

ATTACHMENT 6:
CEQA SUPPLEMENTAL DOCUMENT

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Nereyda (Rey) Montaña, Planner
Development Review Division

DATE: November 22, 2017

RE: Bell Street Ordinance Amendment and Mixed-Use Project
Case Nos. 17ORD-00000-00016, 16TRM-00000-00002 and 17LUP-00000-00413
CEQA Guidelines Section 15168(c) (Program EIR)
Supplemental Document to the Los Alamos Community Plan Update EIR

CEQA DETERMINATION:

Finding that CEQA Section 15168(c) (Program EIR – Use with Later Activities) applies to the Bell Street Ordinance Amendment and Mixed-Use Project. CEQA Section 15168(c) allows for supplemental information to be prepared when some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of an Environmental Impact Report (EIR) have occurred. The Los Alamos Community Plan Update EIR (LACP EIR, 08-EIR-05) prepared for the buildout of the Los Alamos Community Plan (LACP), is hereby amended by this 15168(c) letter for the Bell Street Ordinance Amendment and Mixed-Use Project.

INTRODUCTION

CEQA Guidelines Section 15168(c) (Program EIR) applies to the Bell Street Ordinance Amendment and Mixed-Use Project, Case Nos. 17ORD-00000-00016, 16TRM-00000-00002, and 17LUP-00000-00413. CEQA Guidelines Section 15168(c)(2) states that “*if the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the Program EIR, and no new environmental document would be required.*” Furthermore, CEQA Section 15168(c)(4) allows a written checklist or similar device to be prepared when a subsequent activity involves site specific operations, to determine whether the environmental effects of the operation were covered in the Program EIR. For the proposed project, this supplemental document to the previously adopted LACP EIR (08-EIR-05) has been prepared. None of the applicable conditions of Section 15162 calling for a subsequent EIR or negative declaration have occurred, as indicated by the County analysis and determination provided

below. Specifically, Section 15162(a), Subsequent EIRs and Negative Declarations, of the CEQA Guidelines states:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

There are no substantial changes or changed circumstances under which the proposed project is to be undertaken. No new significant environmental effects or a substantial increase in the severity of previously identified significant effects under the approved Los Alamos Community Plan Update EIR have been found with the proposed project as analyzed in this supplemental document. Furthermore, there is no new information that the proposed project will have one or more significant effects not discussed in the approved Los Alamos Community Plan Update EIR.

When compared to the analysis completed in the approved Los Alamos Community Plan Update EIR, there are no new significant environmental effects or a substantial increase in the severity of a previously identified significant effect.

BACKGROUND

The Los Alamos Community Plan was adopted and an EIR (92-EIR-7) was certified by the Board of Supervisors in 1994. Since the Plan's adoption, new residential and commercial development has taken place within the area regulated by the Plan, public facilities and services have expanded, and the population has increased. In 2010, the Los Alamos Community Plan was updated to reflect these changes in the community. This update required the preparation of a Program EIR (LACP EIR, 08-EIR-05), which was certified by the County Planning Commission and the Board of Supervisors in 2011.

PROJECT DESCRIPTION

Hearing on the request of Tom Ochsner, agent for the owner, Sean McGrath, for approval of the following:

1. An Ordinance Amendment (Case No. 17ORD-00000-00016) [application filed on October 6, 2017], to allow for residential development on all floors of buildings that abut (1) a secondary street on a lot without a Bell Street front line; and/or (2) a through street. The proposed Ordinance Amendment would provide consistency with the Bell Street Design Guidelines and the Land Use and Development Code's development standards for the CM-LA zone with regard to where residential units are allowed. This Ordinance Amendment would apply to all parcels zoned CM-LA within Los Alamos along the Bell Street Corridor. Proposed changes are indicated below using underline font to indicate proposed additional text to be added to the regulations and strike-through font to indicate text that would be deleted:

35.24.070 - CM-LA Zone Additional Standards

Proposed development and new land uses within the CM-LA zone shall comply with the following standards in addition to those in Section 35.24.040 (Commercial Zones Development Standards).

- A. Minimum lot width for residential use.** Development that includes dwelling units shall be located on a lot with a minimum net lot width of 20 feet.
- B. Determining the front line of lot for properties in the CM-LA zone.** For the purposes of the CM-LA zone district, all lots (including through lots and corner lots) with a front line abutting Bell Street shall be considered to have a front line on Bell

Street unless the review authority finds that reasonable development of the property would be precluded.

C. Streets in the CM-LA zone. Streets that are located parallel to Bell Street (Waite, Leslie, and portions of Main Street) shall be considered through streets. Streets that are located perpendicular to Bell Street (Centennial Street) shall be considered secondary streets.

D. Limitations on bedrooms, floor area, uses, and location of dwelling units in the CM-LA zone.

1. A residential use shall not exceed two bedrooms per 700 square feet of gross floor area of commercial development on the same lot.
2. Dwelling units are only permitted above the ground floor of buildings that abut: located on a lot where the front line abuts Bell Street.
 - a. Bell Street; and/or
 - b. A secondary street on a lot with a Bell Street front line, unless the majority of the building façade abuts a through street as shown in Figure 2-1a.
3. Dwelling units are permitted on all floors of buildings that abut: located on a lot where the front line does not abut Bell Street.
 - a. A secondary street on a lot without a Bell Street front line; and/or
 - b. A through street.
4. Dwelling unit access from Bell Street is prohibited.

E. Commercial buildings in CM-LA zone.

1. Commercial uses are allowed on all floors of buildings.
 - a. Only commercial uses are permitted on the ground floor of buildings that abut:
 - (1) Bell Street; and/or
 - (2) A secondary street on a lot with a Bell Street front line, unless residential uses are allowed on all floors in compliance with Subsections D.2 and D.3 above.

2. The floor area devoted to commercial uses is limited by the setbacks and build-to-lines shown in Figure 2-1 (Setbacks and Build-to-Lines for Structures).

3. Buildings with a Bell Street frontline shall be commercial on the ground floor.

F. Setbacks and Build-to-Lines for structures. The setbacks in Table 2-18 apply as measured from the front line. Buildings shall be located within the shaded area shown in Figure 2-1 (Setbacks and Build-to-Lines for Structures) below.

Table 2-18 Setbacks and Build-to Lines for Structures

<u>Lot Building front line abutting Bell Street.</u>	
a.	Bell Street setback: Zero ft.
b.	Secondary street setback: zero ft.
c.	Side setback: Zero ft., however, exceptions may be allowed by the review authority for side setbacks that provide access to commercial parking and enhance pedestrian circulation. However, in no case shall the distance between buildings on the subject lot and on an adjacent lot abutting Bell Street exceed 10 ft.
d.	From building rear build-to-line: 80 ft. maximum from edge of lot frontage.
<u>Lot Building front line not abutting Bell Street.</u>	
1.	Through street setback: Minimum five ft., not to exceed 15 ft.
2.	Rear setback when not adjacent to street: None required, however if provided shall be a maximum of 10 ft.
3.	Secondary street setback: None required, however, if provided shall not exceed 10 ft.
4.	Side setback: None required, however, if allowed by the review authority, shall not exceed 10 ft., unless additional setback area is needed to accommodate a driveway, in which case, the maximum setback shall be equivalent to the minimum required driveway width.
5.	Front building rear build-to-line: 60 ft. maximum from the edge of lot front line.

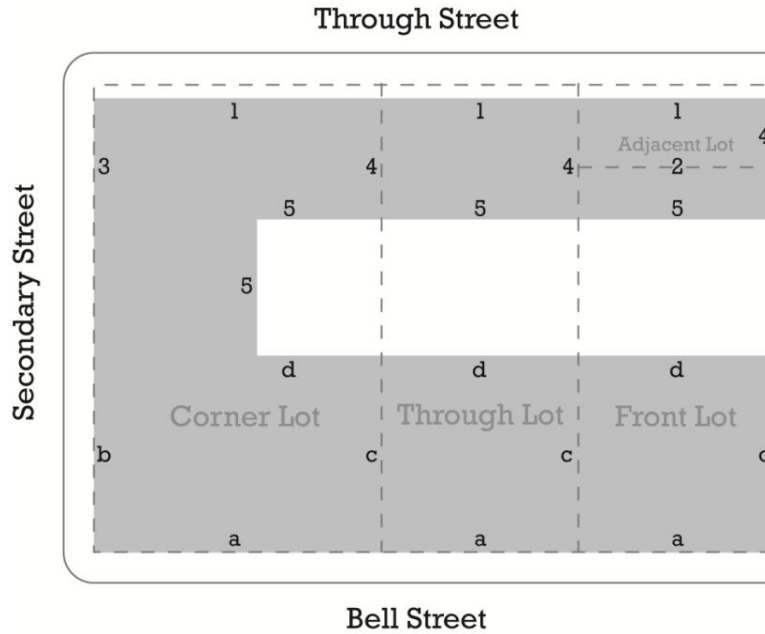


Figure 2-1 – Setbacks and Build-to-Lines for Structures

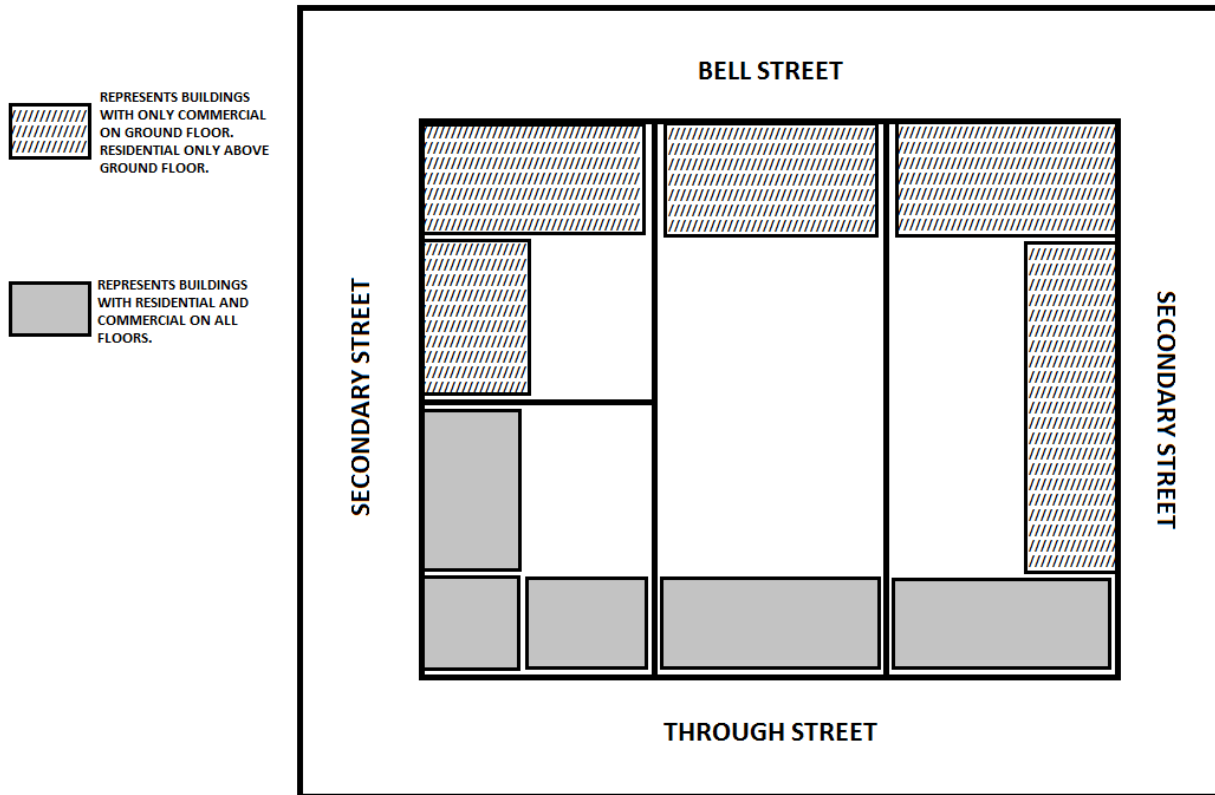


Figure 2-1a - Allowed Building Uses

2. Proposed Tentative Tract Map No. 14,821 (Case No. 16TRM-00000-00002) [application filed on March 24, 2016], consisting of a one-lot (APN 101-181-001) subdivision for condominium purposes, for the construction of four residential units and one commercial building.

3. A Land Use Permit (Case No. 17LUP-00000-00413) [application filed on March 24, 2016], that would allow for the construction of one commercial building and four residential units total. Total development would consist of approximately 12,143 square feet (gross) of development which includes four residential condominiums totaling approximately 7,007 square feet and one commercial building totaling approximately 5,203 square feet. On-site parking would include four covered parking spaces (one for each residential unit), two standard parking spaces, and one accessible parking space. Grading would consist of approximately 300 cubic yards of cut and 180 cubic yards of fill. The remaining 120 cubic yards of excess material would be exported offsite. Four sycamore trees are proposed for removal. Landscaping would consist of approximately 6,000 square feet of drought-tolerant, native species. The Los Alamos Community Services District would provide water and wastewater treatment services for the proposed development. St. Joseph Street and a new, proposed 22-foot wide private driveway would provide access to the site. In addition, there is a request to abandon a six-foot portion of county road right-of-way along a portion of St. Joseph Street that fronts the project site.

PROJECT IMPACT ANALYSIS

Prior Environmental Documentation: Development of the Los Alamos Community Plan area was completed under CEQA with a Program EIR (LACP EIR, 08-EIR-05). The EIR provides analysis of the potential impacts resulting from in-fill and mixed-use residential and commercial growth within the Plan's urban boundary.

Ordinance Amendment:

The proposed Ordinance Amendment would provide consistency with the Bell Street Design Guidelines (approved as part of the Los Alamos Community Plan Update) and the Land Use and Development Code's development standards for the CM-LA zone with regard to where residential units are allowed. The proposed Ordinance Amendment would allow for residential development on all floors of buildings that abut (1) a secondary street on a lot without a Bell Street front line; and/or (2) a through street. It can be seen with certainty that because the Ordinance Amendment is proposing to modify the Land Use and Development Code to be consistent with the Bell Street Design Guidelines, there is no possibility that the Ordinance Amendment request will have a significant effect on the environment.

Mixed-Use Project:

Each environmental impact section below addresses the previously analyzed and approved Los Alamos Community Plan Update, the proposed changes, and references to the previously adopted LACP EIR (08-EIR-05).

1. Cultural Resources

Impacts Anticipated in EIR: Section 4.2 of the EIR determined that the 2010 Plan Update buildout's potential would result in two significant and unavoidable impacts (Class I) to cultural resources as they relate to potential encroachment within unknown buried prehistoric and historic archaeological materials and potential impacts to existing structures of historical importance. No feasible mitigation to address the potential impacts on unknown, subsurface archaeological resources were identified. The EIR also identified that cumulative impacts to cultural resources resulting from buildout of the Los Alamos Community Plan are cumulatively considerable (Class I). Please refer to the EIR for a full discussion of these impacts. Existing general environmental review of discretionary projects within the Plan Area includes the provision for a systematic archaeological investigation of areas considered to have the potential to include unknown archaeological resources.

Changes in Project Impacts: No changes in project impacts to cultural resources would occur as a result of the proposed mixed-use project. A Central Coast Information Center (CCIC) records search was conducted on April 2016 in conformance with the County Cultural Resource Guidelines. There are no known religious, sacred, or educational sites on the subject parcel. In addition, P&D's staff archaeologist indicated that because the project is an in-fill development located on a lot that is relatively small, it is unlikely that any archaeological or other cultural sites are located on the subject parcel (J. Gerber, personal communication, April 28, 2016). However, the project is conditioned to require work to stop or be redirected immediately in the event archaeological remains are encountered during grading, construction, landscaping, or other construction-related activity. The proposed project would not cause greater impacts or additional impacts to cultural resources than those that were identified in the EIR. The EIR identified the impacts to cultural resources as significant and unavoidable, but was overridden by the Board of Supervisors upon adoption of the LACP. No new impacts associated with the proposed development would occur and no new mitigation measures would be required. Cumulative impacts would remain cumulatively considerable (Class I).

2. Flooding and Water Resources

Impacts Anticipated in EIR: Section 4.4 of the EIR determined that the 2010 Plan Update buildout's potential would result in two significant and unavoidable impacts (Class I) and two significant but feasibly mitigated impacts (Class II) to flooding and water resources, as these Class I and Class II impacts relate to increased water demands and water quality. The EIR also

identified that impacts to flooding and water resources resulting from buildout of the Los Alamos Community Plan are cumulatively considerable (Class I). Please refer to the EIR for a full discussion of these impacts.

Changes in Project Impacts: No changes in project impacts to flooding and water resources would occur as a result of the proposed mixed-use project. The Stormwater Control Plan prepared for the project includes onsite storm water retention measures consisting of permeable pavement and directing runoff from impervious areas to pervious areas onsite. These measures would retard the drainage flow so that the post-development flows leaving the site would be the same as or less than the existing peak flow from the pre-development conditions. In addition, pursuant to Flood Control's requirements, all structures would have a finished floor located a minimum of one foot above the existing grade in order to minimize the potential for flood risk. Standard conditions of approval have been applied to the proposed project to address water quality impacts. These conditions would ensure the project is consistent with water quality policies requiring containment measures for sediment and other pollutants that could be generated during grading and construction activities. The proposed project would not cause greater impacts or additional impacts to flooding and water resources than those that were identified in the EIR. The EIR identified the impacts to flooding and water resources as significant and unavoidable, but was overridden by the Board of Supervisors upon adoption of the LACP. No new impacts associated with the proposed development would occur and no new mitigation measures would be required. Cumulative impacts would remain cumulatively considerable (Class I).

3. Aesthetics/ Visual Resources

Impacts Anticipated in EIR: Section 4.5 of the EIR determined that the 2010 Plan Update buildout's potential would result in one significant and unavoidable impact (Class I) to aesthetic/visual resources as it relates to the obstruction of views of important visual resources including the Purisima and Solomon Hills and agricultural lands. No feasible mitigation measures exist to mitigate this impact. The EIR also identified that implementation of the policies and development standards in the 2010 Plan Update, including the Bell Street Design Guidelines, would reduce the 2010 Plan Update's contribution to cumulative impacts to aesthetics/visual resources resulting from buildout of the Los Alamos Community Plan to less than cumulatively considerable (Class III). Please refer to the EIR for a full discussion of these impacts.

Changes in Project Impacts: No changes in project impacts to aesthetics/visual resources would occur as a result of the proposed mixed-use project. The proposed project includes the construction of one commercial building and four residential units total. Existing development on adjacent parcels consists of various commercial structures to the north, west, and east, as well as single-family and multiple family residences located to the south. Grading for the proposed

project would not create steep slopes or great heights that are unaesthetic. The commercial and residential development would be constructed to comply with the Bell Street Design Guidelines, and would include architectural elements consistent with the western-style of the Los Alamos area. Project conditions of approval, including design review by the Central Board of Architectural Review (CBAR), would further ensure that the project conforms with the scale and character of the existing community. In addition, the project has been conditioned such that the applicant would be required to place all utility connections underground. The proposed project would not cause greater impacts or additional impacts to aesthetics/visual resources than those that were identified in the EIR. . The EIR identified the impacts to aesthetics/visual resources as significant and unavoidable, but was overridden by the Board of Supervisors upon adoption of the LACP. No new impacts associated with the proposed development would occur and no new mitigation measures would be required. Cumulative impacts would remain less than cumulatively considerable (Class II).

4. Biological Resources

Impacts Anticipated in EIR: Section 4.7 of the EIR determined that the 2010 Plan Update buildout's potential would result in one significant and unavoidable impact (Class I) and four significant but feasibly mitigated impacts (Class II) to biological resources as they relate to the potential to eliminate or indirectly affect habitat for special-status wildlife species and the potential of loss of native grasslands and protected trees. The EIR also identified that the 2010 Plan Update policies and development standards would reduce the 2010 Plan Update's cumulative impacts to less than cumulatively considerable levels (Class II). Please refer to the EIR for a full discussion of these impacts.

Changes in Project Impacts: No changes in project impacts to biological resources would occur as a result of the proposed mixed-use project. The project would result in the removal of four existing sycamore trees and the preservation of two existing sycamore trees. The removal of these trees is necessary in order for the proposed project to comply with the CM-LA zone district's zero-ft-setback requirements. Two of the trees proposed for removal abut a fence that divides the subject parcel from the neighboring parcel to the east. The third and fourth trees proposed for removal are located adjacent to the corners of St. Joseph Street and Bell Street, and St. Joseph Street and Waite Street, respectively. According to the Raptor Habitat Assessment prepared for the proposed project , the trees proposed for removal do not contain nests and the value of the trees for raptors is low. The proximity of houses and traffic on Bell Street is not attractive for nesting or roosting raptors and the thin, almost vertical limbs discourage a nesting choice from all birds, especially large birds such as hawks or owls. Therefore, the four trees proposed for removal do not appear to provide important nesting or roosting habitat for raptors. The four trees proposed for removal are short statured (between 30 and 45 feet) and are not agglutinated for screening purposes. Therefore, these trees do not have unusual scenic quality. According to aerial photos, the four trees are 15 years old or less. In addition, the Los Alamos

Community Plan does not identify these trees as historically significant. Therefore, the trees proposed for removal do not have historic value. As a result, the trees that are proposed for removal do not provide important wildlife habitat, do not have unusual scenic quality, and do not have historic value. The proposed project would not cause greater impacts or additional impacts to biological resources than those that were identified in the EIR. The EIR identified the impacts to biological resources as significant and unavoidable, but was overridden by the Board of Supervisors upon adoption of the LACP. No new impacts associated with the proposed development would occur and no new mitigation measures would be required. Cumulative impacts would remain less than cumulatively considerable (Class II).

5. Transportation and Circulation

Impacts Anticipated in EIR: Section 4.9 of the EIR determined that the 2010 Plan Update buildout's potential would result in one significant but feasibly mitigated impact (Class II) as it relates to an increased parking demand that would impact the capacity of the street system. The EIR also identified that with incorporation of the 2010 Plan Update policies and development standards, the 2010 Plan Update's contribution to cumulative parking impacts would be reduced to less than cumulatively considerable (Class II). Please refer to the EIR for a full discussion of these impacts.

Changes in Project Impacts: No changes in project impacts to traffic and circulation would occur as a result of the proposed mixed-use project. A new, proposed 22-foot wide pervious concrete private driveway off of St. Joseph Street would provide access to the property. The applicant is proposing a five-foot wide easement dedication to the County along Waite Street, as well as abandonment of a six-foot portion of County road right-of-way along a portion of St. Joseph Street that fronts the project site. Staff from the Public Works Department, Transportation Division has reviewed and approved the proposed easement dedication and abandonment. The proposed St. Joseph Street six-foot right-of-way abandonment would reduce the centerline right-of-way width of the roadway from 40 feet to 34 feet. According to a traffic analysis prepared for the proposed abandonment, the existing and future traffic volumes on St. Joseph Street would be within the range specified in the County's design standards for Collector Streets, and the Bell Street/St. Joseph Street intersection would operate at an acceptable level of service. In addition, the traffic and circulation analysis found that the proposed St. Joseph Street right-of-way abandonment would not result in additional traffic or parking impacts within Los Alamos. The proposed project would not cause greater impacts or additional impacts to traffic and circulation than those that were identified in the EIR. No new mitigation would be necessary as there would be no new impacts. Cumulative impacts would remain less than cumulatively considerable (Class II).

6. Land Use, Wastewater, Agricultural Resources, Public Services, Air Quality, Noise, and Hazardous Materials/ Risk of Upset.

The proposed project would not cause greater impacts or additional impacts in the issue areas listed below than those that were identified in the EIR. Below is a synopsis of the impact levels in these issue areas. Please refer to the EIR for a full discussion of these impacts.

- **Land use:** The LACP EIR (08-EIR-05) determined that impacts on land use would be adverse, but less than significant (Class III). The 2010 Plan Update's contribution to cumulative land use and planning impacts would also be less than cumulatively considerable (Class III). The 2010 Plan Update buildout allows up to an additional 685 residential units and 549,515 additional sq. ft. of commercial, industrial, and public/institutional development. The proposed commercial and residential structures are being proposed on a site that is zoned for mixed-use development. No changes in project impacts to land use would occur as a result of the proposed mixed-use project. In addition, no additional mitigation is required and impacts would remain less than significant.
- **Wastewater:** The LACP EIR (08-EIR-05) determined that one impact to wastewater services would be significant and unavoidable (Class I) as it relates to the LACSD's wastewater plant's permitted capacity. Additional impacts to wastewater services would be adverse, but less than significant (Class III). The 2010 Plan Update's contributions to cumulative impacts on wastewater treatment would be cumulatively considerable (Class I) as they relate to the wastewater treatment plant's permitted capacity. The Los Alamos Community Services District has issued a letter which states that the District can accommodate wastewater from the proposed mixed-use project. No changes in project impacts to wastewater would occur as a result of the proposed mixed-use project. The EIR identified impacts to wastewater as significant and unavoidable, but was overridden by the Board of Supervisors upon adoption of the LACP. No new impacts associated with the proposed development would occur and no new mitigation measures would be required.
- **Agricultural Resources:** The LACP EIR (08-EIR-05) determined that impacts to agricultural resources would be adverse, but less than significant (Class III) and significant, but feasibly mitigated (Class II). The 2010 Plan Update's contribution to cumulative impacts on agricultural resources would be less than cumulatively considerable (Class II). The proposed mixed-use project is an in-fill development located within the CM-LA zone district and not immediately adjacent to agricultural resources. As a result, the proposed project would not result in impacts to agricultural resources. Therefore, no changes in project impacts to agricultural resources would occur as a result

of the proposed mixed-use project. In addition, no additional mitigation is required and impacts would remain less than considerable.

- **Public Services:** The LACP EIR (08-EIR-05) determined that impacts to public services (schools) would be significant but feasibly mitigated (Class II). The 2010 Plan Update's contribution to this cumulative impact would also be less than cumulatively considerable (Class II). The Los Alamos Community Plan area is served by the Santa Maria landfill. Impacts to public services (solid waste) would be significant and unavoidable (Class I) as they relate to the increase in volume of solid waste requiring disposal in the constrained Santa Maria landfill. Impacts to solid waste would also be cumulatively considerable (Class I) as they relate to the Santa Maria landfill. No changes in project impacts to public services (schools or solid waste) would occur as a result of the proposed mixed-use project. The EIR identified impacts to public services as significant and unavoidable, but was overridden by the Board of Supervisors upon adoption of the LACP. No new impacts associated with the proposed development would occur and no new mitigation measures would be required.
- **Air Quality:** Impacts to air quality would be significant and unavoidable (Class I) as they relate to the generation of air pollutants, significant but feasibly mitigated (Class II), and less than significant (Class III). The 2010 Plan Update buildout's contribution to cumulative impacts would be cumulatively considerable (Class I) as they relate to construction emissions and long-term buildout significant emissions. The proposed mixed-use project would not result in significant new vehicle emissions. It would not involve new stationary sources (i.e., equipment, machinery, hazardous materials storage, industrial or chemical processing, etc.) that would increase the amount of pollutants released into the atmosphere. The project would also not generate additional smoke, ash, odors, or long-term dust after construction. The project would be required to implement standard APCD dust control, odor reduction, and construction emissions measures that are included in the County air attainment planning process. No changes in project impacts to air quality would occur as a result of the proposed mixed-use project. The EIR identified impacts to air quality as significant and unavoidable, but was overridden by the Board of Supervisors upon adoption of the LACP. No new impacts associated with the proposed development would occur and no new mitigation measures would be required.
- **Noise:** Impacts to noise would be significant but feasibly mitigated (Class II). The 2010 Plan Update's contribution to cumulative noise impacts would also be less than cumulatively considerable (Class II). The project site is located immediately adjacent to other residential and commercial structures with comparable noise levels. The proposed mixed-use project would not result in: 1) the generation of any noise exceeding County thresholds; 2) substantially increase ambient noise levels in adjoining areas; or 3) exposure of noise sensitive uses on the proposed project site to off-site noise levels

exceeding County thresholds. No changes in project impacts to noise would occur as a result of the proposed mixed-use project. In addition, no additional mitigation is required and impacts would remain less than considerable.

- **Hazardous Materials/ Risk of Upset:** Impacts to hazardous materials/risk of upset would be adverse, but less than significant (Class III). The 2010 Plan Update buildout's contribution to cumulative impacts on hazardous materials and risk of upset would also be less than cumulatively considerable (Class III). The project site is not located in an area with a particularly sensitive environment or in an area with any mapped or designated environmental resource of hazardous or critical concern. There is no evidence that hazardous materials were used, stored or spilled on site in the past, and there are no aspects of the proposed use that would include or involved hazardous materials at levels that would constitute a hazard to human health or the environment. No changes in project impacts to hazardous materials/risk of upset would occur as a result of the proposed mixed-use project. In addition, no additional mitigation is required and impacts would remain less than considerable.

PLANNING AND DEVELOPMENT DEPARTMENT FINDINGS

It is the finding of the Planning and Development Department that the previous environmental document may be used to fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15168(c), preparation of a new EIR or Negative Declaration is not required for the project. The Board of Supervisors adopted Findings of Overriding Consideration for significant impacts associated with buildout under the LACP which could not be reduced to less than significant levels through incorporation of mitigation measures identified in 08-EIR-05. Identified mitigation measures would reduce all remaining Class II impacts associated with the project to less than significant levels (Class III). As mentioned above, the proposed project would be constructed at a density that was contemplated in the LACP EIR (08-EIR-05) and would not cause greater impacts or additional impacts than what were identified in 08-EIR-05. Discretionary processing of the Bell Street Ordinance Amendment and Mixed-Use project (Case Nos. 17ORD-00000-00016, 16TRM-00000-00002 and 17LUP-00000-00413) may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

ATTACHMENTS

1. Impact Summary Table – 08-EIR-05
2. Los Alamos Community Plan Update EIR (08-EIR-05):
<http://longrange.sbcountyplanning.org/planareas/losalamos/documents/2010-Plan-Docs/FEIR/Volume%20I-%20EIR%20Analysis%20All%20Chapters%20Combined.pdf>
3. Project Plans