

BACKGROUND

The Board of Supervisors (Board) adopted the North Vineyard Station Specific Plan (NVSSP or Specific Plan) in 1998. The Specific Plan's objective is to provide for the orderly and systematic development of the planning area through the establishment of a comprehensive planning program. The Board originally approved the NVSSP with a holding capacity of 5,732 units. In 2004, the Board approved an amendment to the Specific Plan that resulted in a holding capacity of 6,063 units (2003-0082). The Environmental Impact Report (EIR) and Supplemental EIR (SEIR) prepared for the Specific Plan and subsequent amendments included analysis of a preferred land use plan allowing 6,339 units.

The Specific Plan and preferred alternatives' holding capacity were determined by totaling the holding capacity of each parcel based on the land use designation, a fixed count of units per acre based on the anticipated density average for those land use designations, and the area of the parcel.

Since the adoption of the Specific Plan, the County has approved several residential subdivisions, many of which exceeded their site-specific holding capacity. In some instances, the overage was a result of increased density allowed through an Affordable Housing Plan. In other instances, this overage was a result of a Specific Plan Amendment that changed the land use designation for the site resulting in an increased density. The NVSSP indicates increases in density or the "fixed count" associated with the applicable density range can be considered pursuant to Section 11.0 of the Specific Plan, which indicates that such density increases require a major amendment to the Specific Plan. Historically, such amendments resulted in changes to the Specific Plan land use plan, but did not acknowledge changes to the site-specific or overall holding capacity. (The 2004 amendment (2003-0082) is an exception).

Planning and Environmental Review (PER) continues to receive tentative map applications that include Specific Plan amendments to increase the density within the Specific Plan. Approval of these pending tentative map applications and possible future applications will further increase the overage in residential units beyond the Specific Plan holding capacity.

ANALYSIS

The County has approved tentative and final maps totaling approximately 2,625 residential units, which account for approximately 43 percent of planned buildout. The approved development exceeds the total capacity for all sites that received tentative map approvals by approximately 53 net units (calculated considering both overages and shortages for each subdivision in context of the holding capacity). This

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overage is equal to two percent of the holding capacity for those subdivisions and less than one percent of the total planning area holding capacity. There are currently six tentative map applications filed with the County, which are requesting 202 residential units beyond the holding capacity for those subdivisions. When including pending tentative map applications, there would be approximately 3,490 residential units accounting for approximately 58 percent of total planned buildout. If those pending tentative map applications were approved, total development would exceed the holding capacity for those subdivisions by approximately 254 units. This overage is equal to seven percent of the holding capacity for those subdivisions and just over four percent of the total plan area holding capacity. Table 1 details the current and anticipated overage in the Specific Plan’s holding capacity.

Table 1: Current and Anticipated Overage in Specific Plan Holding Capacity

	Holding Capacity ¹	Approved or Pending Residential Units	Holding Capacity Overage	Percent Holding Capacity Overage
Current Values ²	2,517.08 units	2,625 units	53 units	2 percent (<i><1 percent of Plan area holding capacity</i>)
Proposed Values ^{3,4}	3,544.77 units	3,799 units	254 units	7 percent (<i>4.2 percent of Plan area holding capacity</i>)

As demonstrated in Table 1, staff anticipates the holding capacity overage to increase with in-process tentative map applications. It is also likely that future tentative map applications will continue this trend resulting in an even larger overage beyond the holding capacity.

DETERMINATION

Approved and pending tentative map applications account for an approximate overage of 254 units beyond the approved Specific Plan holding capacity for the subject sites. However, the EIR and SEIR prepared for the Specific Plan and subsequent amendments analyzed a preferred land use plan allowing 6,339 units. Therefore, adequate analysis for up to 276 units beyond the approved plan area

¹ Holding capacity is the total capacity for all tentative map sites excluding multi-family sites.

² Current values are based on approved tentative maps excluding undeveloped multi-family sites.

³ Proposed values are based on approved and in process tentative map application excluding undeveloped multi-family sites. In process tentative map applications are subject to change and the hearing process.

⁴ As of this determination, pending applications in order of application submittal include Florin 40 (PLNP2017-00168), Sierra Gardens (PLNP2019-00020), **Oxform (PLNP2021-00179)**, Gerber 30 (PLNP2021-00265), **Emerald (PLNP2022-00105)**, **Sapphire (PLNP2022-00106)**, and **Chandon 13 (PLNP2022-00144)**. Those projects in bold text propose units beyond their site-specific holding capacity.

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holding capacity is included in the EIR and SEIR. As such, no further environmental analysis based on the NVSSP holding capacity issue would be required for those additional units.

Any further requests to increase density within NVSSP would not be covered by the Specific Plan EIR or SEIR, and may be subject to additional CEQA review, including but not limited to consideration of vehicle miles traveled (VMT), greenhouse gas emissions, and air quality impacts.

IMPLEMENTATION

Regarding the additional 276 analyzed units, 53 are accounted for through approved subdivisions. The remaining 223 units could be allocated to pending and future tentative map applications. To distribute those units in a fair manner, unit allocations will be determined based on the receipt of a complete application requesting units beyond a site's holding capacity (i.e., Specific Plan Amendment or Density Bonus request). As a complete application is submitted, Planning staff will review the application to determine the overage beyond the site holding capacity. If units are available, those units will be reserved for projects in the order of a complete application determination. Final unit allocations are subject to change through the application process and will be locked upon approval of the tentative subdivision map. Additional units could become available should the County approved tentative maps develop below the anticipated holding capacity. Planning will maintain a record to continually track the available capacity within the Specific Plan.

Once there is no additional capacity beyond that allowed by the Specific Plan, additional analysis and environmental review may be required for projects proposing units beyond their site-specific holding capacity. There may be other project-specific issues that warrant additional environmental review; this determination is not intended to be an environmental document determination. Staff will determine requirements for technical studies, additional analysis, and the extent of environmental review required in such instances on a project-by-project basis.

Approved 1/18/2023

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