

Attachment C

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Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

Project Owners: Morisoli Partnership, a California General Partnership; Amaral Ranches, a California partnership; and Albin Morisoli and Clara Mae Morisoli, husband and wife as community property

Planning File No. PLN020016-AMD2 Combined Development Permit

1. Introduction

This technical addendum has been prepared pursuant to Article 11 Section 15164 of the California Environmental Quality Act Guidelines to address amendments to a conditions of approval of the approved subdivision, which will appropriately time the mitigations required by project Conditions of Approval Nos. 188-193, including their associated bonding or fair-share contribution requirements to the phase of the development that results in the corresponding impact. The Morisoli/Amaral Subdivision project (formally named Tavernetti Residential Subdivision) was approved as part of a Combined Development Permit (PLN020016, Resolution 03-043) consisting of: 1) General Plan Amendment to amend the property's land use designation from Rural Grazing, 10 - 160 acre minimum and Permanent Grazing, 40 acre minimum, to Low Density Residential, 5 - 1 acres per unit, and Medium Density Residential, 1-5 units per acre; 2) Zoning Re-classification to change the zoning designations of the subject parcel from PG/40, RG/20, LDR/1 and RG/40 to LDR/B-6, LDR/B-6-VS, MDR/1, MDR/1 (24) and O zoning designations; 3) Vesting Tentative Map for the subdivision of 402 acres into 319 residential lots including 48 lots for development of inclusionary housing units, and 9 Open Space areas containing approximately 225 acres and including 5.5 acres of improved parkland; 4) Use Permit to allow development on slopes in excess of 30%; 5) Use Permit to allow removal of approximately 730 protected Oak trees; and 6) Use Permit to allow expansion of a sewage treatment facility; and 7) grading (approximately 700,000 cubic yards of cut and 630,000 cubic yards of fill).

An Environmental Impact Report (SCH 9704129) was prepared and certified for the subdivision. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

2. Scope and Purpose of this Addendum

The purpose of this addendum is to identify minor technical changes resulting from the amendment of Conditions of Approval Nos. 188, 189, 190, 191, 192 and 193 of the

Combined Development Permit to appropriately time the mitigations required by project, including their associated bonding or fair-share contribution requirements to the phase of the development that results in the corresponding impact, which does not represent a substantial change from the situation analyzed in the Draft EIR and was acknowledged in the Final Environmental Impact Report.

3. Additional Analysis

The Morisoli-Amaral Vesting Tentative Map creates 319 residential lots. Phases A and B contain a total of 28 *Low Density Residential* lots, while Phases C through Q contain 291 *Medium Density Residential* lots. According to section entitled “NOTES REGARDING THE PROPOSED PHASED DEVELOPMENT” on Sheet 3 of the Vesting Tentative Map, the subdivision was to be constructed in alphabetical order, except that Phases A and B may follow or be done concurrently with any of the Phases C through Q, and Phase E may be constructed concurrently with or any time after Phase C. Unfortunately, this phasing approach was not transferred in the timing of the traffic-related conditions of approval, specifically Conditions Nos. 188, 189, 190, 191, 192, and 193. When these conditions were crafted and later approved in 2006 by the Monterey County Board of Supervisors, it was generally assumed that the entire subdivision would be done as one large project. That assumption proved to be inaccurate because of the market crash of 2008.

An analysis identifying the transportation-related conditions of approval (Attachment D) was prepared by Keith Higgins, Traffic Engineer for a previously approved condition amendment (File No. PLN020016-AMD1) on this subdivision- Condition 50, to allow the use of Via Canada as an interim primary access for Phases A and B of the subdivision. The analysis analyzed, based on the previously certified EIR (SCH#9704129), the use of Via Canada as a primary access to serve the 28 lots in Phase A and B, as well as the 20 existing and future homes in the Via Canada de la Paz subdivision (not part of this subdivision) and eight existing homes near Pine Canyon Road. The analysis also included the rest of the traffic mitigation measures/conditions, including Condition Nos. 188 through 193, where it summarized the phasing order of the transportation improvements from the Conditions of Approval for the project, as well as the methodology used to determine the phase or phases when each improvement should be implemented. Monterey County RMA independently reviewed the analysis report and concurred with the analysis.

The proposed condition amendments would appropriately time the mitigations required by project Conditions of Approval Nos. 188-193, including their associated bonding or fair-share contribution requirements to the phase of the development that results in the corresponding impact, which does not represent a substantial change from the situation analyzed in the Draft EIR and was acknowledged in the Final Environmental Impact Report and will not result in any substantial changes that would require Environmental Review pursuant to Section 15162 of the California Environmental Quality Act.

4. Conclusion

This addendum serves to identify minor technical changes and provide clarifications of conditions for approved Vesting Tentative Map.

Staff has reviewed the Environmental Impact Report (SCH#9704129), the additional traffic assessment, and the proposed amendment to Condition Nos. 188, 189, 190, 191, 192 and 193 of the Combined Development Permit for consistency with the environmental considerations contained within. Staff finds the site-specific conditions and the scope of work required by the amendments are not substantial changes and therefore do not warrant the preparation of a subsequent environmental document.

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