



YOLO COUNTY DEPARTMENT OF COMMUNITY SERVICES

**Addendum to the
Mitigated Negative Declaration for
Story Subdivision Amendment
(SCH #2007012125)**

ZF 2021-0014

February 2022

ADDENDUM TO MITIGATED NEGATIVE DECLARATION

CEQA REQUIREMENTS

This document has been prepared as an Addendum to the Mitigated Negative Declaration (“MND”) (SCH #2007012125) in accordance with the CEQA Guidelines, Section 15164. The MND was adopted by the Yolo County Board of Supervisors on September 25, 2007, for the Story Tentative Subdivision Map Project (“Project”), which consisted of a General Plan Amendment, Rezoning, Tentative Subdivision Map, and a Development Agreement for a 78-lot residential subdivision in the unincorporated town of Esparto, California. This Addendum analyzes the proposal to amend the Tentative Subdivision Map and Development Agreement, and Rezone the Project to remove the Planned Development (PD-61) Overlay Zone.

CEQA Guidelines Section 15164 provides that “an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.” The conditions in Section 15162 include substantial changes in the project or the circumstances under which the project is undertaken that result in new significant environmental effects, or new significant information showing new significant environmental effects, among others. Pursuant to Section 15164(e), a brief explanation is provided herein documenting the County's decision that preparation of a subsequent EIR is not required.

The Guidelines go on to state that: (1) the addendum need not be circulated, but can be included in or attached to the adopted negative declaration (Section 15164(c)), and (2) the County must consider the addendum with the adopted negative declaration prior to making a decision on the project (Section 15164(d)).

The analysis provided in this document demonstrates that the circumstances and impacts identified in the adopted negative declaration remain substantively unchanged by the situation described herein, and supports the finding that the proposed modifications do not raise any new issues and do not cause the level of impacts identified in the previous Initial Study for the MND to be exceeded.

BACKGROUND

On October 23, 2007, the Yolo County Board of Supervisors took the following actions to approve the Story Residential Subdivision Project (ZF2004-015): approved Resolution 07-150 to adopt the MND (SCH #2007012125); adopted Resolution 07-151 that approved Tentative Subdivision Map (TSM) #4691; adopted Zoning Ordinance 681.216 to Rezone the property to add the PD-61 Overlay Zone; and, approved Ordinance No. 1364 adopting Development Agreement (DA) No. 07-276. Currently, TSM #4691 is approved for 78 single-family residential lots, a tot lot, a stormwater detention basin, pedestrian/bicycle pathway, and dedication of right-of-way and public land. The project approval was subject to 67 Conditions of Approval and a Mitigation Monitoring and Reporting Plan (MMRP).

The Board of Supervisors approved amendments to the Development Agreement in 2017, 2019, and 2021 to extend the expiration date of the Project.

A new owner has acquired the Project and proposes to amend TSM #4691 and DA No. 07-276, and rezone the parcel to remove the PD-61 Overlay Zone. The amendments to the map would provide a

100-foot agricultural buffer along the eastern boundary and reconfigure one street and the park location to minimize the loss of lots due to the addition of the agricultural buffer.

The proposed amended tentative subdivision map consists of 76 residential lots including a half-acre condominium cluster lot. The applicant has also proposed to move the required park area, originally a tot lot located at the corner of Story Way in the southwest corner of the subdivision, to the east side outside the agricultural buffer, but closer to a peripheral trail and connection to future Cache Creek access. The 2.46-acre detention basin remains the same. The amended DA would no longer provide an extension of Alpha Street over Lamb Valley Slough to State Route 16, which further analysis has shown not to be a necessary traffic enhancement.

The adopted MND for the originally approved project, ZF2004-015, assessed the potential environmental impacts attributable to the Project. It identified and provided mitigation measures to address potentially significant environmental impacts associated with Agricultural Resources, Air Quality, Biological Resources, Hydrology/Water Quality, and Transportation/Circulation by reducing them to less than significant levels.

DETERMINATION

The proposed Project, which consists of amending the Development Agreement and Tentative Subdivision Map and removing the Planned Development 61 Overlay Zone, does not represent a substantive change to the approved Story Residential Subdivision Project as analyzed under the adopted MND.

In order to assess whether additional CEQA review is required for the minor changes to the map and DA, an analysis of the applicability of Section 15162 of the CEQA Guidelines has been prepared. The table on the following page provides verbatim wording from the Guidelines and a corresponding analysis of the applicability of each section to the proposed project.

TABLE 1: Comparison of CEQA Requirements and Request

CEQA Requirement Section 15162(a)	Relationship to Proposed Project
<p>When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:</p>	<p>The Story Residential Project Rezone, Tentative Subdivision Map, and Development Agreement MND was adopted by the Yolo County Board of Supervisors on September 23, 2007.</p> <p>The information below summarizes the substantial evidence in support of the County’s determination that the preparation of a subsequent EIR is not required.</p>
<p>(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;</p>	<p>There are no changes in the proposed project that would require major revision of the adopted MND that analyzed and mitigated the potential significant impacts of the Project to less than significant levels. The proposed project footprint remains the same and the difference in the number of lots, from 78 to 76, is not a significant change.</p> <p>The developer will still be required to satisfy the mitigation measures adopted in the MND related to agricultural and biological resources, and air and water quality. Most of the other mitigation measures relate to site development that has not changed substantially; therefore, no new significant environmental effects would occur as a result of the amended Project.</p>
<p>(2) Substantial changes will occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or</p>	<p>The Project was approved in 2007 and the term of the Development Agreement for the project has been extended three times in recent years. No substantial changes have occurred with respect to the circumstances under which the development is or will be undertaken that would warrant major revisions to the previous CEQA review with the exception of the land use designation change of an adjacent parcel from Rural Residential to Agriculture. The applicant has agreed to provide a 100-foot buffer to minimize conflict with the continued agricultural use of the agricultural parcel. As described above, the proposed project is substantially the same and would not create new significant environmental effects or increase previously identified effects. Therefore, the County has concluded that the proposed amendment is not a substantial change in circumstances.</p>
<p>(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:</p>	<p>There has been no new information of substantial importance that has become known since the MND was adopted in 2007. The proposed Project remains substantially the same and will not cause any new significant effects that were not discussed in the MND.</p>

CEQA Requirement Section 15162(a)	Relationship to Proposed Project
<p>(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;</p>	<p>The proposed Project remains substantially the same and will not have any significant effects that were not discussed in the adopted MND; no additional development beyond that which was already approved is included in the project proposal.</p>
<p>(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;</p>	<p>No significant effects previously examined and mitigated to less than significant levels in the MND will be made more severe by the proposed amendments to the approved Project. In fact, previously identified potential impacts to Traffic/Circulation have become less severe to the point of being less than significant, as described below.</p> <p>Traffic/Circulation Mitigation Measure 6 requires a “fair share” payment toward future road projects that were specified in the Tentative Subdivision Map Conditions of Approval and in the Development Agreement as payment toward an extension and bridge for Alpha Street based on a projected significant impact to Level of Service (LOS) for traffic through the community. The MND referred to a previous 1983 General Plan Policy CIR 7 that required a minimum LOS C for all County roads. The 2030 Countywide General Plan lowered this standard in Policy CI-3.2 to a minimum LOS E through the community of Esparto. An April 2018 update of the traffic study for the MND (see Appendix A) found that the cumulative impacts projected for 2025 in the MND would be alleviated by the Caltrans SR 16 Safety Improvement Project which is currently being completed. The 2018 study projected that the traffic signal recently installed at SR 16 and CR 21A would increase the LOS to an acceptable LOS C and D. Mitigation Measure 6 is no longer necessary nor is the Alpha Street bridge specified in the Tentative Subdivision Map Conditions of Approval and Development Agreement, both of which are proposed to be removed.</p>
<p>(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or</p>	<p>The adopted MND includes six mitigation measures. None of these mitigation measures were found to be infeasible or have been declined by the project proponents.</p>

CEQA Requirement Section 15162(a)	Relationship to Proposed Project
<p>(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.</p>	<p>The proposal to amend TSM #4691 and DA No. 07-276 and remove the PD-61 Overlay Zone presents no substantial changes to the number of residences or amenities provided. No new alternatives or mitigations are proposed for the Project, though as identified in the preceeding discussion, the existing mitigation for Traffic/Circulation is no longer necessary or desired and will be removed.</p>

CONCLUSION

Based on the analysis provided above, the proposed Project, which would amend the approved Tentative Subdivision Map and Development Agreement for the Story Subdivision Project and remove the Planned Development Overlay Zone, would not result in new or more severe environmental impacts and no additional CEQA review is required. Additionally, Mitigation Measure 6 that requires a road extension and new bridge over Lamb Valley Slough addresses potential impacts that no longer exist and has been found to be unnecessary and counterproductive to County and State needs by increasing traffic through residential areas. Though the proposed amendments to the Project's Tentative Subdivision Map and Development Agreement do not substantially change the approved Story Residential Subdivision, the discussed mitigation measure for Traffic/Circulation is no longer necessary to reduce impacts and will be removed so as not to conflict with current goals. This addendum shall be attached to the existing Mitigated Negative Declaration (SCH #2007012125).

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APPENDIX A
Eastern Esparto Circulation Study Update