

Attachment A:

Findings and Statement of Overriding Considerations (SOC) and Mitigation
Monitoring and Reporting Program (MMRP)

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Attachment A

Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program For the Los Alamos Community Plan Update EIR State Clearinghouse No. 2008101147

1. PROJECT DESCRIPTION

The project comprises adoption of the Los Alamos Community Plan Update initiated for environmental review by the County of Santa Barbara Board of Supervisors on September 23, 2008. The project is an update of the existing Los Alamos Community Plan which was adopted by the Board of Supervisors in 1994. The primary focus of the plan Update is a change in land use regulations to incentivize investment and revitalization of the Bell Street (Highway 135) corridor into a vibrant mixed-use downtown while preserving the Town of Los Alamos' endearing rural western town character.

The Los Alamos Community Plan Update will be part of the Land Use Element of the County's Comprehensive General Plan. It includes maps and text consisting of goals, objectives, policies, action items and development standards, all of which are designed to implement the overall goals and objectives of the Los Alamos Community Plan regarding development and community character. The policies of the Los Alamos Community Plan are of two general types: 1) those that control, restrict, or otherwise condition future development in order to protect or respect environmental or physical constraints; and 2) those that encourage or allow certain types of land uses and development. Adoption of the Los Alamos Community Plan therefore entails land use designation changes, zoning changes, and amendments to County land use maps, the Land Use Element, the Noise Element, and Chapter 35 of the Santa Barbara County Land Use and Development Code.

2. PROCEDURAL HISTORY

The Board of Supervisors finds that the Los Alamos Community Plan was prepared pursuant to the following process:

1. In Santa Barbara County, the community plans establish the local vision of the community while implementing the overarching long-term policy guidance of the Santa Barbara County Comprehensive Plan and State planning law. The Board of Supervisors utilize local citizen and stakeholder input gathered during meetings of an appointed General Plan Advisory Committee (GPAC) consisting of local citizens to ensure that community preferences for land use are included in the Community Plan, and that each community's unique geographic setting and social distinctiveness is considered in developing the local plan.
2. In 2005, the County received a proposal from private development interests to expand the Los Alamos Community Plan urban boundary to allow for

development of agricultural zoned land to the west of Los Alamos' traditional Bell Street downtown. The Los Alamos Commons development proposal to extend the Los Alamos Community Plan urban boundary and a growing public interest in stimulating revitalization within existing commercial areas provided an impetus for the Board of Supervisors to reexamine the existing 1994 Los Alamos Community Plan and reassess the Town of Los Alamos residents' preferences for future land use and the type and form of future development.

3. The Board of Supervisors initiated an Update to the Community Plan by establishing a GPAC to assist County planning staff and the community in updating the plan. The Los Alamos Planning Advisory Committee was created on August 8, 2006, and consists of a group of community members representing diverse interests who were appointed by the Third District Supervisor and confirmed by vote of the Board of Supervisors.
4. The LAPAC role is to hold public meetings, advise County staff reviewing and revising the Los Alamos Community Plan goals and policies, and provide recommendations to the Planning Commission and Board of Supervisors in regards to the Final Draft Los Alamos Community Plan Update.
5. Citizen involvement in the preparation of a community plan is required by State law and is one of the cornerstones of the Los Alamos Community Plan Update process. To achieve citizen involvement, the LAPAC and County Planning and Development staff held a public workshop and series of 30 public hearings on the Los Alamos Community Plan Update between August 2006 and June 2008.
6. During these noticed community workshop and public meetings, the LAPAC, County staff, and interested community members discussed land use and planning issues relevant to Los Alamos, identified issues which were researched by County staff, and prepared land use policy recommendations for inclusion in the Draft Los Alamos Community Plan Update. The issues examined by the LAPAC included:
 - Land Use
 - The Urban Boundary
 - Economic Revitalization
 - Community Design
 - Public Services and Safety
 - Parks, Recreation and Trails
 - Biological Resources
 - Circulation and Traffic
 - Visual, Historic, and Cultural Resources
 - Tourism and Wineries
 - Water, Wastewater, and Flood Hazards
7. Community involvement through the LAPAC process provided the following opportunities for County staff and planning area residents:

- To gather information and insight concerning the needs, visions, resources and unique nature of the community from persons most familiar with Los Alamos;
 - Conduct focused land use studies to inform decision-making;
 - To inform and involve residents, business and property owners, and interested parties about the planning process;
 - To give members of the community opportunities to participate in the planning process;
 - To build consensus for the Plan and strengthen the ability of community members to be involved in its implementation.
8. The LAPAC and County staff surveyed the community and prepared land use, resource, public facilities, and economic studies of Los Alamos to assess existing conditions, identify community preferences, and land use constraints.
 9. On April 16, 2007, the LAPAC voted to focus the Los Alamos Community Plan Update on infill and mixed use residential and commercial growth without expanding the urban boundary.
 10. The Draft Los Alamos Community Plan Update reflects the preferences expressed by town residents for preserving the rural character of the Town while seeing a greater number of community and visitor serving retail and service businesses and residents locate in the Bell Street corridor.
 11. On September 23, 2008, the Board of Supervisors initiated environmental review of the Draft Los Alamos Community Plan Update which contained the policies and corresponding maps for the Plan.
 12. On July 14, 2009, the Board of Supervisors, at the request of the Third District Supervisor, appointed a new LAPAC to continue in its advisory role during public review of the EIR and to finalize a recommendation to decision-makers on the Final Draft Los Alamos Community Plan Update goals and policies.
 13. The next step after the Board of Supervisors initiation was the environmental review phase of the Los Alamos Community Plan Update. Public comment was received on the environmental issues that should be addressed in the EIR at the Public Scoping Meeting held on November 17, 2008. The issues identified were reviewed in the environmental analysis along with Alternatives to the Los Alamos Community Plan in the EIR. The Draft EIR was released for public review on September 25, 2009. Public comment on the analysis in the Draft EIR was received at the October 28, 2009 Public Environmental Comment Hearing.
 14. The LAPAC held a series of nine (9) additional noticed public meetings to consider public and agency comments received on the Draft EIR and recommended revisions to the Draft Los Alamos Community Plan Update. The LAPAC review focused on a review of water and wastewater capacity in

coordination with the Los Alamos Community Services District (LACSD), flood control, integrating pedestrian circulation and traffic safety, Sheriff response times, and developing a vision statement for the Los Alamos Community Plan Update.

15. The EIR was revised in response to comments received for consideration and a Final EIR was prepared for consideration by the Planning Commission and for certification by the Board of Supervisors.

3. PLANNING FINDINGS GENERAL

The Board of Supervisors finds that:

1. The Los Alamos Community Plan Update and its implementing amendments are in the interest of the general community welfare.
 - a) The Santa Barbara County Comprehensive General Plan has been amended regularly since original adoption; this is particularly true of the Land Use Element that was adopted in 1980. However, constraints to growth and development in the Los Alamos Community Plan Area, now warrant a comprehensive review and updating of the Comprehensive General Plan for the Los Alamos Community Plan Area through the preparation and adoption of the Los Alamos Community Plan Update.
 - b) The Los Alamos Community Plan Update has been developed in consideration of the community's circumstances, needs, and desires, including but not limited to competing factors regarding resource and open space protection, housing, economic development, and constrained service and infrastructure capacities as identified in EIR 08EIR-00000-00005. Various land use mixes and development rates have been analyzed and considered, in order to assess the relative benefits and drawbacks of a representative range of Plan alternatives.

The resultant Plan retains the existing 1994 Plan urban boundary, allows for an increased mix of residential and commercial development within the downtown core, and provides for the avoidance and mitigation of adverse effects where determined to be feasible. In doing so, the Plan respects service, resource, and infrastructure capacities while accommodating development to a degree and in a manner which provides the greatest community welfare with the least public and private harm. Therefore, it is hereby found that the re-designation of parcels within the planning area is justified considering the community's resources and infrastructure constraints and that the Plan provides for and is compatible with the community's overall benefit, and consistent with the adopted County service and resource policies, including those included within the County Land Use and Development Code.

- c) The County requires project-specific mitigation of school impacts to the fullest legal extent as demonstrated by Board of Supervisors Resolution 92-700. The County considers adequate public school services to be of high community priority. The Plan considers the community's needs, services and resources, and state law.
2. The Los Alamos Community Plan Update has been prepared pursuant to good land use planning and zoning practice, and is consistent with the requirements of State planning and zoning law, the County of Santa Barbara Comprehensive General Plan and all of its elements, and the Land Use and Development Code.
 - a) The Los Alamos Community Plan Update is broad and comprehensive in scope, covering and complementing topics addressed by the previously adopted 1994 Los Alamos Community Plan, including but not limited to those in the Land Use, Conservation, Circulation, Seismic Safety and Safety, Open Space, Housing, Scenic Highways, Agriculture, and Noise Elements of the Comprehensive General Plan. The EIR identified no potential inconsistencies between the draft Plan and other adopted Comprehensive General Plan policies.
 - b) The Board of Supervisors finds that the final Plan is consistent with the Housing Element because it recognizes and encourages the provision of affordable housing in the Plan area through the new Community Mixed Use – Los Alamos zone district and retention of the Affordable Housing (AH) zoning overlay for undeveloped parcels in the northwest portion of the Los Alamos Community Plan Area pursuant to existing regulations.
 - c) The Board of Supervisors finds that additional opportunities for moderate, low, and very low-income housing exist through other previously adopted programs of the Housing Element including, but not limited to, Density Bonus, Inclusionary Affordable Units, the Homebuyer Assistance Program, and other County financial assistance programs.

4. CEQA FINDINGS GENERAL

1. The Environmental Impact Report (EIR) for this project has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. The degree of specificity in the EIR corresponds to the specificity of the general or program level policies of the Plan and to the effects that may be expected to follow from the adoption of the Plan. The EIR is not as detailed as an EIR on specific development projects or implementation programs that might follow. Specific development projects may be subject to additional environmental review.
2. The California Environmental Quality Act (CEQA) requires analysis not only of potential direct or primary impacts, but also of potential indirect or secondary effects which may be caused by a proposed project and may be reasonably foreseen, even though later in time or farther removed in distance. In light of these principles, the

EIR discusses and classifies the potential indirect, secondary effects arising from the project specifically and from cumulative development, which may subsequently occur under the Plan.

3. The project mitigates the environmental impacts to the maximum extent feasible as discussed in the findings made below. Where feasible, changes and alterations have been incorporated into the project, which are intended to avoid or substantially lessen the significant environmental effects identified in the EIR.
4. The EIR identified numerous mitigation measures designed to reduce potentially significant impacts which might occur from development under the Plan. During the process of incorporating these mitigation measures in the Plan, some changes have been made. The changes made fall into four basic categories:
 - a. The mitigation measure has been directly represented by a policy, goal, action or development standard within the Plan (often with slight alterations to the wording, keeping the intent intact);
 - b. The mitigation measure has been subsumed into or is covered by another goal, policy, action, or development standard within the Plan;
 - c. The intent of the mitigation measure was already covered by existing County policy;
 - d. The mitigation measure was not included in the Plan because it was considered to be infeasible, unworkable, or of little value in achieving the goals of the plan.

These actions and determinations do not reduce the effectiveness of the mitigation; rather they help to clarify, reduce redundancies, and/or increase the efficacy of the measures.

5. Minor changes recommended by the Planning Commission and Board of Supervisors as summarized in the EIR Revision Letter (RV01) dated January 2011 would not result in any new, changed, or unmitigated environmental impacts, nor would they cause changes to the conclusions in the impacts analysis in the Final EIR or deprive the public of a meaningful opportunity to comment. The Final EIR for the Los Alamos Community Plan Update is amended by the EIR Revision Letter document, together referred to as (08EIR-05, RV01) The revisions described in the EIR Revision Letter do not require recirculation pursuant to CEQA Guidelines Section 15088.5(b).
6. The Board of Supervisors of the County of Santa Barbara has examined the Los Alamos Community Plan Update Final EIR dated July 2010 and EIR Revision Letter (RV01) dated January 2011, and finds that this document has been prepared in compliance with the requirements of CEQA and hereby certifies that

this document constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA, and reflects the independent judgment of the Board of Supervisors.

7. This documents and other material that constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department at 123 East Anapamu Street, Santa Barbara, California 93101.
8. A mitigation monitoring and reporting plan for the Los Alamos Community Plan (See Findings Section 11.0) is adopted pursuant to the requirements of Public Resource Code Section 21081.6, to ensure implementation of the adopted mitigation measures to reduce significant effects on the environment.

5. FINDINGS THAT CLASS I SIGNIFICANT UNAVOIDABLE IMPACTS ARE MITIGATED TO THE EXTENT FEASIBLE

The EIR for this project identifies numerous potentially significant environmental impacts, which cannot be fully mitigated and are therefore considered unavoidable. Such impacts are related to: Cultural Resources, Water, Aesthetics/Visual Resources, Biological Resources, Solid Waste, Air Quality, and Wastewater. Partial mitigation measures exist for these impacts and have been incorporated into the Project to the maximum extent feasible and practical as explained below.

Each of the “Class I” impacts identified in the EIR is discussed below, along with the appropriate findings per CEQA Guidelines Section 15091.

A. Cultural Resources

Impacts: The EIR identified significant project specific and cumulative impacts related to heretofore-unknown buried prehistoric and historic archaeological materials (Impact CR-1). The EIR also cited the potential for unavoidable impacts to existing historical buildings (Impact CR-2).

Mitigations: Beyond the policies in the adopted Land Use Element and the Los Alamos Community Plan Update, the EIR determined additional mitigation for unknown buried prehistoric and historic archaeological materials was infeasible. To address Impact CR-2 and cumulative impacts, the EIR recommends mitigation MM CR-1 which has been substantially incorporated into the Los Alamos Community Plan Update as Policy HA-LA-1.2 below.

Policy HA-LA-1.2: Significant cultural, archaeological, and historic resources in the Los Alamos Planning Area shall be protected and preserved. Efforts to preserve and enhance historic structures shall be encouraged.

a. New development shall preserve and or restore the character-defining features of significant historic resources, in particular, the façade of significant historic structures visible from Bell Street, unless shown to be technically infeasible and precludes reasonable development. For structures that have been determined to be a significant historic resource, the project applicant shall retain a County-qualified architectural historian to collaborate in designing the proposed adaptive reuse of structures that are to be renovated to maximize the integration of new architectural elements with those historical character-defining features.

Findings: The Board of Supervisors finds: County of Santa Barbara Standard Conditions of Project Approval (2010) Cult-6 is applied to all projects which will result in ground disturbance in the Plan Area. Although, as discussed in the EIR, an exhaustive survey of the potential for undiscovered underground resources is infeasible, standard project conditions of approval reduce this impact to the extent feasible by requiring full protection of resources on each project site on a project-by-project basis as a condition of permit issuance. Standard Condition Cult-6 requires a Phase 1 archaeological survey of proposed project sites pursuant to County Archaeological Guidelines, and if resources are encountered during ground disturbance, requires work to halt and Phase 2 and Phase 3 investigations to establish resource preservation and restoration requirements as appropriate. The Cult-6 requirement applies to all projects in the plan area, ministerial and discretionary that will disturb the ground, thereby mitigating potential project specific and cumulative impacts to undiscovered resources to the extent feasible.

The Board of Supervisors further finds that Los Alamos Community Plan Update Policy HA-LA-1.2 has been substantially incorporated mitigation MM WR-1 and ensures to the extent feasible on a case-by-case basis during development that character-defining features of significant historic resources not previously protected by other regulations.

Therefore, the Board of Supervisors finds the Los Alamos Community Plan Update's residual impacts to cultural resources are acceptable due to the overriding considerations that support adoption of the Los Alamos Community Plan Update discussed in the Statement of Overriding Considerations section of these Findings.

B. Water Resources

Impacts: The EIR identified significant and cumulative impacts related to increased water extraction from the already over-drafted San Antonio Groundwater Basin (Impact WR-3), and insufficient water storage capacity (Impact WR-4).

Mitigation: In addition to policies of the existing adopted Land Use Element, the Conservation Element, the Conservation Element Groundwater Resources Section, the

Seismic Safety and Safety Element and the Los Alamos Community Plan Update, the EIR recommends mitigation measures MM WR-1 and MM WR-5 that would partially mitigate the above-described impacts. These mitigation measures have been substantially incorporated into the Los Alamos Community Plan *Section III.I Water* as follows. Mitigation measure MM WR-1 has been partially incorporated into Action WAT-LA-1.3.4 below.

Action WAT-LA-1.3.4: The County should coordinate with the Los Alamos Community Services District to identify funding for establishment of a toilet retrofit program to encourage existing homeowners and businesses to exchange fixtures for high efficiency models.

Mitigation measure MM WR-5 has been substantially integrated into Dev Std WAT-LA-1.3.1, as shown below.

Dev Std WAT-LA-1.3.1: All new development in the Los Alamos Community Plan area should integrate designs and landscaping that facilitate infiltration of rainwater. The use of cisterns and tanks for onsite water storage and gray water systems for landscape irrigation shall be encouraged in all new developments to enhance groundwater basin recharge and lower effective consumptive use water demands.

In addition to the EIR mitigation discussed above, the Board of Supervisors has included Policy WAT-LA-1.2; Policy LUC-LA-2.4; Action WAT-1.2.1; Action WAT-1.2.2; Dev Std WAT-LA-1.3.2 below to further mitigate the above described impacts.

Policy WAT-LA-1.2: If expansion of the water infrastructure system becomes necessary due to new development, the burden of expansion shall be placed on the new development. Water infrastructure upgrades, as necessary shall be paid for through the Los Alamos Community Services District (LACSD) developer fee program.

Policy LUC-LA-2.4: Priority use of excess public road right-of-way, within two blocks north and south of Bell Street, shall be for enhancing public parking capacity; pedestrian access and circulation; storm water quality and drainage improvements; or other public benefits consistent with the LACP. Public Works and Planning & Development shall review all right-of-way abandonment requests and make said findings that no public benefit is available prior to approval of said abandonment.

Action WAT-1.2.1: The County shall support the efforts of the Los Alamos Community Services District to establish District eligibility for grants and loans to be used for water delivery and storage capacity infrastructure.

Action WAT-1.2.2: The County shall work with the Los Alamos Community Services District to establish water conservation best management practices (bmp) for integration into new and remodeled residential, commercial, industrial, and landscaping uses in the Plan Area.

The County should also provide technical support if in the future the District seeks to establish a water use baseline and urban water use targets to reduce per capita water use.

Dev Std WAT-LA-1.3.2: All new residential, commercial, and industrial, development within the Los Alamos Community Plan area shall incorporate water conservation measures in project design. Water conservation measures should include high efficiency fixtures and appliances.

Findings: The Board of Supervisors finds that the toilet retrofit program recommended in EIR mitigation measure MM WR-1 incorporated in Action WAT-LA-1.3.4 above is administratively feasible and of benefit by incrementally reducing aquifer water use in the Plan Area. The Board of Supervisors further finds that landscape conservation infiltration and components in mitigation MM WR-5 as incorporated in Dev Std WAT-LA-1.3.1 above will incrementally reduce cumulative impacts to the San Antonio Groundwater Basin aquifer.

The Board of Supervisors finds: that the Town of Los Alamos accounts for approximately one to three percent of the cumulative demand for water from the currently over-drafted San Antonio Groundwater Basin aquifer. The Board of Supervisors therefore further finds a need for additional mitigating water conservation measures in Action WAT-1.2.2 and Dev Std WAT-LA-1.3.2 to establish best conservation practices and integration of high efficiency fixtures in construction to further offset increased water use demands in the Plan Area to the maximum feasible extent.

The Board of Supervisors finds that inclusion of additional mitigating measures in Policy WAT-LA-1.2, Action WAT-1.2.1, and Action WAT-LA-1.3.4 in the Los Alamos Community Plan Update *Section III.1 Water* are consistent with Land Use Element Development Policy 4 and will further mitigate infrastructure requirements associated with the demand for increased water storage related to development in the Plan Area to the maximum extent feasible.

The Board of Supervisors finds that inclusion of additional mitigation in Policy LUC-LA-2.4, requiring findings of public benefit, that may include flood control and/or water quality components as a condition of right-of-way abandonment will further mitigate water quality and infiltration and incrementally reduce cumulative impacts to the San Antonio Groundwater Basin aquifer.

Therefore, the Board of Supervisors finds that all mitigation measures which are feasible and reasonable to implement by the County of Santa Barbara during administration of the Plan to reduce cumulative impacts to groundwater and water storage have been identified and incorporated into the Los Alamos Community Plan Update. However, with all feasible mitigation incorporated, cumulative impacts to groundwater and water storage will remain significant and unavoidable.

C. Aesthetics and Visual Resources

Impacts: The EIR determined that development of land uses in the Los Alamos Community Plan Update would have significant unavoidable impact by obstructing important views from the Plan Area (Impact AES-1).

Mitigation: In addition to policies in the Conservation Element, the Open Space Element and the Los Alamos Community Plan Update, the EIR found that no feasible mitigation exists that would mitigate the obstruction of views of important visual resources, including the Purisima and Solomon Hills and agricultural lands as experienced from the Plan Area. The Board of Supervisors has revised development standard Dev Std VIS-LA-1.2.3 in Los Alamos Community Plan Update *Section IV.F Visual/Open Space Resources* as an additional mitigation measure to address Impact AES-1 above.

Dev Std VIS-LA-1.2.3: All plans for new or altered buildings and structures on parcels within the Scenic Buffer Land Use Overlay that are adjacent to Highway 101, shall be subject to the following measures:

- a. At a minimum, development of structures shall be prohibited within 50 feet of the property line, unless this precludes reasonable development. In the interest of good design, reduced setbacks may be warranted. Reduction in setbacks may be allowed if it can be demonstrated to the Board of Architectural Review and/or Review Authority that a development project meets all of the following standards.
 1. Project's architecture and landscape design minimizes impacts to public views.
 2. Structures are designed and sited so as to be compatible with proposed landscape materials and design character of the community. Scenic Buffer setback reductions do not apply to the County's creek setback requirements.
- b. Any structure with potential to obstruct views of the Purisima Hills or of the Solomon Hills from a public viewpoint or travel corridor shall be designed so as to preserve views of these hills to the maximum extent feasible while balancing the desire to create a visual presence.

- c. Grading for structural improvements on slopes in excess of 20% shall be prohibited except for community infrastructure projects, (e.g. water tanks).
- d. Outdoor lighting shall be energy efficient, fully shielded and directed toward the ground.

Findings: The Board of Supervisors finds: application of the Scenic Buffer Land Use Overlay in Los Alamos to parcels at the Highway 101 gateway, and revisions to Dev Std VIS-LA-1.2.3 in the Los Alamos Community Plan Update will improve the balance between the community's desire to revitalize and intensify uses in the Los Alamos downtown and mitigate to the extent possible, the potential obstruction of important public views of agricultural fields and the Purisima and Solomon Hills from the urban perimeter, the Plan Area, Highway 101 and State Route 135.

Therefore, the Board of Supervisors finds that all mitigation measures feasible and reasonable to implement by the County of Santa Barbara during administration of the Plan to reduce impacts to important views in the Plan Area have been identified and incorporated into the Los Alamos Community Plan Update.. However, with all feasible mitigation incorporated, impacts to important views in the Plan Area will remain significant and unavoidable.

D. Biological Resources

Impacts: The EIR identifies a significant unavoidable impact to special status species due to the potential elimination or fragmentation of dispersal areas (Impact BIO-2).

Mitigation: In addition to policies in the existing Conservation Element, the Environmental Resource Management Element, the Open Space Element and the Los Alamos Community Plan Update, the EIR identified mitigation measure MM BIO-1 that would mitigate the above described impact BIO-2 to the extent feasible. This mitigation measure is substantially incorporated into the Los Alamos Community Plan Update *Section IV.B Biological Resources* as Policy BIO-LA-1.8 and Dev Std BIO-LA-1.8.1 as follows.

Policy BIO-LA-1.8: Annual and native grasslands in Sub-Area 1 (See Figure 4.7-2) that could serve as upland habitat for special-status wildlife species shall be preserved to the extent feasible.

Dev Std BIO-LA-1.8.1: Prior to issuance of a development permit, Planning and Development shall identify projects that could adversely impact suitable or critical habitat. Projects shall be subject to inspection by a County qualified biologist as part of the permitting process for development. Planning and Development may recommend consideration of protocol level, or other surveys for special status

wildlife species if field assessments indicate possible impact to suitable habitat.

The scope of all surveys, inspections and fieldwork shall be approved by the Planning and Development Department in advance and funded by the project applicant.

Findings: The Board of Supervisors finds that EIR mitigation measure MM BIO-1, protecting special status species dispersal areas, including California red-legged frog and California tiger salamander habitat, and field inspections would be implemented as Los Alamos Community Plan Update Policy BIO-LA-1.8 and Dev Std BIO-LA-1.8.1. The Board of Supervisors further finds that MM BIO-1, as revised and implemented by Policy BIO-LA-1.8 and Dev Std BIO-LA-1.8.1, is consistent with County of Santa Barbara policy that ensures Planning and Development Department permit review of all development projects in the Los Alamos Community Plan Update which could potentially affect special-status species and ensure surveys and inspections will protect such species and their habitat to the maximum extent feasible.

The Board of Supervisors further finds that all mitigation measures feasible and reasonable to implement by the County of Santa Barbara during administration of the Plan to reduce impacts to biological resources in the Plan Area have been identified and incorporated into the Los Alamos Community Plan Update. However, with all feasible mitigation incorporated, outside of Planning and Development project permitting, the potential for incidental impacts to special status species on private property in the Plan Area will remain significant and unavoidable.

E. Public Services

Impacts: The EIR identified significant project specific and cumulative impacts related to increased waste streams to the impacted Santa Maria solid waste handling facilities (Impact SW-1) and on and County landfills (Impact SW-2).

Mitigation: In addition to the policies in the Land Use Element, the Hazardous Waste Element and the Los Alamos Community Plan Update, the EIR recommended no mitigation for construction debris and concluded that standard conditions reduce waste impacts on solid waste facilities from construction and demolition activities to the extent feasible. The EIR recommends mitigation measure MM SW-1 which has been incorporated into Los Alamos Community Plan Update *Section III. F. Resource Recovery* Policy RRC-LA-1.1 to address cumulative impacts and Impact SW-2 above as described below.

Policy RRC-LA-1.1: The County shall maintain recycling programs in Los Alamos and enhance programs when feasible.

- a. Applicants for individual discretionary projects in the Plan Area shall develop and implement a solid waste management

plan or source reduction plan to be reviewed and approved by
Public Works Resource Recovery and Solid Waste Division.

Findings: The Board of Supervisors finds that mitigation measure MM SW-1 requiring recycling programs and individual projects to manage their waste is compatible with the County of Santa Barbara Solid Waste Services Ordinance, and is incorporated into Los Alamos Community Plan Update as Policy RRC-LA-1.1 above and will further mitigate waste facility and landfill impacts. The Board of Supervisors further finds project specific Standard Conditions of permit approval SolidW-01, SolidW-02, and SolidW-03 mitigate construction debris impacts to the Santa Maria Landfill by reducing non-recyclable materials from the waste stream by a minimum of 50%, including requiring recycling of construction/demolition materials, will reduce to the extent practicable.

The Board of Supervisors finds that all mitigation measures feasible and reasonable to implement by the County of Santa Barbara during administration of the Plan to reduce impacts to solid waste handling and landfills have been identified and incorporated into the Los Alamos Community Plan Update. However, with mitigation measures implemented, the project specific and cumulative contribution to solid waste impacts would remain significant and unavoidable.

F. Air Quality

Impacts: The EIR identifies significant project specific and cumulative impacts related to inconsistency with the buildout anticipated in the 2007 Clean Air Plan (Impact AQ-1), and operational and mobile pollutant sources that would exacerbate the County of Santa Barbara's violation of state standards for ozone and PM10 (Impact AQ-3).

Mitigation: In addition to policies in the Land Use Element Air Quality Supplement and the Los Alamos Community Plan Update, the EIR identifies eight mitigation measures that would partially mitigate the above-described impacts.

Mitigation measure MM AQ-1 addresses project specific and cumulative impacts in Impact AQ-1 and has been wholly integrated into the Los Alamos Community Plan Update as Dev Std AQ-LA-1.1.1 below.

Dev Std AQ-LA-1.1.1: Future project construction in Los Alamos shall follow all requirements of the Santa Barbara Air Pollution Control District (APCD) and shall institute Best Available Control Technology (BACT) where necessary to reduce emissions below APCD thresholds. To reduce NOx and diesel particulate emissions from construction equipment during project grading and construction, the following shall be adhered to:

- All portable construction equipment shall be registered with the state's portable equipment registration program OR permitted by the District by September 18, 2008.

- Diesel construction equipment meeting the California Air Resources Board's Tier 1-emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.
- Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed on equipment operating on-site.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Mitigation measure MM AQ-2 addresses project specific and cumulative impacts in Impact AQ-1. MM AQ-2 was not included in the Plan because the fugitive dust control measure is addressed during permit review as Standard Condition (Air-01). .

Mitigation measure MM AQ-3 partially addresses project specific and cumulative impacts in Impact AQ-1 and Impact AQ-3 and has been wholly integrated into Los Alamos Community Plan Update as Policy AQ-LA-1.3 below.

Policy AQ-LA-1.3: The County shall implement those land use patterns and transportation programs which will serve to reduce vehicle trips and total vehicle miles traveled. This includes, but is not limited to the following, as additional measures are encouraged.

- Include design features to encourage alternate transportation modes.

- For pedestrians: sidewalks; safe street and parking lot crossings; shade trees; off street breezeways, alleys, and over crossings; placement of parking lots and building entrances to favor pedestrians rather than cars; shower and locker facilities.
- For transit riders: all of the above plus safe, sheltered transit stops with convenient access to building entrances.
- For bicyclists: theft proof and well-lighted bicycle storage facilities with convenient access to building entrance; on-site bikeways between buildings or uses; shower and locker facilities.
- For carpools and vanpools: preferential parking.
- Allow onsite services as by right to reduce the need for travel outside the Plan Area.
- For residential developments: include childcare, telecommute center, neighborhood retail stores, postal machines, automatic teller machines.
- For commercial/office developments: include childcare, food services, postal machines, banking services.
- For commercial/retail developments: include delivery services, sales by phone.
- Provide a 10% permit fee reduction for projects that provide onsite services that encourage alternative transportation modes (rideshare matching, transit subsidies, guaranteed ride home)
- Provide incentives, such as fee reduction, for transit service enhancements to serve the project (express bus service, bike racks on buses).
- Bikeway improvements.
- Pedestrian improvements serving the project (addition of sidewalks, pedestrian crossings).

Mitigation measure MM AQ-4 addresses Impact AQ-1 and Impact AQ-3 and has been substantially integrated into Los Alamos Community Plan Update as Dev Std AQ-LA-1.4.1 below.

- Dev Std AQ-LA-1.4.1: The County shall consider including the following energy-conserving techniques to implement Policy AQ-LA-1.4:
- a. The installation of low-NO_x residential and commercial water heaters and space heaters per specifications in the 1991 SBCAPCD Air Quality Attainment Plan;
 - b. Prohibit the inclusion of wood-burning stoves in new construction, using natural gas instead, with the installation of heat transfer modules in furnaces, where feasible;
 - c. The use of passive solar energy, which minimizes the consumption of electricity. If possible, offer additional

energy conservation features as homebuyer options, including but not limited to:

1. Photovoltaic (PV) panels for electrical power, residential water heating systems, and other facilities;
 2. Photovoltaic landscape lighting, gate openers, water features;
 3. Solar water heating systems and/or the use of water heaters that heat water only on demand.
- d. Green building technologies such as structural orientation and use of construction materials that maximize passive solar exposures;
 - e. Passive heating and cooling design strategies in all buildings to the extent practical and residential structure orientation to maximize exposure and potential for solar energy use;
 - f. The use of natural lighting systems such as skylights and interior transom windows to reduce energy consumption in commercial, office and municipal structures;
 - g. Use of concrete or other non-pollutant materials for parking lots instead of asphalt and the use of sustainable building materials for building design and construction;
 - h. Installation of energy efficient appliances and programmable thermostats to reduce the amount of consumed energy and reduce utility bills;
 - i. Use of water efficient faucets, high-efficiency toilets (HETs), and water-conserving shower heads in residential homes;
 - j. Installation of walkways;
 - k. Automatic devices to turn off lights after business hours shall be used to the extent feasible in the commercial and business park land uses. Similarly, install timers on outdoor lighting to limit operating hours;
 - l. Shading of windows and entrance locations with a combination of structural elements and landscape materials to reduce heat gain and lower the temperature around the house;
 - m. For bicyclists, theft proof and well-lighted bicycle storage facilities with convenient access to building entrances, on-site bikeways between buildings or uses, showers and locker facilities;
 - n. For carpool and vanpools, provide preferential parking;
 - o. Encourage ridesharing and vanpooling for residents and commercial employees to address the benefits of alternative transportation methods;
 - p. Installation of covered bus stops to encourage use of mass transportation;

- q. For neighborhood commercial uses, include childcare, food services, postal machines, and banking services.
- r. A tiered fee reduction for projects that provide:
 - 1. Alternative transportation amenities such as bicycle lockers/racks;
 - 2. Low impact development techniques; and/or
 - 3. Integration of energy conservation techniques (LEED Certification) into the building design.

Mitigation measure MM AQ-5 addresses Impact AQ-1 and Impact AQ-3 and has been partially integrated into Los Alamos Community Plan Update as Dev Std AQ-LA-1.4.2 below.

Dev Std AQ-LA.1.4.2: To reduce overall trip generation and associated air contaminant emissions, future commercial tenants requiring more than fifty employees will be required to establish or participate in an established employee trip reduction program consistent with programs established by the Santa Barbara Air Pollution Control District.

Mitigation measure MM AQ-6 addresses project specific and cumulative impacts in Impact AQ-1 and has been wholly integrated into the Los Alamos Community Plan Update as Dev Std AQ-LA-1.4.3 below.

Dev Std AQ-LA.1.4.3: Applicants of projects including potential odor generators such as but not limited to fast food restaurants, bakeries, coffee roasting facilities, etc., auto body shop, service stations, and laundry/dry cleaning shall develop and implement an Odor Abatement Plan (OAP). The OAP shall include the following:

- a. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints.
- b. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.
- c. Description of potential odor sources at the facility.
- d. Description of potential methods for reducing odors, including minimizing idling of delivery and service trucks and buses, process changes, facility modifications and/or feasible add-on air pollution control equipment.
- e. Contingency measures to curtail emissions in the event of a public nuisance complaint.

MM AQ-7 addresses project specific and cumulative impacts in Impact AQ-1 and MM AQ-3 and has been wholly integrated into the Los Alamos Community Plan Update as Dev Std AQ-LA-1.4.4 below.

Dev Std AQ-LA.1.4.4: Ventilation systems that are rated at Minimum Efficiency Reporting Value of “MERV13” or better for enhanced particulate removal efficiency should be provided on all residential units located within 500 feet of U.S. Highway 101. The residents of these units shall also be provided information regarding filter maintenance/replacement.

MM AQ-8 addresses project specific and cumulative impacts in Impact AQ-1 and has been wholly integrated into the Los Alamos Community Plan Update as Dev Std AQ-LA-1.4.5 below.

Dev Std AQ-LA.1.4.5: Future project applicants of residential developments within 500 feet of U.S. Highway 101 should provide an Air Quality Disclosure Statement to potential buyers of units, summarizing the results of technical studies that reflect a health concern resulting from exposure of children to air quality emissions generated within 500 feet of the freeway.

Findings: The Board of Supervisors finds that mitigation measures MM AQ-1 through AQ-8 have been substantially incorporated into the Los Alamos Community Plan Update *Section IV.A. Air Quality* as Policy AQ-LA-1.3 and development standards Dev Std AQ-LA-1.1.1; Dev Std AQ-LA-1.4.1; Dev Std AQ-LA.1.4.2; Dev Std AQ-LA.1.4.3; Dev Std AQ-LA.1.4.4; and Dev Std AQ-LA.1.4.5. County of Santa Barbara Standard Conditions of Approval Air-4 and Air-5 are implemented during project review to further mitigate project specific and cumulative impacts in Impact AQ-1 to the extent feasible. The Board of Supervisors further finds the above mitigations and project review standards reduce project specific mobile and stationary source ROC and NOX emissions impacts to the extent feasible.

The Board of Supervisors finds that all mitigation measures feasible and reasonable to implement by the County of Santa Barbara during administration of the Plan through the issuance of land use permits to reduce project specific and cumulative air quality impacts which are inconsistent with the 2007 Clean Air Plan and contribute operational and mobile pollutant sources have been identified and incorporated into the Los Alamos Community Plan Update. However, with mitigation measures implemented, the project specific and cumulative impact from stationary and mobile sources would remain significant and unavoidable.

F. Wastewater

Impacts: The EIR identifies significant unavoidable project specific and cumulative impacts related to exceeding the wastewater treatment plant’s current permitted capacity (Impact WW-1).

Mitigation: In addition to policies of the existing adopted Land Use Element, the Conservation Element, and the Los Alamos Community Plan Update, the EIR recommends mitigation measure MM-WW-1 that would partially mitigate Impact WW-1

to the extent feasible. This mitigation measure is wholly incorporated into the Los Alamos Community Plan Update *Section III.H Wastewater* as Action SD-LA-1.1.1 and Dev Std SD-LA-1.1.2 below.

Action SD-LA-1.1.1: The County shall monitor development activity in Los Alamos and provide data to the Los Alamos Community Services District (LACSD) for use in their wastewater collection and treatment facilities planning. Upon LACSD reaching 75% of the permitted plant capacity of 225,000 gpd, or 168,750 gpd, the County shall work cooperatively with the LACSD and Regional Water Quality Control Board to pursue feasibility, fiscal, and environmental studies to evaluate the possibility of expanding LACSD disposal capacity or other alternative solutions for accommodating increased wastewater treatment demand from buildout within the town of Los Alamos. Community input shall be sought regarding the content of the studies and potential alternative solutions to be considered.

Dev Std SD-LA-1.1.2: Upon reaching 90% of LACSD permitted capacity, the County shall suspend issuing land use permits requiring additional sewer system connections except for emergency or public benefit purposes, until additional wastewater treatment capacity is constructed.

Findings: The Board of Supervisors finds that the Los Alamos Community Plan existing Policy SD-LA-1.1 and Dev Std SD-LA-1.1.3 require a finding of adequate wastewater treatment capacity, consistent with Land Use Development Policy 4, prior to approval of discretionary projects in the Los Alamos Community Plan Area. The Board of Supervisors further finds Policy SD-LA-1.4 requires wastewater infrastructure upgrades necessitated by new development to be paid for through the Los Alamos Community Services District developer fee program.

The Board of Supervisors finds that mitigation measure MM WW-1 as implemented by Action SD-LA-1.1.1 and Dev Std SD-LA-1.1.2, further reduces, and to the extent feasible, mitigates the potential for development in the Los Alamos Community Plan Update to exceed the treatment plant's permitted capacity by requiring the County monitor the LACSD wastewater treatment plant's permitted capacity and suspends issuance of new land use permits upon reaching 90% of said capacity.

The Board of Supervisors finds, based on quantified estimates, the LACSD wastewater treatment plant could reach 75% of its existing permit capacity sometime between 2020 and 2027, necessitating initiation of the process to upgrade to the plant's RWQCB permit. The LACSD wastewater treatment plant could reach 90% of its capacity sometime between 2025 and 2034. At this time, the suspension of land use permits

would ensure that the plant's capacity not be exceeded and that plant upgrades would occur prior to additional development in the Plan Area.¹

Therefore, the Board of Supervisors finds that all mitigation measures feasible and reasonable to implement by the County of Santa Barbara during administration of the Plan from project specific and cumulative impacts to the wastewater treatment plant have been identified and incorporated into the Los Alamos Community Plan Update. However, with mitigation measures implemented, the project specific and cumulative impacts to wastewater treatment capacity would remain significant and unavoidable.

6. **FINDINGS THAT CLASS II SIGNIFICANT BUT MITIGABLE IMPACTS ARE MITIGATED TO A LEVEL OF INSIGNIFICANCE**

CEQA Guidelines Section 15091 (a) requires that where feasible, all significant adverse impacts be reduced to a level of insignificance. The EIR identified potentially significant impacts, which are mitigated to a less-than-significant level through the incorporation of mitigation measures in the areas of: A) Flooding and Water Resources B) Agricultural Resources; C) Public Services; D) Traffic and Circulation; E) Air Quality; F) and Noise. The "Class II" impacts identified in the EIR are discussed below along with the appropriate findings per CEQA Section 15091.

A. Flooding and Water Resources

Impacts: The EIR identified potentially significant but mitigable project specific and cumulative impacts resulting from erosion on surface and groundwater (Impact WR-5), and increased non-point source pollution in San Antonio Creek (Impact WR-6).

Mitigation: In addition to policies of the existing adopted Land Use Element, the Conservation Element, the Conservation Element Groundwater Resources Section, the Seismic Safety and Safety Element and the Los Alamos Community Plan Update, the EIR recommends four mitigation measures refined by the Planning Commission and Board of Supervisors, to reduce the above described impacts to insignificant levels.

MM WR-2 is recommended to mitigate project specific impacts to a level of insignificance construction related erosion impacts described in Impact WR-5 above and is implemented during project review through compliance with the County of Santa Barbara Code Section 14-29.

¹ Capacity estimates based on three Los Alamos Plan Area growth scenarios, as follows, Santa Barbara County Council of Governments (SBCAG) 2007 Regional Growth Forecast (moderate growth, 3%); Los Alamos Community Services District (LACSD) Wastewater Collection and Treatment Facilities Planning Study (high-growth, 4.1%); and 20-year Plan Area Buildout Scenario (very-high growth, 5%).

Mitigation measures MM WR-3 and MM-WR-4 are recommended in the EIR to reduce project specific non-point source pollutants in runoff described in Impact WR-6 above and have been substantially incorporated into the Los Alamos Community Plan Update as Policy FLD-LA-2.1 and development standards Dev Std FLD-LA-2.1.1 and Dev Std FLD-LA-2.1.2, as detailed below.

Policy FLD-LA-2.1: Pollution of surface and groundwater shall be avoided.

Dev Std FLD-LA-2.1.1: Development in the CM-LA zone district shall incorporate post-construction best management practices (BMPs) appropriate to the individual site to reduce and detain/infiltrate storm water runoff. BMPs may include depressed landscape areas, planter box filters (above or below-grade), rain gardens, and permeable paving with underground storage.

Dev Std FLD-LA-2.1.2: Construction site BMPs addressing erosion and sediment control, waste and material management, and protection of storm drain inlets and natural water courses shall be included on drainage plans and/or erosion and sediment control plans, and implemented, to prevent contamination of runoff from construction sites. These practices shall include, but are not limited to: appropriate storage areas for pesticides and other chemicals; use of washout areas to prevent drainage of wash water to storm drains or surface waters; erosion and sediment control measures; and storage and maintenance of equipment away from storm drains and water courses.

Mitigation measure MM WR-5, as revised by the Planning Commission and Board of Supervisors is recommended in the EIR to reduce cumulative impacts to water quality in the Los Alamos watershed to a level of insignificance and has been substantially incorporated into the Los Alamos Community Plan Update as development standards Dev Std FLD-LA-1.3.1, Dev Std FLD-LA-1.3.2, and Dev Std WAT-LA-1.3.1, as detailed below.

Dev Std FLD-LA-1.3.1: Projects in the CM-LA zone district shall be reviewed by the Flood Control Division to determine appropriate drainage control measures on a case-by-case basis. Appropriate drainage control measures shall complement Plan objectives to promote mixed use in-fill development in the CM-LA zone district.

Dev Std FLD-LA-1.3.2: Drainage control measures for development outside the CM-LA zone district may include a combination of on-site and off-site solutions as deemed appropriate by the County Flood Control Division.

Source control measures such as infiltration, evapotranspiration, storage, retention, and reuse shall be incorporated into site design to the maximum extent practicable.

Dev Std WAT-LA-1.3.1: All new development in the Los Alamos Community Plan area should integrate designs and landscaping that facilitate infiltration of rainwater. The use of cisterns and tanks for onsite water storage and gray water systems for landscape irrigation and reserve shall be encouraged in all new developments to enhance groundwater basin recharge and lower effective consumptive use water demands.

Findings: The Board of Supervisors finds that: Mitigation measure MM WR-2 is implemented during project review for compliance with the County of Santa Barbara Grading, Erosion, and Sediment Control Ordinance reducing potential project specific and cumulative impacts from Impact WR-5 to a level of insignificance.

The Board of Supervisors further finds that the County of Santa Barbara Flood Plain Management Ordinance (Ordinance No. 3898) and the Development Along Watercourses Ordinance (Ordinance No. 3095) is implemented during project review. Mitigation MM-WR-3 and MM WR-4 have been substantially integrated into the Los Alamos Community Plan as Policy FLD-LA-2.1 and development standards Dev Std FLD-LA-2.1.1 and Dev Std FLD-LA-2.1.2 will reduce project specific and cumulative impacts from non-point source pollutants during project review to a level of insignificance.

The Board of Supervisors further finds that: mitigation measures integrated into Los Alamos Community Plan Update, and existing development standards implemented during project review reduce flood control and water resource impacts to a level of insignificance.

B. Agricultural Resources

Impacts: The EIR identified potentially significant but mitigable project specific and cumulative impacts agricultural resources resulting from potential conflicts between new urban development and agricultural uses (Impact AG-2), in the Los Alamos Community Plan area.

Mitigation: In addition to the policies of the existing Agricultural Element, the Conservation Element, the Uniform Rules for Agricultural Preserves and Farmland Security Zones, and the Los Alamos Community Plan Update, the EIR recommends three mitigation measures to reduce impacts described above to a level of insignificance. Mitigation measure MM AG-1, as revised by the Planning Commission and Board of Supervisors partially mitigates cumulative and project specific impact described in Impact AG-2 above and is substantially incorporated in Los Alamos Community Plan Update Dev Std LUR-LA-2.2.1 as detailed below.

Dev Std LUR-LA-2.2.1: Residential development located on the far western end of Bell Street, within the CM-LA zone, shall be set back at least 100 feet from parcels zoned for agriculture.

If the residential development is part of a multi-parcel development concept or the project design demonstrates other adequate buffering, the agricultural buffer setback shall be established by Planning and Development during project design.

Mitigation measure MM AG-2, as revised by the Planning Commission and Board of Supervisors mitigates cumulative and project specific impacts described in Impact AG-2 above and is substantially incorporated in Los Alamos Community Plan as Policy LUR-LA-2.2 and Dev Std LUR-LA-2.2.2 as detailed below.

Policy LUR-LA-2.2: Proposed residential development adjacent to agriculturally designated land, shall integrate mechanisms (such as a fence and/or buffer areas) into the project design to reduce conflicts between residences and agricultural operations. This policy does not apply to RR-5 zoned parcels in the Plan Area.

Dev Std LUR-LA-2.2.2: Fencing or landscaping shall be installed along property lines contiguous to agricultural operations, unless a waiver to the satisfaction of Planning & Development is obtained from the adjacent property owner(s). Said fencing or landscaping shall be designed, installed and maintained by the residential property owner to protect agricultural land from residential intrusion for the life of the project and to protect residences from agricultural dust or herbicides/pesticides. The fencing, subject to Planning & Development design approval, shall consist of a solid wood type fence unless alternative acceptable fencing is approved by Planning & Development. The fence shall be a minimum six (6) feet high.

Mitigation measure MM AG-3 mitigates cumulative and project specific impacts described in Impact AG-2 above and is substantially incorporated in Los Alamos Community Plan Dev Std LUR-LA-2.2.3 as detailed below.

Dev Std LUR-LA-2.2.3: As a condition of approval for all discretionary residential projects that are immediately adjacent to agricultural lands, potential purchasers of lots adjacent to agricultural land shall be notified on the property title of the potential for agricultural activities on adjacent parcels.

Findings: The Board of Supervisors finds that mitigation measures MM AG-1, MM AG-1, and MM AG-3 implemented in the Los Alamos Community Plan Update as Policy

LUR-LA-2.2 and development standards Dev Std LUR-LA-2.2.1, Dev Std LUR-LA-2.2.2 and Dev Std LUR-LA-2.2.3 as detailed above mitigate project specific and cumulative impacts to agricultural resources resulting from potential conflicts between new urban development and agricultural uses to a level of insignificance.

The Board of Supervisors further finds that mitigation measure MM AG-3 is implemented during the course of project review for compliance with the County of Santa Barbara Right to Farm Ordinance, and partially mitigates cumulative and project specific impacts described in EIR Impact AG-2. The Board of Supervisors further finds that mitigation measure MM AG-3 is wholly incorporated as Dev Std LUR-LA-2.2.3 and provides information about standard development requirements in the Los Alamos Community Plan Update.

The Board of Supervisors further finds that: mitigation measures integrated into Los Alamos Community Plan Update described above reduce cumulative and project specific impacts to agriculture to a level of insignificance

C. Biological Resources

Impacts: The EIR identified potentially significant but mitigable project specific and cumulative impacts to grasslands that could support status species habitat in Sub-area 1 (Impact BIO-1); loss of native grasslands in Sub-areas 1 and 2 (Impact BIO-3); degradation of water quality affecting wildlife in San Antonio Creek (Impact BIO-4); and loss of protected trees (Impact BIO-5).

Mitigation: In addition to policies in the existing Conservation Element, the Environmental Resource Management Element, the Open Space Element and the Los Alamos Community Plan Update, the EIR identified mitigation measure MM BIO-1 that would substantially mitigate project specific and cumulative impacts described in Impact BIO-1. This mitigation measure is wholly incorporated into the Los Alamos Community Plan Update *Section IV.B Biological Resources* as Policy BIO-LA-1.8 and Dev Std BIO-LA-1.8.1 as follows.

Policy BIO-LA-1.8: Annual and native grasslands in Sub-Area 1 (See Figure 4.7-2) that could serve as upland habitat for special-status wildlife species shall be preserved to the extent feasible.

Dev Std BIO-LA-1.8.1: Prior to issuance of a development permit, Planning and Development shall identify projects that could adversely impact suitable or critical habitat. Projects shall be subject to inspection by a County qualified biologist as part of the permitting process for development. Planning and Development may recommend consideration of protocol level, or other surveys for special status wildlife species if field assessments indicate possible impact to suitable habitat.

The scope of all surveys, inspections and fieldwork shall be approved by the Planning and Development Department in advance and funded by the project applicant.

Mitigation measure MM BIO-3 is recommended in the EIR to mitigate project specific and cumulative impacts described in Impact BIO-3 to a level of insignificance and is wholly incorporated in Los Alamos Community Plan Update as Dev Std Bio-LA-1.8.2 as detailed below.

Dev Std BIO-LA-1.8.2: Native grasslands, as defined by County Policy, shall be protected to the maximum extent feasible, through the use of fencing or other means deemed appropriate by a qualified biologist and Planning & Development. Proposed development within Sub-areas 1 and 2 shall be surveyed by a County-qualified biologist to determine the potential for native grasses or other sensitive natural communities to exist. Native grasslands that meet the minimum County or CDFG criteria for size and percent cover shall be protected to the maximum extent feasible by:

1. Project re-design and preservation of such areas as open space; or
2. Restoration of native grassland in other portions of the parcel at a replacement ratio of 2:1

Mitigation measure MM BIO-4, as revised by the Planning Commission and Board of Supervisors is recommended in the EIR to mitigate project specific and cumulative impacts described in Impact BIO-4 above to a level of insignificance and is wholly incorporated in Los Alamos Community Plan Update as development standards Dev Std Bio-LA-1.1.1, Dev Std Bio-LA-1.1.2, Dev Std Bio-LA-1.1.3, as detailed below.

Dev Std Bio-LA-1.1.1: A 50-foot buffer measured outward from the edge of riparian vegetation within the Los Alamos Urban Area shall be established based on an investigation by a County-qualified biologist of the following factors and after consultation with the Department of Fish and Game and Regional Water Quality Control Board in order to protect the biological productivity and water quality of the creek:

- a. soil type and stability of stream corridors;
- b. how surface water filters into the ground;
- c. slope of the land on either side of the stream;
- d. location of the 100-year flood plain boundary; and
- e. consistency with adopted plans, particularly Biology/Habitat policies.

This buffer may be adjusted upward or downward on a case-by-case basis based on site-specific conditions such as slopes, biological resources and erosion potential. Buffers shall not

preclude reasonable development of a parcel. The buffer area shall be indicated on all grading plans. All development, including grading and vegetation removal shall be limited consistent with the purpose of protecting the riparian habitat of San Antonio Creek without precluding reasonable development of the parcel.

Dev Std BIO-LA-1.1.2: Certain development shall be allowed within the 50-foot riparian vegetation buffer established in Dev Std BIO-LA-1.1.1 subject to review and approval by Planning and Development Department. Allowed development shall be limited to the following:

- a. Public trails or other passive public recreational uses;
- b. Flood control projects, where the project is for improvement or maintenance of stream channel flow capacity and/or is necessary for public safety or to protect existing development;
- c. Development where the primary function is the improvement of fish and wildlife habitat; and
- d. Culverts, fences, pipeline, and bridges (when support structures are located outside critical habitat) may be permitted, when no alternative route/location is feasible.

Dev Std BIO-LA-1.1.3: All proposed development encroaching within the San Antonio Creek and Canada de Calaveras riparian corridors, including the 50 ft. buffer, shall incorporate protection, enhancement and/or restoration to minimize potential impacts to the greatest extent. This shall include:

1. Removing and controlling invasive, non-native vegetation at a 2:1 ratio (restored/disturbed); or
2. Revegetating the buffer area with native, locally-occurring riparian trees, shrubs, and native, indigenous grasses at a minimum 1:1 ratio. Tree species to be planted shall be restricted to: Fremont cottonwood, valley oak, western sycamore, coast live oak, and box elder; and,
3. Providing for wildlife movement to avoid ecological "islands."

Proposed revegetation and restoration measures outlined above shall be contained in a Mitigation Plan that shall be prepared by a County-qualified biologist and be reviewed and approved by the County Planning & Development Department. The scope of all surveys, inspections, and fieldwork shall be approved by the Planning and Development Department in advance and funded by the project applicant.

Mitigation measures MM BIO-5, MM BIO-6, MM BIO-7, MM BIO-8, and MM BIO-9 are recommended in the EIR to mitigate Impact BIO-5 to a level of insignificance and are wholly incorporated in Los Alamos Community Plan Update as policies BIO-LA-1.3, BIO-LA-1.6, BIO-LA-1.7 and development standards Dev Std BIO-LA-1.4.1, Dev Std BIO-LA-1.5.1, and Dev Std BIO-LA-1.7.1, as detailed below.

Mitigation measure MM BIO-5 partially mitigates project specific and cumulative impacts detailed in Impact BIO-5 above and is wholly incorporated in Policy BIO-LA-1.3 below.

Policy BIO-LA-1.3: Native or non-native trees with a 6-inch or greater diameter measured at breast height that have unusual scenic or aesthetic quality, have important historic value, provide important wildlife habitat, or are unique due to species type or location shall be preserved to the maximum extent feasible.

Non-Native specimen trees are defined for the purposes of this policy as mature trees that are healthy and structurally sound and have grown into the natural stature particular to the species. Native or non-native trees with a 6-inch or greater diameter measured at breast height that have unusual scenic or aesthetic quality, have important historic value, provide important wildlife habitat, or are unique due to species type or location shall be preserved to the maximum extent feasible.

Non-native trees that are healthy and structurally sound shall be preserved when active nests or roosts are present

Mitigation measure MM BIO-6 in the EIR, as revised by the Planning Commission and Board of Supervisors, partially mitigates project specific and cumulative impacts detailed in Impact BIO-5 above and is wholly incorporated in Dev Std BIO-LA-1.4.1 below.

Dev Std BIO-LA-1.4.1: Proposed tree removals associated with development shall be evaluated by a county-approved biologist to determine if any effect on wildlife during the breeding season is anticipated. Trees to be evaluated include any existing native or non-specimen tree with a 6-inch or greater diameter measured at breast height. This standard applies to all development. Buffers shall be established for active nests as determined by the biologist on a case-by-case basis.

Mitigation measure MM BIO-7 in the EIR, as revised by the Planning Commission and Board of Supervisors, partially mitigates project specific and cumulative impacts detailed in Impact BIO-5 above and is wholly incorporated in Dev Std BIO-LA-1.5.1 below.

Dev Std BIO-LA-1.5.1: New development shall be designed to minimize encroachment within the canopy drip line of oak trees with a 6-inch or greater diameter measured at breast height. Where oak trees may be impacted by new development (either ministerial or discretionary), a Tree Protection Plan shall be required. The decision to require preparation of a Tree Protection Plan shall be based on the location of the trees and the project's potential to directly or indirectly damage the trees through such activities as grading, brushing, construction, vehicle parking, supply/equipment storage, trenching, or the proposed use of the property. The Tree Protection Plan shall include a graphic depiction of the Tree Protection Plan elements on final grading and building plans. (Existing landscape plans submitted to the County Board of Architectural Review (BAR) may be sufficient) and include the following components.

- a. Disturbance of any oak trees in excess of 6 inches diameter at breast height (dbh) shall be mitigated by planting coast live oak and valley oaks at a 10:1 ratio and achieving minimum survivorship at an 8:1 ratio at the end of three years post-planting. Replacement oaks shall be planted as acorn sets or saplings derived from existing trees in the vicinity of the site.

Avoidance of impacts to oak trees in project design is preferred. On-site replacement may be used if preservation is demonstrated to be infeasible. Projects in the CM-LA zone district may provide the required replacement trees at an offsite receiver site subject to approval by the Planning and Development Department and if avoidance or on-site replacement is demonstrated to be infeasible.

Mitigation measure MM BIO-8 partially mitigates project specific and cumulative impacts detailed in Impact BIO-5 above and is wholly incorporated in Dev Std BIO-LA-1.6.1 below.

Policy BIO-LA-1.6: At least 50 percent of the species proposed for planting in landscape plans shall be locally-occurring species including valley oak, coast live oak, Fremont cottonwood, western sycamore, and box elder to the immediate area (i.e., oaks, willows, sycamores) Species native to the immediate area (i.e., oaks, willows, sycamores) shall be incorporated into all landscape plans in order to preserve the existing oak savannah character of the area where appropriate. Trees shall be derived from source trees in the Los Alamos Valley or adjacent Purisima Hills or Solomon Hills.

Mitigation measure MM BIO-9 in the EIR, as revised by the Planning Commission and Board of Supervisors, partially mitigates project specific and cumulative impacts detailed in Impact BIO-5 above and is wholly incorporated in Policy BIO-LA-1.7 and Dev Std BIO-LA-1.7.1 below.

Policy BIO-LA-1.7: Existing native trees with a 6-inch or greater diameter measured at breast height in Los Alamos County Park shall be protected to the maximum extent feasible. Coast live oak, valley oak, or other trees in the Park that naturally fall and do not present an obstruction to recreational use of the park or public safety shall be left in place to decay and provide important foraging habitat and cover for wildlife. Any trees planted in the Park shall be derived from local growers from source trees in one of the following areas: Los Alamos Valley or adjacent Purisima Hills or Solomon Hills and should be valley oak, coast live oak, Fremont cottonwood, western sycamore, and box elder.

Dev Std BIO-LA-1.7.1: County Parks is encouraged to coordinate with Planning and Development regarding development within the Los Alamos County Park. If necessary, Planning and Development staff shall conduct a biological site visit and/or a biological report shall be prepared by a County-approved consultant. The report should specify measures to protect affected trees and/or wildlife resources. If necessary, an appropriate replacement/replanting program may be developed.

Findings: The Board of Supervisors finds that EIR mitigation measure MM BIO-1 incorporated in the Los Alamos Community Plan Update as Policy BIO-LA-1.8 and Dev Std BIO-LA-1.8.1, and implemented through advance site inspections and surveys during project review, would mitigate to a level of insignificance potential impacts to grasslands habitat which could serve as dispersal areas for special-status species, including California red-legged frog and California tiger salamander as identified in Impact BIO-1 above.

The Board of Supervisors finds that mitigation measure MM BIO 3, incorporated in the Los Alamos Community Plan Update as Dev Std Bio-LA-1.8.2 and implemented during project review through advance identification and protection or restoration actions, mitigates potential impacts to native grassland habitat identified in Impact BIO-3 above to a insignificant level.

The Board of Supervisors finds that mitigation measure MM BIO 4 incorporated in the Los Alamos Community Plan Update as development standards Dev Std Bio-LA-1.1.1, Dev Std Bio-LA-1.1.2, Dev Std Bio-LA-1.1.3, and implemented during project review, will mitigate potential impacts of projects adjacent to San Antonio Creek and the Canada de Calaveras described in Impact BIO-4 above to a level of insignificance. The Board of Supervisors further finds implementation of MM BIO-4 will occur during permit review

through advance site assessments and the establishment of appropriate buffers and revegetation plans, as necessary, to protect the biological diversity of riparian areas and water quality.

The Board of Supervisors finds that Impact BIO-5 is mitigated to a level of insignificance by five mitigation measures; MM BIO-5 through MM BIO-9 which incorporate project specific actions to survey, protect, restore trees, raptor and other wildlife nests and roosts implemented during permit review. The Board of Supervisors further finds that MM BIO-5 through MM BIO-9 have been wholly incorporated into Policy BIO-LA-1.3, Dev Std BIO-LA-1.4.1, Dev Std BIO-LA-1.5.1, Policy BIO-LA-1.6, Policy BIO-LA-1.7 and Dev Std BIO-LA-1.7.1 in the Los Alamos Community Plan Update, as detailed above.

The Board of Supervisors further finds that cumulative impacts to biological resources are mitigated to a level of insignificance by nine mitigation measures, MM BIO-1 through MM BIO-9 which are wholly incorporated into the Los Alamos Community Plan Update as implemented during permit review as detailed above.

D. Public Services

Impacts: The EIR identified potentially significant but mitigable project specific and cumulative impacts to public facilities resulting from population growth that would exceed the capacity of the Los Alamos School District and over-enrollment in the Santa Maria Joint Union School District (Impact PF-1).

Mitigation: In addition to policies in the existing Land Use Element and the Los Alamos Community Plan Update, the EIR identified mitigation measure MM PF-1 to mitigate project specific and cumulative impacts described in Impact BIO-1. This mitigation measure is wholly implemented through schools impact fees determined by the State Government and Education Codes.

Findings: The Board of Supervisors finds that impact fees to address project specific and cumulative impacts to schools is regulated by State Government Code Section 65995 and Education Code Section 17620 and are levied by the school districts during project review and prior to the issuance of building permits, thereby mitigating EIR Impact PF-1 to an insignificant level. The Board of Supervisors finds that adoption of mitigation measures MM PF-1 is not necessary, since Impact PF-1 is already reduced to a level of insignificance with the application of state laws by the school districts.

E. Traffic and Circulation

Impacts: The EIR identified potentially significant but mitigable project specific and cumulative impacts to parking in Los Alamos (Impact TC-1)

Mitigation: In addition to policies in the existing Land Use Element and Circulation Element and the Los Alamos Community Plan Update, the EIR identified mitigation measures MM TC-1 and MM TC-2 to mitigate project specific and cumulative impacts described in Impact TC-1 above. These mitigation measures have been substantially incorporated into the Plan as follows.

Mitigation measure MM TC-1 in the EIR, as revised by the Planning Commission and Board of Supervisors, mitigates project specific and cumulative impacts detailed in Impact TC-1 above and is substantially incorporated in Policy CIRC-LA-1.5 and Actions CIRC-LA-1.5.1 and CIRC-LA-1.5.2 below.

Policy CIRC-LA-1.5: Angled parking shall be encouraged within the CM-LA Zone District on County maintained roads.

Action CIRC-LA-1.5.1: Within two years of Plan adoption, the County Planning and Development and Public Works Departments shall prepare an On-Street Parking Plan for the CM-LA zone district. The parking plan shall establish ultimate road rights-of-way and angled parking configurations for each street identified on Figure 8 and identify drainage and frontage improvements. The parking plan shall include a phasing program for installation of angled parking. The plan should also evaluate the feasibility of an in-lieu fee parking program to off-set costs for installing angle parking in the CM-LA zone district. The On-Street Parking Plan shall reinforce the community's informal, rural character and be prepared concurrent to the Pedestrian Circulation Plan. *See Action CIRC-LA-1.4.1.*

Action CIRC-LA-1.5.2: The County shall work with the community and Caltrans to discuss the feasibility of acquiring Bell Street through Los Alamos as a County maintained road.

Mitigation measure MM TC-2 partially mitigates project specific and cumulative impacts detailed in Impact TC-1 above and is wholly incorporated in Policy LUC-LA-2.4 below.

Policy LUC-LA-2.3: Priority use of excess public road right-of-way, within two blocks north and south of Bell Street, shall be for enhancing public parking capacity; pedestrian access and circulation; storm water quality and drainage improvements; or other public benefits consistent with the LACP. Public Works and Planning & Development shall review all right-of-way abandonment requests and make said findings that no public benefit is available prior to approval of said abandonment.

Findings: The Board of Supervisors finds that there is currently no shortage of parking in Los Alamos requiring installation of additional angled parking. The Board of Supervisors also finds that the relaxed parking requirements in the CM-LA zone district would not create project specific parking shortage in the near term as new development is required by CM-LA development standards to demonstrate adequate on-street parking in-lieu of onsite parking prior to issuance of building permits. The Board of Supervisors further finds that EIR mitigation measure MM TC-1 incorporated in the Los Alamos Community Plan Update Policy LUC-LA-2.3, Policy CIRC-LA-1.5, and Actions CIRC-LA-1.5.1 and CIRC-LA-1.5.2 would be implemented by the County as a component of the streetscape and walkways improvements identified Los Alamos Community Plan Update consistent with the Bell Street Design Guidelines and in collaboration Caltrans and private organizations (e.g., business and community groups) and development interests in Los Alamos. The Board of Supervisors further finds that these development standards establish feasible monitoring requirements and actions to identify phasing of and funding for the installation of additional parking as redevelopment of the CM-LA zone district occurs and that cumulatively these actions would mitigate short-term project specific and cumulative parking impacts in Los Alamos to a level of insignificance.

The Board of Supervisors finds that in addition to MM TC-1 above, additional mitigation measure MM TC-2 requiring public right-of way property abandonments to be for enhancing public parking capacity, pedestrian access and circulation and other public benefits, further mitigates cumulative impacts to parking in Los Alamos.

F. Air Quality

Impacts: The EIR identified potentially significant but mitigable project specific and cumulative impacts to air quality from short-term construction activity (Impact AQ-2), and the generation of odors, noxious fumes, and particulates from non-residential uses (Impact AQ-4).

Mitigation: In addition to policies in the Land Use Element Air Quality Supplement and the Los Alamos Community Plan Update, the EIR identifies three mitigation measures revised by the Planning Commission and Board of Supervisors, MM AQ-1, MM AQ-2 and MM AQ-6 that mitigate the above-described impacts. Mitigation measure MM AQ-1 partially addresses project specific and cumulative impacts in Impact AQ-2 and has been wholly integrated into the Los Alamos Community Plan Update as Dev Std AQ-LA-1.1.1 below.

Dev Std AQ-LA-1.1.1: Future project construction in Los Alamos shall follow all requirements of the Santa Barbara Air Pollution Control District (APCD) and shall institute Best Available Control Technology (BACT) where necessary to reduce emissions below APCD thresholds. To reduce NO_x and diesel particulate emissions from construction equipment during project grading and construction, the following shall be adhered to:

- All portable construction equipment shall be registered with the state's portable equipment registration program OR permitted by the District by September 18, 2008.
- Diesel construction equipment meeting the California Air Resources Board's Tier 1-emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.
- Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed on equipment operating on-site.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Mitigation measure MM AQ-2 was not included in the Plan because the fugitive dust control measure is addressed during permit review as Standard Condition (Air-01).

Mitigation measure MM AQ-6 addresses project specific and cumulative impacts in Impact AQ-4 and has been wholly integrated into the Los Alamos Community Plan Update as Dev Std AQ-LA-1.4.3 below.

Dev Std AQ-LA.1.4.3: Applicants of projects including potential odor generators such as but not limited to fast food restaurants, bakeries, coffee roasting facilities, etc., auto body shop, service stations, and laundry/dry cleaning shall develop and implement an Odor Abatement Plan (OAP). The OAP shall include the following:

- a. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints.
- b. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.
- c. Description of potential odor sources at the facility.
- d. Description of potential methods for reducing odors, including minimizing idling of delivery and service trucks and buses, process changes, facility modifications and/or feasible add-on air pollution control equipment.
- e. Contingency measures to curtail emissions in the event of a public nuisance complaint.

Findings: The Board of Supervisors finds that mitigation measures MM AQ-1, MM AQ-2, and MM AQ-6 have been substantially incorporated into the Los Alamos Community Plan Update *Section IV.A. Air Quality* as development standards Dev Std AQ-LA-1.1.1 and Dev Std AQ-LA.1.4.3. County of Santa Barbara Standard Conditions of Approval Air-01, Air-4 and Air-5 further reduce project specific and cumulative air quality impacts from construction and operation of non-residential land uses described in Impacts AQ-2 and AQ-6 above to a level of insignificance.

G. Noise

Impacts: The EIR identified potentially significant but mitigable project specific and cumulative impacts to future residential uses to noise in the CM-LA zone district (Impact N-2).

Mitigation: In addition to policies of the existing adopted Land Use Element, the Noise Element and the Los Alamos Community Plan Update, the EIR recommends one mitigation measure, MM N-1 to mitigate the above described impacts. This mitigation measure has been substantially incorporated into the Los Alamos Community Plan as Policy N-LA-1.1 and Dev Std N-LA-1.1.1 below.

Policy N-LA-1.1: Noise sensitive receptors (e.g., residential, transient lodging, hospitals, educational facilities, libraries, churches, etc.) shall not be exposed to exterior noise levels exceeding 65 dB (CNEL), or interior noise levels exceeding 45 dB, as indicated on the Los Alamos Community Plan Noise Element Map. Projects which are located within the 60 dB(A) CNEL and 65 dB(A) CNEL noise contours shall be reviewed at the time of application processing to confirm that the exterior noise level is less than 65 CNEL.

Dev Std N-LA-1.1.1: Noise-sensitive uses proposed in areas where the projected Day-Night Average Sound Level is 65 dB (CNEL), or more, should be designed so that noise levels in exterior living spaces will be less than 65 dB (CNEL). An analysis of proposed projects should be required, indicating the feasibility of noise barriers, site design, building orientation, etc., to meet the prescribed noise standard.

The 65 dB (CNEL) standard for exterior living areas along Bell Street may be exceeded if all the following findings are made:

- a.Noise levels for interior living spaces shall not exceed 45 dB (CNEL); and,
- b.Any prospective buyer of a unit shall be notified prior to entering any sale contract, if any private or common exterior living areas associated with the unit for sale are exposed to noise levels 65 dB (CNEL) or greater. The specific details of this notice shall be established as a condition of approval of the project.

Findings: The Board of Supervisors finds that County of Santa Barbara Standard Conditions of Project Approval (2010) Noise-03 is applied to all projects which will result in potential project specific and cumulative noise impacts in the Plan Area. Standard Condition requires construction designs to reduce exterior noise levels to 65 dBA and interior noise to 45 dBA consistent with the County of Santa Barbara Noise Ordinance. The Board of Supervisors further finds that mitigation measure MM N-1 has been substantially incorporated into the Los Alamos Community Plan Update *Section IV.E. Noise* as Policy N-LA-1.1 and Dev Std N-LA-1.1.1 ensuring interior noise attenuation is consistent with the Comprehensive Plan, and notification of future owners of the potential for exterior noise levels to exceed 65 dBA will ensure that noise related impacts to sensitive receptors is reduced to a level of insignificance.

7. OTHER PROGRAM RELATED FINDINGS

A. Global Climate Change – Greenhouse Gas Emissions

Impacts: This EIR and the Los Alamos Community Plan Update presumes the potential for the significance of greenhouse gas (GHG) emissions in global climate change and therefore identifies mitigation measures to reduce these potential impacts to the extent feasible until thresholds of significance exist.

Mitigation: In addition to policies in the existing Land Use Element Air Quality Supplement and the Los Alamos Community Plan Update, the EIR recommends seven mitigation measures to reduce future GHG emissions in the to the extent feasible. The Los Alamos Community Plan Update *Section IV.A. Air Quality* substantially incorporates mitigation measures MM AQ-9.1 through AQ-9.7 as development standards Dev Std

AQ-LA-1.4.6 through Dev Std AQ-LA-1.4.10 and Action AQ-LA-1.5. The following mitigation measures are required to reduce the contribution of GHGs resulting from development under the Plan:

Mitigation measure MM AQ-9.1 mitigates project specific and cumulative GHG emissions during construction and has been wholly incorporated into the Los Alamos Community Plan as Dev Std AQ-LA-1.4.6 as detailed below.

Dev Std AQ-LA-1.4.6: Upon application for grading permits for discretionary projects, the applicant shall submit grading plans, the proposed rate of material movement and a construction equipment schedule to the APCD. In addition, the applicant shall implement the following measures where feasible to mitigate equipment emissions:

- All construction equipment and portable engines shall be properly maintained and tuned according to manufacturer's specifications;
- All off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, shall be fueled exclusively with CARB-certified motor vehicle diesel fuel;
- The applicant shall, at a minimum, use diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the 5 minute idling limit;
- The applicant shall electrify equipment where feasible;
- The applicant shall substitute gasoline-powered for diesel-powered equipment where feasible;
- The applicant shall use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, where feasible; and
- The applicant shall apply Best Available Control Technology (CBACT) as determined by the APCD.
- Recycle/Reuse demolished construction material.

Mitigation measure MM AQ-9.2 mitigates project specific and cumulative GHG emissions during operation of land uses and has been substantially incorporated into the Los Alamos Community Plan as Dev Std AQ-LA-1.4.7 as detailed below.

Dev Std AQ-LA-1.4.7: The County shall incorporate the following into the Los Alamos Community Plan Update:

The following energy efficiency and green building techniques shall be implemented for discretionary projects where feasible:

- The applicant shall increase building energy efficiency ratings by at least 20% above what is required by Title 24 requirements (CAPCOA MM E-6). Potential energy consumption reduction measures include, but are not limited to:
- Using roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs and/or installing photovoltaic roof tiles (CAPCOA MM E-4, CAPCOA MM-13);
- Using low energy street lights (i.e. sodium); and
- Possible additional Green Building techniques include:
- Consideration of the siting of proposed buildings to eliminate or minimize the development's heating and cooling needs (e.g., solar orientation) (CAPCOA MM E-7).
- Install solar systems to reduce energy needs (e.g., solar panels).
- Plant native, drought resistant landscaping (CAPCOA MM D-17).
- Use locally-produced building materials (CAPCOA MM C-3).
- Use renewable or reclaimed building materials. (CAPCOA MM C-4)
- Use materials which are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way (CAPCOA MM E-17).

Mitigation measure MM AQ-9.3 mitigates project specific and cumulative transportation related GHG emissions during operation of land uses and has been substantially incorporated into the Los Alamos Community Plan as Action CIRC-LA-2.2.4 and Action AQ-LA-1.5 as detailed below.

Action CIRC-LA-2.2.4: The County shall revise the County Road Impact Fee Ordinance to allocate a minimum of twenty percent of all transportation impact fees collected from development projects in Los Alamos for transit, bicycle, and pedestrian uses/facilities.

- Action AQ-LA-1.5: To further offset greenhouse gas (GHG) emissions, the County shall incorporate the following into the Los Alamos Community Plan Update: Specific limits on idling time for commercial vehicles, including delivery and construction vehicles, shall

be set for projects proposing new commercial development. (OPR Land Use and Transportation GHG Reduction Measure #7)

- Remove obstacles to the development of necessary infrastructure to encourage the use of alternative fuel vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations) (CAPCOA MM E-11).
- Develop transportation policies that give funding preference to public transit.
- Provide public education and publicity about public transportation services (CAPCOA Ms G-4).

Mitigation measure MM AQ-9.4 mitigates project specific and cumulative GHG during operation of existing and new land uses and as of April 14, 2010, has been approved for implementation by the Board of Supervisors (Ordinance 10-098) as a countywide program.

Mitigation measure MM AQ-9.5 mitigates project specific and cumulative GHG emissions during operation of land uses and has been wholly incorporated into the Los Alamos Community Plan as Dev Std AQ-LA-1.4.8 as detailed below.

Dev Std AQ-LA-1.4.8: For all new residential subdivisions of five or more lots, new multi-family development projects of five or more units, and new commercial or mixed-use development exceeding 5,000 square feet, solar energy systems that result in a 20% or more reduction in electrical or other energy needs are encouraged. All such projects shall undergo BAR review consistent with state and county regulations.

Mitigation measure MM AQ-9.6 mitigates project specific and cumulative GHG emissions during construction and occupation of land uses has been wholly incorporated into the Los Alamos Community Plan as Dev Std AQ-LA-1.4.9 as detailed below.

Dev Std AQ-LA-1.4.9: The County shall require, unless economically infeasible, all future projects to incorporate the following Green House Gas reduction measures to the maximum extent feasible:

- Recycle/Reuse demolished construction material. Use locally made building materials for construction of the project and associated infrastructure.
- Execute an Energy Savings Performance Contract with a private entity to fund renewable energy improvements in existing and new developments in exchange for a share of energy savings over a period of time (OPR Energy Conservation Policies and Actions GHG Reduction Measure #7).

- Use drought resistant native trees, trees with low emissions and high carbon sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will admit summer sun; evergreen plantings on the north side will slow cold winter winds; constructing a natural planted channel to funnel summer cooling breezes into the house. Neighborhood CCRs shall not require that front and side yards of single family homes be planted with turf grass. Vegetable gardens, bunch grass, and low-water landscaping shall also be permitted, or even encouraged.
- Unless the parcel precludes reasonable development, orient 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows.
- Include in new buildings facilities to support the use of low/zero carbon fueled vehicles, such as the charging of electric vehicles from green electricity sources (OPR Energy Conservation Policies and Actions GHG Reduction Measure #2).

Mitigation measure MM AQ-9.7 in the EIR, as revised by the Planning Commission and Board of Supervisors, mitigates project specific and cumulative GHG emissions during construction and occupation of land uses has been wholly incorporated into the Los Alamos Community Plan as Dev Std AQ-LA-1.4.10 as detailed below.

Dev Std AQ-LA-1.4.10: The County shall encourage public and private development projects to construct LEED (Leadership in Energy and Environmental Design) qualified or certified buildings.

Findings: The Board of Supervisors finds that in the absence of significance thresholds, extensive mitigation is appropriately identified in the EIR, thereby resulting in substantial decreases in the total amount of GHG emissions associated with project specific and cumulative land uses under the Los Alamos Community Plan Update. It is not anticipated that these types of projects would create significant secondary effects

The Board of Supervisors finds that EIR recommended mitigation measure MM AQ-9.4, the Sustainable Energy Financing District, is not necessary to include in the Los Alamos Community Plan Update, because the Board of Supervisors approved implementation of the program on April 14, 2010 (Ordinance 10-098) as a countywide program. The program is available to property owners in Los Alamos to help finance retrofits of existing buildings. The Board of Supervisors finds that implementation of this program,

which allows property owners to obtain low cost financing of energy efficiency improvements, consistent with AB 811, will partially mitigate project specific and cumulative GHG on climate change during operation of existing land uses by significantly offsetting the long-term costs of financing these efficiency retrofits.

The Board of Supervisors finds that mitigation measures MM AQ-9.1 and MM AQ-9.6 are incorporated into Los Alamos Community Plan Update *Section IV.A. Air Quality* as development standards AQ-LA-1.4.6 and Dev Std AQ-LA-1.4.9. The Board further finds that these standards are feasibly implemented during project design and development review to mitigate to the extent feasible project specific fuel use and cumulative GHG emissions on climate change during construction of land uses by incorporating conservation in site planning and building designs to extent economically feasible and components of the California Air Resources Board's Tier 1 and 2 emission standards, the Santa Barbara Air Pollution Control District's Best Available Control Technology (BACT), the Governor's Office of Planning and Research Energy Conservation Policies and Actions.

The Board of Supervisors further finds that mitigation measures MM AQ-9.2 and MM AQ-9.5 are incorporated into Los Alamos Community Plan Update *Section IV.A. Air Quality* as Dev Std AQ-LA-1.4.7 and Dev Std AQ-LA-1.4.8. The Board further finds that these standards are feasibly implemented during project design and development review to mitigate to the extent feasible project specific and cumulative GHG emissions on climate change during the operation of land uses by incorporating energy efficiency measures recommended by the California Association of Air Pollution Control Officers (CAPCOA), energy efficiency, solar systems and green building techniques.

The Board of Supervisors further finds that mitigation measure MM AQ-9.3 is incorporated into Los Alamos Community Plan Update *Section IV.A. Air Quality* as Action AQ-LA-1.5. The Board further finds this action is feasibly implemented during development review and future policy initiatives, including the County of Santa Barbara Climate Action Strategy, to offset transportation demand and fuel use and mitigate to the extent feasible cumulative impacts from GHG emissions on climate change during the operation of land uses by incorporating measures recommended by the California Association of Air Pollution Control Officers (CAPCOA).

The Board of Supervisors further finds that mitigation measure MM AQ-9.7 is incorporated into Los Alamos Community Plan Update *Section IV.A. Air Quality* as Dev Std AQ-LA-1.4.10. The Board further finds this action is feasibly implemented during development review and as part of future policy initiatives, to encourage projects which incorporate LEED (Leadership in Energy and Environmental Design) qualified or certified buildings and reduce operational impacts from GHG emissions on climate change to the extent feasible.

The Board of Supervisors finds the above mitigation measures would reduce future GHG emission impacts to the extent feasible, thereby resulting in substantial decreases in the total amount of GHG emissions associated with development under the Plan. These

measures are expected to reduce GHG emissions approximately 15% over the 20 year period (or, life of the Plan). Mitigation measures MM AQ-9.1 through MM AQ-9.7 are aimed at programs and building standards that minimize energy consumption.

The Board of Supervisors finds none of these standards would have the potential to create significant secondary effects and, rather, would be expected to generally reduce or minimize the environmental effects of development in all issue areas. While these measures may increase construction and hence housing costs, such economic or social effects are not treated as significant effects on the environment when such economic effects do not result in physical impacts on the environment (CEQA Guidelines Section 15131).

The Board of Supervisors finds that Mixed-use development is identified as a GHG reduction measure in both the Governor's Office of Planning and Research Technical Advisory on CEQA and Climate Change (OPR, June 2008) and the California Association of Air Pollution Control Officers CAPCOA white paper on CEQA and Climate Change (CAPCOA, January 2008) due to a reduction in resultant automobile trips and vehicle miles traveled.

The Board of Supervisors further finds that implementing the new Community Mixed-Use (CM-LA) in the Los Alamos Community Plan Update creates a pedestrian friendly urban area where goods and services are more efficiently co-located, consistent with the principles in the OPR and CAPCOA advisories, and that the Plan includes policies and actions that would further encourage alternate modes of travel serving to further reduce vehicle miles traveled and emissions to the extent feasible. The Board of Supervisors finds therefore the Los Alamos Community Plan exemplifies the type of planning that incorporates land uses patterns and regulatory measures to reduce project specific and cumulative GHG emissions impact on global climate change to the maximum extent feasible.

8. FINDINGS REGARDING PROGRAM ALTERNATIVES

CEQA Guidelines Section §15126.6 requires that an EIR analyze alternatives which would feasibly obtain most of the objectives of the project, focusing on alternatives capable of avoiding any significant environmental impacts or substantially reducing their level of significance, even if these alternatives would impede to some degree the attainment of the project objectives, and evaluate the comparative merits of the alternatives. The specified objectives of the project are to:

- Encourage growth within the Plan Area rather than expanding the existing urban boundary;
- Encourage in-fill and mixed use residential and commercial growth within the urban boundary established by the existing Plan;

- Encourage and protect a diverse range of housing types, while maintaining the predominantly rural western town identity of the community;
- Strive to ensure that the community of Los Alamos provides housing opportunities for all economic segments of the community;
- Encourage new commercial development oriented toward serving the needs of local residents. Visitor-serving commercial uses shall also be supported to the extent that they also attract customers to other Los Alamos businesses and provide goods and services to Town residents;
- Strive to create a vibrant mixed-use, pedestrian-friendly, and safe environment along Bell Street; and
- Provide for adequate public facilities and services capacity to support buildout of the community plan area.

The alternatives analyzed in the EIR are detailed below:

A. Alternative 1: The No Project Alternative

The No Project Alternative assumes that projected buildout under the existing 1994 Los Alamos Community Plan would continue under the existing land uses and zoning. Buildout under the No Project Alternative is based on the maximum potential development allowable under existing land use and zoning designations, which would be 1,066 residential units which is less than the Plan Update, and 1,028,616 square feet of commercial/industrial and public/institutional space. The No Project Alternative would represent 255 fewer residential units, but 230,586 additional sq. ft. more non-residential development than that proposed in the 2010 Plan Update. If the No Project Alternative were to be adopted, none of the new and revised policies, actions, and development standards in the Los Alamos Community Plan Update that address environmental impacts would be implemented.

With the No Project Alternative, the new Community Mixed-Use zoning to encourage residential and commercial development in the Los Alamos downtown would not be realized and a larger portion of commercial development, without a mix of residential uses would occur. Since the same urban boundary would exist with the No Project Alternative and the Plan Update, the amount of open space subject to potential new development would not change, but new measures to reduce impacts to cultural, agricultural, and biological resources, and to conserve water and wastewater and provide parking would not be realized.

The No Project Alternative would, therefore result in greater impacts on the following resources relative to the Los Alamos Community Plan Update, largely in part due to the absence of protective Policies that are provided in the Los Alamos Community Plan Update:

- Cultural Resources (Archaeological Resources) (Class I);

- Wastewater (Class I);
- Agricultural Resources (Class II);
- Biological Resources (Class I); and
- Transportation/Circulation (Parking) (Class I).

Of these, two new significant and unavoidable impacts, on Wastewater and Transportation/Circulation, would occur with the No Project Alternative due to the absence of protective policies that are provided in the Los Alamos Community Plan Update.

The No Project Alternative would result in similar impacts on the following resources relative to the Los Alamos Community Plan Update:

- Cultural Resources (Historic Resources) (Class I);
- Flooding (Class II); Aesthetics/Visual Resources (Class I);
- Noise (Class II); and
- Hazardous Materials/Risk of Upset (Class III).

The No Project Alternative would result in reduced impacts on the following resources relative to the Los Alamos Community Plan Update:

- Land Use (Class III); Groundwater (Class I);
- Public Services (Schools) (Class II);
- Solid Waste Generation (Class I);
- Transportation/Circulation (intersection LOS) (Class III); and
- Air Quality (Class I).

The EIR determined the No Action Alternative would reduce significant impacts relative to the Los Alamos Community Plan Update by 10 to 23 percent for Groundwater demand; 39 percent for Public Services — school student generation; 20 percent for Public Services — solid waste generation; and 8 percent for Air Quality.

Though the No Project Alternative would reduce some significant environmental impacts between 8 and 39 percent relative to the Los Alamos Community Plan Update, it would not meet the project objectives, nor incorporate the protective policies provided for in the Los Alamos Community Plan Update, resulting in additional significant unavoidable impacts would result. Therefore, the Board of Supervisors finds that the project as adopted is preferable to the No Project Alternative.

B. Alternative 2 – The Reduced Buildout Alternative

The Reduced Buildout Alternative would place a cap on proposed Plan development such that the existing Los Alamos Community Services District (LACSD) wastewater treatment permitted capacity of 225,000 gallons per day, averaged over each month, would not be exceeded. This Alternative would result in an approximate 30 percent reduction in overall buildout (a total of 276 additional residential units and an additional

252,844 non-residential sq. ft.) to remain within the LACSD 225,000 gpd permitted capacity. The Reduced Buildout Project alternative would include all the Los Alamos Community Plan Update goals, policies, and development standards that avoid environmentally sensitive and visually prominent areas, to allow controlled growth while maintaining the semi-rural character of Los Alamos, and to promote development that is consistent with available resources. This alternative would require adoption of an ordinance or other regulatory mechanism to limit approval of additional development requiring wastewater treatment demand exceeding the existing LACSD capacity.

Since buildout would be reduced by 30 percent, the Reduced Los Alamos Community Plan Update Buildout Alternative would not result in increased impacts on any resources relative to the Plan Update.

The Reduced Los Alamos Community Plan Update Buildout Alternative would result in similar impacts on the following resources relative to the Los Alamos Community Plan Update:

- Hazardous Materials/Risk of Upset (Class III).

The Reduced Los Alamos Community Plan Update Buildout Alternative would result in reduced impacts on the following resources relative to the Plan Update:

- Impacts on wastewater treatment and parking demand would be substantially reduced from potentially significant to adverse, but less than significant (Class III).

Impacts on all other resources would be reduced by approximately 30 percent, but residual impact levels would remain the same as the Los Alamos Community Plan Update: Land Use (Class III); Cultural Resources (Class I); Agricultural Resources (Class II); Groundwater (Class I); Biological Resources (Class I); Public Services: Schools (Class II), and Solid Waste Generation (Class I); Transportation/Circulation (intersection LOS) (Class III); and Air Quality (Class I).

The Reduced Los Alamos Community Plan Update Buildout Alternative would reduce significant environmental impacts resulting from buildout by 30 percent from the Los Alamos Community Plan Update. Therefore, the EIR identifies the Reduced Los Alamos Community Plan Update Buildout Alternative as the environmentally superior alternative relative to the Plan Update.

However, a 30% across the board reduction would be achieved irrespective of the location of future development and Los Alamos Community Plan Update policy objectives which seek to reduce artificial regulatory constraints which have historically impeded development and investment in downtown Los Alamos.

Further, the Board of Supervisors finds that even at the moderately aggressive three percent pace of growth assessed in EIR, wastewater treatment plant capacity would not be reached within the 20-year horizon of the Plan Update. The Reduced Buildout Alternative would reduce the ability for property owners to take advantage of the new

CM-LA zone's incentives and achieve the economies of scale needed to stimulate investment in Los Alamos. Therefore, the Board of Supervisors finds it preferable to incorporate additional protective mitigating mechanisms in the Plan Update to pace development to infrastructure capacity as exemplified in the environmentally superior alternative concept than adopt the Reduced Buildout Alternative.

C. Alternative 3: The Town Gateway Alternative

The Town Gateway Alternative would provide additional land use guidelines on properties on the western and eastern ends of the Bell Street corridor to reduce potential buildout incompatibilities with adjacent development.

The EIR determined the Reduced Buildout Project Alternative as being environmentally superior to both the Los Alamos Community Plan Update and the Town Gateway Project Alternative as it would maximize reductions in potential significant impacts while attaining most of the Los Alamos Community Plan Update's goals. The Town Gateway Properties Plan alternative would include the same goals, policies, and objectives as the Los Alamos Community Plan Update, identical to the Reduced Buildout Alternative.

However, the reduced development potential created by implementing the Town Gateway Alternative would reduce the overall economic viability of the Los Alamos downtown as detailed in the Economic analysis. Therefore, the Board of Supervisors recommended the Project be approved. The Town Gateway Alternative would not result in increased impacts on any resources relative to the Los Alamos Community Plan Update.

The Town Gateway Alternative would result in similar impacts on the following resources relative to the Los Alamos Community Plan Update:

- Cultural Resources (Class I);
- Wastewater (Class II);
- Groundwater (Class I);
- Biological Resources (Class I);
- Public Services: Schools (Class II), and Solid Waste Generation (Class I);
- Transportation/Circulation (intersection LOS) (Class III);
- Air Quality (Class I); and
- Hazardous Materials/Risk of Upset (Class III).

The Town Gateway Alternative would result in reduced impacts on the following resources relative to the Los Alamos Community Plan Update:

- Land Use (Class III);
- Aesthetics/Visual Resources (Class I); and

- Agricultural Resources (Class II).

The Town Gateway Project Alternative would provide for buildout at levels commensurate with the Los Alamos Community Plan Update and satisfy its objectives. This alternative, however, would not substantially reduce any potentially significant impacts associated with the Los Alamos Community Plan Update. The Board of Supervisors finds that the Town Gateway Alternative components extending the Design Control Overlay to the western and eastern gateways has been integrated into the adopted plan and will achieve the improved mitigation to Aesthetics/ Visual Resources intent of the Alternative without presenting any new or increased impacts.

The Board of Supervisors further finds that after public hearings on the final Plan Update and Draft EIR additional mitigation measures were integrated into the Los Alamos Community Plan Update which reduce the environmental impacts to water, wastewater, parking, and biological resources of the environmentally superior alternative while realizing the objectives of the project. The Board further finds that the following mitigation measures have been incorporated into the Los Alamos Community Plan Update and reduce the Plan's impacts: MM WR-1, MM WR-5 MM TC-1, MM BIO-1 are incorporated as Action SD-LA-1.1.1, Dev Std SD-LA-1.1.2, Action CIRC-LA-1.2.3, Policy CIRC-LA-1.4, Action CIRC-LA-1.4.1, and Policy BIO-LA-1.8 and Dev Std BIO-LA-1.8.1. In addition, new Action SD-LA-1.4.1 and WAT-LA-1.2.1 and WAT-LA-1.2.2 have been added as additional mitigating policies to the Los Alamos Community Plan Update. These revisions further reduce the project's environmental impacts and are found to not themselves cause any new or increased environmental impacts.

The Board of Supervisors finds these mitigating policies and implementing actions serve to better pace development to available water, wastewater, transportation, and parking infrastructure capacity and protect biological resources through conservation and mechanisms to protect important habitat in a manner that balances the need to achieve environmental protection and promote the economic viability of the Los Alamos community.

9. STATEMENT OF OVERRIDING CONSIDERATIONS

Summary of Impacts: The Los Alamos Community Plan Update Final EIR identifies impacts that, although with incorporation of feasible mitigation measures, could still exceed significant impact thresholds in the areas of cultural resources, flooding and water resources, aesthetics/visual resources, biological resources, public services, air quality, noise, and wastewater. These impacts are categorized as Class I impacts (Significant and Unavoidable) and are likely to occur as a result of:

Cultural Resources – Plan related development would potentially encroach within unknown buried historic and prehistoric archaeological materials and impact existing structures of historical importance over 50 years old;

Water Resources – Increased water use by new development would increase demand for groundwater extraction from already impacted San Antonio Groundwater Basin aquifer and create a need for additional water storage;

Aesthetics/Visual Resources – Development in the CM-LA zone district would obstruct important views of the Purisima and Solomon Hills and farmland from inside the urban boundary;

Biological Resources – Land use impacts on special status animal species California red-legged frog and California tiger salamander dispersal areas;

Public Services – Construction and use impacts on impacted landfills;

Air Quality – Community Mixed-Use Los Alamos zone district development unaccounted for in the Clean Air Plan, exacerbation of existing county exceedance of state standards for ozone and PM10;

Findings: The Board of Supervisors, therefore, makes the following Statement of Overriding Considerations which serve to explain the reasons for approving the project despite the findings that the above-identified impacts are not fully mitigated. Pursuant to Sections 15043, 15092, and 15093 of the State CEQA Guidelines, the Board of Supervisors has the authority to determine that any remaining significant effects on the environment found to be unavoidable may be considered to be acceptable due to overriding considerations. The Board of Supervisors finds the significant and unavoidable impacts are acceptable based on the following individual and collective overriding considerations:

- A. The Los Alamos Community Plan Update provides for necessary and orderly development to accommodate population growth within urban areas within the planning horizon consistent with the goals and policies of the County of Santa Barbara Comprehensive General Plan (Government Code §65060 et.seq, and §65103).

- B. The Los Alamos Community Plan Update provides for orderly economic and population growth within a reasonable time horizon that integrates measures to conserve and enhance available resources and service capacities (Land Use Element LUDP4);
- C. The Los Alamos Community Plan Update protects agriculture (Agricultural Element Goal I) by retaining the existing urban boundary and providing zoning that encourages agricultural employee housing,
- D. The Los Alamos Community Plan Update protects natural resources, preserves the area's rural and semi-rural character, and balances the needs of the future residents with the needs of existing residents.
- E. The Los Alamos Community Plan Update provides for a range of housing types affordable to all income levels, for affordable housing by its encouragement of Mixed-Use development and Residential Second Units on appropriate sites pursuant to existing zoning regulations and applicable policies and development standards (Housing Element Policy 1.1-Programs 1.3, 1.4, 1.5, 1.6).
- F. The Los Alamos Community Plan Update provides for orderly development while avoiding hazards to the maximum extent feasible (Seismic Safety and Safety Element, Land Use Planning, Page 238).
- G. The Los Alamos Community Plan Update rezones the Los Alamos Bell Street Commercial Corridor to Mixed Use in order to encourage vital urban development with co-located commercial and residential uses (Housing Element Policy 1.8 and Energy Element Policy 3.7).
- H. The Los Alamos Community Plan Update supports the sustainability of the existing Los Alamos community by reaffirming the existing urban boundary and revising permit requirements for mixed-use development to stimulate investment and infill development to support new and existing businesses and revitalize the Bell Street downtown (Land Use Element, LUDP 3; Urban/Rural Boundaries, Page 25).
- I. The Los Alamos Community Plan Update assists in protecting valuable prime and non-prime agricultural lands by reducing potential encroachment by incompatible residential uses through enforcement of residential setbacks and buffers (Agricultural Element Policy I.F.).
- J. The Los Alamos Community Plan Update affords protection of the important natural resources of the various habitats within the Plan's boundaries, and preserves the value of these lands for their important biologic, hydrologic, and aesthetic qualities (Conservation Element, Preservation of Natural Systems, Page 75).

- K. The Los Alamos Community Plan Update contains an adequate circulation system of streets, existing and planned bikeways, and other alternative transportation means (Circulation Element Policy B).

- L. The Board of Supervisors further finds that to incorporate the reduced environmental impacts identified in the environmentally superior alternative, additional mitigation measures have been incorporated into the EIR that further reduce impacts to wastewater, parking, and protect cultural and biological resources. The Board of Supervisors further finds that these mitigations achieve to the maximum extent feasible the reduced impacts identified in the Reduced Buildout Alternative in a manner that balances the need to achieve environmental protection and promote the economic viability of the Los Alamos community. The other alternatives analyzed in the EIR, including the “No Project” alternative, would either result in environmental impacts of greater severity than those of the adopted Plan or have been found to be incapable of reducing the environmental impacts of the Plan.

- M. The Los Alamos Community Plan Update provides clarity for future developers and land use regulators. The clearly defined policies and development standards of the Plan, new CM-LA form based development code and the Bell Street Design Guidelines will minimize future environmental review, time, uncertainty, and cost in the permit process.

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program (MMRP).

Several of the mitigation measures recommend revisions to the draft Community Plan and would be implemented by incorporation into the final Community Plan. Other mitigation measures—those that would not be implemented by changes to the Community Plan—would be monitored by County staff for implementation, often on a project by project basis. These on-going mitigation measures are listed in the following table.

The following list shall be used as a checklist to determine compliance with required mitigation measures for the Los Alamos Community Plan Update and projects under the Community Plan. The numbering of the mitigation measures pertains to the associated Impact discussion, so numbered mitigation measures in the list may skip numbers if the impact was not found to be significant for the particular site, or if the mitigation measures would be implemented by changes to the Community Plan. Where mitigation is recommended, rather than required, this is indicated in parentheses following the measure.

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Table A Mitigation Measures Required for the Los Alamos Community Plan

| Applicable Mitigation Measure | Plan Requirements and Timing | Monitoring | Compliance Verification | | |
|---|---|--|-------------------------|------|----------|
| | | | Initial | Date | Comments |
| CULTURAL RESOURCES | | | | | |
| CR-1 Dev Std HA-LA-1.2.1: New development shall preserve and/or restore the character-defining features of significant historic resources, in particular, the façade of significant historic structures visible from Bell Street, unless shown to be technically infeasible and precludes reasonable development. For structures that have been determined to be a significant resource, the project applicant shall retain a County-qualified architectural historian to collaborate in designing the proposed adaptive reuse of structures that are to be renovated to maximize the integration of new architectural elements with those historical character-defining features. | An assessment of historic structure proposed architectural design shall be prepared by a County-qualified architectural historian, and provided with the project application for CBAR consideration. The assessment shall be reviewed and approved prior to issuance of zoning clearance for development. | County Permit Compliance shall ensure compliance with approved plans in the field. | | | |
| WASTEWATER | | | | | |
| WW-1 Action SD-LA-1.1.1: The County shall monitor development activity in Los Alamos and provide data to the Los Alamos Community Services District (LACSD) for use in their wastewater collection and treatment facilities planning. Upon LACSD reaching 75% of the permitted plant capacity of 225,000 gpd, or 168,750 gpd, the County shall work cooperatively with the LACSD and Regional Water Quality Control Board to pursue feasibility, fiscal, and environmental studies to evaluate the possibility of expanding LACSD disposal capacity or other alternative solutions for accommodating increased wastewater treatment demand from buildout within the town of Los Alamos. Community input shall be sought regarding the content of the studies and potential alternative solutions to be considered. Dev Std SD-LA-1.1.2: Upon reaching 90% of LACSD permitted capacity, the County shall suspend permitting of additional sewer system connections except for emergency or public benefit purposes, until additional capacity is constructed. | This revision would be included as a new action and development standard in the Final 2010 Plan Update. | Planning and Development shall monitor development activity and coordinate data exchange with LACSD. | | | |
| FLOODING/WATER RESOURCES | | | | | |
| WR-1 Action WAT-LA-1.3.4: The County should | Board of Supervisors | Planning and Development | | | |

Table A Mitigation Measures Required for the Los Alamos Community Plan

| Applicable Mitigation Measure | Plan Requirements and Timing | Monitoring | Compliance Verification | | |
|--|--|--|-------------------------|------|----------|
| | | | Initial | Date | Comments |
| coordinate with the Los Alamos Community Services District to identify funding for establishment of a toilet retrofit program to encourage existing homeowners and businesses to exchange fixtures for high efficiency models. | adoption of this action shall be included in the Final 2010 Plan Update. | shall coordinate with LACSD as funding opportunities become available. | | | |
| WR-2 Project applicants in the Plan Area shall submit an Erosion and Sediment Control Plan or, if greater than 1.0 acre, a comprehensive Storm Water Pollution Prevention Plan (SWPPP) may be submitted in lieu of an Erosion and Sediment Control Plan according to County Code 14-29 to the County of Santa Barbara Flood Control Division. | Drainage plans including proposed SWPPP or Erosion & Sediment Control Plan shall be reviewed by Planning & Development Building and Safety Division and the Public Works Flood Control Division prior to the issuance of grading or construction permits for any future development project. | County Permit Compliance and Grading Inspector shall provide periodic monitoring during construction to ensure compliance with approved drainage plans. | | | |
| WR-3 Policy FLD-LA-2.1: Pollution of surface and groundwater shall be avoided. Dev Std FLD-LA-2.1.1: Development in the CM-LA zone district shall incorporate post-construction best management practices (BMPs) appropriate for the individual site to reduce and detain/infiltrate storm water runoff. BMPs may include as depressed landscape areas, planter box filters (above or below-grade), rain gardens, and permeable paving with underground storage. | All drainage plans shall be reviewed by Planning & Development and Public Works Flood Control Division prior to the issuance of grading or construction permits for any future development project. | County Permit Compliance shall inspect in the field prior to issuance of certificate of occupancy to ensure compliance with the approved drainage plans. | | | |
| WR-4 Dev Std FLD-LA-2.1.2: Construction site BMPs addressing erosion and sediment control, waste and material management, and protection of storm drain inlets and natural water courses shall be included on drainage plans and/or erosion and sediment control plans, and implemented, to prevent contamination of runoff from construction sites. These practices shall include, but are not limited to: appropriate storage areas for pesticides and other chemicals; use of washout areas to prevent drainage of wash water to storm drains or surface waters; erosion and | All BMPs shall be noted on 2010 Plan Update buildout projects' drainage plans, as appropriate. Planning & Development Department and the Public Works Department shall review and approve plans prior to approval of Land Use Permits | County Permit Compliance shall inspect in the field prior to issuance of certificate of occupancy to ensure compliance with BMPs. | | | |

Table A Mitigation Measures Required for the Los Alamos Community Plan

| Applicable Mitigation Measure | Plan Requirements and Timing | Monitoring | Compliance Verification | | |
|---|---|--|-------------------------|------|----------|
| | | | Initial | Date | Comments |
| sediment control measures; and storage and maintenance of equipment away from storm drains and water courses. | | | | | |
| <p>WR-5 Dev Std FLD-LA-1.3.1: Projects in the CM-LA zone district shall be reviewed by the Flood Control Division to determine appropriate drainage control measures on a case-by-case basis. Appropriate drainage control measures shall complement Plan objectives to promote mixed use in-fill development in the CM-LA zone district.</p> <p>Dev Std FLD-LA-1.3.2: Drainage control measures for development outside the CM-LA zone district may include a combination of on-site and off-site solutions as deemed appropriate by the County Flood Control Division.</p> <p>Source control measures such as infiltration, evapotranspiration, storage, retention, and reuse shall be incorporated into site design to the maximum extent practicable.</p> <p>Dev Std WAT-LA-1.3.1: All new development in the Los Alamos Community Plan area should integrate designs and landscaping that facilitate infiltration of rainwater. The use of cisterns and tanks for onsite water storage and gray water systems for landscape irrigation and reserve shall be encouraged in all new developments to enhance groundwater basin recharge and lower effective consumptive use water demands.</p> | All drainage plans shall be reviewed by Planning & Development and Public Works Flood Control Division prior to the issuance of grading or construction permits for any future development project. | County Permit Compliance shall inspect in the field prior to issuance of certificate of occupancy to ensure compliance with the approved drainage plans. | | | |
| AGRICULTURAL RESOURCES | | | | | |
| AG-1 Dev Std LUR-LA-2.2.1: Residential development located on the far western end of Bell Street, within the CM-LA zone, shall be set back at least 100 feet from parcels zoned for agriculture. If the residential development is part of a multi-parcel development concept or the project design demonstrates other adequate buffering, the agricultural | The applicant shall submit building plans depicting required setback for Planning & Development review and approval prior to issuance of a building permit. | Planning & Development permit compliance shall ensure compliance with setbacks prior to issuance of a building permit. | | | |

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| Applicable Mitigation Measure | Plan Requirements and Timing | Monitoring | Compliance Verification | | |
|---|--|---|-------------------------|------|----------|
| | | | Initial | Date | Comments |
| buffer setback shall be established by Planning and Development during project design. | | | | | |
| <p>AG-2 Policy LUR-LA-2.2: Proposed residential development which borders on agriculturally-designated land shall integrate mechanisms into project design (such as, fences and/or buffer areas) to reduce conflicts between residences and agricultural operations. This policy does not apply to RR-5 zoned parcels in the Plan Area.</p> <p>Dev Std LUR-LA-2.2.2: Fencing or landscaping shall be installed along property lines contiguous to agricultural operations, unless a waiver to the satisfaction of Planning & Development is obtained from the adjacent property owner(s). Said fencing or landscaping shall be designed, installed and maintained by the residential property owner to protect agricultural land from residential intrusion for the life of the project and to protect residences from agricultural dust or herbicides/pesticides. The fencing, subject to Planning & Development design approval, shall consist of a solid wood type fence, unless alternative acceptable fencing is approved by Planning & Development. The fence shall be a minimum six (6) feet high.</p> | The applicant shall submit building and/or landscape plans depicting the fence to Planning & Development for review and approval or shall submit a waiver from the adjacent property owner(s). Plans or waivers shall be submitted prior to final map recordation; fence shall be installed prior to rough grading approval. | Planning & Development grading inspectors or planners shall site inspect and photo document installation prior to rough grading approval. | | | |
| <p>AG-3 Dev Std LUR-LA-2.2.3: As a condition of approval for all discretionary projects that are immediately adjacent to agricultural lands, potential purchasers of lots shall be notified in the property title of the potential for agricultural activities on adjacent parcels.</p> | The applicant shall submit evidence of signed recognition of adjacent farming activities to Planning & Development. Signed recognition shall be submitted prior to occupancy for new structures. | Planning & Development shall document property owner recognition of adjacent farming activities prior to occupancy. | | | |
| BIOLOGICAL RESOURCES | | | | | |
| <p>BIO-1 Policy BIO-LA-1.8: Annual and native grasslands in Sub-Area I (see Figure 4.7-2) that could serve as upland habitat for special-status wildlife species shall be preserved to the extent feasible.</p> | Survey reports shall be reviewed and approved by Planning & Development prior to approval of Land | Planning & Development Permit Compliance shall ensure compliance with approved plans in the field. | | | |

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| <p>Dev Std BIO-LA-1.8.1: Prior to issuance of a development permit, Planning and Development shall identify projects that could adversely impact suitable or critical habitat. Projects shall be subject to inspection by a County qualified biologist as part of the permitting process for development. Planning and Development may recommend consideration of protocol level, or other surveys for special status wildlife species if field assessments indicate possible impact to suitable habitat.</p> <p>The scope of all surveys, inspections, and fieldwork shall be approved by the Planning and Development Department in advance and funded by the project applicant.</p> | Use Permits. | | | | |
| BIO-2 Deleted | | | | | |
| <p>BIO-3 Dev Std BIO-LA-1.8.2: Native grasslands, as defined by County Policy, shall be protected to the maximum extent feasible, through the use of fencing or other means deemed appropriate by a qualified biologist and Planning & Development. Proposed development within Sub-areas 1 and 2 shall be surveyed by a County-qualified biologist to determine the potential for native grasses or other sensitive natural communities to exist. Native grasslands that meet the minimum County of CDFG criteria for size and percent cover shall be protected to the maximum extent feasible by:</p> <p>Project re-design and preservation of such areas as open space; or Restoration of native grassland in other portions of the parcel at a replacement ratio of 2:1.</p> | Survey reports, planting and restoration plans shall be reviewed and approved by Planning & Development prior to approval of Land Use Permits. | Planning & Development Permit Compliance shall ensure compliance with approved plans in the field. | | | |
| <p>BIO-4 Dev Std BIO-LA-1.1.1: A 50-foot buffer measured outward from the edge of the riparian within the Los Alamos Urban Area shall be established based on an investigation by a County-qualified biologist of the following factors and after consultation with the Department of Fish</p> | Buffers shall be identified on grading and construction plans. Restoration specifications and appropriate plantings | Planning & Development Permit Compliance shall ensure compliance with approved plans in the field. | | | |

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|--|--|------------|-------------------------|------|----------|
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| <p>and Game and Regional Water Quality Control Board in order to protect the biological productivity and water quality of the creek:</p> <ul style="list-style-type: none"> a. soil type and stability of stream corridors; b. how surface water filters into the ground; c. slope of the land on either side of the stream; d. location of the 100-year flood plain boundary; and e. consistency with adopted plans, particularly Biology/Habitat policies. <p>This buffer may be adjusted upward or downward on a case-by-case basis based on site-specific conditions such as slopes, biological resources and erosion potential. Buffers shall not preclude reasonable development of a parcel. The buffer area shall be indicated on all grading plans. All development, including grading and vegetation removal shall be limited consistent with the purpose of protecting the riparian habitat of San Antonio Creek without precluding reasonable development of the parcel.</p> <p>Dev Std BIO-LA-1.1.2: Certain development shall be allowed within the 50-foot riparian vegetation buffer established in Dev Std BIO-LA-1.1.1, subject to review and approval by Planning and Development Department. Allowed development shall be limited to the following:</p> <ul style="list-style-type: none"> a. Public trails or other passive public recreational uses; b. Flood control projects, where the project is for improvement or maintenance of stream channel flow capacity and/or is necessary for public safety or to protect existing development; c. Development where the primary function is the improvement of fish and wildlife habitat; and d. Culverts, fences, pipeline, and bridges (when support structures are located outside critical habitat) may be permitted, when no alternative route/location is | <p>shall be provided on landscape plans. All plans shall be reviewed and approved by Planning & Development prior to approval of Land Use Permits.</p> | | | | |

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| | | | Initial | Date | Comments |
| <p>feasible.</p> <p>Dev Std BIO-LA-1.1.3: All proposed development encroaching within the San Antonio Creek and Canada de Calaveras riparian corridors, including the 50 ft. buffer, shall incorporate protection, enhancement and/or restoration to minimize potential impacts to the greatest extent. This shall include:</p> <ul style="list-style-type: none"> a. Removing and controlling invasive, non-native vegetation at a 2:1 ratio (restored/disturbed); or b. Revegetating the buffer area with native, locally-occurring riparian trees, shrubs, and native, indigenous grasses at a minimum 1:1 ratio. Tree species to be planted shall be restricted to: Fremont cottonwood, valley oak, western sycamore, coast live oak, and box elder; c. Providing for wildlife movement to avoid ecological "islands." <p>Proposed revegetation and restoration measures outlined above shall be contained in a Mitigation Plan that shall be prepared by a County-qualified biologist and be reviewed and approved by the County Planning & Development Department. The scope of all surveys, inspections, and fieldwork shall be approved by the Planning and Development Department in advance and funded by the project applicant.</p> | | | | | |
| <p>BIO-5 Policy BIO-LA-1.3: Native or non-native trees with a 6-inch or greater diameter measured at breast height that have unusual scenic or aesthetic quality, have important historic value, provide important wildlife habitat, or are unique due to species type or location shall be preserved to the maximum extent feasible.</p> <p>Non-Native specimen trees are defined for the purposes of this policy as mature trees that are healthy and structurally</p> | <p>Survey reports shall be reviewed and approved by Planning & Development prior to approval of Land Use Permits.</p> | <p>Planning & Development Permit Compliance shall ensure compliance with approved plans in the field.</p> | | | |

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| <p>sound and have grown into the natural stature particular to the species.</p> <p>Non-Native trees that are healthy and structurally sound shall be preserved when active nests or roosts are present.</p> | | | | | |
| <p>BIO-6 Dev Std BIO-LA-1.4.1: Proposed tree removals associated with development shall be evaluated by a county-approved biologist to determine if any effect on wildlife during the breeding season is anticipated. Trees to be evaluated include any existing native or non-specimen tree with a 6-inch or greater diameter measured at breast height. This standard applies to all development. Buffers shall be established for active nests as determined by the biologist on a case-by-case basis.</p> | <p>Survey reports shall be reviewed and approved by Planning & Development prior to approval of Land Use Permits.</p> | <p>Planning & Development Permit Compliance shall ensure compliance with approved plans in the field.</p> | | | |
| <p>BIO-7 Dev Std BIO-LA-1.5.1: New development shall be designed to minimize encroachment within the canopy dripline of oak trees with a 6-inch or greater diameter measured at breast height. Where oak trees may be impacted by new development (either ministerial or discretionary), a Tree Protection Plan shall be required. The decision to require preparation of a Tree Protection Plan shall be based on the location of the trees and the project's potential to directly or indirectly damage the trees through such activities as grading, brushing, construction, vehicle parking, supply/equipment storage, trenching, or the proposed use of the property. The Tree Protection Plan shall include a graphic depiction of the Tree Protection Plan elements on final grading and building plans. (Existing landscape plans submitted to the County Board of Architectural Review (BAR) may be sufficient) and include the following components.</p> <p>a. Disturbance of any oak trees in excess of 6 inches diameter at breast height (dbh) shall be mitigated by planting coast live oak and valley oaks at a 10:1 ratio and achieving minimum survivorship at an 8:1 ratio at the end of three years post-planting. Replacement oaks</p> | <p>Oak trees shall be identified on grading and landscaping plans. Landscaping plans shall include the replacement types and ratio as specified. All plans shall be reviewed and approved by Planning & Development prior to approval of Land Use Permits.</p> | <p>Planning & Development Permit Compliance shall ensure compliance with approved plans in the field.</p> | | | |

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| shall be planted as acorn sets or saplings derived from existing trees in the vicinity of the site. Avoidance of impacts to oak trees in project design is preferred. On-site replacement may be used if preservation is demonstrated to be infeasible. Projects in the CM-LA zone district may provide the required replacement trees at an offsite receiver site subject to approval by the Planning and Development Department and if avoidance or on-site replacement is demonstrated to be infeasible. | | | | | |
| BIO-8 Policy BIO-LA-1.6: At least 50 percent of the species proposed for planning in landscape plans shall be locally-occurring species including valley oak, coast live oak, Fremont cottonwood, western sycamore, and box elder in order to preserve the existing oak savannah character of the area where appropriate. Trees shall be derived from source trees in the Los Alamos Valley or adjacent Purisima Hills or Solomon Hills. | All trees shall be identified on grading and landscaping plans. Landscaping plans shall include the replacement types and ratio as specified. All plans shall be reviewed and approved by Planning & Development prior to approval of Land Use Permits. | Planning & Development Permit Compliance shall ensure compliance with approved plans in the field. | | | |
| BIO-9 Policy BIO-LA-1.7: Existing native trees with a 6-inch or greater diameter measured at breast height in Los Alamos County Park shall be protected to the maximum extent feasible. Coast live oak, valley oak, or other trees in the Park that naturally fall and do not present an obstruction to recreational use of the park or public safety shall be left in place to decay and provide important foraging habitat and cover for wildlife. Any trees planted in the Park shall be derived from local growers from source trees in one of the following areas: the Los Alamos Valley, the adjacent Purisima Hills or the Solomon Hills, and should be valley oak, coast live oak, Fremont cottonwood, western sycamore, and box elder. | All trees shall be identified on grading and landscaping plans. Landscaping plans shall include the replacement types and ratio as specified. All plans shall be reviewed and approved by Planning & Development prior to approval of Land Use Permits. | Planning & Development Permit Compliance shall ensure compliance with approved plans in the field. | | | |
| Dev Std BIO-LA-1.7.1: County Parks is encouraged to | | | | | |

Table A Mitigation Measures Required for the Los Alamos Community Plan

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| coordinate with Planning and Development regarding development within Los Alamos County Park. If necessary, a biological site visit shall be conducted by Planning and Development staff and/or a biological report shall be prepared by a County-approved consultant. The report should specify measures to protect affected trees and/or wildlife resources. If necessary, an appropriate replacement/replanting program may be developed. | | | | | |
| PUBLIC SERVICES | | | | | |
| PF-1 Policy SCH-LA-1.3: Projects in the Los Alamos Community Plan Area are subject to the payment of mitigation fees to each school district that serves the property consistent with state law. Fee payment shall be those in effect at the time of issuance of building permits. | The applicant shall submit to P&D final square footage calculations and a copy of the fee payment to the school district(s) prior to issuance of building permits. The applicant shall submit proof that an agreement has been executed prior to approval of Land Use Permits. | Building and Safety shall ensure payment is made prior to issuance of Building Permit. | | | |
| SW-1 Policy RRC-LA-1.1: The County shall maintain recycling programs in Los Alamos and enhance programs when feasible. a. Applicants for individual discretionary projects in the Plan Area shall develop and implement a solid waste management plan or source reduction plan to be reviewed and approved by Public Works Resource Recovery and Solid Waste Division. | A Solid Waste Management Plan or source reduction plan shall be submitted by the applicants of future projects to the Public Works Department Resource Recovery and Solid Waste Division and Planning and Development for review and approval prior to approval of land use permits. Plan components shall be implemented prior to occupancy clearance. | Prior to the approval and issuance of a Land Use Permit, Planning Department staff shall verify review and approval of the Solid Waste Management Plan by the Public Works Department. Public Works staff shall inspect the site during construction prior to occupancy. | | | |
| TRAFFIC AND CIRCULATION | | | | | |

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|--|---|---|-------------------------|------|----------|
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| <p>TC-1 Policy CIRC-LA-1.5: Angled parking shall be encouraged within the CM-LA Zone District on County maintained roads.</p> <p>Action CIRC-LA-1.5.1: <u>Within two years of plan adoption, the County Planning and Development and Public Works Departments shall prepare an On-Street Parking Plan for the CM-LA zone district. The parking plan shall establish ultimate road rights-of-way and angled parking configurations for each street identified on Figure 8 and identify drainage and frontage improvements. The parking plan shall include a phasing program for installation of angled parking. The plan should also evaluate the feasibility of an in-lieu fee parking program to off-set costs for installing angle parking in the CM-LA zone district. The On-Street Parking Plan shall reinforce the community's informal, rural character and be prepared concurrent to the Pedestrian Circulation Plan. See Action CIRC-LA-1.4.1.</u></p> <p>Action CIRC-LA-1.5.2: The County shall work with the community and Caltrans to discuss the feasibility of acquiring Bell Street through Los Alamos as a County maintained road.</p> | <p>Public Works and Planning and Development shall prepare an On-Street Parking Plan for the CM-LA zone district within two years of plan adoption.</p> | <p>Planning & Development shall provide the On-Street Parking Plan to the Board of Supervisors for review and approval.</p> | | | |
| <p>TC-2 Policy LUC-LA-2.3: Priority use of excess public road right-of-way, within two blocks north and south of Bell Street, shall be for enhancing public parking capacity; pedestrian access and circulation; storm water quality and drainage improvements; or other public benefits consistent with the LACP. Public Works and Planning & Development shall review all right-of-way abandonment requests and make said findings that no public benefit is available prior to approval of said abandonment.</p> | <p>Planning & Development and the Public Works Department shall review all right-of-way abandonment requests and make the required findings.</p> | <p>N/A</p> | | | |
| AIR QUALITY | | | | | |
| <p>AQ-1 Dev Std AQ-LA-1.1.1: Future project construction in Los Alamos shall follow all requirements of the Santa Barbara Air Pollution Control District (APCD) and shall</p> | <p>Planning and Development shall review grading and building plans for all project</p> | <p>Permit Compliance inspectors shall perform periodic spot checks during</p> | | | |

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| <p>institute Best Available Control Technology (BACT) where necessary to reduce emissions below APCD thresholds. To reduce NOx and diesel particulate emissions from construction equipment during project grading and construction, the following shall be adhered to:</p> <ul style="list-style-type: none"> • All portable construction equipment shall be registered with the state's portable equipment registration program OR permitted by the District by September 18, 2008. • Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible. • The engine size of construction equipment shall be the minimum practical size. • The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. • Construction equipment shall be maintained in tune per the manufacturer's specifications. • Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. • Catalytic converters shall be installed on gasoline-powered equipment, if feasible. • Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed on equipment operating on-site. • Diesel powered equipment should be replaced by electric equipment whenever feasible. • Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible. | <p>components prior to grading and construction.</p> | <p>construction to ensure compliance with requirements. APCD inspectors shall respond to nuisance complaints.</p> | | | |

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| <ul style="list-style-type: none"> Construction worker trips should be minimized by requiring carpooling and by providing for lunch | | | | | |
| AQ-2 Deleted | | | | | |
| <p>AQ-3 Policy AQ-LA-1.3: The County shall implement those land use patterns and transportation programs which will serve to reduce vehicle trips and total vehicle miles traveled. This includes- but is not limited to the following, as additional measures are encouraged.</p> <ul style="list-style-type: none"> Include design features to encourage alternate transportation modes. <ul style="list-style-type: none"> For pedestrians: sidewalks; safe street and parking lot crossings; shade trees; off street breezeways, alleys, and over crossings; placement of parking lots and building entrances to favor pedestrians rather than cars; shower and locker facilities. For transit riders: All of the above plus safe, sheltered transit stops with convenient access to building entrances. For bicyclists: theft proof and well-lighted bicycle storage facilities with convenient access to building entrance; on-site bikeways between buildings or uses; shower and locker facilities. For carpools and vanpools: preferential parking: Allow onsite services as by right to reduce the need for travel outside the Plan Area. <ul style="list-style-type: none"> For residential developments: include childcare, telecommute center, neighborhood retail stores, postal machines, automatic teller machines. For commercial/office developments: include childcare, food services, postal machines, banking services. For commercial/retail developments: include delivery services, sales by phone. Provide a 10% permit fee reduction for projects that provide onsite services that encourage alternative transportation modes (rideshare matching, transit subsidies, guaranteed ride home). | <p>Zoning permits or clearances related to Los Alamos Community Plan projects shall be subject to the existing permit compliance program.</p> | <p>County of Santa Barbara Permit Compliance shall monitor and verify applicable conditions have been met prior to occupancy clearance.</p> | | | |

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| <ul style="list-style-type: none"> • Provide incentives, such as fee reduction, for transit service enhancements to serve the project (express bus service, bike racks on buses). • Bikeway improvements. • Pedestrian improvements serving the project (addition of sidewalks, pedestrian crossings). | | | | | |
| <p>AQ-4 Dev Std AQ-LA-1.4.1: The County shall consider including the following energy-conserving techniques to implement Policy AQ-LA-1.4:</p> <ul style="list-style-type: none"> a. Prohibit the inclusion of wood-burning stoves in new construction, using natural gas instead, with heat transfer modules in furnaces, where feasible; b. The use of passive solar energy, which minimizes the consumption of electricity. c. If possible, offer additional energy conservation features as homebuyer options, including but not limited to: <ul style="list-style-type: none"> 1. Photovoltaic (PV) panels for electrical power, residential water heating systems, and other facilities-needs of home. 2. Photovoltaic landscape lighting, gate openers, water features. 3. Solar water heating system and/or the use of water heaters that heat water only on demand; d. Green building technologies such as structural orientation and use of construction materials that maximize passive solar exposures; e. The use of passive heating and cooling design strategies in all buildings to the extent practical and residential structure orientation to maximize exposure and potential for solar energy use; f. The use of natural lighting systems such as skylights and interior transom windows to reduce energy consumption in commercial, office and municipal structures; | <p>Zoning permits or clearances related to Los Alamos Community Plan projects shall be subject to the existing permit compliance program.</p> | <p>County of Santa Barbara Permit Compliance shall monitor and verify applicable conditions have been met prior to occupancy clearance.</p> | | | |

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| <ul style="list-style-type: none"> g. Use of concrete or other non-pollutant materials for parking lots instead of asphalt and the use of sustainable building materials for building design and construction; and h. Installation of walkways; i. Installation of energy efficient appliances and programmable thermostats to reduce the amount of consumed energy and reduce utility bills; j. Use of water efficient faucets, high-efficiency toilets (HETs), and water-conserving shower heads in residential homes; k. Automatic devices to turn off lights after business hours shall be used to the extent feasible in the commercial and business park land uses. Similarly, install timers on outdoor lighting to limit operating hours; l. Shading of windows and entrance locations with a combination of structural elements and landscape materials to reduce heat gain and lower the temperature around the house; m. For bicyclists, theft proof and well-lighted bicycle storage facilities with convenient access to building entrances, on-site bikeways between buildings or uses, showers and locker facilities; n. For carpool and vanpools, provide preferential parking; o. Encourage ridesharing and vanpooling for residents and commercial employees to address the benefits of alternative transportation methods; p. Installation of covered bus stops to encourage use of mass transportation; q. For neighborhood commercial uses, include childcare, food services, postal machines, and banking services. r. A tiered fee reduction for projects that provide: <ul style="list-style-type: none"> 1. Alternative transportation amenities such as bicycle lockers/racks; 2. Low impact development techniques; and/or 3. Integration of energy conservation techniques | | | | | |

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| (LEED Certification) into the building design | | | | | |
| AQ-5 Dev Std AQ-LA-1.4.2: To reduce overall trip generation and associated air contaminant emissions, future commercial tenants requiring more than fifty employees will be required to establish or participate in an employee trip reduction program consistent with the programs established by the Santa Barbara Air Pollution Control District. | Future commercial developers under the 2010 Plan Update shall incorporate the listed provisions into development plans or shall submit proof of infeasibility prior to initiation of construction. | The Planning and Development Department shall site inspect to ensure development is in accordance with approved plans prior to occupancy clearance. Planning and Development staff shall verify installation in accordance with approved building plans. | | | |
| AQ-6 Dev Std AQ-LA-1.4.3: Applicants of non-residential projects with uses that have potential odor generators such as but not limited to fast food restaurants, bakeries, coffee roasting facilities, etc., auto body shop, service stations, and laundry/dry cleaning shall develop and implement an Odor Abatement Plan (OAP). The OAP shall include the following: a. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints. b. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond. c. Description of potential odor sources at the facility. d. Description of potential methods for reducing odors, including minimizing idling of delivery and service trucks and buses, process changes, facility modifications and/or feasible add-on air pollution control equipment. e. Contingency measures to curtail emissions in the event of a public nuisance complaint. | The project OAP shall be reviewed by the APCD and approved by Planning & Development prior to Land Use Clearance approval. | Planning & Development Permit Compliance shall field inspect for compliance with the approved OAP. | | | |
| AQ-7 Dev Std AQ-LA-1.4.4: Ventilation systems that are rated at Minimum Efficiency Reporting Value of "MERV13" or better for enhanced particulate removal efficiency should be provided on all residential units located within 500 feet of U.S. Highway 101. The residents of these units shall also be | This requirement shall be shown on applicable plans submitted for Land Use Clearance approval. | County of Santa Barbara Permit Compliance staff shall ensure that the aforementioned requirements are included | | | |

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| provided information regarding filter maintenance/replacement. | | on plans submitted for approval of any Land Use and Building permits and shall verify compliance onsite prior to occupancy clearance. Staff shall also review the future Covenants, Conditions, and Restrictions (CC&Rs) for inclusion of guidelines pertaining to the proper maintenance/replacement of filters. | | | |
| AQ-8 Dev Std AQ-LA-1.4.5: Future project applicants of residential developments within 500 feet of U.S. Highway 101 should provide an Air Quality Disclosure Statement to potential buyers of units, summarizing the results of technical studies that reflect a health concern resulting from exposure of children to air quality emissions generated within 500 feet of the freeway. | The future project applicant shall provide this disclosure statement as part of the project CCRs to County Counsel and Planning & Development to verify the disclosure statement is fair and adequate. The disclosure shall be reviewed and approved prior to any Land Use and Building permits. | County of Santa Barbara Permit Compliance staff shall verify that the Air Quality Disclosure Statement has been incorporated into the CCRs prior to sale of homes. Planning & Development shall review and approve the statement for objectivity, balance, and completeness. | | | |
| AQ-9.1 Construction Phase Mitigation to Reduce Fuel Usage and Greenhouse Gases. The County shall incorporate the following into the 2010 Plan Update: Dev Std AQ-LA-1.4.6: Upon application for grading permits for discretionary projects, the applicant shall submit grading plans, the proposed rate of material movement and a construction equipment schedule to the APCD. In addition, the applicant shall implement the following measures where feasible to mitigate equipment emissions: <ul style="list-style-type: none"> All construction equipment and portable engines shall be properly maintained and tuned according to | The applicant shall provide the grading amounts and schedule to the Planning & Development Department at least 3 months prior to the start of construction, at which time the Planning & Development Department will define the appropriate level of BACT for the project. The application of all BACT features shall | The applicant shall provide the Planning & Development Department with proof that the above listed measures, as well as those required by Planning & Development Department upon review of grading plans, have been implemented prior to the start of the project's construction activity. The | | | |

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| <p>manufacturer's specifications;</p> <ul style="list-style-type: none"> • All off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, shall be fueled exclusively with CARB-certified motor vehicle diesel fuel; • The applicant shall, at a minimum, use diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible. • All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the 5 minute idling limit; • The applicant shall electrify equipment where feasible; • The applicant shall substitute gasoline-powered for diesel-powered equipment where feasible; • The applicant shall use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, where feasible; and • The applicant shall apply Best Available Control Technology (CBACT) as determined by the APCD. • Recycle/Reuse demolished construction material. | <p>occur prior to project construction. These measures shall be shown on all grading and construction plans prior to issuance of construction permits. Compliance with these measures shall be included as bid specifications submitted to contractors.</p> | <p>grading inspector shall perform periodic site inspections.</p> | | | |
| <p>AQ-9.2 Operational Phase Mitigation to Reduce Fuel Usage and Greenhouse Gases. The County shall incorporate the following into the 2010 Plan Update:</p> <p>Dev Std AQ-LA-1.4.7: The following energy efficiency and green building techniques shall be implemented for discretionary projects where feasible:</p> <ul style="list-style-type: none"> • The applicant shall increase building energy efficiency ratings by at least 20% above what is required by Title | <p>The applicant shall incorporate the listed provisions into building and improvement development plans or shall submit proof of infeasibility prior to issuance of grading permit.</p> | <p>Planning and Building shall site inspect to ensure development is in accordance with approved plans prior to occupancy clearance.</p> | | | |

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| <p>24 requirements (CAPCOA MM E-6). Potential energy consumption reduction measures include, but are not limited to:</p> <ul style="list-style-type: none"> • Using roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs and/or installing photovoltaic roof tiles (CAPCOA MM E-4, CAPCOA MM-13); • Using high efficiency gas or solar water heaters (CAPCOA MME-14); • Using built-in energy efficient appliances (CAPCOA MM E-16); • Installing double-paned windows; • Installing door sweeps and weather stripping if more efficient doors and windows are not available; • Installing low energy interior lighting; • Using low energy street lights (i.e. sodium); and • Installing high efficiency or gas space heating (CAPCOA, MS G-9). • Possible additional Green Building techniques include: • Consideration of the siting of proposed buildings to eliminate or minimize the development's heating and cooling needs (e.g., solar orientation) (CAPCOA MM E-7). • Install solar systems to reduce energy needs (e.g., solar panels). • Plant native, drought resistant landscaping (CAPCOA MM D-17). • Use locally-produced building materials (CAPCOA MM C-3). • Use renewable or reclaimed building materials (CAPCOA MM C-4). • Use materials which are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way (CAPCOA MM E-17) | | | | | |

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| <p>AQ-9.3 Transportation Emissions.</p> <p>Action CIRC-LA-2.2.4: The County shall revise the County Road Impact Fee Ordinance to allocate a minimum of twenty percent of all transportation impact fees collected from development projects in Los Alamos for transit, bicycle, and pedestrian uses/facilities.</p> | <p>Planning & Development and the Public Works Department shall revise the County Road Impact Fee Ordinance to implement Action CIRC-LA-2.2.4.</p> | <p>Planning and Development shall review and approve the policy prior to adoption of the Final 2010 Plan Update.</p> | | | |
| <p>Action AQ-LA-1.5: To further offset greenhouse gas (GHG) emissions, the County shall incorporate the following actions where feasible into the Los Alamos Community Plan Area.</p> <ul style="list-style-type: none"> • Specific limits on idling time for commercial vehicles, including delivery and construction vehicles, shall be set for projects proposing new commercial development. (OPR Land Use and Transportation GHG Reduction Measure #7) • Remove obstacles to the development of necessary infrastructure to encourage the use of alternative fuel vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations) (CAPCOA MM E-11). • Develop transportation policies that give funding preference to public transit. • Provide public education and publicity about public transportation services (CAPCOA Ms G-4). | <p>Zoning permits or clearances related to Los Alamos Community Plan projects shall be subject to the existing permit compliance program.</p> | <p>County of Santa Barbara Permit Compliance shall monitor and verify applicable conditions have been met prior to occupancy clearance.</p> | | | |
| <p>AQ-9.4 Deleted</p> | | | | | |
| <p>AQ-9.5 Solar Energy Systems in New Construction. The County shall incorporate the following into the 2010 Plan Update:</p> <p>Dev Std AQ-LA-1.4.8: For all new residential subdivisions of five or more lots, new multi-family development projects of five or more units, and new commercial or mixed-use development exceeding 5,000 square feet, solar energy</p> | <p>This development standard would be included as a new standard in the Final 2010 Plan Update.</p> | <p>Planning and Development shall review and approve the development standard prior to adoption of the Final 2010 Plan Update.</p> | | | |

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| systems that result in a 20% or more reduction in electrical or other energy needs are encouraged. All such projects shall undergo BAR review consistent with state and county regulations. | | | | | |
| <p>AQ-9.6 Greenhouse Gas Emissions Reduction. The County shall incorporate the following into the 2010 Plan Update to reduce GHG emissions of individual projects under the Community Plan:</p> <p>Dev Std AQ-LA-1.4.9: County shall require, unless economically infeasible, all future projects to incorporate the following Green House Gas reduction measures to the maximum extent feasible:</p> <ul style="list-style-type: none"> • Recycle/Reuse demolished construction material. Use locally made building materials for construction of the project and associated infrastructure. • Execute an Energy Savings Performance Contract with a private entity to fund renewable energy improvements in existing and new developments in exchange for a share of energy savings over a period of time (OPR Energy Conservation Policies and Actions GHG Reduction Measure #7). • Use drought resistant native trees, trees with low emissions and high carbon sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will admit summer sun; evergreen plantings on the north side will slow cold winter winds; constructing a natural planted channel to funnel summer cooling breezes into the house. Neighborhood CCRs not requiring that front and side yards of single family homes be planted with turf grass. Vegetable gardens, bunch grass, and low-water landscaping shall also be permitted, or even encouraged. • Unless the parcel precludes reasonable development, | This policy would be included as a new policy in the Final 2010 Plan Update. | Planning and Development shall review and approve the policy prior to adoption of the Final 2010 Plan Update. | | | |

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| <p>orient 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows.</p> <ul style="list-style-type: none"> • Include in new buildings facilities to support the use of low/zero carbon fueled vehicles, such as the charging of electric vehicles from green electricity sources (OPR Energy Conservation Policies and Actions GHG Reduction Measure #2). | | | | | |
| <p>AQ-9.7 LEED Building Construction. The County shall incorporate the following into the 2010 Plan Update:</p> <p>Dev Std AQ-LA-1.4.10: The County shall encourage public and private development projects to construct LEED (Leadership in Energy and Environmental Design) qualified or certified buildings.</p> | <p>This policy would be included as a new policy in the Final 2010 Plan Update.</p> | <p>Planning and Development shall review and approve the policy prior to adoption of the Final 2010 Plan Update. Proposed mitigation measures AQ-9.5, -9.6, and -9.7 are aimed at building standards to minimize energy consumption. None of these standards would have the potential to create significant secondary effects and, rather, would be expected to generally reduce or minimize the environmental effects of development in all issue areas. While these measures may increase construction and hence housing costs, such economic or social effects are not treated as significant effects on the environment when such economic effects do not</p> | | | |

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| | | result in physical impacts on the environment (CEQA Guidelines Section 15131). It is not anticipated that these types of projects would create significant secondary effects. | | | |
| NOISE | | | | | |
| <p>N-1 Policy N-LA-1.1: Noise sensitive receptors (e.g., residential, transient lodging, hospitals, educational facilities, libraries, churches, etc.) should not be exposed to exterior noise levels exceeding 65 dB (CNEL), or interior noise levels exceeding 45 dB (CNEL), as indicated on the Los Alamos Community Plan Noise Element Map. Projects which are located within the 60 dB (CNEL) and 65 dB (CNEL) noise contours should be reviewed at the time of application processing to confirm that the exterior noise level is less than 65 dB (CNEL).</p> <p>Dev Std N-LA-1.1.1: Noise-sensitive uses proposed in areas where the projected Day-Night Average Sound Level is 65 dB(CNEL) or more should be designed so that noise in exterior living spaces will be less than 65 dB(CNEL). An analysis of proposed projects should be required, indicating the feasibility of noise barriers, site design, building orientation, etc., to meet the prescribed noise standard.</p> <p>The 65 dB (CNEL) standard for exterior living areas along Bell Street may be exceeded if all the following findings are made:</p> <ol style="list-style-type: none"> a. Noise levels for interior living spaces shall not exceed 45 dB (CNEL); and, b. Any prospective buyer of a unit shall be notified prior to entering any sale contract, if any private or common exterior living areas associated with the unit for sale are exposed to noise levels 65 dB | <p>Acoustical reports shall be submitted to Planning and Development Department that detail construction and design specifications which would result in attenuation of noises such that future residents are not exposed to noise in excess of the 65 dB (CNEL) exterior standard and the 45 dB (CNEL) interior standard. Prior to occupancy, noise levels in the most affected residences and exterior usable spaces should be verified as below the 45 dB(CNEL) interior and 65 dBA CNEL exterior standards by sound measurements. The acoustical report and plans shall be submitted to the Department of Planning and Development for review and approval prior to issuance of building permits. A report documenting the post</p> | <p>Planning and Development shall review acoustical reports prior to issuance of grading permits and site inspect prior to issuance of occupancy clearance.</p> | | | |

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| (CNEL) or greater. The specific details of this notice shall be established as a condition of approval of the project | construction noise levels in the most affected residences and exterior usable spaces shall be submitted prior issuance of occupancy permits. | | | | |

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