

**ADDENDUM TO THE
CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE
CITY OF SAN LUIS OBISPO
PALM NIPOMO PARKING STRUCTURE PROJECT
JULY 2019**

A. INTROUCTION

This document is an Addendum to the Final Environmental Impact Report (EIR) prepared for the Palm Nipomo Parking Structure Project (SCH# 2017051011). The EIR was certified by the City of San Luis Obispo on July 17, 2018. The Addendum is intended to bring the existing California Environmental Quality Act (CEQA) documentation as up to date as appropriate, based on minor changes to the approved project. Because there are no new or more severe significant impacts or mitigation measures as a result of this updated analysis, an Addendum is the appropriate CEQA document.

B. ADDENDUM REQUIREMENTS

The Addendum has been prepared in accordance with the relevant provisions of CEQA and the State CEQA Guidelines as implemented by the City of San Luis Obispo. According to Section 15164(a) of the State CEQA Guidelines, "The lead agency or 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." Section 15162(a) of the State CEQA Guidelines states that no subsequent EIR shall be prepared for a 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 or 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 or 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 EIR or 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.*

This Addendum does not require circulation because it does not provide significant new information that changes the certified EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.

This Addendum includes this introduction, a description of the proposed actions addressed in the Addendum as they relate to the original project, and an evaluation that concludes that no new or more severe impacts would result. The City shall consider this Addendum with the certified Final EIR as part of the approval of the amended project.

The CEQA documentation for this project, including this Addendum and certified Final EIR, is available for review at the Community Development Office, located at 919 Palm Street, San Luis Obispo, California. It is also available on the City's website at <https://www.slocity.org/government/department-directory/community-development/documents-online/environmental-review-documents/-folder-1903>.

C. PREVIOUS CEQA DOCUMENTATION

An EIR was prepared for the original Palm Nipomo Parking Structure Project and circulated for public and agency review in 2018. The Final EIR was adopted with a decision to proceed with the project by the City of San Luis Obispo on July 17, 2018. A Notice of Determination (NOD) was prepared, and there were no legal challenges to the adequacy of the Final EIR during the 30-day statute of limitations associated with the NOD, pursuant to CEQA (Public Resources Code Section 21167 and CEQA Guidelines Section 15094).

D. REASONS WHY AN ADDENDUM IS APPROPRIATE

Since adoption of the EIR and the decision to proceed with the project by the City of San Luis Obispo on July 17, 2018, a change to the site's proposed zoning and land use designation has occurred. This document is an Addendum to the Final EIR to document the updated project description, so that the Final EIR, with the most recent project information, may be used by the City for purposes of its environmental review. This Addendum incorporates the additional analysis for inclusion in the environmental record. The updated analysis does not materially change the findings and conclusions of the Final EIR, making a Subsequent EIR unnecessary pursuant to Section 15162 of the State CEQA Guidelines.

E. UPDATED PROJECT ELEMENTS

As amended, the construction and operation of the approved above-ground, five-level parking structure, non-profit theater, and 5,000 square feet of commercial space would continue to be developed in the same location on the project site as the original project as described in the EIR. The discretionary actions identified in the EIR included a General Plan amendment from Office and Medium-High Density Residential to Public and a Zone Change from Office with a Historic Overlay (O-H) and Medium High Density Residential (R-2) to Public Facility with a Historic Overlay (PF-H).

The City is now proposing to change the land use designation from Public to Downtown Commercial and the zoning from Public Facility with a Historic Overlay (PF-H) to Downtown Commercial with a Historic Overlay (C-D-H) to allow for the uses as they are described and analyzed in the EIR. No physical changes to the project or proposed uses would occur.

F. UPDATED ENVIRONMENTAL IMPACT ANALYSIS

This section addresses the updates to the impact analysis in the EIR as a result of the project changes described above. As described in the EIR, the Palm Nipomo Parking Structure project would result in significant and unavoidable impacts with respect to alteration of visual character, demolition of historic resources, and construction noise. All other impacts were determined to be less than significant with mitigation or less than significant/no impact.

The proposal to change the land use designation to Downtown Commercial and zoning of the site to Downtown Commercial with a Historic Overlay (C-D-H) would not result in any physical or operational changes to the project. Construction and operation of the project on the site would continue to operate as analyzed in the EIR. The Public Facility (PF) zone, which was previously proposed for the project, does not fully comply with the specific commercial uses, setbacks, and heights for the approved project evaluated in the EIR. With the proposed land use designation and zoning change, the commercial space and non-profit theater would continue to be developed to a height of 41 to 43 feet and the maximum height of the parking structure would continue to be 50 feet. The proposed zone change to Downtown Commercial with Historic Overlay (C-D-H) would allow the development of buildings on the site to a maximum height of 50 feet, thus reducing the requirement of a Planning Commission Use Permit to allow deviations from the Public Facility zone. With the proposed land use designation and zoning change, the project would continue to be developed with an approximately 200 x 200 square foot floor area and 10 foot setback from the eastern project boundary. Proposed setbacks would not change from what was previously evaluated in the EIR. The proposed Downtown Commercial zone does not have setback requirements, thus reducing the requirement of a Use Permit to allow setback deviations from the Public Facility zone. As previously analyzed and concluded, the proposed project would be substantially taller and wider than the other surrounding development, altering the surrounding visual character, resulting in a significant and unavoidable impact.

The change in zoning and land use designation would not alter any of the impacts as compared to the approved project covered in the EIR and would not result in new or significantly increased

environmental impacts with respect to cultural resources, noise, and traffic. The change in zoning and land use designations would not alter or change the existing historic resources on-site, would not result in changes to vehicle trip generation, construction or operational noise levels, or degrade levels of service on adjacent roadways and intersections, beyond what was previously analyzed in the EIR.

G. DETERMINATION

In accordance with Section 15164 of the State CEQA Guidelines, the City of San Luis Obispo has determined that this Addendum to the certified Final EIR is necessary to document changes that have occurred regarding the proposed zoning and land use for the project site since the Final EIR was originally certified. The City has reviewed and considered the information contained in this Addendum and finds that no new or more severe environmental impacts would occur as a result of the project changes. Accordingly, the preparation of subsequent CEQA analysis that would require public circulation is not necessary.