

COUNTY RECORDER  
Filing Requested by:

Yolo County Community Services Dept.  
Attn: JD Trebec  
Name  
292 W Beamer Street  
Address  
Woodland, CA 95695  
City, State, Zip

## Notice of Determination

Filed in County Clerk's Office

Jesse Salinas  
Yolo County - Clerk/Recorder

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By jramirez, Deputy



To: Yolo County Clerk  
625 Court Street  
Woodland, CA 95695



Subject: Filing of Notice of Determination in compliance with Section 21152  
of the Public Resources Code.

State Clearinghouse Number: 2004122100

Project Title: Orciuoli Subdivision Map Amendment (ZF2019-0025)

Applicant: Dan Boatwright  
12885 Acosta Blvd, Suite A  
San Ramon, CA 94583

Owner: Westside San Ramon, LLC  
12885 Acosta Blvd, Suite A  
San Ramon, CA 94583

Project Location: The project is located in an unincorporated area of Yolo County, within the town of Esparto, at 25615 State Route 16, Esparto, CA 95627 (APN: 049-150-040)

Project Description:

An Addendum to an Environmental Impact Report (SCH#2004122100) was prepared for an amendment to an approved Tentative Subdivision Map and Development Agreement for a 180-unit residential subdivision.

This is to advise that the Yolo County Board of Supervisors has adopted an addendum to an Environmental Impact Report (SCH#2004122100) for the above-described project on August 4, 2020, and has made the following determinations:

1. The project will not have a significant effect on the environment or substantially increase the severity of a previously identified significant environmental effect.
2. An Addendum was prepared for this project pursuant to the provisions of CEQA and adopted by the County.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Addendum and record of project approval is available to the General Public for review at the Yolo County Community Services Department located at 292 W Beamer Street, Woodland, California 95695.

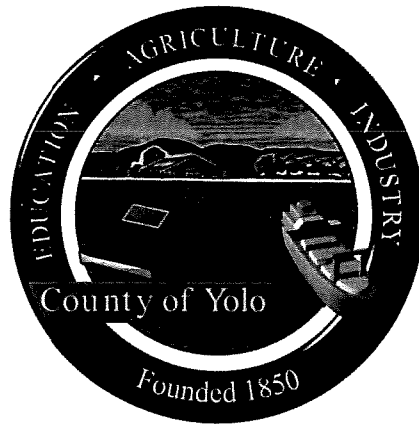
Signature (Public Agency)  
Name/Title:

JD Trebec, Senior Planner

Date: August 6, 2020  
Phone: (530) 666-8036

Authority Cited: PRC 21152 and 21167, and CEQA Guidelines 15094 and 15112.

POSTED AUG 10 2020



**YOLO COUNTY DEPARTMENT  
OF COMMUNITY SERVICES**

**Addendum to the  
Environmental Impact Report for ZF#2005-0013  
Orciuoli Subdivision Amendment  
(SCH #2004122100)**

**ZF 2019-0025**

**February 2020**

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## ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

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### CEQA REQUIREMENTS

This document has been prepared as an Addendum to the Environmental Impact Report ("EIR") (SCH #2004122100) in accordance with the CEQA Guidelines, Section 15164. The EIR was certified by the Yolo County Board of Supervisors on September 25, 2007, for the Orciuoli Property Residential Development Project ("Project"), which consisted of a General Plan Amendment, Rezoning, Tentative Subdivision Map, and a Development Agreement for a 180-unit subdivision in the unincorporated town of Esparto, California. This Addendum analyzes the proposal to amend the Tentative Subdivision Map and Development Agreement, and Rezone the Project to remove the Planned Development Overlay zone.

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

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

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

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### BACKGROUND

On September 25, 2007, the Yolo County Board of Supervisors certified the Final EIR (SCH #2004122100) through the adoption of Resolution 07-131, and accompanying Resolutions 07-132, 07-133, as well as Zoning Ordinance 681.214, Ordinance No. 1361, and Development Agreement No. 07-252, and approved Tentative Subdivision Map (TSM) #4655, which collectively entitled the Orciuoli Subdivision Map (ZF2005-0013). TSM #4655 consisted of 180 single-family residential lots, parks, multi-use paths, a stormwater detention basin, extension of utilities, increased water supply, and dedication of right-of-way and public land. The project approval was subject to 104 Conditions of Approval and a Mitigation Monitoring and Reporting Plan.

The Board of Supervisors approved amendments to the Development Agreement in 2017 to extend the expiration date and again in 2019 to extend the term and transfer the requirement for construction of a gas station and retail/office building to a previously approved housing

development in Esparto, pursued by Yocha Dehe Wintun Nation, that has not yet been constructed.

The applicant returned to amend the tentative subdivision map and development agreement, and rezone the parcel to remove the Planned Development Overlay (PD-59) Zone. The proposal revises the tentative subdivision map to 120 residential lots and identifies a 2.57-acre parcel for 60 apartment units. The location of the apartment parcel formerly consisted of a cul-de-sac and approximately a dozen single-family lots. Two small parks, originally located along Cowell Street, have been combined and are now proposed at the south end of the apartment parcel. The streets have been reconfigured to improve circulation within the project. Everything else, including the large 3-acre park, 3.5-acre detention basin, multi-use paths, provision of utilities, and dedication of land, will remain the same.

The adopted EIR for ZF2005-0013 assessed the potential environmental impacts attributable to the Project. It identified and provided mitigation measures to address potentially significant environmental impacts associated with Land Use, Transportation/Circulation, Agriculture, Biological Resources, Cultural Resources, Hazardous Substances, Hydrology, Noise, Air Quality, Public Services and Utilities and Service Systems, Recreation, and Aesthetics.

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## **DETERMINATION**

The proposed Project, which consists of amending the Development Agreement and Tentative Subdivision Map and removing the Planned Development Overlay Zone, does not represent a substantive change to the approved Orcioli Subdivision Map (ZF2005-0013) as analyzed under the adopted EIR.

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

**TABLE 1: Comparison of CEQA Requirements and Request**

CEQA Requirement Section 15162(a)	Relationship to Proposed Project
<p>When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:</p>	<p>The Orcioli Residential Development General Plan Amendment, Rezoning, Tentative Subdivision Map, and Development Agreement EIR was adopted by the Yolo County Board of Supervisors on September 25, 2007.</p> <p>The information below summarizes the substantial evidence in support of the County's determination that the preparation of a subsequent EIR is not required.</p>
<p>(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;</p>	<p>There are no changes in the proposed project that would require major revision of the adopted EIR that analyzed and mitigated the potential significant impacts of the Project. The proposed area of the project remains the same and the total number of residential units remains the same though a third of the residences would now take the form of apartments rather than single-family residences.</p> <p>The applicant has satisfied some of the mitigation measures included in the EIR related to agriculture and public services and utilities. Most of the other mitigation measures relate to site development that has not changed substantially; therefore, no new significant environmental effects would occur as a result of the amended Project.</p>
<p>(2) Substantial changes will occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or</p>	<p>The Orcioli residential development was approved in 2007 and the Development Agreement for the project has been extended and modified in recent years. No substantial changes have occurred with respect to the circumstances under which the development is or will be undertaken that would warrant major revisions to the previous CEQA review. As described above, the proposed project is substantially the same and would not create new significant environmental effects or increase previously identified effects. Therefore, the County has concluded that the proposed amendment is not a substantial change in circumstances.</p>
<p>(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:</p>	<p>There has been no new information of substantial importance that has become known since the EIR was adopted in 2007. The proposed Project remains substantially the same and will not cause any new significant effects that were not discussed in the EIR.</p>

CEQA Requirement Section 15162(a)	Relationship to Proposed Project
(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;	The proposed Project remains substantially the same and will not have any significant effects that were not discussed in the adopted EIR as there is no additional development included in the project proposal.
(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;	<p>No significant effects previously examined and mitigated in the EIR will be made more severe by the proposed amendments to the approved Project. In fact, previously identified potential impacts to Land Use and Traffic/Circulation have become less severe to the point of being less than significant, as described below.</p> <p>Land Use Mitigation Measure 4.1.2 limits annual residential development to no more than 65 units per year based on a 2007 Esparto Community Plan policy. In 2019, the Esparto Community Plan was updated which removed limits to the amount of residential development that could occur in Esparto to more effectively address the current housing crisis facing California. Therefore, the Project no longer conflicts with the Esparto Community Plan's residential growth policies. Land Use Mitigation Measure 4.1.2. is no longer applicable nor does it cause a potential obstruction to current County goals, which include provisions for accommodating additional housing development, including construction of affordable housing.</p> <p>Likewise, Traffic/Circulation Mitigation Measure 4.2.5 requires a "fair share" payment toward future road projects that were specified in the Tentative Subdivision Map Conditions of Approval and in the Development Agreement as payment toward an extension and bridge for Alpha Street based on a projected significant impact to Level of Service (LOS) for traffic through the community. The EIR referred to a previous 1983 General Plan Policy CIR 7 that required a minimum LOS C for all County roads. The 2030 Countywide General Plan lowered this standard in Policy CI-3.2 to a minimum LOS E through the community of Esparto. An April 2018 update of the traffic study from the EIR (See Appendix A) has found that the cumulative impacts projected for 2025 in the 2005 EIR would be alleviated by the Caltrans SR 16 Safety Improvement Project which is currently being completed. The 2018 study projected that the traffic signal recently installed at SR 16 and CR 21A would increase the Level Of Service to an acceptable LOS C and D. Mitigation Measure 4.2.5 is no longer necessary nor the Alpha Street bridge specified in the Tentative Subdivision Map Conditions of Approval and Development Agreement desired.</p>
(C) Mitigation measures or alternatives previously found not to be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or	<p>The EIR adopted for this project considered 4 alternatives including a reduced footprint, offsite development, no canal crossing, and no project. None of these alternatives were previously found not to be feasible; they were eliminated for other reasons that have not changed.</p> <p>The adopted EIR included 20 Mitigation Measures. None of these mitigation measures were found to be infeasible or have been declined by the project proponents.</p>

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

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## CONCLUSION

Based on the analysis provided above, the proposed Project, which would amend the approved Tentative Subdivision Map and Development Agreement for the Orciuoli Residential Development Project and remove the Planned Development Overlay Zone, would not result in new or more severe environmental impacts and no additional CEQA review is required. Additionally, two mitigation measures required in the EIR address potential impacts that no longer exist or have been found to be less than significant and are counterproductive to County and State needs. These include limits to housing production and a road extension and bridge that would increase traffic through residential areas. Though the proposed amendments to the Project Tentative Subdivision Map and Development Agreement do not substantially change the approved Orciuoli Residential Subdivision, the discussed mitigation measures to Land Use and Traffic/Circulation are no longer necessary to reduce impacts and will be removed so as not to conflict with current goals. This addendum shall be attached to the existing Environmental Impact Report (SCH #2004122100).