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ADDENDUM TO PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION

# 248 JARED LANE ARCHITECTURE AND SITE REVIEW

(S-16-054)

PREPARED FOR

Town of Los Gatos

February 21, 2018

**EMC PLANNING GROUP INC.**  
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S-16-054

PREPARED FOR

**Town of Los Gatos, Community Development Department – Planning Division**

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Appendix B	248 Jared Lane Architecture and Site Review (S-16-054) Initial Study (Prepared by EMC Planning Group, dated January 4, 2018)	

# 1.0 Introduction

## **A. DETERMINATION**

This document constitutes an addendum to the February 2011 Initial Study/Mitigated Negative Declaration (“2011 IS/MND”, included in this document as [Appendix A](#)) originally adopted for approval of the 248 Jared Lane Project (S-09-063) (hereafter “original project”) by the Town of Los Gatos (hereinafter “the Town”). This addendum evaluates whether modifications/refinements to the proposed single-family residential home design, as submitted to the Town in 2016 (S-16-054) and revised through subsequent submissions, (hereafter “proposed project”) would result in any new or substantially more significant effects or require any new mitigation measures not identified in the 2011 MND.

## **B. BACKGROUND**

In 2009, an Architecture and Site Review application (S-09-063) was submitted to the Town by a previous owner of the project site for development of a new 3,916 SF two-story residence with attached two-car garage and driveway with access provided along Jared Lane at the site’s eastern boundary. In February 2011, the Town approved the Architecture and Site Review application and adopted a mitigated negative declaration and mitigation monitoring program (ND-11-003). The approved 3,916 SF residence was not constructed at the time and a subsequent new Architecture and Site Review application has been submitted by a new owner of the site to develop the property with a newly designed single-family residence.

## **C. PURPOSE OF ADDENDUM**

The approach used in this addendum is to evaluate the environmental impacts of the currently proposed project and identify whether the currently proposed project would result in new significant environmental effects, or cause previously-identified effects found less than significant to rise to a level of significance, as previously identified in the 2011 IS/MND prepared for the previously proposed residence.

EMC Planning Group, acting on behalf of Town Planning staff, prepared an initial study (included in this document as [Appendix B](#)) in order to support the findings of this addendum.

## **D. CEQA FRAMEWORK FOR ADDENDUM**

For a proposed project with modification from an original approved project, State CEQA Guidelines (Sections 15162 and 15164) provide that an addendum to an adopted Mitigated Negative Declaration (MND) may be prepared if only minor technical changes or additions are necessary or none of the following conditions calling for the preparation of a subsequent MND have occurred:

1. Substantial changes in the project which require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes with respect to the circumstances under which the project is undertaken which require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
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 of MND adoption, shows any of the following:
  - A. The project will have one or more significant effects not discussed in the previous negative declaration;
  - B. Significant effects previously examined will be substantially more severe than shown in the previous negative declaration;
  - 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
  - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on the analysis and evaluation provided in this addendum, no new significant impacts would occur as a result of the proposed project, nor would there be any substantial increase in the severity of any previously-identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the 2011 MND would substantially reduce one or more significant effects on the environment.

Therefore, no conditions described in Section 15162 of the CEQA Guidelines have occurred. For this reason, an addendum is the appropriate document that will comply with CEQA requirements for the proposed project.

## **E. ADOPTION AND AVAILABILITY OF THE ADDENDUM**

In accordance with CEQA Guidelines Section 15164(c), an addendum to an adopted MND need not be circulated for public review but can be included in or attached to the adopted MND and presented to the decision-making body. The decision-making body shall consider the addendum with the adopted MND prior to making a decision on the project (CEQA Guidelines Section 15164(d)).

Although not required, this addendum is also available for public review at the Town of Los Gatos Community Development Department, 110 East Main Street, Los Gatos, California 95030, and will be made available as an Attachment to the Staff Report that will be provided when the project is scheduled for consideration by the decision-making body.

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## 2.0 Project Description

### A. PROJECT LOCATION

The 1.65-acre project site, located on Jared Lane, is currently undeveloped and consists of a south and west facing hillside (average of 34 percent slopes). The site sits approximately one mile southeast of State Route 17 and downtown Los Gatos (“the Town”). The project is zoned HR-1 and designated “Hillside Residential” in the Town’s 2020 General Plan (“general plan”). The existing Jared Lane extends eastward from its intersection with Vista del Monte and along the property’s southern boundary. Jared Lane then extends to the property’s southeast corner and continues along the site’s eastern boundary and northward towards an adjacent single-family residence (258 Jared Lane) and a vacant parcel (267 Jared Lane). Dense oak woodland covers most of the project site with an intermittent stream channel cutting across the southwestern corner of the project site. Two bare, open grass areas are located on the upper slopes of the site. Slopes on the site vary from less than 30 percent at the south and west to over 50 percent in the center.

### B. PROPOSED PROJECT COMPONENTS

The applicant is requesting approval of an Architecture and Site Review application that would permit construction of a new two-story, Spanish Colonial-style 2,789 SF residence with lower-level two-car garage and driveway. The proposed home would include a 229 SF lower level, 2,560 SF upper level, and 3,610 SF cellar. Building coverage would be approximately four percent of the site’s total gross area (i.e., 71,815 SF). The maximum height proposed is 35 feet from the lowest point of the building to the highest point and 25 feet from the existing grade.

The project site would be accessed via an approximately 135-foot driveway extending from Jared Lane at the southeast corner of the site and wrapping around the west facing elevation of the proposed residence. Various utility and site improvements are proposed including underground connecting utility lines via the driveway access. Gas lines would be connected from the roadway to the east of the site and electric service would be connected from existing electric lines to the west of the site.

## **C. COMPARISON OF THE 2011 ORIGINAL (S-09-063) AND 2018 (S-16-054) PROPOSED PROJECTS**

In 2009, an Architecture and Site Review application (S-09-063) was submitted to the Town by a previous owner of the project site for development of a new 3,916 SF two-story residence with attached two-car garage and driveway with access provided along Jared Lane at the site's eastern boundary. In February 2011, the Town approved the Architecture and Site Review application and adopted a mitigated negative declaration ("2011 IS/MND") and mitigation monitoring program (ND-11-003). The approved 3,916 SF residence was not constructed at the time and a subsequent new Architecture and Site Review application has been submitted by a new owner of the site to develop the property with a newly designed single-family residence.

The currently proposed residence is approximately 1,127 SF smaller than the previously approved residence associated with the previous Architecture and Site Review application. The residence would also be located in approximately the same location as the previously proposed residence (the north central portion of the site). [Table 2-1, Original Project \(S-09-063\) and Proposed Project \(S-16-054\) Comparison](#), on the following page presents a side-by-side comparison of the two projects with applicable site development figures and totals. Complete project plans are included as an attachment to the initial study prepared in support of this addendum.

**Table 2-1 Original Project (S-09-063) and Proposed Project (S-16-054) Comparison**

	<b>2011 Original Project (S-09-063)</b>	<b>2018 Proposed Project (S-16-054)</b>
<b>Lot Size</b>	1.65 acres (71,814.6 SF)	1.65 acres (71,814.6 SF)
<b>General Plan</b>	Hillside Residential, 0-1 unit/acre	Hillside Residential, 0-1 unit/acre
<b>Zoning</b>	HR-1, Hillside Residential Zone (1 to 5 acres for each dwelling unit)	HR-1, Hillside Residential Zone (1 to 5 acres for each dwelling unit)
<b>Floor Area (above grade SF<sup>1</sup>)</b>	3,916 SF	2,789 SF
<b>Floor Area (below grade SF)</b>	2,450 SF	3,610 SF
<b>Maximum Height</b>	25 feet	25 feet
<b>Maximum Elevation</b>	35 feet	35 feet
<b>Lot Coverage</b>	3,958 SF (5.5%)	3,297 SF (4.6%)
<b>Property Setbacks</b>		
Front	160 feet	135 feet
Rear	20 feet	20 feet
Side (west)	170 feet	178 feet
Side (east)	65 feet	70 feet
<b>Area Outside LRDA</b>	833 SF	1,232 SF
<b>Grading</b>	933 cubic yards cut 774 cubic yards fill 159 cubic yards of export	3,406 cubic yards cut 1,450 cubic yards of fill 1,956 cubic yards of export
<b>Retaining Wall Height, Maximum</b>	6 feet	14.2 feet
<b>Tree Removal</b>	49 trees	57 trees

SOURCE: Application materials prepared by E. Gary Schloh (S-09-063) and Steve Yang & Associates (S-16-054)

NOTE: 1 – Square Footage (SF)

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## **Analysis of Potential Environmental Effects**

The approach used in the initial study prepared in support of this addendum is to evaluate the environmental impacts of the currently proposed project and identify whether the currently proposed project would result in new significant environmental effects, or cause previously-identified effects found less than significant to rise to a level of significance, as previously identified in the 2011 IS/MND prepared for the previously proposed residence. Summaries of analysis and identified mitigation measures for each environmental topic from the initial study are provided below.

### **1. AESTHETICS**

The proposed project would not result in new significant aesthetics effects or substantially increase the severity of previously identified significant aesthetic effects, no changes in aesthetics related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant impacts on aesthetics than were identified in the 2011 IS/MND.

### **2. AGRICULTURE AND FOREST RESOURCES**

The proposed project would not result in new significant agricultural resources effects or substantially increase the severity of previously identified significant effects, no changes in agricultural resource related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant impacts on agricultural resources than were identified in the 2011 IS/MND.

### **3. AIR QUALITY**

With implementation of the identified mitigation measure below, the proposed project would not result in new significant air quality effects or substantially increase the severity of previously identified significant effects.

*Mitigation Measure*

- AQ-1. To limit the project's construction-related dust, criteria air pollutants, and precursor emissions, the following air district Basic Construction Mitigation Measures shall be implemented:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
  - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
  - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

In addition, no changes in air quality related circumstances have occurred and no new information has been identified that indicates the proposed project would have new or more significant impacts on air quality than were identified in the 2011 IS/MND.

## 4. BIOLOGICAL RESOURCES

With implementation of the previously identified mitigation measures below, the proposed project would not result in new significant effects to biological resources or substantially increase the severity of previously identified significant effects.

### *Mitigation Measures*

- BIO-1. Focused surveys shall be conducted at the appropriate time of the year in the oak woodland habitat, within 30 feet of any proposed development, for the three special-status plant species having potential to occur in this habitat: Loma Prieta hoita (*Hoita strobilina*; blooms May through July), western leatherwood (*Dirca occidentalis*; blooms January through April), and most beautiful jewel-flower (*Streptanthus albidus* ssp. *peramoenus*; blooms April through September).
- BIO-2. If the project would result in significant impacts on any special-status plant species, the project applicant shall develop a Special-Status Plant Species Mitigation and Monitoring Plan, identifying measures that allow for avoidance of the impact, minimization of the impact, and/or compensation or restoration of any residual impacts at a minimum “replacement: loss” ratio of 1:1. The Mitigation and Monitoring Plan shall discuss:
- a. The designated location of areas on the site to restore lost plant populations. There appears to be sufficient habitat located in on-site open space areas to accommodate on-site restoration. Appropriate habitat shall be created on suitable soils.
  - b. Description of the propagation and planting techniques to be employed in the restoration effort. Perennial plants to be impacted by site grading should be salvaged and raised in a greenhouse for eventual transplanting within the restoration areas. Where feasible, annual plants shall be established through direct seeding practices and/or transplanting container-grown plants into existing suitable habitat.
  - c. The timetable for implementation of the restoration plan, with appropriate benchmarks for restoration activities, as determined by a qualified biologist and to the satisfaction of the Town.
  - d. The monitoring plan and specific performance criteria for achieving the “replacement: loss” ratio of 1:1.

- e. Remedial measures to be performed in the event that initial restoration measures are unsuccessful in meeting the specific performance criteria.
  - f. Site maintenance activities to follow restoration activities.
  - g. This plan shall also provide a monitoring schedule and funding source(s), and establish success criteria for all proposed restoration sites.
- BIO-3. If tree removal, pruning, or grubbing activities are necessary, such activities should be conducted between September 1 and January 31 outside of the breeding season to avoid impacts to nesting birds.
- BIO-4. If project construction begins during the breeding season (February 1 to August 31), preconstruction surveys shall be conducted within the project footprint and a 300-foot buffer, by a qualified biologist no more than two weeks prior to equipment or material staging, pruning/grubbing or surface-disturbing activities. If no active nests are found, no further mitigation is necessary.
- BIO-5. If active nests, i.e. nests with eggs or young birds present, are found, non-disturbance buffers shall be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the nesting pair's tolerance to disturbance and the type/duration of potential disturbance. No work shall occur within the non-disturbance buffers until the young have fledged, as determined by a qualified biologist.
- BIO-6. If active nests are found within 300 feet of the project area, a qualified biologist shall be on site to monitor the nests for signs of nest disturbance. If it is determined that construction activity is resulting in nest disturbance, work shall cease immediately until the young have fledged, as determined by a qualified biologist.
- BIO-7. Preconstruction surveys shall be conducted to identify suitable bat roosting habitat including rock outcroppings, snags, rotten stumps, decadent trees with broken limbs, exfoliating bark, cavities, etc. Sensitive habitat areas and roost sites shall be avoided to the maximum extent practicable. If no suitable roost sites or evidence of bat roosting are identified, no further minimization measures are necessary.
- BIO-8. If suitable roosting habitat is identified, the following measures shall be conducted:

- a. A qualified biologist shall survey suitable roost sites immediately prior to the removal or grading of rock outcroppings, debris piles, man-made structures, etc.
- b. Removal of suitable tree roost sites shall be conducted by first removing limbs smaller than 3 inches in diameter and peeling away loose bark. The tree should then be left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period.
- c. A qualified biologist shall survey the trees/snags a second time the following morning prior to felling and removal.
- d. Trees should be removed between September 1 and February 1 during the bat non-breeding season to avoid disturbance to maternal colonies or individuals.

BIO-9. The applicant shall comply with the Town of Los Gatos Tree Protection Ordinance, and a tree removal permit shall be obtained from the Town for the removal of any trees that qualify as protected trees.

BIO-10. The applicant shall comply with the recommendations in the arborist report, third-party summary, and two supplement reports prepared for the proposed project by Ian Geddes on August 18, 2016; October 25, 2017; and December 1, 2017; and by Walter Levison on May 17, 2017 and December 5, 2017. This includes implementation of specific recommendations for reducing construction impacts to retained trees.

In addition, no changes in biological resource related circumstances have occurred and no new information has been identified that indicates the proposed project would have new or more significant impacts on biological resources than were identified in the 2011 IS/MND.

## 5. CULTURAL RESOURCES

With implementation of the identified mitigation measures below, the proposed project would not result in new significant cultural resource effects or substantially increase the severity of previously identified significant effects.

### *Mitigation Measures*

CR-1. In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find shall be halted, the Community Development Director

shall be notified, and an archaeologist shall be retained to examine the find and make appropriate recommendations.

- CR-2. If human remains are discovered, the Santa Clara County Coroner shall be notified. The Coroner will determine whether or not the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he will notify the Native American Heritage Commission, who shall attempt to identify descendants of the deceased Native Americans.
- CR-3. If the Community Development Director finds that the archaeological find is not a significant resource, work will resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial will follow the protocol set forth in CEQA Guidelines Section 15064.5(e). If the site is found to be a significant archaeological site, a mitigation program shall be prepared and submitted to the Community Development Director for consideration and approval, in conformance with the protocol set forth in Public Resources Code Section 21083.2.
- CR-4. A final report shall be prepared when a find is determined to be significant archaeological site, and/or when Native American remains are found on the site. The final report shall include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.

In addition, no changes in cultural resources related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant impacts on cultural resources than were identified in the 2011 IS/MND.

## 6. GEOLOGY AND SOILS

With implementation of the identified mitigation measure below, the proposed project would not result in new significant geological effects or substantially increase the severity of previously identified significant effects.

### *Mitigation Measure*

- GEO-1. The recommendations of the UPP geotechnical report (dated November 14, 2016) shall be incorporated in the final construction plans for the proposed project. These recommendations address site preparation, earthwork operations, drainage, retaining wall design, erosion control, and foundation design.

In addition, no changes in geologic related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant geologic impacts than were identified in the 2011 IS/MND.

## **7. GREENHOUSE GAS EMISSIONS**

The proposed project would not result in new significant GHG-related effects and would not substantially increase the severity of GHG-related effects that would have occurred with the 2011 residential project.

## **8. HAZARDS AND HAZARDOUS MATERIALS**

The proposed project would not result in new significant hazards or hazardous materials effects or substantially increase the severity of previously identified significant effects, no changes in hazards or hazardous materials related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant hazards or hazardous materials impacts than were identified in the 2011 IS/MND.

## **9. HYDROLOGY AND WATER QUALITY**

The proposed project would not result in new significant hydrological or water quality effects or substantially increase the severity of previously identified significant effects. In addition, no changes in hydrology or water quality related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant hydrology or water quality impacts than were identified in the 2011 IS/MND.

## **10. LAND USE AND PLANNING**

The proposed project would not result in new significant land use effects or substantially increase the severity of previously identified significant effects, no changes in land use related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant land use impacts than were identified in the 2011 IS/MND.

## **11. MINERAL RESOURCES**

The proposed project would not result in new significant mineral resources effects or substantially increase the severity of previously identified significant effects, no changes in

mineral resource related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant mineral resource impacts than were identified in the 2011 IS/MND.

## **12. NOISE**

The proposed project would not result in new significant noise effects or substantially increase the severity of previously identified significant effects, no changes in noise related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant noise impacts than were identified in the 2011 IS/MND.

## **13. POPULATION AND HOUSING**

The proposed project would not result in new significant effects to population and housing or substantially increase the severity of previously identified significant effects, no changes in population and housing related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant population and housing impacts than were identified in the 2011 IS/MND.

## **14. PUBLIC SERVICES**

The proposed project would not result in new significant public services effects or substantially increase the severity of previously identified significant effects, no changes in public services related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant public services impacts than were identified in the 2011 IS/MND.

## **15. RECREATION**

The proposed project would not result in new significant effects to recreational services or substantially increase the severity of previously identified significant effects, no changes in recreational services related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant recreational services impacts than were identified in the 2011 IS/MND.

## **16. TRANSPORTATION/TRAFFIC**

The proposed project would not result in new significant traffic effects or substantially increase the severity of previously identified significant effects, no changes in traffic related circumstances have occurred, and no new information has been identified that indicates the proposed project will have new or more significant traffic impacts than were identified in the 2011 IS/MND.

## **17. TRIBAL CULTURAL RESOURCES**

Impacts to tribal cultural resources were not previously analyzed in the 2011 IS/MND. The Town of Los Gatos did not receive any requests for consultation from tribes traditionally or culturally affiliated with the project area (Sean Mullin, e-mail message, October 17, 2017). Therefore, no additional consultation was required under AB 52, which requires lead agencies to conduct tribal consultation if specifically contacted by traditionally or culturally affiliated tribes in the project area.

## **18. UTILITIES AND SERVICES SYSTEMS**

The proposed project would not result in new significant effects on utilities or service systems or substantially increase the severity of previously identified significant effects. In addition, no changes in the city's utilities and service system capacity and no new information has been identified that indicates the proposed project will have new or more significant impacts on utilities or service systems than were identified in the 2011 IS/MND.

## **19. MANDATORY FINDINGS OF SIGNIFICANCE**

The currently proposed project, like the original residential project proposed in 2011, could result in temporary air quality and noise impacts during construction. The project could also result in impacts related to air quality, noise, public services, traffic, and utilities and service systems. With the implementation of the mitigation and conditions of approval included in the project and described in the specific sections of the initial study prepared to support this addendum, the proposed project would not result in significant environmental impacts. Therefore an addendum to the adopted 2011 MND is appropriate because, as noted in CEQA Guidelines (Sections 15162 and 15164), the current project does not propose substantial changes and will not require major revisions of the previous MND due to any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

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## 4.0 Recommendation

That the Town of Los Gatos Planning Commission finds on the basis of substantial evidence in the light of the whole record that the proposed modifications to the original project are within the scope of the original 2011 MND analysis and will not cause any new significant environmental impacts, substantially increase previously identified impacts, nor require any new mitigation.

In making this finding, the Planning Commission has considered evidence presented by Town Staff, the applicant, and other interested parties and has determined that:

1. No substantial changes are proposed in the project which will require major revisions of the previously adopted Mitigated Negative Declaration (MND) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information which was not known and could not have been known with the exercise of reasonable diligence at the time the previously adopted MND was adopted, does not show any of the following:
  - a. The project will have one or more significant effects not discussed in the previously adopted MND;
  - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted MND;
  - 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
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

#### 4.0 Recommendation

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the Final MND adopted on February 7, 2011 remains valid. The proposed revisions to the project would not cause new significant impacts not identified in the 2011 MND, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this addendum. Pursuant to CEQA Guidelines Section 15164, an addendum need not be circulated for public review but can be included in or attached to the adopted MND.