

County of Santa Clara

County Planning Office
County Government Center, East Wing, 7th Floor
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Use of a Program Environmental Impact Report (EIR) Santa Clara County General Plan EIR

File Number	APN(s)	Date		
8630-00-00-03CP-06GP-06Z	Various	August 2, 2006		
Project Name	Project Type			
Viewshed Protection Study and General Plan / Zoning Ordinance Amendments	Policy / Ordinances			
Owner	Applicant			
N/A	County of Santa Clara			
Project Location				
Various / Countywide				
Project Description				
<i>Viewshed Protection Study & General Plan / Zoning Ordinance Modifications:</i> 1) A General Plan amendment (GPA) to the Growth & Development Chapter, Rural Unincorporated Areas Issues & Policies, to include background context and policies for the use of design review, for grading, and policies concerning development on steep slopes and ridgeline areas; 2) Zoning Ordinance text amendments to Ch. 5.50, Design Review, Ch. 3.20, Design Review Combining Districts, and Ch. 1.30 Definitions, to effectuate new regulations for viewshed preservation; 3) Zone change to apply -d1, Design Review zoning to lands within the primary viewshed areas, those most immediately visible from the valley floor, including the first ridge or areas approximately 1-2 miles distant from the edge of the valley floor.				
Background and Summary of Findings				
Per the California Environmental Quality Act (CEQA) of 1970 (as amended), all discretionary actions by the Board of Supervisors that result in a change in the physical environment are subject to environmental review. A new Negative Declaration or EIR is not required if a previous CEQA document has been prepared and adopted or certified which adequately address all the possible environmental impacts of the proposed project and either (a) no substantial changes are proposed in the project which will result in new significant environmental effects, (b) no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will result in the identification of new significant impacts, or (c) new information is available which shows that the project will have new significant impacts or mitigation measures and alternatives which were previously found to be infeasible would now in fact be feasible (CEQA Guidelines 15162).				
The project described above has been evaluated for possible environmental impacts and consistency with the previously certified Program Environmental Impact Report described below. The Planning Office has determined that none of the circumstances described above have occurred which would require additional environmental review. As such, the environmental impacts of the project have been adequately evaluated in the Santa Clara County General Plan EIR , which was certified by the Board of Supervisors on December 20, 1994 and that no further environmental review is required under the California Environmental Quality Act,				

Board of Supervisors: Blanca Alvarado, Donald F. Gage, Pete McHugh, James T. Beall Jr., Liz Kniss
County Executive: Pete Kutas, Jr.

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Rationale regarding Use of Prior CEQA

The Viewshed Protection Study and General Plan Amendments / Zoning Ordinance Modifications will establish policies and ordinances directed at minimizing the visual and environmental impacts from the development of hillside areas, particularly those which are visible from the Santa Clara Valley floor (Viewshed). This includes the adoption of General Plan policies intended to reduce the visibility of new development, reduce impacts to steep slopes, and minimizes grading and terrain alteration. Associated Zoning Ordinance amendments and changes in zoning designations will effectuate these general plan policies and establish a design review overlay district for properties within the Viewshed.

These policies and ordinance modifications are in furtherance of existing General Plan policies and Zoning Ordinance regulations intended to minimize the visual impacts of hillside development areas within the Viewshed. They are not expected to result in any new environmental impacts as their main intent is to limit environmental impacts which could result from hillside development. As these policies and associated ordinance modifications do not prohibit development within hillside areas but only establish permit processes and findings, they could not result in any indirect impacts associated with directing development activity into other areas.

In summary, as the Viewshed Protection Study and General Plan Amendments / Zoning Ordinance are consistent with the 1994 County General Plan and will not have new environmental impacts that were not already evaluated the Program EIR which was prepared for it, no additional environmental review is necessary.

Approved by:

Rob Eastwood, Senior Planner, AICP

Signature

8/16/06

Date