



Villa Burano Area Plan

Public Hearing Draft EIR Addendum

prepared by

City of Los Banos

Community and Economic Development Department

520 J Street

Los Banos, CA 93635

prepared with the assistance of

J.B. Anderson Land Use Planning

139 S. Stockton Avenue

Ripon, California 95366



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1.0 INTRODUCTION

This Addendum was prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. This document has been prepared to serve as an Addendum to the previously certified EIR (State Clearinghouse Number 2006011135) for the Villa Burano Area Plan (Original Project). The City of Los Banos is the lead agency for the environmental review of the proposed project modifications (Modified Project).

This Addendum addresses the proposed modifications in relation to the previous environmental review prepared for the Villa Burano Area Plan (VBAP) Project. CEQA Guidelines Section 15164 describes the circumstances that require preparation of an Addendum as:

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.

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 findings on the project, or elsewhere in the record.

Information and technical analyses from the Villa Burano Area Plan EIR are utilized throughout this Addendum. Relevant passages from the Vila Burano Area Plan and EIR are cited and available for review at:

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520 J Street
Los Banos, California 93635

1.1 BACKGROUND AND PURPOSE OF THE EIR ADDENDUM

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 for 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 adopt negative declaration prior to deciding on the project.*
- 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.*

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

This EIR Addendum is being prepared as only minor changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. This EIR Addendum focuses solely on Land Use and Planning and Transportation, as the minor technical changes are focused on the Transportation Mitigation Measures certified in the original EIR.

No new significant environmental effects, no substantial increases in the severity of previously identified environmental effects, and no new information of substantial importance that would require major changes to the VBAP pursuant to CEQA Guidelines Section 15162(a) have been identified. Therefore, a Subsequent EIR is not warranted for this project.

The Modified Project would only require minor changes to the VBAP EIR to address the incremental change in impacts between development of the site with the previously proposed VBAP characteristics and development of the site as currently proposed. In general, it is anticipated that all impacts would remain the same under the Modified Project when compared to the Original VBAP previously analyzed in the VBAP EIR.

As demonstrated in the environmental analysis provided in Section 3.0 (Environmental Analysis), the proposed changes do not meet the criteria for preparing a subsequent EIR or negative declaration. An addendum is appropriate here because, as explained in Section 3.0, none of the conditions calling for preparation of a subsequent EIR or negative declaration have occurred.

2.0 PROJECT DESCRIPTION

This section provides a detailed description of the proposed Modified Project. The reader is referred to Section 3.0 (Environmental Analysis) for the analysis of environmental effects of the proposed modifications in relation to the analysis contained in the previously certified VBAP EIR.

2.1 PROJECT LOCATION

The Project is located on the northeast side of Los Banos. The Project site is bounded by St. Francis Estates to the north, Northgate at Regency Park II to the west, the Southpointe at Regency Park to the south, and the San Luis Canal to the east. Primary access to the future plan area development will be from Place Road, Dove Street, and Ward Road. Refer to Figure 1, Location Map.

2.2 SURROUNDING LAND USES

The table below provides the surrounding General Plan land use designations and zoning designations.

Table 1 - Surrounding Land Uses

	General Plan Land Use Designations	Zoning Designation
North	Low Density Residential	R-1
South	Low Density Residential	R-1
East	Agriculture/Rural	-
West	Low Density Residential	R-1

2.3 SITE CHARACTERISTICS

The Project site consists of raw undeveloped land, surrounded by residential development to the north, south, and west. The Project site also borders the San Luis Canal, which is located immediately east of the Project site.

2.4 PROJECT CHARACTERISTICS AND DESCRIPTION

The Villa Burano Area Plan EIR (Original Project) was certified by the City of Los Banos in 2006. The Transportation Impacts and Mitigation Measures provided in this EIR were based upon a Traffic Impact Analysis prepared by KD Anderson & Associates, dated April 10, 2006.

Since the EIR was certified in 2006, the City received a Vesting Tentative Tract Map (VTTM) Application for the entire Villa Burano Area Plan. To supplement this application, the City received and evaluated an updated Traffic Analysis and Memorandum, prepared by Wood Rodgers, which serves to update the Traffic Impact Study prepared in 2006 and as analyzed in the Original Project EIR. Since 2006, existing conditions within this area of Los Banos have changed, necessitating a re-evaluation of the VBAP impact on Transportation. In addition, since the VBAP EIR was certified, the City has completed a comprehensive update to its General Plan. This General Plan Update included a comprehensive evaluation of the City's transportation network and Citywide traffic analysis included as part of the General Plan EIR.

Original Project

The Original Project provided below duplicates what is provided in the Villa Burano Area Plan EIR, dated June 28, 2006.

Annexation

The project site is comprised of three parcels: APNs 082-120-004, 082-120-008 and 082-120-033. The smallest of the three parcels within the area plan, APN 082-120-004 at the north, is already within the city limits. The proposed project includes annexation of the remaining two parcels, totaling approximately 114.5 acres. The existing city limits border the project site to the north, south, and west.

General Plan Amendment, Pre-zoning, and Zone Change

General Plan Amendment. The proposed project includes amending the general plan land use designation for two acres of the project site from Low Density Residential to Neighborhood Commercial.

Pre-zoning and Zone Change. The proposed project includes pre-zoning the entire residential portion of the site currently within the unincorporated county to Planned Development (PD) and the commercial portion to Neighborhood Commercial (C-N). The proposed project also includes a zone change for the parcel currently within the city limits from Public Facilities (P-F) to Planned Development (PD).

Proposed Land Uses

The area plan consists of three parcels totaling about 117.80 acres. The proposed land uses include single-family residential, neighborhood commercial, and parks. Table 1, Proposed Land Use Summary, presents a breakdown of the land uses, acreages, units, and densities.

Table 2 – Proposed Land Use Summary

Use	Acreage	Units	Density	Percent of Site
Single-Family Residential (low density)	59.9	244	4.1 lots/acre	50.8%
Single-Family Residential (medium density)	33.9	390	11.5 lots/acre	28.8%
Park	10.7	n/a	n/a	9.2%
Commercial	2.0	n/a	n/a	1.7%
Ward Road	8.9	n/a	n/a	7.5%
Canal	2.4	n/a	n/a	2.0%
Totals	117.8	634	n/a	100%

Infrastructure

Circulation

The project site would be accessed primarily from north and south via Place Road and Ward Road and from the west via Dove Street. Secondary access points would include Regency Drive, Cardinal Street, and Quail Street. South of Dove Street, Place Road would be a major north/south collector street for the central and southern portion of the project site. North of Dove Street, Place Road would serve as the minor collector street for the northern portion of the project site. Ward Road is a planned arterial, and along Dove Street, forms part of the city's loop road. The neighborhood street system would reflect a radial grid. Curvilinear roads and short segments streets would provide traffic calming for the neighborhood. The proposed project also includes pedestrian pathways, bike paths, and bike lanes.

Potable Water

The project site is located immediately adjacent to existing city water distribution lines. The proposed project would be served by connecting to and expanding the existing city system. Improvements to the system would be consistent with the city standards.

Sanitary Sewer

The proposed project would connect to the existing city collection system at Regency Drive and Place Road. The proposed project would include the installation of new eight-inch gravity pipelines throughout the project site. The downstream system includes a pump station at Regency Drive and Rockport Road. The pump station service area includes the project site.

Storm Drainage

The proposed project would connect to the existing city storm drainage system at Quail Street and Place Road. The Project is included in the existing service area of the St. Francis Estates storm drain system. The existing system includes a gravity pipeline from Quail Street and Place Road to the storm drain detention basin at the St. Francis Park area, north of the Place Road terminus. This basin discharges by pump into the San Luis Canal. The proposed project would install new gravity pipelines ranging in size from 18 inches to 36 inches.

Phasing

The proposed project would be phased over a four-to-five-year period with occupancy beginning in 2008, assuming water availability, wastewater treatment capacity, and building permit allocations. It is estimated that approximately 150 units per year would be constructed and it is anticipated that the development may be fully occupied by 2012.

Modified Project

The Modified Project provided below provides detail in which revisions to the Original Project are being proposed. Revisions are noted in the following: deleted text consists of ~~striketrough~~ text while new text consists of underline text.

Annexation

The project site is comprised of three parcels: APNs 082-120-004, 082-120-008 and 082-120-033. The smallest of the three parcels within the area plan, APN 082-120-004 at the north, is already within the city limits. The proposed project includes annexation of the remaining two parcels, totaling approximately 114.5 acres. The existing city limits border the project site to the north, south, and west.

General Plan Amendment, Pre-zoning, and Zone Change

General Plan Amendment. The ~~proposed project~~ Modified Project includes amending the general plan for land use designation for two acres of the project site from ~~Low Density Residential~~ to Neighborhood Commercial to High Density Residential.

Pre-zoning and Zone Change. The ~~Modified proposed~~ Project includes ~~pre-zoning the lands designated for Neighborhood Commercial to R-3, High Density Residential. All other zoning designations remain unchanged from what approved with the Original Project. the entire residential portion of the site currently within the unincorporated county to Planned Development (PD) and the commercial portion to Neighborhood Commercial (C-N). The proposed project also includes a zone change for the parcel currently within the city limits from Public Facilities (P-F) to Planned Development (PD).~~

Proposed Land Uses

The area plan consists of three parcels totaling about 117.80 acres. The proposed land uses include single-family residential, multi-family residential ~~neighborhood commercial~~, and parks. Table 1, Proposed Land Use Summary presents a breakdown of the land uses, acreages, units, and densities under the Modified Project.

Table 2 – Proposed Land Use Summary

Use	Acreage	Units	Density	Percent of Site
Single-Family Residential (low density)	~~47.75~~ 9.9	281	~~5.9~~ 4.4 lots/acre	~~40.3~~ 50.8%
Single-Family Residential (medium density)	~~34.9~~ 3.9	~~262~~ 390	~~7.5~~ 11.5 lots/acre	~~29.6~~ 8.8%
<u>Multi-Family Residential (high density)</u>	<u>4.2</u>	<u>84</u>	<u>20 units/acre</u>	<u>3.5%</u>
Park	~~11.6~~ 10.7	n/a	n/a	~~9.8~~ 2%
<u>Road Right-of-Way</u>	<u>17</u>	-	-	-
~~Commercial~~	~~2.0~~	~~n/a~~	~~n/a~~	~~1.7%~~
~~Ward Road~~	~~8.9~~	~~n/a~~	~~n/a~~	~~7.5%~~
Canal	2.4	n/a	n/a	2.0%
Totals	117.8	634	n/a	100%

Infrastructure

Circulation

The project site would be accessed primarily from north and south via Place Road and Ward Road and from the west via Dove Street. Secondary access points would include Regency Drive, Cardinal Street, and Quail Street. South of Dove Street, Place Road would be a major north/south collector street for the central and southern portion of the project site. North of Dove Street, Place Road would serve as the minor collector street for the northern portion of the project site. Ward Road is a planned arterial, and along Dove Street, forms part of the city's loop road. The neighborhood street system would reflect a radial grid. Curvilinear roads and short segments streets would provide traffic calming for the neighborhood. The proposed project also includes pedestrian pathways, bike paths, and bike lanes.

Potable Water

The project site is located immediately adjacent to existing city water distribution lines. The proposed project would be served by connecting to and expanding the existing city system. Improvements to the system would be consistent with the city standards.

Sanitary Sewer

The proposed project would connect to the existing city collection system at Regency Drive and Place Road. The proposed project would include the installation of new eight-inch gravity pipelines throughout the project site. The downstream system includes a pump station at Regency Drive and Rockport Road. The pump station service area includes the project site.

Storm Drainage

The proposed project would connect to the existing city storm drainage system at Quail Street and Place Road. The Project is included in the existing service area of the St. Francis Estates storm drain system. The existing system includes a gravity pipeline from Quail Street and Place Road to the storm drain detention basin at the St. Francis Park area, north of the Place Road terminus. This basin discharges by pump into the San Luis Canal. The proposed project would install new gravity pipelines ranging in size from 18 inches to 36 inches.

Phasing

The proposed project would be phased over a four-to-five-year period with occupancy beginning in 2028, assuming water availability, wastewater treatment capacity, and building permit allocations. It is estimated that approximately 150 units per year would be constructed and it is anticipated that the development may be fully occupied by 2032.

Vesting Tentative Tract Map

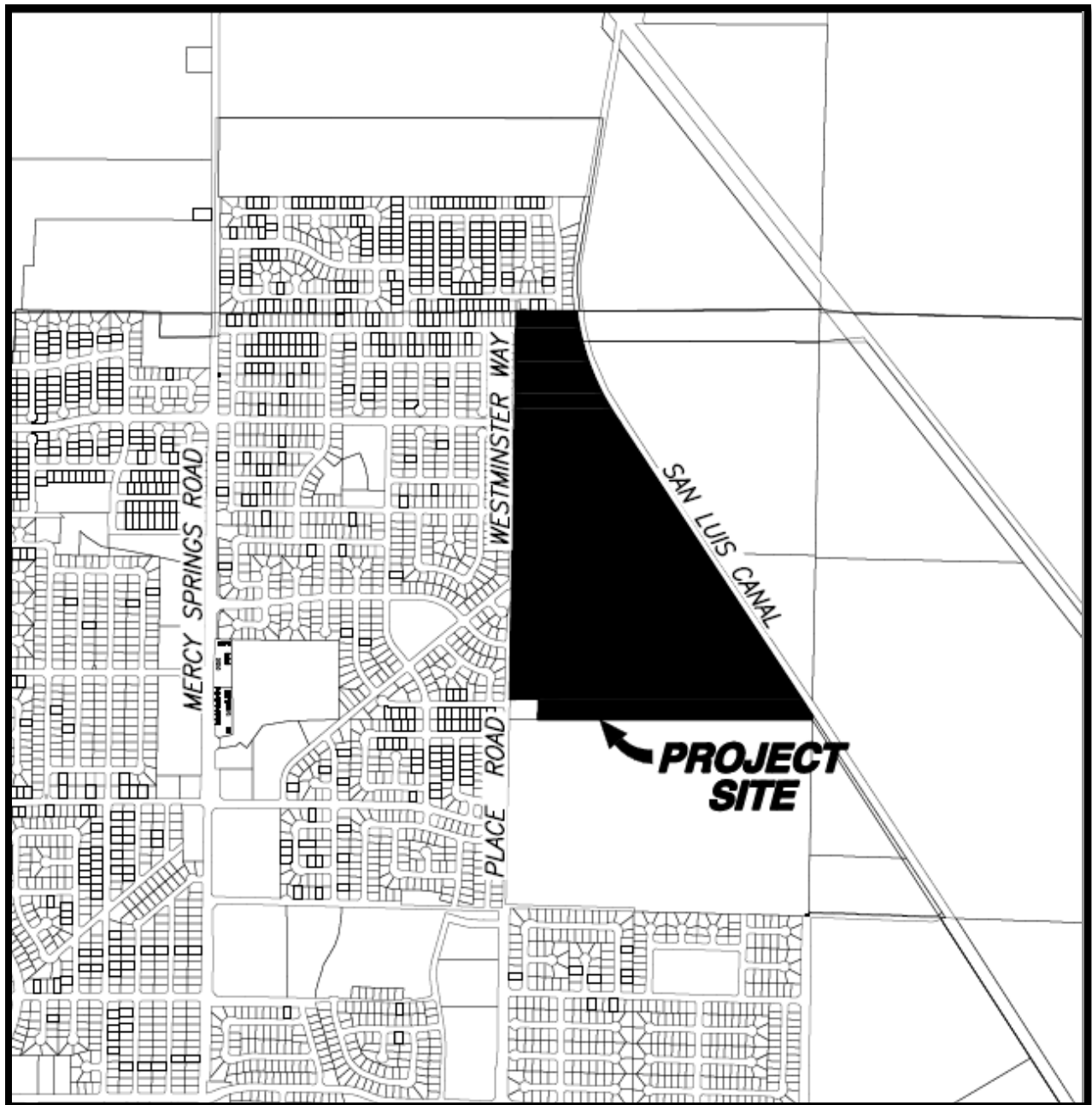
The Applicant, Stonefield Home Inc., has filed an application for a Vesting Tentative Tract Map (VTM) for the area previously known as the Villa Burano Area Plan. The Proposed Project, now commonly known as the Northpointe at Regency Park Subdivision, consists of 543 single-family residential lots, 4.23-acres set aside for future multi-family residential development (allowing up to 84 units), 5.10-acres of parkland, and a one (1) acre site set aside for a future fire station. The

Proposed Project also include ancillary parcels (Lots D through H) that will include landscape and open space improvements in accordance with City standards.

The Proposed Project includes the extension of Ward Road, which runs north and south along the San Luis Canal corridor, Broadstone Drive, and Place Road. From the west, access to the Project site will be provided via Regency Drive, Dove Street, and Quail Street.

The proposed VTTM allows for development less than was previously approved under the Villa Burano Area Plan and EIR. A copy of the proposed VTTM is included in Appendix A.

Figure 1. Location Map



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3.0 ENVIRONMENTAL ANALYSIS

This Chapter provides an analysis and cites substantial evidence that supports the City's determination that the Modified Project to the Original Project does not meet the criteria for preparing a subsequent or supplemental Negative Declaration under CEQA Guidelines Section 15162.

As discussed in Section 2.0, *Project Description*, the Modified Project includes revisions to the original approved Area Plan. As addressed in the analysis below, the Modified Project is not considered to be substantial changes to the Original Project evaluated in the previously certified EIR. The Modified Project will not cause a new significant impact or substantially increase the severity of a previously identified significant impact from the Original Project EIR (CEQA Guidelines Section 15162[a][1]) that would require major revisions to the EIR.

The Modified Project does not cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no changes in the environmental conditions on the property not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts.

There is no new information of substantial importance (which was not known or could not have been known at the time of the application, that identifies: a new significant impact (condition "A" under CEQA Guidelines Section 15162[a][3]); a substantial increase in the severity of a previously identified significant impact (condition "B" CEQA Guidelines Section 15162[a][3]); mitigation measures or alternatives previously found infeasible that would now be feasible and would substantially reduce one or more significant effects; or mitigation measures or alternatives which are considerably different from those analyzed in the EIR which would substantially reduce one or more significant effects on the environment (conditions "C" and "D" CEQA Guidelines Section 15162[a][3]). None of the "new information" conditions listed in the CEQA Guidelines Section 15162[a][3] are present here to trigger the need for a Subsequent or Supplemental EIR.

The following includes a detailed discussion of applicable impacts identified under the Original Project EIR in relation to the Modified Project. All impacts identified under the EIR have been determined to be no impact, less than significant or less than significant with mitigation. Mitigation Measures from the EIR that were adopted for the purposes of lessening an impact to the extent feasible are embodied in the EIR and suggested modifications to Mitigation Measures are embodied in this Addendum.

To confirm the applicability of the findings provided within the Addendum, the Modified Project as discussed in Section 2.0 above, has been evaluated for potential impacts to EIR. It was determined that the amendments would have no effect on the analysis in the EIR 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 biological resources, recreation, cultural resources, 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:

- Biological Resources
- Recreation
- Cultural Resources
- Geology and Soils
- Mineral Resources
- Agricultural Resources
- Hydrology and Water Quality
- Air Quality
- Climate
- Population and Housing
- Utilities and Service Systems
- 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:

- Land Use and Planning
- Transportation

The section below identifies the environmental topics addressed in the EIR, provides a summary of impacts associated with the Original Project, as described in the EIR, and includes an analysis of the potential impacts associated with the Modified Project when compared to the Original Project.

LAND USE AND PLANNING:

Would the Proposed Project/Action:	<i>New Potentially Significant Impact</i>	<i>New Less Than Significant With Mitigation Incorporated Impact</i>	<i>New Less Than Significant Impact</i>	<i>Same Impact as Previous EIR</i>	<i>Less Than in Previous EIR</i>
a) Physically divide an established community?				X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X	

Original Project Analysis:

Impacts associated with Land Use and Planning were determined to be less than significant as part of the environmental review of the Original Project. Through the Notice of Preparation (NOP) process, the City determined that impacts associated with Land Use Planning were less than significant, and therefore, did not require further evaluation in the Original Project EIR.

Modified Project Analysis:

The Modified Project consists of a General Plan Amendment and Rezone to amend the area plan and accommodate High Density Residential (HDR) development. The Modified Project propose to remove 2.0 acres of land designated for Neighborhood Commercial land uses and replace it with 4.2-acres of land designated for HDR land uses. The assumed density for the HDR land use designation is twenty (20) units per acre.

The Modified Project will not divide an established community. The Project site has been previously annexed into the City of Los Banos, and the City's 2042 General Plan designates the entire Project site for urban development. In addition, the Project site is not located in an area that would physically divide the City of Los Banos, or the surrounding neighborhood.

The proposed General Plan Amendment and Rezone support the following General Plan 2042 goals and policies:

- Housing Diversity: Provides 543 single-family lots of varying size and a multi-family site to accommodate a range of housing needs and market demands.
- Neighborhood Connectivity: Integrates open space, a linear trail, and pedestrian

circulation that connects to surrounding neighborhoods, Pacheco High School, and the broader community.

- **Public Facilities:** Dedicates land for parks, trails, and a future fire station, supporting public infrastructure and safety needs.

Because the proposed GPA and Rezone align with the City's long-term planning goals as defined in the General Plan 2042, the Modified Project will have the same impact as previously analyzed under the Original Project.

TRANSPORTATION:

Would the Proposed Project/Action:	<i>New Potentially Significant Impact</i>	<i>New Less Than Significant With Mitigation Incorporated Impact</i>	<i>New Less Than Significant Impact</i>	<i>Same Impact as Previous EIR</i>	<i>Less Than in Previous EIR</i>
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system.				X	
b) Result in traffic operation exceeding level of service (LOS) D during the peak hour.				X	
c) Substantially increase hazards due to design features or incompatible uses.				X	
d) Result in inadequate emergency access.				X	
e) Conflict with adopted policies, plans or programs supporting alternative transportation.				X	

Original Project Analysis:

Impacts associated with Transportation are discussed on Pages 2-91 through 2-101 of the Villa Burano Area Plan Draft EIR. The Original Project Analysis was supported by a *Traffic Impact Analysis for the Lakes Area Plan* prepared by KD Anderson Transportation Engineers in April 2006.

The Traffic Impact Analysis included the following eight intersections:

1. Henry Miller Avenue/SR 165;
2. Quail Street/SR 165;
3. Dove Street/SR 165;
4. Santa Barbara Street/SR 165;
5. Overland Street/SR 165;
6. Willmott Avenue/SR 165;
7. Overland Road/Rockport Drive (planned); and,
8. Overland Road/Place Road (planned).

The objective of the original project analysis is to maintain an overall level of service (LOS) C with LOS D for peak afternoon periods.

The Transportation analysis of the Original Project concluded that there were significant impacts to the following:

1. SR 165/Dove Street/Vineyard Drive.
2. Circulation Design Resulting in Potential Growth-Inducing and Safety Impacts.

Based on this determination, the certified EIR contains the following mitigation measures as it relates to Transportation:

- **T-1:** The Project developer shall be responsible for preparation of plans for a signal at the SR 165/Dove Street/Vineyard Drive intersection and construction of the signal prior to issuance or the first occupancy permit. The costs shall be credited against the developer's payment of the citywide traffic impact fees.
- **T-2:** The applicant shall modify the area plan to include the following:
 - a. Installation of a roundabout meeting the requirements of the Fire Department at the intersection of Ward Road and Dove Street to slow traffic to 15 to 20 mph through the intersection;
 - b. Redesign of Ward Road as a two-lane street adjacent to the project site. Ward Road should transition from a four lane to a two-lane street in the area between the Overland Road intersection and the Villa Burano access; and,
 - c. Redesign of Place Road to provide appropriate access to the commercial site, and to replace physical traffic calming features with visual traffic-calming features.
- **CT-1:** Project developers shall pay the appropriate fees, prior to the issuance of building permits, subject to review and approval by the Los Banos City Engineer;
 - a. Pay into existing City of Los Banos traffic mitigation fee program for improvements in the City of Los Banos that are included in the program;
 - b. Pay fair share for the required improvements in the City of Los Banos that are not included in the City of Los Banos traffic mitigation fee program; and,
 - c. Contribute \$30,000 (fair share of about \$500,000) to Merced County toward the signalization of the SR 165 and Henry Miller Avenue. This amount is based upon the number of units and square footage of commercial uses in the proposed project evaluated in this EIR. If the number of units and/or the square footage changes, the cost should be adjusted accordingly.

Modified Project Analysis:

To accompany the VTTM referenced above, the Applicant submitted a Traffic Memorandum, dated August 28, 2025, prepared by Wood Rodgers. This Traffic Memorandum evaluated the Modified Project and the adopted transportation mitigation measures in the Original Project EIR. The following is a summary of the findings contained in the Traffic Memorandum, which can also be

reviewed in Appendix B of this EIR Addendum.

The purpose of preparing the above-referenced Traffic Memorandum was to evaluate Mitigation Measures T-1, T-2, and CT-1 and determine their applicability relative to Original Project approved in 2006 and the Modified Project as currently proposed by the Applicant. The analysis below provides a comparison of the traffic impacts associated with the Original Project and the Modified Project.

Original Project Findings versus Modified Project Findings:

SR 165/Dove Street/Vineyard Drive Intersection:

The Original Project assumed that the west leg of the SR 165/Dove Street/Vineyard Drive intersection would be completed and connected to SR 165 by the Vineyard Subdivision before the Original Project was completed. However, the west leg of the SR 165/Dove Street/Vineyard Drive intersection is not currently complete and likely won't be constructed prior to construction of the Modified Project.

The Original Project assumed that the City of Los Banos would widen SR 165 to a four-lane facility near Dove Street by 2030 as fronting development occurred along the state highway.

The Original Project traffic analysis projected that the SR 165/Dove Street/Vineyard Drive intersection would operate at unacceptable LOS E/F under Existing Plus Project conditions. However, an updated traffic analysis prepared for the Modified project projected that the SR 165/Dove Street/Vineyard Drive intersection would operate at acceptable LOS D under Existing Plus Project conditions.

The Original Project analysis is based on outdated assumptions, and the SR 165/Dove Street intersection is no longer projected to fail with the addition of trips created by the Modified Project. Therefore, failing LOS is no longer a reason to install a traffic signal at the SR 165/Dove Street/Vineyard Drive intersection.

However, due to safety concerns and Caltrans collision data, the SR 165/Dove Street/Vineyard Drive intersection experiences higher than average crash rates. Construction of a traffic signal at this intersection could potentially reduce some of the existing collision types at the intersection by controlling the side street turning movements and reduce potential vehicular conflicts.

Based on the above, the Traffic Memorandum concludes that the Modified Project should pay its fair share contribution, without reimbursement from the City, towards the cost of installing a 4-leg traffic signal at the SR 165/Dove Street/Vineyard Drive intersection. Table 2, provided below, provides the Modified Project's fair share using the Caltrans fair share calculation methodology and traffic volumes generated by the Modified Project.

Table 2 – Project Fair Share Contribution Towards SR 165/Dove Street/Vineyard Drive Intersection Improvements

Peak Hour	Existing Volumes	Project Trips	Cumulative Plus Project Volumes	Fair Share %
AM	881	55	1,399	10.6%
PM	1,063	77	1,613	14.0%

As presented in Table 2 above, the Modified Project's fair share contribution is 14.0% of the total intersection cost.

Based on the analysis above, Mitigation Measure T-1 should be revised to state as follows:

Proposed Revised Transportation Mitigation Measure T-1:

The Project developer shall be responsible for payment of a fair share contribution of 14% towards the intersection improvements of the SR 165/Dove Street/Vineyard Drive intersection. The scope of the intersection improvements and subsequent fair share contribution shall be limited to the following: roundabout and median improvements, roadway surfacing improvements, and lane striping and pedestrian crosswalk striping. The total cost estimate of the intersection improvements shall be agreed upon by the City and the Applicant prior to the approval and recordation of the Phase 3 Final Map. Additionally, the costs shall NOT be credited against the developer's payment of the City-wide traffic impact fees. Payment of the fair share contribution shall be made in one lump sum payment and occur prior to the approval of the Phase 3 Final Map.

Ward Road and Dove Street Roundabout:

The Original Project analysis recommended that the proposed internal Villa Burano intersection of Ward Road and Dove Street be improved with a roundabout. However, the Modified Project has been designed to remove this intersection. Rather, Ward Road now is proposed to turn west towards Dove Street where the previous Ward Road/Dove Street intersection previously existed. Under the Modified Project, Ward Road intersects with Place Road. Therefore, there is no longer a need for a roundabout at the intersection of Ward Road and Dove Street.

Under the Modified Project, on-site circulation issues discussed in the Original Project EIR has either been eliminated or incorporated into the Modified Project's VTTM. Therefore, Mitigation Measure T-2 for the Original Project is no longer warranted. However, the City has requested the installation of active transportation elements. Therefore, it is recommended that Mitigation Measure T-2 be revised as follows:

Proposed Revised Transportation Mitigation Measure T-2:

The Project developer shall install active transportation design elements, which will consist of curb

bulbouts at a minimum, to promote safer bicycle/pedestrian operations at the new Place Road/Ward Road/Dove Street intersection.

Fair Share Towards Identified Off-Site Improvements:

Mitigation Measure CT-1, as adopted under the Original Project, requires payment into the City's traffic mitigation fee program along with a financial contribution to Merced County towards the signalization improvements at the SR 165/Henry Miller Avenue intersection.

However, in 2019, the City prepared the City of Los Banos Development Impact Fee Justification Study, which lists general "intersection improvements and modifications" in the City in the Traffic Facilities Needs List Through 2038. Therefore, the signalization improvements referenced in Mitigation Measure CT-1 are now included in the City's Development Impact Fee program.

Under the Modified Project, payment of the applicable Traffic Impact Fees and contributing its fair share to Merced County towards the signalization of the SR 165/Henry Miller Avenue intersection (if the County has a plan to fund and construct a traffic signal at this intersection).

Proposed Revised Transportation Mitigation Measure CT-1:

The Project would satisfy mitigation measure CT-1 by paying into the existing City of Los Banos traffic mitigation fee program and contributing fair share to Merced County toward the signalization of the SR 165/Henry Miller Avenue intersection (if the County has a plan to fund and construct a traffic signal at this location).

Based on the above analysis, Table S-1, as it is presented in the Original Project EIR, has been revised and is provided in Appendix C of this EIR Addendum.

Appendix A – Vesting Tentative Tract Map – Northpointe at Regency Park

Appendix B – Traffic Memorandum, Dated August 28, 2025, Prepared by Wood Rodgers

Appendix C – Amended Table S-1 of Villa Burano Area Plan EIR