

**ATTACHMENT 3.2:**  
**CEQA CONSISTENCY ANALYSIS AND EXAMINATION**  
**OF ENVIRONMENTAL EFFECTS DOCUMENT**

**TO:** Board of Supervisors

**FROM:** Ben Singer, Planner  
Development Review Division

**DATE:** February 17, 2022

**RE:** Tentative Parcel Map 14,848 [Ruffino Parcel Map]  
Case No. 20TPM-00000-00003  
CEQA Guidelines Section 15183 Consistency Analysis and Examination of  
Environmental Effects Document

CEQA Guidelines Section 15183 mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site (15183.a, -.d).

The Proposed Project is a request to subdivide an existing 66,646-square-foot- parcel zoned Two Family Residential with a 10,000 square foot minimum lots size (10-R-2) into a total of four parcels ranging from 12,415 square feet to 19,305 square feet in size. The Los Alamos Community Plan (LACP) established the zoning for the Los Alamos area. The LACP EIR examined the potential environmental impacts associated with approval and buildout of the LACP. The Proposed Project, as described below, complies with the LACP requirements and allowed development density of the 10-R-2 Zone District. Therefore, Section 15183 is able to be relied upon to satisfy environmental review requirements as discussed in more detail below.

**PROJECT DESCRIPTION**

The project is a request for the approval of Tentative Parcel Map to subdivide one 66,645 square foot parcel into the following four parcels:

Parcel 1	19,305 net square feet
Parcel 2	17,947 net square feet
Parcel 3	16,980 net square feet
Parcel 4	12,415 net square feet

Parcel 4 will be accessed from Main Street via a 20-foot-wide access easement. The remaining three parcels will be accessed from Shaw Street via a proposed 24-foot-wide access easement. Secondary egress will be allowed onto Main Street for Parcels 1, 2, and 3. Ingress from Main Street to Parcels 1, 2, and 3 will be limited to emergency vehicles by a future access gate. All physical improvements, including grading, will require the approval of additional permits. The proposed

subdivision will be served by the Los Alamos Community Services District (LACSD) and the County Fire Department.

Existing structural development on the property includes a single-family residence, garage, outdoor kitchen, barn, water tower base, windmill, accessory dwelling unit (ADU), covered patio, and shed. The existing garage, shed, and covered patio will be demolished to accommodate proposed access and utility easements. All other structures will remain. After the subdivision, Parcel 4 will contain the existing residence, outdoor kitchen, and barn. Parcel 3 will contain the existing water tower base, windmill, and ADU. Parcels 1 and 2 will remain vacant. Upon approval of the Tentative Parcel Map, the existing ADU will be located on a separate parcel from the existing primary residence, and therefore the ADU will become the primary dwelling unit on Parcel 3 at the time of recordation.

No structural development is proposed in the scope of this project. The subject property is a 1.53 acre parcel zoned Two-Family Residential with a 10,000-square-foot minimum parcel size (10-R-2) shown as Assessor Parcel No. 101-260-040, located at 774 Main Street, in the Los Alamos community area, Fourth Supervisorial District.

## **BACKGROUND**

The LACP was adopted and an EIR (Case No. 08EIR-00000-00005) was certified by the Board of Supervisors in 2011. The LACP EIR identified the following twelve areas of environmental impacts:

1. Air Quality
2. Biological Resources
3. Cultural Resources
4. Flooding and Water Resources
5. Land Use
6. Wastewater
7. Aesthetics/Visual Resources
8. Agricultural Resources
9. Public Services: Solid Waste and Schools
10. Traffic and Circulation
11. Noise
12. Hazardous Material/Risk of Upset

Since the Plan's adoption, new development has taken place within the area regulated by the Plan, public facilities and services have expanded, and the population has increased.

CEQA Guidelines Section 15183 mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site (15183.a-d). Such additional review can be done in an initial study or other

analysis. In approving a project meeting the requirements of Section 15183 (b), the County's examination of environmental effects is limited to those which:

1. Are peculiar to the project or the parcel on which the project would be located. If an impact is not peculiar to the project or parcel then additional environmental review is not necessary based on that impact (15183.c). For the purposes of Section 15183, an environmental effect of a project shall not be considered peculiar if uniformly applied development policies or standards have been previously adopted with a finding that they will substantially mitigate that environmental effect when applied to future projects (15183.f). Moreover, these development policies and standards are not required to be part of the general plan or any community plan (15183.f, -.g). Additionally, an environmental effect shall not be considered peculiar to a project or parcel solely because no uniformly applied development policy is applicable to it (15183.h).
2. Were not analyzed as significant effects in the prior EIR. If an environmental impact was analyzed as a significant effect in the EIR, then additional environmental review is not necessary based on that impact.
3. Are potentially significant off-site and cumulative impacts which were not discussed in the prior EIR. If an off-site or cumulative environmental impact was adequately discussed in the prior EIR, then additional environmental review is not necessary based on that impact.
4. Are previously identified significant effects which are determined to have a more severe impact than previously discussed as a result of substantial new information which was not known at the time the EIR was certified. If an environmental impact that was identified in the EIR as significant will have a more severe effect due to a proposed project or new information, then additional environmental review is necessary. Therefore, if a previously identified significant effect will not have a more severe impact due to a proposed project or new information, additional environmental review is not necessary based on that impact.

The Project Impact Analysis below reviews each impact identified in the LACP EIR in three sections that encompass all criteria above as follows:

- The first section, Impacts Anticipated in the EIR, discusses the impacts anticipated in the EIR, which covers Criteria 2 and 3.
- The second section, Potential of More Severe Impacts Due to the Proposed Project, considers whether any more severe impacts could be caused by the Proposed Project, which covers Criteria 4.
- The third section, Impacts Peculiar to the Proposed Project or Parcel, discusses impacts peculiar to the Proposed Project or parcel, which covers Criteria 1.

#### **CEQA GUIDELINES SECTION 15183 APPLICABILITY ANALYSIS**

The Proposed Project is consistent with the development density established in the LACP and the applicable LACP policies and development standards, and thus Section 15183 is applicable.

The LACP and LACP EIR are written to account for the maximum residential development capacity in the LACP area. The LACP conservatively measures the maximum residential development capacity by assuming that properties will be subdivided to their smallest allowable size and that the resulting lots will be developed to their maximum density. The measurement is conservative because site constraints affecting subdivision development potential are not taken into account. This methodology is consistent with the County Comprehensive Plan.

The subdivision of the subject property is considered and evaluated under the maximum theoretical development capacity of the LACP. The subject property is zoned Two Family Residential with a minimum required parcel size of 10,000 square feet (10-R-2). The 10-R-2 zone in the LACP area was established by the original LACP adopted in 1994, and the 10-R-2 zoning was retained on the property in the updated LACP adopted in 2011.

Table 2-10 [Residential Zones Development Standards] of the County Land Use and Development Code (LUDC) states the maximum allowable density of the two-family residential zones is one (1) two-family dwelling, totaling two (2) primary dwelling units. The Proposed Project will divide the existing 66,646-square-foot parcel into a total of four (4) new parcels ranging from 12,415 square feet to 19,305 square feet in size. The Proposed Project allows for a theoretical density of eight (8) primary dwelling units for the area encompassed in the subdivision (2 units per lot x four new lots = 8 units) on the four proposed parcels. Comparatively, the LACP accounted for the potential of a six parcel subdivision (66,646 square feet existing lot / 10,000 square feet. minimum parcel size = 6 lots) with a theoretical maximum density of (12) units.

Neighboring community members have expressed concerns related to the increased density due to the potential to build Accessory Dwelling Units (ADU). The County ADU ordinance is based on recent state legislation that encourages the development of ADUs in an effort to increase the housing stock throughout the State of California. Pursuant to Government Code Section 65852.2 and County Land Use and Development Code (LUDC) Section 35-42.015.C(3), ADUs are 1) a residential use consistent with the comprehensive plan designation and zoning designation for the property, and 2) not considered to exceed the allowable density for the lots on which they are located.

Based on the analysis above, the Proposed Project is consistent with the development density established by the LACP for the project site, and CEQA Guidelines Section 15183 is applicable to the project.

## **PEIR ANALYSIS OF SIGNIFICANT IMPACTS AND OFF-SITE AND CUMULATIVE IMPACTS**

The LACP EIR identified four levels of environmental impacts due to implementation of the LACP: significant and unavoidable impacts (Class I); significant but mitigable impacts (Class II); less than significant impacts (Class III); and beneficial impacts (Class IV). The PEIR implemented mitigation measures to reduce environmental impacts to the extent feasible, but certain impacts remained Class I. Class I impacts were identified as likely to occur in the following issue areas:

- Cultural Resources
- Water Resources

- Aesthetic/Visual Resources
- Biological Resources
- Public Services
- Wastewater Services Land Use

The County Board of Supervisors made a Statement of Overriding Considerations to approved the LACP and accept the EIR despite the findings that the above-identified impacts were not fully mitigated. The consideration of the impacts above also included the cumulative effects of the project Community Plan buildout, as detailed in the Statement of Overriding Considerations. Therefore, these effects, including off-site and cumulative effects, were analyzed as significant in the EIR and do not require further review pursuant to CEQA Guidelines Section 15183.b

## **PROJECT IMPACT ANALYSIS**

**Prior Environmental Documentation:** Development of the Los Alamos Community Plan area was reviewed under CEQA with a Program EIR (LACP EIR, 08EIR-00000-00005). The EIR provides analysis of the potential impacts resulting from buildout of the Community Plan. Each environmental impact section below addresses the previously analyzed and approved LACP, the proposed changes, and references to the previously adopted LACP EIR. The following is a discussion of impacts potentially peculiar to the project or the parcel on which the Proposed Project would be located.

### **1. Air Quality.**

Impacts Anticipated in the EIR: Section 4.10 of the LACP EIR identifies Class I air quality impacts due to the potential for community build out to create inconsistencies with the adopted County Clean Air Plan and contribute to Particulate Matter (PM10) and ozone precursor emissions. These impacts are identified as a Class I in the LACP EIR and were accepted with the Statement of Overriding Considerations. Additional Class II impacts are identified related to short-term emissions from construction activities and possible odor generation from nonresidential uses. These impacts are reduced to maximum extent feasible by LACP requirements to use energy-conserving techniques in project design, include transportation demand management measures for commercial projects, and utilize best management practices for the reduction PM10 and ozone precursor emissions. Please refer to the EIR for a full discussion of these impacts.

The subject property is zoned 10-R-2. There is no vertical construction within the proposed scope of work. The Proposed Project will allow for a maximum potential development density of eight (8) dwelling units (4 duplexes) and eight (8) accessory dwelling units (ADU). ADUs allowed in a maximum density scenario are limited to 800 square feet, pursuant to the County Land Use and Development Code.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result new air quality impacts related to the emission of ozone precursors, dust, or toxic and odorous chemicals beyond those analyzed by the LACP EIR. Construction will be subject to those measures of the LACP and County building code that address the impacts identified in the LACP EIR. Therefore, no additional impacts will occur.

Impacts Peculiar to the Proposed Project or Parcel: There are no air quality impacts peculiar to the Proposed Project or parcel. Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards, including standard dust control and ozone precursor standards described in the Air Pollution Control District Condition Letter included as Condition No. 25 of Attachment 2 of the Board Agenda Letter dated February 17, 2022. Standards for dust control are also included in the County Grading Ordinance.

## **2. Biological Resources.**

Impacts Anticipated in the EIR: Section 4.7 of the LACP EIR identifies Class II impacts to Biological Resources due to the potential for community build out to cause loss of native grasslands and protected trees with their associated habitats, and degradation habitat viability in the Santa Antonio Creek riparian area. Impacts are reduced to the maximum extent feasible with LACP Biology Policies and Standards requiring protection of protected species and habitat areas. Please refer to the EIR for a full discussion of these impacts.

Impacts from Proposed Project impacts are evaluated by the Biological Resources Report issued by Kleinfelder/Garcia and Associates in February 2021 (Attachment N of the Planning Commission staff report dated November 23, 2021, included as Attachment 8 to the Board Agenda Letter dated February 17, 2022, and incorporated herein by reference). The Biological Resource Report (Kleinfelder/Garcia and Associates, 2021) describes the lack of habitat viability present on the subject property. Impacts to biological resources are limited to those that may occur to the living, protected trees located on the subject property. There is no development proposed in the scope of this project but it is known that vertical development will require lot improvements related to utility infrastructure and compliance with County private access, driveway, and private road standards. These lot improvements include widening Shaw Street to 24 feet and the installation of utilities and paving of a 20 to 24 foot wide, shared private driveway within the proposed private access and utilities easement. These improvements will require the removal of approximately seventeen (17) protected trees on subject property. The Biological Resource Report (Kleinfelder/Garcia and Associates, 2021) states that impacts to protected trees are evaluated in the LACP and mitigated through the adoption of the tree preservation and regeneration standards in the LACP.

Potential of More Severe Impacts Due to the Proposed Project: As demonstrated by the Biological Resource Report (Kleinfelder/Garcia and Associates, 2021), the Proposed Project will not result in more adverse or new impacts to Biological Resources beyond those already evaluated by the LACP EIR.

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts to Biological Resources peculiar to the Proposed Project or parcel. The single impact identified is the removal of protected trees. This impact is reduced to the maximum extent feasible by the uniform application of LACP Biology Policy, including LACP Dev Std BIO-LA-1.5.1.

## **3. Cultural Resources.**

Impacts Anticipated in the EIR: Section 4.2 of the LACP EIR identifies Class I impacts to Cultural Resources due to the potential for community buildout to encroach onto unknown

archeological resources in the LACP area and impair the visual context of the historic town character. Impacts reduced to the maximum extent feasible through future project compliance with LACP History and Archeology policies and County procedures for evaluating impacts to these resources. These impacts are identified as a Class I in the LACP EIR and were accepted with the Statement of Overriding Considerations. Please refer to the EIR for a full discussion of these impacts.

Provenience Group, Inc. issued an Archeological Resources Study in April 2020 for the Proposed Project. The report states that there are no known archeological resources at the project site and that archeological resources are unlikely to be discovered during future construction of any structures. Condition No. 4 in Attachment 2 of the Board Agenda Letter dated February 17, 2022 requires that all work be paused to allow for further examination if potential archeological resources are encountered on the site.

A Historical Resource Report issued by Provenience Group, Inc. in March 2021 (Attachment O of the Planning Commission staff report dated November 23, 2021, included as Attachment 8 to the Board Agenda Letter dated February 17, 2022) identifies that the existing barn, water tank house, and windmill located on the subject property are a historically significant architectural grouping because they provide a visual example the farm-style features that were utilized in Los Alamos prior to the creation of electrical pumps and water utility districts. This grouping was determined to be eligible for designation as a County Place of Historic Merit. The report provides an evaluation of project related impacts, which are limited to the effects of possible future development on the visual unity and integrity of the three components. Recommendations are provided to preserve the historic integrity of the grouping consistent with LACP Policy HA-LA-1.2. The measures are included as project-specific Conditions No. 5 in Attachment 2 of the Board Agenda Letter dated February 17, 2022.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in additional impacts to Cultural Resources beyond those evaluated by the LACP EIR as demonstrated by the Archeological Resources Report (Provenience Group, 2020) and Historical Resource Report (Provenience Group, Inc., 2021).

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts to Cultural Resources peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards. LACP Policy HA-LA-1.2 is implemented by County procedures requiring projects involving a historic resource to submit a Historic Resources Report with recommendations for preservation, as appropriate. Similarly, projects subject to CEQA require review of potential archeological resources, which requires a review of existing data and provision of an archeological study, as necessary.

#### **4. Flooding and Water Resources.**

Impacts Anticipated in the EIR: Section 4.4 of the LACP EIR identifies Class I impacts to Flood and Water Resources due to the potential for community build out to increase groundwater extractions and exceed LACSD water storage capacity. These impacts are

identified as a Class I in the LACP EIR and were accepted with the Statement of Overriding Considerations. The LACP EIR also identifies Class II impacts to this area resulting from erosion and pollutants from development leading to the degradation of groundwater and surface water quality. Consistency of development with Water and Flooding and Drainage Policies reduce these impacts to the maximum extent feasible. Please refer to the EIR for a full discussion of these impacts.

There is no development proposed within the scope of the Proposed Project. The project site is located in the Los Alamos Special Problems Area. An Erosion and Sediment Control Plan will be required prior to future development pursuant to the County Grading Ordinance. Buena Resources, Inc. issued a Draft Stormwater Control Plan and Preliminary Drainage Plan on February 19, 2021 (Attachments J and K of the Planning Commission staff report dated November 23, 2021, included as Attachment 8 of the Board Agenda Letter dated February 17, 2022) demonstrating that the proposed parcels will be able to retain stormwater runoff consistent with County requirements when developed. County Public Works Department Water Resource Division reviewed and approved these materials for consistency with County Flood Control District and Project Clean Water requirements pertaining to stormwater management. A condition letter from Water Resource Division is included as Condition No. 25 of Attachment 2 of the Board Agenda Letter dated February 17, 2022.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts to Flooding and Water Resources beyond those already evaluated by the LACP EIR. The Proposed Project does not include any structural development and thus does not involve the creation of uses that would increase water demand, impact ground or surface water quality, or create new flooding hazards. Therefore, no additional impacts will occur.

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts to Flooding and Water Resources peculiar to the Proposed Project or parcel. Impacts will be reduced to the maximum extent feasible though uniformly applied County policies and standards, including LACP Flooding and Drainage Resources and Water policies and development standards enforced by the County Water Resources Agency. Any ADUs will also be subject to the erosion and sediment control measures of the County Grading Code as applicable. All development requiring water and sewer service will be required to provide service letters from the LACSD prior to permit approval pursuant to County Land Use Policies.

## **5. Land Use.**

Impacts Anticipated in the EIR: Section 4.1 of the LACP EIR identifies Class III impacts related to Land Use and Planning because the LACP will not conflict with county plans and policies. Specifically, compliance with applicable policies will ensure future community build out will not have adverse impacts due to noise from construction, land use incompatibility between residential and commercial uses on the Bell Street Corridor, or land use incompatibility on rezoned, highway adjacent parcels. No mitigation was found to be necessary because consistency with local policies and regulations prevent adverse effects from occurring. Please refer to the EIR for a full discussion of these impacts.

The Proposed Project will subdivide one (1), 66,646-square-foot parcel into a total of four (4) parcels ranging from 12,415 square feet to 19,305 square feet. The subject property is zoned Two Family Residential, with minimum parcel size of 10,000 square feet (10-R-2). The subdivision of the lot and resulting density is accounted for in the LACP EIR because the LACP analyzed the maximum possible residential density in the Los Alamos area. The project is consistent with all applicable policies and regulations of the County Comprehensive Plan, LACP, LUDC, and Chapter 21 as identified in the Planning Commission staff report dated November 23, 2021, included as Attachment 8 of the Board Agenda Letter dated February 17, 2022.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts to Land Use and Planning beyond those already evaluated by the LACP EIR. The Proposed Project to subdivide the property is accounted for in the LACP EIR because the EIR analyzed the maximum possible residential density for the Los Alamos Area. The Proposed Project will not create any incompatibilities with adopted county plans and policies, and therefore, no additional impacts will occur.

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts to Land Use and Planning peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards pertaining to future development of the proposed properties, including those identified in the LACP, LUDC, Building Code, and Grading Code. Therefore, no additional impacts will occur.

## **6. Wastewater.**

Impacts Anticipated in the EIR: Section 4.3 of the LACP EIR identifies Class I impacts to Wastewater due to the potential for community build out to exceed the permitted capacity of the LACSD Wastewater Treatment Plant. Additionally, the LACP identifies that no impacts are expected to Wastewater due to the installation of new trunk and feeder lines. Class I impacts are reduced through LACP policies requiring annual capacity monitoring with LACSD and suspending permitting when the water treatment plant reached 90% of its available capacity. These impacts are identified as a Class I in the LACP EIR and were accepted with the Statement of Overriding Considerations.

The Proposed Project will create four new residential properties. One property is already served by LACSD. A utility easement will be provided access to the remaining three parcels to ensure that services can be extended at the time of development. The LACSD provided a Water and Sewer Service Availability letter for the new parcels (Attachment L of the Planning Commission staff report dated November 23, 2021, included as Attachment 8 of the Board Agenda Letter dated February 17, 2022). New service availability letters will be required prior to future development requiring sewer service as part of standard County permitting procedures. Please refer to the EIR for a full discussion of these impacts.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts related to wastewater beyond those already evaluated

by the LACP EIR. Future development on each proposed parcel will require extension of sewer and water main lines for future service. The LASCDC confirmed that there is currently water and sewer capacity to serve the new parcels. Therefore, no additional impacts will occur.

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts related to wastewater peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards pertaining to future development of the proposed properties, including LACP Policy WAT-LA-1.3, LACP Development Standard SD-LA-1.1.2 and SD-LA-1.1.3 and requirements for the provision of sewer service availability letters.

## **7. Aesthetics/Visual Resources.**

Impacts Anticipated in the EIR: Section 4.5 of the LACP EIR identifies a Class I impact to visual resources due to the potential for community build out to obstruct views of La Purisima and Solomon Hills as well as surrounding agricultural lands. No feasible mitigations were determined to exist that can reduce obstruction from these views. Class III impacts are identified based on the ability for community build out to affect the visual character of the gateways to Los Alamos. These impacts are considered to be sufficiently addressed by the Bell Street Design Guidelines and requirements for low impact exterior lighting. Please refer to the EIR for a full discussion of these impacts.

The subject property is located approximately 150 feet southwest of the Bell Street, Highway 101, and Foxen Lane intersection and approximately .3 miles north of Purisma Hills. The subject property is developed with a single family dwelling, accessory dwelling unit, detached garage, outdoor patio structure, small storage structure, barn, water tank house, and windmill. The barn, water tank house, and windmill are considered a historically significant grouping because they contain architectural features that are rapidly diminishing in the Los Alamos area.

The property is not within the Design Control Overlay. At present, the north and northeast portion of the subject property are visible from Bell Street, however, views beyond Parcels 3 and 4 are limited by existing development onsite and neighboring development. Furthermore, future construction of the approved mixed-use project directly across Main St. will completely limit visibility from views directly to the north. The remaining view of the site will be from the northeast at the Bell Street and Highway 101 ramp intersection. This intersection provides a direct but limited view of the eastern and southern portions of Parcel 3. Existing onsite and neighboring development completely eliminates the views of the historic resource. The Proposed Project does not involve vertical development. Future development is required to comply with applicable height and setback restrictions.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts to visual resources beyond those already evaluated by the LACP EIR. Dependent on their siting, future development on the proposed parcels may be visible from the Highway 101 interchange and further obstruct views of La Purisima Hills as was analyzed by the LACP EIR. This impact is identified as a Class I in the LACP EIR and was accepted with the Statement of Overriding Considerations.

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts to visual resources peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards pertaining to future development of the proposed properties, including LACP Development Standard Dev Std VIS-LA-1.2.1.

## **8. Agricultural Resources.**

Impacts Anticipated in the EIR: Section 4.6 of the LACP EIR identifies Class II impacts to agricultural resources due to the potential for community buildout to create incompatibilities between urban uses and adjacent agricultural lands. Additional Class III impacts are identified from the potential for conversion important farmlands to nonagricultural uses. Mitigation involves the use of fences, walls, buffers, or other mechanisms to reduce conflicts between uses and agricultural lands. Please refer to the EIR for a full discussion of these impacts.

The subject property is located in the 10-R-2 Zone. The neighboring properties to the east, west, and south are zoned residential. The neighboring properties to the north are zoned CM-LA. The nearest agricultural properties are located approximately 0.3 miles west of the property.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts to agricultural resources beyond those already evaluated by the LACP EIR. The subject property is not adjacent to agricultural properties and is not important farmland. Therefore, no additional impacts will occur.

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts to agricultural resources peculiar to the Proposed Project or parcel that require additional mitigation.

## **9. Public Services: Solid Waste and Schools.**

Impacts Anticipated in the EIR: Section 4.8 of the LACP EIR identifies Class I impacts to public services related to an increase of construction debris and general waste sent to the Santa Maria Landfill. These impact are identified as a Class I in the LACP EIR and were accepted with the Statement of Overriding Considerations. Class II impacts are also identified related impacts to enrollment at local schools. These impacts are reduced to the maximum extent feasible through compliance with County requirements for construction waste management and payment of school fees at the time of development. Please refer to the EIR for a full discussion of these impacts.

The Proposed Project involves the division of one (1) residential parcel into a total of four (4) parcels. There is no vertical development proposed in the scope of the Proposed Project. The demolition or relocation of an existing garage and storage structure will be required in order to accommodate the utility easement and parcel line. All demolition will be required to comply with existing County permitting standards. Future development of dwelling units will require the payment of school fees consistent with County permitting procedures.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts to public services beyond those already evaluated by the LACP EIR. No construction is proposed in the scope of the project and demolition will be minimal. Therefore, no additional impacts will occur.

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts related to public services peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards pertaining to future development of the proposed properties, including building division requirements for construction waste management and payment of the payment of school fees prior to final occupancy for any dwelling unit, including ADUs.

## **10. Traffic and Circulation.**

Impacts Anticipated in the EIR: Section 4.9 of the LACP EIR identifies Class II impacts to traffic and circulation due to parking demands created by the CM-LA zone. Class III impacts to traffic circulation are identified due to the potential for community build out to add demand to roadway or intersection capacities, and require new roadways or improvements of existing roadways. Class II impacts are mitigated through demand responsive parking policies identified in the LACP. Class III impacts are insignificant and no mitigations were required. Please refer to the LACP EIR for a full discussion of these impacts.

The subject property is zoned 10-R-2. The subject property has street frontage on Main Street at the northern property line and Shaw Street at the southern property line. Main Street is an approximately 25 foot wide paved roadway within a 100 foot wide public right of way. Shaw Street varies in width from approximately 24 feet west of the subject property to 17.5 feet wide from the subject property frontage through Foxen Lane to the east. Access rights to the subject property from Shaw Street was granted by Board of Supervisors Resolution 04-222, abandoning Shaw Street and allowing it to become a private road.

The Proposed Project would subdivide the existing parcel into a total of four (4) parcels. An access and utility easement will be established that traverses the proposed parcels from Main Street to Shaw Street. The easement will allow proposed Parcels 1, 2, and 3 to be allowed ingress from Shaw Street and secondary egress from Main Street. Proposed Parcel 4 will continue to have egress and ingress from Main Street. Shaw Street will need to be widened to 24 feet wide at the subject property prior to future development pursuant to County Fire Department standards for private roadways.

The Proposed Project will establish new residential development density of 8 units (2 dwelling units per parcel). Future dwelling units will be required to provide parking spaces consistent with the LUDC. Additional off street parking exists within a walkable distance on Foxen Lane.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts related to traffic and circulation beyond those already evaluated by the LACP EIR. The projected site density will generate traffic numbers that are below County Department of Public Works thresholds for additional traffic analyses and

within quantities anticipated by the LACP EIR. The proposed easement will allow access from Shaw Street, as allowed by Board of Supervisors Resolutions 04-422. Shaw Street does not presently meet County Fire Department Standards, therefore the 160 foot long segment of Shaw Street at the property frontage will be widened to 24 feet at the time of development. Widening Shaw Street will bring the roadway further into compliance with County Standards and provide adequate access for emergency vehicles. The secondary egress proposed for Parcels 1, 2, and 3 will allow for the diversion of trips originating at the subject property away from Shaw Street. There are no mechanisms available to bring the remaining section of Shaw Street into compliance with road width standards. However, project design and future compliance with County Fire Standards will ensure that project impacts will remain less than significant. The Proposed Project was reviewed and cleared by the County Fire Department and County Department of Public Works subject to their recommended conditions of approval (Condition No. 25 of Attachment 2 of the Board Agenda Letter dated February 17, 2022).

Impacts Peculiar to the Proposed Project or Parcel: There are no impacts related to traffic and circulation peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards pertaining to future development of the proposed properties, including County Fire roadway standards and Department of Public Works engineering standards.

## **11. Noise.**

Impacts Anticipated in the EIR: Section 4.11 of the LACP EIR identifies Class II noise impacts due to the potential for community build out to result in increases in construction noise to sensitive receptors and exposure of residential uses in the CM-LA zone to noise from traffic along Bell Street. These impacts are reduced to the maximum extent feasible through consistency with LACP Policies for noise exposure and County limitations on construction hours. Please refer to the EIR for a full discussion of these impacts.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new noise impacts beyond those already evaluated by the LACP EIR. The project will not result in the exposure of residential uses to harmful noise exposure or in the generation of a major noise generator. Noise generation due to construction was fully considered in the EIR as mentioned above.

Impacts Peculiar to the Proposed Project or Parcel: There are no noise impacts related peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards pertaining to future development of the proposed properties, including the limitation on construction hours included as Condition No. 6 in Attachment 2 of the Board Agenda Letter dated February 17, 2022.

## **12. Hazardous Material / Risk of Upset.**

Impacts Anticipated in the EIR: Section 4.12 of the LACP EIR identifies no significant impacts related to hazardous materials because the projected community plan build out will not occur near known hazards, present new risks of hazards, or create obstacles with the County's ability

to respond to emergencies. There are no mitigations necessary because the impacts are determined to be as less than significant.

Potential of More Severe Impacts Due to the Proposed Project: The Proposed Project will not result in more adverse or new impacts related to hazardous materials beyond those already evaluated by the LACP EIR. The Proposed Project will not require the use of hazardous materials, expose sensitive receptors to new hazards, or interfere with emergency access. Therefore, no additional impacts will occur.

Impacts Peculiar to the Proposed Project or Parcel. There are no impacts related to hazardous materials peculiar to the Proposed Project or parcel. Proposed Project impacts are reduced to the maximum extent feasible by uniformly applied development policies and standards pertaining to future development of the proposed properties, including standard review by the County Fire Department and County Environmental Health Services.