

ATTACHMENT 3: ADDENDUM TO FINAL MND

TO: Decision-Makers

FROM: Anne Almy, Supervising Planner
Development Review Division, Planning and Development
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DATE: July 9, 2013

RE: CEQA Determination: Finding that CEQA section 15164 (Addendum) applies to the revised Park Hill Estates v.2b project (Case No. 10TRM-00000-00001). CEQA section 15164 allows an addendum to be prepared when only minor technical changes or changes which do not create new significant impacts would result. The Final MND (11MND-00000-00013) prepared for the original Park Hill Estates v.2 project (Case No. 10TRM-00000-00001), is hereby amended by this 15164 letter for the revised project.

Location: The project is located at 4700 Via Los Santos in the Second Supervisorial District (APN 059-290-041).

Background:

The project includes a Vesting Tentative Tract Map under Chapter 21 of the County Code (Subdivision Regulations) that would divide the 14.87-acre property zoned 1-E-1 into 16 residential lots (15 market rate lots and one affordable lot). The market rate lots would range in size from approximately 0.62 acres to 1.14 acres each, and the affordable lot would be 0.39 acres in size and designated for an affordable unit per the State Density Bonus Program. The project would also include one open space lot of approximately 1.68 acres for a detention basin and one lot covering a private road. The original project (v.2) was approved by the Board of Supervisors on October 16, 2012. A Mitigated Negative Declaration (11NGD-00000-00013) was prepared and adopted as part of the original project approval.

The project has subsequently been revised pursuant to a proposed conditional settlement agreement between the County of Santa Barbara, applicant and petitioners. The primary revisions to the project include the following:

- The native grassland mitigation measure would be modified to allow the mitigation to occur on-site or off-site, or a combination of both, as opposed to entirely off-site as envisioned under the original project;
- The applicant would contribute funds towards a separate larger neighborhood-wide road improvement project on the lower portion of San Antonio Creek Road. This project would seek to widen the road up to a minimum of 20 feet. The original road improvement project included as part of the original project involved the applicant constructing the road improvements to a

lesser degree as part of the subdivision improvements (i.e. widening the narrow portions of the roadway up to 16-18 feet in width); and

- The mitigation measure requiring that work be stopped in the event cultural artifacts are encountered during grading would be modified to require archaeological monitoring during all grading and ground disturbance.

The overall scope of the project, in terms of the number and layout of the residential lots and nature of the infrastructure improvements would remain the same.

Changes in Project Impacts:

Native Grasslands

Since the overall scope of the project remains the same, the modified project would result in similar impacts to those identified and evaluated in the original MND (11NGD-00000-00013). The original MND identified significant but mitigable impacts to native grasslands associated with the establishment of 16 residential lots and associated infrastructure on the project site, which contains 3.07 acres of native grassland habitat. Given the limited area on-site for restoration, the mitigation measure included in the original MND proposed off-site mitigation at a 2:1 ratio, at a location to be determined. Total acreage to be restored was to be 6.14 acres, based on the assumption that the entire area of native grassland present within the project boundaries would be eliminated with the proposed project.

The mitigation measure would be modified as part of the revised project to allow a combination of on- and off-site mitigation at the same 2:1 ratio, and to subtract from the required mitigation any areas of native grassland on-site that are avoided and protected in place. The modified mitigation measure would continue to reduce impacts to less than significant levels, since avoidance and on-site mitigation are generally preferred mitigation approaches as compared to off-site mitigation. Some level of on-site mitigation and/or avoidance would ensure that the native grassland habitat remains in its existing natural location and ecological setting to the extent feasible. Avoidance and/or on-site mitigation would also ensure that at least a portion of the site remains available for foraging wildlife that currently use the site. For these reasons, the proposed revisions to the mitigation measure would not result in any new impacts or change the conclusions of the prior MND with regard to native grassland impacts. Impacts would remain significant but mitigable.

Emergency Access/Evacuation

The original MND concluded that the project would result in significant but mitigable impacts with respect to fire hazards and emergency evacuation due to the relatively small size of the project. The additional 32 vehicles that would potentially be introduced to the area during an emergency evacuation (assuming two vehicles per residence) would constitute a small fraction of the surrounding community's vehicle use. The addition of 32 vehicles would not result in a significant change in traffic volumes whereby the roadways would no longer operate within acceptable levels, and the additional traffic delays created by 32 additional vehicles would be minimal. In addition, the project would meet all County Fire Department requirements in terms of access and water availability. Mitigation included undergrounding utilities in order to prevent arcing and associated fire hazards, along with compliance with County Fire Department

standards. The original v.2 project proposed improvements to the lower portion of San Antonio Creek Road to enhance its functionality for emergency evacuation purposes, which included funding and constructing up to \$120,000 worth of improvements to widen the narrow portions of the road up to 16-18 in width. These improvements were considered beneficial to area-wide evacuation, but were not a mitigation measure required to reduce significant impacts of the project.

The revised project would instead contribute a larger share of funds to a neighborhood-wide project to enhance the emergency evacuation capacity of the lower portion of San Antonio Creek Road. It is envisioned that this would include widening the narrow portion of the road up to a minimum of 20 feet. Thus, by contributing funds to a more significant widening project of the roadway, it is expected that emergency evacuation would be further enhanced for the entire neighborhood. Therefore, impacts would remain significant but mitigable and the mitigation measure identified in the original MND would remain adequate.

Cultural Resources

The original MND concluded that impacts of the original project on cultural resources would be significant but mitigable with avoidance of the existing bedrock mortar present on-site. The scope of the project in terms of the nature and extent of grading and location of residential lots and building envelopes has not changed. Therefore, the impacts of the project on cultural resources would remain less than significant with mitigation. Nonetheless, pursuant to the proposed conditional settlement agreement between the applicant and petitioners, the mitigation measure requiring that work stop if an archaeological deposit is encountered during grading activities has been amplified to require an archaeological monitor present on-site during all initial grading and ground disturbance. This new requirement would strengthen the mitigation measure and further ensure that no unknown resources are impacted during grading activities. The original conclusions of the MND remain relevant. In fact, the revised mitigation measure would potentially reduce impacts relative to the previously approved project.

Findings:

It is the finding of the Planning and Development Department that the previous environmental document as herein amended 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 15164, preparation of a new EIR or ND is not required.

Discretionary processing of the revised Park Hill Estates project (Case No. 10TRM-00000-00001) may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.