

Notice of Preparation - Attachment

2480 & 2740 Hecker Pass Road Subdivision

Architectural/Site Review (AS 23-19) & Tentative Map (TM 23-03)

January 2025



**Prepared by
EMC Planning Group**

NOTICE OF PREPARATION - ATTACHMENT

**2480 & 2740 HECKER PASS ROAD
SUBDIVISION
AS 23-19 & TM 23-03**

PREPARED FOR

**City of Gilroy
Community Development Department**

Erin Freitas, Senior Planner
7351 Rosanna Street
Gilroy, CA 95020
408.846.0242
Erin.Freitas@cityofgilroy.org

PREPARED BY

EMC Planning Group Inc.

601 Abrego Street
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
Stuart Poulter, AICP, MCRP, Principal Planner
poulter@emcplanning.com
www.emcplanning.com

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2480 & 2740 Hecker Pass Road Subdivision

Notice of Preparation

Purpose

This environmental scoping document describes the proposed 2480 & 2470 Hecker Pass Road Subdivision (proposed project). This environmental scoping document provides a preliminary review of the potential environmental impacts associated with the proposed project in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). This scoping document, along with comments received in response to the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the proposed project, will assist the City of Gilroy (City), as the lead agency for the preparation of the EIR, in identifying environmental impacts, mitigation measures, and range of alternatives to be considered in the EIR.

Project Overview

Setting/Project Location

The approximate 24-acre site is located off Hecker Pass Highway (2740 and 2480 Hecker Pass Road/State Route 152) within the Hecker Pass Special Use zoning district in the City of Gilroy, County of Santa Clara. [Figure 1, Regional Location Map](#), shows the regional setting of the project site.

The project site consists of three parcels, with two vacant parcels (APNs 810-20-033, 810-20-036) spilt by Two Oaks Lane. Both westerly parcels have a Hecker Pass Specific Plan (specific plan) land use designation of Agri-Tourist Commercial (AT). The third parcel (APN 810-20-037), located east of 3rd Street (aka Autumn Way), contains a 2,595 square foot single-family home, a 3,870 square foot barn (known as “The Barn at Hoey Ranch”), various accessory structures (storage sheds) and vacant fields. The western half of the parcel has a Hecker Pass Specific Plan land use designation of “Agri-Tourist Commercial Overlay (10% Maximum Building Coverage)” and the eastern half is designated “Hecker Pass Agriculture (HPA).”

Surrounding land uses include Hecker Pass Roundabout and Hecker Pass Highway (State Route 152) and a “Agri-Tourist Commercial (AT)” designated area across the highway to the north; the Gilroy Golf Course to the northwest; rural open space to the northeast, active flower growing facilities operated by Syngenta Flowers to the east (designated “Agricultural Commercial”), fallow agricultural fields (designated “Hecker Pass Agriculture”) to the west; and an existing residential

neighborhood (“Hecker Pass West Residential Cluster”) bordering Uvas Creek to the south. [Figure 2, Project Site and Surrounding Land Uses](#), presents an aerial photograph of the project site shown along with surrounding land uses.

Project Description

The Architectural/Site Review (AS 23-19) and Tentative Map (TM 23-03) application includes a total of 116 single-family residential lots with 24 of those units being low-income designated units. To accommodate these new residential lots, the applicant proposes to demolish all existing structures on the site (described above). The 116 proposed residential units would be accessed by internal roadways accessed off of Lone Oak Court (eastern half) and 3rd Street (western half). Parking would be provided with garage/covered parking (2 spaces per unit) and driveway parking (2 spaces per unit) for a total of 464 parking spaces. [Figure 3, Project Site Plan](#), provides an overview of the proposed lotting plan with internal roadways and individual residential plans for each of the 116 proposed lots.

The application includes a total of six floor plans with three facades types (Ranch, Traditional and Farmhouse) for each floorplan option made up of stucco and siding with composition roof tile. Proposed building heights would be a maximum of 25-feet and would range in size from 1,589 square feet to 2,311 square feet in floor space.

Probable Environmental Effects

An initial study for the proposed project has not been prepared. However, preliminary review of the proposed project identified the following issues for evaluation in the EIR. Additional issues beyond those that are set forth below may also be addressed in the EIR, based on the comments received in response to the NOP for the EIR. The EIR will focus on evaluating the project’s environmental impacts. Potential environmental effects of the project and the scope of analysis that will be undertaken to assess each are briefly discussed below.

Aesthetics

As noted in the specific plan, “the visual resources in an area help define that area’s character. This is especially true of the Hecker Pass Specific Plan Area because of its agricultural fields and spectacular views to Uvas Creek, the hillsides north of Hecker Pass Highway and the Gabilan Mountains. Preservation of these views are critical to maintaining the rural feel of the area and preserving Hecker Pass as the ‘Jewel of Gilroy.’” (City of Gilroy 2018, pg. 5-28) A major goal of the specific plan is to preserve the aesthetics and character of the Hecker Pass Highway corridor. In order to accommodate for future improvements along Hecker Pass Highway (State Route 152), the specific plan has established a minimum 115-foot setback from the existing centerline of Hecker Pass Highway.

The proposed project has the potential to result in aesthetics and scenic resources impacts associated with construction of the project components; in particular, impacts associated with development within the residential building setback from the center line of Hecker Pass Highway and the proposed development in the area designated as Hecker Pass Agriculture (HPA). To assist with the visual analysis to be found in this section of the EIR, visual simulations will be prepared to demonstrate the project's potential visual impact as pertains to the specific plan's setback requirement. In addition, the analysis will address the project's potential for the proposed project to alter scenic vistas, scenic resources, and visual resource conditions in the project vicinity. The visual analysis will also help determine whether the project would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; identify visual impacts that may be significant; identify general plan and specific plan policies that may serve as mitigation measures; and present additional mitigation measures as may be necessary.

Agricultural Resources

The portion of the project site designated both Hecker Pass Agriculture (HPA) in the Hecker Pass Specific Plan and the Gilroy 2040 General Plan and "Prime Farmland" according to the *Santa Clara County Important Farmland Map* (California Department of Conservation 2020). The loss of important farmland will be evaluated within the context of the specific plan designation and by using the Land Evaluation and Site Assessment (LESA) model. Utilizing the *California Agricultural Land Evaluation and Site Assessment Model Instruction Manual* (1997) prepared by the California Department of Conservation, this section of the EIR will utilize a project-specific LESA analysis to document the relative quality of the project site's farmland based upon specific measurable features. The LESA model is a point-based approach that is generally used for rating the relative value of agricultural land resources intended "to provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code Section 21095).

The results of the LESA model will be integrated into this section of the EIR in order to determine whether the proposed project would result in a significant impact due to the conversion of Prime Farmland to a non-agricultural use. In addition, this section of the EIR will analyze whether the proposed project would conflict with existing zoning for agricultural use, or a Williamson Act contract; and whether the proposed project would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

Air Quality

The proposed project would generate criteria air pollutant emissions during its construction and operation. The Bay Area Air Quality Management District ("air district") provides direction for

CEQA air quality analyses. Based on the air district's screening criteria for project types and sizes, below which criteria air emissions thresholds would not be exceeded, operational criteria pollutant screening for residential projects of up to 325 dwelling units are not considered to result in significant impacts. At 116 residential units, the proposed project would not be expected to result in significant criteria air pollutant emissions impacts. However, the California Emissions Estimator Model (CalEEMod) will be used to calculate criteria air pollutant emissions based on project specific information provided in the plans and application package to verify this assumption. CalEEMod model assumptions and methodology will be described in the EIR and the model results will be presented within an appendix of the EIR.

Additionally, this section of the EIR would determine whether the proposed project would: conflict with or obstruct implementation of the applicable air quality plan; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; and result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Biological Resources

Based on a preliminary review of aerial photographs, the proposed development may impact developed areas and active or fallow agricultural land. According to the *California Natural Diversity Database* (California Department of Fish and Wildlife 2024), there are a number of special-status species with the potential to occur within the project area, including:

- Hoover's button-celery (*Eryngium aristulatum* var. *hooveri*);
- American badger (*Taxidea taxus*);
- California tiger salamander (*Ambystoma californiense*);
- Western pond turtle (*Emys marmorata*);
- White-tailed kite (*Elanus leucurus*);
- Roosting special-status bats; and
- Protected nesting birds and raptors.

This section of the EIR will describe existing habitats and plant and animal species found on the project site, and the occurrence of and/or potential for special-status species and their habitats. If needed, one or more figures will be prepared to illustrate habitat types and the location(s) of special-status species occurring on or in the vicinity of the project site. A review of the applicable policies in the City's general plan and the *Santa Clara Valley Habitat Plan* will be conducted and incorporated as needed. Potential impacts to biological resources will be identified, and mitigation measures will be provided to minimize potential impacts when possible.

Cultural Resources

The proposed project includes demolition of the existing Hoey Ranch Barn, which according to the application materials was constructed likely before 1900, as well as two residential structures built in the 1920s and 1950s, respectively. In addition, the Hecker Pass Specific Plan contains known cultural resources within the specific plan area and in the immediate vicinity.

A cultural (archaeological) resource evaluation as well as a historic (built) resource evaluation will be prepared to determine if the project site contains any eligible cultural/historical resources under CEQA. The results of the evaluation(s) will be presented in the EIR to determine whether the proposed project would cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; or disturb any human remains, including those interred outside of dedicated cemeteries.

Energy

The project will increase demand for energy resources, primarily in the form of electricity and transportation fuels. Projected energy demand will be quantified based on the CalEEMod results. Development within the site will be required to comply with uniformly applied regulations for energy efficiency and conservation. If air quality and/or greenhouse gas (GHG) emissions impacts are found to be significant, associated mitigations could include actions that also reduce energy demand. Applicable regulations will be discussed to identify how energy demand will be moderated, as will any air quality and/or GHG mitigation measures that reduce energy demand.

The impact evaluation will assess whether the energy needs of the project would be wasteful, inefficient, or unnecessary, or if it would conflict with a state or local plan for renewable energy or energy efficiency. This evaluation will be qualitative in that there are no quantified thresholds of significance against which project demand can be compared.

Geology and Soils

Geologic and soils resources and potential hazards/development constraints at the site will be reviewed using existing information. The impact evaluation will address earthquakes, liquefaction, landslides, erosion, expansive soils, and paleontological resources. This section of the EIR will review available soils, geologic, and soils information in the City's general plan/general plan EIR, Hecker Pass Specific Plan/specific plan EIR and the applicant's Phase I & II Environmental Site Assessment; review available paleontological resources records in existing reports, City/County planning documents, and paleontological databases; present the existing geologic and soils setting; discuss geologic, erosion, and paleontological impacts; and present mitigation measures as needed.

Greenhouse Gas Emissions

The proposed project will be a source of GHG emissions whose impact must be evaluated. The predominant sources of emissions are likely to be vehicle travel, with electricity and potentially natural gas use also being notable sources. The air district's current GHG impact analysis guidance, found in the *2022 CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*, does not use quantified GHG emissions volumes as the basis for making an impact determination. Rather, it states that GHG impacts of residential, commercial, and office projects can be found to be less than significant if the project is consistent with a qualified plan for reducing GHG emissions or incorporates/meets specified performance standards. The City of Gilroy has not prepared a qualified Climate Action Plan against which consistency of the proposed project can be assessed. Therefore, the air district's performance standard-based approach for evaluating impacts will be used.

The air district has determined that a project which meets the following performance standards would have a less than significant GHG impact: 1) applicant commits to installing no permanent natural gas infrastructure to support the project (the project will be all electric and use no natural gas; 2) the applicant commits to meeting the voluntary Tier 2 electric vehicle support infrastructure standards in the latest version of the California Green Building Standards Code; 3) the project energy impacts are found to be less than significant; and 4) the project is found to have a less than significant vehicle miles traveled (VMT) impact.

The project description will be reviewed to determine if the applicant already proposes to meet either or both of the first two performance standards. If not, conformance with them will be required as mitigation. The significance of energy impacts will be summarized, as will the results of the project VMT analysis to make a final determination about GHG impact significance.

Hazards and Hazardous Materials

Utilizing publicly available hazardous materials databases and the applicant-prepared Phase I & II environmental site assessment, this section of the EIR will document any known site within or surrounding the project area that may have the potential to cause harm to the environment or public through the accidental release of hazardous materials. This section will also address whether the project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Hydrology and Water Quality

Conversion of vacant areas of the site to residential development would create new impervious surfaces that change existing drainage patterns. The site is not located within a designated-flood hazard zone; however, the site is identified by the Federal Emergency Management Agency (FEMA)

as being within an “Area with Flood Risk due to Levee (Zone D).” This section of the EIR will address whether the proposed project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; erosion hazards; and flood hazard potential and risks.

Noise

The proposed residential uses on the project site are not expected to be sources of significant point source noise generation. However, a noise and vibration assessment of the proposed project will be conducted to address the noise sources from the proposed project and whether noise level increases could adversely affect noise sensitive receptors. Traffic noise effects will be evaluated based on changes in traffic volumes that would be generated by new development. The results and findings of the noise assessment will be incorporating into this section of the EIR. Additionally, this section of the EIR will analyze whether the proposed project would generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the City’s general plan or noise ordinance; or whether the proposed project would generate excessive groundborne vibration or groundborne noise levels.

Public Services

This section will address whether the proposed project would require new or expanded public services facilities, and whether construction and operation of those facilities would result in significant environmental impacts. Public services to be addressed include fire protection and emergency medical services, law enforcement, and public schools. Various agencies will be consulted including, but not limited to, the City of Gilroy Police Department, City of Gilroy Fire Department, Santa Clara County Office of Emergency Management, and the Gilroy Unified School District.

Recreation

This section will address whether the proposed project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. This section will also address whether the project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. The City of Gilroy Recreation Division will be consulted to inform this analysis.

Transportation

The proposed project has the potential to result in an increase in vehicle miles travelled (VMT). This section of the EIR will utilize the VMT analysis prepared for the proposed project by Hexagon Transportation Consultants. The findings of the VMT analysis will be incorporated into this section of the EIR and present mitigation measures as applicable.

Tribal Cultural Resources

This section of the EIR will address the potential for the proposed project to impact tribal cultural resources. The results of the City's tribal consultation process with local tribal representatives pursuant to the requirements of Assembly Bill (AB) 52 will be presented in this section.

Solid Waste

This section of the EIR would address whether the proposed project would generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Additionally, this section will address whether the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Recology South Valley and the California Department of Resources Recycling and Recovery (CalRecycle) will be primary sources of information to assess potential solid waste impacts.

Utilities (Electric Power, Natural Gas, and Telecommunications Facilities)

This section of the EIR would address whether the project would require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunication facilities, and if so, evaluate the environmental impacts of the relocation and/or construction.

Wastewater

The City of Gilroy provides sewer collection services to residential, commercial, industrial, and institutional customers, and includes approximately 110 miles of pipelines. Collected sewer flows are generally conveyed south and to the east to the South County Regional Wastewater Treatment Plant, which is owned and operated by the South County Regional Wastewater Authority (SCRWA). This section of the EIR will address whether the project would require or result in the relocation or construction of new expanded wastewater treatment facilities where construction or operation of such facilities could result in environmental impacts. This section will also address whether the project would result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the projected demand in addition to the provider's existing commitments. Physical changes, if necessary, will be evaluated.

Water Supply

The proposed project would introduce residential uses which may require expanded water supply facilities for the City. This section of the EIR will address whether the applicable water provider (City of Gilroy Public Works Department - Water Division) will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

Wildfire

The project site, while located within the Local Responsibility Area (LRA) as shown in current Fire Hazard Severity Zone mapping published by the California Department of Forestry and Fire Protection (CAL FIRE), is located within close proximity (approximately a half mile to the west) to areas within the State Responsibility Area (SRA) including areas designated as having “Moderate,” “High” and “Very High” fire severity potential.

The proposed project would introduce residential uses in close proximity to areas prone to wildland fire/wildfire hazards and therefore will require review and analysis to determine if the project would substantially impair an adopted emergency response plan or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Effects Found Not to be Significant

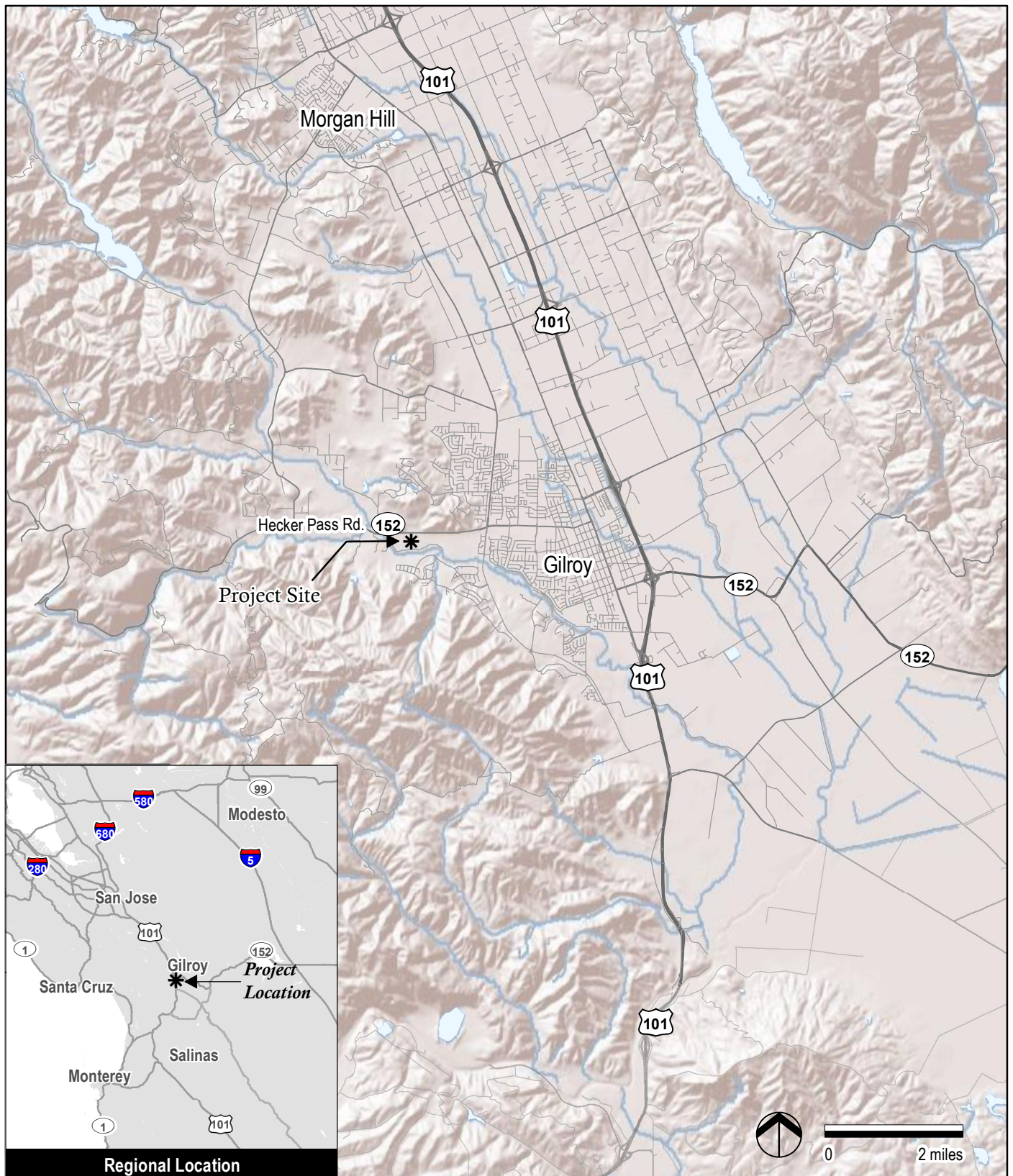
Based upon the information provided in the available project information, as well as a preliminary review of the proposed project, the City anticipates the project will not result in significant impacts associated with Mineral Resources. This topic will likely only require minimal analysis. Other topics may be added to this section of the EIR when the analysis for the above referenced topics is completed and either no impacts or less-than-significant impacts which do not require mitigation are identified for those topics.

Alternatives

This section of the EIR will identify a reasonable range of alternatives to the preferred project that would avoid or substantially lessen any of the significant effects of the project. Analysis of three (3) alternatives, including the no project alternative, a project consistent with the Hecker Pass Specific Plan alternative, and an alternative developed to reduce significant impacts, are anticipated to be used. In addition, the City may consider an off-site alternative particularly if the EIR analysis determines such an alternative would reduce an otherwise unmitigable environmental impact. The analysis will include identify whether each alternative meets the project objectives. Ideas for alternatives will be identified based on the range of significant unavoidable and significant, but mitigable, impacts identified in the EIR. Options for alternatives will also be considered in light of the issues of controversy that may be raised by the community.

Additional CEQA Topics

Additional CEQA topics to be addressed in the EIR include the following: Cumulative Impacts; Significant and Unavoidable Impacts; Significant Irreversible Environmental Changes; and Growth-Inducing Impacts.



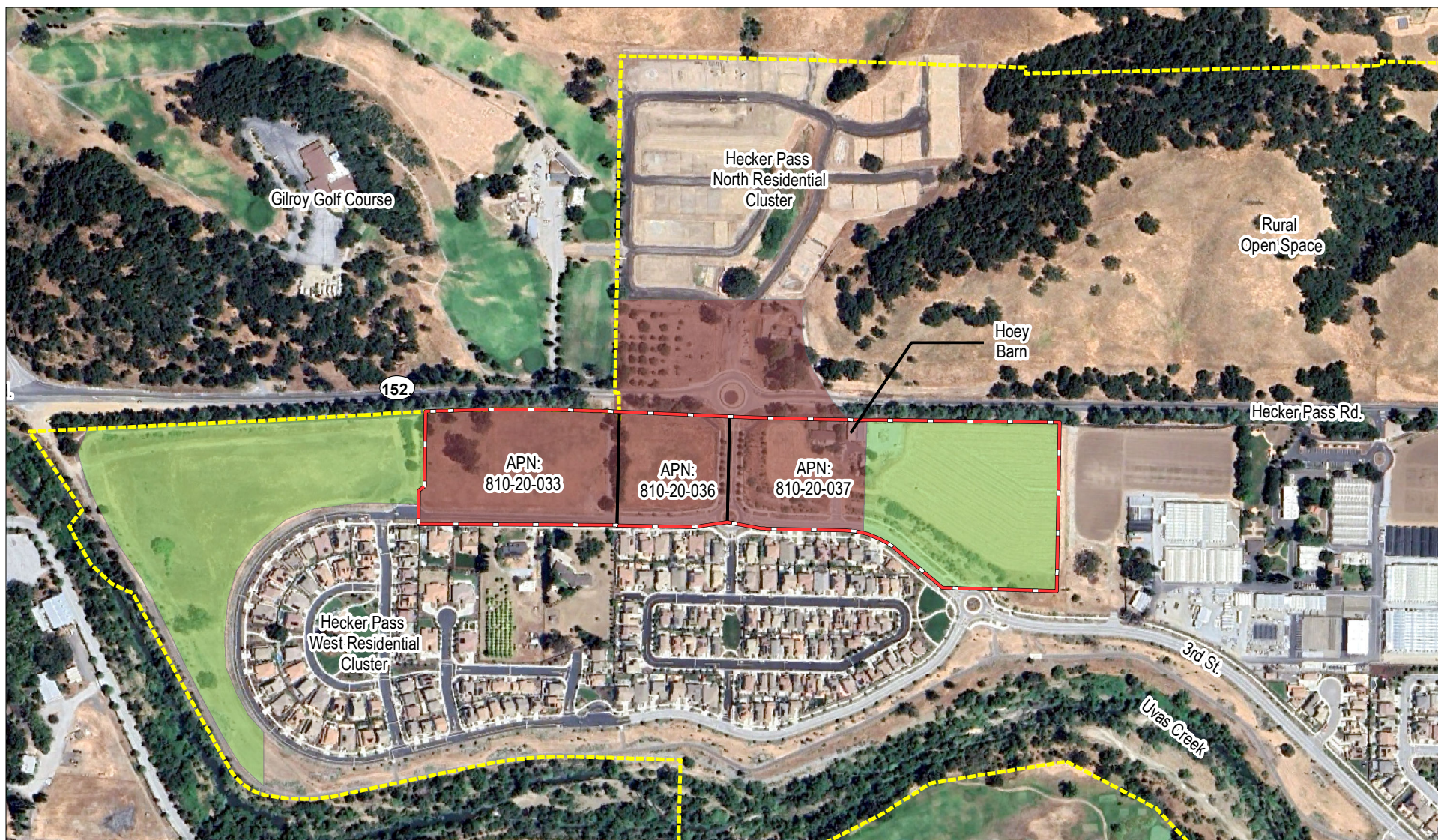
Source: ESRI 2024

Figure 1
Regional Location Map



2480 & 2740 Hecker Pass Road Subdivision EIR Notice of Preparation

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- Project Location
- Gilroy City Limit
- Hecker Pass Specific Plan Area

- Hecker Pass Agriculture
- Agri-Tourist Commercial

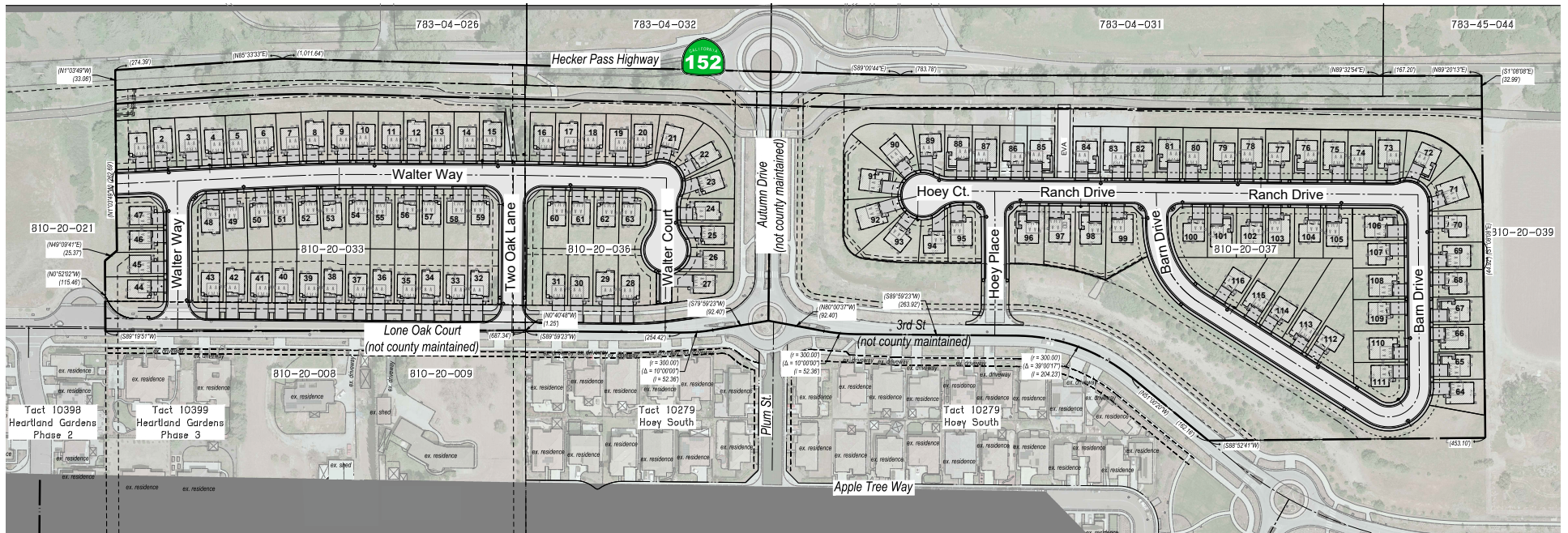
Source: Santa Clara County GIS 2024,
Google Earth 2024



Figure 2
Project Site & Surrounding Land Uses

2480 & 2740 Hecker Pass Road Subdivision EIR Notice of Preparation

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Source: MH Engineering 2024

Figure 3
Project Site Plan

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