

Attachment B:

Los Alamos Community Plan Update Proposed Final EIR and Revision Letter
(08EIR-05, RV01)

Note: Hard copies of the Final EIR document provided to the Board of Supervisors.

Document available for viewing and download at:

http://longrange.sbcountyplanning.org/planareas/losalamos/los_alamos_cpu_eir.php

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**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT
LONG RANGE PLANNING DIVISION
MEMORANDUM**

To: Board of Supervisors

From: Jeff Hunt, Director
Staff Contact: Bret McNulty, Planner

Date: February 15, 2011

Subject: **Revisions (RV01) to the Proposed Final Program Environmental Impact Report (08EIR-05) -- Finding that State CEQA Guidelines Section 15088.5 (b) applies to the Los Alamos Community Plan Update: Planning and Development Case Numbers 08GPA-04, 08ORD-11, and 08RZN-02**

Introduction:

The County of Santa Barbara prepared a Final Environmental Impact Report (FEIR) for the Los Alamos Community Plan (LACP) update. There have been subsequent changes to the LACP as a result of public review and comments and Board of Supervisors direction, including revisions to mitigation measures in the FEIR. This EIR revision letter evaluates the program modifications recommended by the Planning Commission and Board of Supervisors. The EIR revision letter also documents minor text changes, amplifications, and clarifications to the proposed Final EIR as a result of decision-maker review during publically noticed hearings.

The California Environmental Quality Act (CEQA) Guidelines Section 15088.5 describes the circumstances under which a lead agency is required to recirculate an EIR when new significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review, but before EIR certification. Significant new information that would require recirculation would include a new significant impact, an unmitigated increase in the severity of an impact. According to Guidelines Section 15088.5, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.

Section 15088.5 (b) states, "recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."

The Board of Supervisors findings that the proposed Final EIR (08EIR-05), as herein amended by the attached EIR Revision Letter analysis, may be used to fulfill the environmental review requirements for the Los Alamos Community Plan update (Board

Letter Attachment A, page 6). None of the changes recommended by the Planning Commission or Board of Supervisors would result in any new, changed, or unmitigated environmental impacts nor would they cause changes to the conclusions in the impacts analysis in the proposed Final EIR, or deprive the public of a meaningful opportunity to comment. Hence, pursuant to CEQA Guidelines Section 15088.5(b), the proposed revisions described in this document have not been recirculated. The proposed Final EIR for the Los Alamos Community Plan Update is hereby amended by this revision document, together identified as (08EIR-05 RV01).

LOS ALAMOS COMMUNITY PLAN
FINAL ENVIRONMENTAL IMPACT REPORT
08EIR-05

REVISION LETTER (**RV01**)

FEBRUARY 15, 2011

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REVISIONS TO THE FINAL ENVIRONMENTAL IMPACT REPORT
(08EIR-05, SCH#2008101147)

Table of Contents

I.	BACKGROUND	6
II.	REVISIONS TO THE EIR ANALYSIS	6
A.	Permit Level Changes	7
B.	Analysis of Map Revisions.....	7
	Affordable Housing Overlay Maps	7
C.	Revisions to the Environmental Analysis	8
	Section 4.4: Flooding and Water Resources	8
	Section 4.6: Agricultural Resources	10
	Section 4.7: Biological Resources.....	11
	Section 4.9: Traffic and Circulation.....	14
	Section 4.10: Air Quality.....	17
	Section 4.11: Noise.....	19
Attachment A	List of Parcels and Map of Area to be Removed from Affordable Housing (AH) Overlay	
Attachment B	Los Alamos Bell Street Corridor On-Street Parking Study Revised 9/27/10	

I. BACKGROUND

Pursuant to CEQA Guidelines Section 15168, a Program EIR (08-EIR-05) (SCH#2008101147) was prepared for the LACP update. The Draft EIR for the LACP update was released for a 45-day public comment period on Friday, September 25, 2009. A publically noticed Draft EIR comment hearing was held on October 28, 2009 at the Los Alamos Senior Center in Los Alamos. Public and agency comments were received until the end of the comment period on Monday, November 9, 2009. The County received and responded in writing to comments received on the Draft EIR comment hearing in accordance with CEQA guidelines Section 15088. Responses to the comments indicate where and how the proposed Final EIR (FEIR) has addressed the pertinent environmental issues including text changes in the proposed FEIR. The proposed FEIR evaluated three project alternatives in addition to the proposed project, as follows: Alternative 1: No Project Alternative, Alternative 2: The Reduced Buildout Alternative, and Alternative 3: The Town Gateway Alternative.

The proposed FEIR concluded that the LACP update would result in significant unmitigable (Class I) impacts to Cultural Resources, Water Resources, Aesthetic/Visual Resources, Biological Resources, Public Services (solid waste), and Wastewater. The LACP update would also result in significant but mitigable (Class II) impacts to Flooding and Water Resources, Agricultural Resources, Biological Resources, Public Services (schools), Traffic and Circulation, Air Quality, and Noise.

The Planning Commission considered the LACP update during public hearings on August 11, 2010 and October 13, 2010. During the October 13, 2010 hearing, the Planning Commission voted 5-0 to recommend the Board of Supervisors certify the FEIR as adequate environmental review under CEQA, with minor revisions detailed in this EIR Revision Letter, and adopt the proposed LACP. The Board of Supervisors considered the LACP update at a public hearing on February 15, 2011.

II. REVISIONS TO THE EIR ANALYSIS

The Santa Barbara County Planning Commission conducted two hearings on the LACP on Wednesday, August 11, 2010 and Wednesday, October 13, 2010 and recommended minor revisions to maps and several policies, actions, and development standards in the proposed LACP update, and minor permit level changes to the proposed amendments to the Santa Barbara County Land Use and Development Code (LUDC). These changes result in minor corrections and clarifications to the text and analysis in the proposed FEIR and are detailed in this EIR Revision Letter. As discussed below in more detail, the minor modifications documented in this EIR Revision Letter do not require recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5(b), as they do not involve substantial increases in impacts or substantially new mitigation strategies and do not deprive the public of a meaningful opportunity to comment. These LACP update revisions require concurrent minor revisions to the proposed FEIR in the

following environmental impact analysis sections: 4.4 Flooding and Water Resources; 4.6 Agricultural Resources; 4.7 Biological Resources; 4.9 Transportation and Circulation; 4.10 Air Quality; and 4.11 Noise. No significant revisions to the project description resulted from the Planning Commission’s direction.

A. Permit Level Changes

The Planning Commission identified two minor changes to permit levels in the LUDC (Table A) that would be consistent with the goals and policies in the proposed LACP update.

Table A. Community Mixed Use – CM-LA Permit Level Changes			
Proposed Use	Draft LACP Update	Recommended Permit Level	Description
Trail for hiking or riding	Not Allowed (-)	Permitted (P)	Marked or beaten path, as through woods or wilderness.
Visitor-serving commercial	Not Allowed (-)	Permitted (P)	Retail and service uses not otherwise listed as allowable in a specific zone, that are oriented to the needs of tourists and the traveling public, including barber and beauty shops, gift and souvenir shops, recreational clothing stores, recreational equipment rental (e.g., beach and swimming equipment) and restaurants.

B. Analysis of Map Revisions

Affordable Housing Overlay Maps

The 1994 LACP and the July 2010 version of the Draft LACP update contain two maps depicting the Affordable Housing (AH) Overlay applicable to properties in the northwest portion of the Plan Area (Figure 6: Zoning Overlays, Page 37, and Figure 7: Affordable Housing Overlay, Page 39). The Planning Commission recommended removing the AH Overlay designation from properties that developed as a residential single family subdivision without utilizing the density bonus available under the AH overlay. Attachment A to this EIR Revision Letter lists the parcels being removed from the AH Overlay along with a map showing the area of removal.

The AH Overlay does not alter the assumptions used in preparing the baseline used in the proposed FIER (Table 2-2, FEIR Page 2-11) to analyze the potential environmental impacts associated with the land use changes in the proposed LACP update. Rather, these changes serve to clarify existing information and eliminate redundancy. Therefore, no change to the FEIR analysis is warranted by these minor map revisions.

C. Revisions to the Environmental Analysis

Section 4.4: Flooding and Water Resources

The proposed LACP update includes Dev Std FLD-LA-1.3.1 which requires individual projects to undergo review by the County Flood Control Division. The FEIR identified the potential impacts from potential degradation of water quality due to increases in pollutants in runoff from land uses in the Plan Area (Impact WR-6) and cumulative consumptive use impacts to water resources.

Impact WR-6: Water Quality

Implementing mitigation measure MM WR-3 including Policy FLD-LA-2.1 and development standards Dev Std FLD-LA-2.1.1 and MM WR-4, which includes Dev Std FLD-LA-2.2.1 would reduce Impact WR-6 to significant but feasibly mitigated (Class II).

During the Planning Commission hearings on the LACP, staff identified text that could be added to help clarify the distinction between the water quality and drainage requirements applicable to the lots in the Los Alamos downtown and the rest of the Plan Area. MM WR-3 on Page 4.4-25 of the proposed Final EIR is revised to clarify requirements in the CM-LA zone district as follows:

MM 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-reduce and detain/infiltrate storm pollutants in water runoff. BMPs may include depressed landscape areas, planter box filters (above or below-grade), rain gardens, and permeable paving with underground storage. and retain flood water as appropriate to the Los Alamos Community Plan goals for the Bell Street corridor.

Flooding and Drainage

LACP Dev Std FLD-LA-1.3.1, referenced on Page 4.4-14 of the proposed FEIR, is revised to add a separate development standard for the proposed CM-LA zone that recognizes the urban infill development objectives for this downtown area and clarifies the distinction between requirements in the CM-LA zone district and outside the CM-LA zone district.

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

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.

Residual Impacts

These revisions serve to clarify project specific regulatory requirements for drainage and water quality in the Plan Area and would not result in any new environmental impacts or changes to the Impact WR-6 analysis in the proposed FEIR. Therefore, impacts to potential degradation of water quality due to increases in pollutants in runoff from land uses in the Plan Area would remain significant but feasibly mitigated (Class II).

Cumulative Consumptive Use Water Resource Impacts

Cumulative impacts mitigation MM-WR-5 includes Dev Std WAT-LA-1.3.1 describing water conservation and reuse measures required in the Plan Area. Despite implementation of MM WR-5, the proposed FEIR determined that the impacts of consumptive use on water resources would remain cumulatively considerable with mitigation (Class I).

Based on direction from the Planning Commission at their August 11, 2010 meeting, MM WR-5 on Page 4.4-28 of the proposed FEIR is revised to add information that gray water systems are also allowed (consistent with state law) as follows:

MM WR-5 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.

Residual Impacts

This revision provides an additional water conservation option in the Plan Area. However, the use of gray water systems would not be expected to reduce water use in quantities that would offset cumulative impacts to consumptive use of water. Therefore, cumulative consumptive use impacts would remain cumulatively considerable with mitigation (Class I).

Section 4.6: Agricultural Resources

The FEIR identified the potential for conflicts between new urban uses and existing agricultural uses adjacent to the Plan Area (Impact AG-2). Mitigation MM AG-1 on Page 4.6-21 of the proposed FEIR includes Dev Std LUR-LA-2.2 which requires a setback for residential uses along the western portion of the CM-LA adjacent to agricultural zoned land. Mitigation MM AG-2 on Page 4.6-22 of the proposed FEIR includes Dev Std LUR-LA-2.2.2 which describe requirements for residential uses adjacent to agricultural to install physical barriers to mitigate for potential light, noise, and pesticide drift impacts to residences and intrusion into agricultural land from residences that could cause conflicts between these land uses. With mitigation MM AG-1 and MM AG-2 implemented, Impact AG-2 would be reduced to significant, but feasibly mitigated (Class II).

MM AG-1 and MM AG-2 were modified during the Planning Commission hearings to add flexibility to compliance requirements subject to verification by the Planning and Development Department.

MM 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 buffer setback shall be established by Planning and Development during project design.

MM 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.

Dev Std LUR-LA-2.2.2: Fencing or ~~landscaping an earthen berm~~ 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.

Residual Impacts

These revisions add flexibility to the setback requirements and offer a less intensive solution to create barriers to reduce potential conflicts between future residential land uses in the Plan Area and adjacent agricultural uses. Therefore, Impact AG-2 would remain significant, but feasibly mitigated (Class II).

Section 4.7: Biological Resources

The FEIR identified potential impacts from development in the Plan Area to streams that would in turn impact riparian habitat (Impact BIO-4). The FEIR also identified potential development related impacts to protected trees, wildlife roosts, and nests (Impact BIO-5).

Impact BIO-4: Riparian Habitat

To address Impact BIO-4, the FEIR identifies MM BIO-4 on Pages 4.7-39 and 4.7-40 of the proposed FEIR. MM BIO-4 includes Dev Std BIO-LA-1.1.1 which partially addresses this impact by establishing a buffer between development and the edge of riparian vegetation. Dev Std BIO-LA-1.1.1 mitigates for habitat impacts and works in concert with development standards Dev Std BIO-LA-1.1.2 (regulations for allowable uses within buffer areas), and Dev Std BIO-LA-1.1.3, (re-vegetation plans). The FEIR determined that with implementation of MM BIO-4, Impact BIO-4 would be significant, but feasibly mitigated (Class II).

The Planning Commission made the following minor revision to mitigation measure MM BIO-4, to clarify review requirements apply to all riparian habitat.

MM BIO-4 *Dev Std BIO-LA-1.1.1*: A 50-foot buffer measured outward from the edge of the riparian vegetation ~~on both sides of San Antonio Creek and Canada de Calaveras~~ 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:

- 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.”

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.

Residual Impacts

The above revision to MM BIO-4 clarify that requirements apply to all development that has a potential to impact riparian habitat in the Plan Area. The clarification would not reduce the impact further, nor would the revision create increased or new impacts to riparian habitat. Therefore, Impact BIO-4 would remain significant, but feasibly mitigated (Class II).

Impact BIO-5: Protected Trees, Roosts, and Nests

To address Impact BIO-5, the FEIR identifies MM BIO-6 on Page 4.7-43, BIO-7 on Page 4.7-44, and BIO-9 on Page 4.7-46. These mitigation measures along with MM BIO-5 (heritage tree protection) and MM BIO-8 (replanting plans) mitigate impacts to trees and wildlife. MM BIO-6 consists of Dev Std BIO-LA-1.4.1 which is implemented during project review of proposed tree removals and their potential to impact protected trees and wildlife. MM BIO-7 consists of Dev Std BIO-LA-1.5.1 which details requirements for preservation or replacement of oak trees. MM BIO-9 consists of Dev Std BIO-LA-1.7.1 which details coordination between Planning and Development and the Parks Department for protecting and replacing trees in Los Alamos County Park. The FEIR determined that with implementation of MM BIO-5 through MM BIO-9, Impact BIO-5 would remain significant, but feasibly mitigated (Class II).

The Planning Commission revised Dev Std BIO-LA-1.4.1 (MM BIO-6) and Dev Std BIO-LA-1.7.1 (MM BIO-9) to clarify review requirements and applicability of these requirements to project applications for projects which could impact protected trees, and wildlife roosts and nests.

MM 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, ~~located: (1) within 300 feet of former stream terraces as defined on modern topographic maps; (2) within 150 feet of the top of bank of San Antonio Creek and Canada de Calaveras; and (3) within Los Alamos County Park.~~ Buffers shall be established for active nests as determined by the biologist on a case-by-case basis.

MM BIO-9 Dev Std BIO-LA-1.7.1: County Parks is encouraged to coordinate with Planning and Development P&D regarding development within the Los Alamos County Park. LACP. ~~If necessary, Planning and Development P&D~~ staff shall conduct a biological site visit and/or a biological report shall be prepared by a County-approved consultant. The ~~goal of the report should~~ would be to specify measures ~~to be taken~~ to protect affected trees and/or wildlife resources. If necessary, an appropriate replacement/replanting program may be developed.

The Planning Commission revised Dev Std BIO-LA-1.5.1 (MM BIO-7) to support infill in the new CM-LA zone while supporting the protection of oak trees by emphasizing avoidance of impacts to oak trees while providing an option for off-site replacement only if Planning and Development first determines that onsite retention, then replacement are infeasible.

MM 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.

- 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.

Residual Impacts

The above revisions to MM BIO-6, MM BIO-7, and MM BIO-9 serve to clarify development review requirements, detail the priority for preservation of oaks, and provide flexibility to allow for offsite mitigation for loss of oak trees in the CM-LA area if Planning and Development determines that onsite replacement is infeasible. These clarifications would not reduce the impact further, nor would the revisions create increased or new impacts not previously analyzed in the FEIR. Therefore, Impact BIO-4 would remain significant, but feasibly mitigated (Class II).

Section 4.9: Traffic and Circulation

Based on an on-street parking study in the Bell Street Corridor Parking Study prepared for the FEIR (EIR Appendix A, Attachment 3), the Traffic and Circulation analysis identified potential impacts to on-street parking from future development in the CM-LA zone district (Impact TC-1). Mitigation measure MM TC-1 on Pages 4.9-17 and 4.9-18 of the FEIR is implemented by Policy CIRC-LA-1.6 which encourages the use of angled parking on roads within the CM-LA zone district under County jurisdiction; Dev Std CIRC-LA-1.6.1, which directs planning for installation of angled parking when building in the CM-LA reaches 50% of capacity; Action CIRC-LA-1.6.2 which directs siting and development of a parking lot when development uses 90% of on-street (with angled parking installed) capacity; and Action CIRC-LA-1.6.3, which directs the County to investigate the feasibility of acquiring Bell Street as a County maintained road.

The FEIR determined that with implementation of mitigation measure MM TC-1 additional parking capacity would be provided and impacts on parking would be significant but feasibly mitigated (Class II).

During the Planning Commission hearing on August 11, 2010 the Commissioners raised questions regarding the adequacy of future on-street parking supply to accommodate new development in the CM-LA.

Parking Analysis Review

Staff reviewed the parking analysis in the FEIR and prepared an updated parking analysis which includes amended on-street parking supply information (Attachment B to this FEIR Revision Letter). The FEIR parking study identified 479 existing on-street parking spaces in the CM-LA zone district. Striping of angled parking along cross streets one block north and south of Bell Street would add an additional 211 parking spaces. Existing on-street parking along the north side of Waite Street was not included in the parking study, but conservatively would add an additional 40 spaces, bringing the total supply with future angled parking to 730 spaces.

Parking Supply and Demand

The LACP EIR estimated total off-street parking demand between 655 and 906 spaces (FEIR, page 4.19-17). The high end of this range assumes the entire CM-LA zone would buildout with high parking demand uses (e.g., office/professional – 1 space per 300 sf.). Staff re-evaluated future parking demand for uses in the CM-LA zone based on the parking requirements in the Land Use and Development Code (LUDC) Section 35.36.070. Based on this analysis, staff determined that (1) space per 500 sf is a more realistic parking demand standard since the majority of new development in the CM-LA zone will likely be in the categories of Retail Business and General Commercial. The new analysis conclusions recognize that uses with higher and lower parking demand such as restaurants and offices (one (1) space per 300 sf) and furniture or hardware stores (one (1) space per 1,000 sf) will also be developed however to a lesser extent.

The CM-LA zone district allows residential projects with two (2) or fewer units to meet their parking requirements off-site. The EIR projected that 277 of 288 potential residential units would be two (2) or fewer units (277 on-street spaces), assuming that the off-street parking incentive would result in a heightened demand for these units.

The additional 188,550 square feet of commercial uses would require 378 on-street parking spaces for a total on-street parking demand of $(277 + 378) = 655$ spaces. Therefore, the future supply of on-street parking in the CM-LA zone district (730 spaces) is adequate to accommodate parking demand. The EIR also assumed that all new commercial uses in the CM-LA would meet their parking requirements through on-street parking.¹

Timing of Parking Needs

To determine when buildout would occur and identify when new angled parking supply would be necessary, staff evaluated three development scenarios. Growth and parking

¹ CM-LA commercial parking standard provides that on-site parking is not required.

demand in the CM-LA zone was projected assuming low (1%), moderate (2%), and robust (3%) annual growth rates. Even at a high growth rate of 3%, there is sufficient existing on-street parking to support projected CM-LA development through 2033 without the need to re-stripe for angled parking. Although, it is not likely that growth rates would be sustained at this level throughout the period.

The projected timing of on-street parking demand and capacity under the three growth scenarios is summarized in Table B below.

Table B: CM-LA On-Street Parking Demand			
Existing On-Street Parking 479 spaces	Annual Rate/Year Reached		
	1% Growth	2% Growth	3% Growth
50% capacity (240 spaces)	2040	2025	2020
100% capacity	2095	2052	2033

Funding Future Parking

Development standard Dev Std CIRC-LA-1.6.1 identifies 50% of building capacity as the trigger for funding and installing angled parking. The Planning Commission questioned if this trigger was too far down the road to capture funding from initial development if an in-lieu parking fee is pursued.

The 50% capacity trigger in Dev Std CIRC-LA-1.6.1 occurs well into the future in all three of the development scenarios. The Planning Commission recommended deletion of Dev Std CIRC-LA-1.6.1, anticipating the community and business owners will want to plan for angled parking sooner because angled parking also serves as an amenity which complements the small town character of Los Alamos. The Planning Commission recommended adoption of a new Action CIRC-LA-1.5.1 requiring that the County prepare an On-Street Parking Plan that establishes road right of way, angled parking configurations, and establishes a program for installation of angled parking. The on-street parking plan will be prepared concurrent with the pedestrian circulation plan in LACP Action CIRC-LA-1.4.1 to ensure complete streetside improvements planning will encompass pedestrian, bicycle, vehicle, and transit improvements.

The revised parking supply/demand information indicates existing on-street and future angled parking will be adequate to meet projected parking demand. Therefore, the Planning Commission recommended the deletion of Action CIRC-LA-1.6.2, since the purchase of land and improvements for a satellite parking lot will not be required.

MM TC-1 Policy CIRC-LA-1.56: 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.

~~DevStd CIRC-LA-1.6.1: The County shall pursue funding and installation of angled parking along the cross streets one block north and south of Bell Street when development within the CM-LA zone district reaches 50% building capacity in order to meet future parking demands.~~

~~Action CIRC-LA-1.6.2: The County shall pursue development of additional capacity such as parking lots when development reaches 90% of the expanded parking capacity.~~

~~Action CIRC-LA-1.5.2:6.3:~~ 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.

Section 4.10: Air Quality

The FEIR identified short-term construction pollution impacts to air quality (Impact AQ-2) and cumulative operational greenhouse gas emissions for which thresholds of significance had yet to be established.

Impact AQ-2: Construction Impacts to Air Quality

The FEIR identified MM AQ-2 on Page 4.10.32, which consisted of recommended development standard Dev Std AQ-LA-1.1.2 to address the fugitive dust component of air pollution from construction related activity in the Plan Area. MM AQ-2 along with MM AQ-1, which consists of Dev Std AQ-LA-1.1.1 that addresses other construction related pollutants, reduce Impact AQ-2 to a significant but mitigated level (Class II).

The Planning Commission recommended deletion of Dev Std AQ-LA-1.1.2 (MM AQ-2) from the LACP, since the fugitive dust control measures addressed in MM AQ-2 is already implemented by County standard condition of approval Air-01.

~~MM AQ-2 Dev Std AQ-LA-1.1.2: Project construction shall minimize the generation of pollution and fugitive dust during construction. Fugitive dust control shall include measures designed to reduce particulate matter (PM₁₀) emissions from project construction.~~

Residual Impacts

Since the fugitive dust control measures in MM AQ-2 is currently implemented by County standard condition of approval Air-01 and implemented during permit review, the deletion of MM AQ-2 would not result in any new or changed environmental impacts, or conclusions in the FEIR. Therefore, Impact AQ-2 would remain at a significant but mitigated level (Class II).

Cumulative Operational Greenhouse Gas Emissions

The FEIR concluded that although thresholds of significance for greenhouse gases had not been established when the EIR was circulated for review, measures would be included to reduce these impacts to the extent feasible. To address greenhouse gas emissions from operational sources, the FEIR identified MM AQ-9.7 on Page 4.10-63 encouraging Leadership in Energy and Environmental Design (LEED) certified buildings be encouraged through expedited review and reduced fees. MM AQ-7 implemented concurrent with mitigation measures MM AQ-9.5 (residential solar systems), and MM AQ-9.6 (construction materials and practices) would address building standards to minimize greenhouse gas emissions from energy consumption. The FEIR determined that implementation of MM AQ-9.1 through MM AQ-9.7 would reduce future emissions of greenhouse gasses in the Plan Area, thereby resulting in substantial decreases in the total amount of greenhouse gas emissions associated with buildout. Because quantitative thresholds for greenhouse gas emissions have not been established at this time and the proposed mitigation measures would decrease greenhouse gas emissions to the extent feasible, impacts are not considered significant after mitigation.

The Planning Commission recommended amendments to Dev Std AQ-LA-1.4.10 (MM AQ-9.7) to encourage LEED qualified buildings and remove the expedited review and fee reduction provisions to be consistent with existing County permit application requirements.

MM AQ-9.7 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. ~~Projects seeking LEED certification shall benefit from expedited project review and permitting, and reduced application fees (OPR Green Buildings GHG Reduction Measure #1).~~

Residual Impacts

The revisions to Dev Std AQ-LA-1.4.10 serve to clarify MM AQ-9.7 consistent with countywide practices and would not create any new or revised impacts. Implementation of revised MM AQ-9.7 would contribute to decrease greenhouse gas emissions from energy consumption to the extent feasible. Therefore, impacts are not considered significant after mitigation.

Section 4.11: Noise

The FEIR identified future outdoor noise impacts to residential uses allowed in the new CM-LA zone district (Impact N-2). The FEIR identified mitigation measure MM N-1 on Page 4.11-19, consisting of Policy N-LA-1 and Dev Std N-LA-1.1.1 which describes necessary findings to enable the 65dB (CNEL) standard to be exceeded for exterior living areas along Bell Street. The FEIR concludes that with implementation of MM N-1 exterior and interior noise impacts to sensitive receptors in the CM-LA zone would be significant but feasibly mitigated (Class II).

The Planning Commission revisions to Dev Std N-LA-1.1.1 (MM N-1) retain the ability to exceed the 65 dB (CNEL) standard for exterior living areas along Bell Street, as long as findings are made that interior living spaces will remain at regulatory levels and that property owners are notified of potential noise exposure.

MM 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, 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).

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. ~~The measures necessary to reduce the noise exposure in exterior living areas below 65 dB (CNEL) are demonstrated to be technically infeasible, prohibitively expensive, and/or aesthetically incompatible with the Bell Street Design Guidelines.~~
- a.b. Noise levels for interior living spaces shall not exceed 45 dB (CNEL); and,
- b.e. 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.

Residual Impacts

Based on the requirement that findings must be made that interior living spaces will remain at regulatory levels and that property owners are notified of potential noise exposure, Impact N-2 would remain at a significant but mitigated level (Class II).

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Attachment A

**List of Parcels and Map of Area to be Removed from
Affordable Housing (AH) Overlay**

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Parcels to be Removed from Affordable Housing (AH) Overlay

APN		APN		APN	
101-110-044		101-360-002		101-360-025	
101-340-001		101-360-003		101-360-026	
101-340-002		101-360-004		101-360-027	
101-340-003		101-360-005		101-360-028	
101-340-004		101-360-006		101-360-029	
101-340-005		101-360-007		101-360-030	
101-340-006		101-360-008		101-360-031	
101-340-007		101-360-009		101-360-032	
101-340-008		101-360-010		101-360-033	
101-340-009		101-360-011		101-360-034	
101-340-010		101-360-012		101-360-035	
101-340-011		101-360-013		101-360-037	
101-340-012		101-360-014		101-360-039	
101-340-013		101-360-015		101-360-041	
101-340-014		101-360-016		101-360-043	
101-340-015		101-360-017		101-360-038	
101-340-016		101-360-018		101-360-036	
101-340-017		101-360-019		101-360-040	
101-340-018		101-360-020		101-360-042	
101-340-019		101-360-021		101-360-025	
101-340-020		101-360-022		101-360-026	
101-360-001		101-360-023		101-360-027	

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EXHIBIT E

Area to be Removed from Affordable Housing Overlay

135

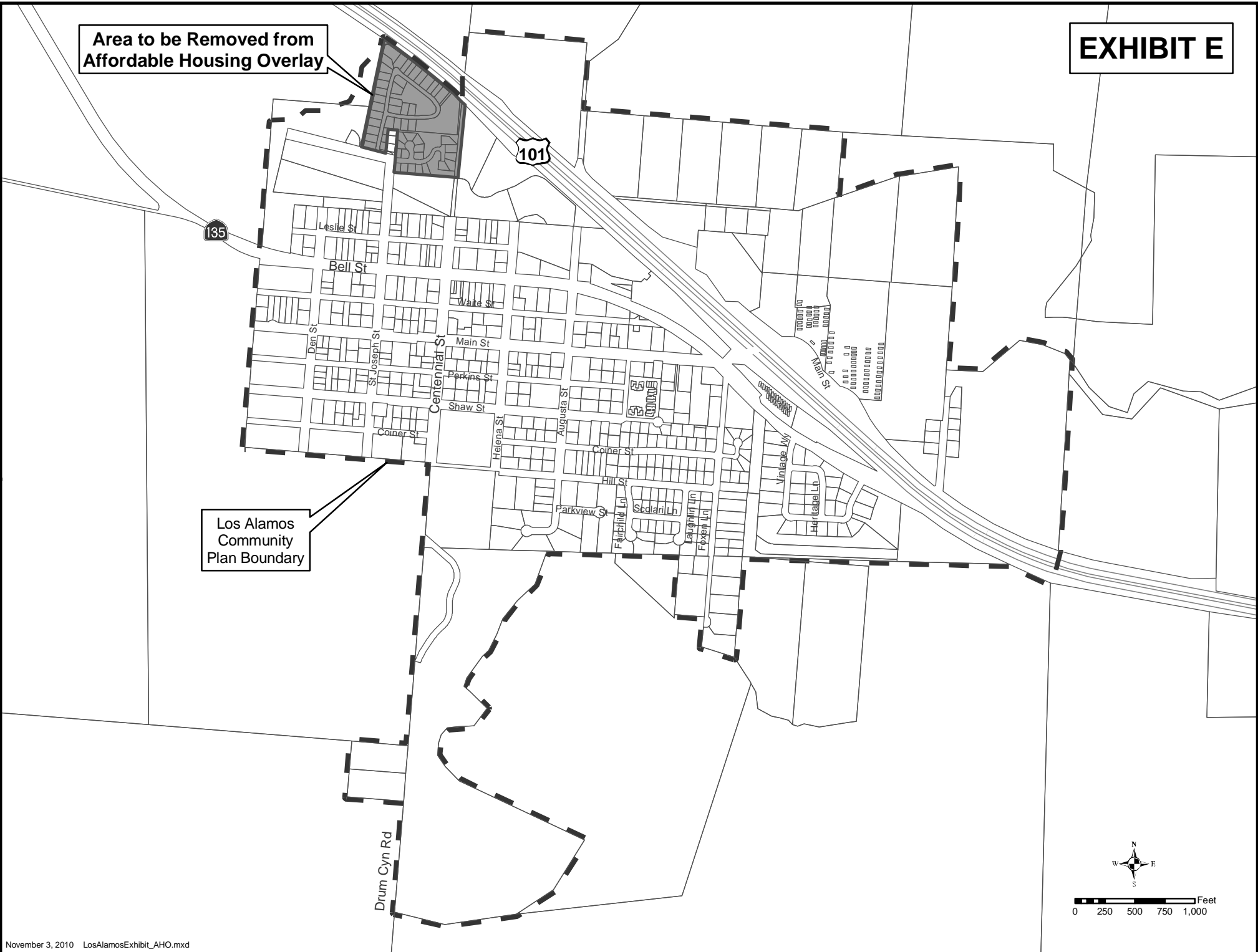
101

Los Alamos Community Plan Boundary

Drum Cyn Rd



0 250 500 750 1,000 Feet



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Attachment B

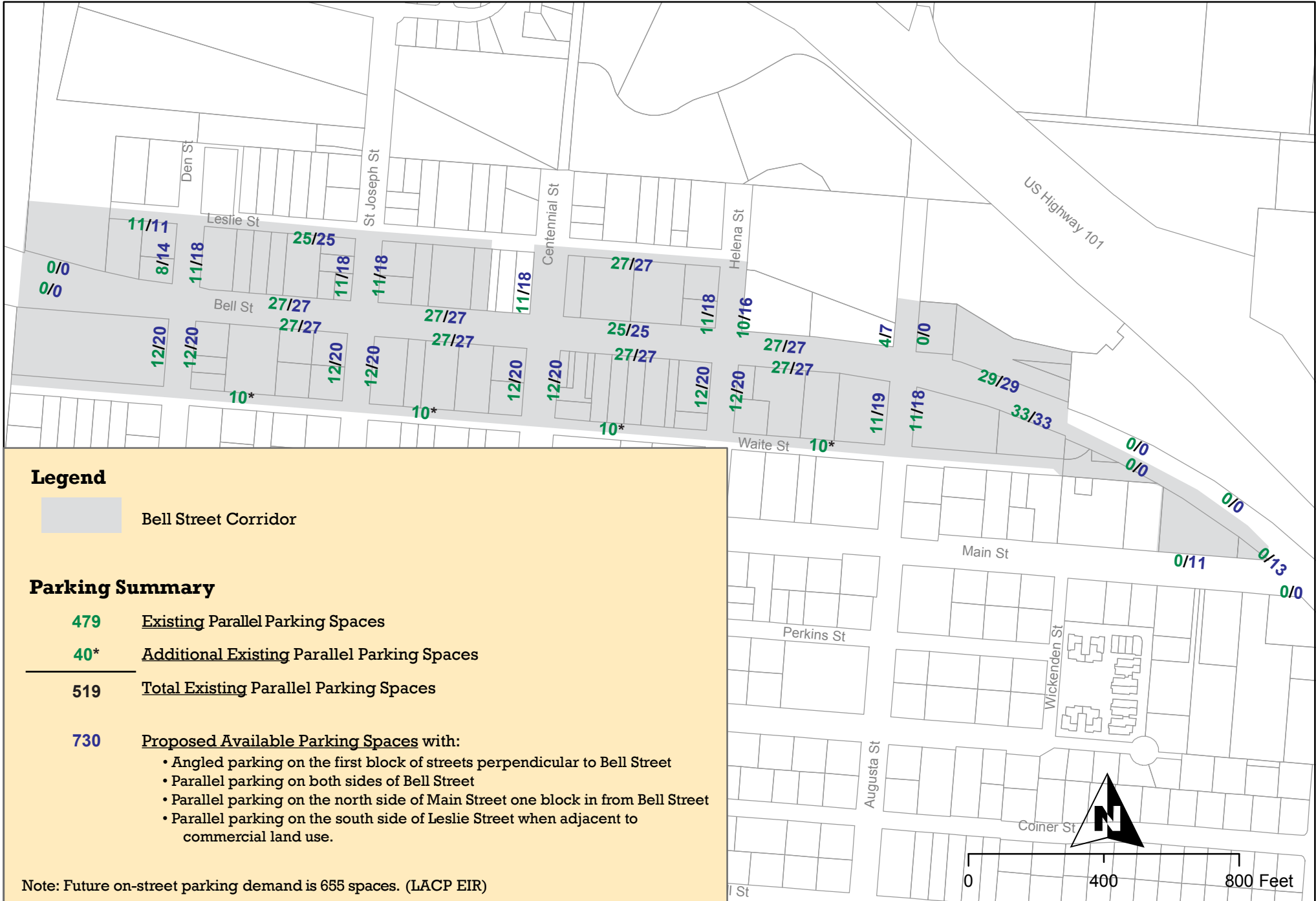
Los Alamos Bell Street Corridor On-Street Parking Study

Revised 9/27/10

Los Alamos Bell Street Corridor On-Street Parking Study

Existing Parallel Parking Counts with Proposed Angled Parking on Side Streets

Revised 09/27/10



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