



General Plan 2020 FEIR Addendum

for the Town of Los Gatos

March 2015



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1. Introduction

This chapter discusses the purpose and content of this Addendum to the Town of Los Gatos 2020 General Plan Environmental Impact Report (EIR) (certified in 2010 and referred to herein as the “Certified EIR”), as revised by previous Addenda,¹ and describes the modifications to the Los Gatos 2007-2014 Housing Element as a result of the 2015-2023 Housing Element Update (referred to herein as the “Modified Project”).

1.1 PURPOSE AND CONTENT

Each local jurisdiction in California is required to update its Housing Element in order to meet its “fair share” of the Regional Housing Need Allocation (RHNA). This Addendum covers the adoption of the Town’s updated 2015-2023 Housing Element. For the 2015-2023 Housing Element, the Town of Los Gatos was assigned a RHNA of 619 housing units. To determine land available for housing development, Town staff and the Housing Element Advisory Board (HEAB) reevaluated available housing development sites from the 2007-2014 Housing Element using current Assessor’s data, a review of the Town’s General Plan land use designations, Town Code Zoning regulations, and direction from the General Plan Committee. The 2015-2023 Housing Element update includes the following strategies to meet the Town’s RHNA:

- Maintaining one existing Affordable Housing Overlay Zone (AHOZ) at Oak Rim/N. Blossom Hill.
- Maintaining the existing Second Unit Program for non-hillside areas.
- Expanding the Second Unit Program area to allow units on larger non-conforming lots and hillside areas.
- Utilizing the pending North Forty Specific Plan housing capacity for the provision of affordable units.
- Maintaining the existing residential zoning for the vacant parcels on Oka Road to allow market rate development.

The overall strategy also includes 57 units approved since January 1, 2014. Table 1 shows the summary of strategies to meet the RHNA for 2015-2023 Housing Element by income level.

The 2015-2023 Housing Element is currently anticipated to be adopted by the Town Council before the May 31, 2015 State deadline and will be reviewed for certification by the California Housing and Community Development Department (HCD). This Addendum was prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.

¹ The first addendum to the 2020 General Plan EIR, which was considered by the Town Council in July 2012, concluded that there would be no new potential environmental impacts from adopting and implementing the Los Gatos Sustainability Plan. The Sustainability Plan included GHG Emission inventories and forecast inventories, 2020 GHG Emissions Target, GHG Reduction Measures, and Implementation and Monitoring strategies and methodologies. The second addendum, which was considered by the Town Council in November 2013, was to amend the Town Code Zoning Regulations to implement the Affordable Housing Overlay Zone (AHOZ), which was one of the strategies to meet the RHNA in the 2007-2014 Housing Element. The second addendum also revised the traffic assumptions in the Certified EIR to reflect subsequent project approvals and changes in background traffic levels in Los Gatos.

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TABLE 1 SUMMARY OF COMMUNITY STRATEGIES TO MEET RHNA

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	201	112	132	174	619
Approved Units	0	2	6	49	57
Oak Rim/N. Blossom Hill Affordable Housing Overlay Zone site (AHOZ)	46	0	0	0	46
Second Units under the Town’s Existing Program	0	0	28	0	28
Proposed Enhanced Second Unit Program (Non-conforming Lots and Hillside Lots)	0	27	0	0	27
Proposed North 40 Specific Plan	156	84	98	26	364
Vacant Housing Element Sites (Oka Road Sites)	0	0	0	99	99
Total Units	202	113	132	174	621
Units Above RHNA	+1	+1	0	0	+2

Source: Town of Los Gatos 2020 General Plan, Technical Appendix 6, Housing Site Inventory, 2014.

Prior to adopting the 2015-2023 Housing Element, the Town of Los Gatos, as the Lead Agency, is required to review the document and determine whether or not the revisions to the 2007-2014 Housing Element would change the conclusions of the Town’s 2020 General Plan EIR, including previous addenda. The purpose of this EIR Addendum is to present an analysis of the revisions to the 2007-2014 Housing Element of the Los Gatos 2020 General Plan.

Chapter I, Introduction, of this Addendum presents an introduction and description of the modifications to the Housing Element. Chapter II, Analysis, presents a discussion of relevant CEQA statutes in Sections 15162 and 15164, as well as the Initial Study checklist analysis of potential environmental impacts associated with the 2015-2023 Housing Element. Since the Modified Project was found to cause no new significant impacts, a summary table of impacts has not been included.

1.2 APPROVED PROJECT

In 2010, the Los Gatos Town Council certified the EIR (State Clearinghouse No. 2009032078) for the Los Gatos General Plan 2020 (General Plan), which guides all development within the town. The Certified EIR analyzes the potential impacts that could result from both residential and non-residential development allowed under the 2020 General Plan. It evaluated the impacts of the development of up to 1,600 new units between 2010 and 2020. Since the adoption of the 2020 General Plan and certification of the EIR, 101 units have been constructed,² meaning that there is still a significant “envelope” of development capacity remaining in Los Gatos that has already been analyzed and mitigated through the Certified EIR. The

² Town of Los Gatos, 2014, 2007-2014 Regional Housing Needs Allocation (RHNA), Housing Capacity, & Production.

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2020 General Plan also included the 2007-2014 Housing Element, which identified sites with capacity for housing and contained policies and actions to support the provision of housing for all income groups in Los Gatos.

In November 2013, the Town amended the Certified EIR through a previous Addendum, which covered revisions to the Housing Sites Inventory contained in the Technical Appendix of the 2007-2014 Housing Element and the adoption of the AHOZ on the five parcels included in the revised Inventory, with specific allowances and criteria for each site. Therefore, the 2007-2014 Housing Sites Inventory and the AHOZ are also considered part of the Approved Project, along with all policies and programs in the 2007-2014 Housing Element.

1.3 PROPOSED MODIFIED PROJECT

The proposed Modified Project is the adoption of the 2015-2023 Housing Element, which carries forward the majority of the policies and actions in the 2007-2014 Housing Element but would include or allow two changes to existing Town regulations and/or the adopted 2007-2014 Housing Element, described below. These changes are evaluated to determine if there would be the potential to create new environmental impacts not previously analyzed in the Certified EIR or the November 2013 Addendum. Because those changes were not previously analyzed in the Certified EIR and its addenda, they are analyzed in this Addendum.

1.3.1 PROPOSED ENHANCED SECOND UNIT PROGRAM

The proposed Enhanced Second Unit Program would add more opportunities for second units to be built, and expand on the existing Second Unit Program by changing regulations regarding where second units are permitted. The existing Second Unit Program allows second units through a ministerial permit process in conjunction with building permits and has produced over 400 second units to date. Per Action HOU-1.2 of the Housing Element update, the Town is proposing to amend its Town Code with specific enhancements to also allow for the construction of second units on non-conforming residential lots 10,000 square feet or greater, and on hillside residentially-zoned lots 5 acres or greater. The expansion of opportunities for second units would increase the distribution of affordable units throughout all geographic neighborhoods in Los Gatos, especially in the hillside areas. It is important to note that the change in regulations would allow second units on additional parcels, but would not change the development standards to which second units are subject. Requirements for parking, setbacks, lot coverage, square footage, and relationship to the main house would not change.

According to the Town's Geographic Information Systems (GIS) maps and database, reviewed in spring 2014, the Town currently has approximately 110 non-conforming lots with sizes of 10,000 square feet or more that could accommodate second units. The Town also has approximately 25 hillside, residentially zoned lots with sizes of 5 acres or more. Therefore, a total of approximately 135 lots would be eligible for second units under the expanded regulations. Assuming that 20 percent of landowners would utilize the proposed Enhanced Second Unit Program, a total of 27 second units is anticipated in the Town of Los Gatos for the eight-year planning period. The proposed enhancements to the Town's second unit program are consistent with the State's Second Unit Law (Assembly Bill [AB]1866, 2002), which requires cities to allow second units on single-family and multi-family residential-zoned parcels.

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1.3.2 PROPOSED POLICY AND ACTION UPDATES

The 2015-2023 Housing Element updates the policies and programs of the adopted 2007-2014 Housing Element to:

- Eliminate actions that the Town has completed.
- Remove references to the former Redevelopment Agency, which was abolished by State law in 2011, and revise policies and actions accordingly to reflect the current resources available in the absence of redevelopment funding.
- Address new requirements of State Housing Element law adopted since 2010, specifically Senate Bill (SB) 812, which requires the Housing Element to include an analysis of the special housing needs of the disabled, including persons with developmental disabilities and a discussion of potential resources to meet those needs.
- Ensure conformance with State law.

Town staff and the HEAB also examined new State requirements, AB 162 and SB 1241, which are triggered by the Housing Element but do not affect the Housing Element policies. Since they do not affect the Housing Element policies, these requirements are not addressed in the 2015-2023 Housing Element Update. AB 162 mandates local jurisdictions to update flood safety policies when a Housing Element is adopted, and SB 1241 requires local jurisdictions to update wildfire safety policies when a Housing Element is adopted.

1.4 COMPONENTS OF THE PROPOSED MODIFIED PROJECT NOT COVERED IN THIS ADDENDUM

The components of the Modified Project listed below are either already allowed under existing Town regulations, or have been adequately analyzed by previous CEQA documents. Therefore, these components of the Modified Project are not further analyzed in this Addendum.

1.4.1 APPROVED UNITS

Since January 1, 2014, the Town has approved entitlements for construction of two new low, six new moderate, and 49 new above moderate income units. These projects have already been approved and were either exempt from the CEQA or were subject to separate CEQA requirements prior to approval. Therefore, they are not covered in this Addendum.

1.4.2 EXISTING AHOZ SITES

The Town's AHOZ program is set forth in Division 5 of Section 29.80, Affordable Housing Overlay Zone, of the Town Code. The 2015-2023 Housing Element proposes to utilize one AHOZ site:

- Oak Rim/N. Blossom Hill/Los Gatos Oaks Apartments (46 units)

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As noted above, the adoption of the AHOZ in November 2013 was subject to a separate Addendum at that time. The existing AHOZ site is not re-analyzed in this Addendum.

1.4.3 EXISTING SECOND UNIT PROGRAM

The existing Second Unit Program has produced over 400 approved second units in the town. The second units approved under the existing Second Unit Program are approved through a ministerial permit process in conjunction with building permits. They are usually categorically exempt from CEQA per CEQA Guidelines Section 15303(a) since the majority of second unit applications are proposed for already developed sites in existing neighborhoods as an ancillary use to existing primary dwellings. The second units are required to comply with the existing zoning requirements of the proposed sites.

Based on the Town's existing Second Unit Ordinance and its documented permit history of approving an average of four units per year during the last consecutive three-year period, the Town is anticipated to add 28 second units during the 2015-2023 planning period. According to the Town's Second Unit Ordinance, these 28 projected second units will be allowed to be constructed on conforming, non-hillside residential lots, with conformance with the Town's design and development standards. This component of the RHNA strategy does not reflect any changes to existing Town policy, and is therefore not subject to CEQA. The continuation of the existing second unit program and development of new second units under existing regulations are not analyzed in this Addendum.

1.4.4 PROPOSED NORTH 40 SPECIFIC PLAN

The largest site remaining for possible development in Los Gatos was covered by a North 40 Specific Plan Overlay designation in the Los Gatos General Plan, which requires the preparation and adoption of a Specific Plan that will determine development details prior to approval of any entitlements. The overlay also requires that a minimum of 20 percent of any units developed on the site be reserved as affordable housing, for households at the moderate-income level or below.

The Draft North 40 Specific Plan was published in 2014 and the Council has certified its Environmental Impact Report which disclosed potential environmental impacts and mitigation measures. The Council started its consideration of the Specific Plan in 2014 and deliberations are currently underway. The proposed North 40 Specific Plan would provide 364 units toward the Town's RHNA. Moreover, the Certified General Plan EIR analyzed the cumulative impacts of 750 units of mixed residential types, and 580,000 square feet of retail and office development, far more than what is currently being considered as part of the Draft Specific Plan. The 2015-2023 Housing Element does not increase the capacity for housing on this site beyond what has already been analyzed in the Certified EIR, and therefore this Addendum does not further analyze housing in the North 40 Specific Plan Area.

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1.4.5 VACANT HOUSING SITES

On Oka Road, three parcels are included the Housing Element update RHNA strategy to accommodate 74 units. These sites have a potential to allow up to 99 units under the existing zoning. Since the 2015-2023 Housing Element would not change the existing zoning requirements, and since housing on the Oka Road sites was analyzed in the Certified EIR, this component of the RHNA strategy is not subject to further CEQA review and is not analyzed in this Addendum.

1.5 ENVIRONMENTAL SETTING

This Addendum addresses potential environmental impacts of adopting the 2015-2023 Housing Element and making necessary associated amendments to the 2020 General Plan and Town Code for consistency. The environmental setting for this analysis is the Town of Los Gatos.

1.5.1 PROJECT LOCATION

The Town of Los Gatos is in Santa Clara County. It is part of the Bay Area region and lies approximately eight miles to the southwest of San Jose, the region's largest city. It is nestled against the foothills of California's Coast Range and is located on the Bay Area's southwestern urban edge. For a more detailed description of the Town of Los Gatos and its setting, see Chapter 1 of the Los Gatos General Plan 2020, as well as Chapters 1 and 3 of the Certified EIR. Figure 1 illustrates the location of the Project area within the regional and local contexts.

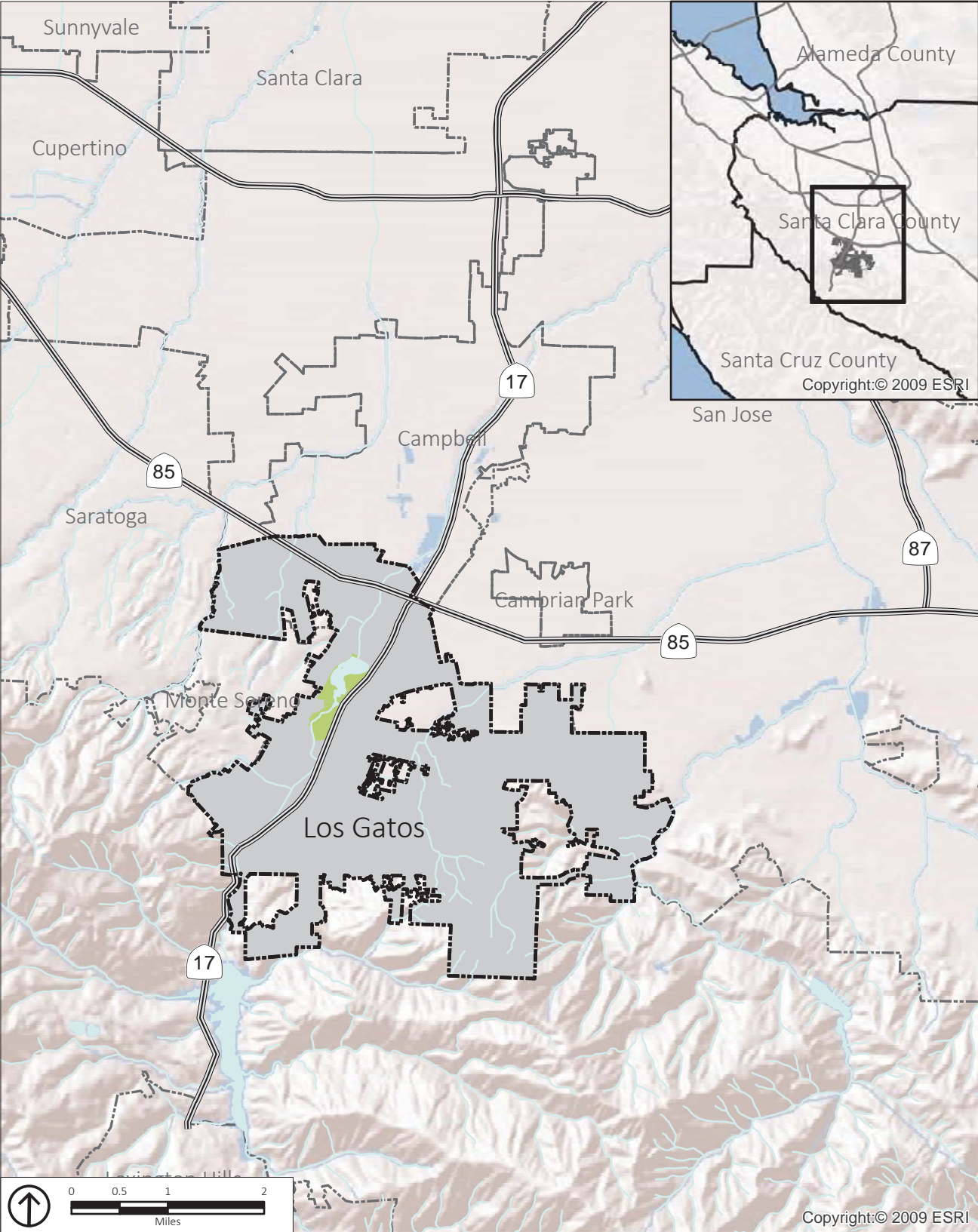
The Enhanced Second Unit Program does not identify specific sites. The quantified sites listed in the Housing Element are potential sites based on zoning districts allowing residential development.

1.5.2 EXISTING AND SURROUNDING LAND USE

The predominant developed land uses in the Town of Los Gatos are residential, commercial, retail, office, medical, civic, and institutional. The town is surrounded by different jurisdictions, including the cities of Saratoga to the west, Campbell to the north, and San Jose to the east. Also, the Town borders different open spaces and parks, including Sanborn County Park and Sierra Azul Open Space Preserves, near its hillside areas.



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Source: ESRI, 2009; Town of Los Gatos and PlaceWorks, 2014.

Figure 1
Regional and Local Location

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1.6 DECISION TO PREPARE AN ADDENDUM

Pursuant to CEQA Section 21166 and Section 15162 of the State CEQA Guidelines, after an EIR has been certified for a project, if some minor technical changes to the previously certified EIR are necessary, preparation of an Addendum to the EIR is appropriate. A supplemental EIR is not required unless there is substantial evidence that modifications to the project would substantially increase the severity of the impacts identified in the previous EIR. Under CEQA, “substantial evidence” includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

As determined through the detailed analysis of the Initial Study checklist in Chapter II of this document, the approval of the 2015-2023 Housing Element update, which includes the Enhanced Second Unit Program and revised policies and actions, would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects beyond those already identified in the Certified EIR. Given this finding, an Addendum to the Certified EIR has been prepared in accordance with CEQA Guidelines Sections 15162 and 15164. Therefore, this Addendum to the Certified EIR is sufficient. Chapter II of this Addendum contains additional explanation regarding the decision to prepare an Addendum.

2. Analysis

This chapter considers the provisions of Sections 15162 and 15164 of the California Environmental Quality Act (CEQA) statutes and discusses how an addendum to the Town of Los Gatos 2020 General Plan Environmental Impact Report (EIR) (referred to herein as the “Certified EIR”), as modified by previous Addenda, is appropriate for the Modified Project. This chapter also applies the CEQA Guidelines Appendix G checklist to provide evidence to substantiate the conclusions set forth in this analysis that the Modified Project is consistent with the findings contained in the Certified EIR and previous Addenda.

2.1 CEQA GUIDELINES

Sections 15162 and 15164 in the CEQA Guidelines provide detailed information on when subsequent EIRs must be prepared, and direction on when and how to instead issue an addendum to an EIR, respectively. This section addresses the stated requirements and instructions for the preparation of such documents, and demonstrates why the preparation of an addendum to the Los Gatos General Plan 2020 EIR (as amended) is appropriate for the Modified Project.

2.1.1 CEQA GUIDELINES SECTION 15162. SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS

The most applicable CEQA Guideline regarding analysis of the Modified Project and the appropriate level of review is from Section 15162, which provides:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(a)(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;

The 2015-2023 Housing Element Update includes the Action HOU-1.2, which calls for an Enhanced Second Unit Program to accommodate a portion of the Town’s RHNA. The Enhanced Second Unit Program would allow additional areas where second units will be permitted in Los Gatos. Action HOU-1.2 calls for the Town to amend the Town Code to allow new deed-restricted second units to be affordable to lower-income households on non-conforming residential lots with lot sizes of 10,000 square feet or greater and in the Hillside Residential Zone on sites that are 5 acres or larger. Town GIS maps and databases were reviewed in Spring 2014 to determine that there are approximately 110 non-conforming lots with sizes of 10,000 square feet or more, and 25 hillside lots of 5 acres or more, that could accommodate a second unit. It is estimated that approximately 20 percent of landowners of nonconforming and hillside lots may take advantage of amended

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requirements to allow second units. This would produce approximately 2.8 units on non-conforming lots per year, and 0.6 units on hillside lots per year, for a total of 27 units over the eight-year planning period. Table 1 illustrates the overall community strategies to meet RHNA for the Town of Los Gatos, which includes the Enhanced Second Unit Program. The other strategies to meet the Town's RHNA (also listed in Table 1) would not require any amendments to the Town's existing plans or regulations. The proposed change does not require major revisions of the Certified EIR, and as substantiated in this document, the Modified Project would not result in new significant environmental effects or significantly increase the magnitude of previously identified significant effects whereby new mitigation measures would be required.

(a)(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

No substantial changes have occurred with respect to the circumstances under which General Plan 2020 was crafted and adopted, and as mentioned above, the Enhanced Second Unit Program is an expansion of the existing Second Unit Program. As substantiated in this document, the proposed changes would not require major revisions of the Certified EIR.

(a)(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(a)(3)(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(a)(3)(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(a)(3)(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

(a)(3)(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.

Since the certification of the Certified EIR, two previous Addenda have been prepared prior to the Modified Project; however, no new, previously-unknown information of substantial importance to the General Plan 2020 has come to light that will affect the mitigation measures that were adopted and the alternatives that were considered as a part of the decision-making process for the Certified EIR. The Modified Project would not create new significant effects that were not previously analyzed in the Certified EIR or its previous Addenda, nor will the magnitude of impacts exceed the established thresholds of significance. No new mitigation measures are proposed, and the Mitigation Monitoring and Reporting Program (MMRP) adopted as a part of the Certified EIR remains adequate to mitigate impacts caused by the Modified Project. The alternatives that were analyzed also remain applicable to the proposed changes and do not need to be reconsidered; the Modified Project does not create new impacts that would require new analysis of project alternatives.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

Since the findings under Section 15162 subdivision (a) indicate that it is not necessary to prepare a subsequent EIR, the lead agency has determined that it is appropriate to prepare an addendum to the certified Final EIR.

(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

The Town of Los Gatos will be seeking discretionary approval for the Modified Project to amend Chapter 29, Article 1, Division 7 of the Town Code in order to expand the Town's second unit program. As substantiated in this document, the Modified Project does not create new significant impacts that would require the preparation of a subsequent EIR, and an addendum to the certified Final EIR would be appropriate to satisfy the requirements of CEQA. The California Department of Housing and Community Development (HCD) is a responsible agency that will certify the Town's Housing Element Update, with an action to implement the Enhanced Second Unit Program as noted in the Housing Element implementation action. The Town Council will consider this Addendum to the Certified EIR, in addition to the Certified EIR, in its decision-making process.

(d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

Since the proposed Modified Project would not require a subsequent EIR, it is not necessary to provide the notice or provide for the public review referenced in subdivision (d).

2.1.2 CEQA GUIDELINES SECTION 15164. ADDENDUM TO AN EIR OR NEGATIVE DECLARATION

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

The Enhanced Second Unit Program represents an anticipated implementing action called for in the Housing Element; this EIR Addendum provides additional information specifically relevant to the changes to the Certified EIR caused by the Enhanced Second Unit Program. As discussed above and substantiated below, none of the conditions from Section 15162 which would require a subsequent EIR are present.

(b) 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 Los Gatos General Plan 2020 was the subject of a full EIR, not a negative declaration; therefore subsection (b) does not apply.

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(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

Acknowledged. Although not required, this Addendum will be made available for public review as part of the packet for the Planning Commission and Town Council meetings at which the 2015-2023 Housing Element Update will be considered. The packet containing this Addendum will be available through the Community Development Department webpage and the Town's regular agenda webpage.

(d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

Acknowledged. The Town Council will consider the addendum to the General Plan EIR prior to making a decision on the 2015-2023 Housing Element.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

The preceding discussion and the analysis below serve to explain the decision not to prepare a subsequent EIR and to demonstrate, with substantial evidence from the CEQA Appendix G checklist, why a subsequent EIR is not required.

2.2 APPENDIX G CHECKLIST

The following analysis uses the CEQA Guidelines Appendix G Environmental Checklist to demonstrate, using substantial evidence, that the proposed changes caused by the Modified Project would not create new environmental impacts, or otherwise exacerbate those discussed in the certified Final EIR.

Implementation of the Modified Project would allow approximately 27 additional dwelling units from the proposed Enhanced Second Unit Program, along with the proposed policy and action updates for the 2015-2023 Housing Element Update to:

- Eliminate actions that the Town has completed.
- Remove references to the former Redevelopment Agency, which was abolished by State law in 2011, and revise policies and actions accordingly to reflect the current resources available in the absence of redevelopment funding.
- Address new requirements of State Housing Element law adopted since 2010, specifically Senate Bill (SB) 812, which requires the Housing Element to include an analysis of the special housing needs of the disabled, including persons with developmental disabilities and a discussion of potential resources to meet those needs.

The Modified Project does not include construction of any units or identify any specific sites for construction, but rather, would *allow* construction of new second units.

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2.2.1 AESTHETICS

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Have a substantial adverse effect on a scenic vista?					X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?					X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					X

Future development under the policies of the Housing Element Update, including second units allowed under the proposed Enhanced Second Unit Program, would be subject to the oversight and review processes envisioned by the goals and policies stipulated in the General Plan 2020 and established within the Town Code. They would be consistent with the Town’s numerous policies to promote high quality, compatible design in order to preserve the small-town visual quality and character; protect existing scenic vistas, viewsheds, and visual resources, including views of ridgelines and other prominent features of the natural environment; and minimize potential light pollution and glare. Current zoning regulations would limit potential aesthetic impacts of the construction of new second units by applying design and development standards that restrict unit size (750 square feet if attached, 950 square feet if detached); require conformance with applicable zoning setbacks, building height limits, and lot coverage limits; require building form/design consistency and compatible materials; and include the unit in floor area ratio calculations. Similar to the analysis in the Certified EIR, adherence to existing policies and regulations would minimize potential aesthetic impacts that would be created by the proposed Modified Project. Therefore, the Modified Project would not create new aesthetic impacts that have not been previously analyzed in the Certified EIR, and no new mitigation measures are required.

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2.2.2 AGRICULTURE AND FORESTRY RESOURCES

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?					X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?					X
d. Result in the loss of forest land or conversion of forest land to non-forest use?					X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?					X

Impacts to forest resources were not analyzed in the Certified EIR as the requirement to analyze forest resources in environmental documents did not become effective until the adoption of the Senate Bill (SB) 97 amendments (adopted December 31, 2009, effective March 18, 2010) to the CEQA Guidelines, which occurred after the commencement of the

General Plan 2020 Update and EIR. Prior to the adoption of SB 97, forest resources had not yet been generally recognized as an environmental issue. Impacts to forest resources were considered in each of the two previous Addenda, but the previous Addenda did not analyze impacts to forest resources that would result from the Modified Project.

Since little agricultural land remains in Los Gatos, the Certified EIR addressed agricultural impacts under the Land Use and Planning environmental topic. The Certified EIR found one significant impact related to agricultural resources: it was determined that the conversion of Unique Farmland to other uses in the North 40 Specific Plan Area would constitute a *significant and unavoidable* impact and that no feasible mitigation measure existed. None of the parcels associated with the Modified Project are within the North 40 Specific Plan Area. As noted above, any impacts to agricultural land in the North 40 Specific Plan Area not already addressed in the Certified EIR will be required to be addressed in the Specific Plan EIR currently being prepared. These impacts are not further addressed in this Addendum.

Additionally, none of the parcels where seconds units would be allowed under the Enhanced Second Unit Program are designated as Prime, Unique, or Farmland of Statewide Importance agriculturally zoned; or designated as Williamson Act land, so no previously unidentified impacts to agricultural resources would occur.

Apart from the use of lumber for construction, the Modified Project would not allow development or actions that would affect forestry resources. Development allowed by the proposed Enhanced Second Unit Program would be required to comply with the Town's Tree Protection Ordinance, which strictly regulates removal of trees and potential impacts to the tree canopy on individual sites. The Town's Tree Protection Ordinance requires a tree removal permit for any of the following protected trees:

- All trees with a total diameter of 12 inches or greater of any trunk, located on developed residential property.
- Four species of trees with a diameter of 8 inches or greater (Blue Oak, Black Oak, California Buckeye, and Pacific Madrone).
- All trees with a diameter of 4 inches or greater of any trunk:
 - If located on developed non-residential or vacant/underdeveloped property.
 - When removal is subject to zoning or subdivision approval.
- All publicly owned trees on Town lands or public places, or in a right-of-way easement.
- Any trees required to be planted or retained by any Town permits or ordinances.

Also, none of the parcels where seconds units would be allowed are designated as forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). All parcels on which future second units would be allowed by the Enhanced Second Unit Program would be already disturbed and developed by existing single-family dwellings.

Furthermore, implementation of the Housing Element Update's policies and development allowed by the Modified Project would continue to be subject to the oversight and review processes envisioned by the General Plan and established within the Town Code. Its implementation would not alter or substantially worsen the significant impact to agricultural resources specified in the Certified EIR or any other agricultural and forestry resource impact. The Modified Project would not result in new impacts to agricultural and forestry resources. No new significant impact would occur, and no new mitigation measures are required.

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2.2.3 AIR QUALITY

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?					X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?					X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?					X
d. Expose sensitive receptors to substantial pollutant concentrations?					X
e. Create objectionable odors affecting a substantial number of people?					X

Construction of second units allowed by the Modified Project would generate short-term (construction-related) emissions, as well as long-term (operation-related) emissions. Individual construction projects would be required to be consistent with applicable federal, State, and regional policies and regulations including those set by the California Air Resources Board (CARB) and the Bay Area Air Quality Management District (BAAQMD). They would also be required to comply with the goals, policies, and actions of the Los Gatos General Plan. However, at this programmatic level of analysis, because the Modified Project would allow 27 second units over the eight-year planning period, impacts associated with the Modified Project would be within the threshold of construction of new units analyzed in the Certified EIR and would not substantially increase the severity of impacts identified in the Certified EIR.

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The California Air Resources Board (CARB) recommends any new housing development be set back 500 feet from freeways to avoid chronic health effects from air pollution exposure, and the BAAQMD has guidelines advising evaluation of existing and future proposed source of Toxic Air Contaminants (TACs) and/or fine inhalable particulate matter (PM_{2.5}) emissions from any sensitive receptors, such as residences. The Enhanced Second Unit Program does not designate any specific locations for future development but describes areas where second units would be permitted. Any future housing units proposed under the Enhanced Second Unit Program located near high volume roadways, including Highway 17, Highway 85, and Saratoga-Los Gatos Road, would be subject to a site-specific Health Risk Assessment per BAAQMD’s CEQA Guidelines to determine whether proposed housing would expose sensitive receptors to significant risks from air pollution, prior to approval.

The Certified EIR found that implementation of General Plan 2020 would have a *significant and unavoidable* impact under air quality threshold (a). While the General Plan itself would contain a variety of provisions to reduce vehicle miles traveled (VMT), these provisions would be insufficient to reduce the impact to a less-than-significant level. It was further determined that there were no feasible mitigation measures for this significant impact. Implementation of Modified Project would allow a net increase in the number of new affordable second units and associated construction activity; however, the new second units would be located on small sites scattered the town within existing parcels and would not require substantial ground-disturbing activities. Any second units would be subject to compliance of federal, State, regional, and local policies. Therefore, the Modified Project would not worsen the condition analyzed in the Certified EIR or any other air quality impact, nor would it result in new significant impacts to air quality.

Therefore, technical changes to the air quality analysis in the Certified EIR are not required, and no new mitigation measures are necessary.

2.2.4 BIOLOGICAL RESOURCES

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife					X

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Service?					
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X

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The parcels that would be subject to the Modified Project are most likely already disturbed and have been developed with existing single-family dwellings. Some parcels on which future second units would be allowed may be located within areas identified with special-status plant and wildlife species, wetlands, or wildlife movement corridors and nursery sites; however, development of each parcel would be subject to the oversight, review processes, and regulations that are envisioned by the General Plan; established within the Town Code (including the Tree Protection Ordinance); and/or otherwise required by State and federal statutes, including those for endangered species protection. Therefore, implementation of the Modified Project would neither cause new impacts to biological resources nor exacerbate any existing impacts. Technical changes to the biological resources analysis in the certified Final EIR are not required, and no new mitigation measures are required.

2.2.5 CULTURAL RESOURCES

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?					X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?					X
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					X
d. Disturb any human remains, including those interred outside of formal cemeteries?					X

A review of State inventories did not identify any archeological or historic resources on any of the Housing Element housing sites (see Appendix A). However, the second units allowed by the Modified Project may be located in historic districts. Since the Town’s Residential Design Guidelines recognize any primary structure that was constructed prior to 1941 as a historic resource (unless determined otherwise), development of a second unit on a parcel containing a primary home built before 1941 could potentially impact a historic resource. However, development of any future second units allowed by the Enhanced Second Unit Program would be subject to the oversight and review processes envisioned by the

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General Plan and established within the Town Code, including the aforementioned Residential Design Guidelines and the Historic Preservation Town Code.

In the event that unknown cultural resources are discovered during construction of a second unit, development would be required to cease construction or other ground-disturbing activities, and immediately report any discovery of potentially significant cultural, paleontological, or Native American resources, as required by California Public Resources Code Section 5097.5. Such discoveries would also continue to be subject to the jurisdiction of anthropological or tribal experts, who would be responsible for inspection and potential relocation of discovered cultural resources. Potential Native American archaeological sites are typically located near creeks in Los Gatos. It is the Town's long-established policy in implementing CEQA to require the preparation of an initial study along with all relevant studies, surveys, and analysis, such as an archaeological evaluation, prior to the adoption of environmental documents (e.g. Negative Declaration or Environmental Impact Report) and the approval of development projects. New development on the Oka Road sites would be required to comply with CEQA. Implementation of the Modified Project would, therefore, neither cause new impacts to cultural resources, nor exacerbate any existing impacts. Technical changes to the cultural resources analysis in the certified Final EIR are not required, and no new mitigation measures are required.

2.2.6 GEOLOGY AND SOILS

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.					X
ii. Strong seismic ground shaking?					X

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Site Name	Subsequent or Supplemental EIR Required	No Additional Environmental Analysis Required
iii. Seismic-related ground failure, including liquefaction?		X
iv. Landslides?		X
b. Result in substantial soil erosion or the loss of topsoil?		X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?		X

The Modified Project does not involve the development of any specific sites, but rather updates the policies of the Housing Element Update and describes general areas where new second units would be allowed. Second units would be allowed on nonconforming parcels in the R-1, R-M, and R-1D zones that are 10,000 square feet in area or more, and on parcels in the Hillside Residential zone that are five acres or larger in area. Unlike the existing second unit program, the Modified Project would allow second units to be constructed in the hillside areas, which are often prone to having steep slopes and lead to higher risk for landslides. The General Plan Safety Element, and the Town’s Hillside Specific Plan, contains policies that address hillside development and mitigate any potential impacts associated with developing housing on slopes in Los Gatos. Also, the Town requires geotechnical reports by a registered geologist if any land instability issues are identified.

In addition, as shown in the Figure 4.5-3 of the Certified EIR, there are several liquefaction zones near several creeks in the town. As no specific location is designated for the Modified Project, it is possible that some parcels on which second units would be allowed would be susceptible to potential liquefaction, which could cause damage and collapse as a result of settlement and lateral spreading. However, the Town Code and the California Building Code address construction on sites subject to liquefactions. The Town Building Department requires a geotechnical report as part of the Building Permit Plan Check process to avoid any soil failure. Earthmoving activities exceeding 50 cubic yards also would require an Architectural and Site Application approval from the Planning Division, as well as a grading permit from the Parks and Public Works Department. In addition, proposed development in areas with slopes greater than 20 percent or with grading inconsistent with the natural topography of the site characteristics is strongly discouraged and would potentially trigger additional

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CEQA review. However, most of the anticipated applications for second units allowed by the Modified Project are expected to typically be situated near the main house and the already-developed areas of a site.

The Town of Los Gatos also has several faults running through its town limit, which includes the San Andreas, Shannon, and Monte Vista faults. These faults are the most likely to produce strong seismic shaking in Los Gatos. Any future projects under the Modified Project would be subject to the policies and regulations in the Safety Element of the Town's General Plan and the Town's adopted Building Code for incorporating mitigation measures to reduce the impact from the seismic shaking.

Any future individual projects would be required to demonstrate compliance with all applicable local, regional, and State regulations, including best practices for the prevention of erosion and runoff related to both construction activities and to ongoing stormwater drainage. Some hillside areas have septic systems, which are regulated by the Santa Clara County Department of Environmental Health. The Santa Clara County Onsite Wastewater Treatment Systems Ordinance includes flexibility in siting to address on-site conditions such as steep slopes or high water tables, and requires a geotechnical report in certain instances to ensure that geologic conditions are adequately addressed. There would therefore be no impact in regard to the ability of area soils to support septic systems. By complying with General Plan policies and applicable regulations, there would be no change to these particular impacts as analyzed by the Certified EIR, and they would remain *less than significant*.

Given all of the above, it is concluded that implementation of the Modified Project would neither cause new geological and soils impacts nor exacerbate any existing ones. Technical changes to the geology and soils analysis in the Certified EIR are not required, and no new mitigation measures are required.

2.2.7 GREENHOUSE GAS EMISSIONS

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?					X
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?					X

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Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. Implementation of the Housing Element Update and construction and operation of second units allowed by the Modified Project would not generate enough greenhouse gas (GHG) emissions to influence global climate change significantly; hence, the issue of global climate change is by definition a cumulative environmental impact. The General Plan EIR found that implementation of General Plan 2020 would have a *significant and unavoidable* impact to GHG emissions until a climate action plan was prepared. The Town subsequently adopted the Sustainability Plan to mitigate impacts to GHG emissions. The Sustainability Plan actively serves to reduce GHG emissions to below levels set by adopted State legislation and would therefore mitigate GHG emissions within the Town limits, including GHG emissions from second units. The Addendum to the Certified EIR prepared in July 2012 to cover the adoption of the Sustainability Plan concluded that GHG impacts would be less than significant. Any development allowed under the Modified Project would be required to be consistent with the measures in the adopted Sustainability Plan.

The Modified Project would allow 27 housing units and could therefore increase vehicle trips. However, adherence to the Sustainability Plan, the General Plan, and Statewide measures, including the Building and Energy Efficiency Standards (part of the California Building Code), and the California Green Building Code (CALGreen) adopted for the purpose of reducing GHG emissions would ensure that the Modified Project would neither cause a substantial increase in GHG emissions impacts nor exacerbate any existing impacts. Technical changes to the Certified EIR as revised by the previous Addenda are not required, and no new mitigation measures are required.

2.2.8 HAZARDS AND HAZARDOUS MATERIALS

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X
c. Emit hazardous emissions or handle hazardous or acutely					X

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?					X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?					X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?					X

The parcels on which new second units would be allowed by the Enhanced Second Unit Program are already at least partially disturbed with existing single-family uses, and are located within broader areas characterized by urban uses. The

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potential second units would never occur on vacant sites since they would be reviewed either as a new primary dwelling, if the unit is the only dwelling proposed, or in conjunction with a new home.

Since potential locations for the Enhanced Second Unit Program include hillside areas, where most of the Very High Fire Severity Zone is located, any future second units proposed in the hillside areas and within the fire hazard severity zones would be required to meet the same fire prevention and protection requirements imposed by the Town as for main structures. These requirements include, but are not limited to: Class A roofing, adequate water pressure requirements or on-site storage, sprinklers, and a 100-foot defensible zone around structures. Consistency with policies in the Safety Element of the Town’s General Plan and Hillside Development standards and guidelines would minimize wildfire hazards. Finally, all development proposed in Los Gatos and within the fire hazard severity zones must be reviewed by the Santa Clara County Central Fire Protection Districts prior to approval of the project.

Currently, there are no hazardous sites or facilities, including federal Superfund sites, State response sites, voluntary cleanup sites, or school cleanup sites, in Los Gatos requiring cleanup, according to the California Department of Toxic Substances Control. The potential projects under the Enhanced Second Unit Program would all be second units, which would be in addition to existing residential uses. Residential land uses are not associated with hazardous materials handling, transportation, or storage. The development of these residential uses would accommodate 27 new second units over eight years, which would not generate any new impacts to emergency response, evacuations, or general preparedness.

Moreover, compliance with existing federal, State, and regional laws and regulations, as well as goals and policies in the Town’s General Plan and the regulations in the Town Code, would reduce the Modified Project’s potential risks and impacts associated with hazardous materials. Project implementation would not contravene any aspects of the General Plan, including land use designations, allowed uses, or oversight procedures that address hazards and hazardous materials. Implementation of the Modified Project would, therefore, neither cause new hazards and hazardous materials impacts nor exacerbate any existing ones.

Technical changes to the hazards and hazardous materials analysis in the Certified EIR are not required, and no new mitigation measures are required.

2.2.9 HYDROLOGY AND WATER QUALITY

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Violate any water quality standards or waste discharge					X

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
requirements?					
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site?					X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?					X
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?					X
f. Otherwise substantially degrade water quality?					X

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?					X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?					X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?					X
j. Inundation by seiche, tsunami, or mudflow?					X

Compliance and consistency with existing federal, State, and local water quality regulations and policies, including those specified in the Town’s General Plan, would minimize potential water quality impacts associated with construction and operation of the Modified Project. The Modified Project would update the policies of the Town’s Housing Element and allow second units on an expanded range of parcels in Los Gatos, and is projected to allow no more than 27 new second units over the eight-year planning period. The construction and operation of new second units would be subject to applicable local, State, and federal standards and best practices for managing on- and off-site water quality. These additional second units anticipated would therefore not contribute to new or exacerbated water quality impacts. Additionally, the Modified Project would not result in new ground water usage in the immediate vicinity beyond the amount of water demand already analyzed in the Certified EIR. As discussed in the General Plan EIR, application of General Plan policies related to runoff and groundwater recharge would prevent negative development-related impacts to groundwater, drainage patterns, and polluted runoff. None of the sites would experience development that would alter the drainage pattern or course of a stream or river.

Los Gatos includes both 100-year and 500-year floodplains within its town limit. Most of Los Gatos falls under the 500-year flood plain, but a small area falls within the 100-year flood plain, which has higher risk of flooding. As the Modified Project does not designate specific sites for development, but rather indicates general areas throughout the town (including flatland and hillsides) where second units would be permitted, parcels on which second units would be allowed by the Modified Project may fall within the 100-year floodplain. However, General Plan policies would ensure that development would either not take place in the 100-year flood plain or would be required to show it adequately mitigates potential flooding impacts. Also, any future second units would be subject to the oversight and review processes and standards that are

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envisioned by the General Plan, established within the Town Code, and/or otherwise required by State and federal regulations. Through the environmental review process for the individual projects, additional mitigation may be required to further reduce impacts and risks associated with flood hazards.

There are no areas of Los Gatos that have been identified as vulnerable to tsunami or seiche. However, the Enhanced Second Unit Program would allow second units to be built on some of hillside areas, where steeper slopes exist and may increase potential risk of mudslides. Conformance with the policies of the General Plan, however, would mitigate conditions conducive to mudslides, further reducing potential impacts, if needed. Therefore, potential impacts from these phenomena would be unchanged from the Certified EIR and would remain *less than significant*.

Overall, the Modified Project would not contravene any aspects of the General Plan, including land use designations, allowed uses, or oversight procedures that address hydrology and water quality. Implementation of the Modified Project would therefore neither cause new hydrology or water quality impacts, nor exacerbate any existing ones. Technical changes to the hydrology and water quality analysis in the Certified EIR are not required, and no new mitigation measures are required.

2.2.10 LAND USE AND PLANNING

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Physically divide an established community?					X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?					X

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The Modified Project would not physically divide an established community as it would only allow development of second units on existing residential parcels, which would be in addition to already existing single-family homes. Future projects under the Enhanced Second Unit Program may fall within areas of sensitive habitats or species identified in the Santa Clara Valley Habitat Plan. However, because new second units would be constructed on previously disturbed sites, the Modified Project would not affect undisturbed sites with high habitat value.

The Certified EIR found that implementation of General Plan 2020 would have a *significant and unavoidable* impact in regard to the conversion of unique farmland in the North 40 Specific Plan Area to urban use and that no feasible mitigation measure existed. Future second units allowed under the Enhanced Second Unit Program would not be located within the North 40 Specific Plan Area. In addition, individual projects, including second units allowed under the Enhanced Second Unit Program, would be subject to the oversight and review processes and standards that are envisioned or established by the General Plan, other applicable plans, or the Town Code. Implementation of the Modified Project would therefore not lead to new impacts or substantially worsen existing impacts that divide an established community, conflict with any land use plans, or conflict with any habitat or natural community conservation plans.

Technical changes to the land use and planning analysis in the Certified EIR are not required, and no new mitigation measures are required.

2.2.11 MINERAL RESOURCES

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?					X
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?					X

Analysis of mineral resources was removed from the Certified EIR because the result of the Scoping Process determined that mineral resources are not present in Los Gatos. Potential locations for the Enhanced Second Unit Program contain existing residential development, and are located within broader areas characterized by urban uses. These sites are not

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mineral extraction or recovery sites. Additionally, mineral or other resource extraction would not be compatible with the surrounding uses of the sites. Therefore, implementation of the Modified Project would not create a loss in availability of mineral resources. Implementation of the Modified Project would therefore neither cause new mineral resource impacts, nor exacerbate any existing ones. No new mitigation measures are required.

2.2.12 NOISE

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					X
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?					X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?					X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?					X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					X
f. For a project within the vicinity of a private airstrip, would the					X

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
project expose people residing or working in the project area to excessive noise levels?					

Construction and operation of individual second units allowed under the Modified Project would generate both temporary and permanent noise and vibration impacts. Individual projects would be subject to the oversight and review processes that are implemented through the Town’s General Plan, established within the Town Code, and/or otherwise required by pertinent federal and State regulations. In compliance with these local and State standards, individual projects under the Enhanced Second Unit Program would be required to ensure interior and exterior noise levels that are consistent with applicable land use compatibility standards. Although future second units allowed by the Modified Project may be constructed on sites along Highways 17 and 85 and, therefore, could potentially be exposed to noise levels above the Town’s guidelines for acceptable land use compatibility, compliance with the goals, policies, and actions of the General Plan, as well as the Town’s Noise Ordinance and the California Noise Insulation Standards, would control these impacts. Additionally, the Modified Project would not contravene any aspects of the General Plan, including land use designations, allowed site uses, noise limits, or other restrictions that address noise and vibration impacts. Implementation of the Modified Project would neither cause new noise impacts, nor exacerbate any existing ones. Thus, there would be no change from the impacts analyzed under the Certified EIR, and these development noise impacts would, therefore, remain *less than significant*. Technical changes to the noise and vibration analysis in the certified Final EIR are not required and no new mitigation measures are required.

2.2.13 POPULATION AND HOUSING

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact

Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and					X
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Site Name	Subsequent or Supplemental EIR Required	No Additional Environmental Analysis Required
businesses) or indirectly (for example, through extension of roads or other infrastructure)?		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?		X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?		X

The Modified Project would allow a realistic development capacity of up to 621 new units. However, only 27 of these units represent additional growth than has not already been evaluated in existing Town plans and CEQA reports. Therefore, the Modified Project would allow new development accommodating approximately 65 residents.¹ This increase would not induce significant population growth in Los Gatos and is well within the envelope of development that was analyzed in the Certified EIR. The Enhanced Second Unit Program would allow for housing on more sites in the town that already contain existing housing. Therefore, the Modified Project would serve to focus growth on areas already designated for residential use, rather than extending services to new growth areas. Also, implementation of the Modified Project would not displace any existing houses or people. Any future second units constructed under the Enhanced Second Unit Program would add opportunities for additional affordable housing, and therefore construction of replacement housing elsewhere would not be necessary and the impact would be *less than significant*. Additionally, the Modified Project would not contravene any aspects of the General Plan. Implementation of the Modified Project would therefore neither cause new population and housing impacts, nor exacerbate any existing ones. Technical changes to the population and housing analysis in the Certified EIR are not required, and no new mitigation measures are required.

2.2.14 PUBLIC SERVICES

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project result in substantial adverse physical impacts					

¹ Assuming 2.35 persons per household, based on the 2010 Decennial Census average household size for Los Gatos. Because second units would be limited in size (750 square feet if attached, 950 square feet if detached), actual household sizes may be smaller for new second units. However, the Town's average household size is used to provide a conservative analysis.

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Fire protection?					X
b. Police protection?					X
c. Schools?					X
d. Parks?					X
e. Other public facilities?					X

The Modified Project would allow an estimated 27 second units to be built in Los Gatos over the next eight years, housing approximately 65 new residents, which would increase demands for public services above existing levels, but not above the anticipated future levels analyzed in the Certified EIR. Since second units would be built on sites already containing existing residential uses, the Modified Project would not require new areas to be served by public service providers.

Approximately 65 new residents would not result in the need for new or physically altered facilities, and would allow the City to maintain acceptable service ratios, response time, or other performance objectives for police protection services.² The Modified Project would also result in increased demands for fire protection services above existing levels but not above the anticipated future levels analyzed in the Certified EIR. Fire and police services operate on mutual aid agreements. The Santa Clara Fire Department would review proposed second units as a part of the building permit review process, and new units would be required to comply with wildland fire requirements previously noted (e.g. Class A roofing, adequate water pressure, sprinklers, and a 100-foot defensible zone around structures). The Santa Clara Fire Department provides contract fire protection services to the Town and already serves the areas where second units would be allowed under the Modified Project. Both the Santa Clara Fire Department and Los Gatos/Monte Sereno Police Department would be able to continue

² Matt Frisby, Police Chief, Town of Los Gatos Police Department, email communications with PlaceWorks, August 14, 2014.

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providing mutual fire and law enforcement protection services.³ Additionally, the General Plan includes goals, policies, and actions that improve response times and support the activities of the fire and police departments. Adherence to the General Plan would reduce potential impacts to fire and law enforcement services to the level of *less than significant*.

The 27 new dwelling units, which would accommodate approximately 65 new residents, would slightly increase the needs for the school services above existing levels, but not above the anticipated future levels analyzed in the Certified EIR. Because new development allowed by the Modified Project would be located on scattered sites throughout the town, it is unknown which districts would be affected by the Modified Project. However, the need for additional school services is addressed by compliance with school impact assessment fees per Senate Bill 50. Pursuant to Section 65996(3)(h) of the California Government Code, payment of these fees is considered full and complete mitigation that would offset impacts from any increased demand for school facilities.

Development of an additional 27 second units would slightly increase the need for additional park space and library facilities above existing levels, but not above the anticipated future levels analyzed in the Certified EIR. The General Plan contains goals, policies, and actions that ensure adequate and accessible park, open space, and trail systems are provided and that Los Gatos residents have sufficient access to library services and facilities. Compliance with these regulations would further ensure that impacts associated with the Modified Project would remain at *less-than-significant* levels.

Implementation of the Modified Project would not contravene any aspects of the General Plan, including land use designations and allowed building intensities that could impact demand for Town services. Therefore, Project implementation would neither cause new impacts in regard to provision of Town services, nor exacerbate any existing ones.

Technical changes to the public services analysis in the Certified EIR are not required, and no new mitigation measures are required.

2.2.15 RECREATION

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical					X

³ Doug Harding, Fire Marshal, Santa Clara County Fire Department, phone communications with PlaceWorks, September 24, 2014.

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
deterioration of the facility would occur or be accelerated?					
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?					X

The potential increase of 27 second units that would be allowed under the Enhanced Second Unit Program could generate approximately 65 new residents who would require access to park and open space and recreational facilities. As discussed above, this amount of new development and population is within the envelope analyzed in the Certified EIR, and the General Plan contains goals, policies, and actions that ensure adequate and accessible park, open space, and trail systems are provided. Expansion of park and recreational facilities would have the potential to result in environmental impacts. However, new second units allowed by the Modified Project would be located on scattered sites throughout the town and would therefore not be expected to over-burden a specific park or recreational facility in particular. In addition, as concluded in the Certified EIR, with adherence to existing regulations and policies of the Town’s General Plan, impacts would be *less than significant*. Implementation of the Modified Project would therefore neither cause new impacts in regard to recreational opportunities/facilities, nor exacerbate any existing ones.

Technical changes to the recreation analysis in the Certified EIR are not required, and no new mitigation measures are required.

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2.2.16 TRAFFIC

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?					X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					X
e. Result in inadequate emergency access?					X
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or					X

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
pedestrian facilities, or otherwise decrease the performance or safety of such facilities?					

This section addresses potential transportation impacts of the Modified Project, based on the analysis completed for the Certified EIR, as revised by subsequent Addenda. Additional information and data used in this transportation analysis can be found in Appendix B.

The Modified Project updates the policies in the Town’s Housing Element and would allow 27 additional housing units that would be distributed on eligible lots throughout Los Gatos. The number of proposed trips was calculated based on rates contained in the Institute of Transportation Engineer’s (ITE) publication, *Trip Generation*.⁴ The Modified Project was assumed to be the residential condominium/townhouse land use, due to the nature of the second dwelling units. The second dwelling units would be restricted to a maximum size of 750 square feet and one bedroom for attached units, and a maximum of 900 square feet and two bedrooms for detached units. These unit sizes more closely resemble a townhouse or condominium than a single-family detached home. In addition, if the units are rented out, they would be held to below market rate standards, which typically have a lower vehicular trip generation rate. Table 2 shows the trip generation for the Modified Project. As shown in Table 2, development allowed under the Modified Project is expected to generate 18 trips in the AM peak hour and 21 trips in the PM peak hour.

The locations of the assumed Project trips were scattered throughout the Town of Los Gatos where residential units that fit the new criteria of non-conforming lots over 10,000 square feet or hillside lots are located.

As shown in Table 3, all study intersections would operate acceptably (at LOS D or better) under the Modified Project conditions.

⁴ Institute of Transportation Engineers, *Trip Generation 9th Edition*, Washington D.C., 2012.

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TABLE 2 TRIP GENERATION SUMMARY

Time Period	Land Use	Trips In	Trips Out	Trips Total
Daily	Residential Condominium/Townhouse (27 Dwelling Units)	103	103	206
AM Peak	Residential Condominium/Townhouse (27 Dwelling Units)	3	15	18
PM Peak	Residential Condominium/Townhouse (27 Dwelling Units)	14	7	21

Source: Kimley-Horn and Associates, 2014.

The Town's General Plan includes a number of goals and policies to address future impacts to the capacity of the roadway system.

- Transportation Goal TRA-1 and Policy TRA-1.1 require that development not exceed transportation capacity and that transportation systems meet current and future needs of residents and businesses;
- Policy TRA-3.3 calls for an evaluation of all new developments to ensure that they are in compliance with the Town's LOS intersection policy;
- Policy TRA-3.4 states that new projects shall not cause an intersection at LOS of Level A, B, or C to drop more than one level and an intersection at LOS D or below to drop at all; and
- Policy TRA-3.5 states that if a new project causes an intersection LOS to drop more than one level from Level A, B, or C or to drop at all from Level D or below, the project shall mitigate traffic so that the LOS will remain at an acceptable level.

Action TRA-3.1 implements the local roadway improvements listed in Section E.2 and E.3 of Transportation Element of the 2020 General Plan in the Capital Improvements Program (CIP). With the implementation of these improvements, all study intersections would operate at LOS D or better with the Modified Project.

The Modified Project does not include any components that would affect air travel, public transit, pedestrian or bicycle circulation. New second units allowed by the Modified Project would be constructed on sites containing existing single-family residences, and would not require physical changes that would pose safety hazards or disrupt existing circulation.

Transportation impacts would be *less than significant*, and no new mitigation measures are required.

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TABLE 3 TRIP GENERATION SUMMARY, CUMULATIVE 2020 WITH MODIFIED PROJECT

Int #	Intersection	Traffic Control	Town Criteria	AM			PM			Critical Approach(es)
				LOS	Delay (sec)	Δ Delay	LOS	Delay (sec)	Δ Delay	
1	Winchester Blvd. and Knowles Dr.	Signal	D	C	25.8	-5.0	C-	35.0	-8.8	SB, EB
2	Winchester Blvd. and Hwy 85 NB On Ramp	Signal	D	B	16.4	-0.9	C+	21.4	-2.5	SB
3	Winchester Blvd. and Hwy 85 SB Off Ramp	Signal	D	B	16.5	-2.2	B	12.5	-2.0	NB, SB
4	Winchester Blvd. and Lark Ave.	Signal	D	C	24.1	-0.8	C	24.0	0.3	SB
5	Lark Ave. and Oka Rd.	Signal	D	B-	19.0	-0.5	B	17.0	-1.9	WB
6	Lark Ave. and Hwy 17 SB Ramps – Garden Hill Dr.	Signal	D	C	26.3	-11.0	C	30.9	-0.4	WB, EB
7	Lark Ave. and Hwy 17 NB Ramps	Signal	D	B-	19.5	2.5	B	16.4	-1.5	WB, EB
8	Los Gatos Blvd. and Samaritan Dr.	Signal	D	C	30.0	-6.0	D	46.2	10.6	NB, SB, WB
9	Los Gatos Blvd. and Lark Ave.	Signal	D	D+	38.6	-1.5	C-	34.7	-12.8	NB, SB
10	Los Gatos Blvd. and Blossom Hill Rd.	Signal	D	D+	35.6	2.9	C-	33.1	-2.0	NB, SB
11	Los Gatos Blvd. and Roberts Rd. – Shannon Rd.	Signal	D	C-	32.6	-0.3	C	24.5	1.9	NB
12	Los Gatos Blvd. and Nino Ave.	Signal	D	C	23.4	5.3	B-	19.8	10.5	SB
13	Los Gatos Blvd. and Kennedy Rd. – Caldwell Ave.	Signal	D	C-	32.4	0.0	C	29.7	0.1	NB
14	Los Gatos Blvd. and Saratoga - Los Gatos Rd.	Signal	D	D+	36.2	1.4	D-	51.6	2.2	SB, EB
15	Saratoga - Los Gatos Rd. and University Ave.	Signal	D	C	30.2	4.3	D	47.4	16.4	EB
16	W. Main St. and University Ave.	Signal	D	C+	20.7	0.0	C	26.3	0.8	WB, SB
17	Santa Cruz Ave. and W. Main St.	Signal	D	C	27.0	-0.6	C	26.2	-12.1	WB, NB
18	Santa Cruz Ave. and Saratoga - Los Gatos Rd.	Signal	D	D	48.6	0.1	D	42.7	-1.3	WB, EB
19	Santa Cruz – Winchester Blvd. and Blossom Hill – Mariposa Ave.	Signal	D	D	41.3	2.8	D+	35.9	1.1	WB, SB
20	Blossom Hill Rd. and E. Roberts Rd.	Signal	D	C	27.6	1.8	B-	19.8	4.0	EB
21	Blossom Hill Rd. and Cherry Blossom Lane	Signal	D	C+	22.5	4.9	B	17.1	4.0	WB

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TABLE 3 TRIP GENERATION SUMMARY, CUMULATIVE 2020 WITH MODIFIED PROJECT

Int #	Intersection	Traffic Control	Town Criteria	AM			PM			Critical Approach(es)
				LOS	Delay (sec)	Δ Delay	LOS	Delay (sec)	Δ Delay	
22	Blossom Hill Rd. and Union Ave.	Signal	D	B	17.6	-0.8	D	43.0	-4.9	EB, WB
23	Blossom Hill Rd. and Los Gatos – Almaden Rd.	Signal	D	C	30.3	-12.0	D	49.8	-4.6	EB, SB, WB
24	Winchester Blvd. and Daves Ave.	Signal	D	C	24.1	4.5	B-	19.8	3.2	SB
25	Lark Ave. and University Ave.	Signal	D	C	27.3	8.5	C	28.5	1.8	WB, EB
26	Pollard Rd. and More Ave.	Signal	D	C+	20.8	-3.5	C	25.7	4.8	EB
27	Knowles Dr. and Dardanelli Lane	Signal	D	B+	10.3	-1.0	B	12.7	-1.6	WB, EB
28	Winchester Blvd. and Wimbledon Dr.	Signal	D	B	16.5	-9.5	B	16.6	-0.2	NB, SB
29	Los Gatos Blvd. and Hwy 85 SB Ramps	Signal	D	B-	19.8	-11.7	C	29.0	-7.8	NB, SB, EB
30	Los Gatos Blvd. and Garden Gateway	Signal	D	B-	18.9	-2.0	B-	19.1	1.3	NB, SB
31	Los Gatos Blvd. and Los Gatos Village Square	Signal	D	B+	11.8	0.9	B	14.9	-2.1	NB, SB
32	Los Gatos Blvd. and Almaden Rd. – Chirco Dr.	Signal	D	C	25.0	-1.2	C	23.8	-2.2	NB, SB
33	Santa Cruz Ave. and Andrews St.	Signal	D	B	13.9	-1.2	B	16.4	-1.6	SB
34	Blossom Hill Rd. and University Ave.	Signal	D	C	28.0	5.9	C-	32.5	8.5	WB, EB
35	Blossom Hill Rd. and W. Roberts Rd.	Signal	D	B	14.7	0.4	B-	19.4	-0.5	WB, EB
36	Blossom Hill Rd. and Leigh Ave.	Signal	D	B	13.0	2.2	B-	19.7	-4.4	WB, EB
37	Blossom Hill Rd. and Harwood Rd.	Signal	D	B	14.4	-1.7	B-	18.0	0.0	WB, EB
38	Los Gatos - Almaden Rd. and National Ave.	Signal	D	B	13.5	1.6	B	15.7	-3.5	WB, EB
39	Winchester Boulevard and Albright Way <i>Worst Approach</i>	Side Street Stop Control	D	A	0.0	-	A	0.3	-	WB
				C	15.5	-	B	13.5	-	
40	Winchester Boulevard and Courtyard Club Entrance	Signal	D	C	25.1	-	C	26.0	-	NB

Source: Kimley-Horn and Associates, 2014.

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2.2.17 UTILITIES AND SERVICE SYSTEMS

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?					X
b. Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?					X
e. Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?					X
g. Comply with federal, state, and local statutes and regulations related to solid waste?					X

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New second units allowed by the Modified Project would be required to comply with existing federal, State, and local water quality requirements and regulations, including those specified in the General Plan 2020 in order to minimize impacts to water quality. The Modified Project would increase water demand over existing levels by 6,750 gallons of water per day at a rate of 250 gallons of water per housing unit per day. The Certified EIR analyzed a substantially greater amount of residential development and included much higher estimated water use in its water supply impact analysis. The Certified EIR determined that the San Jose Water Company (SJWC) would have sufficient capacity to meet water service demand. The sanitary water demand would also slightly increase by 3,267 gallons of wastewater per day, at a rate of 121 gallons per housing unit per day, which is equivalent to less than one percent of the total West Valley Sanitation District (WVSD) wastewater allocation and would be within the current capacity of 12.1 million gallons per day, as determined in the Certified EIR. Some hillside areas have septic systems, which are regulated by the Santa Clara County Department of Environmental Health. According to the County’s Onsite Wastewater Treatment Systems (OWTS) Ordinance, the regulations apply to properties where the maximum daily flow volume of wastewater produced is 10,000 gallons per day or less. If the maximum discharge amount is more than 10,000 gallons per day, then the method of treatment and dispersal must be approved by the appropriate California Regional Water Quality Control Board requirements. The second units that would be allowed by the Modified Project are anticipated to generate 121 gallons of wastewater per day, which is less than the maximum discharge amount of 10,000 gallons per day set by the County.

The General Plan includes goals, policies, and actions to reduce water consumption and ensure water and wastewater facilities are expanded and/or constructed, as needed to meet the projected demand. The General Plan also addresses planned growth to ensure that the projected demand on utilities and infrastructure, including storm drain facilities, landfills, and energy consumption, are met. Although the total number of new units would be slightly increased under the Modified Project, there would be no new utilities-related impacts or increases to the severity of these impacts, and the overall impact would remain *less than significant*. As the Modified Project would adhere to the vision by the General Plan and all land use and zoning designations, it would therefore neither cause new impacts in regard to provision of utility services, nor exacerbate any existing ones.

Technical changes to the utilities and infrastructure analysis in the Certified EIR are not required, and no new mitigation measures are required.

2.2.18 MANDATORY FINDINGS OF SIGNIFICANCE

Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
Would the project:					
a. Does the project have the potential to degrade the quality					X

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Site Name	Subsequent or Supplemental EIR Required			No Additional Environmental Analysis Required	
	Substantial Change in Project or Circumstances Resulting in New Significant Effects	New Information Showing Greater Significant Effects than Previous EIR	New Mitigation or Alternative to Reduce Significant Effect is Declined	Minor Technical Changes or Additions	No Change/ No Impact
of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)					X
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					X

Based on the substantiations provided in the Certified EIR and with implementation of the mitigation measures identified therein, the Town's General Plan, as amended with the September 2012 Addendum for the Sustainability Plan and with the November 2013 Addendum for the Affordable Housing Overlay Zones (AHOZ), would have a significant adverse effect on the environment, either individually or cumulatively, directly or indirectly with regards to Air Quality, Land Use and Planning, and Transportation/Traffic.

The proposed Modified Project, including the Enhanced Second Unit Program, would result in additional residential development on sites that have been previously disturbed with urban uses.

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The Enhanced Second Unit Program would apply to scattered sites throughout the town and does not identify specific site locations; therefore, future projects may be located within in areas of sensitive habitat or in close proximity to documented populations of endangered or other special-status species. However, the new second units allowed by the Modified Project would be located on sites already developed with residential uses, and therefore would not be located on undisturbed sites with high habitat value. As with development anticipated under the Town's General Plan, future development associated with the Modified Project would not reduce the habitat of fish and wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of a rare or endangered plant or animal; or eliminate examples of major periods of California history or prehistory.

Additionally, as with development anticipated under the Town's General Plan, future development associated with the Modified Project would be consistent with the long-term goals of developing affordable housing in accordance with the Town's General Plan. Although the Modified Project would result in an increase in the amount of residential development allowed by the General Plan, the Project would not exacerbate or create any new cumulative impacts because new development would be limited to small residential structures that would be on previously developed sites scattered throughout the town. Implementation of the proposed Enhanced Second Unit Program would not result in impacts that are individually limited or cumulatively considerable. Cumulative impacts of the Modified Project would not be greater than those determined by the Certified EIR.

This Addendum reviews the Modified Project's potential impacts to all of the environmental topics included in Appendix G of the CEQA Guidelines. The mitigation measures contained in the Certified EIR would remain sufficient to ensure that potential impacts remain less than significant and no new significant impacts would occur from implementation of the Modified Project. The changes to the General Plan as part of the Housing Element Update evaluated in this Addendum would not result in new significant impacts or affect the severity of the identified significant or significant and unavoidable impacts of the General Plan as evaluated in the Certified EIR. Therefore, the Modified Project's impacts to human beings, either directly or indirectly, would not be greater than those determined by the Certified EIR.