 - Truck access road shall be at least twenty six (26) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance. Minimum setback fifteen (15) feet, maximum of thirty (30) feet.
 - Dead-End: Project shall provide secondary access of approved fire access road(s).

- 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

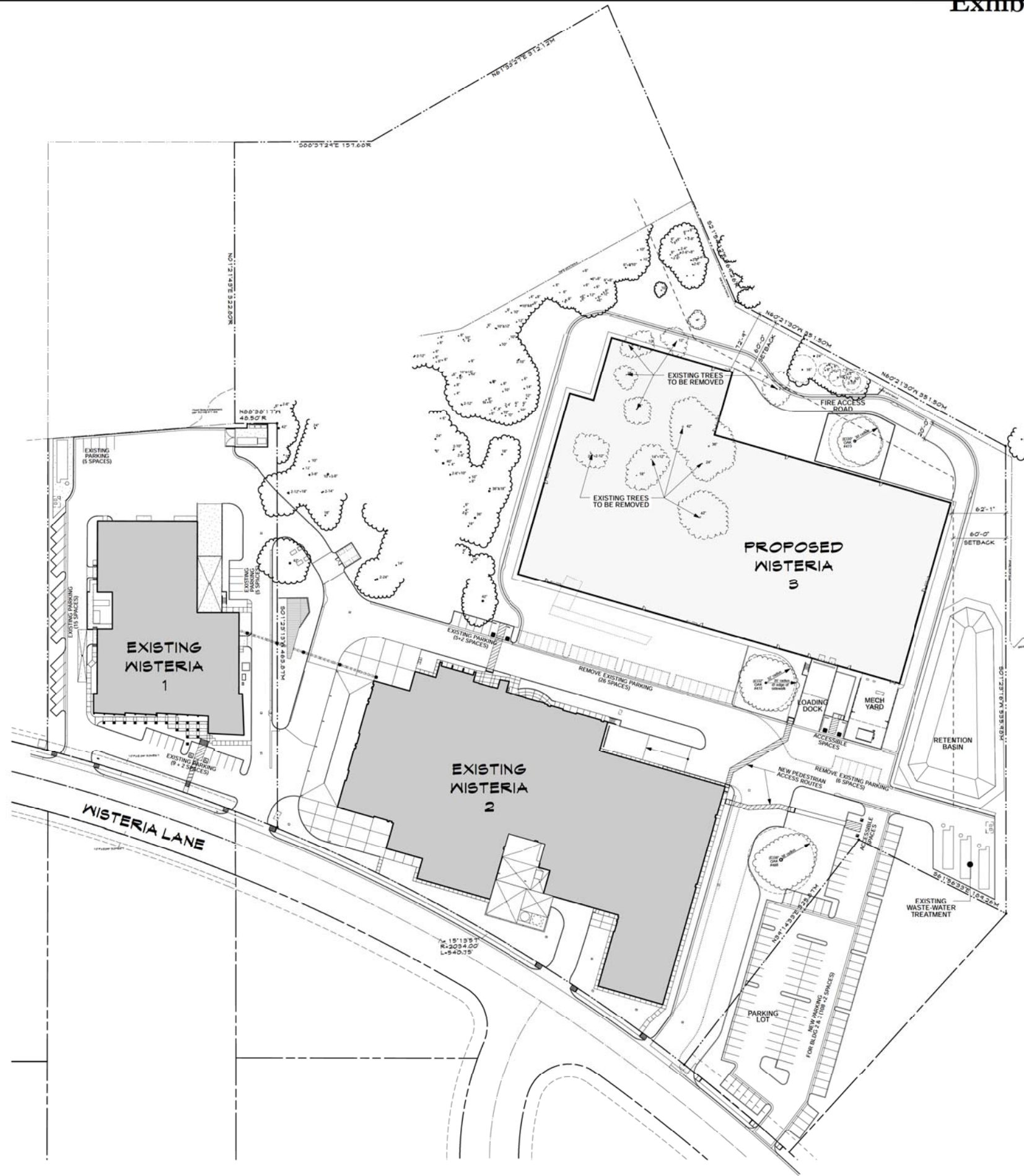
(Adopted by Planning Commission Resolution _____)

Agenda Item 1

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.
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 _____)



OVERALL SITE PLAN
1" = 50' - 0"



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 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5004 voice

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Project:

JUSTIN WISTERIA 3

TRACT 2778-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:

JUSTIN VINEYARDS
 AND WINERY, LLC

2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

Sheet Contents:

OVERALL SITE PLAN



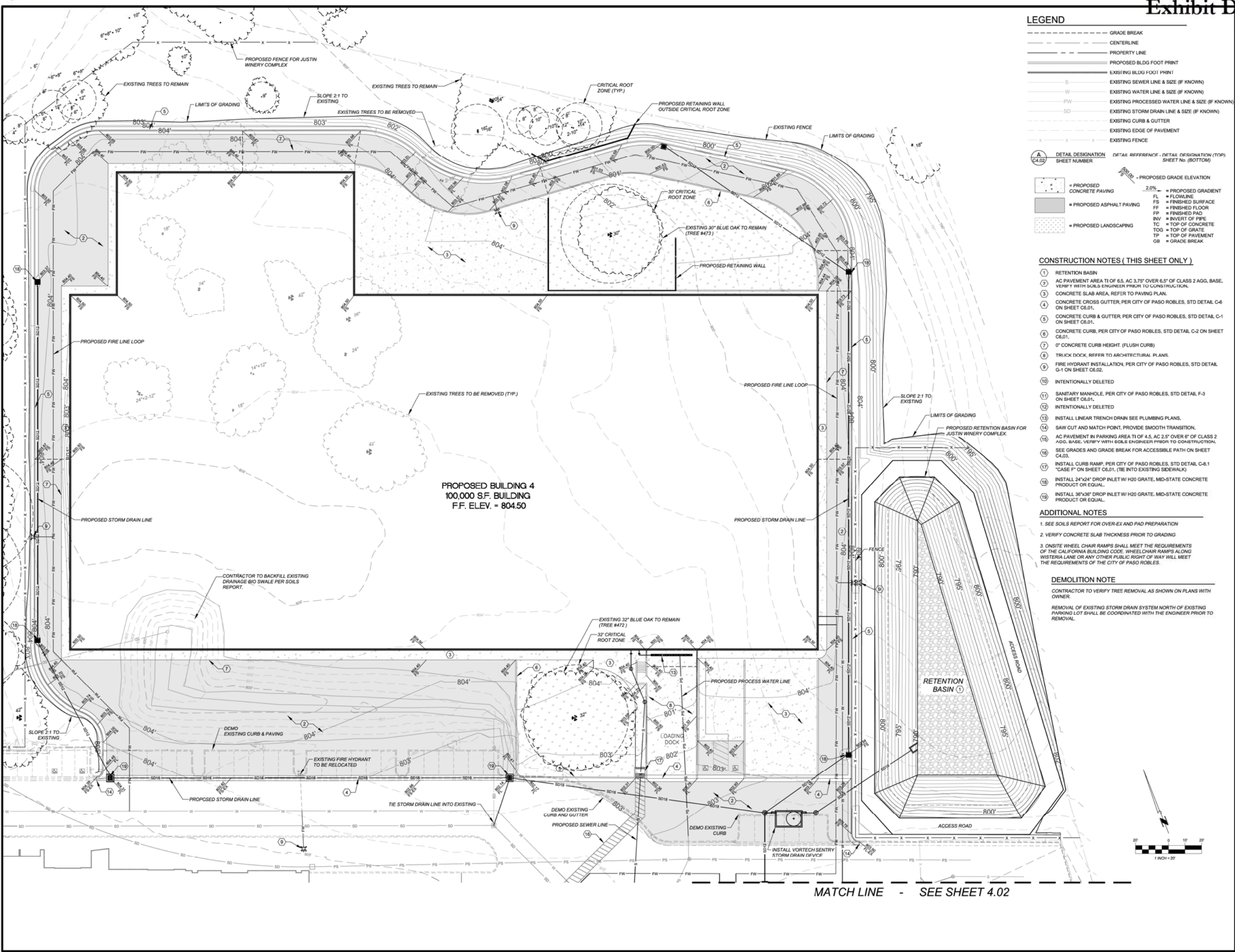
Date: 1 FEB 18

Revised:
 7 FEB 18 PLNG SUBMITTAL
 20 APR 18 PLNG RESUBMITTAL

Job No: 1724

Sheet:

AC-1



LEGEND

---	GRADE BREAK
---	CENTERLINE
---	PROPERTY LINE
---	PROPOSED BLDG FOOT PRINT
---	EXISTING BLDG FOOT PRINT
S	EXISTING SEWER LINE & SIZE (IF KNOWN)
W	EXISTING WATER LINE & SIZE (IF KNOWN)
PW	EXISTING PROCESSED WATER LINE & SIZE (IF KNOWN)
SD	EXISTING STORM DRAIN LINE & SIZE (IF KNOWN)
---	EXISTING CURB & GUTTER
---	EXISTING EDGE OF PAVEMENT
---	EXISTING FENCE

DETAIL DESIGNATION SHEET NUMBER

A	4.02	DETAIL REFERENCE - DETAIL DESIGNATION (TOP) SHEET No. (BOTTOM)
---	------	--

PROPOSED GRADE ELEVATION

2.0%	PROPOSED GRADIENT
FL	FLOWLINE
FS	FINISHED SURFACE
FF	FINISHED FLOOR
FP	FINISHED PAD
INV	INVERT OF PIPE
TC	TOP OF CONCRETE
TG	TOP OF GRADE
TP	TOP OF PAVEMENT
GB	GRADE BREAK

- CONSTRUCTION NOTES (THIS SHEET ONLY)**
- RETENTION BASIN
 - AC PAVEMENT AREA T1 OF 6.5, AC 3.75" OVER 6.5" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - CONCRETE SLAB AREA, REFER TO PAVING PLAN.
 - CONCRETE CROSS GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-6 ON SHEET C6.01.
 - CONCRETE CURB & GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-1 ON SHEET C6.01.
 - CONCRETE CURB, PER CITY OF PASO ROBLES, STD DETAIL C-2 ON SHEET C6.01.
 - 0" CONCRETE CURB HEIGHT (FLUSH CURB)
 - TRUCK DOCK, REFER TO ARCHITECTURAL PLANS.
 - FIRE HYDRANT INSTALLATION, PER CITY OF PASO ROBLES, STD DETAIL G-1 ON SHEET C6.02.
 - INTENTIONALLY DELETED
 - SANITARY MANHOLE, PER CITY OF PASO ROBLES, STD DETAIL F-3 ON SHEET C6.01.
 - INTENTIONALLY DELETED
 - INSTALL LINEAR TRENCH DRAIN SEE PLUMBING PLANS.
 - SAW CUT AND MATCH POINT, PROVIDE SMOOTH TRANSITION.
 - AC PAVEMENT IN PARKING AREA T1 OF 4.5, AC 2.5" OVER 6" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - SEE GRADES AND GRADE BREAK FOR ACCESSIBLE PATH ON SHEET C4.03.
 - INSTALL CURB RAMP, PER CITY OF PASO ROBLES, STD DETAIL C-8.1 "CASE F" ON SHEET C6.01, (TIE INTO EXISTING SIDEWALK)
 - INSTALL 24"x24" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.
 - INSTALL 36"x36" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.

- ADDITIONAL NOTES**
- SEE SOILS REPORT FOR OVER-EX AND PAD PREPARATION
 - VERIFY CONCRETE SLAB THICKNESS PRIOR TO GRADING
 - ONSITE WHEEL CHAIR RAMPS SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE. WHEEL CHAIR RAMPS ALONG WISTERIA LANE OR ANY OTHER PUBLIC RIGHT OF WAY WILL MEET THE REQUIREMENTS OF THE CITY OF PASO ROBLES.

DEMOLITION NOTE

CONTRACTOR TO VERIFY TREE REMOVAL AS SHOWN ON PLANS WITH OWNER.

REMOVAL OF EXISTING STORM DRAIN SYSTEM NORTH OF EXISTING PARKING LOT SHALL BE COORDINATED WITH THE ENGINEER PRIOR TO REMOVAL.



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Project:
WISTERIA 3
 R.O.S. 105-36
 PARCEL 1
 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC
 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:
LANDMARK SURVEYING & ENGINEERING
 3074 N. BALLAST PARKWAY / SUITE 103 / SAN LUIS OBISPO, CALIFORNIA 93401
 TEL: 805.562.7727 / FAX: 805.562.7728 / WWW.LANDMARKCA.COM

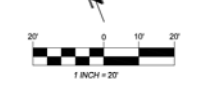
Sheet Contents:
 CONCEPTUAL GRADING & UTILITIES PLAN

Date: 20 APRIL 2018
 Revised:

Job No: 1253.17

Sheet: C1

MATCH LINE - SEE SHEET 4.02



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San Luis Obispo, California 93401
805/541-5604
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Project:
WISTERIA 3
R.O.S. 105-36
PARCEL 1
WISTERIA LANE
PASO ROBLES
CA 93446
Owner:
JUSTIN VINEYARDS AND WINERY, LLC
2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

Consultant:
LANDMARK SURVEYING & ENGINEERING
301 N. BILLYE PARKWAY / SUITE 103 / SAN MARINO, CA 91766
TEL: 909-882-7400 / FAX: 909-882-7401 / WWW.LANDMARKENGINEERING.COM

Sheet Contents:
CONCEPTUAL GRADING & UTILITIES PLAN

Date: 20 APRIL 2018
Revised:

Job No: 1253.17

Sheet: C2

LEGEND

---	GRADE BREAK
---	CENTERLINE
---	PROPERTY LINE
---	PROPOSED BLDG FOOT PRINT
---	EXISTING BLDG FOOT PRINT
S	EXISTING SEWER LINE & SIZE (IF KNOWN)
W	EXISTING WATER LINE & SIZE (IF KNOWN)
PW	EXISTING PROCESSED WATER LINE & SIZE (IF KNOWN)
SD	EXISTING STORM DRAIN LINE & SIZE (IF KNOWN)
---	EXISTING CURB & GUTTER
---	EXISTING EDGE OF PAVEMENT
---	EXISTING FENCE

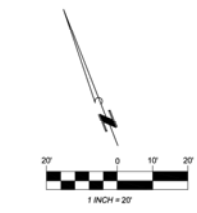
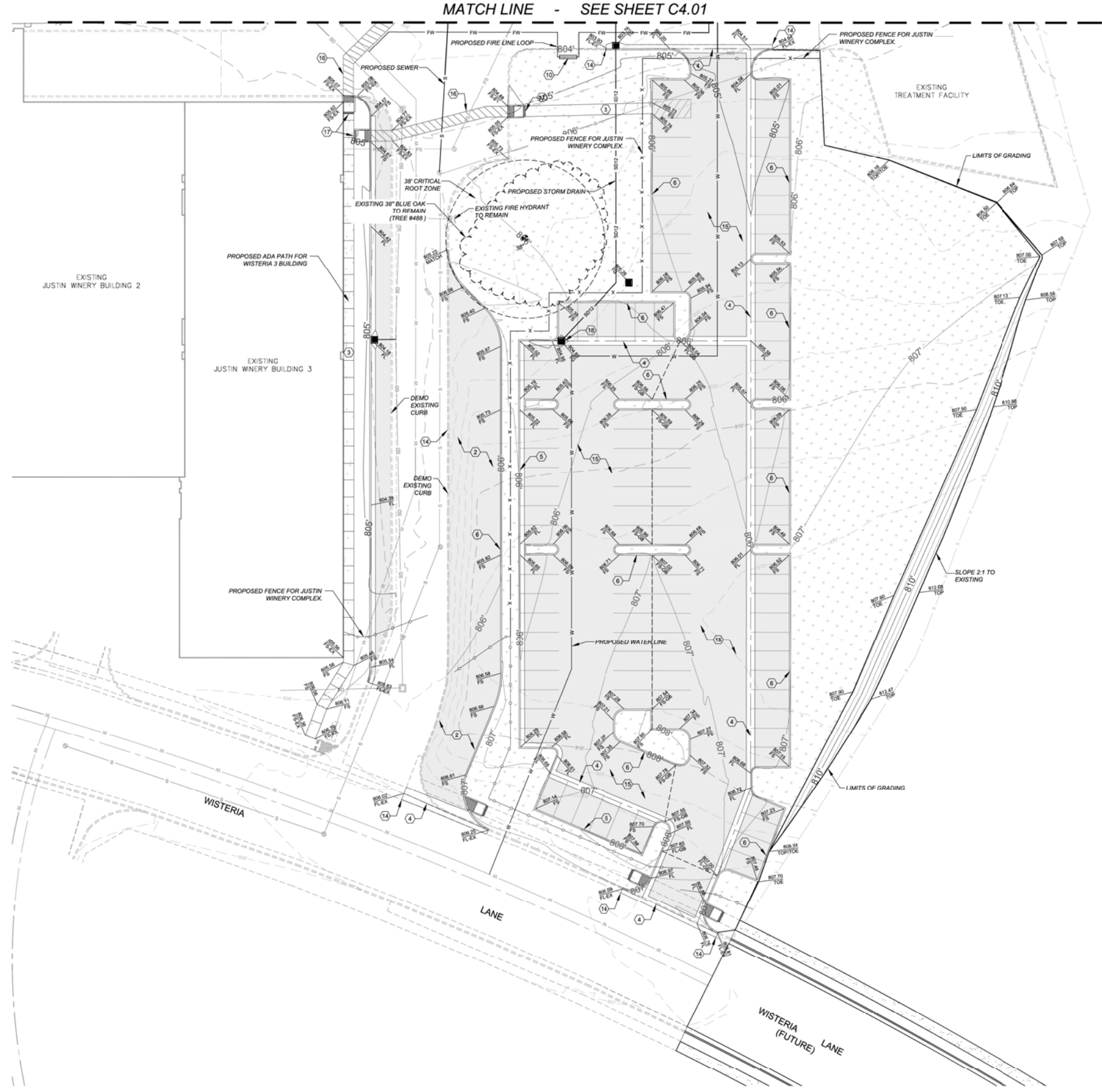
A	DETAIL DESIGNATION	DETAIL REFERENCE - DETAIL DESIGNATION (TOP)
C4.02	SHEET NUMBER	SHEET No. (BOTTOM)

	= PROPOSED CONCRETE PAVING		= PROPOSED GRADIENT
	= PROPOSED ASPHALT PAVING		= PROPOSED GRADING
	= PROPOSED LANDSCAPING		= PROPOSED SLOPE

- CONSTRUCTION NOTES (THIS SHEET ONLY)**
- INTENTIONALLY DELETED
 - AC PAVEMENT AREA T1 OF 6.5, AC 3.75" OVER 6.5" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - CONCRETE SLAB AREA, REFER TO PAVING PLAN.
 - CONCRETE CROSS GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-6 ON SHEET C6.01.
 - CONCRETE CURB & GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-1 ON SHEET C6.01.
 - CONCRETE CURB, PER CITY OF PASO ROBLES, STD DETAIL C-2 ON SHEET C6.01.
 - INTENTIONALLY DELETED
 - INTENTIONALLY DELETED
 - INTENTIONALLY DELETED
 - FIRE DEPARTMENT CONNECTION (FDC) & POST INDICATOR VALVE (PIV), PER CITY OF PASO ROBLES, STD DETAIL 2 ON SHEET C5.02.
 - INTENTIONALLY DELETED
 - INTENTIONALLY DELETED
 - INTENTIONALLY DELETED
 - SAW CUT AND MATCH POINT, PROVIDE SMOOTH TRANSITION.
 - AC PAVEMENT IN PARKING AREA T1 OF 4.5, AC 2.5" OVER 6" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - SEE GRADES AND GRADE BREAK FOR ACCESSIBLE PATH ON SHEET C4.03.
 - INSTALL CURB RAMP, PER CITY OF PASO ROBLES, STD DETAIL C-8.1 "CASE F" ON SHEET C6.01, (TIE INTO EXISTING SIDEWALK)
 - INSTALL 24"x24" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.
 - INTENTIONALLY DELETED

- ADDITIONAL NOTES**
- SEE SOILS REPORT FOR OVER-EX AND PAD PREPARATION
 - VERIFY CONCRETE SLAB THICKNESS PRIOR TO GRADING
 - ONSITE WHEEL CHAIR RAMPS SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE. WHEEL CHAIR RAMPS ALONG WISTERIA LANE OR ANY OTHER PUBLIC RIGHT OF WAY WILL MEET THE REQUIREMENTS OF THE CITY OF PASO ROBLES.

DEMOLITION NOTE
CONTRACTOR TO VERIFY TREE REMOVAL AS SHOWN ON PLANS WITH OWNER.
REMOVAL OF EXISTING STORM DRAIN SYSTEM NORTH OF EXISTING PARKING LOT SHALL BE COORDINATED WITH THE ENGINEER PRIOR TO REMOVAL.





PLANTING LEGEND

SYMBOL BOTANICAL NAME COMMON NAME SIZE/(QUANTITY)

TREES

(A) or (L)	Quercus agrifolia or Quercus lobata	Coast Live Oak or Valley Oak	24" Box / (18)
(A)	Platanus chinensis	Chinese pistache	15 gal. / (18)
(A)	Lagerstromia Tonto'	Grape myrtle	15 gal. / (8)

GROUND COVERS

SYMBOL	BOTANICAL NAME	COMMON NAME	QUAN./SIZE/SPACING
●	Rosa 'Meidiland' - White	Meidiland rose	11-1 gal. ● as shown
⊘	Baccharis p. 'Pigeon Pt.'	Coyote Bush	14B-1 gal. ● 6'o.c.
⊕	Cotoneaster dammeri 'Coral B.'	Cotoneaster	77-1 gal. ● 6'o.c.
⊗	Pyracantha 'Santa Cruz'	Firethorn	200-1 gal. ● 6'o.c.
⊖	Rosmarinus o. 'Prostratus'	Rosemary	89-1 gal. ● 6'o.c.

Hydro-seeded mix per specifications on this sht. and on sht. L-4. Note: Depending on the time of year this project is installed, germination of this seed mix may require an "add-on" irrigation alternative.

Note: All plant counts indicated on this plan are only for convenience purposes. The landscape contractor ultimately will be responsible for installing this plan in it's entirety. The actual installed numbers may vary.

Misc. Hydro-seed components:
 Hydro-seeding Slurry Component/Application Rate
 Wood Fiber Mulch @ 2,000 Lbs./Acre
 Fertilizer (Biosol Mix Organic 7-2-5 @ 1,000 Lbs./Acre
 Seed Mix - as shown
 Stabilizing Emulsion @ 150 Lbs./Acre
 Soil Conditioner (Humate) @ 500 Lbs./Acre
 Mycorrhiza Inoculum @ 60 Lbs./Acre

Hydro-seeded mix:

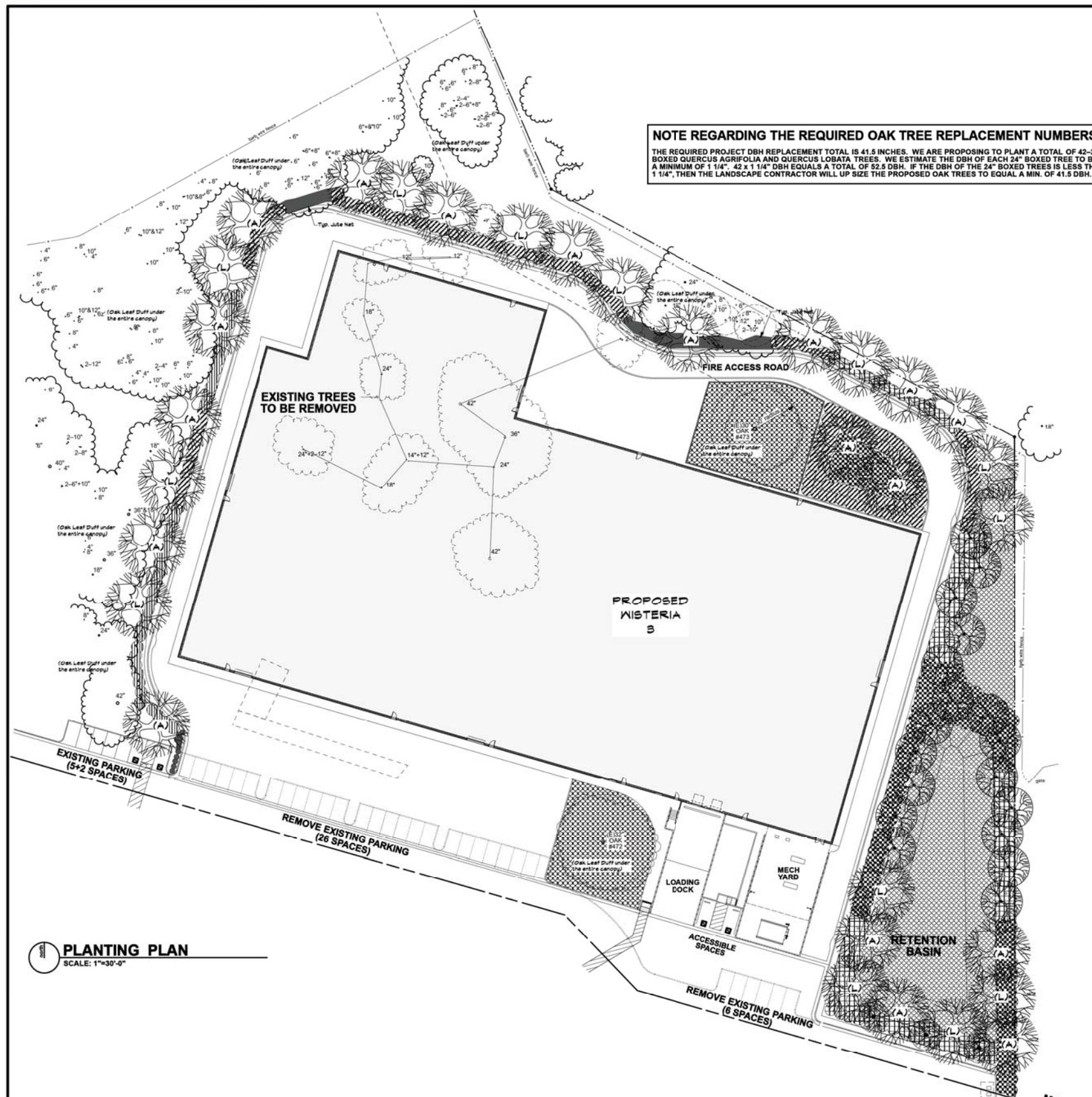
Species/Common Name	LBS/Acre
Pestuca rubra "Molate"/Molate native red fescue	14
Calandrinia ciliata/Red Maids	2
Deschampsia elongatum/Slender hairgrass	6
Deschampsia cespitosa/Tufted hairgrass	6
Eriochloa californica/Calif. Pippa	5
Koeleria macrantha/Junegrass	6
Lupine nanus/Sky Lupine	4
Melica californica/Calif. oniongrass	5
Total:	46

Note Regarding Plant Selection and Water Consumption:

- The planting plan conforms to CALGreen standards. The following addresses these standards:
- All planted areas, except areas planted with unmowed red fescue and areas under existing oak trees shall receive a 2" thick layer of the specified mulch.
 - A watering schedule will be agreed upon by the landscape architect and the landscape contractor, prior to approval of completed landscape installation.
 - Only "adaptive plants" have been specified on this project. A minimum of 75% of the plants specified are drought tolerant.
 - "Hydrozoning" irrigation techniques have been incorporated into the final design.
 - A major percentage of all anticipated irrigation water shall be supplied by on-site reclaimed water.

STEVEN P. CAMINTI
CAL. LIC. NO. 1941
LANDSCAPE ARCHITECTURE ETCETERA
1144 MILL ST. SAN LUIS OBISPO, CA. 95401
805/544-6429
EMAIL: stevenpc@charter.net

NOTE REGARDING THE REQUIRED OAK TREE REPLACEMENT NUMBERS
 THE REQUIRED PROJECT DBH REPLACEMENT TOTAL IS 41.5 INCHES. WE ARE PROPOSING TO PLANT A TOTAL OF 42-24" BOXED QUERCUS AGRIFOLIA AND QUERCUS LOBATA TREES. WE ESTIMATE THE DBH OF EACH 24" BOXED TREE TO BE A MINIMUM OF 1 1/4". 42 x 1 1/4" DBH EQUALS A TOTAL OF 52.5 DBH. IF THE DBH OF THE 24" BOXED TREES IS LESS THAN 1 1/4", THEN THE LANDSCAPE CONTRACTOR WILL UP SIZE THE PROPOSED OAK TREES TO EQUAL A MIN. OF 41.5 DBH.



PLANTING PLAN
SCALE: 1"=30'-0"

MATCH LINE AA SHEET L-2



PLANTING PLAN
 SCALE: 1"=30'-0"

PLANTING LEGEND

SYMBOL BOTANICAL NAME COMMON NAME SIZE/(QUANTITY)

TREES

(A) or (L)	(A) Quercus agrifolia or (L) Quercus lobata	Coast Live Oak or Valley Oak	24" Box/ (7) 24" Box/ (4)
------------	--	---------------------------------	------------------------------

	Pistacia chinensis	Chinese pistache	15 gal. / (17)
--	--------------------	------------------	----------------

	Lagerstromia 'Tonto'	Crape myrtle	15 gal. / (18)
--	----------------------	--------------	----------------

GROUND COVERS

SIZE/SPACING

●	Rosa 'Meidiland' - White	Meidiland rose	200-1 gal.
▨	Baccharia p. 'Pigeon Pt.'	Coyote Bush	88-1 gal.
⊕	Cotoneaster dammeri 'Coral B.'	Cotoneaster	91-1 gal.
⊖	Lonicera J. 'Halliana'	Japanese Honeysuckle	75-1 gal.
⊙	Cotoneaster lacteus	Cotoneaster	74-1 gal.

Note: All plant counts indicated on this plan are only for convenience purposes. The landscape contractor ultimately will be responsible for installing this plan in its entirety. The actual installed numbers may vary.

Note Regarding Plant Selection and Water Consumption:

- The planting plan conforms to CALGreen standards. The following addresses these standards:
1. All planted areas, except areas planted with unmowed red fescue and areas under existing oak trees shall receive a 2" thick layer of the specified mulch.
 2. A watering schedule will be agreed upon by the landscape architect and the landscape contractor, prior to approval of completed landscape installation.
 3. Only "adaptive plants" have been specified on this project. A minimum of 75% of the plants specified are drought tolerant.
 4. "Hydrozoning" irrigation techniques have been incorporated into the final design.
 5. A major percentage of all anticipated irrigation water shall be supplied by on-site reclaimed water.

PULTS
 Pults & Associates, LLP

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 3502 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5004 voice

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Project:

JUSTIN WISTERIA 3

TRACT 2778-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:

JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

Sheet Contents:

Planting Plan



Date:

1 FEB 18

Revised:

20 APR 18 PLNG SUBMITTAL

Job No:

1724

Sheet:

L-2

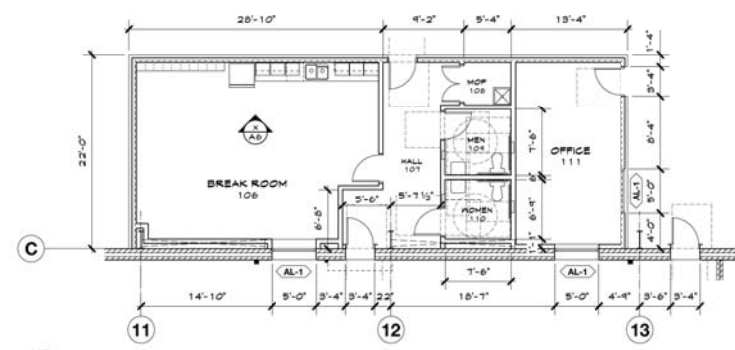
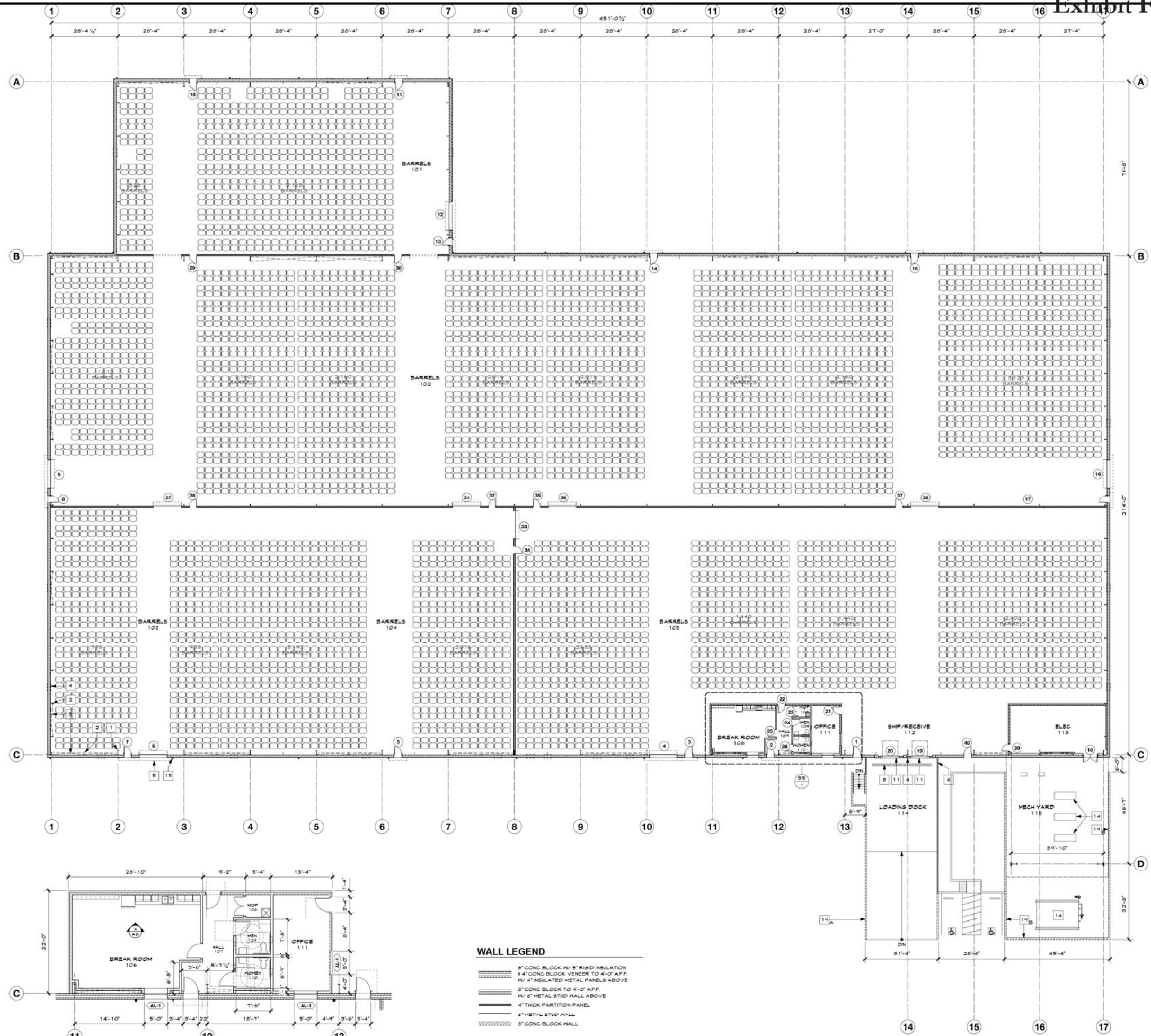
STEVEN F. CAMINITI
 CAL. LIC. NO. 1941
 LANDSCAPE ARCHITECTURE, ETCETERA
 1144 MILL ST., SAN LUIS OBISPO, CA. 93401
 805/544-6429
 EMAIL: stevenpc@charter.net

FLOOR PLAN GENERAL NOTES

- It is the responsibility of the General Contractor to verify all existing conditions prior to construction. Any discrepancies shall be brought to the immediate attention of the Architect.
- Contractor shall provide and maintain portable 2A 10BC Fire extinguishers on site during construction.
- Interior insulated walls shall be Kingspan 300HR Series Panels, 4" thick. For exterior insulated metal panel walls, refer to exterior elevations, sheet A-1.

FLOOR PLAN REFERENCE NOTES

- STEEL RIGID FRAME COLUMN, REFER TO STRUCT AND MET. BLDG DRAWINGS
- STEEL BUILDING SECONDARY COLUMN, REFER TO METAL BLDG DWGS
- X-BRACING
- CHU WALL AT LOADING DOCK OPENINGS
- LINE OF AVENING ABOVE
- 42" HIGH GUARDRAIL
- CABINETRY, REFER TO CABINET ELEVATIONS ON SHEET A5.3
- TRENCH DRAIN OR AREA DRAIN, REFER TO STRUCTURAL AND PLUMBING DRAWINGS
- 40"x32" LOUVERED INTAKE GRILL, REFER TO MECH DRAWINGS
- MOP SINK
- DOCK LEVELER
- SIGNAGE, REFER TO DETAIL 94/A2.1
A. "EXIT"
B. "EXIT ROUTE"
C. INTERNATIONAL SYMBOL OF ACCESSIBILITY
- PORTABLE 2A 10BC FIRE EXTINGUISHER, MOUNT @ 140" TO CENTERLINE OF VALVE.
A. SURFACE MOUNT
B. FULLY-RECESSED CABINET (LARSEN'S 2401-R-1; VERTICAL DUO, WHITE ENAMEL, IV LOCK)
- MECHANICAL EQUIP - REFER TO MECHANICAL DRAWINGS
- DOWNPOUT, REFER TO CIVIL DWGS FOR CONNECTION
- ELEC EQUIPMENT, REFER TO ELEC DWGS
- FIRE RISER, REFER TO PLUMBING DWGS
- LOCATION OF FUTURE WATER HEATERS, REFER TO PLUMB DWGS
- CHU SCREEN WALL
A. 42" AFF.
B. 10'-0" AFF.



WALL LEGEND

- 6" CONG BLOCK IV 5" RIGID INSULATION
- 4" CONG BLOCK VENEER TO 4'-0" AFF.
- IV 4" INSULATED METAL PANELS ABOVE
- 5" CONG BLOCK TO 4'-0" AFF.
- IV 6" METAL STUD WALL ABOVE
- 4" THICK PARTITION PANEL
- 6" METAL STUD WALL
- 8" CONG BLOCK WALL

55 ENLARGED FLOOR PLAN
1/4" = 1' - 0"

FLOOR PLAN
1/16" = 1' - 0"



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805.541.5604 voice

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Project:

JUSTIN WISTERIA 3

TRACT 2778-2
LOTS 9-14
2295 WISTERIA LANE
PASO ROBLES
CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

Consultant:

Sheet Contents:
FLOOR PLAN



Date: 25 AUG 2011
Revised: 7 FEB 10 PLNG SUBMITTAL
20 APR 10 PLNG RESUBMITTAL

Job No: 1724

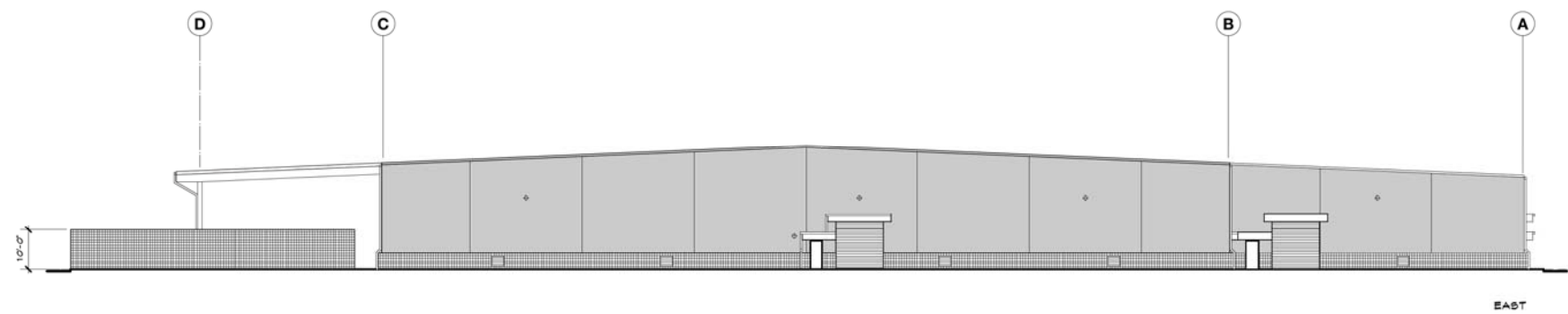
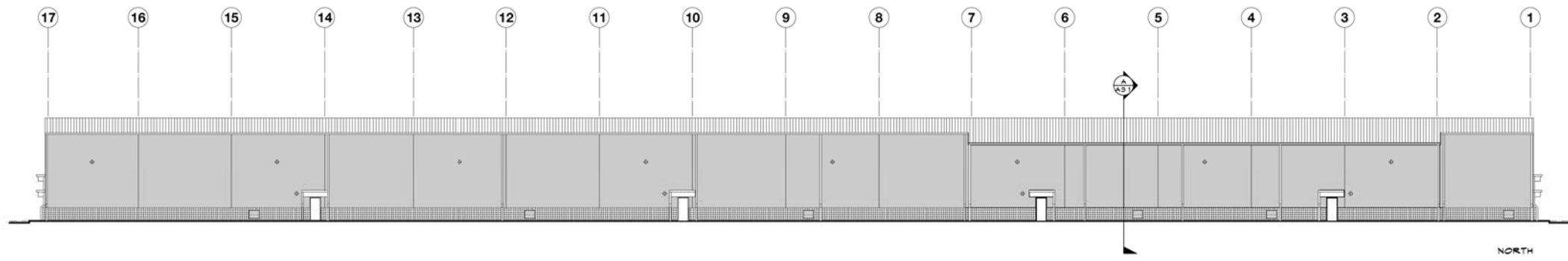
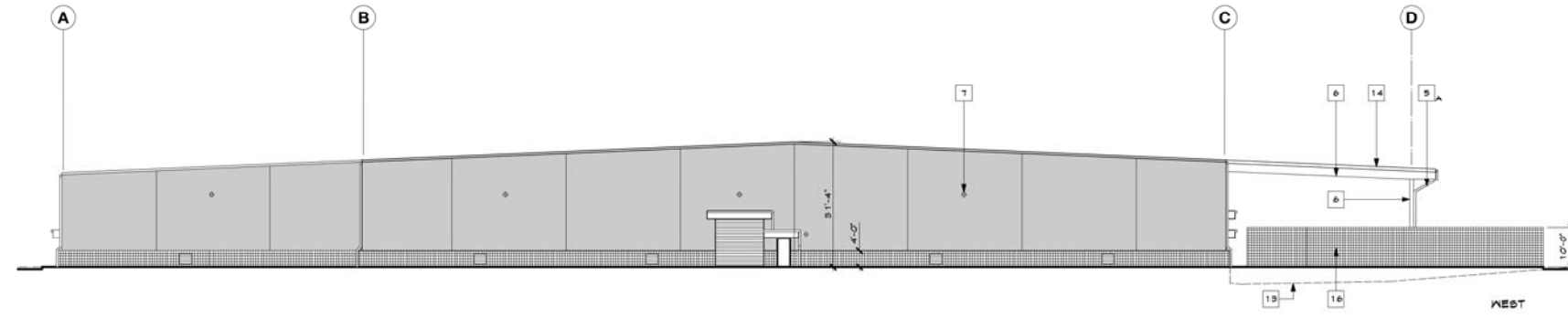
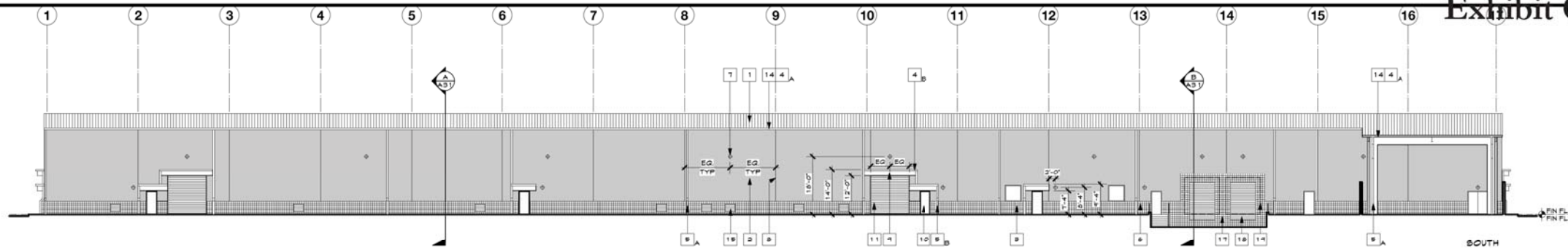
Sheet: **A - 1**

ELEVATION GENERAL NOTES

1. Insulated metal wall panels shall be Kingspan 400 Series "V-Wave" Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 4" thick R-26.4 core, ribs running horizontally, anchorage per manufacturer. Wall panel design is based on a 3'4 3/8" wall panel module.
2. Metal roof panels shall be Kingspan KingZip Insulated Standing Seam Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 6" thick R-19.2 core. Roof panel design is based on a 4'-0" wide panel module.

ELEVATION REFERENCE NOTES

1. KINGSPAN KINGZIP METAL ROOFING, COLOR: KINGSPAN 'REGAL WHITE'
2. KINGSPAN 400 V-WAVE PANELS, COLOR: KINGSPAN 'SILVER SMITH'
3. 4" HIGH GROUND FACE CONCRETE BLOCK MAINSOT, BURNISHED & SEALED AIR-VOL BLOCK #60B40T6 - ONE SIDE VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 GOAT SEALER
4. GUTTER, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
5. DOWNSPOUT, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
6. EXPOSED STRUCTURAL FRAME, KYNAR 'BLACK'
7. WALL LIGHT, REFER TO LIGHTING FLOOR PLANS
8. PANEL JOINT COVER EXTRUSION TRIM, KINGSPAN 'BLACK'
9. METAL GANOFY, COLOR: KYNAR 'EBONY BLACK'
10. MAN DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: KYNAR 'EBONY BLACK'
11. ROLL-UP DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
12. NOT USED
13. LOADING DOCK RAMP, SHOWN DASHED
14. METAL FASCIA, COLOR: KYNAR 'REGAL WHITE'
15. EXHAUST FAN OR LOUVER COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
16. 10" HIGH GROUND FACE CONCRETE BLOCK SCREEN WALL, BURNISHED AIR-VOL BLOCK #60B40T6 IV VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 GOAT SEALER
17. CONCRETE BLOCK LOADING DOCK WALL SURROUND
18. DOCK LEVELER
19. DOCK SEALS



EXTERIOR ELEVATION
1/16" = 1' - 0"



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San Luis Obispo, California 93401
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Project:

JUSTIN WISTERIA 3

TRACT 2778-2
LOTS 9-14
2295 WISTERIA LANE
PASO ROBLES
CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

Consultant:

Sheet Contents:
EXTERIOR ELEVATIONS



Date:
Revised:
7 FEB 18 PLNG SUBMITTAL
20 APR 18 PLNG RESUBMITTAL

Job No:
1724

Sheet:
A - 2

Attachment 6 Draft Resolution C

RESOLUTION NO. PC 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING DENIAL TO THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
FOR PLANNED DEVELOPMENT 18-001
APN: 025-435-027

WHEREAS, an application for Planned Development (PD 18-001) has been filed by Justin Vineyard & Winery, LLC for the Justin Winery Building No. 3 Project to establish a ±101,563 square foot wine storage building located within the existing Justin Vineyard & Winery facility business park; and

WHEREAS, the project would be located on an approximate 5-acre portion of the larger 20.26-acre Justin Vineyards & Winery site, located at 2265 Wisteria Lane; and

WHEREAS, the design of the project would require the removal of thirteen (13) oak trees. Based on the Oak Tree Preservation Ordinance, “every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees”. This has not been demonstrated with the current proposed building. There may be reasonable design alternatives to design around the existing oak trees, since the property has other areas that do not have oak trees located on it that could be developed; and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on July 10, 2018, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2 - Findings: In accordance with Zoning Ordinance Section 21.23B.050, Findings for Denial of Development Plans, and based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. The project is not consistent with the goals and policies established by the General Plan and Zoning Ordinance, since the project would require the removal of various oak trees that could otherwise be protected if the project was designed around the oak trees; and
2. The proposed development plan is not compatible with existing scenic and environmental resources since it proposes to remove healthy oak trees.

PASSED AND ADOPTED THIS 10th day of July 2018, by the following roll call vote:

AYES:

Agenda Item 1

NOES:

ABSENT:

ABSTAIN:

ATTEST:

DOUG BARTH, CHAIRPERSON

WARREN FRACE, PLANNING COMMISSION SECRETARY

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
 Review Period (June 25, 2018 through July 25, 2018)

- 1. PROJECT TITLE:** **Justin Winery Building No. 3**
- Concurrent Entitlements:** **Planned Development PD 18-001, Oak Tree Removal OTR 18-14**
- 2. LEAD AGENCY:** City of Paso Robles
 1000 Spring Street
 Paso Robles, CA 93446
- Contact:** Darren Nash
Phone: (805) 237-3970
Email: dnash@prcity.com
- 3. PROJECT LOCATION:** 2265 Wisteria Ln. (See Vicinity Map, Attach. 1)
- 4. PROJECT PROPONENT:** **Oasis Associates, Inc**
- Contact Person:** **C.M. Florence, AICP Agent**
Phone: **(805) 541- 4509**
Email: cmf@oasisassoc.com
- 5. GENERAL PLAN DESIGNATION:** **BP (Business Park)**
- 6. ZONING:** **PM (Planned Industrial)**
- 7. PROJECT DESCRIPTION:** The proposed project consists of adding a 101,563± square foot (SF) wine storage building consisting of 98,513 SF of barrel storage, a 1205 SF office, 972 SF of shipping and receiving, and an 873 SF electrical room. There is also a covered mechanical area of 2,386 SF located adjacent to the loading dock on the southeast corner of the building. This new building complements the existing winery facility that is located within an existing Golden Hill Industrial/Business Park. The proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. See Attachment 2 Site Plan and Attachment 3, Grading Plan, and Attachment 4. Architectural Elevations.
- 8. ENVIRONMENTAL SETTING:** The 20.26 net acre site is a merger of lots 9-14 of Tract 2778-2. The site is relatively flat, vegetated with annual grasses on mostly level terrain. A mature oak woodland is located within the grass land habitat area to the north and northwest of the proposed building. A few scattered oaks, a total of thirteen (13) trees, are located within the building footprint and site grading area and are proposed to be removed. The balance of the oaks will be preserved with the development of this project. Stormwater will be directed into a

Agenda Item 1

new retention basin southeast of the new building and new post construction stormwater methodologies employed.

A Mitigated Negative Declaration was approved for Tract 2778, and also for the development of the two existing Justin Winery buildings (PD 11-005). The mitigation measures identified in the previous environmental reviews consisted of Biological Impacts (Kit Fox), Traffic Impacts, and Air Quality impacts. Prior to the submittal of this project the developer paid the Kit Fox mitigation fees for Tract 2778. As indicated in this report, traffic impacts will be addressed by paying the required traffic impact fees at the time of occupancy of the project. Justin Vineyards has already worked with the APCD to address mitigation related to Operational Impacts, by purchasing off set credits. Only construction level mitigation was indicated necessary related to Air Quality impacts.

9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED): 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 checked="" 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 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: _____

Date: _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project site is not located within a scenic vista.				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The site is not considered a scenic resource and is not located along a state scenic highway, and there are no historic buildings located on this site.				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed development would be consistent with the existing type of buildings and display as currently developed. The project would not degrade the existing visual character or quality of the site or 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Any new exterior lighting will be required to be shielded so that it does not produce off-site spill glare.				

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

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project is not located on agriculturally zoned land and there are no agricultural activities taking place on the site.				
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"/>
Discussion: See discussion section for Section II.a.				

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project is not located on agriculturally zoned land and there are no agricultural activities taking place on the site.				
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"/>
Discussion: The project is not located on land zoned for forest purposes.				
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: This project would not result in the conversion of farmland or forest land.				

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

a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. The potential for future project development to create adverse air quality impacts falls generally into two categories: Short term and Long term impacts.

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

There will be short term impacts associated with grading for the proposed construction, standard conditions required by the City as well as the APCD will be implemented. Additionally, since the disturbed area of the project is over 4-acres, APCD outlines additional dust control mitigations be applied to the project during construction.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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From a traffic-related emissions perspective and based on the wine storage/wine production use being a low traffic generator and based on the total of the three buildings (including the two existing and one proposed) being approximately 199,920 square feet, when reviewing the project with the APCD CEQA Handbook, the project would produce less than the 25 lbs/day of ROG+NO_x and there for be considered less than significant and no mitigation is required for operational or long-term impacts based on light-industrial or manufacturing type of land use.

From a winery emissions perspective, reactive organic gases (ROG) were calculated for the proposed winery warehouse. Since the Air Pollution Control District views emissions in a comprehensive manner, the emissions were also calculated for the existing facilities. If the existing facilities were producing emissions at the 25-ton permit limit and the proposed facility, based upon the anticipated build-out emissions, produced 20.1 tons, all facilities would potentially produce 44.6 tons. (See Technical Memorandum, RCH Group, July 5, 2016, Attachment 6)

Based upon these calculations and in anticipation of the proposed project, Justin Vineyards & Winery LLC purchased 20 tons of SLOAPCD VOC emission reduction credits (ERCs). [Certificate No. 772-Z1] which would allow for full build-out of the facilities.

In summary, the operational impacts of the project have already been mitigated with the purchase credits described above. This projects impacts on short-term air quality will be less than significant with Mitigation incorporated, See AQ 1 – AQ 4outlined in the Mitigation Monitoring and Reporting, Attachment 5

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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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: See Section III.a

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| 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: See Section III.a

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Besides the short-term impacts from the actual grading, there will not be a significant impact to sensitive receptors.

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

Discussion: The project will not create objectionable odors.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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"/> |
| 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"/> |

Discussion (a-d): The Justin 3 Bldg. is proposed to be constructed on an approximate 5-acre portion of the larger 20.26-acre Justin Winery site. The 20.26 Justin Vineyards site has been evaluated for biological resources on multiple occasions, what follows is a chronology of the biological analysis:

- In 2006 by Althouse and Meade, where they prepared a Biological Report in preparation of the Mitigated Negative Declaration associated with Tract 2778 (Res. 06-027). The Justin Winery site is a result of the merger of Lots 9-18 of Tract 2778. The MND indicated that 23.34 acres of Kit Fox habitat would be impacted by the development of the industrial subdivision and required the purchasing 70.02 credits from a local conservation bank, along with other on-site protection measures during construction. See Resolution 06-027, Attachment 7
- In August 2011, Althouse and Meade prepared a Biological Analysis in conjunction with the reconfiguration of Lots within Tract 2778, which created the current 20.26-acre Justin Winery site. The 2011 letter sited the original mitigation measures outlined in Res. 06-027, this allowed for the construction of Building 2 on the project site. See Althouse and Mead Letter, Attachment 8
- Althouse and Meade 2014 Study. The subject area of Building No. 3 was further evaluated as part of the biological study to the neighboring 201-acre property (Erskine-Justin Wisteria Ln. GPA). More specific nesting bird measures were included in that Study. See 2014 Study, Attachment 9.

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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- Sage Industries, Inc. (SII) Addendum #1: SII provided a Biological Analysis to determine if the proposed Justin Building 3 and the mitigation measures outlined in Resolution 06-027 would still apply to the new project, and whether new mitigations may be necessary. See Attachment 10.
- SII – Addendum #2: SII provided more specific information related to Nesting Bird Surveys in relation to the request for this project to remove oak trees. The analysis concluded that Mitigation Measures BR-11, BR13 and BR 14 shall be implemented to avoid impacts to nesting birds. See Attachment 11.
- SIII- Addendum #3: SII provided information verifying that the area of the site where Building 3 is being proposed was included in the 23.34 acres originally studied with Tract 2887. The letter confirmed that mitigation measure BR 17c related to mitigation payments was completed on August 15, 2011 by Tom Erskine, the original developer of Tract 2778. \$175,050 in mitigation fees were paid to the Palo Prieto Conservation Bank. The mitigation satisfied the requirement for all parcels within Tract 2778-2 (23.34 acres). The remaining Kit Fox mitigations outlined in Res. 06-027 (pre-construction survey and contractor education) still remains in effect and will be required to be satisfied by Justin Bldg. 3 project prior to the issuance of a grading permit. See Attachment 12.

Based on mitigation measures applied to Kit Fox mitigation, Nesting Bird mitigation, as well as the other mitigations related to habitat and migratory wildlife, this projects impacts on Biological Resources will be less than significant with mitigation incorporated. The specific mitigations are outlined in the Mitigation Monitoring and Reporting Table, Attachment 5 to this Initial Study.

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion: The disturbed area of the Justin Building 3 is approximately 5-acres. While there are many oak trees on the 20-acre Justin site, the Arborist Report for the project indicates that 17 trees are located within the proposed Building 3 disturbed area and therefore will be impacted by this project. See Arborist Report, Attachment 7. The Report indicates that of the 17 trees, Justin Winery is requesting that 13 trees be removed the building. Of the 13 trees the Arborist Report indicates that 5 trees are dead (Trees: 476, 478,479,481,482).The other 8 trees are either in some type of decline or have had past limb failures.

The City has an Oak Tree Protection Ordinance that provides a process for requesting the removal of oak trees in association with a development project. The process requires that the City Council make a determination that the oak trees warrant removal based on specific findings.

PD 18-001 the development plan for the project is dependent on the Council approving the oak trees be removed. If the Council does not approve the removals, the project will need to be redesigned to protect the trees required to be saved.

The total trunk diameter proposed for removal (not including dead trees) is 166-inches. The Oak Ordinance requires 25-percent of the 166 inches being removed (41.5-inches) be planted as mitigation trees. The 41.5-inches would equate to the requirement to plant 28 1.5-inch diameter replacement oak trees on site.

Based on the Oak Preservation Ordinance requiring 28 oak trees to be planted as mitigation for the 13 trees proposed to be removed, impacts on tree preservation will be less than significant with mitigation incorporated. See discussion in Section IV.d of this CEQA Checklist that describes impacts from tree removals on nesting birds.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: There are no Habitat Conservation Plans in the City of Paso Robles.

V. CULTURAL RESOURCES: Would the project:

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

Discussion (a-d):

An Archeological Survey was conducted in 1996, by Clay Singer, in relation to a 226 acre site that included the land within Tract 2778 and Justin Building No. 3. The Study indicated that no prehistoric resources of any kind were identified and the Study concluded that development of the project at that time (Golf Course) should have no impact on known or cultural resources.

In October 2013, a Phase I Archeological Survey was conducted over the neighboring 201-acre study area (Erskine-Justin GPA site). The Survey identified three previously undocumented prehistoric archaeological sites and a single prehistoric isolate in the project area. The Survey indicates that the archaeological sites are low-density lithic debitage and tool scatters in the southeastern portion of the project area. The archaeological isolate, a leaf shaped projectile point fragment, is in the same vicinity of the prehistoric sites. The results of the study indicate archaeological cultural resources that may meet the CEQA definition of historical resources and/or unique archaeological resources are on the property. Further archeological surveys are required for the Erskine-Justin GPA site.

Since the Justin Building No. 3 site is in close proximity to the Erskine-Justin site, even though there are no known cultural resources as determined by the 1996 Survey, a mitigation measure has been added to this project requesting that a Phase I Archeological Survey be conducted prior to the issuance of site disturbance.

Based on the 1996 Survey indicating that there are no know impacts on the project site, based on newer information in the area, with the requirement for the further study, this projects impacts on Cultural Resources would be less than significant with mitigation added.

AB 52 – The Initial Study will be circulated to the 6 tribes that have requested consultation. As mentioned above, conditions will be placed on this project requiring further study, prior to ground disturbance.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
<i>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 Uniform Building Code 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.</i>				
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: The proposed project will be constructed to current 2016 CBC codes. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of this project including adequate structural design and not constructing over active or potentially active faults.</i>				
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a potential for liquefaction or other type of ground failure due to seismic events and soil conditions. To implement the EIR's mitigation measures to reduce this potential impact, the City has a standard condition to require submittal of soils and geotechnical reports, which include site-specific analysis of liquefaction potential for all building permits for new construction, and incorporation of the recommendations of said reports into the design of the project</i>				
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: See response to item a.i-ii above.</i>				

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated. A geotechnical/ soils analysis will be required prior to issuance of building permits that will evaluate the site-specific soil stability and suitability of grading and retaining walls proposed. This study will determine the necessary grading techniques that will ensure that potential impacts due to soil stability will not occur. A drainage and erosion control plan, plus a Stormwater Pollution Prevention Plan shall be required to be approved by the City Engineer and the Regional Water Quality Control Board prior to commencement of site grading.</i>				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: See response to item a.iii, above.</i>				
d. 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"/>
<i>Discussion: See response to item a.iii, above.</i>				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: The building will be connected to the City's sanitary sewer system, therefore there is no impact.</i>				

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"/>
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 type="checkbox"/>

Discussion (a-b):

The use of the building includes wine storage, which is a low traffic generator, and has minimal number of full and part time employees. The new warehouse building is being located adjacent to Justin's existing facility *reducing the distance for transportation of products and materials*. A conveyor system is installed between the existing Building 1 and 2 which is used to transport product and materials between the two buildings.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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With the review of the two previous buildings, City Staff along with APCD Staff have made a good-faith effort to quantify the projects GHG impacts from both operational and construction phase. APCD has indicated that the project will create approximately 394 metric tons of CO2 equivalence during the construction phase, and 3,613 metric tons of operational emissions. APCD recommended that measures from Section 3.7.2 of the 2009 Handbook be applied to the project to help mitigate GHG emissions. The following measures from Table 3-5 have been included in the initial project design:

- Significant amount of shade tree planting;
- High efficiency exterior siding, roofing and insulation panels, an increase of Title 24 by 20 percent;
- Building orientation towards street, with parking in rear (both the building and the parking will be located behind building 1 and 2);
- Employee locker room and shower to support alternative transportation (Exists within Justin Building 2);
- Reduced in the number of on-site paved parking spaces;
- Break room with refrigeration, eating and on-site vending (exists in Justin Building 2);

With the addition of the wine storage building, based on the low amount of employees as well as low trip generation, along with the items listed above, it is anticipated that the project impacts related to GHG emissions will be less than significant.

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"/>
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See discussion below.

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"/>
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See discussion below.

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"/>
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See discussion below.

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"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion (a-d): the project will include the transport of wine grapes, processed wine, and the byproduct of the wine (pumice). The wine production process does not utilize or transport hazardous materials in the wine making process. The site is vacant and not included on a hazardous materials site list. The development and operation of the winery facility would not create a hazard, or use/produce hazardous materials.

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

Discussion: The location of this project is within Safety Zones 3 and 4 of the Airport Land Use Plan, where the Plan indicates that warehousing is a permitted use in those zones. There are limitations on number of people per acre (40 people per gross acre and 120 people per single acre), however based on the area of the site where Building 3 is proposed to be built being approximately 5-acres, and since the warehouse will typically have less than four employees, the project will comply with ALUP, therefore impacts will be less than significant.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: The project is not in close proximity to a private air strip.

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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"/> |
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Discussion: This project has been reviewed by the City's Emergency Service Department and has not been determined to have an impact on any Emergency Plan.

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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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion (a-h):

The proposed wine storage building will be constructed in a manner that will comply with the necessary Uniform Fire Codes, including the requirement to install fire sprinkler systems. Additionally, the project will be required to maintain a clear area around the building and to the surrounding oak woodland areas. Meeting the Building Codes, Fire Codes and Emergency Services requirements for grassland maintenance, this project impacts on wildland fires is less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY: Would the project:

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

Discussion: A Storm Water Quality Management Plan was prepared by Wallace Group (February 2018) for this project (On file with the Community Development Dept.). The plan identifies specific post-construction Best Management Practices that have been incorporated into the project in compliance with State Water Board requirements to meet water quality standards and discharge requirements. The project will apply conditions of approval to comply with these standards.

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

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

The use of this building is for wine barrel storage. There is no production proposed with this building, therefore the addition of Building 3 to the Justin Vineyards site will have a less than significant impact on 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"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

See discussion below.

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

See discussion below.

Agenda Item 1

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10) See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by mudflow? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 (c-l): The proposed site is on a slight rise such that storm water will be routed to the perimeter of the area of disturbance through a series of storm drains and catch basins that will be diverted to an initial detention basin and retention basin. The retention basin is temporary until such time that Erskine Way is constructed and the future storm drain connection is made to Erskine Way. The proposed site has adequate space to construct Low Impact Design features and detention basins. This will provide stormwater storage and also provide stormwater treatment for the design storms. Additionally, the site is not located within a flood hazard area and the subject buildings will be utilizing City water and sewer systems. The projects impacts related to hydrological and water quality issues will be less than significant since the project will be required to comply with the City's standards related to site drainage, storm water run-off, water quality and water supply. See "Preliminary Stormwater Control Plan, Justin Vineyards and Winery Phase 3: Building 4," Wallace Group, February 2018 (Attachment 14).

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

Discussion: The project consists of constructing a wine storage building on a site that currently operates a wine production facility, within an existing industrial/business park, it will 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Wine processing is a permitted use in the Planned Industrial (PM) zoning and Business Park (BP) land use designation of the Zoning Code and General Plan. Therefore, there will not be impacts to land use plans or policies.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore, there is no impact.

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

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>
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"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: The construction phase of the project will be required to comply with the City's noise level requirements. The noise associated with the on-going operations of the industrial use within an industrial park is anticipated to 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 type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Agenda Item 1

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 (a-c):

The project will not create induce population growth, displace housing or people.

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

Discussion (a-e):

The project will be located at an existing winery facility within an existing industrial/business park. The addition of the building will not create a significant impact to public services.

XV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a&b):

The project will not impact recreational facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC: Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Discussion (a,b): A traffic study was prepared for Tract 2778 and mitigation measures were required of the original subdivision to address traffic impacts. The mitigation required that projects within Tract 2778 is to pay their fair share for various interchange projects. Since Tract 2778 measures was approved, it has been standard practice that projects pay Traffic Impact Fees as noted on the AB 1600 project list. The list includes the projects that were outlined in this project along with all others within the industrial park that will be required to pay the traffic impact fees.</p> <p>The proposed project consists of adding a third building to the existing Justin Winery site. The site is an approximately 20 acre project which is a merger of Lots 9-14 of Tract 2778. Rather than having the possibility of six (6) separate buildings on six (6) parcels, as originally approved for Tract 2778, this project is proposed to be developed on one larger parcel. Therefore, the impacts from the larger project should not exceed what was originally anticipated with the six (6) separate lots.</p> <p>Based on the wine warehouse project being a low traffic generator that would not exceed thresholds of significance, and since the project is a permitted use in the BP/PM designated zoning areas, the City Engineer has indicated that the standard condition of paying traffic impact fees will adequately address any traffic impacts related to this project, since the fees will help fund the traffic improvements identified in the Parallel Routes Study. By paying fees towards the Parallel Routes project, this projects impacts on transportation and traffic will be less than significant.</p>				
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"/>
<p>Discussion: this project does not have an aircraft component to it, therefore will not have impacts on air traffic patterns.</p>				

Agenda Item 1

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

Discussion: Justin Building No. 3 will be added to the existing Justin Winery site which currently operates in the Golden Hill Industrial Park and takes access from Wisteria Lane. The addition of this project will not change the current driveway access on Wisteria Lane, therefore, there will be no impacts to the existing street or intersections.

e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: Justin Building No. 3 will be added to the existing Justin Winery site, which currently operates in the Golden Hill Industrial Park and takes access from Wisteria Lane. The site currently has two points of access and meets the Fire Code requirements for on-site circulation. The addition of this project will be required to maintain the access requirements required by the Fire Codes, therefore there will be no impact.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: Justin Building No. 3 will be added to the existing Justin Winery site, which currently operates in the Golden Hill Industrial Park and takes access from Wisteria Lane. This warehouse project will not add a significant number of employees to the site. Wisteria Lane has been constructed with sidewalk on both sides and is wide enough to accommodate bike lanes. The necessary striping to add bike lanes on to Wisteria Lane is scheduled to take place with the Erskine Way project. The project can accommodate transit at some point when the transit route includes Wisteria Lane. This projects impacts on pedestrian, bicycle and transit is less than significant.

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

Agenda Item 1

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-g): The Justin 3 Building is for warehousing of wine barrels and case goods and not be used for the production of wine. Additionally, the warehouse use will have a low demand on water and waste water. All necessary storm water facilities will be provided with the construction of the Justin 3 project. Based on the building being for wine storage, there will not be a significant amount of solid waste produced by this project.

Additionally, the proposed warehouse use is permitted in the BP/PM designations for the Golden Hills Business Park, therefore this projects impacts on storm water facilities is less than significant, while there will be no additional impacts on the other listed utilities.

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"/>
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Discussion: The proposed project consists of adding a 101,563 square foot wine storage building to the existing winery facility that is located within an existing Industrial/Business Park. The site is located within Tract 2778-2 which will be an extension of the existing Golden Hills Business Park. As noted within this environmental document a previous Mitigated Negative Declaration was prepared and identified impacts related to biological resources and traffic impacts. There are existing streets and utilities that currently serve the site and will provide access and utilities to the other parcels within Tract 2778-2. As indicated within the Initial Study, mitigation measures will be required that will address impacts related to biological and cultural impacts. The site is routinely maintained and mowed, so impact to fish, wildlife, of plant habitat is less than significant.

Agenda Item 1

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project consists of adding a 101,563 square foot wine storage building to the existing winery facility that is located within an existing Industrial/Business Park. The site is located within Tract 2778-2 which will be an extension of the existing Golden Hills Business Park. The proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. Therefore, adding a wine storage building on an existing winery site, will not have impacts that are individually limited, but cumulatively considerable.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The proposed project consists of adding a 101,563 square foot wine storage building to the existing winery facility that is located within an existing Industrial/Business Park. The site is located within Tract 2778-2 which will be an extension of the existing Golden Hills Business Park. The proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. Therefore, the project will not cause substantial adverse effects on human beings, either directly or indirectly, as incorporation of the mitigation measures will reduce any "potentially significant impacts" to "less than significant impact."

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 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	Resolution 06-027, MND for Tract 2778	City of Paso Robles Community Development Department

Agenda Item 1

Attachments:

- 1. Vicinity Map**
- 2. Site Plan**
- 3. Grading Plan**
- 4. Architectural Elevations**
- 5. Mitigation Monitoring and Reporting Table**

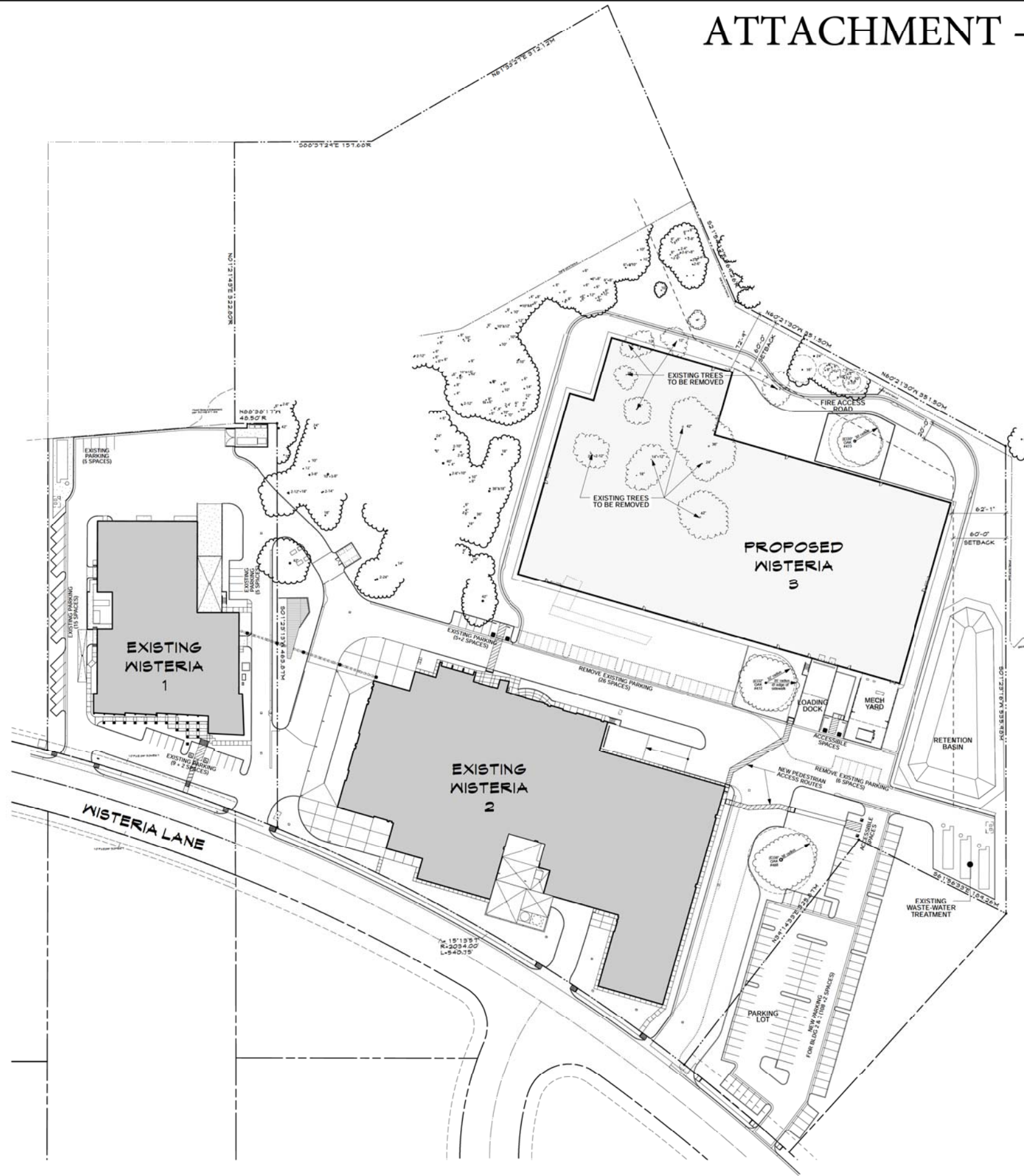
(Attachments 6-13 on-file with the Community Development Dept.)

- 6. Tech Memo – RCH Group (Air Quality Off sets)**
- 7. Res. 06-027**
- 8. Althouse & Meade 2011 Letter**
- 9. Althouse & Meade 2014/2016 Biological Report – Wisteria Ln. Project**
- 10. SII Addendum #1**
- 11. SII Addendum #2**
- 12. SII Addendum #3**
- 13. A&T Arborist Report – March 2018**

VICINITY MAP



ATTACHMENT - 2



OVERALL SITE PLAN
 1" = 60' - 0"



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5004 voice

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Project:

JUSTIN WISTERIA 3

TRACT 2778-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

Sheet Contents:
 OVERALL SITE PLAN

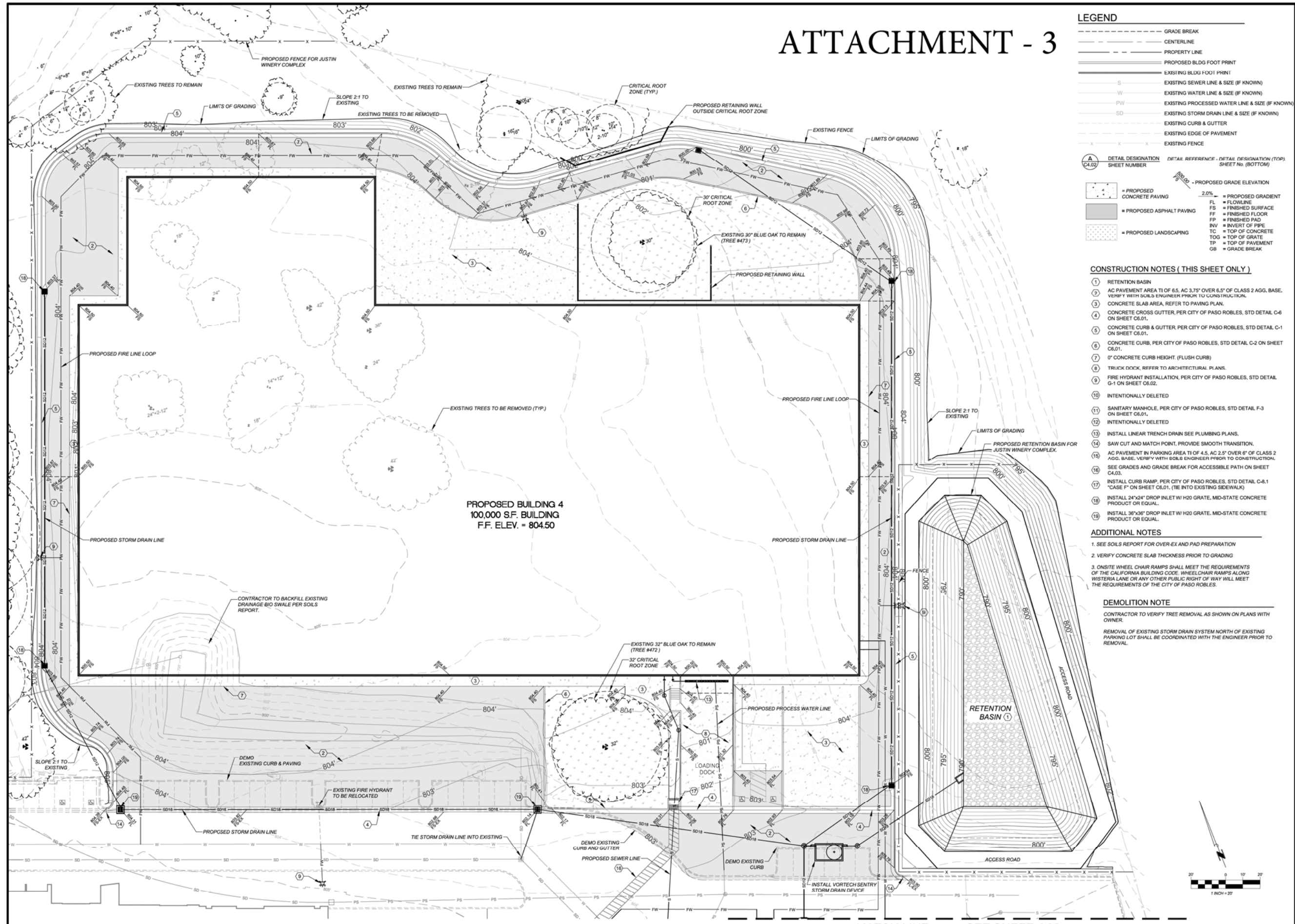


Date: 1 FEB 16
 Revised: 7 FEB 16 PLNG SUBMITTAL
 20 APR 16 PLNG RESUBMITTAL

Job No: 1724

Sheet:
AC-1

ATTACHMENT - 3



LEGEND

---	GRADE BREAK
---	CENTERLINE
---	PROPERTY LINE
---	PROPOSED BLDG FOOT PRINT
---	EXISTING BLDG FOOT PRINT
S	EXISTING SEWER LINE & SIZE (IF KNOWN)
W	EXISTING WATER LINE & SIZE (IF KNOWN)
PW	EXISTING PROCESSED WATER LINE & SIZE (IF KNOWN)
SD	EXISTING STORM DRAIN LINE & SIZE (IF KNOWN)
---	EXISTING CURB & GUTTER
---	EXISTING EDGE OF PAVEMENT
---	EXISTING FENCE

DETAIL DESIGNATION SHEET NUMBER

A	4.02	DETAIL REFERENCE - DETAIL DESIGNATION (TOP) SHEET No. (BOTTOM)
---	------	--

PROPOSED GRADE ELEVATION

2.0%	PROPOSED GRADIENT
FL	FLOWLINE
FS	FINISHED SURFACE
FF	FINISHED FLOOR
FP	FINISHED PAD
INV	INVERT OF PIPE
TC	TOP OF CONCRETE
TG	TOP OF GRADE
TP	TOP OF PAVEMENT
GB	GRADE BREAK

- CONSTRUCTION NOTES (THIS SHEET ONLY)**
- RETENTION BASIN
 - AC PAVEMENT AREA T1 OF 6.5, AC 3.75" OVER 6.5" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - CONCRETE SLAB AREA, REFER TO PAVING PLAN.
 - CONCRETE CROSS GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-6 ON SHEET C6.01.
 - CONCRETE CURB & GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-1 ON SHEET C6.01.
 - CONCRETE CURB, PER CITY OF PASO ROBLES, STD DETAIL C-2 ON SHEET C6.01.
 - 0" CONCRETE CURB HEIGHT (FLUSH CURB)
 - TRUCK DOCK, REFER TO ARCHITECTURAL PLANS.
 - FIRE HYDRANT INSTALLATION, PER CITY OF PASO ROBLES, STD DETAIL G-1 ON SHEET C6.02.
 - INTENTIONALLY DELETED
 - SANITARY MANHOLE, PER CITY OF PASO ROBLES, STD DETAIL F-3 ON SHEET C6.01.
 - INTENTIONALLY DELETED
 - INSTALL LINEAR TRENCH DRAIN SEE PLUMBING PLANS.
 - SAW CUT AND MATCH POINT, PROVIDE SMOOTH TRANSITION.
 - AC PAVEMENT IN PARKING AREA T1 OF 4.5, AC 2.5" OVER 6" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - SEE GRADES AND GRADE BREAK FOR ACCESSIBLE PATH ON SHEET C4.03.
 - INSTALL CURB RAMP, PER CITY OF PASO ROBLES, STD DETAIL C-8.1 "CASE F" ON SHEET C6.01, (TIE INTO EXISTING SIDEWALK)
 - INSTALL 24"x24" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.
 - INSTALL 36"x36" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.

- ADDITIONAL NOTES**
- SEE SOILS REPORT FOR OVER-EX AND PAD PREPARATION
 - VERIFY CONCRETE SLAB THICKNESS PRIOR TO GRADING
 - ONSITE WHEEL CHAIR RAMPS SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE. WHEEL CHAIR RAMPS ALONG WISTERIA LANE OR ANY OTHER PUBLIC RIGHT OF WAY WILL MEET THE REQUIREMENTS OF THE CITY OF PASO ROBLES.

DEMOLITION NOTE

CONTRACTOR TO VERIFY TREE REMOVAL AS SHOWN ON PLANS WITH OWNER.

REMOVAL OF EXISTING STORM DRAIN SYSTEM NORTH OF EXISTING PARKING LOT SHALL BE COORDINATED WITH THE ENGINEER PRIOR TO REMOVAL.



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Project:
WISTERIA 3
 R.O.S. 105-36
 PARCEL 1
 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC
 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

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LANDMARK SURVEYING & ENGINEERING
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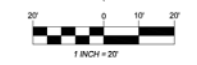
Sheet Contents:
 CONCEPTUAL GRADING & UTILITIES PLAN

Date: 20 APRIL 2018
 Revised:

Job No: 1253.17

Sheet: C1

MATCH LINE - SEE SHEET 4.02

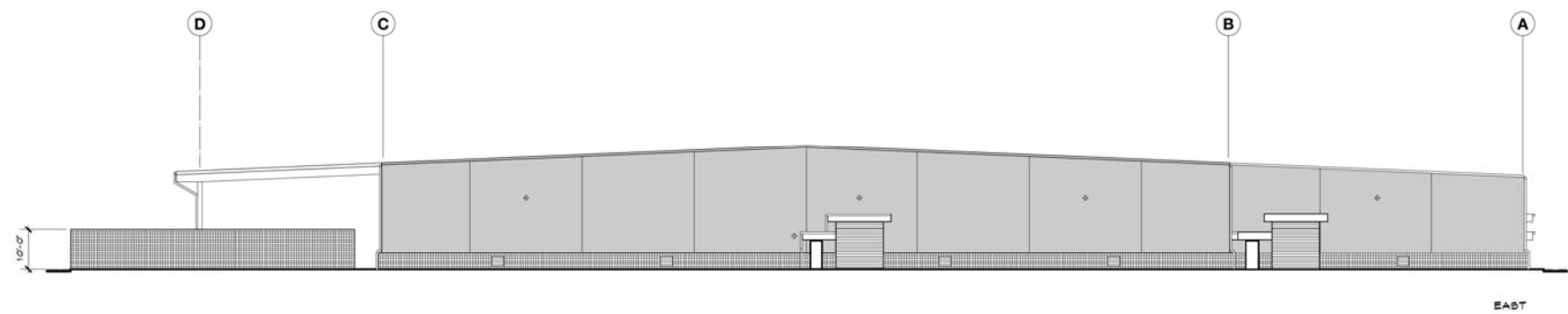
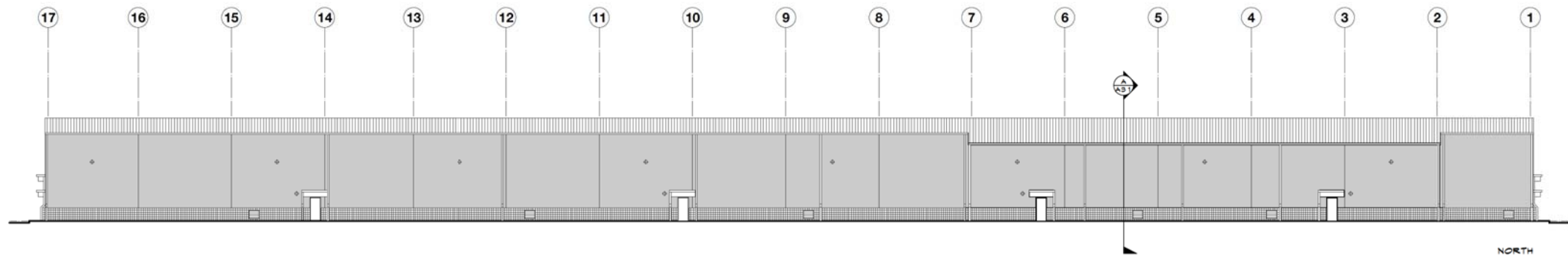
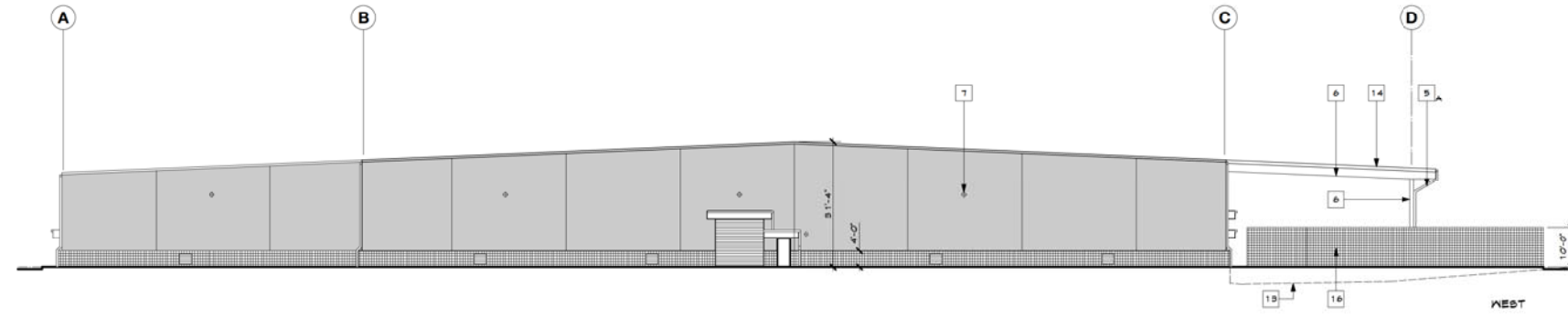
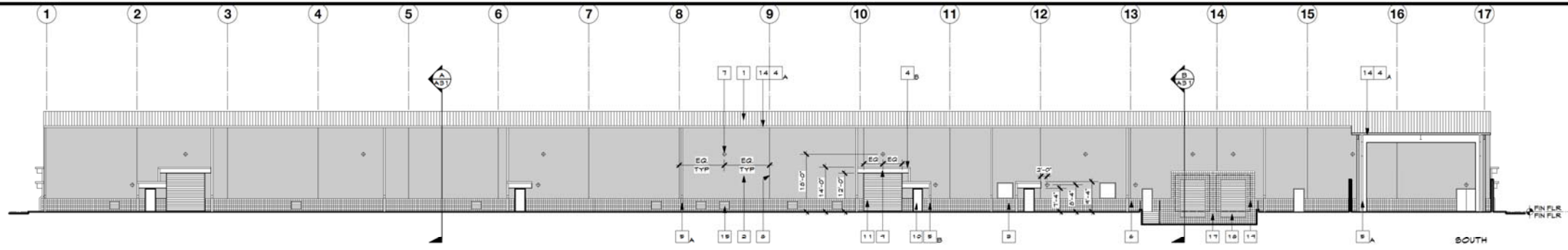


ELEVATION GENERAL NOTES

1. Insulated metal wall panels shall be Kingspan 400 Series "V-Wave" Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 4" thick R-26.4 core, ribs running horizontally, anchorage per manufacturer. Wall panel design is based on a 3'4 3/8" wall panel module.
2. Metal roof panels shall be Kingspan KingZip Insulated Standing Beam Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 6" thick R-19.2 core. Roof panel design is based on a 4'-0" wide panel module.

ELEVATION REFERENCE NOTES

1. KINGSPAN KINGZIP METAL ROOFING, COLOR: KINGSPAN 'REGAL WHITE'
2. KINGSPAN 400 V-WAVE PANELS, COLOR: KINGSPAN 'SILVER SMITH'
3. 4" HIGH GROUND FACE CONCRETE BLOCK MAINSCOT, BURNISHED & SEALED AIR-VOL BLOCK #80B40T6 - ONE SIDE VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 COAT SEALER
4. GUTTER, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
5. DOWNSPOUT, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
6. EXPOSED STRUCTURAL FRAME, KYNAR 'BLACK'
7. WALL LIGHT, REFER TO LIGHTING FLOOR PLANS
8. PANEL JOINT COVER EXTRUSION TRIM, KINGSPAN 'BLACK'
9. METAL GANOFY, COLOR: KYNAR 'EBONY BLACK'
10. MAN DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: KYNAR 'EBONY BLACK'
11. ROLL-UP DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
12. NOT USED
13. LOADING DOCK RAMP, SHOWN DASHED
14. METAL FASCIA, COLOR: KYNAR 'REGAL WHITE'
15. EXHAUST FAN OR LOUVER COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
16. 10" HIGH GROUND FACE CONCRETE BLOCK SCREEN WALL, BURNISHED AIR-VOL BLOCK #80B40T6 IV/ VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 COAT SEALER
17. CONCRETE BLOCK LOADING DOCK WALL SURROUND
18. DOCK LEVELER
19. DOCK SEALS



EXTERIOR ELEVATION
1/16" = 1' - 0"



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These drawings are instruments of service and are property of Steven D. Pulits, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pulits, AIA & Associates, LLP.

Project:

JUSTIN WISTERIA 3

TRACT 2778-2
LOTS 9-14

2295 WISTERIA LANE
PASO ROBLES
CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

Consultant:

Sheet Contents:
EXTERIOR ELEVATIONS



Date:
Revised:
7 FEB 18 PLNG SUBMITTAL
20 APR 18 PLNG RESUBMITTAL

Job No:
1724

Sheet:

A - 2

ATTACHMENT - 4

Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 18-001 and OTR 18-014 – Justin Winery Building 3

Approving Resolution No.: Resolution No. _____ by: Planning Commission City Council Date: _____

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

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.

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>AQ-1: <u>Dust Control Measures</u> Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. <u>Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD’s 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):</u></p> <ul style="list-style-type: none"> a. Reduce the amount of the disturbed area where possible. b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the 	Project	Qualified Air Quality Specialist			Prior to Issuance of a Grading Permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>District’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. <u>Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.</u> For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;</p> <ul style="list-style-type: none"> c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed; d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities; e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established. f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD. g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. 					

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> <li data-bbox="205 191 869 280">h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site. <li data-bbox="205 297 869 483">i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. <li data-bbox="205 500 869 1174">j. Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified; <li data-bbox="205 1190 869 1304">k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. <li data-bbox="205 1320 869 1377">l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and, 					

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.</p>					
<p>AQ-2: <u>Developmental Burning</u> Effective February 25, 2000, <u>the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.</u> If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.</p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit
<p>AQ-3: <u>Demolition Activities Demolition / Asbestos</u> Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). <u>If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61,</u></p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>Subpart M - asbestos NESHAP). These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to slocleanair.org/rules-regulations/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of slocleanair.org/library/download-forms.php.</p>					
<p>AQ-4 Construction Permit Requirements Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.</p> <p>The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.</p> <ul style="list-style-type: none"> • Power screens, conveyors, diesel engines, and/or crushers; • Portable generators and equipment with engines that are 50 hp or greater; 	Project	Qualified Air Quality Specialist/ CDD			Prior to issuance of a grading permit.

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> • Electrical generation plants or the use of standby generator; • Internal combustion engines; • Rock and pavement crushing; • Unconfined abrasive blasting operations; • Tub grinders; • Trommel screens; and, • Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc). <p><u>To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.</u></p>					
<p>BR-1. The canopy edge and trunk location of oak trees within 50 feet of proposed construction on the Property shall be surveyed by a licensed land surveyor and placed on all plan sets. Tree assessments should be conducted by a certified arborist or qualified botanist. Data collected for the tree shall include diameter at breast height (4.5 feet) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests, wood rat nests, and unique features. The tree map shall be used to determine impacts to trees from the project and will inform the mitigation plan.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-2. Impacts to the oak canopy or critical root zones (CRZ) should be avoided where practicable. Impacts include pruning, ground disturbance within the CRZ, and trunk damage.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-3. Prior to ground breaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place</p>	On-going	CDD			Prior to issuance of grading permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
throughout the duration of the project, and removed only under the direction of the project environmental monitor or arborist, while demolition is in progress.					
BR-4. Trenching within the CRZ must be approved by the project arborist, and shall be done by hand or with an air spade. Any roots exposed by demolition shall be treated by a tree care specialist and covered with a layer of soil to match existing topography.	On-going	CDD			Prior to issuance of grading permit
BR-5. Landscape material within the CRZ must be of native, drought tolerant species. Lawns are prohibited within the CRZ.	On-going	CDD			Prior to issuance of grading permit
BR-6. Paving adjacent to and within the CRZ shall utilize interlocking pavers or equivalent that will allow proper infiltration of water and exchange of oxygen to the root zone of the tree.	On-going	CDD			Prior to issuance of grading permit
BR-7. Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.	Project	CDD			Prior to issuing Certificate of Occupancy permit
BR-8. Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection, and reported to the County.	Project	Certified Arborist CDD			Prior to issuing grading permit
BR-9. Impacts to oaks shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oaks removed shall be replaced in kind at a 25% of replacement inches.	On-going	Certified Arborist CDD		Notes shown on construction documents.	Prior to issuing grading permit.
BR-10. Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be the same species as the tree impacted or removed, and of local origin.	On-going	CDD		Notes shown on construction documents.	Prior to issuing grading permit.

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-11. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 1 to August 31. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for active raptor nests. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.</p>	Project	CDD		Notes shown on construction documents.	Prior to issuing Building Permit.
<p>BR-12. A focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Game to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:</p> <ul style="list-style-type: none"> ● Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas. ● Construction monitoring shall be required for all new 	Project	CDD			Prior to issuing Certificate of Occupancy permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.</p> <ul style="list-style-type: none"> • A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW. 					
<p>BR-13. Occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.</p>	Project	CDD			Prior to site disturbance, grading permit issued
<p>BR-14. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of grading permit
<p>BR-15. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the preconstruction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of building permit

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 st and February 1 st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices					
BR-16. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.	Project	Certified Arborist CDD			Prior to issuance of Final Occupancy

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-17 (BR-1, Res. 06-028). Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:</p> <p>a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 70.02 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the City.</p> <p>This mitigation alternative (a.) requires that all aspects if this program must be in place before City permit issuance or initiation of any ground disturbing activities.</p> <p>b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.</p> <p>Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$175,050. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.</p>	Project	CDD		\$175,050 was paid to the Palo Prieto Conservation Bank on August 15, 2011	Mitigation Measure BR-17 has been completed. (Includes BR-1 or Res. 06-028)

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>c. Purchase 70.02 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.</p> <p>Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$175,050. This fee is calculated based on the current cost- per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.</p>					
<p>BR-18. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:</p> <ul style="list-style-type: none"> o Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre- activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits. o The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-28. Site disturbance activities lasting up to 14 days do not require 	On-going	CDD			Prior to issuance of Grading Permit/On-going with project construction.

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.</p> <ul style="list-style-type: none"> o Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. <p>If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.</p> <ul style="list-style-type: none"> i. In addition, the qualified biologist shall implement the following measures: <ul style="list-style-type: none"> 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances: 					

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Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> ▪ Potential kit fox den: 50 feet ▪ Known or active kit fox den: 100 feet ▪ Kit fox pupping den: 150 feet <p>2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.</p> <p>3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.</p>					
<p>BR-19. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: <i>“Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”</i>. Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.</p>	On-going	CDD			Prior to issuance of a grading permit.
<p>BR-20. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.</p>	On-going	CDD			On Going during construction.
<p>BR-21. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this</p>	On-going	CDD			Prior to issuance of a grading permit.

Agenda Item 1

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.					
BR-22. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.	Project	CDD			Prior to certificate of occupancy
BR-23. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.	Project	CDD			Prior to certificate of occupancy
BR-24. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.	Project	CDD			Prior to certificate of occupancy
BR-25. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary	Project	CDD			Prior to certificate of occupancy

Agenda Item 1

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.					
BR-26. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.	Project				On -going with project construction.
BR-27. Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage: i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches. ii. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines	Project				Prior to Certificate of Occupancy.
CR-1: Prior to the issuance of a Grading Permit, a Phase I Archeological Survey shall be completed to confirm the 1996 Survey, that no known cultural resources exist on the site.	Project	CDD			Prior to issuance of a Grading Permit

(add additional measures as necessary)

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.

**AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Gisele Tremblay, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development 18-001 and Oak Tree Removal 18-14 on this 20th day of June 2018.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Gisele Tremblay

Charged ✓

THE Newspaper of the Central Coast TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California In and for the County of San Luis Obispo

AD #3724678 CITY OF PASO ROBLES

STATE OF CALIFORNIA ss. County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof - on the following dates to wit;; JUNE 22, 2018 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Jane E. Durand (Signature of Principal Clerk)

DATE: JUNE 22, 2018 AD COST: \$323.07

CITY OF EL PASO DE ROBLES NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will consider making recommendations to the City Council to adopt of a Mitigated Negative Declaration in accordance with the California Environmental Quality Act and approval of the following project:

Project Title: Planned Development PD 18-001 & Oak Tree Removal OTR 18-14 (Justin Building 3) Applicant: Justin Vineyards & Winery, LLC Project Location: 2265 Wisteria Lane, Paso Robles, CA APN: 025-435-027 & 030

Planned Development 18-001 & OTR 18-14: The Justin Building 3 project consists of adding a 101,563± square foot (SF) wine storage building consisting of 98,513 SF of barrel storage, a 1205 SF office, 972 SF of shipping and receiving, and an 873 SF electrical room. There is also a covered mechanical area of 2,386 SF located adjacent to the loading dock on the southeast corner of the building. The applicants are requesting approval to remove 13 oak trees from the site to accommodate the development of the proposed Justin 3 building.

The Public Review Period for the proposed Mitigated Negative Declaration will commence on June 25, 2018, and end on July 24, 2018. The public hearing before the Planning Commission is scheduled to take place on Tuesday, July 10, 2018, at the hour of 6:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

FINDING

The City of Paso Robles has reviewed the above project in accordance with the City of Paso Robles' Rules and Procedures for the Implementation of the California Environmental quality Act and has determined that an Environmental Impact Report need not be prepared because:

- The proposed project will not have a significant effect on the environment. [X] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been made as part of the Negative Declaration and have been added to the project.

The Initial Study which provides the basis for this determination is available at the City of Paso Robles, Community Development Department, 1000 Spring Street, Paso Robles, CA 93446.

NOTICE

The public is invited to provide written comment on the Draft Mitigated Negative Declaration and/or to provide oral comment at the public hearing noted above. The appropriateness of the Draft Negative Declaration will be reconsidered in light of the comments received.

Questions about and comments on the proposed project and Mitigated Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or e-mailed to CDdirector@prcity.com provided that any comments are received prior to the time of the Planning Commission hearing. Should you have any questions about this project, please call Darren Nash at (805) 237-3970 or send email to dnash@prcity.com.

/s/Darren Nash, Associate Planner June 22, 2018 June 19, 2018 3724678