

VALLEY VISTA, LLC

SURFACE/MINERAL

RIGHTS OWNER: Golf Links Land Company/Ronald and Lesley Robinson, Tr.
Goble Family Limited Partnership/ Ernest L. Goble, Jr.
Jacob and Paul Barendregt, et. al. (mineral rights)

APPLICANT: Ronald Kopf

DATE: October 29, 2021

PROJECT AND LOCATION

PROJECT

DESCRIPTION: 1. Tentative Subdivision Map T10-010 to divide a 92.7± acre parcel as follows:

- One hundred eighty-seven (187) single-family residential lots ranging in size from 5,662 sq. ft. to 21,220 sq. ft.
- A 1.2± acre lot to be developed with eight (8) single-family residential lots (small lot development), condominiums or duplex units.
- Two lots totaling 2.9± acres to be developed as follows, with a total combined square footage of the office, commercial and community center space of 15,000 square feet:
 - A 2.7± acre lot to be developed with one- or two-story buildings containing at least 3,500 square feet of community center space and one apartment; and
 - A 0.36± acre lot to be developed with one- or two-story building containing up to 11,500 square feet of office and/or commercial space.
- A 4.02± acre lot to be developed with 32 single-family residential lots (small lot development), condominium or duplexes-
- A 0.8± acre lot for storage and the parking and storage of recreational vehicles, boats, campers, trailers and/or other vehicles and an associated office and apartment.
- A 0.249± acre lot for a neighborhood park.

2. Planned Unit Development PUD10-002 to allow the following:

- Reduction in the minimum lot size not less than 3,352± square feet and minimum width at front setback not less than 34± feet for parcels zoned R-1 as established in Section 17.18.040 of the Ordinance Code; and
- A reduction in the minimum building setbacks for parcels zoned R-1

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as required by Section 17.56.020 of the Ordinance Code to the following:

- For the nonage-restricted lots, reduced side yard setbacks to 5-feet; reduced front and rear setbacks to 10-feet.
- A reduction in the number and location of public utility easements as required on each parcel by Section 16.26.160(B) of the Ordinance Code to correspond with the reduction in the property line setbacks referenced above.
- Limitations and exceptions to the permitted and conditional uses within the R-1 zoning district as established in Chapter 17.18 of the Tuolumne County Ordinance Code to construct up to eight (8) units consisting of single-family residential lots (small lot development), condominiums or duplex units on a 1.2± acre lot.
- Limitations and exceptions to the permitted and conditional uses within the M-U zoning district as established in Chapter 17.30 of the Tuolumne County Ordinance Code to allow a 2.9± acre lot to be developed with a one- or two-story buildings containing up to 15,000 square feet of office, commercial and community center space and one apartment and to develop a 0.85± acre lot for mini-storage and the parking and storage of recreational vehicles, boats, campers, trailers and/or other vehicles and an associated office and apartment. The limitations and exceptions to the M-U zoning district also includes the development of a 4.02± acre lot for one- or two-story buildings of 32 single-family residential lots (small lot development), condominium or duplexes.
- Waiver of the landscaping requirements in Section 15.28.030 of the Tuolumne County Ordinance Code for the RV storage area.
- Reduction in the landscaping requirements in Section 15.28.030 of the Tuolumne County Ordinance Code to 10% for the condominium building and the community center.

3. Conditional Use Permit CUP10-004 to allow the following:

- A 1.2± acre lot to be developed with up to eight (8) single-family residential lots (small lot development), condominiums or duplexes.
- A 2.7± acre lot to be developed with one- or two-story buildings containing up to 15,000 square feet of office, commercial and community center space and one apartment.
- A 4.02± acre lot to be developed with 32 single-family residential lots (small lot development), condominium or duplexes.

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- A 0.8± acre lot for storage and the parking and storage of recreational vehicles, boats, campers, trailers and/or other vehicles and an office and apartment.

LOCATION: The project site is located on the north side of Golf Links Road, east of Jamestown Road and west of McKibbin Drive, Jamestown. Site of the former Sonora Golf Course. A portion of Sections 2 and 3, Township 1 North, Range 14 East. Assessor's Parcel Number 59-020-46. Within Supervisorial District 5.

GENERAL PLAN: The project site is designated Low Density Residential (LDR), Mixed Use (MU), and Parks and Recreation (R/P) by the Tuolumne County General Plan land use diagrams. Existing zoning on the site is M-U:PD (Mixed Use:Planned Unit Development Combining), R-1:PD (Single Family Residential:Planned Unit Development Combining), K:PD (General Recreational:Planned Unit Development) and O (Open Space). The Tuolumne County General Plan indicates that the existing zoning districts are compatible with the LDR, R/P and MU designations.

ENVIRONMENTAL EVALUATION

This Addendum has been prepared in accordance with the California Environmental Quality Act (CEQA) Statutes and Guidelines. This document has been prepared to serve as an Addendum to the previously adopted Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse Number 2010092074) for the Dry Creeks Subdivision Project (also known as the Valley Vista Subdivision). The Addendum addresses the proposed project in relation to the 2010 project analyzed in the previously certified IS/MND prepared for the Valley Vista Subdivision Project. Tuolumne County is the Lead Agency for the environmental review of the proposed project modifications. For the purposes of this Addendum, the project will be referred to as "Valley Vista Subdivision".

In determining whether an Addendum is the appropriate document to analyze the proposed modifications to the project and its approval, CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration) states:

- a) The lead agency or a 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.*
- 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 or the preparation of a subsequent EIR or negative declaration have occurred.*
- 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.*
- 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.*

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- 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 required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

Basis for Decision to Prepare an Addendum

When an environmental impact report has been certified for a project, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining whether a subsequent EIR, subsequent negative declaration, addendum, or no further documentation be prepared in support of further agency action on the project. Under these Guidelines, a subsequent EIR or negative declaration shall be prepared if any of the following criteria are met:

- (a) *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 the light of the whole record, one or more of the following:*
 - (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;*
 - (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*
 - (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) *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - (B) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - (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 EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*
- (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*

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required under subdivision (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.

Based on a review of the proposed project, no new significant environmental effects, no substantial increase in the severity of previously identified environmental effects, and no new information of substantial importance that would require major changes to the project pursuant to CEQA Guidelines Section 15162(a) have been identified. Therefore, an Addendum to the project's 2010 certified IS/MND is the appropriate level of environmental review in accordance with CEQA Statutes and Guidelines.

It was determined that the proposed amendments would have no effect on the analyses in the IS/MND for the following environmental resources as there would be no change to the project area or overall construction activities. The amendments would not create any new or different impact to geology and soils, mineral resources, agricultural resources, hydrology and water quality, air quality, climate, land use and planning, population and housing, utilities and service systems, recreation, noise, visual quality, hazards and hazardous materials, economics, or energy consumption, or contribute to cumulative impacts in these resource areas. Therefore, these resource areas are not further discussed in this Addendum:

- Geology and Soils
- Mineral Resources
- Agricultural Resources
- Hydrology and Water Quality
- Air Quality
- Land Use and Planning
- Climate
- Population and Housing
- Utilities and Service Systems
- Recreation
- Noise
- Visual Quality
- Hazards and Hazardous Materials
- Economics
- Energy Consumption

The following environmental resource areas may be affected by the Modified Project, and these resource areas have therefore been assessed in this Addendum:

- Biological Resources
- Traffic and Circulation
- Cultural Resources

The Addendum provides a summary of impacts associated with the 2010 project as described in the IS/MND and includes an analysis of the potential impacts associated with the revised project when compared to the 2010 project.

RECOMMENDATION

1. The Community Development Department Staff recommends approval of Planned Unit Development Permit PUD10-002(1) based upon the following findings and subject to Conditions 1 through 14:
 - A. The proposed planned unit development is consistent with the general plan of the county.
 - B. The proposed planned unit development will not overburden existing public facilities.

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- C. The size and terrain of the parcel are suitable for the proposed planned unit development.
 - D. Under the circumstances of the particular case, the proposed planned unit development will not be substantially detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of such proposed development or be substantially detrimental or injurious to property or improvements in the neighborhood.
 - E. Under the circumstances of the particular case, the advantages of an efficient, integrated and well-planned development are sufficient to justify exemption from the normal application of the Tuolumne County Ordinance Code.
 - F. Under the circumstances of this particular case, the public benefit derived from the development proposed in the planned unit development permit is sufficient to justify exemption from the normal application of the County's development regulations including the provision of new market rate housing units or contribution to local affordable housing funds, community center, park and other recreational facilities, new office and commercial space, and improvements to Golf Links Road, Chabroullian Lane, and State Highway 108/49.
 - G. The proposed planned unit development complies with the inclusionary housing provisions of Chapter 17.65 of the County Ordinance Code.
2. Community Development Department Staff recommends approval of Vesting Tentative Subdivision Map T10-010(1), based upon the following findings and subject to Conditions 1 through 133:
- A. The proposed land division is consistent with the Tuolumne County General Plan.
 - B. The proposed land division is consistent with the Tuolumne County Ordinance Code.
 - C. None of the mandatory findings requiring denial of a tentative map in Section 66474 of the State Subdivision Map Act apply to this project.
3. Community Development Staff recommends approval of Conditional Use Permit CUP10-004(1) based upon the following findings and subject to conditions 1 through 14:
- A. The proposed development is consistent with the Tuolumne County General Plan.
 - B. The proposed development is in accordance with the Tuolumne County Ordinance Code.
 - C. The proposed project will not overburden existing municipal facilities.
 - D. The size and terrain of the project site are suitable for the proposed use.
 - E. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood.

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4. Community Development Staff recommends approval of CEQA 2021 Addendum for Planned Unit Development Permit PUD10-002(1), Vesting Tentative Subdivision Map T10-010(1), and Conditional Use Permit CUP10-004(1), based upon the following findings:
 - A. There were no substantial changes to the project requiring major revisions to the 2010 Initial Study/Mitigated Negative Declaration because of new or substantially increased significant environmental effects. Any new mitigation measures are equivalent or more effective and that the new measures will not cause a significant environmental impact upon implementation.
 - B. There were no substantial changes in circumstances requiring major revisions to the 2010 Initial Study/Mitigated Negative Declaration because of new or substantially increased significant environmental effects.
 - C. There was no new, previously unknown or unknowable, information of substantial importance showing: (a) the project will have significant effects not discussed in the 2010 Initial Study/Mitigated Negative Declaration; (b) the project will have substantially more severe significant effects than shown in the 2010 Initial Study/Mitigated Negative Declaration; (c) previously infeasible mitigation measures and project alternatives are now feasible and would substantially reduce significant environment effects; or (d) considerably different mitigation measures than analyzed in the 2010 Initial Study/Mitigated Negative Declaration would substantially reduce significant environmental effects.

GENERAL INFORMATION

Site Description

1. The project site is primarily characterized by nearly level to gently rolling terrain containing a mixture of open grassland, blue oak and foothill gray pine woodland. The open grassland comprises approximately half of the site. The blue oak woodland is concentrated in the eastern half of the site and foothill gray pine woodland is concentrated in the western half. The project site was once the location of the County's first golf course. Live oaks and blue oaks are congregated along the two drainage courses found on the site. Rock outcroppings are more prevalent, and vegetation is comprised of more brush species and less tree cover than the remainder of the site. Two ephemeral drainage courses are located on the project site. Both ultimately feed into Woods Creek, a perennial stream.

Project Description

2. On May 15, 2007 the Board of Supervisors approved a subdivision project on the project site that changed the zoning to the present zoning on the project site. In 2010, the Board of Supervisors approved a second project, known as the Dry Creeks Subdivision Project. This project included a mix of single-family residences and townhouses restricted to residents 55-years and older, an assisted care facility, and commercial and office space. Approved project description of the 2010 project can be found in Attachment #2 of this staff report.
3. An application to revise the 2010 application was submitted on June 16, 2021. Prior to this submittal, the applicant worked with County staff for over a year to revise a portion of the 2010 Conditions of Approval. A number of the requested revisions did not substantially conform to the 2010 CEQA document and/or the 2010 Conditions of Approval, therefore, the applicant submitted an application to revise the project, which pursuant to Section 16.26.010 of the Tuolumne County Ordinance Code, requires approval by the Board of Supervisors.

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4. Overall, the project is proposing fewer units than approved in 2010. While the project is not explicitly requesting or limiting second units (Accessory Dwelling Units, under state law, the County cannot restrict ADUs from being constructed. However, it is unlikely that every lot will construct an ADU, and therefore for purposes of the environmental analysis, an assumption was made that 30 ADUs would be constructed. The addendum and this staff report only addresses impact areas that are proposed for revisions. Below is a summary of the project changes.

Unit Type	Approved Project	Modified Project	Difference
Single-Family Residential			
Single-Family Residential Lots	213	187	-26
Multi-Family Residential			
Single-Family Residential Lots (Small Lot), Townhouses, Condominiums, or Duplexes	8	8	0
Single-Family Residential Lots (Small Lot), Condominium, or Duplexes (or Assisted Care Facility)	50	32	-18
Apartments associated with 15,000 square foot office, commercial and community center and storage of recreational vehicles.	4	2	-2
Secondary Units (assumptions)			
Limited on the 63-nonage restricted single-family residential lots (per PUD10-002).	30	30	0
Total	305	259	-46

5. A Planned Unit Development Permit, PUD10-002, will also be needed to allow various exceptions to the zoning ordinance and to establish some parameters for development of the project. These parameters include reduction in the minimum lot size, reduced building setbacks and public utility easements, and limitations and exceptions to the permitted and conditional uses within the R-1 and M-U zoning districts as discussed above.
6. Documents from the 2010 project have been posted to the following website and are referenced as a part of the project record for the 2021 proposal: <https://www.tuolumnecounty.ca.gov/1404/Valley-Vista>. The referenced documents include the 2010 Agenda Report, Approvals/Permits and Conditions of Approval, 2010 Initial Study/Mitigated Negative Declaration and its appendices.

Biological Resources – 2021 Updated Review

7. Moore Biological Consultants prepared an Oak Woodland and Proposed Mitigation for Project Impacts to Oak Woodlands (Oak Woodland Report), dated April 21, 2021 discussing the updated mapping of oak woodlands and other vegetation communities for the Valley Vista Subdivision. The Oak Woodland Report is attached to the 2021 CEQA Addendum.
8. Moore Biological Consultants prepared an updated map of oak woodlands and other vegetation communities on the site. The revised project will result in the conversion of up to 24.5± of the 45.14± acres (54%) of the oak woodlands. Impacts associated with the revised project are consistent with the findings and analysis in the 2010 project CEQA document and would remain less than significant and less than significant with mitigation incorporated.
9. In the 2010 document, the applicant was required to deed, create a conservation easement or rezone an off-site parcel (the Mt. Knight property, 78.3± acres) to O (Open Space). In lieu

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of the off-site mitigation, the Addendum proposes to require the applicant to participate in the Tuolumne Oak Woodland Conservation Fund. A mitigation fee will be contributed to the Tuolumne Oak Woodland Conservation Fund using the following formula:

$$\text{Fee} = 1.0 \times \text{Net Acres of Impacted Land} \times \text{Current land value}$$

The “Current Land Value” for 2021 has yet to be determined by the County Assessor and will be based upon the average land value of one acre of agricultural land based upon the sales of parcels no larger than forty (40) acres in size during the previous three-year period.

This value will be used for the purpose of the in-lieu fee. The amount of acres estimated to be impacted by development of the Valley Vista Project is 24.5± of the 45.14± acres (54%) of the oak woodlands. The balance of the impacted oak woodland that is not being protected by Open Space zoning on-site is subject to the mitigation fee, which is 7.7± acres.

Payment of the fee shall be paid-in-full prior to issuance of a any Grading Permit for the entire project.

10. Additional mitigation includes the creation of a Habitat Management Plan to manage the onsite Open Space zoning as it relates to management of vegetation to limit fuel loading and promote defensible space. This was required in the 2010 project, but in the revised project has been defined in more detail. The Homeowner’s Association (HOA) will be responsible for the funding and annual maintenance the designated Open Space areas.
11. Overall, with the proposed revisions to mitigation, the impacts to Oak Woodland would remain less than significant with mitigation incorporated. These revisions are consistent with Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164. Additional details and evidence in Attachment 4 of this report supports the findings that the CEQA addendum is appropriate.

Cultural Resources– 2021 Updated Review

12. A Cultural Resource Survey was completed for the 2010 project. The 2010 environmental analysis recommended and included as a Mitigation Measure that additional research be done as to use of the site as the Sonora Golf Course that the results of the research be presented in a formal report. Further, interpretative signs were required to identify the remaining features from the Sonora Golf Course.
13. Since the review and field surveys in 2004, the course no longer maintains the integrity it may have in 2004, with features such as the bridge no longer in existence. In addition, sources for research and documentation have changed, with the availability of the internet. However, Peak & Associates, Inc. prepared a report titled “The Sonora Golf Club: A Summary” for the Valley Vista Project. The report is attached to the 2021 CEQA Addendum.
14. The 2010 environmental review stated that the golf course qualified for the California Register of Historical Resources (CRHR) under criterion A for being the oldest course in Tuolumne County. The revised project analysis found that “being the “oldest” does not matter; the course would have to make an important contribution to local history and heritage to be eligible.” While notable and of interest for being an early golf course used three (3) months a year by a small group of local citizens, the golf course did not make a contribution to local history. As such, the course is not eligible for the CRHR.
15. Because the revised project report concluded that the Sonora Golf Course is not eligible for CRHR based on the research conducted and independent evaluation by an archeologist, the potential impacts to a historical resource pursuant to CEQA Guidelines Section 15064.5 is less than significant and less than what was determined in the 2010 CEQA document.

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16. As noted above, the 2010 project included a mitigation measure to place interpretive signage along the trails. The trail proposed in the 2010 project remains unchanged as a result of the revised project. However, due to the findings in the revised project report, interpretive signage placement throughout the project would not be required to mitigate the project to a less than significant level. Therefore, the mitigation measure is no longer required as part of the implementation of the revised project.
17. In conclusion, the impacts to Cultural Resources would remain less than significant with mitigation incorporated with the implementation of amended mitigation measures in the CEQA Addendum. Additional details and evidence in Attachment 4 of this report supports the findings that the CEQA addendum is appropriate.

Traffic and Circulation– 2021 Updated Review

18. The Traffic Impact Analysis for the 2010 project found that the project would contribute to the cumulative impacts at the intersections of State Route 108/49 with Wigwam and Golf Links Road, and recommended the collection of Traffic Impact Mitigation Fees to mitigate the impacts. Additionally, Caltrans required the installation of a traffic signal at the intersection of State Route 108/49 and Chabroullian Lane to mitigate traffic impacts associated with development of the Original Project. Additionally, the traffic study recommended limiting traffic movements at Golf Links Road and State Route 108/49 to right turn in and right turn out movements.
19. As a component of the revised project, the applicant expressed concern that the traffic mitigations required in the 2010 project were no longer needed due to the change in circulation and traffic changes since the approval. In the revised application, County staff worked with Caltrans and the applicant's traffic engineer at the trips generated by the revised project and built a traffic model that incorporated the current existing conditions, including traffic patterns and traffic levels, using Caltrans data. Evaluating this model identified that improvements would be required with the revised project, which are outlined in the Traffic Impact Analysis attached to the 2021 CEQA Addendum. Current conditions are better than those identified in the 2010 project due to slightly lower volumes and improvements installed since the original study was completed.
20. The Traffic Impact Analysis outlined several mitigation measures required at different phases of the project, up until the 801-trip threshold. This includes improvements to County roads, such as Golf Links Road and Chabroullian Lane, as well as improvements to the state highway system. At that time, because of the speculation surrounding future buildout of the project, and in order to ensure that project impacts are adequately mitigated, Caltrans is requiring updated traffic modeling and analysis to be completed as the project buildout is phased over time.
21. Level of Service (LOS) has been used in the past in in California Environmental Quality Act (CEQA) documents to identify the significance of a project's impact on traffic operating conditions. However, "Senate Bill 743 required changes to the guidelines implementing CEQA regarding the analysis of transportation impacts. The CEQA Guidelines now identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. The Tuolumne County General Plan continues to use LOS in conjunction with VMT to evaluate traffic impacts in a CEQA document.
22. Tuolumne County adopted initial recommended countywide VMT thresholds in 2020 along with screening criteria for CEQA compliance related to transportation VMT analysis. This project was evaluated under the locally adopted thresholds.
 - a. The commercial element of the Valley Vista Project is evaluated under the **Locally**

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Serving Retail Screening Criteria. As the commercial center will primarily serve Valley Vista residents and others living in this area of Tuolumne County, and because it is less than the 50,000 square foot threshold, its VMT impact is less than significant.

- b. Tuolumne County has identified **Low VMT generating locations** within the County. The project lies within the Jamestown Subarea, which is a low VMT generating area. A less than significant determination is made for residential projects if a project's VMT is less than or equal to the subarea average VMT per capita under baseline conditions, and the project is consistent with the County/City General Plan and Regional Transportation Plan. The project is in an area with VMT that is greater than 15% below the Countywide average, thus, the impacts of the project's residences on VMT are not significant.
23. Additional details and evidence in Attachment 4 of this report supports the findings that the CEQA addendum is appropriate.

Other 2021 Addendum Revisions 2021

24. In addition to changes in the biological resources, cultural resources, and traffic and transportation sections, minor revisions were made to the recreation and land use planning sections of the CEQA document. These changes were made to reflect an updated description of community amenities and changes to the requests in the PUD application. No revisions to mitigation measures for these two sections are proposed with the 2021 Addendum.

Stakeholder Comments

25. Property owners within 1,000 feet of the proposed project were notified via mail in August 2021. The Community Development Department received 9 responses from property owners/non-profits, which are included in Attachment #3. Comments from public agencies are on the project website. Concerns submitted included the following:
- a. Timing of the project, project delays
The project was approved in 2010. Over the last several years the applicant and owners have requested modifications to the 2010 mitigation measures and conditions of approval. A number of requests by the applicant were outside of the authority of the County Environmental Coordinator; therefore, the project requires review and decision by the Board of Supervisors.
 - b. Impacts on public water and sewer
The project will be served by Tuolumne Utilities District. The District has agreed to extend infrastructure to the site and is planning on serving the project.
 - c. Increased traffic, existing speeding on roadways
Traffic generated by the project has most recently been evaluated in the 2021 Addendum CEQA document. Mitigations are proposed to reduce impacts to a less than significant level. The developer will be required to make numerous road improvements including improvements to Golf Links Road, improvements to Chabroullian Lane along with numerous internal road improvements.
 - d. Project in very high fire zone/Impacts to fire department.
The project is proposing to dedicate approximately one acre of land for a future fire department. Additionally, the Habitat Management Plan is designed to maintain oak woodland habitat while adhering to defensible space requirements. The residential

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units will require the payment of County Service Impact Fees which contribute to the funding of first responders.

- e. Impacts to birds, need for greenbelts.
Impacts to wildlife have been evaluated and mitigated in both the 2010 and 2021 environmental documents. The project includes areas of open space throughout the development that can serve as “greenbelts” within the project.
- f. Limiting homes to seniors, lack of housing for younger people.
The revised project will not be limited to individuals over 55 years of age, it will be open to any age residents.
- g. Impacts to evacuation routes, general access.
The project is designed with two entrances/exits onto Golf Links Road. The authority to issue evacuation orders is under the jurisdiction of the County Sheriff, and residents/visitors are alerted when necessary if and when an emergency occurs. Additional vehicles from the proposed project will be factored into the timing and nature of evacuation warnings or orders.
- h. Mining on property.
The mineral rights on the project site are reserved by the Barendregt family and remain separate from the surface rights ownership. Due to mineral rights owned by a different party, the minerals on the project site need to be accessible. Of the 92.7± acre project site, 29.5± acres are zoned O (Open Space). The minerals may be accessible from the O (Open Space) portions of the project site with full development of the site. However, prospecting within the O (Open Space) will require a Conditional Use Permit.
- i. Project adjacent to Mother Lode Gun Club
Adjacency to and compatibility with the Mother Lode Gun Club was evaluated in 2010, and no changes are proposed in the revised 2021 application with respect to fencing and notification to future property owners. The potential development could impact the gun club; therefore, the property owner will be required to dedicate an easement on the property to facilitate the continued operation of the gun club and the future property owners will be notified by way of a Notice of Action of the location of the gun club and the associated activities. This mitigation is similar to the previously approved project on the site.

Additional concerns from 2010 and responses to those concerns can be found in the 2010 Agenda Report at this link: <https://www.tuolumnecounty.ca.gov/1404/Valley-Vista>

- 26. The 2021 project application has been reviewed by several State and County agencies. The Building and Safety Division of the CDD advised that Building Permits would be required for any future structures and that the hours of construction of future development shall be limited to 7:00 a.m. to 7:00 p.m. The Tuolumne County Fire Prevention Division commented and is requiring the same dedication of land for a fire station as in 2010. Caltrans has reviewed the project numerous times and their comments have been incorporated into the mitigation measures in the 2021 Addendum.
- 27. The Central Sierra Environmental Resource Center (CSERC) commented that this project was an example of the current Community Development Department pro-development sentiments and pro-development goals to the extreme. Additionally, CSERC commented that “County staff is promoting the elimination of previously Board-approved mitigation mandates that the County previously pointed to as justification for approving the project. It

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is as if there is a purposeful intent to use every loophole or find every rationale to enable a developer to make more profit, rather than to have a balanced project approved with reasonable mitigations to compensate for project impacts.” The comment letter expressed that “it appears that County staff has already pre-judged that the traffic signal required by the County Board of Supervisors when they approved the Original Project is now not needed.”

28. The California Environmental Quality Act has specific procedures for when an Addendum may be prepared, which outlined above in this report and in the Addendum in Attachment 4. Using an addendum when appropriate is not a loophole but is allowed by State law under CEQA Guidelines section 15164.
29. CSERC stated that staff is promoting the elimination of “Board-approved mitigation measures, including the elimination of the previous mitigation requiring off-site oak woodland mitigation”. In June of 2021, the applicant and their consultant, in accordance with CEQA Guideline Section, proposed a change in mitigation measure pursuant to 14 CCR Section 15074.1 as well as submitted an Addendum, pursuant to 14 CCR Section 15162. According to State law, a mitigation measure may be substituted for another if the following is true:
 - The new mitigation measure is equivalent or more effective.
 - The MND need not be recirculated if the agency considers the matter at a public hearing.
 - The agency adopts a written finding that the new mitigation measure is equivalent or more effective and that the new measure will not cause a significant environmental impact upon implementation.Staff evaluated this proposed revision and addendum, considering the above State requirements and determined that the substitutions were adequate, and the required findings are a part of the recommended Board action.
30. As a part of the project revision and Addendum process, over two dozen staff meetings were held regarding traffic impacts, with most meetings including a variety of Caltrans staff as well as representatives from the Tuolumne County Transportation Council. The County, in direct consultation with Caltrans, reviewed the scope of the 2021 traffic study as well as its findings. Several drafts were required to be completed by the applicant’s traffic consultant to meet the requirements of both the County and Caltrans. The purpose of the study was to evaluate if a traffic light was needed at Charbroulin Lane and Highway 108. As explained in the traffic study, the CEQA Addendum, and this report, the applicant will be required to evaluate traffic as the project builds out. The comments from CSERC surmise that County staff pre-judged the traffic signal requirement, when in fact the County required data and documentation to evaluate what traffic mitigation measures are needed for the revised project, which have been included in the mitigation measures and conditions of approval.

Attachment #1 – Project Maps

Attachment #2 – 2010 Approved Dry Creeks Subdivision Project Description

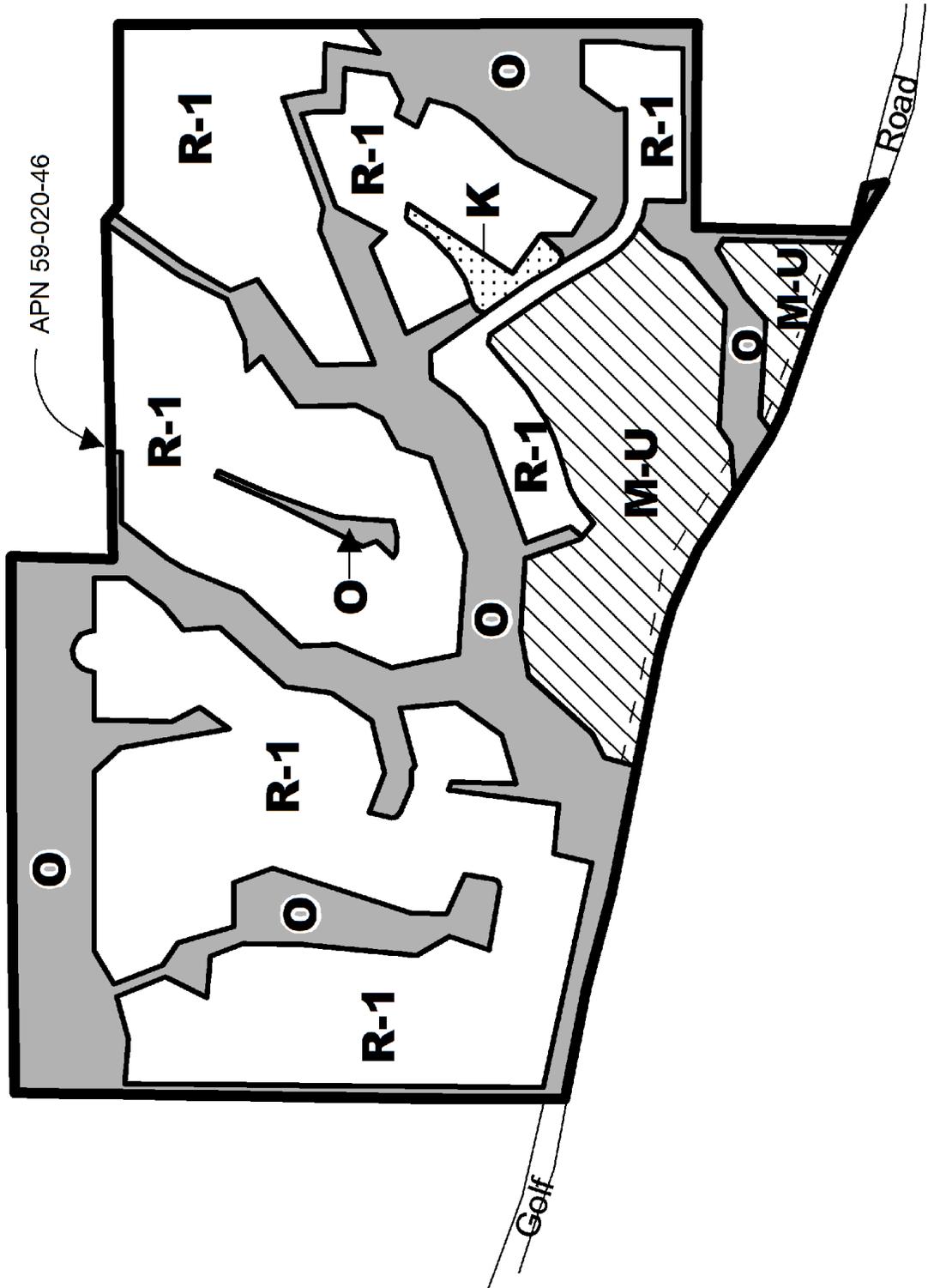
Attachment #3 – 2021 Valley Vista Project Stakeholder Comments

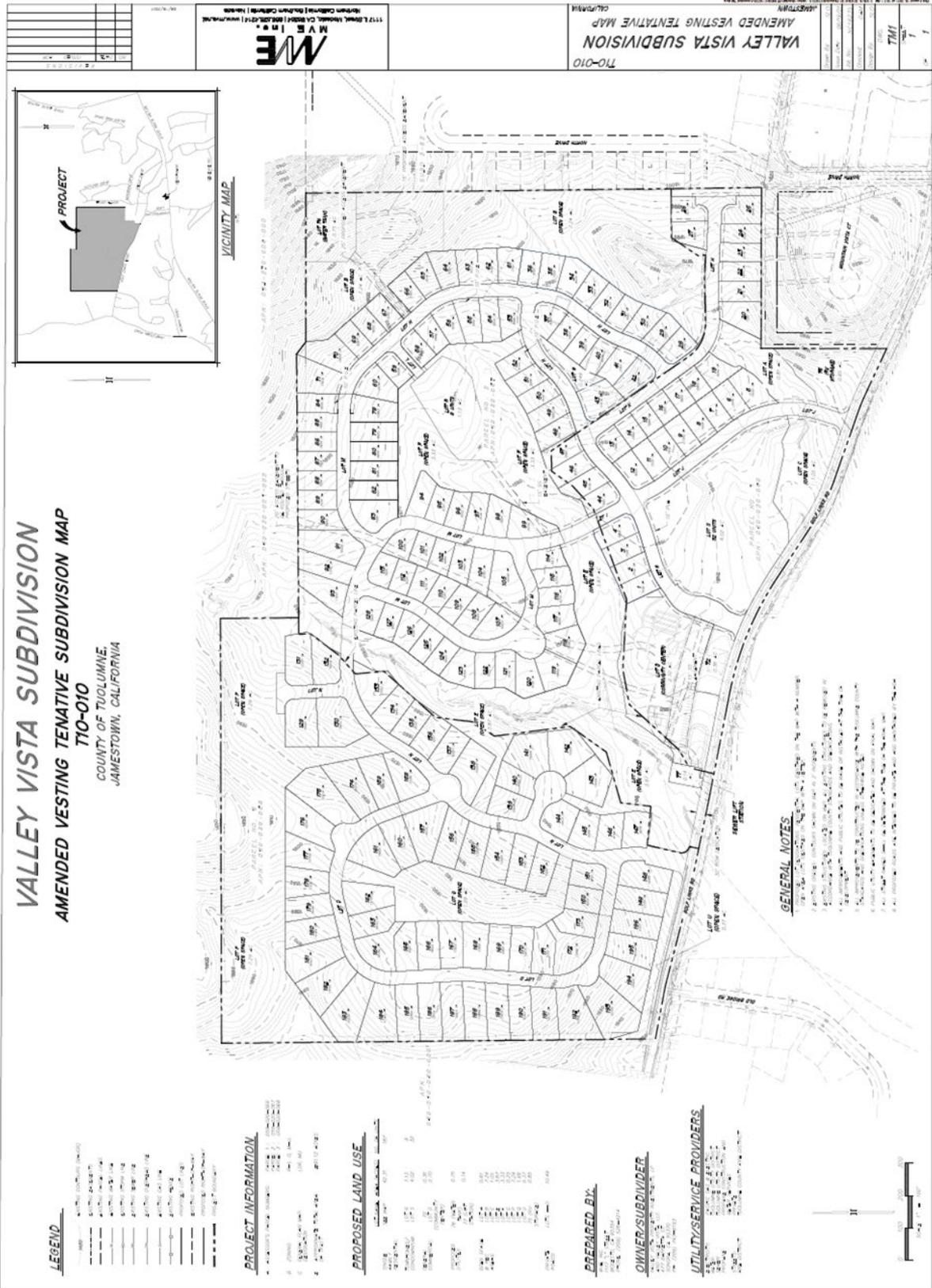
Attachment #4 – Valley Vista Initial Study Addendum 2021

Attachment #5 – Conditions of Approval

Additional documents for review found at <https://www.tuolumnecounty.ca.gov/1404/Valley-Vista>.

Existing Zoning





**Attachment 2:
Previous Project Approvals**

2010 Approved Project

1. Resolution for General Plan Amendment GPA10-001 to change the land use designation of a 92.7± acre project site and to amend Figure 14-3 of the Jamestown Community Plan as follows:

Existing Land Use Designations	Existing Acreage
Mixed Use (M-U)	0.9±
Low Density Residential (LDR)	85.5±
High Density Residential (HDR)	2.6±
Parks and Recreation (R/P)	2.8±
Public (P)	0.9±

Approved Land Use Designations	Approved Acreage
Mixed Use (MU)	12.0±
Low Density Residential (LDR)	80.0±
Parks and Recreation (R/P)	0.7±

2. Ordinance for Zone Change RZ10-005 to rezone the 92.7± acre project site under Title 17 of the Tuolumne County Ordinance Code as follows:

Existing Zoning Districts	Existing Acreage
M-U (Mixed Use)	0.9±
R-1 (Single Family Residential)	63.3±
R-3 (Multiple Family Residential)	2.6±
K (General Recreational)	2.8±
O (Open Space)	22.2±
P (Public)	0.9±

Approved Zoning Districts	Approved Acreage
M-U:PD (Mixed Use:Planned Unit Development Combining)	12.0±
R-1:PD (Single Family Residential:Planned Unit Development Combining)	50.5±
K:PD (General Recreational:Planned Unit Development Combining)	0.7±
O:PD (Open Space:Planned Unit Development Combining)	29.5±

3. Tentative Subdivision Map T10-010 to create the Dry Creeks Subdivision by dividing the 92.7± acre parcel into 218 lots as follows:
 - a. Two hundred thirteen (213) single-family residential lots, of which one hundred forty-nine (149) lots will be age-restricted (55 years or older).
 - b. A 1.2± acre lot to be developed with eight (8) townhouses, condominiums or duplex units, which will be age-restricted (55 years or older).
 - c. A 2.9± acre lot to be developed with one- or two-story buildings containing up to 15,000 square feet of office, commercial and community center space and up to three apartments.

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- d. A 4.2± acre lot to be developed with one- or two-story buildings for an assisted care facility with up to 125 rooms and related office and support facilities or 50 condominium or apartment units, or a combination of any three.
 - e. A 0.8± acre lot for storage and the parking and storage of recreational vehicles, boats, campers, trailers and/or other vehicles and an associated office and apartment.
 - f. A 0.7± acre lot for a neighborhood park.
4. Planned Unit Development PUD10-002 to allow the following:
- a. Reduction in the minimum lot size not less than 3,352± square feet and minimum width at front setback not less than 34± feet for parcels zoned R-1 as established in Section 17.18.040 of the Ordinance Code; and
 - b. A reduction in the minimum building setbacks for parcels zoned R-1 as required by Section 17.56.020 of the Ordinance Code to the following:
 - 1. For the age-restricted lots, reduced side yard setbacks to 3-feet and the option to have zero side yard setbacks on one side and 6-feet on the other; reduced front and rear setbacks to 10-feet;
 - 2. For the nonage-restricted lots, reduced side yard setbacks to 5-feet; reduced front and rear setbacks to 10-feet.
 - c. A reduction in the number and location of public utility easements as required on each parcel by Section 16.26.160(B) of the Ordinance Code to correspond with the reduction in the property line setbacks referenced above.
 - d. Limitations and exceptions to the permitted and conditional uses within the R-1 zoning district as established in Chapter 17.18 of the Tuolumne County Ordinance Code to limit the number of secondary residences on the sixty three (63) nonage-restricted single-family residential lots to thirty (30) and to construct up to eight (8) units consisting of townhouses, condominiums or duplex units on a 1.2± acre lot.
 - e. Limitations and exceptions to the permitted and conditional uses within the M-U zoning district as established in Chapter 17.30 of the Tuolumne County Ordinance Code to allow a 2.9± acre lot to be developed with a one- or two-story buildings containing up to 15,000 square feet of office, commercial and community center space and up to three apartments and to develop a 0.8± acre lot for mini-storage and the parking and storage of recreational vehicles, boats, campers, trailers and/or other vehicles and an associated office and apartment. The limitations and exceptions to the M-U zoning district also includes the development of a 4.2± acre lot for one- or two-story buildings for an assisted care facility with up to 125 rooms and related office and support facilities or 50 condominium or apartment units, or a combination of any three with the option to be expanded to 6.8± acres and incorporate 18 additional age-restricted lots and 2 age-restricted duplex lots to add additional rooms that are comparable to the age restricted lots. The ratio would be one lot equals 2.5 rooms for the 125 room assisted care facility or one lot equals one condominium or apartment unit. Some or all of the 30 secondary homes for the nonage-restricted lots could be allocated to the 125 room assisted care facility or the 50 condominium or apartment units. The ratio of secondary units would be one secondary unit equals 2 rooms for the assisted care facility or one secondary unit equals one condominium or apartment unit.

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- f. Waiver of the landscaping requirements in Section 15.28.030 of the Tuolumne County Ordinance Code for the RV storage area.
 - g. Reduction in the landscaping requirements in Section 15.28.030 of the Tuolumne County Ordinance Code to 10% for the assisted care facility / condominium / apartment building and the community center.
5. Conditional Use Permit CUP10-004 to allow the following
- a. A 1.2± acre lot to be developed with up to eight (8) units consisting of townhouses, condominiums or duplexes.
 - b. A 2.9± acre lot to be developed with a one or two-story buildings containing up to 15,000 square feet of office, commercial and community center space and up to three apartments.
 - c. A 4.2± acre lot to be developed with one- or two-story buildings for an assisted care facility with up to 125 rooms and related office and support facilities or 50 condominium or apartment units, or a combination of any three.
 - d. A 0.8± acre lot for storage and the parking and storage of recreational vehicles, boats, campers, trailers and/or other vehicles and an associated office and apartment.